

TRANSCRIPT_RAMPION2_ISH2_SESSION5 _16052024

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00:07

Good morning to you all. It's now 930. This hearing is resumed. Can I first of all ask Can everybody hear me clearly? It's good. I do have quite a loud voice I think anyway, as the live stream now began. Thank you. So welcome back to this issue specific hearing in relation to the application made by rampion. Extension limited for a proposed ramp into offshore wind farm. Yesterday, we discussed onshore and offshore ecology, and some clarification points today, we continue the hearing with a discussion on seascape landscape and visual effects, traffic and access matters, onshore ecology and the draft DCO. And some other matters of clarification. I will just say at this point that we will review where we are today, we have a busy agenda, lots of matters to discuss, particularly with items six and seven. We will review where we are at the break at the afternoon break as to whether we may need to drop the other items to written questions, but we'll make a decision on that later to later this afternoon. If I could just remind you, please mobile phones, if you could make sure they're on silent or switched off, please. Toilets are in the hotel lobby area in the reception area. Again, I've not been informed of any fire testing today. So if the alarm goes off, we will be the real thing and the fire exits are clearly marked. I think we go back out of the room we come and there's a fire exit just off there. And this again, I'll ask Does anybody know of anyone who had difficulty accessing this room? Nope. And cube. Now we did introductions yesterday. I'm not going to do all the introductions again. I am going to ask those that were not here yesterday to introduce themselves now. I'll go down those now. I'll start again. Mr. Male from the applicant, I assume that you will introduce your team as and when they need you as you did yesterday.

02:26

Yes, pull mail for the applicants are absolutely same as yesterday. Thank you.

02:29

Thank you very much. So if I can start with West Sussex County Council, I believe you've got a change of personnel for today. It's like I've introduced please.

02:42

Good morning sir Amy harrow West Sussex County Council. Yes, I've got two further colleagues or different colleagues joining me today and I'll ask them both to introduce themselves firstly, Chloe honey set. Thank you. Good morning Chloe honey sets county archaeologist for West Sussex County Council

03:01

Good morning, Ian Gledhill principal planner and county highways team at West Sussex County Council Thank you

03:19

know now on my list. I've got a transport officer from the South Downs National Park Authority but not down as is not here yet is are they coming? Do you know that's Mr. Alex Pringle

03:34

rich attorney here for South Downs National Park Authority. Yes. Mr. Pringle is going to come along later. I've also got to my right, Vicki Colwell. And to my left. Robin butcher who's here for landscape matters. Thank you.

03:57

So national highways are here today. Do you want to introduce yourselves?

04:02

Thank you, sir. Good morning. My name is Sarah Marshall for national highways and my colleague, and he's just arriving now. Kevin Baum, the national highways.

04:11

Thanks very much.

04:20

We've got another person from California parish council that wasn't here yesterday. Understand?

04:25

Yes. Good morning, Paul. lightburn representing

04:29

I do apologise. He says Calvin

04:32

leyasu caliphal parish council. At the time. I understand is it to Constance town? Is it

04:43

yes, it's okay. To say hello. And style you want to I guess not. I'll take it that that she's there

04:59

and also So Councillor Handley from bony parish council, yes. Good Morning

05:04

Morning cert Nicola handling check only parish council.

05:08

Thank you very much understand that rod the brown from protect coastal Sussex is here

05:20

that alright. Yes, I am and I also represent East East Beach Residents Association of New Hampton.

05:27

Thank you very much. And Melanie Jones

05:36

Yes, I'm here representing Middleton Nanci coastal Alliance.

05:42

Thank you very much.

05:49

So I understand with California rampion group, you've got some people here do you want to introduce as you talk? Or do you want to do the introductions now?

05:58

I can do the introduction. Now if you like, okay, mira, Smethurst, California rampion. To my left, Daniel wall. And to my right, Paul lightburn. Thank

06:09

you very much indeed. Okay, is that everybody that wasn't here yesterday, but he's here today that I haven't covered that wants to introduce themselves. Now hands up in the room, or hands up online. Thank you. Can I just remind you again, please of the GDPR regulations, and please not to because these events are being recorded. And they will be published. Please don't say anything that you wish to be kept private and confidential. If you do, cause we can amend the record, but it is quite a laborious process. So please, if you can avoid that. I just one other points I wish to raise before we move on to item six. This is to you Mr. Now, we as an examining authority does when you reflect on the previous day. In respect to trees and vegetations. The excise noted that the information contained on vegetation is actually spread out in quite a few documents. Aside from the appendices that support the chapter 22 ecology, which is the vegetation survey report, the hedgerows survey report and the aboral Cultural impact assessments, which is fine. That's that's there to support the chapter 22. We note that there is a vegetation retention plan in the Appendix B of the code and structure and practice as a TPO and headrow plan. I'm not totally sure what that what that does. Other on top of the vegetation plan. And then we also noted yesterday that buried within the technical note on construction access, that's rep three zero 55 was the statistics for all the hydro losses and tree areas of woodlands and figures, etc. The XA would very much like and as close as directing as we can do. We'd like this all pulled into one document. Preferably called a vegetation retention removal plan, which incorporates those three documents. There's nothing to stop there being any repetition when there needs to be, for example, the the crossing schedule is repeated in a number of places. But we would like that all put into one document a vegetation retention and removal plan. I think that incorporates all of that into one place. And it's also really, really clear on what is being removed, what is being replaced what is being

compensated. So there is a net figure a net figure of loss or net figure of gain. I think at the moment, in some places you have indicated that there is no removal of hedge row because I think you've calculated the mitigation within that figure but I think it needs to be broken down. So I think without getting into a discussion right today appreciate you might not have the right people here. But what would make this very clear, as I say if you can incorporate the those areas into into one document for the next deadline, and then that is tied to the requirement issue that I talked about yesterday. So we've got the issue of vegetation retention removal in one place. If you could take that away, please. I don't intend to have a discussion on it or two. But I would just like you to take that away.

10:07

Thank you. So poor mouthing, the applicant will do so thank you. Thank you.

10:16

Okay. Okay, so that's all I have to say. So if there's any matters and he wants to raise on my introduction notes, I'm going to move on to the next item on the agenda, which is item six, which is the seascape landscape and visual Mr. Sullivan.

10:36

Thank you, Mr. Harlan. So the ESA Notes section in laminae of national parks and access to countryside Act has been amended by section 245 of the levelling up and regeneration act after the submission of this application. What the ESA wishes to do is to take principally the applicant and South Downs National Park Authority through the key elements in a non prejudicial scenario that the Secretary of State has accepted the applicants alternatives case the proposed developments route through the National Park and the es es site environmental statement, baseline and methodology. The FAA wants to show the national park that we understand the concerns on your on these matters. But we wish to examine though those points in that scenario. So we're now its agenda item six A where essentially, the essay wishes to go through pre matters, each intern in respect of minimise minimization of harm, mitigation and compensation and furtherance. So turn into item six, a. The first question is to the applicant. And please correct me if I'm wrong on this, but the essay just wants to be absolutely clear. What we're looking at here. So in terms of minimization of harms, and the National Park, is this essentially provided for by commitment 66 are EP three Oh 50. The overall sort of design principles of the proposed developments and requirements 12 and 13 are the draft DCO, our EP 3004 and the associated control documents, the landscape ecological management plan, our EP 3037 and the outline Construction Code of Practice our EP 3025.

13:36

Thank you. So Paul, my role for the applicant just to introduce the applicant team in response to Agenda Item six to my immediate left, I've got Simon Martin, who will be dealing with seascape and associated impacts arising from the offshore array area and then to his left, Rebecca rile up to who we commenting with impacts arising from the onshore elements. So if I could pass them to respond to your question, and and I may pick up on a couple of residual points, as well.

14:24

You have to, if you recall, yes, that's it. You have to point that at that thing in the middle. Yeah. Thank

14:28

you. Good morning, Simon Martin, for the applicant. So yeah, I'm speaking on seascape and visual matters on behalf of the applicant. So I can take the point there around the commandments, the 66 in terms of the overall design principles. Essentially, yes, the the National Park has been at the forefront of our considerations in the design of the project. And we've aimed to MIT to minimise harm to the National Park providing metric addition through the incorporation of those design principles, and through the spatial extent of the DCO order limits. And in doing so, our intention has been to minimise harms on the special qualities of the of the National Park and show which I regard to its statutory purpose. So, so yes, in terms of the the commitments, the six to six and the overall design principles. The we've we've had the point where we've, we've, we've mitigated harms minimise harms through the spatial extents of the DCO boundary and incorporated those design principles within within the DCO order limits reflected in the actual work plans. And maybe pass on to, to to my colleague to pick up on the points around the lamp and ACOTA construction on the onshore landscape Michelle impacts

16:08

didn't move in.

16:10

So with the onshore elements of the proposed development, there are some key differences. Obviously, we're dealing through the National Park with an underground cable, there's no particular above ground infrastructure that leads to permanent addition. And in terms of minimising harm, we have sought to deliver a high environmental standard, that's what's requested by en one in paragraphs 510 35 and 29. And this is demonstrated by the quality and detail of work in the ies subsequent submissions, which have all been enhanced through consultation with stakeholders and local residents. The site and route selection, mitigation hierarchy has been applied and in comparison to the pier, we have been able to reduce impacts so there would be no visual impacts on settlements within the National Park. This was something that was no significant impacts on settlements. This was something that was apparent on a number of settlements appear stage reduced effects on landscape character units. We have illustrated the route of the cable corridor with over 29 illustrated and annotated viewpoints. This is a high environmental standard of assessment and design. It compares with less than 10 for the whole route of rampion one, which was admittedly done some time ago, we have full arboricultural survey to refer to 3d modelling of the route digital survey models and Zed TV analysis, we have an outline length, and I would refer the inspectors if they haven't seen Annex A of the outline lamp, which is rep three dash 037. And in there you will find cross sections through the cable corridor and through the particular hedgerows that show you exactly how we're going to thread the cables through these vegetation features. As we cross through the South Downs National Park along the route of the corridor. We have code construction practice, document and commitment register reg commitment register. So that's rep three zero 25 and rep three zero 2049. And these have been driven to a high standard through consultation with stakeholders and members of the technical team and environmental team on behalf of RW E. We are considering and have been considering the level of detail down to visibility splays and Bell mouths. And as you heard yesterday in the evidence from my colleague Alan Kirby down to the last metre of head row with reductions from 30 metres clearance

down to 23 metres clearance. So that's pretty exacting the vegetation retention plan, Appendix B of the code of construction practice rep three dash zero 25 almost has a bespoke level of treatment for the hedges as they go through the through the works. And on top of this. We have the reinstatement plan in which it looks at a variety of measures and methods whether it's trenchless, notched coppiced pruning, and translocation. We have monitoring maintenance and management programmes, which are an outline. We also have a public right of way management plan that's rep three dash 033 Which did and we have within the landscaping visual impact assessment detailed assessment published right away. We've also I looked to mitigate construction lighting. And we have agreed through consultation with the South Downs National Park to review and adopt their technical advice note which was published in 2021. Incorporating that standard, that high environmental standard into the COC P.

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Thank you. That's a useful summary there. Thank you for that.

20:27

Thank you. So if I could just pick up on a couple of other points, because I'm conscious at the outset of your question, I think you set out a list of things that you were considering under this point and reference to a number of requirements and control documents. I think in response there, it's also worth bearing in mind, highways accesses in the South Downs National Park, details of which are secured through requirement 16. Throughout referred to public rights of way to which requirements 20 and 21 are relevant. And we also need to recall the discussion from yesterday about the interrelationship between the construction method statement and the COC piece. So in addition to requirement 22, I'd also make reference to requirement 23 as well, just for the sake of completeness. Thank you.

21:30

So to the South Downs National Park, hearing that summary of the ways that harm is to be minimised and considering commitment 66 and the requirements on the control documents for the lamp and the total construction practice, obviously, we touched on this point yesterday in relation to some of the ecological impacts. And I just want to be clear, exactly what the South Downs national parks view on the commitments and the control documents and requirements are in terms of their adequacy. And what and whether any of that there's any suggested changes to those or whether it's the detail just so we're clear what the national parks view on those are.

22:45

Reg, attorney for South Downs, National Park Authority, I'll start and then I'll see if anyone else wants to come and add to what I say. So I think the first point I'd make sir, as I completely understand the the approach you want us to take in terms of assuming that baseline assessments etc. are agreed and assuming that the route needs to go through the National Park is found to need to get through the National Park. So take that, as read in what I say. I think the next point I make is, of course, this is not just a landscape issue. So it comes up under the landscape. But really the point we've been trying to emphasise to the applicant is that this is a cross cutting issue. And it's about seeing the national park for its special qualities and as an important national resource and not isolating particular disciplines, and then taking a more holistic approach to it. So that's that's the sort of cross cutting point. I think this first point is is minimization. And obviously we understand the applicants proposals and why they say

they need to retain flexibility in detailed design, but really the question and minimization is going to come to the next stage. So assume that development consent has been granted. And if we take the offshore elements, there are design parameters. And we have explained why we think those design parameters lead to unacceptable effects on the South Downs National Park in terms of the seascape impact but the design parameters themselves would permit lots of different arrangements of an array. And there is nothing in the development consent order to manage the design of that array in respect of impacts on this house town's National Park. There's nothing there. It's hollow. There's no duty on the applicant to do Consider a national park when it's designing its array. And of course, there's no approval process for the design of its array is his in its hands now, assuming that it the parameters are set out in the DCO. So the sort of rhetorical question that that I would pose is, how will the national parks presence and the impacts on the national park influence offshore design? And that we have that sort of bare commitment C 66. But how would that be policed? Who will manage that impact? So, I'll leave it there for offshore minimization, onshore minimization, again, I'll take a similar approach, which is to say, let's assume that the parameters which are proposed here in terms of how the the width of the cable corridor, the scale of the impacts potential impacts on particular hedgerow features, or woodland or whatever it might be, assume that those are as proposed. How will the presence of the South Downs National Park as this important resource actually be taken into account when we come to the detailed design of that scheme? And whilst obviously we do have the O lamp and the CSCP, the two main control documents we raised upon yesterday about the the the deficit of information about biodiversity. Also, the management plans themselves are in very high level outline form detailed management plans to follow. How will the presence of the park influence those detailed management plans? And the short point is that we say that the applicant hasn't really grappled with this point, how is it going to further the objectives of the National Park? How is it going to take those into account because minimization here is a particularly strong duty. And it cuts across the the detail that is going to come forward. So as a as a as a sort of minimum, I think we'd expect to see references in the control documents to providing a particular account of impacts on the special qualities of the national park in any submitted document. And in the relevant requirements, which I think we've identified 12 In particular, 16 on Highway accesses, 23 on onshore cicp, I think we need to have some measure when those documents come for final approval against the national parks specifically.

28:15

And I should say, I know so so you raise your eyebrows as at further and send you a Dallas, you can say we're going to come back to that. But the points I've made, I think they do go to minimization, they will also go to the other headings that we'll deal with. In the next agenda items. I won't repeat them.

28:37

Thank you, Mr. Senate. Can I just follow up? On the last point that you made? When you say measure against the National Park, when it comes to approval of the documents? Are you are you referring to the measure against the special qualities? Is that just there's just so I can clarify exactly, exactly what you meant as some sort of measure against a special special qualities, if you like? Ensuring that what's been said in the document has been carried out. Have I interpreted that correctly?

29:13

Representative Southdowns dashpot? Yes, that's right. Sorry, I should have said a measure against those special qualities which of course are articulated in the management plan. But also the the sort of core statutory duties about conservation enhancement, natural beauty, wildlife and cultural heritage.

29:38

And so they applicant John to come back. On any of those points, particularly in the last one, I think in terms of the measure against the I know is coming down to special qualities later in the in the agenda, but I think at this point, just have come back particularly on that point would be useful.

30:04

Certainly so pull mail for the applicant, I think what I will say is that, of course, the applicants assessment on the special qualities was submitted as one of the action points in follow up to the first round of hearings, it will be on the basis of that assessment which has been undertaken, drawing together all of the conclusions of the IES on a worst case basis, which you will compile your report and make your recommendations and the Secretary of State will ultimately make a decision that will be on the basis of the mitigation that secured through the control plans as they are proposed. And it will be up to the applicant in pursuing the scheme, in accordance with the terms of the DCO to then ensure that the detailed plans that come forward, under under those CCOs accord with the outlines, which the Secretary of State would have considered are acceptable, and that those detailed schemes are caught with those outlines. And also obviously, then the assessment and conclusions had to form part of the environmental statement. So those are the standards to which the applicant would say it is committed, and the standards which are secured through the terms of the order.

31:41

And thank you for that.

31:47

UPS not not wishing to repeat what's just been said. But is there anything that the National Heart Wants to come back on particularly, again, particularly in relation to what the applicant knows just refer to in terms of the the the measure point?

32:13

Reach attorney for Southtowns? National Park? Yes. I think I'll be direct because I know Mr. Miller mind, I think it misses the point. The question about whether you asked us to proceed in this section on the assumption that the assessment in the ESA had effectively been accepted. So a document which collates the IES assessments and measures them against the special qualities is, frankly doesn't take us further forward on this question and minimization. What what we need is we need to ensure that when the applicant comes to deliver its onshore scheme, and indeed is offshore scheme, but it's onshore scheme, specifically, that it does so with the impacts on the National Park, front and centre in its mind, not that the applicant has assessed those impacts at this outline, development consent stage. So it needs to ensure that when it comes to thinking, do I lay my cable on this alignment? Or do I move it one metre to the right, that it thinks which will be best for the National Park and its special qualities? Now, you don't have that at the moment, you don't have that control? The the the outline Lemp doesn't deal with the National Park impacts, doesn't have doesn't deal with it. So what we need is we need a

city of significant upgrading of the control to ensure that when the applicant or indeed the off Toad, or whoever made deliver the scheme comes forward with their cable plans with their construction teams that they're thinking National Park first rather than dealing with a lamp which again, I'll be frank about it, it is a lamp, which you would expect on any cable route. Any cable route would have a lamp with these sorts of requirements. There is nothing special about this lamp compared to any other cable scheme lamp. Whereas this cable scheme is going through one of the most sensitive landscapes in the country. And that's why we need to see more.

34:43

Thank you for that.

34:46

So me, sorry, could I just come back on that? Would that be all right? Yes, fine. Yeah. Apologies. The outline land I would ask, we don't know how South Downs national park have approached this situation before there are been other linear projects through the National Park rampion. One, obviously one that we are learning lessons from within the outline land. We have, it does go a standard beyond because as I'm referred to annex A, which has a number of a cross sections within it. And when you look at those they are that's the first time I've ever seen those produced out to that level of detail, looking at individual hedgerows, and exactly how the cable will fit within the hedgerows and maintain as much vegetation as possible. And that was driven by National Park minimization in mind.

35:54

By Vancouver exploration explanation, can I come back to National Park, just with regard to the same point in terms of the gay upgrade of control that that you're referencing there is is that something that possibly could be dealt with via the commitment register in terms of perhaps a rewording of the commitment or rather than within the control documents themselves? Is that something that perhaps would go some way to potentially address the concerns that you've expressed over those documents and the control mechanisms is, is that what you're suggesting in in, in that, in that respect, and

36:48

bridge attorney for Southdowns, National Park Authority, so I think, if I give just give a couple of routes through one of them would be to take the commitments register and sort of take CCC six and make it a lot more granular to say that it needs to be taken into account in submitting a lamp in submitting a cicp in designing the offshore array. You could break it down and make it far clearer because at the moment, it's laudable, but how on earth is that going to be policed? So commitments registers one route, I think, what we would expect to see is that for example, the outline lamp would have specific reference to the National Park. We've just been told that the the drawings are with in appendix A A with the National Park in mind, but it doesn't say so those are drawings, which I would expect would apply to any hedgerow which is crossed by the scheme. I can't imagine that it would be suggested that there wouldn't be replanting in hedgerows that across outside the National Park. So there's nothing special about this provision. It's just a standard standard drawing to show how you plant over a cable corridor. So I think something specific in the control documents would appear to be a very sensible first step. And why we couldn't have a chapter of the old lamp that talks about the National Park, I don't know it would seem to be a relatively easy change to make. That's controlled documents. And then there's the

face of the development consent order. And I don't want to leap ahead to sort of the question of the statutory duties, but I know that in the A 66, trans Pennine DCO. The detailed design requirement is subject to a specific provision, which requires the applicant to take into account the National Park purposes when they make their detailed design proposals. So this obviously isn't a detailed design approval case in respect to National Park impacts, but the applicant is required to take that into account in making their submission. And then of course, when that comes to be judged, we sort of have the applicants assessment in the same way that the heritage provisions in planning policy require the applicant to take it into account at the first instance, provide the information to the decision maker and then the decision maker can judge it against the right statutory test. So something like that on the face of the order may be another solution.

39:41

Thank you. So with those suggestions, so to the applicant, as African able to take that away and consider the appropriate route in terms of The commitment 66 The wedding a commitment 66 and potential wedding in the control document or as Mr. Turney says a detailed design provision that the explanation there in terms of the detailed design, revision as a as an action, or do you want to come back and comment on what Mr. Turner is

40:25

just no. So I think I think we will take that away, we'll give her the consideration, there may be some things that we can do in order to allay those concerns in some of the wording that's in the control documents and perhaps on on the face of the order. There's certainly no intent from the applicant, if I can put it in that way not to have regard to the purposes and the special qualities of the National Park, in bringing forward its detailed design. And, you know, the applicant would would would point to the evolution of the project as how it's already given significant consideration and concern to those issues in bringing forward its proposals.

41:12

Thank you, Can we can we take that as an action, the first action point then, please?

41:31

Mr. Toney just from for my benefit, the suggested if you like beefing up the DCO Are you referring just so that I'm absolutely clear to the requirements? To? Sorry, are you referring to requirements 234 of which, as I leave it to you, are you able to direct me which requirements you feel, need that extra step that extra wording? So that's what I'm absolutely clear which ones you're referring to

42:07

you registering for National Parks Authority? Yes. Sorry, I've managed to shut the DCO just as you okay. So, I think the the main provisions

42:31

I, I think it will be in requirements. So that so I put aside the detail the offshore design parameters, because in essence that nobody's approving that. So, how we capture that I think is a slightly more difficult point. But when we get to requirements 12 and 16, which is the highways accesses and

National Park particular sensitivity, and then 23, which is the C OCP. Sorry, 22, which is the C OCP. Those are those are control documents, which will come to the National Park Authority in respect of works in the National Park and be approved by them. And it would seem to me that putting a duty on the applicant to to sort of grapple with the National Parks specific impacts in those submission documents would go some way to addressing the concerns that we've we've raised the way in which it's framed in the A 66 Trans Pennine DCA, which is as I say it's about detailed design, but it says that the undertaken relation to detailed design of the authorised development must have regard to the amended duty to further the purpose of conserving and enhancing the protective landscape. Which obviously I'd say that's detailed design, we don't have that but it could similarly say in preparing Lemp, CSEP, etc. For the National Park area. Have regard to the amount of duty to further

44:27

Thank you having a slight knowledge of the A 66. Myself as I'm sure we're aware that was in an article because they didn't have any requirements in that in that one. We won't go into the reasons why. But it seems to me Mr. Mao, that that that doesn't seem too onerous a task on YouTube to perhaps look at those those requirements perhaps with a dude with a perhaps or a view to maybe just setting out what Tony said you'll take that away. Is

44:58

that correct? Yes, it will. So thank you Thank you very much

45:08

Mr. Botha,

45:11

reporting ocean District Council, it's just to alert. The panel of see the duties to the National Park also extend to the setting and the land in the setting of national park as well.

45:26

Thank you for that.

45:28

Does anyone else wish to make any comments on this agenda item before we move on to the next item

45:42

and see no one in the room or online. So we'll move on to six B, which is in relation to the mitigation and compensation. Similar to the first question that I asked for minimization of harm. I was gonna just go through what the mitigation and compensation measures were. But I think in

46:11

your answer to the previous questions, you sort of covered those points. So I'll skip that question. And

46:27

so bear with me.

46:37

So in the Submit deadline for each submission in the draft heads, the terms was obviously mentioned of midterm mitigation and compensation in respect to points 3.11 and 3.12. Sorry, that's from rep. 3065. Is there any update that the applicant can give in terms of any further discussions on the detail of those planning obligations for mitigation and compensation? At this point, any initial further discussions that I've had since then,

47:16

it's certainly further discussions have been had. So we've had feedback on those heads of terms, most notably from the South Downs, National Park and others, as you say, those do relate in the context of the discussion we're having here to mitigation and compensation measures. So the final outturn of those section 106 discussions will be relevant to those considerations. And yes, those those those discussions are ongoing.

47:54

So, in terms of those discussions, then, when is it anticipated that there'll be further detail that's submitted into the examination? Is that the deadline for? Well, sorry, basically, what I'm trying to say is you are you on track for the submission deadline for for the specific details, because obviously, those details at the moment are pretty skeleton in terms of the information that's in the examination. Is that something that you can get?

48:24

Yes, I think I think we agree discuss

48:28

today in some outline form, or is it something that will be submitted at a later deadline?

48:34

Well, I think we've got heads of terms, what we're working to, I think, in accordance with the examination timetable is the submission of draft section 106 agreements themselves by deadline for it's certainly our intention to do that, which will pick up on further discussions that we've had with the various authorities and also in response to the feedback that we've received on on on the heads of terms. I think it's fair to say given the timing of these things, that those agreements will not be in agreed form, deadline for but those those discussions will continue and they will sort of give the examining authority more context on on on where those discussions have progressed to.

49:18

Thank you for that.

49:26

That they Southdowns National Park the examining authority notes that in your response to the essays written question one SLV 1.5. You refer to the mitigation and compensation being a highly inadequate at that point. How and why is this so? And again, it might sort of tip into The next question that I was

going to ask in terms of the planning obligations as to if those planning obligations are agreed as the applicant is outlined, and delivered through section 106. Is this going to go to some way to address the South Downs, national parks concerns on mitigation and compensation?

50:28

Richard tourney for South Downs National Park Authority. So I think there's there's sort of two points there. One of them is about the the inadequacy of of mitigation measures. And I think that is ultimately going to come down to the detail and the strength of the control documents. So effectively, the points we've already touched on. So I think that I put those points in both minimization and mitigation, because the the impacts can be reduced and mitigated through appropriate controls over construction. Then on the question of compensation, so that at the moment, there is no compensation. And the approach that we've taken, that we propose to the applicant is that there should be a fund, which can be then put to specific projects which are in place or emerging to further the special qualities of the National Park. And thereby where where the project does cause harm to those special qualities, which can't be avoided or mitigated in full, then there is a there is a compensatory provision. And we think that's important, because then we're going to come on to it. But when the centre of state's considering her duty to further those those objectives at the National Park, she will of course want to be assured that she's got information before her to show that the application does further those things. So we think it's important in that regard. I think the current position is that those bozos are with the applicant, and we're waiting to hear back from them on them. But yes, is the is the short answer to your question, the provision of compensation will one be necessary, and two, will address the residual concerns or could address some of the residual concerns about the impacts of the scheme on the national park. But with the usual caveat of of mitigation hierarchy first.

53:13

Are there any further points that the applicant wants to come back on? On those matters before we move on to the next item?

53:24

Thank you. So Puma, for the applicant. I'm just grateful for Mr. Tony and his characterization of of the discussions there and, and the purpose and function of the proposed section 106 agreement, which which accords with the applicants thinking okay.

53:40

So before we move on to the next item on the agenda, is there anyone else who wants to raise anything in respect to this? Agenda Item. See anyone in the room or online so we move on to the next item?

54:08

Which is in respect of further and again, we sort of touched on this in some of the discussions. Again, I was going to ask for an update from the applicant, but we've got the update on mitigation and compensation, which presumably is the same for furtherance. So skip that question. Move on to the next. The next point in terms of furtherance, obviously, you're working with the National Park in terms of section 106 agreements for a draft sixth and Rs 106 agreement to be submitted by deadline for but can

the applicant confirm what they intend to submit into the examination as positive evidence of furtherance?

55:07

I think sir, what you are probably asking for is a submission from the applicant as to how the Secretary of State in reaching a decision might consider that the Duty has been implied within the way that the application is formulated. And I think it may be sensible if the applicant submits a document in writing, which is addressing addressing that point. We could discuss it here, but I think it's probably better discussed in writing, but essentially, that document will talk about many of the things that we have discussed today and how the design evolution has sought to further those purposes, through conserving the the special qualities where it can through the mitigation proposals put forward through the control documents, and through the compensation measures which it envisages being secured through the section 106 agreement and those will, those will be the sort of the headline points, but I suggest we put something in writing that the next deadline

56:24

Can we go into that as an action point then that the next deadline? Sorry, no,

56:32

we get we can, sir. unconscious, right up my work. I also want to say something in that regard.

56:42

Thank you. Yes, in its full South Downs, national parks say but they have several projects, which they're working on at the moment, such as B lines, which is about wildflower meadows, Goose Valley climate action plans, trees for the downs and other projects that they're working on to repair landscape character gapping, up hedgerows improving landscape characteristics, habitat restoration projects, etc. Key views, public rights away signage improvement, education, understanding all of all these things further the National Park and its projects such as those, that would probably be appropriate, but it's for it's for others to say thank you. Thank you for that.

57:39

So again, for the national national park just for clarity, in the same way that rescue are the mitigation and they compensation. I'm assuming that the answer from the National Park will be the same in terms of furtherance, though if those measures are agreed and delivered through the section 106, then this is gonna go some way to address some of the national national parks concerns in respect of this particular item on the agenda.

58:13

Bridge attorney for South Downs National Park Authority. So if I just take a step back and just a moment on the duty in the amended section 11 A of the 1949 Act. It's a strengthening of the duty. So instead of just having regard to the matters set out in Section five, which of course are the conservation enhancement, natural beauty, wildlife and cultural heritage, and the promotion of opportunities for the understanding and enjoyment of special qualities by the public, instead of just having regard to those, the decision maker here is going to have to is going to seek has to seek to further those purposes. And

it's quite a deliberate attempt to strengthen the protection of national parks. It's it's saying we need to do more. And the background to the legislation is absolutely clear on that. It's a directive duty, then it says you've got to try and go further. Rather than just have regard and think about it, you've got to try and make it a better place. So I think that's the lens that we would invite you to examine this point through. Not not just not just thinking about impacts but asking positively what is being done to further further the National Park as a special place. And, yes, I think that is going to encompass ensuring that the impacts are on the national parks special qualities are minimised so far as possible and ADAD will be minimised when someone comes to actually work out the detail of the scheme. They're mitigated through appropriate controls. And then there's a package that you can say, well, the residual effects are going to be subject to some compensation, that means that the park is going to be left in overall no worse state, if that's possible. So those are the that's the way in which we see the duty applying. And you need to have have regard to its at each of those, each of those steps, minimization, mitigation and compensation. And, but I'll put it this way. What we're hearing from the applicant, in respect of compensation is positive. But there's a long way to go on detail. And we are quite a long way into this examination without without those proposals before us. So hopefully, we can we can take that forward over the over the coming weeks to ensure that you can report on that matter.

1:01:10

Thank you for that Mr. Turney.

1:01:17

Just one final question in relation to the lower a sorry, the levelling up and regeneration. That is correct, isn't it that the lower doesn't actually preclude decisions that could be harmful to the National Park, isn't it? Just a simple clarification point?

1:01:43

Rich attorney for National Park? Well, let's let's have a caveat, new provision not yet tested in court. So nobody's yet given a definitive legal view on this. But it doesn't on its face preclude a decision which causes harm to the National Park, because the decision maker can seek to further those matters. But nonetheless, failed to do so. There are other similar duties and other provisions, but actually not really in the seek to further is I think new new to the planning system in terms of a statutory duty. It exists in equalities law. And the courts have traced it as being a duty which directs you to actively do something, but not necessarily get to get to a particular outcome. I hope that makes sense.

1:02:43

Yes, Mr. Turney, thank you for that does that does the applicant wish to come back on any of those any of those points

1:02:52

or only to sort of confirm confirm broad agreement with that analysis that the duty is one to seek to further not to further if I can put it in in those in in those terms. And as a consequence of that the aim of the duty is not to result in no harm or no net harm it is the seeking to to further where it can. But again, we will put some comments in in relation to the duty and the submission that will make a deadline for

1:03:34

thank you for that is there anyone else who wishes to make any comments on this? This agenda item as anyone in the room or anyone online so we'll move on to the next agenda item which is in respect of the seascape Visual Design Principles.

1:04:09

So when when this agenda item was originally put together, it was based upon some questions that the ex hay had for Natural England and that they obviously can't attend the hearing today. So any questions Natural England will be deferred to post hearing written questions

1:04:39

remove or move to the first question in the first seascape visual design principle, which is in relation to separation between the IRAs and one sorry, rampion why On so to South Downs National Park the the essays obviously got your representations and particularly Appendix A rep 1052. Boy wants to do what the FAA wants to do here in terms of that rep is just take a few some of the statements and just clarify some of the points that have been made. So that the essay is clear, again, on your case. So, a paragraph four point, sorry, paragraph 6.42 of Appendix A of that document. The National Park set out that the design principles are well reasoned and capable of having a positive effect. And they require further discussion on where it's to improving the development of the proposals. In the context of the commentary, specifically on separation zones, paragraphs 6.71 and 6.77. Again at the same document, the National Park say that the separation zones are present, but they lack separation and the overlap of rampion one and the proposed development gives rise to visual incoherence. Is it correct to say that the National Park reference to visual incoherence is based upon the difference in the height between the wind turbine generators and wind turbine regenerators are one sorry, rampion, one and the proposed development, your paragraph 6.83 and 6.84. And is it also correct then, that the reference to improve in the development proposals in this context can only be interpreted as increasing the size of the separation zones, or reducing the overall height of the wind turbine generators.

1:07:41

Sir Robin butcher on behalf of South Downs National Park, in terms of your first question about the visual incoherence, I would suggest that it's not just about the difference in height of the turbines, but it's also about the layout. One of the design principles of rampion. One was that it had an orthogonal light layout and straight lines with clear lines of sight between the array between the turbines in the ramping one array, which gave clear views through that through that array by the juxtaposition of the ramp into array to the west and to the south of rampion. One, that orthogonal out that was one of the guiding principles of rampion one is lost because the layout of ramping two is not on the same orthogonal layout. So, that also increases the visual incoherence that also the juxtaposition of the rampion to array to the south and to the west, means that from many angles, onshore, from onshore views, you see the two arrays superimposed together on your in your view, and there are very few viewpoints that have you can perceive that clear separation between the arrays, which leads to that visual incoherence. You talk about, you asked about what might be done to improve the situation. Yes, I agree with your statement that moving the arrays further apart would be an improvement, but also the fact that they're cited that ramp into arrays cited both the west and the south and ramping one array is really something that could be improved on we know that the zone six area to the south was not a

favoured position for rampion to array in discussions that Pierre Pierre stage. So there is room for improvement in approvals. On this on this layout we feel but again, we don't the layout that's set out in all the documents in the in the proposed plans. We don't know that's not fixed. We don't know how height they are. We don't know what size they are? Yes, smaller turbines would be an improvement. But we understand that that's not a viable situation with smaller turbines. But we don't know what what No, we haven't been made aware of what the actual turbines might the size might be, because I understand that's a future future decision further down the line to see what's available on the market. And such like, so even the layout isn't isn't set in stone. So we can't, we can't judge it on this basis. particularly well.

1:10:35

Thank you for that explanation. When you referenced the layout, to be honest, I think you've jumped ahead to the next. Next point on the agenda. But nevermind, are you referring to the layering of the effects? So the layering of the Serbians between the proposed development and rampion? One? Is that Is that what you're referring to? Rather than

1:11:05

bits of in the South Downs National Park? Yes, it is. I'm referring in particular to figure in the ES SLPI a chapter Figure Figure, the first figure in the figure 15.1, which shows the layout of the wind turbines.

1:11:30

So in a similar in a similar vein that I'm sort of jumping around now. But soon as you raise the point, I'll just finish off the point about Field of View allow will spread and then I'll go back to the applicant on both points. I was going to raise a similar question in terms of document route 1052, which, to some extent, you've answered in terms of paragraphs 6.52 and 6.53, where the national parks suggest that development should only take place within the extension area, west of Arwen. And the effects are compounded by the layering effects of the proposed development and rampion. One. So just to confirm, then it's correct to say that the National Park reference to improve in the development of that point is essentially to reduce the number or the height of the wind turbine generators.

1:12:36

So Robin Blitzer from the south and National Park, and yes, I think it's also as both of those points, and it's also about the positioning of them. So in fact that they're to the south and to the west, you don't get the effect of that that the principle that that term, the design principle that's been set out is that clear separation because of their positioning of it. So I think, revise positioning of the turbines would assist as well. And then it would give that clear separation, it would reduce the field of view. And it would, it would help to alleviate that visual incoherence. When you're looking at the turbines, from the from the east, you see the rampion, one with turbines to the south and behind to the west. And when you're looking at it from the north, you see the rampion, one with turbines to the south of it and to the west. So you would have review you're looking at you're always seeing some sort of overlap between the two arrays, which doesn't help with the coherence.

1:13:36

But thank you for that explanation. That's clear. So to the applicant is, is there anything you want to comment upon in terms of those points that have just been made in respect, both in respect of the separation and the field of view and lateral spread? To be honest, it was more a question to clarify the national parks position, but if you want to make comments on that,

1:14:16

yes, Simon Martin on behalf of the applicant, thank you. So yeah, be good to make comment on some of those points. I think if it's possible, it'd be really useful to see an image from the one of the figures from the environmental statement just as a context to this discussion, if that's possible, just the the view from Beachy Head from viewpoint one, which is at 091. Possible bring up just because it illustrates some of the some of the design principles quite well in terms of how the applicant is sought to reduce the effects on special qualities. Or not. We can just work through it. But I mean, essentially what I would say in that regard is that our focus has, through the design process has been on the special qualities. We've identified a series of relevant and particularly relevant viewpoints that are representative of those special qualities within the heritage coast.

1:15:18

Sorry, can I just hold you there? I think that the the XA understands the design principles have been put forward. And they the way that they've developed over the time, the questions were more about establishing the position in terms of particularly the national parks, I don't think it's it's not going to be particularly useful to go through the design principles in detail, it was more about the the conclusions that the National Park had made, if you wanted to make any comments on that, rather than going through the exact design principles in detail.

1:16:19

Richard, any further south down South Park, can I just just whilst there's a pause, can I just suggest that what the applicant really can most helpfully do is to explain if it disagrees with the propositions which were that the the lateral extent does not provide sufficient visual separation, or fat, put it another way around the lateral extent, chain changes to the lateral extent, could reduce the impacts on the National Park. And the avoidance of the layering effect could reduce the impacts on the National Park. That would be the most helpful thing in my submission for the examining authority to hear.

1:17:08

Simon Martin for the applicant. Yeah, we I mean, we recognise that those are the design measures that could reduce effects on the National Park, the lateral extent the separation, the height of the turbines in in particular. So yes, we recognise those are the parameters that that if they were, if there was an opportunity to further change those parameters, ie reduced the lateral spread or increase the separation, those those would be the kind of measures that would reduce the effect. Whether that would reduce to a non significant effect is a different matter. And perhaps unlikely, given the, I think, given that given the viability and economical and technical issues that the applicant is working with in terms of the design of the project. The measures that we've we've already put in place through the design principles have reduced the and minimise the, the effects as far as twice the applicant can, can can do reasonably within the constraints of the other, the other design factors I mentioned.

1:18:34

I think so if I may add a couple of points on this. Of course, it's worth we're talking we're talking about an effect in isolation here. And we have to remember the context within which this project is coming forward as articulated in energy policy and as articulated within the national policy statements. And I make reference to within the latest version of en one for example, about the objective of projects being to maximise their generating capacity on each site. And so, if we are talking about measures which might be introduced, in order to reduce impacts upon the National Park, we also have to recognise that constraining the extent of the array, the array area, constraining the size and type and number of turbines that might be produced, will obviously affect the generating capacity of the project. And that's an essential balancing exercise which is, is inherent in policy and the we also have to bear in mind. There are also other constraints which we're not discussing in this particular hearing, in that this is a project within the English Channel. There are other interests shipping and navigation given constraints, that all need to be factored into this equation, so it there is a danger as I think what I'm saying and looking at this particular issue in isolation.

1:20:16

Thank you, Mr. Yep. For that explanation, the XA is obviously wherever the policy position and the MPVs and etc, etc, it was a line of questioning to be able to establish, establish various cases rather than wanting to go into policy justification at this particular point. But thank you for that explanation. Is there anyone else who wants to make any particular comment on that agenda item? Yes. Rob Brown?

1:20:55

Yes. Apologies. Yes, sir. Yes, I was going to say that I think you're the designer from that point of view as being really tremendously optimistic in terms of being able to optimise, optimise or to mitigate the effect of the, the array. If you have a situation where you have different sizes of arrays, don't forget, also, we're talking visual effects here. And visual depends on having an observer, the observers are scattered all over the place point made over here, we view from an absolute multitude and often changing points of view, whatever you do in to improve is to mitigate it in one point is going to result in a downside as another point. So So basically, I think I find myself in agreement with the gentleman, the solicitor already over here. That yes, it's true, is it's, it's, I believe, impossible to actually mitigate it in no way. Other than, as I've observed on large arrays in different countries, where you have a situation where the entire array is of the insect for the same turbine unit the whole way through, then it achieves a consistency. However, another point is, not only are you going to get gaps and spaces, but the other thing that never seems to be taken into account here in terms of impact is the movement of the blades themselves, which is particularly makes them particularly noticeable compared with a static situation. So all those things will conspire, I think, to make it impossible to mitigated in any useful way. So you have to, you know, have to consider other things.

1:22:36

Thank you for that representation. Is there anything that the applicant wants to come back on all those points just made I you content?

1:22:48

Thank you. So just a quick one, Simon Marston on behalf of the applicant, I recognise the points made and good points. I think, in terms of the the issue in terms of just varied viewpoints, and how you understand them see the layout, and definitely, depending on the viewpoint, I think our focus has been on the heritage Coast really, as well as areas around the tops of the downs, but particularly during the design design process. The effects on the views from the Heritage coast were were given considerable recognition in, in the design objectives. So I think I would just, and the rationale for that is because of the special qualities and the stunning panoramic views to the sea, from, from those viewpoints that are, you know, inherent in special quality one, national parks, so it's really just a raise that point that that's, that's been our particular focus to concentrate on views from that, that direction in terms of the lateral spread and the separation zone.

1:24:01

That's Vancouver that the XA notes, notes, the response. They're just moving on to the next agenda item in terms of remoteness of the wind turbine generators.

1:24:32

Those items were put together from the response of the

1:24:38

did you want to speak I'm so sorry. Thank you. I hear what is being said. And I absolutely agree that it's the movement of the turbines and bearing in mind they are at a totally different height to the ones that rampion one that will actually encourage the eye to look at them. It isn't just that During the day, but at night, and I think that is something that really does need much more data to be put together on that. We seem to be very light within that. So talking about the horizontal field of view, I represent Middleton en si, and we are between two viewpoints. clumping and Bogner, we are we don't have a viewpoint, you can easily do 16 others, but you can't do one for Middleton, even though asked, there is no photo montage, there is nothing. We have a horizontal Coast vision, we have no idea because there is no data on the array of how it's going to be set. We have no idea what will be in front of us. And decisions are being made without any backup. I don't understand how that can be done. And I would very much like the applicant to come back and say why it is they can certainly look at the Heritage coast. Absolutely. And it certainly needs to be done and the National Park, but why does it mean that residential areas along the coast have no voice. We are not just little people. And I think it is disrespectful, I would like to have something back bearing in mind this is a project that is going over 2025 years possibly more. And then after that, those those turbines along the coastline, which are effectively will hedge us in competence us in both during the day and night. There is no break from that. And we will have to live with that. And the regeneration of what happens to those turbines at the end of the project will be ongoing because you've got rampion one and rampion two, both of which will have modifications. So I would like to have some answer on that. Please, sir.

1:27:03

Thank you for that representation does the applicant wants to come back on that point.

1:27:10

Thank you, Simon Martin for the applicant. Yeah, just about the point around turbine movement and rotor blade rotor blade moving we obviously recognise that is passive the characteristics of wind turbines when you see them out in the sea. It is a dynamic seascape. It's not devoid of movement currently, given the operational rampion one turbines in seascape and other other dynamic activity, the movement of the waves boats in the seascape. So, I would make that point in terms of movement, we recognise it's, you know, a fundamental fundamental part of the effects of wind farms. And in terms of nighttime effects, those have been assessed in the US chapter 15 Hat 56. And we provided and further visual assessment and viewpoints from the coastline of West Sussex in the deadline to submissions and so yes, there is a deadline three submissions. There is a viewpoint from glinting in the ES chapter, its viewpoint 40. Just checks. Yeah, three point 40 Cleansing cleansing Beach, which is at 094. As well as a number of other viewpoints along that section of the West Coast Sussex coast to allow understanding of the visual impacts.

1:28:44

Can I come back on that? Now?

1:28:48

Yes, there's indirect response or

1:28:51

indirect response. Yes, there is a visual from camping and from Bogner. But there is nothing that actually pinpoints across the horizon in front of that area of Middleton and fell open. And it is because it's a horizontal line. Those turbines being so much higher, though the navigation lights are therefore higher, and therefore you will see them far more clearly than you would from the lights from rampion one. Thank you.

1:29:27

Thank you for that representation. I'll see we've got Amy hairier wishing to speak on this item agenda. Thank

1:29:38

you. So Amy harrow West Sussex County Council. I think the conversation so far this morning, which is understood have been focused on the eastern array. The concerns to campus council have and I don't intend to rehearse all of them that we've outlined in our local impact report. Rep one zero 54. And in our latest submission of deadline three, rep three, zero 73 is our concerns of the worst Case lay out of the Western extent, a long Western extent, I really need to point out sir, but the design principles that have been discussed so far this morning by the applicant have done very little to try and reduce that significant adverse effect felt to the, the Western extent. And we're really looking for, I think, further conversations which may come up in the next agenda point to regarding further design principles to help reduce and produce a less impactful design. Because at the minute, yeah, the applicants findings from the SL BIA is that there will be significant adverse effects. And there's been no furtherance of design principles to help reduce that going forward, which we may cover in the next agenda item.

1:30:43

Thank you for that. Is there anything that the applicant wants to come back on that point before we move to the next item?

1:30:55

Sign them out Martin on behalf of the applicant. Yeah, I mean, we recognise the significant effects that were assessed from viewpoints in West Sussex in the SLV, AIA chapter of the s. The design principles that were embedded within the spatial extents of the DC order limits have had some benefit in terms of reducing the Western extent I think the the the western edge of the the Western extension area was reduced between the PIR and the ES layout. So, there has been some some reduction there such just to just to highlight that and also the separation zone that is between the Western extension area and the rampion one array just provide some some gap and some breaking the turbines think those are the main two points I wanted to pick up on that thank you sir.

1:32:08

Wind Turbine, wind turbine generators. The relay there is a clarification point relay to the applicant. So in terms of the termo context setting is used in the applicants, seascape landscape visual impact assessment, maximum design scenario and Visual Design Principles class clarification now. Rep. 1037 at table four point 14, can the applicant just explain what they mean by remote context setting?

1:32:58

Simon Martin on behalf of the applicant. And yeah, we've we've tried genuinely tried to avoid the use of the term remote in the assessment. But I think you know, we do consider it a remote given it's given its distance outside the National Park the scale of the seascape that's visible in the views and the intervening features in the landscape and see with views I think that's the point we were trying to get across really that give given the given the landform of the National Park and the elevated landform it's, it's evident in the views from the tops of the downs particularly that the amount of landscape and seascape that's visible between those viewpoints between the National Park and the coast and the urbanised coastal strip which tends to separate the National Park with the seascape is very personal in those views. And I think it was really just to make the point that the offshore element the offshore elements of the project are outside of the National Park, they are further away. I don't think anybody would perceive it to be part of the national park as such. It's it's in its seascape setting outside the National Park. So the the term we're used in the submissions you refer to so we're articulated with with with that in mind reliever.

1:34:33

Particularly

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intervening landscape features that occur and the distance.

1:34:43

So just to clarify, to clarify that and what what you're really saying is that the term remote is really fairly referring to the distance from the coast rather than any particular disassociation with any sort. context.

So he's more concentrating on saying that the distance from the coast. That's the context the element, that is the greatest consideration rather than what's around it?

1:35:21

I think it's I think it's both both. Yeah, I think it's both is kindness. The context is the distance. And it's the you know, the scale and the influence of the project. It's such long range by

1:35:38

Thank you for that explanation that the South Downs National Park want to make any particular comment on, it was more a case of trying to

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try and define that term within the submission. But do you want to make any particular comment on those matters that have just been raised?

1:35:58

Richard, any for sales down National Park Authority? I think just very briefly, we don't agree with that description. And I think if you're asking a question about remoteness, you really need to think about the designated landscape. And the interaction between the proposal and that designated landscape. And the significant adverse effect, which is harmful to the special qualities, the National Park is really the focus of the of the the issue here. And I think once you come to a conclusion that there is a significant adverse effect, and that there is harm to the special qualities of National Park, the word remote doesn't really help you at all. Because that is a to put it in very simple language a big issue. And it doesn't matter whether you can describe the distance as remote or or whatever it may be. We do say that these are real impacts, and they're important impacts that should weigh heavily in the planning balance. And I think beyond that, we don't need to get into remote all those kind of descriptors.

1:37:11

Thank you for that explanation. The African want to come back and I was it just a case of to the difference in opinion, rather than anything that is going to assist the examination. Simon

1:37:24

Marston for the African. I think he was really just to think to concur with the point that was made in terms of yet the impacts of the project needs to be assessed based on the visualisation materials that have been provided and submitted as part of the application. Preferably reviewed in the field and looked out on the ground and also in with the assessments made in the environmental statement in terms of significance, rather than necessarily pinning it down to, you know, is this remote or is it not remote?

1:37:57

Thank you for that. So is there anyone else who wants to make any? Are they? No, no, no points rather than what's

1:38:15

its most surprising me is that there's absolutely no reference here to the OH II see, sorry, only Yes, EAA the offshore energy strategic environmental assessment. Number four, which is closely aligned, and I think incorporated in the European conventional landscapes, which is as international treaty to which the UK is a party. There are figures I mean, the question is, though, there are pictures and route laid down for distances and buffer zones between sensitive receptors, which can include the just the the coastline as a whole, and in particular, they're highly sensitive ones, which are the National Park and this scheme comes to absolutely nowhere near meeting those figures for the buffers. That what strikes me is that in terms of designs is that the layout has been put as a dis pair of callipers has been run along the coast. It produces an offshore line, whatever it is eight, eight mile was said, but how 12 centimetres off of shore, you follow the coastline. So it means that wherever you're standing on the coastline, you're looking at right angles to what's in front of you rather than it being off to one side or the other. And I suspect that there might also be an economic component here that is cheaper to place those turbines closer to the shore than it is to distance them away as they are when you infield behind the original r1 By removing the ones that were proposed earlier to be in front of the closer to Seaford and to New Haven. So you move those down. They're way up coasts. And yet the rest of the array is all well inland. There was space to put them further away. Thank you

1:40:00

Thank you. Thank you for that representation. The, the reference to the to that document has actually been dealt with in the written written submissions. So that's why it hasn't been mentioned in this context has been written submissions on on that particular point. But thank you for that explanation.

1:40:22

Yes, I'm assuming you've got nothing further to add to what's just been said. It's all been done in writing good. Let's take a break at this point. Please. Will. Can we be back at 1130