

Hearing Transcript

Project:	North Falls Offshore Wind Farm
Hearing:	Issue Specific Hearing 2 (ISH2) - Part 7
Date:	10 April 2025

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FULL TRANSCRIPT (with timecode)

00:00:04:28 - 00:00:10:09

It's 1151 and the hearing is resumed.

00:00:12:28 - 00:00:16:23

We are on agenda item 3.5.

00:00:19:02 - 00:00:26:27

And before the adjournment, we attended to the first two bullet points. We are now on the third.

00:00:28:29 - 00:00:38:20

This bullet point is whether there is a difference between Natural England's judgment of the significance of effects in E items and the conclusions of the CIA.

00:00:40:11 - 00:00:58:00

It does flow from the above two bullet points. So we have moved partly into this territory, and I will seek to avoid any duplication as far as possible. The notes various degrees of concern regarding the Elvia.

00:00:59:16 - 00:01:04:18

Some of the concerns overlap with previous bullet points. In particular,

00:01:06:07 - 00:01:14:18

we have concerns from Natural England which state, amongst other things, that Natural England disagrees with the conclusions.

00:01:18:00 - 00:01:22:14

In its risk register. See for example I see two of its risk register.

00:01:25:13 - 00:01:46:02

I would like to hear from the applicant how it believes that it is satisfied that the assessment is adequate, and also to explain any measures which are being undertaken to reduce the divergence of opinion in this position between organisations.

00:01:47:19 - 00:02:10:29

We have heard about issues of compensation and it might be that those answers have already been provided. However, I draw attention to various IPPs and local authorities position. For example, Suffolk County Council has stated that mitigation compensation for the Suffolk Coastal Heath Area of Outstanding Natural Beauty.

00:02:13:12 - 00:02:24:19

During the construction phase, where significant adverse effects on visual receptors along the Suffolk coast would be experienced, for example from viewpoint nine Shingle Street, viewpoint 11, Felixstowe.

00:02:26:22 - 00:02:47:07

Turning first to the applicant. Um, bear in mind this this is an overarching concern shared amongst IPS about the judgment of significance effects within the SLV. A would you please set out how you are satisfied that the assessment is adequate?

00:02:52:06 - 00:03:18:10

Oh, for the applicant. So the the Natural England uh relevant rep. Appendix I2 to which you refer. The applicant has responded to the points raised in their response. Well, the the document is just called the response to that relevant rep. And that is rep 2024

00:03:20:07 - 00:03:46:04

and that sets out the, the reasoning, um, why we've reached the conclusions that we have and why we don't agree with the conclusions, um, that have been reached by Natural England and that states that we don't agree that the effects on visual receptors have been underestimated within the SLV.

00:03:48:14 - 00:04:06:16

And just to briefly summarize what that response document, uh, the information that provides you with. So. Excuse me. In relation to the effects on landscape character types

00:04:08:03 - 00:04:22:13

which Natural England disagree with in their table three. They provide some additional justification points, which they imply should lead to

00:04:24:06 - 00:04:41:17

a higher magnitude of change than has been presented in the Sylvia. But it's our view that those points are already considered within the Slavia, and the references are included in the response document.

00:04:43:19 - 00:04:45:13

In relation to viewpoints.

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There is no, uh, there are no viewpoints where the difference between the Slavia findings and Natural England's

00:04:59:05 - 00:05:25:04

um, conclusions is different in terms of the significance of effects. That there are disagreements in the level of effects, but there are no viewpoints where they say there is a significant effect and where the Sylvia concludes, there is not a significant effect. So

00:05:26:23 - 00:05:47:06

we've concluded that the Sylvia presents a detailed and comprehensive assessment, and that there is no need to provide updated material in relation to those comments from Natural England beyond what has been provided in the technical note, which has already been discussed.

00:05:55:15 - 00:05:56:08

Thank you.

00:06:01:07 - 00:06:16:09

I will invite any interested parties to comment on this. The bullet point did specifically mention Natural England, but as I have alluded to, there are some shared concerns with local authorities.

00:06:19:08 - 00:06:26:21

Is there anything any IPS here would like to raise about the conclusions of the SLV?

00:06:31:07 - 00:06:32:03

Mr. Bedford.

00:06:32:14 - 00:07:21:11

Thank you sir. Suffolk County Council, I think just very briefly, because a lot of the ground that we're concerned about has already been covered. As you say, this is largely an issue between Natural England and the applicant. Um, we've already made the point that certainly, so far as the statutory duty is concerned. We don't see the threshold of significance as being a determinant as to whether the duty applies or not or is discharged or not, and I think I understood from what Miss Broderick said earlier this morning, that the applicant is not saying that just because effects are below the level of significance.

00:07:22:02 - 00:07:57:14

That means, therefore, there are no issues to arise under the duty, and we would concur with that and position. Um, and uh, we note, uh, some remaining uncertainty in terms of the technical note as to how the applicant has achieved some of those magnitude of impact results. And I say, well, reflect on the explanation that Mr. McRae gave earlier today and address that in our written comments on the technical note.

00:07:58:16 - 00:08:31:25

Um, and obviously we understand there is a distinction between impacts on the resource itself. That's to say, uh, the national landscape and its special qualities and visual impacts. And we obviously understand that the applicant has identified that there are significant, uh, effects in EIA terms on some of the viewpoints, which are those identified in table 29.42, which we concur with.

00:08:33:02 - 00:09:03:15

Um, and uh, clearly, although I say visual impact is a separate, um, issue to impact on the landscape resource itself, there is a, an overlap between them in that part of the character of the national landscape is its natural beauty, which is something which is appreciated effectively by humans. And it's a there is a perception there.

00:09:03:17 - 00:09:14:23

And part of that is obviously what humans are able to see when they're experiencing the natural beauty of the landscape. I think beyond that, I don't think we've got anything further we wanted to add. Thank you sir.

00:09:16:10 - 00:09:16:29

Thank you.

00:09:19:05 - 00:09:19:29

Mr. Armstrong,

00:09:21:17 - 00:09:30:04

the National Landscape Partnership, is there anything you'd like to comment on this in regards the salvia?

00:09:31:06 - 00:09:58:24

Yeah, Simon, it's the, excuse me, National Landscape partnership. Um, I think the National Landscape Partnership's view is that, um, Natural England are the government's advisers on this topic, so we would defer to their views. And the second and last point I'd wish to make is that, you know, very much concur with, uh, uh, Mr. Bedford's, uh, comments around the threshold that we've, uh, said previously. Thank you.

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Thank you.

00:10:08:05 - 00:10:15:06

Just see if any other IP's wish to comment on the salvia conclusions.

00:10:22:24 - 00:10:42:08

And if not, I'll invite the applicant to respond to what they have heard before moving on and taking this issue further through written questions. Miss Broderick, Mr. McRae, is there anything you'd like to respond further?

00:10:44:22 - 00:10:47:11

Uh, Clay project for the applicant? No, nothing further to add. Thank you.

00:10:48:00 - 00:10:49:00

Okay. Thank you.

00:11:00:23 - 00:11:02:09

Moving on then.

00:11:04:17 - 00:11:21:25

Whether or not the applicant has coordinated the design with proposed five estuaries offshore wind farm according to how this would progress. Turning to matters of siting design issues that have also been raised through relevant reps. Written representations

00:11:23:19 - 00:11:46:00

please give the applicant. Briefly outline the progress made and steps taken to coordinate design. Wind farm with five estuaries. Wind farm. Could you outline the degree of understanding and coordination in terms of landscape and those two projects? The application and five estuaries.

00:11:49:08 - 00:12:08:00

Project for the applicant. Just to clarify, is the question whether there has been any coordination in relation to the layout and, um, the selection of the placement of the turbines within the separate array areas is that the question is being asked.

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That is, and how that relates to landscape and visual impact.

00:12:13:20 - 00:12:31:15

Uh, Claire, project the applicant? Um, no, there hasn't been any coordination in terms of the layout of the array areas, as they're sort of geographically separate. Um, the coordination that's taken place has related to, um, the grid connection cabling and the substation designs.

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Okay.

00:12:42:08 - 00:12:51:00

We'll ask any interested parties if they have any comments to make on coordinated design and impact on the landscape.

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Beaufort County Councilman.

00:12:55:02 - 00:13:30:07

Thank you so much for Suffolk County Council. The only point that we would observe is obviously, um, as a matter of fact, there has been no coordination. That is as it is. Uh, but it's relevant to the cumulative assessment of the seascape effect of the two projects that they are as they are proposed, and part of that cumulative assessment. We note that the applicant's turbines are themselves actually slightly taller than the maximum proposed height for the um, uh, five estuaries turbines.

00:13:30:09 - 00:13:49:24

Obviously, they are in different geographic locations. And obviously, as part of the cumulative assessment, one needs to take into account the effect of a number of, um, offshore wind farms, both those existing, uh, those consented and those currently at the application stage. Uh, beyond that, we have nothing to add. Thank you sir.

00:13:50:10 - 00:13:51:01

Thank you.

00:14:00:18 - 00:14:07:13

Any further comments from IPS? I will ask the applicant to respond to that cumulative point.

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It doesn't look like it. So there's Broderick on the on the cumulative point and the coordination or.

00:14:21:28 - 00:14:26:03

Absence of coordination to date in terms of the offshore arrays.

00:14:27:00 - 00:15:00:08

Collaborative for the applicant I will hand over to Mr. McRae who can explain how cumulative impacts have been fully assessed. I just wanted to reiterate, I don't believe, as was mentioned earlier, that, um, Suffolk County Council are suggesting that the turbines for five estuaries, the turbines for between North Falls should be reduced in height. That they're not suggesting that change should be made, and I don't believe changes. Um, whether changes were requested to the Five Estuaries scheme, I don't believe that those were being requested, but I will hand over to Mr.

00:15:00:10 - 00:15:02:24

McRae to deal with the cumulative point. Thank you.

00:15:07:02 - 00:15:39:14

All McRae for the applicant. Just to confirm, sir, that the the cumulative assessment presented in the SLV considers both schemes as designed and includes consideration of of the differences between them. And it does um consider the the Courtenay effect as it's referred to by by the council. Um, so just to reassure you that those points are taken account of in the SLV.

00:15:45:13 - 00:16:16:12

Budget for the applicant. Um, in terms of the siting and the layout of the turbines, there are obviously a multitude of different factors that are considered as part of that. And the offshore, um, arrays and their and their circumstances are are different for both schemes. Um, we can provide further detail on that, but I don't think that's necessarily relevant to the specific question you were asking, which was just in terms of, uh, landscape and visual seascape, landscape and visual effects.

00:16:16:14 - 00:16:31:27

And obviously, Mr. MacRae has mentioned that those have been considered. And as we said earlier, we had considered whether any changes could be made to the scheme to minimise impact, both alone and cumulatively, and there wasn't anything, um, considered suitable or appropriate to do so.

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Thank you.

00:16:33:05 - 00:16:36:27

Thank you for the clarification. Yes, I think that will be.

00:16:39:07 - 00:17:00:12

Not for, uh, for deadline for from the applicant on that. I think we will return to cumulative and coordination and the impact on visual assessment, perhaps through next set of written questions. In that case, I'll just see if there are any further comments on that point.

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No. Okay.

00:17:12:02 - 00:17:39:18

Uh, so the final bullet point is whether the effects of offshore safety lighting for the proposed developments, wind turbine generators alone and cumulatively with existing offshore arrays have been explored. And the proposed five estuaries offshore wind farm have been explored. Mr. Hamsters, I think, raised the issue about aviation lighting and other marine navigation lighting earlier on.

00:17:42:00 - 00:17:51:12

I will ask the applicant to give further information on the types of lighting that would be used for the wind turbine generators and whether or not they're the same as on existing turbines.

00:17:53:20 - 00:18:12:01

What the effect would be in visual terms and set out the impact of the red aviation lighting and any mitigation. Also lighting at platform level for marine navigation and lighting, and whether or not these will be capable of being viewed from the coast.

00:18:19:01 - 00:18:20:01

Mr. McRae.

00:18:21:17 - 00:18:57:00

All McRae for the applicant. So I can refer you to the SLV chapter, uh, paragraph 26, which sets out the assumptions for lighting that have been considered in assessing the effects. Um, so that describes Red lights up to 2000 candela, but these would be dimmable to 200 candela at periods when visibility is greater than five kilometers.

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The navigation lighting at the bases of the turbines are not likely to be visible because they would be below the horizon, as seen from the shore based views, which are all at relatively low level, and therefore these are not considered further in the SLV.

00:19:24:11 - 00:19:44:09

Within the Salvia chapter. There is consideration of the lights at both their 2000 candela and 200 candela settings and visualizations have been presented within that, which I'm sure you will have seen.

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The the overall assessment, the overall conclusion of the SLB is that there would not be significant effects as a result of the aviation, all

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of the aviation lighting.

00:20:02:24 - 00:20:04:00
Um, and this is

00:20:06:00 - 00:20:31:07
considering both of those settings. Um, noting that the 2000 candela setting is an unrealistic worst case in that the when the turbines are visible, then visibility would by definition be greater than five kilometers, and therefore the lights would be dimmed to their 200 candela setting.

00:20:33:21 - 00:20:55:10
And given that there were no significant effects identified of the lighting for North Falls, assuming as we do that the same type of lighting is applied to five estuaries, then there would be no cumulative effects arising from the two projects.

00:20:58:00 - 00:21:08:15
In terms of comparing the lighting proposed to what is in place on the existing turbines. I'm not able to answer that question right.

00:21:10:12 - 00:21:11:03
Thank you.

00:21:13:17 - 00:21:14:10
Mr. Reed.

00:21:15:01 - 00:21:16:11
David Reed for the applicant.

00:21:16:13 - 00:21:40:28
So the lighting requirements are set out by the standards that we've got for aviation and for shipping and navigation. So the lighting requirements, the marking and lighting requirements will be as per those requirements, which are I need to double check if they've changed, but they shouldn't have changed significantly from what is what is provided for the existing turbines. The change is obviously the heights of the turbines that are being proposed for this development.

00:21:41:17 - 00:21:48:10
Thank you. I think that's what I'm getting at. Really? That the the 200. And

00:21:50:02 - 00:22:05:28
it is the minimum level at which the regulations require these structures to be set, and they would predominantly be at 200 candela depending on the conditions, the visibility conditions prevailing at that time.

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I'll take it away to double check, but, uh, yeah, that is my understanding. But I'll take it away to double check more, confirm, post hearings.

00:22:17:25 - 00:22:20:09

Okay. Thank you. That would be welcome.

00:22:27:03 - 00:22:38:05

Do any IPPs have any comments to make on that issue? It was touched on earlier Mr. Amsterdam from the landscape partnership.

00:22:39:22 - 00:23:16:15

Yeah. National Landscape Partnership and the you know, the partnership understands the need for, um, you know, the lighting requirements for, you know, safety and other reasons. Um, but, you know, I think the National Landscape Partnership would consider that that will add to the residual impacts upon the national landscape because, um, you know, where there were, you know, views of darkness looking out from the national landscape, you know, that will now likely be impacted by, um, lighting.

00:23:17:08 - 00:23:51:26

But I say we recognise that, um, you know, there is a requirement for safety and other reasons. Um, but, you know, it does add to the residual impacts. Yeah. And going back to earlier discussions, um, to today, uh, just two other points. One is around, we recognise the scheme proposer has looked at this in the SRV Sve Lia. But I still think it is not relative. Tranquility is not in table four of rep 3044, which does feel an omission.

00:23:51:28 - 00:24:20:10

That's the table relating to the impacts upon the special qualities of the national landscape. And I say it may be that I've missed page on my printing, but I still see that. And the last point I wish to make, and it may not be relevant, but the national landscape itself produces a sort of guidance on the use of lighting within the national landscape. It may not be relevant in this case, but that is a document that is available. Thanks.

00:24:22:06 - 00:24:24:12

Thank you. Mr.. So the.

00:24:26:29 - 00:24:50:27

The point is noted, and I will ask the applicant to address those points. I suppose starting with the relative tranquility point in the technical document that Mr. Holmes has raised and the applicability of guidance on the use of lighting. Mr. MacRae.

00:24:53:12 - 00:24:59:03

Paul MacRae for the applicant. So we note that the, uh.

00:25:01:04 - 00:25:33:09

Yeah. Just to reiterate the the conclusion of the salvia that impacts on of lighting would not be significant. Um, the relative tranquility point within the natural, uh, within the natural national landscape assessment, um, is is as set out in the technical note. So the assessment is based on a selection of the the special qualities taken from the document.

00:25:33:14 - 00:26:08:12

Uh, the special qualities and natural beauties beauty indicators Is document. Um, and that list is a is a subset of the overall, uh, list of special qualities, um, which identifies those that have the potential to be impacted by the proposed development. So, so that's the reason that, uh, the tranquility point is not specifically assessed within that document.

00:26:09:07 - 00:26:21:28

Um, and finally, just to to note that we have reviewed the guidance on lighting documents. Um, but I think that's more focused on the use of lighting within the national landscape.

00:26:24:18 - 00:26:44:03

On the relative tranquility point, then, are you saying that tranquility features on a long list of special qualities? But it has been a decision has been taken not to assess that within the technical note.

00:26:47:16 - 00:26:57:02

Within the context. Sorry. Paul MacRae, for the applicant, within the context of the way that the special qualities are written. Yes. That's correct.

00:26:59:20 - 00:27:11:14

Okay. Thank you for confirming, Mr. Stutz. Any comments on what you've heard? I suppose specifically around the relative tranquility point.

00:27:12:07 - 00:27:34:18

What other Simon assets for the National Landscape Partnership? Um, yeah, I, I appreciate that the scheme proposal has looked at the, um, use of lighting guidance produced by the national landscape team, and I recognise that may not have been the most relevant point. Um, on, uh, rep for.

00:27:36:25 - 00:28:09:05

Um, so the technical note, I've just lost the, um, the reference to that at the moment. But on the technical note, paragraph 16, it does, uh, identify the, um, uh, the special qualities, uh, the six special qualities, um, points that are used for assess if land is suitable for the, um, inclusion as A, A and B or national landscape.

00:28:09:07 - 00:28:43:18

And this is rep 304 for paragraph 16. Um. And relative tranquillity is listed as a bullet there. But then it doesn't seem to follow through to the table, and I've heard the reasons for that, but it was just interesting that it hadn't just made an appearance in the table. And I suppose the last thing I wanted to say was just which I meant to say at the previous, uh, intervention was around, ground. Um. Yeah. This lighting will add to that cumulative impact of lighting of the of the other.

00:28:44:12 - 00:28:55:16

Um. Yeah. Um, built and, um, in construction and in, um, planning processes, uh, for offshore, uh, structures. Thank you.

00:28:56:00 - 00:28:58:15

Thank you. Mr.. Yes.

00:29:00:21 - 00:29:15:11

I will invite the applicant to Lane or set out to the examining authority either now or by deadline for any of that rationale, really for relative tranquility, not following through into the table.

00:29:17:00 - 00:29:35:02

And then and then the examining authority will also reflect on that leading up to the next set of written questions. So, Mr. MacRae, you've heard what Mr. Ramsden has said. Is there anything you'd like to add further to the relative tranquility point?

00:29:36:24 - 00:30:09:10

Home great for the applicant. So the the list of bullet points at paragraph 16 is a list of the factors related to natural beauty, which are defined by Natural England in their guidance. Um, as Mr. Ramstad has said, the special qualities um set out in the national landscapes. Um, special qualities and natural beauty indicators.

00:30:10:01 - 00:30:37:10

Indicators are related to one or other of these factors. Uh, and the table for in the document presents those special qualities. Um, under the heading of the factors, uh, to which they are associated. Um, if that makes sense. Um, the.

00:30:41:07 - 00:31:17:28

Uh, the special qualities were selected from the long list, as I've mentioned. Um, and not all the individual special qualities were considered relevant to be assessed. And it just so happens that none of the ones assigned to that particular factor were included within the, the assessment. Um, and that's set out within paragraph 21, which summarizes that, uh, process.

00:31:18:09 - 00:31:34:15

It would just also be worth noting that the effects of aviation lighting are specifically addressed with relation to some of the scenic qualities. Special special Qualities.

00:31:35:24 - 00:31:52:03

Okay. Thank you. I think it might be helpful, certainly for me, just as a post hearing submission to the rationale for the or further rationale for the inclusion or exclusion of certain of those.

00:31:54:10 - 00:31:56:13

Special qualities.

00:31:58:13 - 00:32:25:19

You may consider that that it is either self-explanatory or it is set out, in which case just highlight very specifically how that rationale was is provided and why, specifically on relative tranquillity that

doesn't follow through into the table. I think that might then assist IPS in forming a view around the technical note.

00:32:27:21 - 00:32:36:02

Yeah, I think I'd reiterate that point. And if you can explain how relative tranquillity has been considered in this particular context.

00:32:37:29 - 00:32:56:09

Paul MacRae for the applicant. I would draw your attention to paragraph 17 of the technical note in that regard. Um, but I think we maybe need to provide a bit more, uh, information in, in relation to, to written questions if you have those.

00:32:57:01 - 00:33:09:18

Thank you. Yes, I undoubtedly will form part of written questions, but in advance of written questions. A response on that point at deadline for would be very helpful.

00:33:10:29 - 00:33:33:05

Particularly just for Mr.. Um hamster's benefit. Um, the reference to um consideration of aviation lighting is on page 17, and it's the sort of final row of the section that deals with scenic quality just before it then goes on to relative wildness. So in turn, it was asking where in the document it might be. So that was just to point him. Point him in that direction.

00:33:33:07 - 00:33:33:27

Thank you.

00:33:35:29 - 00:34:07:09

Can I just give you another reference? It's not because we're. It's a point that we're pursuing. But just so that, you know, in appendix H of, uh, the Suffolk County Council local impact report, and that's rep 107 for appendix eight of, uh, that um, uh, document is the Landscape Design Associates, Suffolk Coastal Heaths Natural Beauty Indicators and special quality document.

00:34:07:11 - 00:34:27:04

And you will see it. I think it's at the foot of page four. Going over to page five is the text that deals with relative tranquility. And what are the contributors to that? Uh, and so on. So you've got that source material is already before the examination, which, uh, that you have absorbed.

00:34:27:18 - 00:34:31:23

Thank you. That's that's helpful. Okay.

00:34:34:03 - 00:34:41:06

Mr.. Was there anything to add before I go back to the applicant for one final check?

00:34:42:07 - 00:34:45:10

No, I'm satisfied that that point has been heard. Thank you.

00:34:45:29 - 00:34:54:20

Thank you. In that case, I will see if there are any other IP's either in the room or online.

00:34:58:00 - 00:35:05:26

No hands. And therefore I will invite the applicant to see if there is anything further they wish to add under this bullet point.

00:35:09:27 - 00:35:24:14

Project for the applicant. No, nothing further to add. Um, in today's hearing and we note the point and the request for a further explanation as to how we've, um, uh, approached, um, set out the approach in the technical note.

00:35:25:02 - 00:35:25:23

Thank you.

00:35:31:15 - 00:35:32:09

Okay.

00:35:34:22 - 00:35:52:17

Thank you for everybody's input so far. That concludes this item and item three of this hearing agenda. I will now move on to item four and hand over to Miss Mackay.

00:36:00:09 - 00:36:05:04

Can I just check if there are any other matters anyone wishes to raise?

00:36:09:10 - 00:36:22:07

If there are no other matters that anyone wishes to raise. I shall now close the hearing. Thank you all very much for your attendance and participation in this hearing. The hearing is now closed.