

East Anglia THREE
Offshore Windfarm

East Anglia THREE

Statement of Common Ground

Historic Buildings and Monuments Commission
for England and Applicant (HBMCE)

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England and Applicant

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1 Introduction

1.1 Introduction

1. This Statement of Common Ground (SoCG) has been prepared with The Historic Buildings and Monuments Commission for England (HBMCE), (the Government's statutory adviser with regards the historic environment now known as Historic England), to show where agreement has been reached with East Anglia THREE Limited (EATL) during the pre and post Development Consent Order (DCO) application consultation and comprises of various tables setting out the various topic specific matters of interest to HBMCE on the East Anglia THREE DCO application (the **Application**). HBMCE have responded to the Application through the Written Representation dated 26th July 2016. Topic specific matters agreed, not agreed and actions to resolve between HBMCE and EATL are included where applicable.
2. The position with respect to each relevant issue is presented in a tabular form.
3. Throughout this SoCG points of agreement and disagreement between EATL and HBMCE are clearly indicated. Points that are not agreed will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. However, there are no material differences between the applicant and HBMCE.
4. A Glossary is provided in Appendix 1

1.2 The Development

5. The Application is for development consent to construct and operate up to 172 wind turbine generators and associated infrastructure, with an installed capacity of up to 1,200 MW (the **Project**).
6. The DCO, if made, would be known as the East Anglia THREE Offshore Windfarm Order. It will comprise the following elements:
7. Up to 172 offshore wind turbines and associated foundations, with an installed capacity of up to 1,200 MW;
 - Up to two meteorological masts and foundations;
 - Up to twelve buoys;
 - Up to six offshore electrical stations;
 - Up to one offshore platform housing accommodation facilities;

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- Subsea inter-array cables between the wind turbines and offshore electrical stations;
 - Up to four subsea export cables to transmit electricity from the offshore electrical stations to shore;
 - Up to four interconnector cables between the East Anglia ONE and East Anglia THREE Projects;
 - Scour protection around foundations and on inter-array and export cables as required;
 - Landfall at Bawdsey with onshore transition bays to join the offshore and onshore cables;
 - Up to four onshore underground circuits (each containing up to three cables) pulled through existing ducting to be laid by East Anglia ONE or directly laid, running for approximately 37km from landfall to the connection point at Bramford, Suffolk, with jointing pits, to transmit electricity to up to two new onshore substations;
 - Up to two onshore substations at Bramford, Suffolk, to connect the offshore windfarm to the National Grid;
 - The permanent and / or temporary compulsory acquisition (if required) of land and / or rights for the proposed Project;
 - Overriding of easements and other rights over or affecting land for the proposed Project;
 - The application and / or disapplication of legislation relevant to the proposed Project including inter alia legislation relating to compulsory purchase; and
 - Such ancillary, incidental and consequential provisions, permits or consents as are necessary and / or convenient.
8. The Application was submitted to the Planning Inspectorate on 18th November 2015 and accepted for examination on 15th December 2015.

1.3 Consultation with the Historic Buildings and Monuments Commission for England

9. This section briefly summarises the consultation that EATL has had with HBMCE.

Recorded meeting held on 23rd April 2014, Tudor Street, London, with a project introduction and general discussion.

1.3.1 Pre-Application

10. EATL engaged with the HBMCE (the Government's statutory adviser with regards the historic environment now known as Historic England (previously as English Heritage) on the Project during the pre-application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant to Section 42 of the Planning Act 2008. HBMCE responded to Preliminary Environmental Information Report on the 8th July 2014 and to the Phase III consultation (on phasing the construction of the project) on the 21th July 2015 and on the 7th October 2015 on the draft marine archaeology chapter to be included in the EIA and a draft WSI.

1.3.2 Post-Application

11. HBMCE made an initial relevant representation to the Planning Inspectorate on 20th April 2016 (the **Registration and Relevant Representation**). EATL's reply to HBMCE's relevant representation is attached at Appendix 2 of this SoCG. HBMCE also sent a list of requested amendments to the DCO on the 7th July 2016 provided in Appendix 3, EATL's response to these amendments is detailed in Table 1 below.

2 Specific Topic Matters

12. Within the sections and tables below the different topics for areas of agreement between HBMCE and EATL are set out.

2.1 Offshore Archaeology and Cultural heritage

13. The proposed Project has the potential to impact upon Offshore Archaeology and Cultural Heritage. Chapter 17 of the East Anglia THREE Environmental Statement (ES) (Document 6.1.17 of the DCO Application) provides an assessment of the significance of these impacts. Management and mitigation measures are provided within the Outline Written Scheme of Investigation: Archaeology and Cultural Heritage (Onshore) (WSI, Document 8.5 of the DCO Application). Table 1 below provides areas of common ground that have been reached regarding the findings reported within Chapter 17 and refers to points made by HBMCE through Written Representation (26th July 2016), for which EATL will make all the requested amendments.

Table 1. SoCG – Offshore Archaeology and Cultural Heritage

Issue	EATL Position	HBMCE Position	Final Position
Environmental Impact Assessment			
Existing Environment	Sufficient survey data have been collected to describe the baseline and therefore undertake the assessment.	<i>It is agreed that the survey data used to inform the characterisation of the marine archaeological baseline environment is adequate, and sufficiently detailed within Table 17.8 ‘Data Sources Features’ of the Environmental Statement.</i>	Agreed
	The description of the baseline is accurate and comprehensively covers all appropriate features	<i>It is agreed that the baseline is accurate and covers all appropriate features of the Marine Historic Environment (Maritime, Aviation, Prehistoric, and Historic Seascape Character) appropriately.</i>	Agreed
Assessment methodology	The list of potential impacts assessed is appropriate for the proposed East Anglia THREE Project.	<i>It is agreed that the list of potential impacts assessed in the Environmental Statement is appropriate for the proposed East Anglia THREE Project as outlined within Table 17.32 ‘Potential Impacts Identified for Offshore Archaeology and Cultural Heritage’.</i>	Agreed
	<p>Mitigation for the interconnection assets is secured through the DMLs for the interconnections assets (schedules 14 and 15 of the DCO).</p> <p>Paragraph 40 of Volume 1 Chapter 17 Offshore Archaeology and Cultural Heritage (Document Reference 6.1.17) is a typographic error. The paragraph was originally paragraph 35 in the Preliminary Environmental Information Report (PEIR) published in May 2014, which did not include an assessment of the interconnector. The</p>	<i>Request for changes and clarification made in Point 2.1 of the Written Representation dated 26th July 2016 relating to paragraph 40 of Volume 1 Chapter 17 Offshore Archaeology and Cultural Heritage (Document Reference 6.1.17).</i>	Agreed

Issue	EATL Position	HBMCE Position	Final Position
	<p>PEIR was updated to produce the ES chapter, but this paragraph was not removed. Table 17.7 of the ES which covers the worst case assumptions clearly states that the interconnectors have been assessed.</p>		
	<p>The point made by HBMCE is noted, however this does not change the outcome of the assessment so no amendment will be made.</p>	<p><i>Request for changes and clarification made in Point 2.2 of the Written Representation dated 26th July 2016 relating to paragraph 40 of Volume 1 Chapter 17 Offshore Archaeology and Cultural Heritage (Document Reference 6.1.17).</i></p>	<p>Agreed</p>
	<p>The methodologies used for assessing impacts to offshore archaeology and cultural heritage are appropriate to the proposed project.</p>	<p><i>It is agreed that the methodologies used for assessing impacts to offshore archaeology and cultural heritage are appropriate to the proposed project as outlined within 17.4.3 'Impact Assessment Methodology' of the Environmental Statement.</i></p>	<p>Agreed</p>
<p>Assessment conclusions</p>	<p>The assessment of the significance of impacts on Offshore Archaeology and Cultural Heritage is accurate and has drawn the correct conclusions.</p>	<p><i>It is agreed that the assessment of the significance of impacts on Offshore Archaeology and Cultural Heritage within the Environmental Statement is accurate and has drawn the correct conclusions.</i></p>	<p>Agreed</p>
<p>Management measures</p>			
	<p>Mitigation proposed to address the impacts on Offshore Archaeology and Cultural Heritage from the proposed Project is clearly set out and secured in the outline archaeological Written Scheme of Investigation (WSI). The wording and title of the WSI will be amended</p>	<p>The submitted Application includes a document entitled "Draft WSI" (East Anglia THREE, Draft Written Scheme of Investigation: Archaeology and Cultural Heritage (Offshore) Document Reference – 8.5) which is not</p>	<p>Agreed</p>

Issue	EATL Position	HBMCE Position	Final Position
	to reflect that in the DCO when the document is finalised.	aligned with the specific title used in the Draft Development Consent Order (Schedules 10 – 15) which is that of an “Outline” WSI . We therefore require all reference to be consistent in the use of the term “outline” for the WSI as presently prepared for this proposed project	
	EATL will make all the requested amendments to the WSI, to the agreement of HBMCE.	Request for changes and clarification made in Points 5.1 to 5.5 of the Written Representation, dated 26th July 2016 relating Volume 1, Appendices (Other), Draft Written Scheme of Investigation: Archaeology and Cultural Heritage (Offshore) (Document Reference – 8.5).	<i>Agreed</i>
	EATL will make all the requested amendments to the DCO.	Appendix 3 to the SoCG is a table that details the edits we have requested to the draft Deemed Marine Licences (Schedules 10-15) within the draft DCO	<i>Agreed</i>

2.2 Onshore Archaeology and Cultural heritage

14. The proposed Project has the potential to impact upon Onshore Archaeology and Cultural Heritage. Chapter 25 of the ES provides an assessment of the significance of these impacts. Management and mitigation measures are provided within the Outline Written Scheme of Investigation: Archaeology and Cultural Heritage (Onshore) (WSI, Document 8.4 of the DCO Application). Table 2 below provides areas of common ground that have been reached regarding the findings reported within Chapter 25.

Table 2. SoCG - Onshore Archaeology and Cultural Heritage

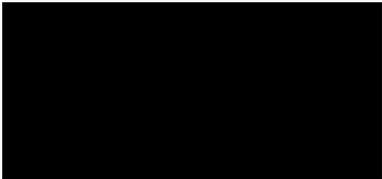
Issue	EATL Position	HBMCE Position	Final Position
Environmental Impact Assessment			
Existing Environment	Sufficient survey data have been collected to describe the baseline and therefore undertake the assessment.	<i>It is agreed that the survey data used to inform the baseline is adequate, and sufficiently detailed to undertake the assessment.</i>	Agreed
	The Description of baseline is accurate and comprehensively covers all appropriate features	<i>It is agreed that the description of the baseline is accurate and covers the appropriate features.</i>	Agreed
Assessment methodology	The list of potential impacts assessed is appropriate for the proposed East Anglia THREE Project.	<i>It is agreed that the list of potential impacts that have been assessed is appropriate for the project.</i>	Agreed
	The methodologies used for assessing impacts to onshore archaeology and cultural heritage are appropriate to the proposed project.	<i>It is agreed that the methodologies used for assessing impacts to onshore archaeology and cultural heritage are appropriate for the proposed project</i>	Agreed
Assessment conclusions	The assessment of the significance of impacts on onshore archaeology and cultural Heritage is accurate and has drawn the correct conclusions.	<i>It is agreed that the assessment of the significance of impacts on onshore archaeology and cultural Heritage is adequate and the conclusions appropriate</i>	Agreed
Management measures			
	Mitigation proposed to address the impacts on Onshore	<i>We are content that we</i>	Agreed

Issue	EATL Position	HBMCE Position	Final Position
	<p>Archaeology and Cultural Heritage from the proposed Project is clearly set out and secured in the Outline Written Scheme of Investigation (Onshore) (Document reference 8.4) of the East Anglia THREE DCO).</p> <p>The wording and title of the WSI will be amended to reflect that in the DCO when the document is finalised.</p>	<p><i>have sufficient mitigation, as the landfall element of the export cable is following that of East Anglia ONE Wind Farm. All the issues will have been dealt with prior to this project getting final approval. There are some very small areas of land that are different to the East Anglia ONE corridor and these have been clearly identified and mitigation has been agreed.</i></p>	

Signing box: The undersigned agreed to the provisions within this SoCG – HBMCE

Signed	 & 
Printed Name	Dr William Fletcher Stuart Churchley
Position	Inspector of Ancient Monuments Marine Archaeological Planning Officer
On behalf of	Historic England
Date	10/8/2016

Signing box: The undersigned agreed to the provisions within this SoCG – EATL

Signed	
Printed Name	Keith Morrison
Position	East Anglia THREE Senior Project Manager
On behalf of	East Anglia THREE Limited (EATL)
Date	10/8/2016

Appendix 1 Glossary

DCO	Development Consent Order
EATL	East Anglia THREE Limited
HBMCE	Historic Buildings and Monuments Commission for England
WSI	Written Scheme of Investigation

Appendix 2 Reply to HBMCE’s relevant representation

EA3 reply’s to HBMCE’s Relevant Representation was sent to HBMCE / HE on 13th June 2016 (included the following).

Relevant Representation Comment	EATLs response
<p>On 1st April 2015 Historic England was vested (retaining the formal title of the Historic Buildings and Monuments Commission for England) and is now the government service championing England’s heritage and giving expert, constructive advice. Historic England has had significant pre-application discussion with the applicant, providing comments on the PEIR stage and the Draft archaeological Written Scheme of Investigation (WSI). Historic England has maintained a constructive partnership and been fully engaged with the applicant at this stage of the planning process on all aspects of the historic environment and its heritage assets, on land (onshore) and on the seabed (offshore).</p>	<p>EATL note that Historic England are content with the level of consultation undertaken to date and will continue to engage with Historic England.</p>
<p>Planning Policy – we note the position of the applicant in relation to marine policy is stated within the ES (see Chapter 3 paragraph 59). And specifically that within ES Chapter 17 ‘Offshore Archaeology and Cultural Heritage’, consideration has been made to incorporate and reference the East Inshore and East Offshore Marine Plans so as “to conserve heritage assets, nationally protected landscapes and ensure the decisions consider the seascape of the local area</p>	<p>No response.</p>
<p>We agree with the statement made in the Planning Statement Chapter 8.2, that there is potential for impacts to as yet unidentified archaeological receptors; however, the significance of any effects should be reduced by adherence to appropriate mitigation strategies. Further to this we note that a Draft archaeological WSI (offshore) has been included within the supporting documentation.</p>	<p>Noted</p>
<p>Chapter 25 of the ES on Onshore archaeology and Cultural Heritage sets out the position of this application in relation to legislation and planning policy (see Chapter 25.4.1) and the Applicant’s commitments. We broadly support the conclusion of the chapter, however we note that the archaeological evaluation for the EA One cable route is still on-going at this time, therefore the potential for the recovery of archaeology within the development area remains (see Section 25.9, para 148). Continued engagement will be necessary with</p>	<p>EATL are committed to continued engagement with Historic England in developing the WSIs in the post consent period. East Anglia ONE and East Anglia THREE are both within the ScottishPower Renewables group. As such there are regular updates between projects to discuss progress, share best practice and raise any matters arising.</p>

Relevant Representation Comment	EATLs response
<p>the all parties to ensure future risks are adequately mitigated.</p>	
<p>With regard to implementing the Offshore WSI, in accordance with any Development Consent Order (including a Deemed Marine Licence) secured for this proposed project, Historic England considers predicted impacts to potential archaeological receptors will require clear systematic time-framed method statements to optimise survey opportunities, and to capture necessary information and act as “appropriate mitigation strategies”.</p>	<p>The WSI established for offshore activities provides the basis from which all future mitigation on known and potential archaeological receptors will be effectively managed and implemented. Future survey campaigns will be fully considered as the project develops and the timings of such activities will allow for the timely development of specific method statements (appended to the WSI) associated with future surveys and appropriate mitigation strategies for the archaeology and cultural heritage resource established.</p>
<p>We note (see Chapter 17, Table 17.3) that gaps in existing geotechnical/geophysical data will be compensated for prior to construction. The developer must therefore make sure where any geophysical survey data quality has been rated as variable and very poor, that sufficient consideration is made for heritage assets singularly captured in such datasets, especially if they are to be directly or indirectly impacted. This has particular relevance to recorded anomalies within magnetometer survey results, identified of potential anomalies of anthropogenic character, which may be of archaeological interest.</p>	<p>The WSI states that provision will be made by the developer for archaeological input into the planning of any further geophysical investigations. This input will ensure that the data attained will be of a quality suitable for archaeological assessment. Further survey work is anticipated prior to the micrositing of the scheme design and will ensure that any potential anomalies likely to be impacted will be subject to additional archaeological review. This will serve to compensate for the variable quality of the previous geophysical data archaeologically assessed to inform the ES chapter.</p>
<p>The Draft Development Consent Order (Document Reference 3.1), Schedule 10 and 11 (Generation Assets), Schedule 12 and 13 (Transmission Assets) and Schedule 14 and 15 (Interconnection), Part 2, condition 13(h)vi requires amendment and we will supply revised wording in our Written Representation</p>	<p>EATL note that a further response will be provided by Historic England and would welcome early sight of Historic England's written representation to enable discussions on whether any suggested amendments can be accommodated.</p>

Appendix 3 HBMCE's requested amendments to the draft DCO

No	Condition	Text amendment	Schedules
1	1(4)(h)	Change telephone number to: 01483 252059	Schedule 10 – Generation Assets (Licence 1 - Phase 1); Schedule 11 – Generation Assets (Licence 2 - Phase 2); Schedule 12 – Transmission Assets (Licence 1 - Phase 1); Schedule 13 – Transmission Assets (Licence 2 - Phase 2); Schedule 14 – Interconnection (Licence 1 - Phase 1); and Schedule 15 – Interconnection (Licence 2 - Phase 2)
2	13(h)	“A written scheme of archaeological investigation in relation to the offshore Order limits seaward of mean low water in accordance with the draft outline written scheme of investigation (offshore), industry good practice and in consultation with the statutory historic body to include”	Schedule 11 – Generation Assets (Licence 2 - Phase 2);
3	13(h)(ii)	“a methodology for any further site investigation including any specifications for geophysical, geotechnical and diver or remotely operated vehicle investigations”	Schedules 10; 11; 12; 13; 14; and 15
4	13 (h)	<p>“A timetable for all further site investigations which prior to commencement of licensed activities, must:</p> <ul style="list-style-type: none"> • allow sufficient opportunity to establish a full understanding of the historic environment within the offshore Order Limits; and • allow for the approval of any necessary mitigation required as a result of the further site investigations” 	Schedules 10; 11; 12; 13; 14; and 15
5	13(h)(iii)	“archaeological analysis and reporting of survey data, and timetable for reporting , which is to be submitted to the MMO within four months of any survey being completed;”	Schedules 10; 11; 12; 13; 14; and 15
6	13(h)(v)	“monitoring of archaeological exclusion zones during and post construction”, including a conservation programme for finds;	Schedules 10; 11; 12; 13; 14; and 15
7	13(h)(vi)	The undertaker must ensure that a copy of any agreed archaeological report is deposited with the National Record of the Historic Environment, by submitting a Historic England OASIS (Online AccesS to the Index of archaeological investigationS’) form with a digital copy of the report within 6 months of completion of construction of the authorised scheme. The undertaker must notify the MMO that the OASIS form has been submitted to the National Record of the Historic Environment within two weeks of the submission.	Schedules 10; 11; 14; and 15
8	13(h)(vi)	The undertaker must ensure that a copy of any agreed archaeological report is deposited with the National Record of the Historic Environment, by submitting a Historic England OASIS form with a digital copy of the report within 6 months of completion of construction of the authorised scheme. If the report relates to the intertidal area, the undertaker must notify the MMO and Suffolk Coastal District Council, that the OASIS form has been submitted to the National Record of the Historic Environment within two weeks of the submission	Schedules 12 and 13

9	14(2)	“Each programme, statement, plan, protocol or scheme required to be approved under condition 13 must be submitted for approval at least four months prior to the intended start of construction commencement of licensed activities , except where otherwise stated or unless otherwise agreed in writing by the MMO	Schedules 10; 11; 12; 13; 14; and 15
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Application by East Anglia Three Limited for an Order Granting Development Consent for the East Anglia Three Offshore Wind Farm project (PINS ref: EN010056)

Requests for amendment to the draft Deemed Marine Licences (Schedules 10 – 15), this table dated 1st July 2016

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