



Historic England

Mr White
The Planning Inspectorate
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Our ref: OWF/EA3
Your ref: EN010056
Telephone: 01483 252059
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8th December 2016

Dear Mr White

East Anglia Three: Questions and Draft Development Consent Order

Planning Act 2008 (as amended) – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17

**Application by East Anglia Offshore Ltd for an Order Granting Development Consent for the East Anglia THREE Offshore Wind Farm Request for further information
Our unique reference: 10032124**

Thank you for your letter, received via email on 17th November 2016, requesting our response to questions directed to Historic England for the above referenced project subject to examination by the Planning Inspectorate.

Request for further information

We identify that the four listed questions contained within this section of your letter have no direct reference to matters related to the onshore or offshore historic environment. Consequently we have no comments to offer.

Examining Authority Consultation Draft DCO

Historic England provided comments to the MMO and the Applicant prior to Deadline 4 on 15th September 2016 regarding the timescale for submission of an agreed archaeological Written Scheme of Investigation (WSI), within an email to Ross Hodson, Senior Licensing Manager at the Marine Management Organisation and Gillian Sutherland at ScottishPower Renewables, dated 13th September 2016.

We note from the draft DCO (East Anglia THREE Consultation Draft Development Consent Order for the proposed East Anglia THREE Offshore Wind Farm, Examining Authority Version for Comment Based on the Applicant's Version 4: 8 November 2016) that the Applicant has not made changes based on these comments. It is therefore our advice that the MMO and the Applicant should consider whether the draft DCO should now be amended to include a four month timeframe for submission prior to commencement of licensed activities so that it is sufficient:

1. to capture necessary archaeological investigations to inform necessary mitigation, such as evaluation and excavation of archaeological sites of significant heritage value;
2. to accommodate timely consultation with the MMO and any referral by the MMO to Historic England on a number of elements related to the proposed development and its direct or indirect interaction with the historic environment;
3. to provide the developer with a clear understanding of the seabed environment, inclusive of the historic environment, as necessary to inform the final design of this proposed project should consent be obtained; and
4. to provide the MMO with the ability to take real enforcement action should an agreeable WSI not be forthcoming in the timescale specified.

Consequently we seek clarification from the Applicant and the MMO why a timeframe of six months has not been included within Schedule 10 and 11 (Generation Assets), Schedule 12 and 13 (Transmission Assets) and Schedule 14 and 15 (Interconnection), Part 2, paragraph condition 13.-(1)(h).

With regard to the definition of “commence” on page 6 of the draft DCO we consider that it is currently unsatisfactory, as a range of survey programmes could be completed, pre-commencement, without benefiting from having an agreed archaeological Written Scheme of Investigation in place, to inform how these surveys are planned and commissioned. Therefore with regard to the National Policy Statement for Renewable Energy (EN-3) we are aware paragraphs 2.6.141 and 2.6.142 make specific reference to how the assessment exercises, inclusive of geotechnical or geophysical surveys, identify “any beneficial effects on the historic marine environment, for example through improved access or the contribution to new knowledge that arises from investigation” (the National Policy Statement for Renewable Energy (EN-3), July 2011, Paragraph 2.6.142).

However, any such identified benefits could be compromised if defined pre-commencement and commencement phases fail to guarantee that a Consent Holder fully coordinates their survey programmes with production of the project-relevant WSI. Furthermore, in the absence of specific instruction that secures a coordinated approach, it's possible that data acquired in terms of the areas subject to survey; its quality and resolution; and appropriate sampling and storage of geotechnical materials, also fail to inform adequate measures of mitigation.

We therefore recommend the DCO is not formalised until this definition has been confirmed and suitable wording is provided that would address these concerns.

Furthermore, to support the matters we have identified herein, that 13(1)(h) is amended to:

“A written scheme of archaeological investigation in relation to the offshore Order limits seaward of mean low water in accordance with the outline written scheme of investigation (offshore), industry good practice, published research frameworks and in consultation with the statutory historic body to include – ”

Yours sincerely,

A black rectangular redaction box covering the signature of Stuart Churchley.

Stuart Churchley

Marine Archaeological Planning Officer

E-mail: Stuart.Churchley@HistoricEngland.org.uk

Cc:

Will Fletcher (Inspector of Ancient Monuments – Historic England, East of England)

Christopher Pater (Head of Marine Planning – Historic England)