



Historic England

**Historic England's First Questions Response
Section 89 Planning Act 2008**

Our ref: OWF/Hornsea
Three

Registration ID No. 20010680

PINs Ref: EN10080

Date notified: 9th October 2018
Response deadline: 07th November 2018

Telephone: 01462 742998

Project outline: Hornsea Project Three Offshore
Wind Farm

Date response issued: 07th November 2018

Lead Adviser: Dr Will Fletcher, Inspector of Ancient Monuments - 24 Brooklands
Avenue, Cambridge CB2 8BU

Q.1.8.2 (Applicant) - Table 1.2 of the Screening Assessments for both the onshore high voltage direct current (HVDC) convertor/high voltage alternating current (HVAC) substation [APP-152] and the onshore HVAC booster station [APP-153] sets out the listed buildings for which further assessment is said to be provided in the Historic Environment chapter of the ES [APP-077]. However, it is not clear where such an assessment has been provided for each relevant listed building. This is particularly in relation to the HVAC booster station for which only Salle Park appears to have been assessed in detail. Please provide an assessment for each listed building where the Screening Assessments indicate that a further assessment is provided in the ES.

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests; as such we refer you to paragraphs 2.1- 2.9 our written representation.

Q.1.8.3 (Applicant) - Figure 3.37 of the ES [APP-058] provides an illustrative layout/design of the proposed onshore HVDC convertor/HVAC substation. Paragraph 5.8.13 of the Overarching National Policy Statement for Energy (EN-1) states that account should be taken of the desirability of new development making a positive contribution to character and local distinctiveness of the

historic environment and that the consideration of design should include scale, height, massing, alignment, materials and use.

Please explain how this illustrative layout/design along with the design parameters in table 3.63 of the ES [APP-058] have taken into account the desirability of sustaining the setting and significance of heritage assets in the vicinity of the onshore HVDC convertor/HVAC substation.

What would be the differences in layout and design, along with any difference in effects, between a HVDC convertor and a HVAC substation?

What scope is there to refine the parameters of the HVDC convertor/HVAC substation in order to minimise as far as possible any adverse effects upon heritage assets?

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests; as such we refer you to paragraphs 2.1- 2.9 our written representation.

Q1.8.5 (Applicant) - The photomontages from the Keswick Hall viewpoint [APP-155] show the proposed HVDC convertor/HVAC substation to be clearly visible. Representations have been made in this regard by South Norfolk Council (SNC) [RR-054] and Historic England (HE) [RR-078].

Please provide a more detailed assessment of the effect upon the setting of Keswick Hall, taking account of these representations.

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests; as such we refer you to paragraphs 2.1- 2.9 our written representation.

Q1.8.15 (MMO, HE) - The applicant has provided an Outline Written Scheme of Investigation (OWSI) [APP-115] in relation to marine archaeology. Are you in agreement with the OWSI?

If not, what amendments would you suggest?

The Offshore Outline WSI is generally sufficient for the purposes of the examination of this application. However, within our Written Representation (Paragraphs 8.1 to 8.40) we have identified a number of amendments that are required so that a sufficiently robust WSI can be produced should consent be obtained.

We are also concerned that only the Offshore OWSI has been submitted within the Environmental Statement, as set out in paragraph 3.1 and 3.2 of our Written Representation. We would also have expected the applicant to have submitted an Onshore OWSI with the application.

Q1.8.16 (Applicant, MMO, HE) - Section 9.11.1 of the ES [APP-069] sets out an assessment of significance for the effects of the construction phase on marine archaeology. The magnitude of impacts is assessed as being negligible.

Whilst impacts are predicted to be localised, given the total maximum area of proposed disturbance, what confidence is there that the magnitude of impacts would remain as being negligible?

Do the MMO and HE agree with the applicant's assessment of magnitude of impact on marine archaeology?

The Applicant's assessment of negligible impact is entirely predicated on the implementation, through the Development Consent Order (including deemed Marine Licences), of identified mitigation measures. Therefore any advice we offer regarding possible magnitude of impacts as assessed by the Applicant can only address what we presently know about the historic environment as revealed by investigations completed to date.

Q1.8.17 (Applicant) - The OWSI [APP-115] refers to the role of the Archaeological Curator. Please provide further details of this role including how and by whom they would be appointed.

What would be the process by which matters would be determined where the approval of the Archaeological Curator was required?

What consultations would the Archaeological Curator carry out?

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests. We recommend that the Offshore OWSI names Historic England as the Archaeological Curator for all matters seaward of MHWS and that the relevant local authorities archaeologist for matters between MHWS and MLWS. We understand that formal 'approval' can only be given by the DCO competent authorities, e.g. the MMO, and therefore the MMO is responsible for consulting Archaeological Curators, such as Historic England.

Q1.8.19 (Applicant) - The OWSI [APP-115] provides for the potential creation of Archaeological Exclusion Zones.

Please provide clarification of the process for the establishment of new Archaeological Exclusion Zones (including Temporary Zones).

How would these be safeguarded through the dDCO when the detailed siting of the offshore infrastructure is finalised?

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests. This is an important matter than has been highlighted regarding the effective implementation of archaeological exclusion zones. We therefore request that the Applicant engages with us so that we may advise accordingly for appropriate measures to be agreed with the MMO.

Q1.13.5 (Applicant) - The definition of ‘commence’ in Article 2 excludes offshore site preparation works. Consequently, boulder clearance and sandwave clearance would not amount to commencement. This is a broader definition than ones used in some recent orders, such as East Anglia Three and Dogger Bank Teeside A and B. The MMO and NE [RR- 085, RR-097] express concern that works with potentially significant environmental effects could be carried out in advance of pre-construction plans and any associated documentation being approved. Moreover, table 2.18 of the ES [APP-062] identifies the use of pre-construction surveys as a designed-in measure to reduce the impact of the proposal on benthic features.

What is the justification for adopting a broader definition, (in relation to offshore works), than that used in comparable projects?

How would pre-construction surveys be secured through the dDCO if boulder clearance and sandwave clearance would not amount to commencement?

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests. We note that this interpretation is different to the definition used by other offshore developments, and this is crucial to the delivery of archaeological mitigation. For further information, see paragraph 7.3 and 7.5 of our Written Representation in which we explain the importance of agreed timeframes for the preparation of a project-specific WSI sufficiently ahead of preparatory works so that all elements of this project have embedded and enforceable mitigation measures in place.

Q1.13.46 (Applicant, NCC, BDC, NNDC, SNC) - Requirement 16 provides for a scheme of archaeological investigation to be approved by the relevant planning authority (defined as district planning authority in Article 2). NCC [RR-035] has proposed alternative, more detailed drafting in which NCC would be the determining authority.

Please can the applicant comment on the drafting suggested by NCC. Which authority (or authorities) should be responsible for approving the scheme?

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests. For further information, see paragraph 3.2 of our Written Representation in which we explain the importance of agreed timeframes for the preparation of a project-specific WSI sufficiently ahead of preparatory works so that all elements of this project have embedded and enforceable mitigation measures in place.

Q1.13.60 (Applicant) -The definition of ‘commence’ includes offshore site preparation. A previous question regarding the definition of ‘commence’ in Article 2 of the dDCO also applies to this definition.

Are there additional comments in relation to the definition in the Deemed Marine Licence (DML)?

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests. It is crucial that the Offshore OWSI and the DMLs encompass all ‘pre-commencement’ works and surveys, as well as any work conducted pre- and post-consent. For further information, see paragraph 7.3 and 7.5 of our Written Representation in which we explain the importance of agreed timeframes for the preparation of a project-specific WSI sufficiently ahead of preparatory works so that all elements of this project have embedded and enforceable mitigation measures in place.

Q1.13.69 (Applicant) - Condition 11(2) provides for a written scheme of archaeological investigation to be submitted.

Does the drafting make clear that this scheme would be subject to the approval of the MMO? At what point would the decision be made to micro-site around a wreck? Is it intended that the actual siting would be subject to MMO approval?

We note that this question is directed to the applicant, but we recognise that this topic has relevance to our interests; as such we refer you to our written representation. (Refer to paragraph). Under the Marine and Coastal Access Act 2009, the MMO were established as the competent authority for all decisions regarding marine licences within English Territorial waters and the Exclusive Economic Zone. In their discharge of this duty, they will seek advice from Historic England, as the National Curator of the historic environment, on any matters related to offshore archaeology.

For example, should subsequent survey programmes reveal the presence of previously unknown archaeological materials it is crucial that any Consent Holder follows procedures, as provided through any dML, that avoids unnecessary impact to any identifiable heritage assets, as explained within NPS EN-3 (renewable energy

infrastructure). This would include the consultation of the MMO and their advisors, Historic England, in order to establish agreed steps to ensure that adequate protection is afforded to such materials.