



Historic England

Members of the Panel of Examining Inspectors
for Thanet Extension Offshore Wind Farm
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: OWF/Thanet Ext.
PINs ref: EN010084

Registration
ID No.: 20012618

28 May 2019

Dear Panel of Examining Inspectors,

Please find below the written submissions from Historic England for Deadline 6: Tuesday 28 May 2019 relating to the Examining Authority commentary on the draft DCO.

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Comment 5

Interpretation: "commence"

The definition of commence retains scope for some substantial operations relevant to environmental effects to take place in both the marine and terrestrial environments before the formal commencement of the authorised development and the discharge of relevant requirements and/ or DML conditions.

- a) In the marine environment: are there circumstances in which the nature or scale of any of the pre-commencement works shown underlined in column 3 might lead them to have significant effects that should be taken into account prior to the finalisation of relevant plans or strategies and in decisions to discharge any of the following DML conditions:
 - 8; 13; and 20
- b) In the terrestrial environment: are there circumstances in which the nature or scale of any of the pre-commencement works shown underlined in column 3 might lead them to have significant effects that should be taken into account prior



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to the finalisation of relevant plans or strategies and in decisions to discharge any of the following requirements:

- R14 to R25?
- c) Generally: as a consequence of drafting in Art 2, are there any remaining proposals for pre-commencement works that are not (for reasons that must be stated) subject to appropriate control in the dDCO?

Response:

Our initial concern with regard to the definition of ‘commence’ stemmed from how it was phrased, which we considered, could permit certain intrusive activities out with the definition of ‘pre-commencement’. Since our last submission, in consultation with the MMO, it has come to our attention that the inclusion of condition 12 (2) states:

“Any pre-commencement works of an intrusive nature must not take place prior to the approval of the onshore written scheme of investigation submitted in accordance with sub-paragraph (1)”. Which we think when noted in conjunction with the referred to above sub-paragraph (1) issues acceptable provisions - subject to consent - covering activities, intrusive and non-intrusive, within all areas of the permitted development up to mean high water springs.

Comments 22-24

Art 36

Response:

In discussions we have internally with our legal team, we feel as the primary responsibility, as relevant to specific measures in the draft DCO (and DMLs), rests with the Marine Management Organisation and Kent County Council, we are not in a position to offer any alternative comments on this matter at this time.

Comment 41

Schedules 11 and 12 (Deemed Marine Licences):

‘Handshake’ between offshore and onshore archaeological written scheme of investigation

The interface between the maritime and terrestrial historic environment in extensive intertidal salt marsh is complex. Is there any need for additional provisions onshore to join the MMO as a consultee prior to approval of the onshore written scheme of investigation (WSI) and to join relevant terrestrial stakeholders as consultees prior to approval of the offshore WSI?

Response:

We welcome the Examining Authorities attention to this matter. Over the course of the examination period we have looked closely at the content of the onshore and offshore WSI’s, and in particular the need for requirements to manage unexpected discoveries along this part of the proposed export cable. Furthermore the geoarchaeological potential the deposits may hold in presenting new information and contributing to an overall, integrated deposit model for the Wantsum Channel Area.

We can confirm that Historic England is satisfied with both the onshore and offshore WSI in this regard, given that any works planned in the intertidal area should ensure

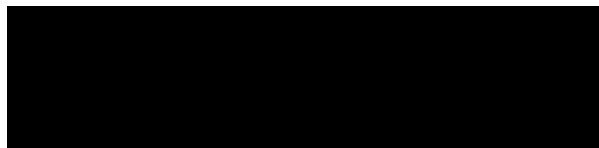


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that both onshore and offshore curators are consulted. Additionally offshore and onshore geoarchaeological teams will liaise closely to ensure that mitigation is designed where it is most effective to obtain the best results.



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CC:

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