



Historic England

**PLANNING ACT 2008 (AS AMENDED) – SECTION 88 AND THE
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010 (AS
AMENDED) - RULE 6**

**REPRESENTATIONS OF THE HISTORIC BUILDINGS AND MONUMENTS
COMMISSION FOR ENGLAND (HISTORIC ENGLAND)**

**APPLICATION BY THURROCK POWER FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE PROPOSED THURROCK FLEXIBLE
GENERATION PLANT**

APPLICATION REF: EN010092



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1. Summary

- 1.1 The proposed development lies in a highly sensitive area for the historic environment, within the setting of a range of highly-valued heritage receptors or designated heritage assets.
- 1.2 Historic England has serious concerns about the level of information that has been provided in the ES relating to historic environment settings analysis and the assessment of impact on the significance of designated heritage assets. We believe that insufficient information has been provided in the ES (incorporating the further information submitted in Dec 2020) for the effect of the proposed development to be assessed and for the balance to be weighed proportionally by the Examining Authority.
- 1.3 In our opinion, the assessment of cumulative impact effects for the historic environment is inadequate for a proposed development of this scale and complexity and given the proximity of the development to a number of designated heritage assets, and given the close proximity of two other major projects. We believe that the evidence presented in the ES does not enable the cumulative effects to be adequately assessed and we recommend that further assessment is undertaken.
- 1.4 We believe that the significance of Walton Common and associated historic landscape features have not been adequately assessed in the ES and we would recommend that specialist assessment is undertaken. We have serious concerns that the applicant has not taken all possible steps to establish the significance of this area, and to minimise the harm that would be caused by the development to the significance of the historic landscape character. Historic England objects in principle to the proposed removal of Walton Common on heritage grounds.
- 1.5 We have serious concerns about the assessment of the significance of below-ground archaeological remains (incorporating the further information submitted in Dec 2020). We do not believe that the significance of below-ground archaeological remains has been adequately established within the proposed development site. In our comments provided to the PEIR in 2018, we recommended that trial-trenched evaluation and further geoarchaeological investigation is carried out prior to the DCO. This has not been undertaken to our satisfaction and this work must, in our opinion, be undertaken prior to consent.
- 1.6 In determining the application, the Examining Authority should weigh the potential significance of buried archaeological remains, and the severity of the impact of the development to their significance, by allowing the archaeological investigation to



be undertaken by consent, against the public benefits of the proposed development.

- 1.7 Historic England has concerns about the draft Development Consent Order. We recommend that DCO Section 12 of Schedule 2 Requirements relating to Archaeology requires amendment before approval.
- 1.8 We believe that the proposed scheme of archaeological investigation, presented in the outline Written Scheme of Investigation (PINS Document reference A8-11), to mitigate by record the impact of the development on buried archaeology prior to precommencement works and construction, will not adequately ensure the preservation of archaeological remains by record within the proposed development site. We recommend this document is revised and further comment sought, before approval, from both the relevant planning authority and Historic England.
- 1.9 In summary, we have serious concerns about the level of information that has been submitted with this application in terms of the historic environment, relating to settings assessment, analysis of the historic landscape, and also in terms of below-ground archaeology.
- 1.10 We do not believe that sufficient information has been provided to establish both the significance of heritage assets and to understand the potential impact of the proposal on their significance, and therefore to enable the balance to be weighed proportionally by the Examining Authority.
- 1.11 Although we do not have an overall objection to the construction of a powerstation, given that there was previously a powerstation in the area, we have serious concerns about the total loss of Walton Common by the proposed development, and to the particular siting of the powerstation within an area of landscape that is previously undeveloped, historically extremely important and nationally rare. We have serious concerns that the applicant has not taken all possible steps to establish the significance of this area, and to minimise the harm that would be caused by the development to the significance of the historic landscape character. We do not consider that this loss is justified or appropriately mitigated and we object in principle to the proposed removal of Walton Common on heritage grounds.

2. Introduction

- 2.1 The Historic Buildings and Monuments Commission for England (HBMCE), is better known as Historic England, and we are the Government's adviser on all aspects of the historic environment in England - including historic buildings and



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areas, archaeology and historic landscape. We have a duty to promote conservation, public understanding and enjoyment of the historic environment. HBMCE are an executive Non-Departmental public body and we answer to Parliament through the Secretary of State for Digital Culture, Media and Sport.

- 2.2 In addition to our remit for the conservation of the historic environment, the National Heritage Act (2002) gave HBMCE responsibility for maritime archaeology in the English area of the UK Territorial Sea.
- 2.3 In relation section 88 of the Planning Act 2008 (as amended) and the infrastructure planning (examination procedure) rules 2010 (as amended) we are a statutory consultee with responsibilities within the terrestrial landscape.
- 2.4 We are a statutory consultee in relation to the Historic Environment with regards to development on, and proposed de-registration of, common land under the Commons Act 2006.
- 2.5 Our primary remit in relation to this application is to advise on the impact of the proposed development on grade I and II* listed buildings, registered parks and gardens and on scheduled monuments. We would not wish to comment on grade II listed buildings (unless their demolition is proposed) or individual undesignated heritage assets as these are outside the remit of Historic England. We are content to defer to the Local Planning Authority and their archaeological advisors on those matters and we refer the examining authority to their submissions as relevant.
- 2.6 In previous correspondence in relation to this project and in our Section 56 Representation (dated 18th August 2020 Ref: PL00490033) we identified that this development had the potential to impact upon the historic environment, and that without mitigation this impact has the potential to be significant in relation to some heritage receptors.

3. Comments on the draft Development Consent Order PINS Document reference A3.1

- 3.1 We recommend that the draft Development Consent Order is not approved without the following amendments to Section 12 of Schedule 2 Requirements (p.35) relating to Archaeology.
- 3.2 Schedule 12(1) of the draft Development Consent Order should clarify that a written scheme of investigation or detailed method statement will be required for each stage of archaeological investigation, in addition to the outline written



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scheme of investigation that has been submitted with the application (application document A8.11).

- 3.3 The written scheme of archaeological investigation for each stage of archaeological investigation must be approved by the relevant planning authority and also approved by Historic England, as the statutory historic body and as the statutory body with responsibility for maritime archaeology.
- 3.4 Whilst we note that Schedule 2, Part 2, Article 12 of the draft Development Consent Order (DCO) (Applicant document number A3.1) has referenced a 'marine written scheme of investigation' but the draft Deemed Marine Licence (Article 34) does not include a licence condition/s for the production of this written scheme of archaeological investigation.
- 3.5 A timetable for each stage of archaeological investigation, including fieldwork, assessment, analysis, reporting and archiving, must be submitted to and approved by must be approved by the relevant planning authority and Historic England. This should be included to provide clarity to all parties as to when the approval of the WSI, by the competent authority, will occur and allow sufficient time for review and any amendments and discussion as necessary with local authority curators.
- 3.6 The archaeological organisation commissioned to undertake the scheme of archaeological investigation must be approved by the relevant planning authority and Historic England.
- 3.7 We note under Part 5 (33), Powers of Acquisition, of the draft Development Consent Order that the undertaker must apply under section 14 (statutory dispositions) of the Commons Act 2006(b). Historic England is a statutory consultee with regards to public interest and the protection of archaeological remains and features of historic interest (section 16(8)(d)).

4. Comments in relation to the Environmental Statement: Chapter 2: Project Design

- 4.1 Flexibility is required in the DCO for the design of a number of elements (Section 1.2.3). The lack of detail in the design plan, however, can add uncertainty to the assessments of the potential impact of the proposed development on the historic environment. We appreciate that the Rochdale Envelope Approach has been applied, taking into consideration the worst-case scenario for each aspect of the scheme.
- 4.2 The proposed development has been divided into several Zones (Zones A-J) and a numbers of activities are required to construct the different elements of the



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project, such as site clearance, the creation of foundations, landscaping, piling, HDD drilling across watercourses, causeway construction and dredging (Sections 3.2.4 to 3.4.7, 3.2.10 and 4.1.19). These activities could impact the historic environment, removing or exposing deposits of archaeological potential.

5. Comments in relation to the Historic Environment Settings Analysis.

Environmental Statement: Volume 3, Chapters 6 (Landscape and Visual Resources) and 7 (Historic Environment), Volume 4, Chapters 19 (Landscape and Visual Resources) and 20 (Historic Environment) – Terrestrial and Marine, setting of heritage assets and also EN010092-001042-Environmental Statement - Historic Environment Settings Analysis - Further Information (Nov 2020)

- 5.1 Historic England has serious concerns about the level of information that has been provided in the ES relating to historic environment settings analysis.
- 5.2 The proposed development lies in a highly sensitive area for the historic environment, within the setting of a range of highly-valued heritage receptors or designated heritage assets. The proposed application has the potential to affect the setting of, and cause harm to the significance of, these designated heritage assets and the landscape in which they are located. We do not believe that sufficient information has been provided in the ES (incorporating the further information submitted in Dec 2020) for all the effects of the proposed development to be assessed and for the balance to be weighed.
- 5.3 The proposed development is located less than 1km to the north-east of the scheduled monument known as ‘Tilbury Fort’ (List Entry Number (LEN): 1021092). The Officers Barracks at Tilbury Fort are also Grade II* Listed (LEN: 1375568). Tilbury Fort is England's most spectacular surviving example of a late 17th-century coastal fort, the best-preserved and, in many ways, the finest surviving example of late 17th-century military engineering in England. It demonstrates high evidential, aesthetic, historic and communal values. Tilbury Fort is publicly accessible and an important heritage attraction.
- 5.4 Tilbury Fort was augmented by the blockhouse at East Tilbury, the site of the later Coalhouse Fort, located c.2.5km to the east on the bend in the Thames estuary, affording it views in both directions of the Lower Hope to the east and Gravesend Reach to the west. The scheduled monument known as ‘Coalhouse Fort battery and artillery defences’ (LEN: 1013943) is one of the finest examples of an armoured casemate fort in England. Coalhouse Fort Park is also publicly accessible and an important heritage attraction.



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- 5.5 Just to the north of Coalhouse Fort, there is the Grade I Listed Church of St Katherine, East Tilbury (LEN: 1337129), dating from the 12th century (with 13th and 17th-century alterations). The church is located on the north escarpment of the Thames, in a prominent location overlooking the river.
- 5.6 The scheduled monument known as 'Second World War anti-aircraft battery at Bowaters Farm' (LEN: 1012185) is located less than 400m to the south of Area D and less than 1.5km to the east of Area A. The anti-aircraft battery at Bowaters Farm is the last surviving example of its type in this area of Essex. It forms the latest part of a series of important defensive installations at Coalhouse Point which illustrate the development of coastal defences from the Tudor period to the mid-20th century. The battery at Bowaters Farm is located in a prominent location on the edge of the escarpment, with long and wide views to the west and southwest across Tilbury Marshes and the Thames.
- 5.7 Together, these three scheduled monuments, within close proximity of the proposed development, illustrate the changing approaches to the defence of the Thames Estuary and London, over the last 400 years. They are all important strategic military heritage assets relating to the defence of England, of different periods in history. They are all in prominent and striking topographic – and key defensive - locations overlooking the Thames Estuary. The significance of these monuments, in particular, draws much from their setting, in this case includes the area that they were specifically designed to overlook and defend.
- 5.8 Forts were rarely designed to work in isolation and most formed systems of carefully pre-planned defence in which the fire of one fort might be designed so as to be able to support the defence of another nearby example. The visual connections between, and the setting of these military heritage assets, was essential to their purpose and, notwithstanding the changes in the 19th and 20th centuries, these remain essential to understanding their significance and appreciating their character today.
- 5.9 In addition, a fourth scheduled monument is located less than 1km to the north on the edge of the Chadwell escarpment, 'Earthworks near church, West Tilbury' (LEN: 1002199). The setting of this scheduled monument, also in a prominent topographic location overlooking the Thames estuary, is also fundamental to understanding its significance.
- 5.10 The Grade II* Listed Church of St James (LEN: 1111541), dating from the late 11th or 12th century, is located immediately to the north of the 'Earthworks near church, West Tilbury'. The church tower is an important landmark from all directions on the edge of the escarpment. The List description states that it is 'one of the dominant landmarks of south Essex'. The church also served Tilbury Fort



while West Tilbury village was the site of the temporary camp from which Elizabeth I addressed the Armada troops.

- 5.11 The 'Earthworks near church, West Tilbury' and Church of St James are located within the West Tilbury Conservation Area, immediately overlooking West Tilbury Marshes and within a historic rural agricultural setting (West Tilbury Conservation Area Character Appraisal 2007, p.5).
- 5.12 Consequently, there is an important relationship between the Fort, church and the village, and the visual connection and open landscape views between them have associative historical value which makes an important contribution to the significance of these designated assets and the historic landscape character (see below). The interrelationship between the designated heritage assets and their landscape settings makes an important contribution to their significance.
- 5.13 The proposed development, therefore, requires clear and convincing justification, and it is important that the impact on the significance of these designated heritage assets, and their interrelationship, is adequately assessed.
- 5.14 Paragraph 5.8.11 of NPS EN-1 states, 'in considering applications, the IPC should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset'. The impact of the proposed development on the setting of designated heritage assets is, therefore, central to this application in terms of the historic environment.
- 5.15 In our written response of November 2018, we advised that the ES would need to provide sufficient visual information to illustrate how the proposed infrastructure would be seen in views from key designated heritage assets. In particular, the relationship of forts to their surrounds was always the result of deliberate planning, a fully considered response to the land that such fortifications were constructed to defend in order to provide all-round defence. Consequently, the assessment of setting is crucial to the assessment of significance.
- 5.16 We note the impacts on the settings of designated assets have been considered in the ES (Vol. 3 Chap. 7, Section 4). Visualisations (photowirelines and photomontages) are provided in Vol. 3 Chap. 6. Subsequently, these have been supplemented with the document Procedural Deadline C – further information, Historic Environment Settings Analysis (Nov 2020).
- 5.17 We acknowledge the ES identifies that harm will be caused to the setting of designated heritage assets by the proposed development. We also acknowledge the overall conclusion of the ES in relation to the setting issues that the degree of



harm is less than substantial. The ES concludes that the level of harm is towards the lower end of the scale (minor adverse), in terms of the magnitude of impact. In only one case, the long-term impacts on the setting of West Tilbury Conservation Area, is it concluded that the significance of the effect is greater than minor adverse; in this case, the assessment is found to be moderate adverse.

- 5.18 We consider that the visualisations and accompanying commentary in the ES, incorporating the Procedural Deadline C – further information, Historic Environment Settings Analysis (Nov 2020), provide insufficient information to enable a detailed assessment to be made of the impact of this major development on the setting of the designated heritage assets. Consequently, we believe the submission does not provide adequate information for the balance to be weighed by the Examining Authority.
- 5.19 We are disappointed with the key viewpoints, and visual resources, that have been presented in the ES. We believe the ES does not deliver a full assessment of the designated heritage assets that might be impacted by the development. We would advise that additional visualisations from key viewpoints need to be presented and assessed, to provide a suitable level of information and to allow the harm to be fully realised.
- 5.20 Vol. 3 Chap. 6, Fig. 2.3-4 (see also Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Fig. 2) shows the key viewpoints selected in the ES to assess the impact of the proposed development in the landscape. These are all within the zone of theoretical visibility (Vol. 3 Chap. 6, Fig. 2.2). In terms of these key viewpoints, we believe the following eight viewpoints are applicable to designated heritage assets and visualisations – both photowirelines and photomontages, as well as rendered images - should have been prepared for these locations:
- Viewpoints 13-14 for Tilbury Fort, which is a scheduled monument (LEN: 1021092) and the Grade II* Listed Officers Barracks, Tilbury Fort (LEN: 1375568),
 - Nos. 17, 30-2 for Coalhouse battery and artillery defences, which is a scheduled monument (LEN: 1013943) and the Grade I Listed Church of St Katherine (LEN: 1337129),
 - No. 7 for Earthworks near Church, West Tilbury, a scheduled monument (LEN: 1002199) and the Grade II* Listed Church of St James (LEN: 1111541),



- Nos. 4 and 7 for West Tilbury Conservation Area (Vol. 3 Chap. 6, Fig. 2.3). In addition Viewpoint 8 provides visualisations just to the southeast of Low Street, which is also part of the Conservation Area.
- 5.21 The ES provides photographs (both winter and summer views) from the key viewpoints (with the exception of Bowaters Farm Battery) towards the proposed development. However, the ES provides photowirelines for only four of the eight key viewpoints (7, 14, 30, 32) identified above and photomontages for only three key viewpoints (7, 14, 30), which we believe are applicable to designated heritage assets (ES Vol. 3 Chap. 6, Figs. 4.3, 4.8, 4.18 and 4.19, 4.23, 4.27, 4.31). We note that additional photomontages have been provided for three viewpoints from Tilbury Fort (Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Viewpoints 1, 2, 3), although the locations of these have not been plotted on Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Fig. 2.
- 5.22 In our opinion, the visualisations that have been prepared are insufficient for a project of this scale and complexity, particularly given the close proximity of three, functionally related, scheduled monuments. Furthermore, the visualisations do not enable the impacts to be fully assessed nor the full level of harm to be determined.
- 5.23 We believe that visualisations (photowirelines and photomontages) should be provided in the ES for all the key viewpoints applicable to designated heritage assets. We strongly refute the suggestion that this would be disproportionate and impossible in practical terms (Historic Environment Updated Baseline and Significance of Effect Report, Dec 2020, 1.17). It is, in our opinion, entirely proportionate for a project of this scale and given the range of designated heritage assets in this area.
- 5.24 The photowireline and photomontage visualisations that have been presented in the ES have, without exception, been produced using photographs taken in the summer with maximum foliage. We acknowledge that paragraph 1.22 of the Historic Environment Updated Baseline and Significance of Effect Report, Dec 2020, states that the winter photographs were also taken and that comparison of both shows that there is little to no difference in terms of views towards the proposed development. However, in our opinion these should be also produced using winter photographs in the ES – and/or modelled without vegetation - when the proposed development will be most visible and because vegetation could potentially change, and be removed, in the future. This is recommended in order to model the greatest impact of the proposed development, i.e. worst-case scenario.



- 5.25 Tilbury Fort is England's most spectacular and best-preserved example of a late 17th-century coastal fort, and an important heritage attraction. In order to assess the impact of the proposed powerstation on the significance of this scheduled monument, photowirelines and photomontages are provided in the ES for Viewpoint 14 and we welcome the additional photomontages that have been prepared for three further viewpoints (Viewpoints 1, 2, 3, Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020; the location of these additional viewpoints need to be identified on a plan).
- 5.26 The ES concludes that the impact is Minor adverse and the significance of the effect of the proposed development on Tilbury Fort is assessed by the applicant as Minor adverse (not significant). The ES concludes that the level of harm is towards the lower end of the scale (minor adverse), in terms of the magnitude of impact. We acknowledge that the degree of harm is less than substantial from Tilbury Fort.
- 5.27 There is an important landscape view, however, to the north-east from Tilbury Fort towards the Earthworks near Church and Church of St James on the edge of the escarpment, with which the latter has an important functional relationship. In our opinion, this important landscape view from Tilbury Fort, and it's only remaining long-distance visual connection to the surrounding landscape across West Tilbury Marshes, will be further diminished by the proposed development and by the erection of the powerstation stacks.
- 5.28 No visual resources have been provided in the ES to assess the cumulative effects of the proposed powerstation and other developments on Tilbury Fort. It is stated that 'the visual link to Coalhouse Fort has been interrupted by the intervening built form at Tilbury2' (Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Appendix 1). It is not possible, however, to assess the cumulative impact of the proposed powerstation together with other schemes, and in particular with Tilbury2, without adequate visualisations. These have not been provided as per our previous advice. It is recommended, therefore, that further visual resources are submitted to the ExA for scrutiny prior to the determination of the DCO.
- 5.29 In terms of the impact on the significance of the scheduled monument known as Coalhouse Fort, the ES states that the impact from the 'introduction of additional built form into this already industrialised part of the landscape is considered to equate to only minor change' (Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Appendix 1). The ES also concludes that the impact is Minor adverse and the significance of the effect of the proposed development on Coalhouse Fort is Minor adverse (not significant).



- 5.30 We believe it is not possible to adequately assess the impact of the proposed development on the setting of Coalhouse Fort, and also on the setting of the Grade I Listed Church of St Katherine. We acknowledge there is both a photowireline and a photomontage from Viewpoint 30, from Coalhouse Fort and the Church of St Katherine. These indicate that the magnitude of the development is likely to be minor adverse from this location. We also note, the ES states, 'due to the distance and raised intervening landform towards Zone A, the effect of the proposed development on views from this location is not considered to be significant' (Vol. 3 Chap. 6, 3.4.73). However, these are both shown with summer foliage and we would recommend they should be also produced with winter images.
- 5.31 For Viewpoint 31 from the southern tip of Coalhouse Fort, the ES states 'due to the distance and raised intervening landform towards Zone A, the effect of the proposed development on views from this location is not considered to be significant' (Vol. 3 Chap. 6, 3.4.74). There is no photowireline or photomontage from this location to assess this conclusion.
- 5.32 Viewpoint 31 has been scoped out due to the intervening landform resulting in little to no intervisibility with Zone A during summer or winter (Historic Environment Updated Baseline and Significance of Effect Report, Dec 2020, 1.19). Viewpoint 31 is, however, located on the foreshore ((Vol. 3 Chap. 6, Fig. 3.26) and there should be a view, instead (and / or in addition), from the raised embankment (seawall), which is also part of the scheduled monument.
- 5.33 Viewpoint 32 from Coalhouse Fort is not considered to be significant in the ES, 'due to the distance from Zone A and views in the context of the industrial / dockland structures, and the hedgerow in the near distance the effect will be reduced' (Vol. 3 Chap. 6, 3.4.75). It is acknowledged that a photowireline has been produced for Viewpoint 32 but this is shown only with summer foliage and it is also difficult to adequately assess the conclusion in the ES. This needs to be reproduced using a winter image.
- 5.34 The ES states that the view from Viewpoint 17, from Coalhouse Fort, towards Zone A is 'restricted by vegetation in and around the fort buildings and earthworks' (Vol. 3 Chap. 6, 3.4.60). The image from Viewpoint 17, however, is also taken in the summer and no photowireline or photomontage has been produced from this location. This needs to be reproduced using a winter image.
- 5.35 The scheduled monument known as 'Second World War anti-aircraft battery at Bowaters Farm' (LEN: 1012185) has not been identified as a key viewpoint in the ES. The omission of a scheduled monument from the setting analysis is, in our opinion, important. We acknowledge that the monument is currently heavily



overgrown, but disagree that it 'would not be relevant nor proportionate to take this to wireline or photomontage stage of further assessment' (Historic Environment Updated Baseline and Significance of Effect Report, Dec 2020, para. 1.23). The current vegetation could – and should – be removed from the monument as part of the routine management of this designated heritage asset and so this scheduled monument should be included in the setting analysis.

- 5.36 The anti-aircraft battery at Bowaters Farm is located in a prominent location, with panoramic views to the west and southwest across Tilbury Marshes towards Area A, the site of the proposed powerstation, less than 1.5km away. It also lies less than c.400m southwest of Zone D3 (gas connection compound). The ES states there will be 'discernible but limited change to the key positive attributes' that contribute to the setting and significance of this designated heritage asset (Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Appendix 1). Again, the ES concludes that the impact is Minor adverse and the significance of the effect of the proposed development on Bowaters Farm Battery is Minor adverse (not significant).
- 5.37 There are no visual resources to assess the impact of the proposed development on the setting of this scheduled monument and, in our opinion, there is insufficient evidence presented in the ES to assess the impact of the development on the significance of this monument. A visual assessment should be produced to assess the impact on the setting of the scheduled monument known as Bowaters Farm Battery. This is consistent with our advice provided to the PEIR in November 2018 and in our letter to the applicant of 12 November 2020.
- 5.38 Photowirelines and photomontages have been provided for Viewpoint 7 to show the impact of the development from the Earthworks near Church, West Tilbury and also from the Church of St James, which are both within West Tilbury Conservation Area (Vol. 3 Chap. 6, Fig. 4.3a-c and 4.23a-b). In terms of both, the ES states that the proposed development site does not make an important contribution to their setting or overall significance, and it is suggested there will be limited change. The significance of the effect on the Earthworks near Church, West Tilbury and also from the Church of St James is identified as Minor adverse (not significant) in the ES. The significance of the effect on the Conservation Area, of which both these designated heritage assets are a part, however, is considered as Moderate adverse (significant) (Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Appendix 1).
- 5.39 There is an important landscape view from the Earthworks near Church and Church of St James across West Tilbury Marshes to the Thames and towards Tilbury Fort, with which the latter has an important functional relationship. In our opinion, the view (from Viewpoint 7) makes an especially important contribution to



the significance of both these designated assets, irrespective of later industrial elements in the landscape.

- 5.40 The proposed development would, we believe, significantly erode part of the setting, and compromise the appreciation, of both these designated heritage assets. Consequently, the impact and significance of effect of the proposed development on the Earthworks near Church and Church of St James, and also West Tilbury Conservation Area, is considered by Historic England to be at the upper end of less than substantial harm, and not Minor adverse as stated in the ES.
- 5.41 The view from Viewpoint 8 is also relevant, located at the south-east edge of the Conservation Area (Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Figs. 4.4a-c and 4.24a-b). The photowireline and photomontage from this location demonstrate that the visual impact of the proposed powerstation would, in our opinion, equate to a high degree of harm, which we consider to be at the upper end of less than substantial harm from this end of the West Tilbury Conservation Area.
- 5.42 Taken together with the impact of Tilbury2 and Lower Thames Crossing (Vol. 4 Chap. 19, Viewpoint 7, Fig. 1.2), we believe the harm on the significance of the scheduled monument known as ‘Earthworks near Church, West Tilbury’ and the Grade II* Listed Church of St James, is also at the upper end of ‘less-than-substantial’ harm (significant); the level of harm would be very high, even if “less than substantial” in the terminology of the NPS.
- 5.43 The overall change to the built surroundings, skyline and the spatial quality of views from the scheduled Earthworks near Church and Grade II* Listed Church, situated in West Tilbury Conservation Area, would be dramatic due to the form, massing and height of the development and its industrial character. We believe the development would adversely affect the experience of these designated heritage assets in their landscape setting and would be harmful to their significance.
- 5.44 In our opinion, Viewpoint 4 is also an important location for assessing the impact on the significance of West Tilbury Conservation Area. The ES states that the view to Zone A from Viewpoint 4 is ‘substantially screened by vegetation on the field boundary and by the landform. Consequently, there is no potential for significant effects being experienced by receptors at this location and the effects on this view are not considered further’ (Vol. 3 Chap. 6, 3.4.47). It is, however, currently difficult to assess the ‘minor adverse’ magnitude impact or moderate adverse significance effect attributed in the ES. This needs to be substantiated with an appropriate



photomontage to demonstrate the stated impact, and using images taken in the winter without foliage to model the worst-case scenario.

Cumulative Impacts

- 5.45 We acknowledge there is an assessment of cumulative effects for the historic environment - impacts of the proposed development in combination with impacts of other proposed or consented development projects, specifically Tilbury2 and Lower Thames Crossing (LTC) (Vol. 4 Chap. 20). However, this is bereft of detailed analysis of the potential impacts and, in terms of visual resources, there is only one relevant photowireline (there are no photomontages or rendered images) provided to assess the cumulative impacts for designated heritage assets. This relates to Viewpoint 7 for Earthworks near Church, West Tilbury (NHLE no. 1002199) (Vol. 4 Chap. 19, Fig. 1.2). In addition, the cumulative impact of the LTC is not clearly modelled in the photowireline.
- 5.46 In our opinion, this is inadequate for a proposed development of this scale and complexity and given the proximity of the development to a number of designated heritage assets, and given the close proximity of two other major projects. We believe, therefore, that the baseline information provided in the ES does not allow the cumulative impacts to be fully assessed and we recommend that further visualisations are prepared. The cumulative impact assessment in the ES is therefore also inadequate.
- 5.47 The ES concludes, 'adverse cumulative effects that are significant are considered possible. However, it is not considered that the contribution of Thurrock Flexible Generation Plant would materially increase the significance of any such cumulative effects' (Vol. 4 Chap 20, 2.2.2). No further information is provided and no other visual resources are provided (in addition to Viewpoint 7) to assess the cumulative effects relating to other designated heritage assets.
- 5.48 In terms of the cumulative impact on the historic landscape, the ES simply states, 'the historic landscape character of the areas surrounding these cumulative developments is well understood, and has good legibility to withstand change' (Vol. 4 Chap 20, 2.1.11). The potential for cumulative impacts to occur is, therefore, considered to be minor but no evidence is provided to support this statement. Consequently, we believe that the evidence presented in the ES does not enable the cumulative effects to be adequately assessed and we recommend that further assessment is undertaken.

6. Comments in relation to the Historic Landscape Character



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- 6.1 We acknowledge that some parts of the landscape have been industrialised around the proposed development site. However, it is important to recognise that the proposed development site Zone A is within a previously undeveloped area of West Tilbury Marshes. It is difficult, therefore, to understand how this has 'good legibility to withstand change' (Vol. 4 Chap 20, 2.1.11). West Tilbury Marshes are part of the South Essex Marshes, a distinctive area of surviving historic landscape on the north side of the Thames, east of London.
- 6.2 The importance of the South Essex Marshes is that for almost all of their history they have been used for grazing livestock, in contrast to most reclaimed coastal wetlands in southern Britain, and they retain a suite of relatively rare but well-preserved features that are characteristic of traditional grazing marshes. The baseline information in the ES lacks appropriate historical understanding and, in our opinion, the significance of this area has not been adequately acknowledged in the ES. We recommend that the significance of the historic landscape requires more detailed specialist assessment.
- 6.3 Zone A of the proposed development is located wholly within the area known as Walton Common. This is an historic estuarine marsh common which survives as a complete landscape entity, possibly dating from as early as the tenth to twelfth centuries. It is a rare surviving component of medieval farming practice; between the 1840s and 1980s, many areas in East Anglia are estimated to have lost 50% of their pre-18th-century landscape features (in some areas it is much higher). Walton Common will be almost entirely removed, as a meaningful landscape entity, by the proposed powerstation. We do not believe that the creation of new meadow and grassland adequately offsets the removal of the historic common.
- 6.4 Walton Common is one of five interlinked historic commons on West Tilbury Marshes, along with Tilbury Fort Common, Fort Road Common, Hallhill Common and Parsonage Common. The commons are part of the context for the designated heritage assets, situated between Tilbury Fort and St James' Church, and provide a local sense of place. These were probably territorially linked to the early community at West Tilbury above the Marshes and overlooked by the Church on the edge of the escarpment, although one of the distinctive characteristics of the South-East Essex Marshes is that in the later medieval period they were divided up between a series of different parishes that held detached parcels down on the marshes.
- 6.5 Domesday refers to 'pasture for sheep' that many vills held, which have been interpreted as reflecting rights to graze in commons. Over time, the commons were largely enclosed, and hence all the parishes/vills whose communities had rights to graze their livestock there received a parcel of marsh (that often appear to have corresponded to small islands). There are very few surviving areas of



common as well preserved as this one is, and so these are historically extremely important relicts of this past form of managing the environment.

- 6.6 In our opinion the ES has not adequately assessed the significance of these historic landscape components, or the potential harm that will be caused, and further detailed, specialist assessment should be carried out (Vol. 3 Chap. 7, 4.1.191; Vol. 6 Appendix 7.1, 4.4.89).
- 6.7 The ES acknowledges, Walton Common 'is considered to be of medium importance (sensitivity), on the basis that the current landscape has reasonable coherence and time-depth' (Vol. 3 Chap. 7, 4.1.192). Walton Common is a surviving component of the historic landscape, linked to the early settlement at West Tilbury above the Marshes and overlooked by the Grade I Listed Church on the edge of the escarpment.
- 6.8 In our opinion, this is of great historical interest in terms of how the landscape has developed. It makes an important contribution to the character and local distinctiveness of the area and it will be entirely removed by the proposed development. The Examining Authority should consider if these need to be preserved and enhanced through sensitive and positive management.
- 6.9 In terms of historic landscape character, the proposed development site is situated mostly within character Zone 117_3 (Vol. 3 Chap. 7, Fig. 3.2). The ES states, 'the rural landscape [of this zone] consists of small, rectilinear fields with extensive drainage ditches on the grazing marsh to the south...The zone has not been developed to any extent during the 20th century' (Vol. 6 Appendix 7.1, 4.5.7). This seems to conflict with other sections of the historic environment assessment where it is stated that the proposed development will be located in a 'wide-ranging built and industrial landscape' (for example, in Procedural Deadline C – further information, Historic Environment Settings Analysis, Nov 2020, Appendix 1). We believe the information provided is, therefore, contradictory.
- 6.10 In our opinion, the landscape is characterised by a series of distinctive morphological features that are readily apparent. The fields are mostly large, with a mixture of curvilinear boundaries, that follow the lines of naturally meandering former tidal creeks, and dead straight alignments that were laid out later. The remains of these are preserved as earthworks that form an area of relict landscape.
- 6.11 These non-designated historic landscape features are discussed in the ES (Vol. 3 Chap. 7, 3.1.38 and Vol. 6 Appendix 7.1, 4.4.89), one of which (Walton Common) will be almost entirely removed by the proposed development; unfortunately, the commons are not marked on Vol. 3 Chap. 7, Figure 3.1 or on Figures 4.11-12 of



Vol. 6 Appendix 7.1, although areas of common land are marked on Vol. 3 Chap. 7, Figure 3.2, relating to historic landscape character.

- 6.12 The ES goes on to conclude that, 'elements of the existing landscape within Zone A, the area of land within which the principal built elements of the proposed development will be constructed, i.e. gas engines, batteries and substations, would be lost, but there would otherwise be little or no change to landscape elements. The magnitude of impact is therefore considered to be minor' (Vol. 3 Chap. 7, 4.1.192).
- 6.13 We have serious concerns about the removal of the historic landscape element known as Walton Common by the proposed development. The Examining Authority should consider whether the applicant has taken all possible steps to establish the significance of this area, and to minimise the harm the development would be caused to the significance of the historic landscape character. This is both in terms of direct harm to Walton Common and harm to the group value of the commons and their interrelationship with the designated heritage assets in the landscape.
- 6.14 We have concluded that the significance of the historic common known as Walton Common, and associated historic landscape features, has not been adequately assessed in the ES. We would recommend that further specialist assessment is undertaken before consent is granted, in order to fully explore and understand the impact of the development upon this area of historic landscape.
- 6.15 Although contrary to our letter of 16 November 2020 in relation to the Section 16 Commons Application (made on the information that was available at the time), we now do not consider that the removal of Walton Common is in the public interest and, therefore, Historic England objects in principle to its proposed removal on heritage grounds. As set out in this chapter, additional information has come to light that enhances our understanding of the historical significance and rarity of this area of historic landscape since we published our initial advice. This information is not drawn out or sufficiently justified in the Environmental Statement, and we therefore raise this as a matter of serious concern with the Examining Authority.

7. Comments in relation to the Environmental Statement: Terrestrial buried archaeological remains

Volume 3 Chapter 7: Historic Environment – Terrestrial and Marine, buried archaeological remains and EN010092-001044-Environmental Statement - Historic



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**Environment Updated Baseline & Significance of Effect Report Further Information
- Revision 1 (Dec 2020)**

- 7.1 Historic England has concerns about the level of information that has been provided in the ES relating to the assessment of effects during the construction phase on below-ground heritage assets.
- 7.2 Specifically, we are concerned that the applicant's assessment does not adequately establish the significance of below-ground heritage assets (archaeological remains) within the development area and that might be affected by the proposed development.
- 7.3 NPS EN-1 paragraph 5.8.8 states, 'the applicant should provide a description of the significance of the heritage assets affected by the proposed development'. We believe it is difficult to adequately assess the application, in terms of buried archaeological remains, from the information that has been provided in the ES, following paras 5.8.11-5.8.13 of NPS EN-1.
- 7.4 The Local Planning Authority's historic environment adviser takes the lead in advising on the identification, assessment and scope for mitigation on non-designated buried archaeological remains. However, in response to the PEIR (November 2018), Historic England advised that a comprehensive assessment and evaluation would be required to establish the potential for, and the significance of, buried archaeological remains across all areas of the development.
- 7.5 We advised, 'this work will need to be undertaken to inform the EIA in order that the application meets the requirements of the National Policy Statement for Energy on the Historic Environment (paras 5.8.8-10) and not carried out post-consent as part of the construction phase.' Similar concerns about the need for a detailed assessment and evaluation of buried archaeological remains were raised in our response to the consultation on project changes in November 2019.
- 7.6 We also provided further detailed comments to the applicant in November 2020 following the request by the Examining Authority to provide further field surveys to fully characterise the historic environment baseline.
- 7.7 NPS EN-1 paragraph 5.8.9 states, 'where a development site includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest...the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation'.



- 7.8 Furthermore, NPS EN-1 paragraph 5.8.10 states, 'the applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents'.
- 7.9 We welcome the that geophysical survey has been undertaken to inform the ES and the results are presented in Vol. 6, Appendix 7.2 and also in Appendix 1 of the further document Procedural Deadline C – Further Information, Historic Environment Updated Baseline and Significance of Effect Report (Dec 2020). We note that the results of the geophysical survey (with the exception of those from Area A which was carried out at an earlier stage) that have been submitted for assessment are preliminary and pending detailed interpretation (paragraphs 4.4 and 4.5 of Historic Environment Updated Baseline and Significance of Effect Report, Dec 2020).
- 7.10 The potential archaeological features, identified by geophysical survey, have not been ground-truthed, however, and there has been no archaeological evaluation (trial-trenching) to establish the significance of these potential archaeological features. The potential natural channels that have been defined by the geophysical survey as strong magnetic anomalies have not been tested to establish their significance or origins. In addition, the proposed development site has not been tested (with trial-trenching) to establish if there are other archaeological features present, not detected by the geophysical survey.
- 7.11 In our letter to the applicant of 12 November 2020, we recommended that the trial-trenched evaluation should be also undertaken at this stage, following the geophysical survey, to ensure the historic environment baseline is fully characterised; this is consistent with our comments provided to the PEIR in 2018. We acknowledge paragraph 1.29 of the Further Information document (Dec 2020) that the timescale for submitting the further assessment work was too short to be able to undertake both geophysical survey and trial-trenched evaluation during this period (to meet Procedural Deadline C). We believe, however, this work should have been undertaken prior to submission of the ES.
- 7.12 We strongly disagree with the statement that 'an archaeological evaluation across the whole Order Limits at this stage would be wholly disproportionate and damaging, especially in the context of repeating recent intrusive works within the surrounding area' (paragraph 1.29). We believe a trial-trenched evaluation is an entirely appropriate and proportionate approach, and represents best practice, for a project of this magnitude.
- 7.13 Evaluation is necessary to adequately establish the baseline historic environment, and this should be no more than is sufficient to understand the potential impact of



the proposal on its significance. It should be carried out within all areas where there are proposed groundworks, with the exception of those parts of the proposed development site that have been trial-trenched as part of the ES work for the LTC, if the results of that work are also incorporated into the current submission.

- 7.14 We disagree with paragraph 1.44 (and also 4.17) of the Further Information document (Dec 2020) that states, 'sufficiently robust information was available from both the field surveys and existing published data, referenced in the Cultural Heritage Desk-Based Assessment (Appendix 7.1 of the ES), to give a clear understanding of the baseline historic environment for the purpose of EIA'. We do not consider this to be accurate.
- 7.15 We also disagree with paragraph 1.49 that the work is 'sufficiently extensive to be able to predict, using professional judgement, the nature and significance of any below-ground archaeological and palaeoenvironmental resource at the site'. In our opinion, the significance of the below-ground archaeology must be established with confidence at this stage, rather than predicted. We also note that paragraph 4.7 of the Further Information document (Dec 2020) admits that 'the archaeological potential of this area [Zone D] is as yet undefined'.
- 7.16 We note that Zone D overlaps with the LTC scheme and an archaeological trial-trenched evaluation was undertaken by LTC for the west half of Zone D. It is stated in paragraph 4.9 and Table 1-1 of Historic Environment Updated Baseline and Significance of Effect Report, Dec 2020 that newly-released data generated by the LTC project has been reviewed and incorporated into the updated baseline, 'which has the potential to be valuable for a joined-up understanding of the historic environment in this area and how it may be affected by each development' (para 4.9).
- 7.17 It is also stated in paragraph 4.11 to 4.13, however, that the results of the evaluation excavations, geophysical surveys North of the River Thames and the geotechnical boreholes are not yet available. This clearly contradicts the statement in Table 1-1 and so it is now not clear how the information produced as part of the LTC project has added to the baseline evidence for the Thurrock FGP at this stage.
- 7.18 The (potential) below-ground archaeological remains that have been identified by geophysical survey could be of local, regional or potentially national significance – the information cannot be established from the information presented in the ES. Following NPS EN-1 section 5.8.10, it is best practice to establish the significance and to submit that information in the ES. This ensures that the significance of any heritage assets is adequately established prior to the granting of consent.



- 7.19 We acknowledge that some geoarchaeological assessment and deposit modelling has been undertaken and the results are presented in Vol. 6, Appendix 7.2. However, this is limited in scope and restricted to Area A.
- 7.20 We therefore recommend that further specialist geoarchaeological assessment is undertaken across the rest of the proposed development site at the pre-consent stage, to establish the significance of these remains across the entire site, for example to test the significance of the (potential) natural channels defined by geophysical survey (paragraph 4.6 of the Further Information document, Dec 2020), and to provide a complete deposit model for the proposed development site.
- 7.21 Again, we note that a series of geotechnical boreholes have been drilled as part of the adjacent LTC project, in order to establish a Palaeolithic and Quaternary Deposit Model (PQDM) (paragraph 4.13 of the Further Information document, Dec 2020). We recommend a similar approach needs to be undertaken for the current submission to fulfil Section 5.8.10 of EN-1 Overarching NPS for Energy.
- 7.22 Although the geoarchaeological assessment that has been completed is limited in extent, the work has identified the presence of deep geoarchaeological deposits that will be disturbed and damaged by the groundworks in Area A. These are assessed as of potential regional significance (Vol. 3, Chap. 7 and Vol. 6, Appendix 7.1). It is also noted in paragraph 3.1.9 of Volume 3, Chapter 7, that ‘the peat deposits [at the London Distribution Park] have been shown to provide significant palaeoenvironmental information considered to be of a *national or international importance* providing detail of environmental and landscape change during the prehistoric periods (Quest 2013)’. These statements therefore do not reconcile with each other.
- 7.23 The ES states (Vol. 3 Chap. 7, para. 4.1.11), ‘whilst none of the remains are considered to be of schedulable quality, the rarity of the potential early prehistoric (Palaeolithic and Mesolithic) material, possible Bronze Age landscape reclamation evidence from BH1, and potential for marine and intertidal features of archaeological and maritime interest indicates that such evidence, where found, would be of medium-high, regional-national importance’. Historic England recommends that further geoarchaeological assessment should be undertaken prior to consent to establish the significance of geoarchaeological deposits in all areas of the proposed development site where groundworks have the potential to cause disturbance and damage to them.
- 7.24 Vol. 3, Chap. 7, Table 5.1, states there will be a ‘moderate to major adverse (significant)’ significance of effect, in terms the impact of construction works on



buried archaeological remains, which 'could result in permanent loss of or damage to, heritage assets comprising buried archaeological remains'. At this stage, it is unknown whether or not buried archaeological remains will be present, and consequently their significance (should they be present) is unknown.

- 7.25 The applicant admits in the ES (Vol. 3 Chap. 7, 2.5.1), that '...there has been limited non-intrusive archaeological investigations of the proposed development site, although a terrestrial geophysical survey was undertaken in Zone A, which identified potential archaeological features in this area'. Similarly, the limited geoarchaeological sampling in Area A has 'confirmed the presence of possible archaeological and palaeoenvironmental deposits in this area, but the exact nature and extent of this is yet to be fully understood' (ES Vol. 3 Chap. 7, 2.5.2).
- 7.26 In our opinion, based on the evidence that has been submitted, there is a considerable risk that nationally important heritage assets, in the form of buried archaeological deposits, could be encountered within the proposed development site. It would also cause a high degree of harm to the significance of the buried archaeological remains, the significance of which, in our opinion, has not yet been adequately established in the ES.
- 7.27 We note that further archaeological investigations are proposed as part of the consented scheme but the lack of intrusive investigations to inform the ES adds an unnecessary element of risk to the project that will need to be taken into account and incorporated into the mitigation strategy.
- 7.28 We would recommend that that the applicant is asked to provide further information before this application is determined by the Examining Authority to ensure that the significance of below-ground archaeological remains has been adequately established, and to ensure that the impact of the proposed development on the significance of any below-ground archaeological remains is established. This further assessment work should comprise trial-trenched evaluation and further borehole survey. The further assessment work will ensure that a detailed and informed archaeological mitigation strategy can be prepared and agreed.
- 7.29 It is stated that HDD is available as a mitigation technique should pre-construction investigation indicate that this is required (Historic Environment Updated Baseline and Significance of Effect Report, Dec 2020, para. 1.42). If this technique is to be used, the potential issues associated with bentonite slurry outbreak will need to be considered in terms of the impact that this may have on any buried archaeological remains. This needs to be considered, and mitigation included in the site specific WSI.



- 7.30 In our opinion, the information provided in the ES is inadequate, and does not allow the significance of buried archaeological remains, that might be affected by construction works, to be adequately assessed. It is also not possible to fully establish the impact or level of harm that will be caused to buried archaeology by the works.
- 7.31 We recommend that, in determining the application, the Examining Authority should consider whether the applicant has taken all possible steps to establish the significance of buried archaeological remains, and to minimise the harm the development would cause to the significance of potential buried archaeological remains.

8. Comments in relation to the Environmental Statement: Marine archaeological remains

Volume 3 Chapter 7: Historic Environment – Terrestrial and Marine, buried archaeological remains and EN010092-001044-Environmental Statement - Historic Environment Updated Baseline & Significance of Effect Report Further Information - Revision 1 (Dec 2020)

- 8.1 We acknowledge the baseline characterisation presented in the Historic Environment Chapter (ES Vol. 3, Chap. 7) and the Historic Environment Desk-Based Assessment (ES Vol. 6, Appendix 7.1) as adequate for the purposes of this assessment. We note that the available evidence demonstrates that there are numerous prehistoric, Romano-British and medieval remains within close proximity to the site. We, therefore, appreciate that there is a risk that such remains could exist within Zone G.
- 8.2 In terms of marine historic environment, we concur with the mitigation measures identified, including further site investigation, a watching brief and a Protocol for Archaeological Discoveries, as detailed within the Outline Written Scheme of Investigation (WSI) for Archaeological Mitigation (Application document number A8.11). The delivery of these measures should support the strategy to avoid, minimise and mitigation the impacts to known and unknown heritage receptors as may occur within Zone G. We consider these robust and fit for purpose.

9. Comments in relation to the Environmental Statement: Outline Written Scheme of Investigation for Archaeological Mitigation. PINS Document reference A8-11.

- 9.1 The applicant proposes to mitigate by record the impact of construction works on buried archaeology and a high-level outline WSI has been prepared. The outline Written Scheme of Investigation (WSI) provides an overview of the strategy that will be used to assess the onshore archaeological remains with more detailed



methods statements being produced at a later stage, should consent be obtained. The outline WSI proposes further geophysical survey, geoarchaeological assessment and trial-trenched evaluation (listed as Stages 1, 2 and 3), followed by further mitigation work (Stage 4).

- 9.2 We provided the applicant with detailed comments on the outline WSI on 9 November 2020, and below, and these still need to be addressed. We are concerned that the document as submitted is insufficiently detailed to ensure that the below-ground archaeological investigation, which will be required prior to enabling works and construction, can be adequately secured.
- 9.3 The detailed content of the outline WSI would need to be agreed with the local planning authority's archaeological adviser. We would also recommend that the outline WSI should be agreed by Historic England, as the statutory historic body and as the statutory body with responsibility for maritime archaeology.
- 9.4 It is important that the outline WSI should also include a timetable, agreed with the local planning authority's archaeological adviser for each stage of archaeological investigation. This will need to ensure that each phase of archaeological investigation can be adequately completed before the date of the construction works. Each stage of archaeological investigation – three stages of evaluation and any mitigation excavation (determined by the evaluation) in advance of construction – will require the agreement of an adequate method statement, fieldwork and report for each stage of evaluation, followed by the preparation and agreement of an adequate method statement for mitigation excavation, and completion of fieldwork. Each method statement should be agreed with the local planning authority's archaeological adviser and with Historic England.
- 9.5 In order to support effective delivery of the Outline WSI it is our advice that timeframes for the delivery of method statements are specified within any subsequent WSI produced should this proposed project secure consent. The use of an agreed timeframe will ensure that the archaeological curators are provided suitable notice prior to the commencement of archaeological investigations and construction activities. This will also provide them sufficient time to review and agree any formal approval of method statements.
- 9.6 It is important to note that for any part of this proposed project that occurs within the jurisdiction of a terrestrial planning authority that the primary source of advice is from the relevant local authority historic environment advice service.
- 9.7 Although Historic England considers that the pre-consent archaeological investigation is inadequate, and the geoarchaeological assessment and trial-trenched evaluation (proposed in this outline WSI) should be undertaken prior to



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consent, we have provided additional detailed comments relating to the outline WSI that has been submitted (see Section 11, below). This is in the event that the scheme be consented on the basis of the current information.

- 9.8 Although it is acknowledged this a high-level document to be supported by a raft of detailed method statements, the outline WSI must specify, in greater detail, the indicative requirements for sampling of archaeological and geoarchaeological deposits, as well as the types of scientific analyses that will be required for a project of this type – to be enlarged in the more focussed method statements.

10. Legislative and Policy Context

Planning Act 1990

- 10.1 In determining this application the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess should be borne in mind.

EN-1 Overarching NPS for Energy

- 10.2 The Overarching National Policy Statement for Energy EN-1 sets out the National Policy Statement for Energy infrastructure (see 5.8). It recognises that the construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment.
- 10.3 Of relevance to the trenched evaluation here is 5.8.4 which notes that heritage assets with archaeological interest that are not currently designated as scheduled monuments, but which are demonstrably of equivalent significance may include, those that have yet to be formally assessed for designation, those that have been assessed as being suitable for designation but which the Secretary of State has decided not to designate; and, those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979.
- 10.4 Section 5.8.12 considers that in considering the impact of a proposed development on any heritage assets, the Examining Authority would need to take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. It continues that account should be taken of the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution they can make to sustainable communities and economic vitality. The Examining Authority would also need to take into account the



desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment (5.8.13).

- 10.5 There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. This is because, once lost heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification (5.8.14).
- 10.6 Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss (5.8.15).
- 10.7 In relation to development affecting the setting of a designated heritage asset, it states that applications should be treated favourably that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, any negative effects should be weighed against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval (5.8.18).
- 10.8 The policy that is set out above echoes that which is set out in the National Planning Policy Framework. This also includes a definition of the setting of a heritage asset, 'the surroundings in which a heritage asset is experienced.
- 10.9 Setting of heritage assets is considered further in the Planning Practice Guide. This sets out how the extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. It also notes that although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. It continues that the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change.



The Historic Environment Good Practice Advice in Planning, GPA 3

- 10.10 This provides further advice on setting. This provides general advice on understanding setting and how it may contribute to the significance of heritage assets. In particular, it notes that setting is often expressed as views and that those which contribute to significance can include where relationships with other heritage assets are particularly relevant (page 10).
- 10.11 The document also provides a staged approach to taking decisions: identifying heritage assets affected; assessing how setting contributes to significance; assessing the effect of the proposals on significance; exploring how to maximise enhancement and avoid or minimise harm and making and documenting the decision.

11. Extra Comments

Historic England has provided the following detailed comments to the outline WSI. The number relates to the paragraphs in the WSI:

- 11.1 1.1.4 A detailed method statement (project design), each with specific aims, will be required for each phase of work.
- 11.2 1.1.7 This outline WSI should specify, in more detail, the indicative requirements for sampling of archaeological and geoarchaeological deposits, as well as the types of scientific analyses that will be required for this project – to be developed with specific detail in each of focussed method statement.
- 11.3 In the case of mitigation excavation, a post-excavation assessment must be required along with an updated project design (see 1.1.11, below).
- 11.4 1.1.8 There should be a minimum of ten days for scrutiny (by the HEA) of each evaluation method statement and, in addition, ten-day period of notice from the date of approval of each method statement to commencement of fieldwork (and not submission date of the method statement for scrutiny) to allow adequate time to scrutinise and agreed complex documents and to schedule monitoring of fieldwork, i.e. a minimum of 20 days from submission of the method statement.
- 11.5 For any major mitigation phases of work, this period should be increased to 20 days for the scrutiny of each method statement, as well as ten days advance notice of the commencement of fieldwork.
- 11.6 Adequate time will need to be agreed, for the completion, of each phase of fieldwork (and also reporting), and before commencement of any construction



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works (including any preparatory groundworks). Written approval will be required from Thurrock Council, advised by the HEA, before construction works can commence, following completion of archaeological fieldwork.

- 11.7 1.1.9 Each specific method statement needs to be approved, and agreed in writing, by Thurrock Council, advised by the HEA, before the fieldwork commences. HE shall be given a minimum of ten working days, to allow monitoring of fieldwork.
- 11.8 1.1.10 A draft copy of each evaluation report should be submitted to the HEA, and where appropriate HE, for scrutiny. The HEA will scrutinise each draft evaluation report, and provide comments, within 15 days of receipt. Following agreement, it should be submitted to Thurrock Council. This relates only to further phases of evaluation – and not larger, mitigation investigations/excavations (covered in 1.1.11).
- 11.9 1.1.11 Following the satisfactory completion of fieldwork, a post-excavation assessment will be required along with an update project design for analysis and reporting, as well as an appropriate timetable. This will need to be agreed in writing by Thurrock Council, following advice from the HEA. This work will assess the potential of the site archive to contribute significantly to archaeological knowledge. The statement of significance and the proposal for further analysis largely determine the nature of the final report, how it will be disseminated and, very importantly, the resources required for this. Post-excavation assessment is therefore a vital stage in the archaeological process.
- 11.10 The appropriate outlet for reporting and publication should be based on the significance of the results, to be established as part of the post-excavation assessment; ‘in a suitable journal’ should be removed from the paragraph.
- 11.11 The post-excavation assessment (PXA) and updated project design (UPD) should be prepared in accordance with the principles of Management of Research Projects in the Historic Environment (MoRPHE) (English Heritage 2006). The PXA will act as a critically assessed audit of the archaeological evidence from the site. It must present a clear and concise assessment of the archaeological value and significance of the results, and identifies the research potential, in the context of the Regional Research Framework (East Anglian Archaeology, Occasional Papers 3, 8 and 24, 1997, 2000, 2011 and in press.). It must present an Updated Project Design, with a timetable, for analysis, dissemination and archive deposition. The PXA will provide the basis for measurable standards for the HEA to monitor this work.



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- 11.12 1.1.15 This WSI must also refer to the CIFA guidance for field evaluation and archaeological excavation, (and also archaeological archives), as well as the appropriate (and extensive) technical guidance for archaeological investigations produced by Historic England. It must also refer to the Regional Research Framework.
- 11.13 1.1.17 This section must include mitigation excavation.
- 11.14 2.1 In terms of the baseline information, the outline WSI should refer to the results of the geophysical survey across Area A, undertaken by Wessex Archaeology (2017, Fig. 6), and the identification of possible archaeological features across the area.
- 11.15 4.2.2 Boreholes should be taken and assessed across the entire consented area where groundworks are proposed, to map in detail the geoarchaeological potential of the area – and to inform the mitigation strategy in advance of all groundworks relating to the development commencing. These should not simply be confined to Area A and, presently, no investigations have been carried out in other parts of the proposed development sites and there is no information about the significance and potential of these other areas.
- 11.16 What are the proposals for mitigation relating to the deep geoarchaeological deposits (beyond the assessment), that will be disturbed and damaged by the deep groundworks.? Will the cores already taken, and additional cores, be fully analysed?
- 11.17 4.3 While the detailed layout of trial trenches should be provided in the detailed method statement, following the stage 1 evaluation, an indicative trench plan should be provided, and agreed, in this outline WSI to demonstrate the likely extent and layout of this stage of evaluation work. Trial trenches should be a minimum of 1.80m wide and 30.0m long. Trenches may need to be extended (i.e. widened) in order to ensure safe working depths to establish the full stratigraphic sequence.
- 11.18 4.3.31 For the trial-trenched evaluation, the outline WSI must show what provision has been made for specialist environmental assessment and must provide details of the sampling strategies for retrieving artefacts, biological remains (for palaeoenvironmental and palaeoeconomic investigations), and samples of sediments and/or soils (for micromorphological and other pedological/ sedimentological analyses. Provision should be included for column or core samples to be taken and for specialist assessment of the column samples, including, for example, for pollen, plant macrofossils and molluscs, and for absolute dating of the sequence.



- 11.19 4.5.8 High resolution digital photogrammetry should be employed to record the (along with, and not as a substitute for, conventional archaeological recording), to create an accurate record of the investigations and to allow 'virtual' public access to the excavations and onsite discoveries.
- 11.20 In addition, we would expect that suitable opportunities are identified, with adequate resources, for public display and presentation of any archaeological discoveries that warrant, to be agreed with Thurrock Council and the HEA.
- 11.21 4.5.1 Based on the results of the initial geophysical survey across Area A by Wessex Archaeology (2017, Fig. 6), and the identification of possible archaeological features across the area, mitigation excavation will almost certainly be required in advance of construction.
- 11.22 4.5.6 Experienced metal detectorists will be required for the archaeological excavations, and these specialists will need to be listed in each method statement, and approved by the HEA.
- 11.23 There should be a caveat in the outline WSI for dealing with the discovery of unexpected archaeological remains defined during groundworks; unexpected discovery can sometimes occur (even after extensive evaluation) and there will need to be a contingency for this, to ensure there is adequate time and resources for the fieldwork. Any such work will need to be approved by Thurrock Council.
- 11.24 6.1.3 The intended archive depository (e.g. recipient museum) should be contacted before the outline WSI is prepared regarding the specific requirements for the archive deposition and curation, and regarding any specific cost implications of deposition; agreement in principle for deposition should be obtained prior to approval of the WSI. The intended depository must be prepared to accept the entire archive resulting from the project (both finds and written archive) in order to create a complete record of the project. A clear statement of the form, intended content, and standards of the archive is to be submitted for approval as an essential requirement of the WSI. The WSI should include a Selection Strategy (<https://www.archaeologists.net/selection-toolkit>).
- 11.25 The WSI should make provision for the deposition of the digital archive relating to this project with the Archaeology Data Service (ADS), or similar open access digital archive repository with expertise in curating digital archaeological archives, and allowance should be made for costs incurred to ensure proper deposition (<http://ads.ahds.ac.uk/project/policy.html>). The WSI should also include an overarching Data Management Plan for the project.



- 11.26 6.1.6 A separate OASIS online record will be required for each phase of fieldwork. A copy of the OASIS online form should be included as an appendix to each report.
- 11.27 6.1.7 Arrangements for long-term storage and deposition of the archive, including all artefacts, must be agreed with the landowner and the recipient museum prior to the commencement of fieldwork.
- 11.28 7.7.1 The archaeological contractor will need to have a demonstrable track record of successfully undertaking large complex archaeological projects of this nature, with adequate specialist archaeological and geoarchaeological expertise. A list of the technical specialists should be submitted to Thurrock Council for approval.

12. Conclusion

- 12.1 The proposed development lies in a highly sensitive area for the historic environment, within the setting of a range of highly-valued heritage receptors or designated heritage assets. Three scheduled monuments, within close proximity of the proposed development, illustrate the changing approaches to the defence of the Thames Estuary and London, over the last 400 years. They are all important strategic military heritage assets relating to the defence of England, of different periods in history.
- 12.2 The scheduled monuments are all located in prominent and striking topographic – and key defensive – locations. The significance of these monuments, in particular, draws much from their setting, in this case the area they defended. Consequently, the historic environment settings analysis is a critical piece of work for this proposed development and in our written response of November 2018, we advised that the ES would need to provide sufficient visual information to illustrate how the proposed infrastructure would be seen in views from key designated heritage assets. We provided further guidance in November 2020. We are therefore concerned and disappointed that these comments have not been fully addressed.
- 12.3 Historic England has serious concerns about the level of information that has been provided in the ES (incorporating the additional assessment) relating to historic environment settings analysis and the assessment of impact on the significance of designated heritage assets. In our opinion, the visualisations that have been prepared are insufficient for a project of this scale and complexity, particularly given the close proximity of three, highly significant and functionally related, scheduled monuments.



- 12.4 In terms of the settings analysis, we believe that insufficient information has been provided for the effect of the proposed development to be assessed and for the balance to be weighed by the Examining Authority. Therefore, we consider the applicant has not adequately addressed sections 5.8.8, 5.8.9, 5.8.10 and 5.8.11 of EN-1 Overarching NPS for Energy. We recommend that further visualisations are necessary in order to address this matter.
- 12.5 In our opinion, the assessment of cumulative impact effects for the historic environment is inadequate for a proposed development of this scale and complexity and given the proximity of the development to a number of designated heritage assets, and given the close proximity of two other major projects. We believe that the evidence presented in the ES does not enable the cumulative effects to be adequately assessed and we recommend that further assessment is undertaken.
- 12.6 We believe the significance of Walton Common and associated historic landscape features have not been adequately assessed in the ES and we would recommend that further specialist assessment is commissioned by the applicant. We believe the common land is an important and locally distinctive historic landscape feature, and the loss of Walton Common is a significant effect and considered to be a major adverse impact. We have serious concerns that the applicant has not taken all possible steps to establish the significance of this area, and to minimise the harm that would be caused by the development to the significance of the historic landscape character. Therefore, we consider the applicant has not adequately addressed sections 5.8.8, 5.8.11, 5.8.12 and 5.8.13 of EN-1 Overarching NPS for Energy. Historic England objects in principle to the proposed removal of Walton Common on heritage grounds.
- 12.7 Historic England also has serious concerns about the assessment of the significance of below-ground archaeological remains (incorporating the further information submitted in December 2020). We also do not believe that the significance of below-ground archaeological remains has been adequately established within the proposed development site. Again, we consider the applicant has not adequately addressed sections 5.8.8, 5.8.9, 5.8.10 and 5.8.11 of EN-1 Overarching NPS for Energy.
- 12.8 In our comments provided to the PEIR in 2018, we recommended that trial-trenched evaluation and further geoarchaeological investigation is carried out prior to the DCO. This work must, in our opinion, be undertaken prior to consent for the effect of the proposed development to be assessed and for the balance to be weighed by the Examining Authority. We believe this work is an appropriate and proportionate approach, and represents best practice, for a project of this magnitude.



- 12.9 Historic England also has concerns about the draft Development Consent Order. We recommend that DCO Section 12 of Schedule 2 Requirements relating to Archaeology requires amendment before any decision is made.
- 12.10 We believe that the proposed scheme of archaeological investigation, presented in the outline Written Scheme of Investigation (PINS Document reference A8-11), to mitigate by record the impact of the development on buried archaeology will not adequately ensure the preservation of archaeological remains by record within the proposed development site. We are disappointed that the comments we provided to the applicant about the outline WSI in November 2020 have not been addressed and submitted with the further assessment documents in December 2020. We recommend this document is revised and further comment sought, before approval, from both the relevant planning authority and Historic England.

ENDS



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