



EAST OF ENGLAND OFFICE

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Plant Team

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**PLANNING ACT 2008 : THURROCK POWER, PROPOSED THURROCK FLEXIBLE
GENERATION PLANT**

Historic England Deadline 2 Response

Dear Mr Cridland

The Historic Buildings and Monuments Commission for England (HBMCE), known as Historic England, are the government's advisor on the historic environment and we provide independent advice on heritage matters. We have a duty to conserve as well as promote public understanding and enjoyment of the historic environment.

Confirmation of Historic England Comments at Deadline 2 23rd March 2021.

Question 1.4.1 Thurrock Council/Historic England The ExA notes Thurrock Council's comments (RR [RR-007]) that the ES fails to assess the effects on the Grade I listed Church of St Katherine and the Grade II listed Old Rectory. The Applicant explains (Historic Environment Settings Analysis [PDC-013]) that these heritage assets were scoped out of the assessment as the development site does not form part of their settings. Please comment on the approach taken by the Applicant to these assets (providing reasons where appropriate).

Historic England Response:

The Grade I Listed Church of St Katherine is located in a prominent topographic location. Figure 2.6: Landscape and Visual Impact Assessment ZTV and 10 km Study Area (Chapter 6: Landscape and Visual Resources Environmental Statement May 2020) indicates that the church lies within the zone of theoretical visibility. Consequently, we have recommended that this designated heritage asset is also included in the assessment. We do not agree that it was right to scope out these designated heritage assets out and consider the applicant should have included these in the initial assessment.

Question 1.4.6 Historic England Please respond to the Applicant's explanation that it is not possible to carry out trial trenching at present due to the need to obtain consent for trenching works under section 38 of the Commons Act 2006.

Historic England Response:

In our view, section 38 of the Commons Act 2006 does not prevent trial-trenching at this stage in the process, merely that it requires the applicant to make a case for the evaluation and to make an application for the archaeological evaluation under the terms of the Commons Act.

Moreover, Zone A (main development site) of the proposed Order Limits is significantly larger than the area of Walton Common. Walton Common makes up approximately half of Zone A and the Commons Act does not prevent trial-trenching across the remaining part of Zone A.

The Commons Act 2006 also does not prevent access, for the purposes of trial trenching, to other parts of the proposed development area, where groundworks will be undertaken and where there is potential to disturb and damage buried archaeological remains, including Zones C, D, F and G.

In our opinion, the applicant should undertake archaeological trial-trenching across the proposed Order Limits, where groundworks have the potential to disturb and damage the significance of below-ground archaeological remains. This would ensure that all parts of the development site (with the exception of that part already trial-trenched by Lower Thames Crossing (LTC) project, if the results of that work can be analysed and presented, see below) where there is potential to disturb archaeological remains, and where access is possible, are fully assessed.

Question 1.4.7 Historic England Please explain and highlight the risks HE considers are inherent in the Applicant's proposed approach of carrying out more extensive field surveys pre -construction (but post -consent) - to be secured as part of the Written Scheme of Archaeological Investigation.

Historic England Response:

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. 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. Consequently, the assessment does not establish the harm that will be caused to the significance of buried archaeological remains.

We believe the assessment of effects (Chapter 7) is flawed because the archaeological potential is currently unknown. Indeed, the ES highlights the main problem with the submission (Chapter 7 Section 2.5), which states that there has been

no field assessment of much of the area proposed for development. We believe this is a critical issue. Our experience with effect significance has shown that such impacts can only be reliably measured if suitable evaluation of the scheme area has been undertaken and all evidence used – currently known evidence as well as that acquired from physical evaluation of the scheme area.

Archaeological remains are a finite and irreplaceable resource. In many cases they are highly fragile and vulnerable to damage and destruction and, on occasion, non-designated archaeological remains which are demonstrably of equivalent significance to scheduled monuments are discovered through evaluation works.

Historic England recognises that archaeological remains are not all equal in significance. Staged investigation can help to understand their significance and determine that level of significance and appropriate mitigation of impacts. Specifically, in this case, we believe that a trial-trenched evaluation is required pre-consent as part of a staged and iterative approach to archaeological assessment, and to assess the results of the geophysical survey – which defined previously unrecorded archaeological remains within the scheme area.

Significance is influenced by the state of preservation and also the date of the archaeological remains, which cannot easily be established by geophysical survey alone; by itself, geophysical survey is unable to adequately inform on significance. In terms of Walton Common, this is an ancient common with well-defined historic boundaries. In particular, this area has not been the subject of intensive modern agricultural processes and, consequently, there is high potential for below-ground archaeological remains – which have been indicated by the geophysical survey - to be very well-preserved in this area because they have not been disturbed by deep agriculture (compared to other areas). Again, this is an important reason to undertake pre-consent trial-trenching and in order to assess this area before it is potentially deregistered, if it is deemed acceptable, with an exchange of land.

At this stage, we strongly suspect there are likely to be archaeological remains within the development area/boundary, as they have been detected by the geophysical survey. It is critical that the significance of these is adequately established. This is normal practice in terms of the assessment of archaeological remains - to identify whether any important archaeological remains are present that could preclude or modify the proposed development, including by the imposition of appropriate conditions. This is proportionate, reasonable and justified in accordance with the NPS EN-1.

This approach would also be in accordance with paragraph 5.8.14 of the NPS EN-1 which states, 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. It continues, substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments should be wholly exceptional. If archaeology is identified that might warrant being retained within the scheme then sufficient evidence should be collected as part of the decision-making process.

In our opinion, this is a critical issue and there is a real risk that such archaeological remains could be encountered – and this could prove extremely troublesome at a later stage in the project, if this assessment is hidden in the Development Consent Order. The potential to protect and minimise harm to the significance of any archaeological remains will be extremely problematic once consent has been granted.

Post-consent discovery of non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments can be avoided. We see no reason why the trial-trenching cannot be undertaken, to augment and refine desk-based and geophysical survey data, to ensure that the significance of archaeological remains are properly understood and that potential conflict between the proposed development and the conservation of heritage assets is avoided and /or minimised before consent is granted. The development of a Cultural Heritage Mitigation Strategy can only be developed if evidence from a variety of sources has been used to understand the fragmentary evidence of past land uses. This is best practice for major development projects where there is evidence to suggest the potential for buried archaeological remains to be present.

This approach is also consistent with the approach that is currently being undertaken for the neighbouring Lower Thames Crossing (LTC) project, which includes (a small) part of the same land as the current application – and which has been formulated as a result of positive dialogue between the applicant, local authority archaeological advisors and Historic England. Clearly, where areas have been already trial-trenched as part of the LTC project, we would not expect then to be trenched again - as long as the results of the work by LTC have been obtained, assessed and integrated into the current assessment. However, currently this information has not been provided and we are unable to assess of the significance of these results.

Archaeological work at this stage helps to ensure that an application is well-informed and appropriately designed and it also significantly reduces the risk of additional unexpected costs and delays at a later stage. Such a strategy will enable greater ability of archaeological contractors to more accurately cost the mitigation scheme.

Question 1.7.24 Historic England Schedule 2, P1, R13 – Is Historic England content with the wording of this requirement?

Historic England Response:

Historic England has advised the need for the following amendments to Schedule 2, P1, R13.

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

The written scheme of archaeological investigation for each stage of archaeological investigation must be approved by the relevant planning authority.

The archaeological fieldwork will need to be satisfactorily completed and signed off by the relevant planning authority before the development can commence.

The archaeological contractor must be able to demonstrate appropriate local experience and expertise (specialist knowledge) and must be approved by the relevant planning authority.

A timetable for each stage of archaeological investigation, including fieldwork, assessment, analysis, reporting and archiving, must be submitted to and approved by the relevant planning authority, i.e. it is not just approval of the WSI, but completion of the fieldwork.

The term watching brief should be removed from No. 4 – as a watching brief is part of the archaeological works.

There should be provision for outreach activities with local communities during the archaeological investigation and also provision for the display and presentation of any archaeological remains (that merit display) discovered on site.

If there are any further material changes to the proposals, or you would like further clarification in relation to our advice, please contact us.

Yours sincerely

Jess Tipper

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Inspector of Ancient Monuments

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