

Thurrock Power Ltd Comments on Historic England's Deadline 2 Submission

Deadline 3



1 THURROCK POWER LTD COMMENTS

1.1 Introduction

- 1.1.1 This document provides the applicant's comments on matters raised in Historic England's Written Representation at Deadline Two (REP2-084): effects on the Grade I listed Church of St Katherine and the Grade II listed Old Rectory; consent for trial trenching under section 38 of the Commons Act 2006; and the risks involved with undertaking archaeological field surveys at the post-consent stage.

1.2 Church of St Katherine and the Old Rectory

- 1.2.1 On page 12 of the representation Historic England (HE) has commented that Figure 2.6: Landscape and Visual Impact Assessment ZTV and 10 km Study Area (Chapter 6: Landscape and Visual Resources of the May 2020 ES) shows that the Grade I listed Church of St Katherine is within the zone of theoretical visibility, therefore this church and the nearby Grade II listed Old Rectory should not have been scoped out of the initial assessment.
- 1.2.2 The applicant can confirm that the Grade I listed Church of St Katherine is not within the zone of theoretical visibility (ZTV) for the proposed development. The image below shows the relevant part of the ZTV, with the Grade I listed Church of St Katherine shown as a red triangle and the Grade II listed Old Rectory as a green triangle. The areas shaded in green in the image are those from which some or all of the proposed development would be visible. This lack of intervisibility, along with the observation that the proposed flexible generation plant development site does not make a meaningful contribution to the setting of either of the two listed buildings, justifies their exclusion from the initial assessment.



- 1.2.3 Following consultation with HE on 10th February 2021, additional assessment has been undertaken with regard to the Grade I listed Church of St Katherine and the nearby Grade II listed Old Rectory. The results of this additional assessment were presented in the applicant's Deadline 2 Response to Examination Question HER-2 Historic Environment Information (REP2-054).
- 1.2.4 Verified photos and wirelines taken from the vicinity of the Grade I listed Church of St Katherine and the nearby Grade II listed Old Rectory Heritage demonstrated that the proposed Thurrock Flexible Generation Plant development would have no impact on the significance of either these designated heritage assets. This is shown in the images from Heritage Viewpoints 4a and 4b,

presented in Appendix 2 of REP2-054. Viewpoint 4a is located outside the entrance to the church whilst Viewpoint 4b is within the churchyard (at the end of the west aisle).

1.3 Consent for trial trenching under section 38 of the Commons Act 2006

- 1.3.1 On page 2 of the representation HE has commented that section 38 of the Commons Act 2006 does not prevent trial trenching at this stage, rather that it requires to applicant to make a case for the trenching as part of an application under the terms of the Act.
- 1.3.2 The issue of advance trial trenching within Walton Common under the terms of the Commons Act 2006 are explained in detail in paragraphs 1.37 to 1.39 of the applicant's Historic Environment Updated Baseline and Significance of Effect Report submitted at Procedural Deadline C (PDC-014). Particular attention is drawn to paragraph 1.39 which explains that the applicant was advised that an application to undertake trial trenching ahead of the consenting of the development was unlikely to be granted taking into account the relevant guidance in Defra's Common Land Consents Policy.
- 1.3.3 Furthermore, given HE's opinion of the importance of Walton Common as a historic landscape feature (as expressed in paragraphs 6.1 – 6.15 of their Deadline D representation (PDD-04)), it is somewhat surprising to see this stance on advance trial trenching within the common, as that would represent a harmful activity which may ultimately be unnecessary should the proposed development not be consented.
- 1.3.4 We must emphasise that both intrusive and non-intrusive archaeological investigation has been undertaken within Walton Common, which has informed the assessment of effects and the design of further investigation and mitigation. This investigation has comprised two geophysical surveys and a series of borehole samples from which a geoarchaeological deposit model has been constructed. This intrusive geoarchaeological investigation is not acknowledged by Historic England in the Written Representation. As set out previously, we consider that this represents the most appropriate and balanced approach to carrying out pre-application investigation without causing unacceptable harm to the common. Given that the main feature of interest in the common is its deep paleoenvironmental deposits (discussed in APP-087, Geoarchaeological Deposit Model Report), trenches to reach features of interest at this depth would need to be substantial (due to the need for any trenching to be of considerable width to safely excavate to the deeper deposits level) and would disproportionately damage the common as a grazing landscape.
- 1.3.5 With regard to the parts of Zone A outside the boundary of Walton Common, this comprises mainly the land set aside for future carbon capture readiness (land which would not be developed under this consent), and also part of a buffer around ditches to be protected from development due to the water vole population. Trenching should not be undertaken in either area.
- 1.3.6 It should be noted that the applicant does not agree with HE's opinion on the importance of Walton Common as a feature of the historic landscape; this is addressed in Section 5 of the applicant's Deadline 2 Response to Examination Question HER-2 Historic Environment Information (REP2-054).

1.4 The risks involved with undertaking archaeological field surveys at the post-consent stage

- 1.4.1 On pages 2-4 of the representation HE has expressed their opinion that the applicant's assessment does not adequately establish the significance of buried archaeological remains that may be affected by the proposed development, and that consequently the assessment does not fully establish the harm that could be caused to the significance of such remains during the construction of the proposed scheme.
- 1.4.2 The applicant does not dispute that buried archaeological remains may be affected by the proposed development and has stated clearly in the ES that this would constitute an adverse effect of the development, for which good-practice mitigation is put forward. The applicant does not

accept that the ES is deficient as this issue has been allowed for in line with comparable projects where full intrusive investigation is disproportionate at the pre-consent stage.

- 1.4.3 The applicant's approach to staged archaeological investigation is set out in paragraphs 1.25 – 1.51 of their Historic Environment Updated Baseline and Significance of Effect Report submitted at Procedural Deadline C (PDC-014), and it is not necessary to repeat that here.
- 1.4.4 The applicant has engaged extensively and constructively with Historic England and Essex County Council heritage officers representing Thurrock Council, as a result of which an amended Outline Written Scheme of Investigation for Terrestrial Archaeological Mitigation was submitted at Deadline 2 with Historic England's agreement. As noted in the heritage submission at Deadline 2 (REP2-054) there is scope for avoidance by design in the 'Zone C' gas pipeline corridor of currently identified potential archaeological remains if these are confirmed to be present and of significance during the further pre-construction archaeological investigations.
- 1.4.5 Additional information on the results of the November-December 2020 geophysical survey was presented in the applicant's Deadline 2 Response to Examination Question HER-2 Historic Environment Information (REP2-054), along with a summary of information received from the Lower Thames Crossing (LTC) project team regarding the results of their trial trenching. The LTC team are also providing the applicant with a Holocene deposit model produced from a line of boreholes to the south of, and parallel with, the railway line along Zone C of the proposed scheme.
- 1.4.6 This information from the recent geophysical surveys within the application site and from the overlapping LTC scheme enhances the baseline information on known and potential buried archaeological remains, reinforcing the applicant's position that further field evaluation at post-consent stage would be a suitable and proportionate approach. As noted, the Outline Written Scheme of Investigation for Terrestrial Archaeological Mitigation setting out this further field evaluation has been prepared and has been agreed with Historic England for Deadline 2. It has also now been agreed with Essex County Council heritage officers representing Thurrock Council at Deadline 3.

1.5 Conclusion

- 1.5.1 The applicant has undertaken proportionate and adequate archaeological investigation of the application site having regard to its constraints and adverse impacts of undertaking such works. The ES has adequately assessed the baseline through examination of borehole data and a programme of remote sensing methodologies to establish areas of potential interest, and has taken a precautionary approach in assessing the impacts as adverse. The effects of extensive, deep trial trenching on the site and particularly in common land cannot be justified without a consented development. Once the common land has been relocated to the replacement land (allowing public use to continue while intrusive investigation is undertaken), commons consent for trenching is no longer required and the potential adverse impact on the commoners and the public is removed. Accordingly, the applicant submits that the proposed approach in the dDCO, together with the detail of later investigation secured in the outline WSI, represents the most appropriate way forward for this project.
- 1.5.2 Full investigatory works will be undertaken before any construction can begin and any works to record or preserve any finds is secured in the WSI. This approach reflects that taken on other comparable projects and protects the cultural heritage assets from premature and unnecessary damage should the DCO not be granted while ensuring that full investigation is undertaken as and when it is justified.