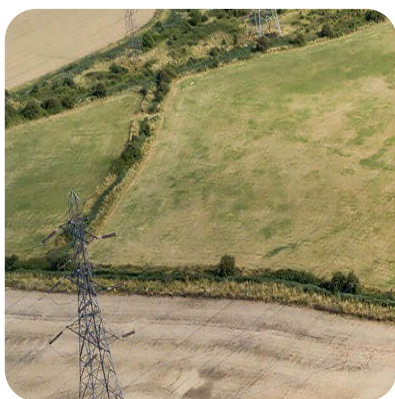




Statement of Common Ground with Historic England

Final, July 2021



1 STATEMENT OF COMMON GROUND

1.1 Introduction

Status

- 1.1.1 This is the finalised Statement of Common Ground (SoCG) between the applicant, Thurrock Power Ltd, and Historic England (HE), resulting from consultation and engagement between both parties.

Purpose

- 1.1.2 The purpose of a SoCG is to concisely confirm to the Examining Authority where agreement has been reached between the parties and where agreement cannot be reached.

Scope

- 1.1.3 This SoCG does not seek to replicate information or rehearse arguments that are available elsewhere within the examination documents. Both parties to the SoCG have made several representations before and during the examination process, which can be viewed in via the examination library at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010092/EN010092-000922-Thurrock%20FPG%20-%20EN010092%20-%20Examination%20Library%20PDF%20Version.pdf>.

- 1.1.4 The Planning Inspectorate has signposted what it considers to be good examples of documentation submitted in relation to Nationally Significant Infrastructure Projects (NSIPs), including Statements of Common Ground, which can be accessed here: [Example Documents | National Infrastructure Planning \(planninginspectorate.gov.uk\)](#).
- 1.1.5 This guidance indicates that SoCGs should be concise and should be supported by cross-referencing to relevant documents in the examination (rather than repeating earlier submissions) in order to keep the SoCGs focused and reduce their size.
- 1.1.6 Thurrock Power Ltd considers that matters of disagreement with Historic England have been detailed in the following examination documents and therefore a summary only of these matters is required in the SoCG.

RR-012	REP2-084	REP4-026
PDC-002	REP3-008	REP5-015
PDC-013	REP3-021	REP5-024
PDD-004	REP4-021	

- 1.1.7 Historic England considers that its position on matters of disagreement should be set out fully in the SoCG and has done so in the section following.
- 1.1.8 The scope of the final SoCG has been substantially increased compared to the mutually agreed drafts submitted at REP2-061 and REP4-011.
- 1.1.9 Thurrock Power Ltd has therefore out of necessity set out its position in response again, but has sought to do so in as concise a manner as possible by cross-referring to the relevant examination documents, in particular PDC-002, PDC-013, REP3-008, REP4-021 and REP5-015.

Structure of this SoCG

- 1.1.10 This SoCG is presented in the following sections:
- matters on which Thurrock Power Ltd and HE are agreed;
 - matters where there remains disagreement; and,

- signed Confirmation of Agreement.

1.2 Matters that are agreed

- 1.2.1 The Environmental Statement (ES) and supplemental information, including photomontages, provide an adequate assessment of above-ground impacts on the settings of heritage assets. Less than substantial harm would result from these impacts.
- 1.2.2 Additional photomontages were taken from requested viewpoints and have been accepted. HE acknowledges that it is not possible to take rectified photographs to produce wirelines or photomontages from Bowaters Farm as the site is inaccessible.
- 1.2.3 The findings of the Geoarchaeological Deposit Model Report (ES Volume 6, Appendix 7.2) have informed the assessment of the baseline environment in the ES and have informed the further proposed pre-construction archaeological investigation set out in the Outline Terrestrial Written Scheme of Investigation (WSI) (application document reference A8.11a).
- 1.2.4 The data obtained by the LTC project, including the linear borehole samples along the length of Zone C to the south of the railway line, will provide a geoarchaeological model in this area. Once this data is received and reviewed by both the applicant and HE, it will inform whether any further geoarchaeological cores (other than those already proposed for Zone A), are required, which will be undertaken as part of the proposed staged pre-construction archaeological investigation, as set out in the Outline Terrestrial WSI (application document reference A8.11a).
- 1.2.5 The 'main development site' of the Flexible Generation Plant (Zone A in the ES) has the greatest potential for impact on archaeology as this is the primary area of construction and area requiring deep foundations/piling. The pipeline route will also impact on archaeology, but to a lesser depth which will not impact geoarchaeological deposits.
- 1.2.6 The applicant has separated the Outline WSI into marine and terrestrial elements. The applicant has agreed with the MMO to include a condition in the Deemed Marine License for approval of the 'Outline Marine and Intertidal WSI'.
- 1.2.7 The Outline Marine and Intertidal WSI (application document reference A8.11b) is accepted and agreed.
- 1.2.8 The Outline Terrestrial WSI (application document reference A8.11a) is accepted and agreed.
- 1.2.9 There is potential for Tilbury2 and the Lower Thames Crossing taken together with Thurrock Flexible Generation Plant to cause significant adverse cumulative effects. The level of harm would be less than substantial.
- 1.2.10 Walton Common is not a designated heritage asset, and cannot be designated because the listing criteria does not accommodate this type of heritage asset.

1.3 Matters that are not agreed

Settings of designated heritage assets

- 1.3.1 HE's position is that:
 - 1. For the Earthworks and Church, HE believes the significance draws much from their setting, which are located in similar prominent and striking topographic locations, on the edge of the Chadwell Escarpment, with wide views across Tilbury Marshes.
 - 2. HE believes the development would significantly erode part of the setting, and compromise the appreciation, of both these designated heritage assets on a key sight line to the south-west towards Tilbury Fort.

3. The impact of the proposed development has been represented as less than it really would be in respect of the Grade II* listed Church of St James at West Tilbury and the adjacent scheduled monument known as 'Earthworks near church'. The impacts arise from change within the settings of these designated assets and the overall change would be dramatic due to the form, massing and height of the proposed development and its industrial character. The magnitude of impact and significance of effect in each case would be moderate to high.
4. For Bowaters Farm, HE believes the significance of this monument draws much from its setting, in this case the area it defended. The significance of this monument again draws much from its setting. Bowaters Farm Battery is located in a prominent location, with panoramic views to the west and southwest across Tilbury Marshes towards Zone A and the site of the proposed power station.
5. HE believes both the magnitude of impact and the significance of effect would be moderate to high for Bowaters Farm. That stated, there are no visualisations to support assessment – and, therefore, it is difficult to be certain in the absence of visualisations.
6. The impact of the proposed development has been represented as less than it really would be in respect of the Bowaters Farm Battery scheduled monument. The impact arises from change within the setting of this designated asset, which contributes much towards its significance. The construction of the proposed development is likely to result in a relatively high degree of harm (i.e. impact magnitude) with the significance of effect also being high (and therefore significant in EIA terms).

1.3.2 The applicant's position is that:

1. The settings of these assets and effects of the proposed development has been assessed professionally using established methodology, as set out in PDC-013. When taken individually, the likely effects arising from the impact of the proposed development on the Grade II* listed Church of St James and the adjacent scheduled monument (all at West Tilbury) as a result of change within their settings is minor adverse and therefore not significant in EIA terms. This is accurate, given that the proposed development site occupies only a small fraction of the overall visual envelope of these assets, and one that already includes modern industrial development, transport infrastructure, and features relating to electricity generation and transmission;
2. The development does not form part of the key sight-line looking southwest from the Church and Earthworks towards Tilbury Fort: the predominant built form is within Zone A which lies to the southeast and does not interrupt the view from Tilbury Fort to the Church and Earthworks and vice versa. This was demonstrated with the additional photomontages presented in PDC-013; and,
3. The assessment of the likely effect arising from the impact of the proposed development on the Bowaters Farm Battery scheduled monument as a result of change within its setting as minor adverse (and therefore not significant in EIA terms) is accurate. At present, there are no views, panoramic or otherwise, from the monument as it is heavily overgrown and impenetrable and there is no current management plan for the site that will change this. This asset is all about looking skywards to deter and disable enemy aircraft, operating in conjunction with the Battery at Coalhouse Fort and Tilbury Fort, and this requires a 360 degree, upward-looking panorama. The proposed development site occupies only a fraction of that panorama, and this already includes modern industrial development, transport infrastructure, and features relating to electricity generation and transmission. It is therefore a minor adverse effect which is not significant in EIA terms.

Below-ground archaeological remains

1.3.3 HE's position is that:

1. HE suspects there are likely to be archaeological remains within the development area, as they have been indicated by the geophysical survey. These are potentially well-preserved in the area of the historic common - this is because of the relatively benign land use of commons and we know from elsewhere this can lead to the good preservation of the remains of earlier periods.
2. The applicant has failed to adequately assess the significance of below-ground archaeological remains within the proposal site and HE does not agree that an adequate assessment of below-ground archaeological remains has been undertaken prior to the DCO application being accepted for examination.; and
3. The applicant should be required to undertake further assessment through trial-trenching prior to the granting of the DCO.

1.3.4 The applicant's position is that:

1. Sufficient information has been presented within the application documents for a balanced judgement to be made with regard to the impact of the proposed development on buried archaeological remains, as set out in PDC-002 and REP3-008;
2. An Outline Written Scheme of Investigation for archaeological works has been agreed with all parties and will be implemented in accordance with a requirement set out within the DCO (REP5-015; REP4-011); and
3. There is adequate flexibility within the proposed development design to allow for further mitigation of impacts on below-ground archaeological remains.

Walton Common

1.3.5 HE's position is that:

1. HE believes the assessment of the historic landscape is unsatisfactory, and HE believes the ES has failed to adequately establish the significance of Walton Common, and the associated trackway/droeway.
2. HE also disagrees about the significance of the wider historic landscape, and the interlinked historic commons.
3. HE disagrees about the dating/origins of the Common. HE believes the origins are much earlier, possibly pre-conquest, than has been stated by the applicant (19th century).
4. HE does not believe the construction of the railway in the late 19th century has completely severed the connection between, or the understanding of, the commons.
5. Consequently, HE disagrees about the significance of the Common. HE believes Walton Common is a complete historic landscape entity and part of a larger surviving historic landscape, and this is highly unusual.
6. We also disagree about the extent of the surviving historic landscape. HE believes Walton Common is a complete historic landscape entity and part of a larger surviving historic landscape, and this is highly unusual.
7. HE also believes the impact of the removal of the common is likely to result in a significant effect and a high degree of harm to the landscape and historic environment.
8. HE believes the removal of Walton Common is a significant effect and the magnitude of impact is major adverse. This is because the specific parcel of land that is Walton Common will be almost entirely removed as a meaningful landscape entity by the proposed power station

9. Walton Common is one of five surviving inter-linked commons on West Tilbury Marshes. The loss of the common would represent a significant adverse effect that would not be mitigated or offset by the proposed exchange of common land.

1.3.6 The applicant's position is that:

1. An assessment of the historic landscape and evidence from historic mapping is presented in REP2-054 and was discussed at Issue Specific Hearing 2 (EV-015; REP4-021). HE's position is one of 'belief' and conjecture, with no actual evidence presented (REP5-015).
2. Walton Common is a mid-19th century entity – it may have formerly been part of a larger area of grazing marsh but this has been substantially amended and it retains little historic value. It is not a complete historic landscape entity and does not survive intact, as is attested by its present condition where the land lies adjacent to, and is traversed by, industrial development, transport infrastructure, and features relating to electricity generation and transmission. The loss of the common would result in a moderate adverse effect, reduced to a minor adverse effect as a result of the exchange of common land.

Cumulative Impacts

1.3.7 HE's position is that:

1. HE does not believe that the cumulative impacts have been adequately assessed. HE does not believe adequate visualisations have been submitted to assess the cumulative impacts of Tilbury 2 and Lower Thames Crossing (and also The London Resort).

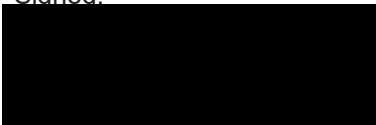
1.3.8 The applicant's position is that:

1. It is not possible to present visualisations for the Lower Thames Crossing as the application has been withdrawn and there is no design against which to assess. The London Resort has only now been raised by HE in terms of cumulative effect, and is similarly being redesigned, so there is no data against which the cumulative effect can be presented with visualisations.
2. Cumulative effects were assessed in terms of projects relevant at the time of submission of the application for Examination, which included Tilbury2 and the Lower Thames Crossing.

1.4 Confirmation of Agreement

1.4.1 This SoCG is prepared jointly and agreed by the Parties.

Signed;



Name: Andrew Troup

Position: Director

On behalf Thurrock Power Ltd.

Date: 12 July 2021

Signed:



Name: Dr Jess Tipper

Position: Inspector of Ancient Monuments (Essex and Herts)

On behalf of Historic England

Date: 19 July 2021