



Historic England

Jo Dowling
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Your ref: EN010098

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10th May 2022

Dear Ms Dowling,

**Hornsea Project Four Offshore Wind Farm Examination
Actions from Issue Specific Hearings 1, 2 and 3
Historic England Registration ID No: 20029898**

We have accessed the Hearing Action Points for Issue Specific Hearings:

- 1 (draft Development Consent Order);
- 2 (Onshore Environmental Matters); and
- 3 (Offshore Environmental Matters).

We offer the following response to matters as relevant to the role and responsibilities of Historic England, as requested by Deadline 4 (10th May 2022).

Issue Specific Hearing 1 (12th April 2022)

Action 16 “Amend Article 2 to include a definition for Historic England and amend Requirement 8 and 16 and the relevant conditions in the DMLs to refer to ‘Historic England’ rather than the ‘Historic Buildings and Monuments Commission for England’”

Action by: Applicant



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We appreciate that the Applicant was requested to produce a response to you by Deadline 3 (21st April), however it may be of assistance if we offered the following definition:

“Historic England means the Historic Buildings and Monuments Commission for England established under the National Heritage Act 1983, the functions of which include acting as a statutory consultee and the principal adviser to Government on the historic environment, including securing the preservation of monuments in, on, or under the seabed within the seaward limits of the UK Territorial Sea adjacent to England.”

Issue Specific Hearing 2 (26th April 2022)

Action 23 “Confirm that the proposed protection arrangements for the Beverley Sanctuary Limit Stone during the construction stage of the Proposed Development as set out in the Applicant’s Written Scheme of Investigation for Onshore Archaeology [REP3-011 and 012] would be effective and are reasonable.”

Action by: Historic England/ERYC

At present we do not have the certainty that there is an appropriate and clearly defined method for the protection of the nationally important Sanctuary Stone, Beverley (NHLE 1012589) during the construction process. We understand that the applicant is to submit additional text to the Outline Written Scheme of Investigation for Onshore Archaeology (APP-235) and the Outline Code of Construction Practice (REP1-027). This additional text is to provide further confirmation of the measures to be adopted by the applicant to secure the safety of NHLE 1012589 and its setting during the construction process. We welcome these proposed amendments, but we have yet to see them and therefore cannot yet comment on their adequacy or appropriateness.

Issue Specific Hearing 3 (26th April 2022)

Action 1 “Provide a written response to the Applicant’s Deadline 3 responses to HE’s Written Representation”

Action by: Historic England

We have accessed *Hornsea Project Four Applicant’s comments on other submissions received at Deadline 2* (submitted at Deadline 3 on 21 April 2022; Document Reference: G3.3; Revision: 01) and we offer the following responses:

1. **Ref: LV.1.2** – Historic England are not asking for *additional viewpoints*. We are concerned that the assessment of setting and harm in the historic environment has not followed the published best practice guidance (Historic England *The Setting of Heritage Assets*, Historic Environment Good Practice Advice in Planning Note 3 (2nd ed) 2017). This published guidance makes it clear that the assessment of setting should not be restricted to views from public access and PRow locations. The applicant has submitted a range of photographs and an assessment of harm relating to the OnSS based purely on public access and



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PRoW locations. It may be the case that additional images have been taken by the Applicant but not submitted in the supporting documentation. We would therefore wish to see additional images so we can consider further the design and mitigation associated with the OnSS. Whilst 'dynamic' photomontages are not a 'typical' approach, they do offer a more nuanced assessment and appreciation of setting, as it replicates the experience of moving through a historic landscape and experiencing the heritage assets.

2. **Ref: HE.1.9** – Historic England considers that the Outline Written Scheme of Investigation for Onshore Archaeology (APP-235) needs to be revised. At present it does not correctly address the published best practice guidance on the use and application of archaeological and environmental science (Written Representation paras 9.1 to 9.8), particularly at the post-excavation assessment phase of the archaeological process. As a consequence therefore, it is not acceptable to Historic England that revised mitigation measures regarding the Sanctuary Stone, Beverley (NHLE 1012589) are added to APP-235 when we consider that that document needs revision. The applicant has confirmed that they are in the process of revising the Outline Code of Construction Practice (CoCP) for Deadline 4, to include the proposed further mitigation measures for the protection of NHLE 1012589. It is intended by the applicant that this revision will reflect the changes also included in a revised APP-235. We welcome these revisions, but we have yet to see them and therefore cannot confirm their adequacy.
3. **Ref: 10.2** – We accept the explanation provided to us that no amendment is to be made to Condition 13(1)(c) within the draft DCO (Ref: version as submitted at Deadline 3; EN010098-001339). We appreciate that the Applicant has highlighted provisions for marine archaeology required in a Construction Method Statement to have “regard to any mitigation scheme pursuant to subparagraph 13(1)(f).” which alludes to pre-construction surveys. However, we noted that the explanation by the Applicant that 13(1)(f) is linked to Condition 17 which also relates to pre-construction monitoring and surveys, but the text of this condition states that “The undertaker must, in discharging condition 13(1)(f), for each stage of construction submit a monitoring plan or plans for that stage in accordance with an outline marine monitoring plan.” We therefore wish to have it confirmed that in order to inform each stage of construction the conditions that provide for completion of pre-construction surveys and reporting will occur within a timeframe that supports decision-making at each stage of construction.
4. **Ref: iv** – We accept the confirmation stated in the Applicant’s comments on other submissions received at Deadline 2; Deadline: 3, Date: 21 April 2022; Document Reference: G3.3; Revision: 01 that a high-resolution Side Scan Sonar (SSS) survey will be undertaken as part of the pre-construction monitoring as secured through Schedules 11 and 12 (Draft DCO including Draft Deemed Marine Licences (DMLs) as submitted by the Applicant at Deadline 3). We appreciate the explanation that survey data will be used to inform further



work and the identification of anomalies of archaeological interest or other sites of possible historic interest (e.g. previously unknown wreck site locations) should be afforded Archaeological Exclusion Zones (AEZs), as necessary to inform planning of the final design of the proposed project, including micro-siting, so that archaeological material(s) are left in-situ and undisturbed. However, we note that the Applicant makes specific reference to SSS survey and that Draft DML Condition 17(2)(a) specifies swath-bathymetry survey. It is therefore our advice that the Applicant confirms that delivery of Draft DML Conditions 13(2) and 13(3) in Schedules 11 and 12, which secure a marine Written Scheme of archaeological Investigation, also recognises the requirement within Condition 13(2)(h) "...further site investigations, which must allow sufficient opportunity to establish a full understanding of the historic environment within the offshore Order Limits..." We therefore offer the advice that a full suite of geophysical survey techniques are employed such as Sub-Bottom Profiler (i.e. shallow seismic) and magnetometer as well as SSS and high-resolution swath-bathymetry (i.e. Multi-Beam Echo Sounder).

5. **Ref: 2.10** – We accept the explanation provided by the Applicant regarding adaptive mitigation strategies, as detailed within the Outline Marine Written Scheme of Investigation (WSI) for the stage of construction including the production of Archaeological Method Statements (Conditions 13(2)(b) in Schedules 11 and 12). However, given that up to 110 Gravity Base Structures could be installed, we consider it necessary that at the time of producing such method statements that it details the estimate depth of seabed excavation to be required.
6. **Ref: 2.11** – We accept the response offered by the Applicant regarding use of AEZs, micro-siting and other adaptive mitigation measures to take account of archaeological receptors, as might be encountered as provided for by Condition 13(2)(d) in Schedules 11 and 12.
7. **Ref: 4.2** – We accept that the Outline Marine Written Scheme of Investigation (Ref: PINS Document Reference: F2.4; APFP Regulation: 5(2)(a)) will be updated to create a final Marine WSI to include analysis and interpretation of those data generated by survey programmes conducted post-consent to inform the engineering design of any subsequent construction phase. The important acknowledgment provided by the Applicant is that such work is necessary to determine whether any anomalies can now be identified as being of archaeological interest and that this information is available to inform layout planning and design.
8. **Ref: 4.3** – We accept the requirement made in Schedules 11 and 12 through Condition 13(2)(b) regarding production of method statements for further site investigation including any specifications for geophysical, geotechnical and diver or remotely operated vehicle investigations; such that the Applicant will examine anomalies of possible or known archaeological interest ahead of construction and the baseline assessment will be updated. We also



acknowledge action taken by the Applicant in 2019 to explain programmes of archaeological analysis and that at time of formal application in 2021 programmes of data capture and analysis were still to be completed.

9. **Ref: 4.4** – We accept the explanation provided by the Applicant that *England's Historic Seascapes: Demonstrating the Method* was used for the Historic Seascape Character assessment and that this publication from 2011 was inadvertently excluded from the references listed.
10. **Ref: 4.5** – We accept the explanation by the Applicant that the determination of 'no significant change' was related to the overall perception of broad historic character type (e.g. shipping and energy industry) as already exist, but that change in perception of historic seascape character through the introduction of Hornsea Four infrastructure is applicable when considering component parts i.e. structures that extend through the water column and sea surface.
11. **Ref: 4.6** – We accept the commitment stated by the Applicant that geophysical surveys and geotechnical campaigns undertaken during the life of the project will be subject to a full archaeological review, in consultation with Historic England. We are satisfied by Conditions 13(2)(d) in Schedules 11 and 12 that provide for production of WSIs for the stage of construction due to the use of survey data generated through delivery of Condition 13(1)(f) (Schedules 11 and 12) to conduct pre-construction surveys. The archaeological analysis and interpretation of these data during the crucial stages of project planning that occur post-consent and pre-commencement therefore appear to be secured. We also accept the explanation provided about how the Outline Marine WSI will be updated to create a final Marine WSI to include additional archaeological results deriving from surveys undertaken post-consent, in accordance with archaeological Method Statements produced in consultation with Historic England (Condition 13(2)(b) Schedules 11 and 12).
12. **Ref: 4.7** – We accept the explanation provided by the Applicant about the purpose of the Commitments Register and how individual commitments are secured within the (draft) DCO and DMLs (e.g. Condition 13(2) Schedules 11 and 12). We also accept the explanation that certain commitments are to be delivered prior to construction and subject to consultation with Historic England (e.g. Conditions 13(2)(d)).
13. **Ref: 4.8** – Regarding the potential for this project to encounter presently unknown elements of the historic environment, we appreciate the attention given by the Applicant to the need for further dialogue to deliver the proposed commitments. We accept the measures provided by DML conditions within Schedules 11 and 12, including preparation of a Marine WSI, which should be completed so that it informs all relevant post-consent survey programmes and certainly prior to the commencement of construction activities. We also continue to engage with the Applicant to produce a Statement of Common Ground (SoCG).



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14. **Ref: 4.9** – We acknowledge the explanation provided by the Applicant that mitigation measures ('commitments') are developed to eliminate or reduce any negative effects identified and included within the Environmental Statement. We therefore appreciate that these commitments are taken to include design measures (primary mitigation) and construction practices, as well as management actions. In reference to the comment we offered about combining embedded mitigation (i.e. avoiding presently known sites) and adaptive mitigation (i.e. adjustment to implement an avoidance strategy), we appreciate that the Applicant will want to consider such matters further to ensure that the necessary DMLs measures are in place to inform all necessary planning required to support the defined phases of construction. We also acknowledge that there are matters that also require the attention of the Marine Management Organisation (MMO) and we have sent them a copy of this submission.
15. **Ref: 4.19** – We accept the explanation given by the Applicant that an offshore geotechnical survey will be undertaken prior to construction including geoarchaeological assessment. We understand that geo-archaeological analysis of this data, as generated by pre-commencement material operations inclusive of intrusive seabed works, should be provided through Conditions 13(2)(h) and 13(3) in Schedules 11 and 12. We also appreciate that subject to successful completion of any agreed programme of analysis that a 'positive' effect in EIA terms could be identifiable. However, it seems that as well as changes in sedimentary conditions attributable to this proposed seabed development, a relevant factor is also the physical presence of the proposed infrastructure, in conjunction with other comparable developments (in planning, under construction and built) and are relevant factors for inclusion within Cumulative Effect Assessment.
16. **Ref: 4.22** – We accept the explanation that there are no inter-related impacts of greater significance compared to the impacts considered alone in respect of the construction etc.
17. **Ref: 4.24** – We accept the acknowledgement by the Applicant of the relevance of the Protection of Military Remains Act 1986 e.g. should this project encounter previously unknown aircraft crash sites.
18. **Ref: 4.25** – We welcome the statement by the Applicant that landfill geophysical and geotechnical survey data acquired in the summer of 2021 will inform the construction programme in addition to the known archaeological receptors identified. We therefore defer further comment to the relevant local planning authority and their archaeological advisory service for all works as proposed within the intertidal zone.
19. **Ref: 7.4** – We are prepared to accept the explanation that the UKHO record for the *Adventure* is outside the Order Limits.



20. **Ref: 8.1** – It is noted that any Marine WSI produced post-consent, should permission be obtained, will include updated references and that we will have an opportunity to comment on any draft Marine WSI given the requirement for consultation with the “statutory historic body” (Historic England) as provided through Conditions 13(2) Schedules 11 and 12.
21. **Ref: 8.2** – The explanation provided by the Applicant acknowledges how any Marine WSI produced post-consent will include scientific dating as a relevant subject, but specific detail regarding techniques and methodological application should be addressed within individual Method Statements. We accept this matter in reference to Conditions 13(2)(b) in Schedules 11 and 12, as necessary to inform programmes of assessment and analysis.
22. **Ref: 8.3** – We accept the acknowledgment by the Applicant that a final Marine WSI will include relevant reference as we requested and that we will have an opportunity to comment on any draft WSI given the requirement for consultation with the “statutory historic body” (Historic England) as provided through Conditions 13(2) Schedules 11 and 12.
23. **Ref: HE.1.3** – In reference to our comments regarding Ref 4.4 (No 9 above), we appreciate the explanation that the relevant methodological approach, as published in 2011, was used, but not referenced and that Historical Seascape Characterisation assessment, as necessary to inform this project, was completed.
24. **Ref: REP2-076: 9.1 – 9.8** In its current form the Outline Written Scheme of Investigation for Onshore Archaeology (APP-235) does not reflect current published best archaeological practice as it relates to the application and use of archaeological and environmental science techniques, particularly at the post-excavation assessment phase of the archaeological process. In addition APP-235 currently does not reference and apply all the relevant published guidance on these matters. We consider that this oversight is relatively easy to address and may have arisen from a confusion (by the archaeological consultant to the Applicant) between the terms post-excavation *analysis*, and post-excavation *assessment*. We understand that document APP-235 is being revised by the Applicant, and we would wish to see that the revisions include those identified by us in our Written Representation. We welcome the fact that document APP-235 is to be revised, but cannot yet confirm the adequacy or appropriateness of any revisions until we have had a chance to review it.

Action 2 “Respond to the updated draft Statement of Common Ground (SoCG) received from the Applicant as soon as possible before Deadline 4.”

Action by: Historic England

Historic England has provided comments within the draft SoCG to enable the Applicant to make a submission for Deadline 4 (10th May 2022) and we will continue to engage



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with the Applicant to produce a SoCG and will offer further comment and updates once we are in receipt of any revised version produced by the Applicant during this examination.

Action 4 “Clarify if there are any outstanding concerns regarding the historic environment of the intertidal zone and, if there are, to explain them.”

Action by: Historic England/East Riding of Yorkshire Council

We have contacted the Humber Archaeological Partnership (the archaeological advisory service) for East Riding of Yorkshire Council, as they are best placed to advise on how the historic environment might be encountered within the intertidal zone.

However, we noted in the Outline Marine Written Scheme of Investigation (Doc Ref: PINS Document Reference: F2.4; APFP Regulation: 5(2)(a)), which includes works as may occur within the intertidal zone, in paragraph 6.1.1.2 it states that “Curatorial responsibility for the aspects of Hornsea Four seaward of MHWS resides with Historic England”. This requires amendment, and in agreement with the Humber Archaeological Partnership, we advise you that the East Riding of Yorkshire Council are the authority with curatorial responsibility within the intertidal zone (i.e. between the MHWS and MLWS). The responsibility for providing archaeological advice is delegated by them to the Humber Archaeology Partnership, as the historic environment planning advisors to the East Riding of Yorkshire Council. Therefore, in reference to draft DML Schedule 12 (Transmission Assets), Conditions 13(2), you may wish to ensure that in addition to the “statutory historic body” (i.e. Historic England), that the East Riding of Yorkshire Council is included, as relevant to any consultation exercise required to produce a marine WSI for any proposed works within the intertidal zone. The definition of “statutory historic body” could therefore require amendment within Part 1 of this draft DML to include the relevant local authority curatorial body.

Furthermore, we also suggest that the draft Transmission Assets DML Schedule 12 is amended to provide for reporting to the relevant local authority and their professional archaeological advisory service (the Humber Archaeological Partnership) for any archaeological reports produced in accordance with condition 13(2)(c); such that reports are to be agreed with the MMO in consultation with the statutory historic body and, if relevant, East Riding of Yorkshire Council.

We also offer an additional comment regarding Schedule 11 (Generation Assets) and Schedule 12 regarding Condition 13(2)(g). We are aware that the present text requires the implementation of Offshore Renewables Protocol for Reporting Archaeological Discoveries (ORPAD), as originally promoted by The Crown Estate. However, we understand that The Crown Estate no longer resources ORPAD although the guidance published by The Crown Estate in 2014 remains valid regarding the design of a protocol system for reporting discoveries and finds. We therefore offer the following text amendment for your consideration:



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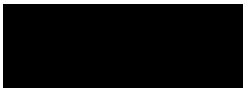


“a reporting and recording protocol, designed in reference to the *Offshore Renewables Protocol for Reporting Archaeological Discoveries* as published by The Crown Estate and reporting of any wreck or wreck material during construction, operation and decommissioning of the authorised project...”

We appreciate that you may wish to clarify this matter with the Applicant and the MMO regarding the text of the DML condition to be included.

We hope we have provided you with a full and detailed response as necessary to support your examination of this proposed project.

Yours sincerely,



Dr Christopher Pater
Head of Marine Planning

CC. Keith Emerick (Inspector of Ancient Monuments, North East and Yorkshire Region, Historic England)



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