



# FIVE ESTUARIES OFFSHORE WIND FARM

## 10.26.2 APPLICANT'S COMMENTS ON HISTORIC ENGLAND'S DEADLINE 2 SUBMISSIONS

|                        |               |
|------------------------|---------------|
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## DEFINITION OF ACRONYMS

| Term | Definition                              |
|------|---|
| AEZ  | Archaeological Exclusion Zone           |
| CoCP | Code of Construction Practice           |
| DBA  | Desk Based Assessment                   |
| DCO  | Development Consent Order               |
| EIA  | Environmental Impact Assessment         |
| ES   | Environmental Statement                 |
| GBS  | Gravity Base Structures                 |
| HE   | Historic England                        |
| HSC  | Historic Seascape Character             |
| NPS  | National Policy Statement               |
| OWF  | Offshore Wind Farm                      |
| PEIR | Preliminary Environmental Impact Report |
| UKHO | UK Hydrographic Office                  |
| UWN  | Under Water Noise                       |
| UXO  | Unexploded Ordnance                     |
| VE   | Five Estuaries                          |
| WSI  | Written Scheme of Investigation         |



## 1. INTRODUCTION

- 1.1.1 This document provides an update to the 10.26 Applicant's Comments on Deadline 2 Submissions [REP3-024] in relation to comments on the onshore section of Historic England's Deadline 2 submission. Due to an error, two comments were not included in the document.
- 1.1.2 The Applicant's full comments on Historic England's submission have been included. The additional comments are HE2.01 and HE2.02 and have been added in blue text for visibility.



## 2. HISTORIC ENGLAND WRITTEN REPRESENTATION [ REP2-052]

### 2.1 OFFSHORE COMMENTS

| Ref    | Summary of Deadline 2 submission OR Excerpt of Deadline 2 submission  | Applicant's comments  |
|--------|---|---|
| HE1.01 | <p>Summary - Historic England do not have an in-principle objection to the proposal. We confirm the applicant has provided a detailed Environmental Statement, which includes the Historic Environment, however, we have identified concerns with the way in which the information has been provided in the ES.</p>   | <p>This is noted by the Applicant.</p>  |
| HE1.02 | <p>Offshore (Marine) Historic Environment - The application confirms that the proposal is within a sensitive area for the historic environment and the proposed development area includes several records for wrecks and other obstructions. Furthermore, a high number of potential anomalies have been identified by the project and have been assigned an Archaeological Exclusion Zone.</p> <p>The Applicant has explained that marine survey programmes including all geotechnical works are proposed post-consent and prior to construction (should consent be secured). We have provided further detail about how survey campaigns should be designed to include the collection of archaeologically specific cores, and that a Written Scheme of Investigation (WSI) will need to be produced that is acceptable to all parties.</p> <p>We note that the impact assessment presented in the ES relies on embedded mitigation to avoid significant impact. Although they have acknowledged that marine survey works, and archaeological analysis and interpretation will be required post-consent. Assumptions made about effectiveness of avoidance to remove significant impact effects are however predicated on adequacy of all subsequent survey investigations in order to allow for the proposed adaptive mitigation to be effective</p> <p>It is therefore important that the Applicant acknowledges the risk that this project will encounter both the known and presently unknown elements of the historic environment. We have provided comment below on this matter and provided further comment with regards to the OWSI.</p> <p>We are very concerned that limited detail has been provided about the spatial proximity of this proposed development (Electricity Export Cable) to HMS E6, which is subject to statutory protection under the Protection of Military Remains Act 1986. We confirm that the Ministry of Defence would be the competent authority for designation and administration responsibilities under the 1986 Act, however the documents provided for the ES need to be updated and we have further comment on this below.</p> | <p>The Applicant notes the comments and acknowledges the risk that this project will encounter both the known and presently unknown elements of the historic environment.</p> <p>Regarding spatial proximity of the Electricity Export Cable to HMS E6: The Applicant clarifies that there are two UKHO records for the HMSM E6, UKHO14544 (live and recently surveyed, located approximately 600 m north of the Export Cable Corridor) and UKHO14983 (dead and a reported loss location only, located approximately 30m south of the Export Cable Corridor). Although neither of these locations were covered by the project survey data, these records, along with the geophysical anomalies seen within their proximity (MA0602, MA0297) are all covered by Archaeological Exclusion Zones.</p> <p>Further UKHO14544, thought to be the HMSM E6 appears to have been identified in the North Falls Offshore Wind Farm geophysical data (Chapter 16, Table 16.6). Identifiers 70768, 70769, 70770 confirming that it is likely that this wreck site is approximately 600m outside the VE project area.</p> <p>At this stage the final project design and therefore the spatial location of the export cables is not confirmed, however in keeping with the outlined mitigation the design will be micro-sited to avoid known and potential archaeological features, and sites of archaeological interest will be subject to further investigation in watching briefs prior to construction.</p> |
| HE1.03 | <p>Section 1.6 is clear that the final type of foundation will not be confirmed until the detailed design phase. It is therefore important that the work to inform the risk of encountering archaeological materials within the maximum burial depth is completed. This will require clear consent obligations and appropriately worded requirements.</p> <p>The important detail regarding potential impact to the historic environment is seabed penetration depth for monopiles could be 68 m (diameter up to 15 m), for multi-leg pin piles embedment depth will be 60 m. Suction caisson foundations will have 25 m penetration and 40 m diameter and multi-leg suction caissons, 25 m penetration and 20 m diameter.</p>  | <p>This is noted by the Applicant. It should be highlighted that GBS foundations have now been removed from the project design envelope.</p>  |



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|        | <p>For Gravity Base System (GBS) foundations, it is clear that "significant seabed preparation" is required to facilitate stable placement of a GBS with base diameter of 55 m and that multi-leg GBS with seabed diameter of 20 m.</p> <p>In addition, all consideration of construction must consider impacts associated with Jack-Up Vessels (JUVs) or other specialist installation vessels that deploy anchors.</p> <p>Section 1.6.33 states that scour protection may be installed to prevent the erosion of foundation structures. The use of scour protection can result in the development of localised areas of erosion in the area around each turbine where scour protection has been utilised. The potential impacts that this may have on the historic environment will therefore need to be considered and mitigated.</p> <p>We are therefore pleased that this issue has been raised as a specific impact in the Offshore Archaeology and Marine Heritage (Volume 6, Part 2, Chapter 11, Section 11.13.49).</p> |   |
| HE1.04 | <p>Table 11.2 it is disappointing that given the comments we provided in response to the PEIR consultation that a substantially edited version was not produced in the ES, a 35-page table is unnecessary. Unnecessary information such as engagement logs could be produced as appendices if required with summaries in the key chapters.</p> <p>Section 11.4.3 we do not agree with the identification of Impacts 7, 12, 15 and 18. Historic Seascape Character is not a 'sensitive receptor', it is exclusively a means to understand the context within which heritage assets are located or which could be encountered. Furthermore, historic seascape character should not be included as a 'receptor' in section 11.4.9.</p>   | <p>Table 11.2 consists of a summary of all points where the Applicant needed to provide a response to comments received from Historic England at Scoping and PEIR to demonstrate that the comments had been addressed, however the table does not include comments agreed and where no further action were required as stated within section 11.3.2.</p> <p>Section 11.4.3 details Impacts 7, 12, 15 and 18 were presented within the PEIR and confirmed by Historic England within the Section 42 letter (2023) as agreed "<i>HE agree with the impacts scoped in for assessment, as listed in Section 11.4.3 (construction, operations &amp; maintenance and decommissioning)</i>" The impacts were therefore included within Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage [APP-080].</p> |
| HE1.05 | <p>It is unfortunate that the advice we provided in response to the PEIR consultation regarding how historic seascape characterisation methodology should be used has been ignored. We therefore recommend this section is reconsidered and an erratum issued.</p>  | <p>Following advice within the Section 42, 2023 letter from Historic England the approach to the HSC was reassessed for Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage [APP-080].</p> <p>The capacity for change in the HSC has been included in Section 11.7 and the impacts described in Section 11.12, Section 11.13 and Section 11.14. Details on where and how the Historic Seascape Characterisation was updated is detailed within Table 11.2.</p>   |
| HE1.06 | <p>Section 11.6 it is stated that the data received was of "good quality". What 'good' means in this context remains undefined. It is however acknowledged in section 11.6.3 that there are still 'geophysical data gaps where archaeological assessment has not been undertaken'. It can only be concluded that pre-determination evaluation and risk assessment of encountering heritage assets has not been completed.</p> <p>It is also important to record at this stage that no offshore geotechnical surveys have been undertaken for the project, as acknowledged at 11.6.8.</p>  | <p>The Applicant included the reference to where the definition of "good" data quality can be found: Section 11.6.1 states that "<i>The data received to date has been of good quality and suitable for archaeological interpretation (further defined in Section 2.4 of Volume 6, Part 5, Annex 11.1:Offshore Archaeology and Cultural Heritage Technical Report).</i>" The Applicant acknowledges within this section that "<i>there are some small remaining geophysical data gaps where archaeological assessment has not been undertaken as illustrated on Figure 11.3.</i>"</p>   |
| HE1.07 | <p>Section 11.7.36 We do not agree with the inclusion of Historic Seascape Character (HSC) as a in section 11.4.11 (2011, England's Historic Seascapes: Demonstrating the Method), which states that HSC "...takes a holistic view of the historic landscape and can provide context for the often 'point-based' datasets available for the marine zone."</p>   | <p>Section 11.4.11 includes Historic Seascape Characterisation (HSC): Demonstrating the Method, SeaZone (2011) as one guidance document (on a list of 13) that has been taken into consideration when undertaking the assessment. Section 11.7.37 clarifies that the HSC assessment draws on the consolidated National Historic Seascape database (LUC, 2018 via Historic England), Historic Seascape Characterisation: England's Historic</p>  |



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|        |  | <p>Seascope: HSC Method Consolidation (Cornwall Council, 2008), and England's Historic Seascope: Demonstrating the Method (SeaZone, 2011) to assess and define areas within HSC character types that are illustrated in the narrative of historic trends and processes of an area to inform a sustainable management of change over time and the capacity of this area to accommodate changes influenced by the development of the VE OWF.</p> <p>As stated in 11.7.36 the Applicant has undertaken the Historic Seascope Characterisation (HSC) assessment in line with the National Heritage Protection Plan (NHPP) as a coastal and marine environment, including the sub-sea floor, sea floor, water column, sea surface and coastal areas.</p> |
| HE1.08 | <p>Within both the array areas and cable export corridor preliminary data assessment indicated palaeo-channels with geoarchaeological potential (section 11.7.6). Figures 11.5, 11.7, 11.9 - the referencing system for channels of geoarchaeological potential (MA3003 etc) is unexplained in the accompanying text. Please can this be amended.</p>  | <p>Offshore Archaeology and Cultural Heritage technical report [APP-128] includes details on all channel deposits as illustrated, section 11.7.6 is a short summary of the existing environment and refers to the channels as valleys and channels of geoarchaeological potential identified in the SBP data.</p>   |
| HE1.09 | <p>Figures 11.4, 11.6, 11.1.4 should have clearly explained the code reference system used, which is assumed to be UKHO. It is particularly noticeable that Table 11.13 (High potential anomalies seen in geophysical data) clearly provides the MA ID reference (e.g. MA000I), but the UKHO reference (as used in figures) is given within accompanying text description and therefore somewhat concealed, making cross referencing time consuming.</p> <p>The inclusion of anomalies within the figures and presently considered to be of low archaeological importance is important, as such anomalies will require further investigation and professional assessment. Several figures include text "St James's Day Fight 1666", which is not explained in terms of archaeological potential or even alluded to in any consideration of the Second Anglo-Dutch Wars in July 1666.</p> | <p>All cross referencing as well as details for all features illustrated is included as Appendix A-gazetteer of geophysical anomalies and Appendix B gazetteer of recorded sites, wrecks and obstructions within the marine archaeology study area within Offshore Archaeology and Cultural Heritage technical report [APP-128]. Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage [APP-080] and accompanying figures are intended as an overview of receptors with detail provided within Offshore Archaeology and Cultural Heritage technical report [APP-128].</p>  |
| HE1.10 | <p>In reference to HSC broad character types, the Applicant advocates that 'Fishing' is the dominant character type and that the dominant broad character type for the "coastal level" is 'Navigation'. However, we cannot agree with the approach taken by the Applicant here, by not considering cumulative change. Generic consideration of fishing does not allow for appreciation that the physical presence of Wind Turbine Generators and offshore substation(s) will fundamentally affect what type of fishing can be safely practiced.</p>  | <p>As clarified in Section 11.7.39, the character type is determined as the predominant character type as seen by geospatial coverage in the HSC GIS data (Figures 11.11-11.15). It should be noted that Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage [APP-080] includes a summary of the HSC while Offshore Archaeology and Cultural Heritage technical report [APP-128] includes details on the broad character types including fishing and navigation and where cumulative change is discussed in section 3.8.</p>   |
| HE1.11 | <p>Section 11.9.2 we note that the available survey data indicates well preserved channels and deposits with high geoarchaeological potential are extant within the study area and which are already mapped (e.g. MA3003 and MA3010 to MA3017, as illustrated in Figure 11.17). Corroboration with recent survey analysis produced by North Falls Offshore Wind Farm Project is important and clear objectives would need to be set for determining geographical association of cross cutting palaeo-channels between these proposed developments.</p> <p>We recommend this is a specific task or objective within the Outline Marine Written Scheme of Investigation (OMWSI) and COCP. It is essential that the OMWSI provides an adequate methodological basis for obtaining and using geotechnical survey data, should consent be obtained.</p>                                       | <p>Noted by the Applicant.</p> <p>Relevant sections within 9.19 Outline Marine Written Scheme of Investigation [APP-251] have been updated and submitted at Deadline 3.</p>   |
| HE1.12 | <p>Table 11.15 A preliminary deposit model has been summarised here and Unit 4 (sediments from channel and valley infills) is noted of greatest archaeological potential.</p>  | <p>Noted by the Applicant. Relevant sections within 9.19 Outline Marine Written Scheme of Investigation [APP-251] have been updated and submitted at Deadline 3.</p>  |





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|        | <p>The outline deposit model requires further expansion in line with a phased geoarchaeological assessment programme, and this should also be coordinated with North Falls.</p> <p>Again, we recommend this is a specific task or objective within the Outline Marine Written Scheme of Investigation (OMWSI) and COCP. It is essential that the OMWSI provides an adequate methodological basis for obtaining and using geotechnical survey data, should consent be obtained.</p>   |  |
| HE1.13 | <p>At present we consider insufficient evaluation has been undertaken in order to address this point and a programme of further works will be required. Furthermore, it is unlikely that this project would be able avoid sedimentary sequences of geoarchaeological interest and it should be acknowledged that subsequent access for study will be permanently compromised. The potential magnitude of impact is therefore significant in EIA terms.</p> <p>As discussed above, the only way to address this matter is for all the heritage works to be completed prior to construction and prior to all associated preparatory works.</p> | <p>The Applicant considers the evaluation undertaken to date to be proportionate to the importance of the heritage assets and argues that it is enough to understand the potential impact of the proposal on their significance as per Overarching National Policy Statement for Energy (EN-1), November 2023, Paragraph 5.9.10. Also see Table 11.1 in Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage (Ref: PINs Examination APP-080).</p> <p>The Applicant has clearly outlined the areas where geophysical data was not collected (See section 11.6.3 and Figure 11.3 in Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage (Ref: PINs Examination APP-080) and Section 6 in Offshore Archaeology and Cultural Heritage technical report [APP-128].</p> <p>The Applicant has also acknowledged that there is a likelihood that previously unidentified sites or features of archaeological interest or significance may be present in the areas where the data has not yet been obtained.</p> <p>As per guidance in Historic Environment Analysis (COWRIE, 2011) The mitigation for sedimentary sequences of geoarchaeological interest is not aiming to completely avoid such deposits of but offset the impact by data collection and research as outlined in Section 11.11 Mitigation in Volume 6, Part 2, Chapter 11:Offshore Archaeology and Cultural Heritage (Ref: PINs Examination APP-080) and Section 5.5 of Offshore Archaeology and Cultural Heritage technical report [APP-128].</p> <p>It is assumed that all heritage works (excluding works under the forthcoming post-construction monitoring plan) will be undertaken prior to the commencement of the construction phase. All archaeological works will be detailed in activity specific Method Statements and agreed with Historic England in line with Table 11.17: Mitigation relating to Offshore Archaeology and Cultural Heritage, 9.19 Outline Marine Written Scheme of Investigation [APP-251] and Deemed marine licence Schedule 10 Condition 12(2) (3), Condition 13, 16 (a) (iii), Condition 17 (2) (iii) Condition 18 (2) (a), Condition 19 (2) (a).</p> |
| HE1.14 | <p>We do not agree with the inclusion of Impact 7, 12 and 15. It was our advice during pre-application (including the PEIR consultation) that the approach to HSC was reassessed; this has not occurred.</p>   | <p>Please see Applicants response to HE1.16 and HE1.17.</p>  |
| HE1.15 | <p>2.53. Section 11.15.37 We do not agree with this section. In reference to the attention given to other offshore wind farm developments, the most relevant risk factor is associated with paleoenvironmental material. Avoidance is unlikely to be possible and even if investigations are conducted, access will be compromised and therefore we consider the impact will be significant in EIA terms.</p>  | <p>Section 11.15.37 is a summary of all the cumulative impacts. Details on the potential cumulative impacts of each relevant development is included in Section 11.15. Relevant sections to other offshore wind farm developments is included in Sections 11.15.12 and 11.12.13 that outline the potential cumulative impacts on paleoenvironmental material such as direct impact and the lack of access to historic environment and paleoenvironmental evidence and how the impact will be offset within the VE order Limits. Sections 11.15.16 to</p>   |



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|        | Table 11.24 should have identified this matter as a Residual impact, and we recommend this is amended in any future.  | 11.15.18 detail the assessment of the impacts cumulatively with other windfarms and how the assessment has reached the expectation that the impact is not significant in EIA terms.  |
| HE1.16 | <p>Section 11.18 mentions palaeochannels and palaeolandscapes within the North Sea to stretch beyond international boundaries. The impact on submerged landscapes in those cases is expected to be offset by archaeological assessments of available geophysical and geotechnical data.</p> <p>We have previously advised that appropriate reference should be included in the ES about how this might be delivered which is still absent.</p>  | Potential Impacts to any receptors will be mitigated or offset as outlined in section 11, that states that mitigation measures or commitments that have been identified and adopted as part of the evolution of the project design of relevance to the topic, these include project design measures, compliance with elements of good practice and use of standard protocols. Further, Table 11.17 outlines all mitigation relating to Offshore Archaeology and Cultural Heritage within the VE Order Limits.  |
| HE1.17 | It is stated that specialist archaeological input will be incorporated into the planning and implementation of any additional works, which is good to see. We would recommend that the geoarchaeologist is allowed direct access to any cores recovered as it is better to record and assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions. Our view is that this recommendation should be formalised in the CoCP and OMWSI documents.   | Noted by the Applicant. Relevant sections within 9.19 Outline Marine Written Scheme of Investigation [APP-251] have been updated and submitted at Deadline 3. It should be noted that the CoCP is an onshore document and therefore any updates will not be mirrored there.  |
| HE1.18 | Some of the discussions of different remains and activities are quite high-level and do not highlight the specific values or the potential impacts that the proposed scheme may create. For example, reclaimed land is discussed in Section 3.8.101, but the sort of archaeological evidence preserved within these locations is not mentioned. We would expect to see a discussion on the potential for palaeoenvironmental remains or artefacts associated with the activities carried out in marshland environments to be included.  | Details on marshland where relevant to a time period or receptor type have been included in sections 3.8.39, 3.8.63, 3.8.67 and Appendix B. Details on the palaeolandscape component of cultural topography is included in sections 3.8.92-95. Further marsh land is further discussed within Volume 3, Chapter 7 Onshore Archaeology and Cultural Heritage [APP-080].   |
| HE1.19 | Table 4 also highlights that over 4500 of the anomalies identified to date have been classed as being of low archaeological potential. These anomalies may relate to isolated linear features, such as modern debris (rope, chain, fishing gear etc.) (Section 4.2.4). It is not stated how these remains will be dealt with as part of the mitigation strategy. This is covered in the Outline Marine WSI, but we recommend this is amended to include a summary of the proposed strategy here.  | Section 4.1.2 of 6.5.11.1 Offshore Archaeology and Cultural Heritage Technical Report [APP-128] states that " <i>The location of the anomalies identified in geophysical assessments will be considered for future surveys and seabed impacts</i> " Further section 2.7 outlines the mitigation methodology.   |
| HE1.20 | Figure 6.12 It is noted that only nine possible geotechnical cores are indicated here, which we consider to be a low number. This is taking into consideration the number and size of channels identified. We feel that this number should be reconsidered, and further work is required.   | <p>Figure 612 illustrates, preliminary, archaeological core locations which have been recommended in addition to forthcoming geotechnical cores based on sub-bottom data and desk-based data. It is likely that these will be refined in an activity specific Method Statement ahead of any geoarchaeological works, also see updates to Section 8.4 in Volume 9, Report 19: Outline Marine Written Scheme of Investigation (OMWSI).</p> <p>Further, the Applicant agrees that further geoarchaeological works will be undertaken in line with Table 11.17: Mitigation relating to Offshore Archaeology and Cultural Heritage, Volume 9, Report 19: Outline Marine Written Scheme of Investigation (OMWSI) and Deemed marine licence Schedule 10 Condition 12(2) (3), Condition 13, 16 (a) (iii), Condition 17 (2) (iii) Condition 18 (2) (a), Condition 19 (2) (a).</p> |
| HE1.21 | Sections 4.3.31 & 4.3.33 states that geoarchaeological assessments undertaken on behalf of the North Falls Offshore Windfarm and Thames REC have been referenced. The location of the sampled cores referred to by these projects should be shown on a figure, so it is clear how this data relates to the proposed scheme. This is important as it is currently not clear how many boreholes have been assessed when developing the preliminary deposit model offshore, what information has been used to develop the preliminary deposit model and therefore how much confidence we can have in the model. Without this information it is difficult to assess how well we understand the potential impact of the proposed Scheme. | <p>The geoarchaeological assessment undertaken on behalf of the North Falls Offshore Wind Farm (North Falls Offshore Wind Farm, 2022) included the assessment of sub bottom data and not cores. This is outlined within section 4.3.1 which also states that "<i>there is minor spatial overlap between the VE Array areas and the North Falls array areas, and the North Falls inter connector cable where only one of the features identified from the VE sub-bottom dataset (MA3009) and the North Falls Channel, have a clear geographical association.</i>"</p> <p>Further Figure 6.11 displays VE SBP data as well as the cannels and features identified by the Thames REC project (Emu et al., 2009)</p>   |



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| HE1.22 | <p>Volume 9, Report 19: Outline Marine Written Scheme of Investigation (OMWSI)</p> <p>Additional detail needs to be provided in this Outline WSI about the specific nature of the proposed works post-consent. Detail is needed in this document as it forms the foundation of later strategies, so it is clear how this work will proceed, and what is expected of the contracting unit(s) responsible for investigating the anomalies and the sites. This includes:</p> <ul style="list-style-type: none"> <li>&gt; the type of techniques that will be applied (geophysical, biological &amp; chemical assessments, palaeoenvironmental and scientific dating)</li> <li>&gt; the remains that will be assessed (plant remains, pollen, charcoal, insects, diatoms, phytoliths, ostracods, foraminifera etc.)</li> </ul> | <p>This is noted by the Applicant. Relevant sections within 9.19 Outline Marine Written Scheme of Investigation [APP-251] have been updated to Revision B and submitted at Deadline 3.</p>   |
| HE1.23 | <p>It is noticeable that Glossary does not include "heritage assets" and that the interpretation of Marine Written Schemes of Investigation should be clear that it is the purpose of these documents to explain the techniques and methodological approach to survey investigations, as much as detail regarding mitigation methods and avoidance strategies. It was also unnecessary to include WSI twice in the Glossary.</p>   | <p>"Heritage assets" has been added to the glossary.</p> <p>Outline Marine Written Schemes of Investigation has been removed while Written Scheme of Investigation (WSI) and Marine Written Schemes of Investigation have both been retained.</p> <p>The definition of the Marine Written Schemes of Investigation has been updated to be in line with the guidance document; Archaeological Written Schemes of Investigation for Offshore Wind Farm Projects (The Crown Estate, 2021).</p>  |
| HE1.24 | <p>Section 1.1.2 we are not satisfied by how this outline WSI is structured. The document should have content prioritised as follows:</p> <ul style="list-style-type: none"> <li>&gt; Roles and responsibilities</li> <li>&gt; Techniques and methodologies for archaeological actions</li> <li>&gt; Proposed mitigation strategies and completion of archaeological programmes</li> </ul>   | <p>No change. Section 1.1.2 details what is included in this document and follows guidance provided on page 8 within Archaeological Written Schemes of Investigation for Offshore Wind Farm Projects (The Crown Estate, 2021) which states what a Written Schemes of Investigations is and what should be included.</p>  |
| HE1.25 | <p>There is no need for this document to include known and potential marine heritage receptors as this is duplication of information already provided in the ES chapter and Offshore Archaeology and Cultural Heritage technical report (Ref: PINs Examination APP-128).</p>   | <p>No change. As per page 8 within Archaeological Written Schemes of Investigation for Offshore Wind Farm Projects (The Crown Estate, 2021) which states what a Written Schemes of Investigations is and what should be included A WSI: "<i>outlines the known and potential archaeological receptors that could be impacted by the scheme</i>" Section 5 provides a table of Archaeological documents produced to date as well as a brief summary of the known and potential marine heritage receptors detailed further within Volume 6, Part 2, Chapter 11:Offshore Archaeology and Cultural Heritage [APP-080] and Offshore Archaeology and Cultural Heritage technical report [APP-128].</p> |
| HE1.26 | <p>Section 1.1.7 - we do not agree with the approach set out whereby an Outline Marine WSI is to inform production of a "Draft Marine WSI" and then "final Agreed Marine WSI". It should be possible for a "final Agreed WSI" to be produced from an outline WSI which is of an acceptable standard.</p>   | <p>No change. As per page 9 section 1.2.11 and page 10 within the guidance document Archaeological Written Schemes of Investigation for Offshore Wind Farm Projects (The Crown Estate, 2021).</p> <p><i>"A Draft WSI should then be prepared, in accordance with the Outline WSI but building on it, containing, for instance, additional details on project design, activities and their methodologies, appropriate data review"</i></p>  |



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|        |   | The Applicant agrees that if there has been no change or further details are not available on project design, activities and their methodologies a final Agreed WSI can be produced from an outline WSI.   |
| HE1.27 | Please note Essex County Council is the local curator with responsibilities landward of Mean Low Water (MLW) not MLWS as stated.  | Mean Low Water Springs (MLWS) has been updated to Mean Low Water (MLW) the terms have also been added to the acronym list.   |
| HE1.28 | Section 5.1.3 we do not agree that HSC should be included as "material and features."   | Section 5.1.3 updated and 5.1.4 added clarifying that HSC is not included as material and features.  |
| HE1.29 | Section 5.5.6 - states that "...any geoarchaeological assessments should focus on sampling and assessing this deposit where it may be impacted." Therefore, it is incumbent on the OWSI to set out the required techniques and methodological approaches should consent be secured.   | A reference to section 8.4 where this is further detailed has been added. 9.19 Outline Marine Written Scheme of Investigation [APP-251] has been updated to Revision B and submitted at Deadline 3.  |
| HE1.30 | Section 5.6 We note very cursory attention is given to the North Sea Prehistory Research and Management Framework. It is unfortunate that this OWSI has not attempted to demonstrate research questions likely to be forthcoming within any subsequent method statements. We recommend the OWSI is amended and these references added.  | <p>No change. This Outline Marine WSI provides a framework for archaeological investigations. In support of the OMWSI, detailed archaeological Method Statements will be produced prior to survey or construction work, these will include as stated in section 5.6.1 national research frameworks to contribute to the knowledge and understanding of the historic environment as well as specific research questions.</p> <p>The Applicant acknowledges that the research projects and agendas in section 5.6.2 are valuable and when further information on the character of samples or cores likely to be collected are known, the submitted Method Statements will include relevant research questions.</p> |
| HE1.31 | <p>Section 6.2.4- lacks clarity. It states that "...throughout the lifetime of the project this Outline Marine WSI will evolve from the current Outline Marine WSI to the Draft Marine WSI submitted with the EIA and through to the final Agreed Marine WSI, which will be developed post-consent." Only the Outline WSI is submitted with the DCO Application and therefore the Applicant should explain if a "draft" WSI is to be produced during examination (see also sections 6.8.4 and 6.8.5).</p> <p>Furthermore, any WSI produced post-consent (should permission be secured) should occur prior to any construction activities occurring, so that the final survey campaigns and design decisions are adequately informed by archaeological analysis.</p> | Sections 6.2.3 and 6.2.4 has been updated to clarify that a Draft Marine WSI will be produced during the pre-construction phase. 9.19 Outline Marine Written Scheme of Investigation [APP-251] has been updated to Revision B and submitted at Deadline 3.   |
| HE1.32 | <p>Section 6.7.3 states that there "...are currently no designated marine heritage receptors such as Designated or Protected Wreck Sites or other sites subject to the provisions of the Protection of Military Remains Act 1986 within the proposed development area."</p> <p>We are however aware of the presence of HMS E6 (protected place under the Protection of Military Remains Act 1986) and its location should be readily identified in all relevant project documentation (see also Outline WSI, section 8.11.1). This needs to be amended in all documents.</p>  | See response to HE1.02.  |
| HE1.33 | Table 6.1 (AEZs for known wrecks and obstructions within the marine archaeology study area) includes HMS E6 (UKHO Ref: 14554) and which is afforded an AEZ of 50 m. The spatial extent of this AEZ should be agreed with the Ministry of Defence.   | See response to HE1.02.  |
| HE1.34 | Section 6.7.12 it is important that all parties understand that the implementation of a PAD is only to optimise rapid communication and decision making. It does not undo any adverse effects of the development on sites, features or objects of potential archaeological significance encountered and/or recovered during project works. It is only an offsetting operation and not mitigation (see also section 6.7.32 & 33) as damage and destruction is likely to have occurred which is non-recoverable.  | Section 6.7.12 has been updated to clarify that the implementation of the PAD protocol does not mitigate or avoid direct or indirect impacts on marine heritage receptors. 9.19 Outline Marine Written Scheme of Investigation ( APP-251) has been updated and submitted at Deadline 3.  |



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| HE1.35 | Section 6.7.16 discusses the strategies that will be needed for items removed from the seabed. It is stated that conservation strategies will be included in the relevant method statements, but we would recommend that a relocation and recovery strategy should also be developed.   | Section 6.7.17 added to clarify that method statements will be submitted and agreed ahead of relocation of marine heritage receptors.   |
| HE1.36 | Section 6.7.17 states that anomalies of low archaeological potential will not be assigned an AEZ but will be investigated as part of further survey work. This may be carried out in conjunction with ROV and UXO surveys (Section 6.7.18). We are pleased to see that low potential anomalies will be avoided where possible or investigated further if this is not possible. Additional detail is needed in this Outline WSI about the nature of the surveys that will be carried out, such as the approaches used, the resolution of the surveys etc.  | Reference to section 8.4 has been added where details on probable surveys are included.   |
| HE1.37 | Table 6.3 - Final Agreed Marine WSI, the proposed timescale is unachievable. If we understand what is being proposed, this can only be achieved post consent (if permission is secured) and pre-construction in accordance with conditions stipulated in any DCO.   | Timescale has been updated for Final Agreed Marine WSI.   |
| HE1.38 | <p>Section 6.7.23 states that the proposed development may cause direct impact to deposits which have the potential to be of geoarchaeological interest; the impacts will be restricted to the impact and penetration depths. However, it is noted that the final design of the proposed development has not been finalised, including for example the type of foundations required to secure the turbines to the seabed.</p> <p>The different foundation types will have different levels of impact to any buried archaeology. The full impact on the historic environment is therefore far from clear. In addition, as no geotechnical cores have been collected or assessed as part of the work to date, the significance of the deposits and therefore the impact of the proposed scheme has not been fully determined. These statements need to be reconsidered and we recommend this is considered as a risk.</p> | <p>No change. As stated in section 6.7.25, Geotechnical campaigns are currently planned post-consent and prior to construction and will be inclusive of the collection of archaeologically specific cores and archaeological objectives</p> <p>Mitigation to offset the impact on the historic environment and especially deposits which have the potential to be of geoarchaeological interest further detailed in section 6.7.26.</p> <p>The mitigation strategies are secured through Deemed marine licence Schedule 10 Condition 12(2) (3), Condition 13, 16 (a) (iii), Condition 17 (2) (iii) Condition 18 (2) (a), Condition 19 (2) (a)</p> |
| HE1.39 | Section 6.7.24 states that geotechnical campaigns are planned post-consent and prior to construction. This work will include assessments that will meet the objectives of the archaeological programme and will include the collection dedicated archaeological cores (Section 6.7.25) which is good to see. However, details are needed about the specific nature of the proposed archaeological work.   | No change. Further details are included in Section 8.4 as clarified and referenced in section 6.7.26.   |
| HE1.40 | <p>Section 6.7.25 states that the cores will be assessed using a staged approach, as outlined in the Cowrie (2011) report, Offshore Geotechnical Investigations and Historic Environment Analysis: Guidance for the Renewable Energy Sector. The detail of the work will be presented in specific method statements (Section 6.7.26).</p> <p>Additional details are however needed in this Outline WSI about the types of investigations and remains that will be assessed in order to clarify what is expected post-consent.</p>   | No change. Further details are included in Section 8.4 as referenced.   |
| HE1.41 | Section 6.7.33 outlines the PAD that will be implemented to record any unexpected archaeological discoveries. We would recommend that a robust training programme is provided to the project staff to ensure that they are aware of the sort of materials/remains that may be discovered and what they can look like.   | Noted by the Applicant, The Applicant also refers to Appendix A outline project-specific protocol for archaeological discoveries (PAD).   |
| HE1.42 | Section 7.1.6 - we do not agree that the Applicant "may" engage one or more archaeological contractors to deliver the mitigation measures set out within this Outline Marine WSI. It will be a condition of any DCO secured for this project that a Retain Archaeological Advice service (professional, accredited and experienced as we advised  | No change. As stated in section 7.1.6 The Applicant will engage a Retained Archaeologist to implement the final Agreed WSI but may also engage archaeological contractors for specific work packages outside the expertise and/or capacity of that archaeologist for delivery of specific work packages.  |



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|        | in our response to the PEIR consultation) will take the Outline WSI and, in consultation with Historic England (and local curatorial service where relevant), as described in section 9.1.1 and 9.1.2, produce a project specific WSI for agreement with the relevant competent authority.  | This approach is reflected also on page 11 within the guidance document Archaeological Written Schemes of Investigation for Offshore Wind Farm Projects (The Crown Estate, 2021).                   |
| HE1.43 | Section 8.1.2 outlines the main standard and guidance documents that will guide the assessment work carried out offshore. Several CIFA documents are cited but it should be noted that some of the guidance documents have been revised recently in 2023. The references made to CIFA guidance documents should therefore be reviewed to ensure that the current version of the document has been cited here and will be utilised as part of this work.   | The 2023 references have been updated and applied throughout 9.19 Outline Marine Written Scheme of Investigation [APP-251] submitted at Deadline 3.   |
| HE1.44 | <p>Details have not been included in the Outline WSI regarding the approaches that will be used to investigate the sampled material or the sort of remains that will be assessed. This detail is needed to ensure that it is clear what is expected post-consent. We would therefore request that detail on the different techniques and approaches and remains (as set out above) are included in the Outline WSI.</p> <p>Providing additional detail in the Outline WSI will also highlight all those issues that need to be considered. For example, the challenges of dating some of the deposits present offshore has been noted in the Marine Technical Report and so these issues should be considered as part of the Outline WSI. This should include the sort of techniques that will be applied and the material that will be sampled. For example, some of the deposits that will be targeted as part of the geoarchaeological assessment are older than the upper limit of radiocarbon dating.</p> <p>In this approach alternative dating techniques would also need to be applied; some of these techniques, such as OSL dating need to be collected and stored following very specific protocols to ensure that the material preserves the archaeological information of value, which needs to be recognised.</p> | Details on potential approaches and methodologies for the assessment and analysis of deposits of geoarchaeological potential have been added to this section.                                       |
| HE1.45 | Section 8.4.9 states that the potential locations of geoarchaeological cores have been highlighted on Figure 11.3. The figure shows nine locations in total, but this does not seem to be enough considering the number, size and complexity of possible channels or old land surfaces potentially identified within the marine study area.   | No change. The illustrated core positions represent an initial assessment of potential archaeological cores within a larger geotechnical campaign which is to be refined as the project progresses. |
| HE1.46 | Section 8.4.13 outlines the scope of the Watching Briefs (referred to as Archaeological Monitoring and Recording in the revised CIFA guidance, 2023). We would recommend that there is scope within the Watching Brief to carry out more in-depth assessments if significant remains are discovered.  | The reference has been updated and more detail added on further assessment of significant remains has been added to section 8.4.29.   |
| HE1.47 | Section 8.12.1 states that all recovered artefacts will be subject for a Conservation review. We would recommend that the Conservation Review document should be drafted in consultation with a relevant specialist in conservation.  | Section 8.12.2 has been updated to state "conservation specialists."  |



## 2.2 ONSHORE COMMENTS

| Ref    | Summary of Deadline 2 submission OR Excerpt of Deadline 2 submission  | Applicant's comments   |
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| HE2.01 | <p>Historic England made a number of detailed comments on:</p> <ul style="list-style-type: none"> <li>• <b>Volume 6, Part 3, Chapter 7: Historic Environment</b></li> <li>• <b>Volume 6, Part 6, Annex 7.1: Historic Environment DBA</b></li> <li>• <b>Volume 6, Part 6, Annex 7.2: Onshore Geophysics report</b></li> <li>• <b>Volume 6, Part 6, Annex 7.3: Geoarchaeological DBA</b></li> <li>• <b>Volume 6, Part 6, Annex 7.4: Archaeological and Geoarchaeological monitoring of Ground Investigation works</b></li> <li>• <b>Volume 6, Part 6, Annex 7.8: Archaeological and Palaeolithic Evaluation Phase 1</b></li> <li>• <b>Volume 6, Part 6, Annex 7.9: Archaeological and Palaeolithic Evaluation Phase 2</b></li> <li>• <b>Volume 9, Report 23: Onshore WSI</b></li> </ul> | <p>The Applicant is reviewing these comments and is seeking a meeting with Historic England to discuss in detail and clarify a number of points. If necessary the Applicant will consider revisions to documents at a future deadline.</p> <p>During the pre-application phase, as is normal for offshore wind farm projects, the project had to balance undertaking enough surveys to understand the potential archaeological effects with the impacts to arable farms of extensive trial trenching campaigns along the whole route. The Applicant focussed on the OnSS where there is less flexibility to microsite around potential archaeology.</p> <p>The information from the non-intrusive and intrusive surveys, alongside the desk based assessment are sufficient at this stage to allow for a robust assessment of the significance of effect resulting from the project and also to inform future intrusive investigations.</p> <p>The Applicant's approach complies with the NPS and professional guidance which provides for a staged approach requiring investigation only in so far as is needed to establish significance, with desk based assessment as the first stage, followed by targeted investigations.</p> <p>NPS EN1 requires a proportionate approach and the provision of "no more" detail "than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset" (paragraph 5.9.10). The hierarchy of only moving to intrusive investigations where desk based assessment is insufficient is clearly set out in paragraph 5.9.11 of NPS EN1. The Applicant has followed this process with desk based assessment and proportionate investigations. Sufficient detail to allow the Examining Authority and Secretary of State to understand the impact on the significance of heritage asset, as required by the NPS, is therefore before the Examining Authority</p> <p>The Applicant notes it has submitted 10.23 Little Clacton Road Evaluation Report for information at this deadline which shows additional trial trenching since submission, these investigations corroborate what is already known for this landscape. No further survey information is expected to be available prior to the close of the examination. Although an extensive programme of archaeology surveys is planned pre-construction as detailed in the OWSI [APP-256]. The Applicant intends that the work done to date and the OWSI [APP-256] reflects the start of a phased approach to mitigation, with subsequent detailed WSIs being prepared for agreement by the relevant Consultees, prior to commencement, and updated based on previous phases (as necessary to reflect the findings). The Applicant will work with the Local Authority Archaeological Advisors (and Historic England) to ensure that the documentation is robust, and provides an effective means of controlling and achieving the mitigation in accordance with the DCO Requirements.</p> |
| HE2.02 | <p><b>Volume 6, Part 6, Annex 7.7: Onshore Archaeological and Geoarchaeological monitoring of Ground Investigation works.</b></p>   | <p>As submitted, Annex 7.4 Archaeological and Geoarchaeological Monitoring of Ground Investigation Works [APP-163] is a repeat of Annex 7.7 Onshore</p>  |



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|               | <p>Please note that this appears to be the same document as Annex 7.4?</p>   | <p>Archaeological and Geoarchaeological Monitoring of Ground Investigation - Onshore ECC [APP-166]. Annex 7.4 should have instead been a separate report describing monitoring of the boreholes installed at the landfall area ("Geoarchaeological monitoring Landfall GI works"), this will be submitted at Deadline 4.</p>  |
| <p>HE2.03</p> | <p><b>Code of Construction Practice and DCO wording CoCP</b></p> <p>We welcome that the submitted Five Estuaries Code of Construction Practice (CoCP, Vol 9 Report 21, March 2024) includes an archaeological discovery protocol in its site staff induction section (3.4.1).</p> <p>The CoCP does however not address archaeology further, except to cite the OWSI as a document to read in parallel. We consider this document is unacceptable in its current form and does not provide any comfort in relation to the schemes approach.</p> <p>We recommend that the CoCP be revised to include a more detailed section on archaeology so that headline project principles around the timings, scope and implementation of fieldwork, as well as summary protocols for unexpected discoveries, the potential need for public engagement and the monitoring and maintenance of 'no dig' areas are also highlighted in this key control document.</p> <p>The CoCP could also be used to address marine and offshore heritage and approaches to the management of assets, geotechnical works, surveys and mitigation within the project boundaries.</p> <p>As set out in our relevant representation and above in our main representation we would want to ensure there is a mechanism to ensure engagement and support appropriate monitoring. This links the DCO to the OWSI via the CoCP</p> <p>In the event of the project being consented, we would also want to ensure that there is adequate mitigation and we will be providing comments on the DCO wording, and the CoCP and WSI documents.</p> | <p>See summary response to HE 2.05 below. The Applicant will work with HE and other relevant Consultees to refine and develop the OWSI and CoCP to review and revise wording of these documents, so that the policies and processes set out in them can be mutually acceptable, and provide an effective means of controlling and achieving the mitigation. The Applicant notes that the CoCP only relates to the onshore works.</p>  |
| <p>HE2.04</p> | <p><b>The DCO</b></p> <p>The Draft Development Consent Order (Ref: Section 3.1, March 2024: Doc Ref: APP-024) Onshore Archaeology Requirement 11 (1) states</p> <p>'No stage of the onshore works may commence until for that stage on archaeological written scheme of investigation in accordance with the outline onshore written schemes of investigation as appropriate for the relevant stage has been submitted to and approved by the relevant planning authority.</p> <p>We recommend wording is added to provide names parties which would need to include Historic England, and the County archaeological service (Essex Place Services) as advisors to the LPA.</p> <p>In addition Condition 13(2) requires amendment to:</p> <p>"Subject to condition 13(3), the licensed activities or any relevant stage of those activities must not commence unless no later than six months prior to the commencement a marine written scheme of archaeological investigation for the stage in construction has been submitted to and approved by the MMO in writing, in accordance with the outline marine written schemes of</p>   | <p>Requirement 11: The Applicant does not consider it necessary to add who the LPA will consult to this requirement, that is a matter for determination by the LPA depending on the application before them.</p> <p>Schedule 11, part 2, Condition 13(2): the Applicant note that this change amounts to the addition of 'and Essex County Council' to the existing wording. The Essex County Council interest ends at low water and they have no remit for the considerable majority of the licenced works. The Applicant does not consider it necessary to add that the MMO can consult the Council under this condition but notes that the Council will only has a remit in a small area of the works and it is unnecessary to consult them on all of the works where these do not impact the intertidal area.</p> |





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|               | <p>investigation, and in accordance with industry good practice, in consultation with the statutory historic body and Essex County Council to include- ..."</p>   |   |
| <p>HE2.05</p> | <p><b>Concluding Comments</b></p> <p>As set out above Historic England do not object in principle to the proposal and the information provided in the application is in our view adequate for the purpose of the examination. The information provided with ES is however not without issues.</p> <p>We have identified a series of concerns with the way in which the applicant has set out the information for the historic environment in both the marine and terrestrial chapters and these are set out above in our comments above.</p> <p>In our view there are text issues and errors that need to be addressed by the applicant as soon as possible. We recommend the key documents are corrected or an erratum issued as appropriate before the end of the examination.</p> <p>One of the key issues is the lack of appropriately worded detail in the CoCP and we would recommend this document is revisited with urgency. Other recent DCO projects have set out excellent policies for archaeology through a CoCP or REAC documents that give both comfort and assurances that archaeology would be appropriately managed.</p> <p>This is a key document that links the DCO requirements to the WSI, and if appropriately detailed would provide assurance to curators that archaeology will be appropriately and responsibly considered and managed.</p> <p>Likewise, we would consider the changes to the DCO wording to be important to ensure appropriate checks and balances within the programme of work. We would ask the ExA to support these word changes.</p> <p>One of the key concerns for both the terrestrial and marine environments is the lack of physical evaluation of known archaeological assets. This renders the assessment of value presented in the ES as effectivity a draft value, as it has not been possible to characterise those deposits except via geophysical survey.</p> <p>This presents considerable risk to the both the loss of important information and proposed embedded mitigation, which relies upon micrositing away from important anomalies is potentially at risk, should extensive and important archaeological deposits be identified post consent.</p> <p>It is important that the applicant acknowledges that this approach could result in high value assets relating to the historic environment being encountered that could risk the projects timetable and key milestones.</p> | <p>The Applicant welcomes HEs statement that they do not object to the Proposals in principle.</p> <p>The Applicant notes that HE acknowledges the restriction on access with the consequent effects on the extent on the fieldwork surveys. The Applicant notes HE's position that the extent of intrusive evaluation is insufficient to establish the significance of unknown and/or buried archaeological remains within the Order Limits. Nevertheless, the Applicant maintains that the level of information provided does allow for meaningful consideration of the potential impacts of the Proposed Development, and the likely effectiveness of the mitigation measures outlined in the ES. The Applicant considers that it is unrealistic and disproportionate to expect that every potential archaeological feature has its significance fully assessed prior to determination. Rather, the Applicant considers that the combination of Desk Based Assessment, together with geophysical survey, targeted (albeit limited) intrusive investigation along with geoarchaeological assessment and observations of geotechnical investigations allows for an appropriate characterisation of the baseline, which permits informed decision-making to be applied at a broader scale.</p> <p>As set out in HE2.01 above that NPS EN1 requires a proportionate approach and the provision of "no more" detail "than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset" (paragraph 5.9.10). The hierarchy of only moving to intrusive investigations where desk based assessment is insufficient is clearly set out in paragraph 5.9.11 of NPS EN1. The Applicant has followed this process with desk based assessment and proportionate investigations. Sufficient detail to allow the Examining Authority and Secretary of State to understand the impact on the significance of heritage asset, as required by the NPS, is therefore before the Examining Authority</p> <p>The Applicant further considers that the mitigation measures set out in the Outline Written Scheme of Investigation (OWSI) are proportionate and achievable. This is based on a phased investigation (post-determination and pre-construction as appropriate), combined with the ability to be flexible in micrositing of infrastructure within the order limits, especially with regard to the cable works.</p> <p>The Applicant recognises the need for the involvement of HE (and the other relevant Consultees) to be involved in the refinement of the OWSI which it sees as the start of a phased process of archaeological mitigation, with subsequent detailed WSI produced as needed and being updated based on the results of preceding phases.</p> <p>The Applicant notes that HE considers that further detail and tighter wording can be provided in the OWSI, and in the CoCP. Whilst noting that the provided documents are the start of an iterative process, the Applicant intends to work with HE (and other relevant Consultees) through the Examination to review and revise wording of these documents, so that the policies and processes set out in them can be mutually acceptable, and provide an effective means of controlling and achieving the mitigation.</p> |



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