



Historic England

**PLANNING ACT 2008 (AS AMENDED) – SECTION 88 AND THE
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010 (AS
AMENDED) – RULE 6**

**APPLICATION BY GT-R4 Ltd (CORIO GENERATION, TOTAL ENERGIES AND
GULF ENERGY DEVELOPMENT FOR AN ORDER GRANTING DEVELOPMENT
CONSENT FOR THE OUTER DOWSING OFFSHORE WINDFARM PROJECT**

APPLICATION REF: EN010130

SUBMISSION DEADLINE: 24/10/2024

**WRITTEN REPRESENTATION OF THE HISTORIC BUILDINGS AND MONUMENTS
COMMISSION FOR ENGLAND (HISTORIC ENGLAND)**

REGISTRATION ID No: 20049081

Written Representation dated: 23/10/2024

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Summary

Historic England is the Government's statutory adviser on the historic environment. It is our duty under the National Heritage Act 1983 to secure the preservation and enhancement of the historic environment. This extends to monuments in, on, or under the seabed within the seaward limits of the UK Territorial Sea adjacent to England. Our objective is to ensure that the historic environment generally, and marine and designated heritage assets especially, are fully considered in the determination of this application.

We have provided substantive pre-application advice about the scope of environmental assessment and during PEIR consultation. We have also submitted a Relevant Representation (dated 13th June 2024, PINs Examination Ref: RR-027). The applicant has provided an Environmental Statement with supporting appendices and other documentation with the application. We have considered the information provided in support of the DCO proposal and provide more detailed comments here, expanding on the advice provided in our Relevant Representation.

Historic England do not object in principle to the proposed development. However, we have identified matters as relevant to the historic environment as may result from its construction, operation and maintenance, and decommissioning. Summarised as follows:

- i) Partial evaluation has been done in advance of the application for onshore and offshore areas. It is therefore important to secure subsequent programmes of work post consent, but pre-construction should consent be granted.
- ii) The assessment of magnitude of impact and significance of effect is predicated on known features and does not account for risk of encountering presently unknown heritage assets. The Environmental Statement should demonstrate an accurate assessment of magnitude, effects, and levels of harm.
- iii) Embedded mitigation measures may assist avoidance of harm to potentially nationally important archaeological remains and that avoid harm should be a primary objective.
- iv) Marine survey data was not acquired for the proposed compensation areas (Artificial Nesting Structures and biogenic reef) to inform production of the Environmental Statement and therefore corroboration is not possible with available desk-based sources of information.
- v) The application includes an Outline Marine Written Scheme of Investigation (WSI) as a mitigation action which should inform archaeological assessment of further survey data to be acquired (should consent be obtained) post-consent.
- vi) The draft DCO includes 5 (draft) Deemed Marine Licences which require amendment to include the office address for Historic England and thereby facilitate implementation of any post-consent phase (subject to authorisation) to inform planning and design of the intended works.
- vii) We consider it an important that the Applicant actively seeks out opportunities to enhance or better reveal the significance of identified heritage assets.

We are engaging with the applicant and their heritage consultants regarding their DCO submission to see how these matters can be dealt with and we can provide updates as necessary during the course of the examination.

1. Introduction

- 1.1 This Written Representation sets out the views of Historic England on the proposed Development Consent Order (DCO) application made by GT R4 Ltd for the proposed Outer Dowsing Offshore Wind project. We understand from the application documents that the array area for Outer Dowsing could be located adjacent to the existing Galloper Offshore Wind Farm in the southern North Sea and located between 54km off the Lincolnshire Coast with an array area of 436km².
- 1.2 Electricity cables will connect the WTGs to up to four offshore substations, with interconnectors between the substations and export cables to transfer the High Voltage Alternating Current (HVAC) electricity to a proposed landfall location at Wolla Bank south of Anderby Creek.
- 1.3 The submitted application includes an Environmental Statement (ES), dated March 2024, produced to satisfy the requirements of Environmental Impact Assessment (EIA) requirements, under the terms of European Union Directive 2011/92/EU (as amended by Directive 2014/52/EU) on the assessment of the effects of certain public and private projects on the environment (EIA Directive). The EIA Directive is transposed into English law for Nationally Significant Infrastructure Projects (NSIPs) by The Infrastructure Planning (EIA) Regulations 2017.
- 1.4 The Historic Buildings and Monuments Commission for England (HBMCE), known as Historic England, is the Government's adviser on all aspects of the historic environment in England including historic buildings and areas, archaeology and historic landscape; and a duty to promote public understanding and enjoyment. Historic England is an executive Non-Departmental Public body sponsored by the Department for Culture, Media and Sport (DCMS) and we answer to Parliament through the Secretary of State DCMS. Our remit in conservation matters intersects with the policy responsibilities of a number of other government departments particularly those with responsibilities for land use planning matters. The National Heritage Act (2002) gave Historic England responsibility for maritime archaeology in the English area of the UK Territorial Sea. We also provide our advice in reference to the provisions for marine planning and licensing as defined by the Marine and Coastal Access Act 2009 for English Inshore and Offshore Marine Planning Areas.
- 1.5 In our Section 56 Relevant Representation (dated 13th June 2024) we noted that this development has the potential to impact upon the historic environment (onshore and offshore), and that this impact could be significant in relation to a number of heritage receptors and in relation to EIA policy.

2 Comments on Environmental Statement: Chapter 3 – Project Description (Document Reference: 6.1.3) PINS Reference: APP-058

- 2.1 We note that if this proposed NSIP is awarded development consent that the array area will be reduced as part of detailed design. The ES explains that presently the array area within the offshore Order limits could contain a maximum of 100 Wind Turbine Generators (WTGs), in water depths between 20m and 50m, relative to Lowest Astronomical Tide (LAT). The WTGs will be connected to offshore substations via array cables with the offshore substations then connected to shore by up to four offshore export cables (within an Export Cable Corridor) carrying High Voltage Alternating Current (HVAC).

- 2.2 Furthermore, there will be provision for a search area for an Offshore Reactive Compensation Platform (ORCP) and search areas for Artificial Nesting Structures (ANS) and possible recreation of a biogenic reef within the Inner Dowsing Race Bank and North Ridge Special Area of Conservation.
- 2.3 WTGs could have maximum blade tip height of 403m above LAT and that the WTG foundation options include:
- Monopile (13m diameter);
 - Gravity Base Structure (GBS) foundation (55m diameter as seabed);
 - Pin piled jacket foundation (pile diameter 5m); and
 - Suction bucket jacket foundation (20m diameter).
- 2.4 For monopiles, pin piled jackets and suction bucket foundations, no depth of seabed penetration is given. For GBS foundations, seabed preparation depth is estimated to be 4.8m. Up to four separate “smaller” Offshore Sub Stations (OSSs) may be required or up to two separate OSSs if they are built to the “larger design”. All OSSs will be located within the project array area. It is also possible that an Offshore Reactive Compensation Platform (ORCP) will be required to be located within the ECC and an offshore accommodation platform.
- 2.5 Section 3.6 describes ANSs and that two might be required as a compensation requirement for Flamborough and Filey Coast Special Protection Area and that the foundation design could be either monopile or jacket.
- 2.6 Table 6.11 describes boulder and obstruction removal and levelling for either Suction bucket jacket or GBS foundations to ensure that these foundation designs can be placed at the same level. Further clearance, such as sand wave levelling could also be required for support installation of inter-array cables (377.42km), interlink cables between OSSs (123.75km) and for electricity export cables (440km) with cable burial to 3m.
- 2.7 The attention therefore given in sub-section 6.14.3 (Boulder Clearance), paragraph 147 (Pre-Lay Grapnel Run) and the statement that “...PLGR work will take account of and adhere to any archaeological protocols developed for the Project” is a directly relevant matter. We also note the statement made in sub-section 6.14.4 (Sandwave Clearance), paragraph that since publication of the Preliminary Environmental Information Report (PEIR) in June 2023, pre-construction high resolution geophysical surveys have been completed. It is therefore essential that these data are subject to archaeological analysis and interpretation to determine presence of any presently unknown archaeological materials as could presently be buried in sand-waves and therefore impacted directly or indirectly.
- 2.8 At the identified export cable coastal landing location (Wolla Bank) we note that Horizontal Directional Drilling (HDD) is the preferred option with emergence on to the seafloor seaward of MLWS by 500m (subject to geotechnical assessment). Furthermore, paragraph 157 describes how cable installation operations could be undertaken from a landfall compound on the west side of Roman Bank with no construction works on the beach. It is therefore our advice that any geotechnical data acquired post-consent will require archaeological analysis to inform

engineering design including depth of HDD (anticipated to be 5m) if sedimentary sequences of palaeo-environmental interest are likely to be encountered. We add that any programme of analysis, as set out in an agreed Written Scheme of Investigation should include as option for obtaining cores exclusively for geoarchaeological analysis, if impact to sedimentary sequences of palaeo-environmental interest is unavoidable.

- 2.9 Potential impact by construction plant is also relevant with sub-section 7.2.2 describes the use of a jack-up barge vessel with four legs (4m² per spudcan) requiring up to 16 movements with a total seabed footprint of 256m². The entire working area, as could be impacted by such plant, will require archaeological assessment.

3. Comments on Environmental Statement: Chapter 5 – EIA methodology (Document Reference: 6.1.5) PINs Reference: APP-060

- 3.1 We appreciate that this Nationally Significant Infrastructure Project (NSIP) is subject to an EIA exercise, produced in accordance with the Infrastructure Planning (EIA) Regulations 2017, as necessary to support determination of the Development Consent Order (DCO) application. In particular, the ES should explain the predicted likely significant effects (positive and negative) and the scope for avoiding, preventing, reducing, and if possible, offsetting them.
- 3.2 We appreciate that this assessment will seek to identify likely significant effects associated with the proposed project during the construction, operation and maintenance, and decommissioning phases. We acknowledge that an EIA exercise is intended to provide a systematic analysis of the impacts of the proposed project in reference to the existing (baseline) environment as it is presently understood. The ES should therefore summarise the findings of the EIA to support the DCO application. While we appreciate the list of guidance consulted is not limited to the items listed, we consider it unfortunate that in reference to general EIA methodology that Historic England's Advice Note 15 *Commercial Renewable Energy Development and the Historic Environment* (February 2021) was omitted.
- 3.3 We are aware that the approach adopted by the Applicant is to describe Maximum Design Scenario(s) (MDS) to inform a "realistic worst case" assessment. The justification for this approach is because detail of a final scheme cannot be fully realised at the time the EIA is prepared and submitted in the DCO application. We are aware that National Policy Statements EN-1 and EN-3 (DESNZ, November 2023) acknowledge that specific construction designs are unlikely to be known. Such flexibility means that a proposed project is not limited to existing technology at the time of assessment given that design and innovation in the offshore wind sector is an active area of research and development.
- 3.4 We understand why the Applicant is keen to promote a proportionate approach to EIA and that the Planning Inspectorate encourages submission of documentation that reduces duplication and limits superfluous content and that crucially the assessment and reporting provides a proportional level of evidence to the expected risk. We therefore note the attention given to embedded and additional mitigation measures (as described in section 1.5.4), specifically that the significance of the effect presented for each identified impact is representative of the maximum residual effect taking into account embedded mitigation measures in advance.

- 3.5 Section 1.7.5 highlights a particular matter relevant to the historic environment regarding the determination of significant adverse effects when taking into account embedded mitigation options is that further mitigation measures may be required. The crucial factor for the historic environment is sufficient consideration of the risk of encountering presently unknown historic and archaeological sites that might be present within the (proposed) Order limits. We therefore appreciate the attention given by the Applicant in producing “Outline Documents” as part of the DCO submission, alongside the ES.

4. Comments on Environmental Statement: Chapter 13 – Marine Archaeology (Document Reference: 6.1.13) PINs Reference: APP-068

- 4.1 It is important to clarify in section 13.2 (Statutory and Policy Context) that for the purposes of the Outline Marine Written Scheme of Investigation (WSI), Historic England are curators seaward of MLWS and Lincolnshire County Council are the local curators landward of MLWS.
- 4.2 When considering National Policy Statement (NPS) EN-3 (Table 13.1), it is apparent that the Applicant is assuming proposed embedded mitigations depend on data to be collected and assessed to ensure that as yet undiscovered historic environment receptors can be identified throughout the life of the Project. Furthermore, to support the mutual avoidance objective through route selection and micro-siting there is completely reliant on completion of pre-evaluation assessments, which will only be completed post consent (subject to approval) when higher resolution survey data gathering is commissioned.
- 4.3 During pre-application, through Expert Topic Group (ETG) meetings (as summarised in Table 13.2), we have advised that geoarchaeological assessment and core logs from previous geotechnical campaigns should be utilised alongside geophysical data, acquired specifically for this proposed development. This will help to determine where archaeological specific cores should be collected during future campaign. While we appreciate the Applicant’s focus on engineering requirements, we stand by our advice that archaeological input should directly inform the planning stages of any and all subsequent development investigation works.
- 4.4 Section 13.4.2 (Compensation Areas) are included within the marine archaeology study area for which records for 20 wrecks and obstructions are identified. However, corroboration with specifically acquired high resolution geophysical survey will be essential. This matter is applicable across the proposed marine development areas, as demonstrated in sub-section 13.4.6 (Environmental context), which describes how the archaeological assessment of geophysical data combined with desk-based sources of information (i.e. to determine baseline conditions) identified 21 “live” wrecks, 7 “dead” wrecks, 23 “unknown” or unconfirmed wrecks. Furthermore, it appears that one previously unrecorded wreck (Ref: MA0002) within the 1km buffer was identified within the marine archaeology study area (although unidentifiable in any accompanying figures in Chapter 13, Figures; PINs Ref: APP-101). It is noted that of the wrecks recorded by UKHO and NRHE, 10 were identified within the geophysical data acquired for this proposed project.
- 4.5 Regarding aviation losses, it is recorded that the Lincolnshire coastline has 118 RAF and 10 German aircraft crash reports, although there are no reported losses of aircraft within the study area. However, due to the concentration of military activity in the area, there is a high potential for aircraft remains to be identified when high

resolution geophysical survey and visual inspections are conducted. It is relevant to acknowledge that all military losses are automatically subject to the Protection of Military Remains Act 1986.

- 4.6 We do not agree that historic seascape character areas should be interpreted as sensitive receptors for which impacts can be judged. Furthermore, determining how historic character might have changed is compromised as the historic seascape characterisation data used (as referenced in paragraph 56) does not contain contemporary offshore wind farm infrastructure such as Lincs Offshore Wind Farm and Triton Knoll Offshore Wind Farm. We therefore cannot agree with the conclusion offered that no significant change has occurred, as we not convinced by how the available historic character baseline data has been used and its interpretation.
- 4.7 Section 13.5 (archaeological assessment of geophysical data), it is important to note that the shallow geophysical and Ultra-High Seismic (UHSR) data collected across the proposed array area and Export Cable Corridor (ECC) and that data quality of the Side Scan Sonar (SSS), Multi-Beam Echo Sounder (MBES) and Sub-Bottom Profiler (SBP) were assessed as “good” although magnetometer (MAG) data was assessed as “adequate”. However, paragraph 68 acknowledges that the archaeological analysis of survey data does not include the proposed compensation areas as they have not yet undergone geophysical survey. Instead identification of historic environment interest is restricted to desk-based sources of information (i.e. known records) as illustrated in Figure 13.2.
- 4.8 Section 13.5 (Archaeological Assessment of Geophysical Data) identifies 23 “high” potential anomalies, 166 “medium” potential anomalies and 2,228 “low” potential anomalies. While an avoidance strategy for “high” potential anomalies should be instigated, paragraph 76 acknowledges that there is uncertainty regarding “low” potential anomalies, as they have the potential to be unknown fouls, obstructions or even wrecks of possible archaeological interest (also as acknowledged in paragraph 101).
- 4.9 Section 13.6 (Geoarchaeological Assessment of Geophysical Data) identifies palaeochannels which are seen to incise underlying Quaternary sediments. However, it seems, at this stage, that no gas blanking or other indication of peat is present within the array area. However, vibro-cores along the ECC were recorded to contain organic deposits and sub-bottom data noted areas of shallow gas across the ECC, which indicates geoarchaeological potential. The deposit “model” offered in Table 13.5 is simply a list and should be refined following a phased geoarchaeological assessment as detailed in the Outline Marine WSI.
- 4.10 We concur with the “Impacts Scoped In for Assessment” as set out in section 13.7 for construction, operation and maintenance and decommissioning. Regarding sub section 13.7.2 (Realistic Worst Case Scenario) and “Impact 1” (sediment removal) we concur with selection of 50 WTGs foundations using GBSs; 50 WTG foundations using Suction Bucket Jackets; 7 OSS foundations, 2 ORCPs and 1 accommodation platform; and 2 ANS foundations (using GBS). We also note the maximum volume of sedimentary disturbance for all aspects of cable installation.
- 4.11 Impact 2 is particularly relevant regarding maximum depth below seabed which describes 100 WTG piled jacket foundations to 95m depth per foundation, 7 OSS foundations with pin piled jacket foundations to 110m depth per foundation and two ANS Pin piled jacket foundations of 95m depth per foundation. Impact 6 identifies

maximum width of seabed disturbed during cable installation of 33m with all cable burial depth to 3m.

- 4.12 Regarding Impact 8 (jack up barges etc), the important factor is the estimated maximum of 511 operations whereby placement of jack up barges must be planned with full consideration of the avoiding AEZs and following evaluation of other (low potential) anomalies to assist avoidance if necessary.
- 4.13 Table 13.7: Embedded Mitigation – we note that an Outline Marine WSI provides the basis for steering the project post-consent with a draft Marine WSI to be produced pre-construction in accordance with any DCO obtained. Furthermore, that offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to archaeological review in consultation with Historic England (see also paragraph 108). Areas with geoarchaeological potential will be targeted during the geotechnical sampling campaigns and results published to enhance the palaeogeographic knowledge and understanding of the area. We also welcome production of a post-construction monitoring plan, as per the Outline Marine WSI, to monitor areas or sites deemed to be of “high” archaeological significance and therefore subject to further investigation (see also sub-section 13.7.9).
- 4.14 Sub-section 13.7.4 (Written Schemes of Investigation) we agree that a WSI should set out methodological approaches to inform any subsequent geophysical and geotechnical survey campaigns that support archaeological objectives, informed by the archaeological research frameworks, such as the *North Sea Prehistory Research and Management Framework* [REDACTED] as a means to steer the design of this proposed development. Furthermore, that consultation to produce WSIs will include archaeological curators.
- 4.15 Regarding how the development layout is planned, it is a clear requirement that this should be done in reference to Archaeological Exclusion Zone (AEZ) locations, in accordance with principles of avoidance as set out in NPS EN-3. However, in a situation where impacts cannot be avoided, measures to offset disturbance or destruction must be agreed and executed in accordance with any approved WSI.
- 4.16 We concur with AEZs of 50m for anomalies of medium archaeological potential and for records for wrecks and obstructions which do not correlate with geophysical anomalies. Anomalies of high archaeological potential identified in the geophysical data should have 100m AEZs, subject to subsequent high-resolution evaluation.
- 4.17 Sub-section 13.7.7 (Protocol for Archaeological Discoveries) – it is important that the Applicant acknowledges that the use of a PAD doesn’t reduce unexpected impact as damage and/or destruction may have occurred. The PAD only facilitates subsequent efficient communication to try and limit further unrecoverable loss of archaeological potential.
- 4.18 Sub-section 13.7.8 (Archaeological Assessment of Available Data) – should directly state that a professional retained archaeological service will be commissioned, as this only seems to be alluded to. It is therefore of concern that this standard requirement is not made explicitly clear.
- 4.19 Impact 1 (Direct impact of sediment removal containing undisturbed archaeological contexts) we concur with the statement in paragraph 129 that “Once a receptor is damaged or destroyed, or its context is altered, it is not possible to reinstate lost

data. Therefore, without mitigation, the effects on the archaeological receptors would be major adverse” and that “Mitigation by avoidance aims to ensure that there is no direct, indirect or permanent impact on Historic Environment” (paragraph 131).

- 4.20 it is important to see that the attention given to avoidance of features of historic environment interest are considered across the proposed array area, ECC and possible locations for ANSs and biogenic reef areas. However, the attention to given to mitigation and archaeological works as detailed in the Outline Marine Archaeological WSI (see document 8.08; PINs Ref: APP-282) is specifically related to mitigation measure applied if magnitude of impact is to be reduced. The only viable form of mitigation is avoidance, if this is not possible mitigation is not possible and therefore offsetting actions are required to capture data information about the damaged or destroyed heritage asset.
- 4.21 In paragraph 133 it states: “In some cases, the application of appropriate mitigation, such as an archaeological investigation of seabed anomalies prior to impact or the implementation of a PAD”. We do not accept that it is an either/or situation. National policy requires adequate assessment to be conducted to capture information and data. A PAD system is only in place to facilitate rapid communication and decision making. A prescribed process of investigation of archaeological materials at risk of loss or disturbance can only reduce the loss of knowledge and understanding, it cannot reduce the actual harm.
- 4.22 In the construction phase for all identified impacts the conclusion is “low to negligible adverse which is not significant in EIA terms” it is our advice that such blanket conclusions are based on assumptions made about the known historic environment and adoption of an avoidance strategy. The Applicant has also explained that pre-application data gathering was partially completed and therefore there is the risk that presently unknown elements of the historic environment will be encountered.
- 4.23 Section 13.10 (Cumulative Impact Assessment), paragraph 333 – We do not agree with the conclusion offered as we consider there to be significant issues regarding the loss of access to known and discovered sites due to exclusion caused by contemporary seabed infrastructure. Overall, we don’t agree with the conclusion (paragraph 337) that the “...the magnitude of impact is assessed as negligible...” this downgraded assessment of impact and the resultant effects being classified as ‘not significant’ is misleading given the magnitude of evaluation and assessment still required post-consent to address the residual risks carried by all parties.
- 4.24 Table 13.16 (Summary of effects for Offshore Archaeology and Cultural Heritage) it is presently not possible for the Applicant to conclude no significant adverse residual effects on the impacts identified because of the partial completion of survey work (compensation areas). The ES therefore presents broad characterisation of the proposed areas as is considered acceptable for producing an EIA. The Applicant has stated that subsequent survey work is to be commissioned (if this project secures authorisation) to inform the design of the proposed development which demonstrates the limitations inherent in the pre-evaluation assessment presented.

- 5. Comments on Environmental Statement: Chapter 17 – Seascape, landscape, and visual impact assessment (Document Reference: 6.1.17) PINs Reference: ASI-056**
- 5.1 We appreciate that the focus for attention on visual receptors are people including those visiting historic environment assets. However, we are aware that matters to do with the settings of the cultural heritage assets is addressed through Chapter 20 (Onshore Archaeology and Cultural Heritage) (PINs Ref: AS1-048).
- 6. Comments on Environmental Statement: Chapter 20 – Onshore Archaeology and Cultural Heritage (Document Reference: 6.1.20) PINs Reference: ASI-048**
- 6.1 Historic England will review progress of field work alongside Lincolnshire County Council (LCC) who are taking the lead on this area of advice onshore; although it remains important that terrestrial and marine work are integrated, ensuring that the littoral zone is well covered and deposits spanning the modern coastline are sufficiently addressed.
- 6.2 Areas not targeted for geophysical survey on the basis of a landscape scale deposit model are different to what would conventionally be referred to as ‘blank areas’, the latter being areas in which geophysical survey was undertaken but returned blank results. This in turn is different to areas where geophysical survey was undertaken, but the presence/absence of features was obscured by noise from alluvium, green waste, existing services etc. Caution should be exercised to avoid reproducing the limitations of one technique by limiting the deployment of complementary survey methods. For instance, within areas of silt deposition small but important islands of dry ground may exist. On the margins of areas of dry ground archaeological features may extend under surrounding silts or within shallow valley. The Applicant has referenced Dr Caitlin Green’s Land on the Edge 2023 report for LCC/Historic England and has engaged with our advice on deposit modelling.
- 6.3 Archaeological Mitigation – Historic England welcomes the approach proposed as Slackholme deserted medieval village. This is an undesignated heritage asset of demonstrably equivalent significance to a scheduled monument, and we support direct drill/trenchless solutions in this case. Lincolnshire medieval settlement earthworks have not been subject to structured scheduling review. NPS EN-1 (paragraph 5.9.6) and DCMS policy (*Scheduled Monuments & nationally important but non-scheduled monuments*, October 2013) provide additional reference in respect of undesignated assets of equivalent significance/importance to Scheduled Monuments. Trenchless/direct drill options are a highly desirable solution where the route interacts with assets of high importance. In each instance where this technique is to be deployed a plan should be in place that addresses its feasibility for that asset/geology and the appropriate location of launch and receiver pits, measures for the management of bentonite slurry etc.
- 7. Comments on Outline Marine Archaeological Written Schemes of Investigation (Document Reference 8.08) PINs Reference: APP-282**
- 7.1 The Outline Marine WSI summarises the known and potential Historic Environment receptors within the marine archaeology study area and is therefore applicable to mitigation and offsetting works through archaeological assessment in relation to pre-construction, construction, operation and maintenance phases and inclusive of:

- Installation of artificial nesting structures (ANS) area; and
 - Creation of benthic reef
- 7.2 We understand that the Outline Marine WSI will form the basis of the Draft Marine WSI and Final Agreed Marine WSI and that the final (agreed) Marine WSI will form the basis of agreement between the Applicant, its contractors, and relevant regulators.
- 7.3 Section 1.1.4 (Compensation Areas) includes locations of Artificial Nesting Structures and locations for creation of benthic reef (as illustrated in Figure 1) and that while no site-specific data has been provided for the three proposed compensation areas, all baseline characterisations is on the basis of publicly available data only comprising 4 records within the ANSs and 13 within the reef areas; this information is further detailed within Volume 2, Appendix 13.1 Marine and Intertidal Archaeology Technical Report (PINs Ref: APP-167).
- 7.4 For the proposed array area, offshore ECC and associated buffer the marine survey data acquired has been assessed for archaeological potential such with the following anomalies identified within the Marine Archaeology Study Area:
- “High” = 23 (100m Archaeological Exclusion Zones);
 - “Medium” = 168 (50m Archaeological Exclusion Zones); and
 - “Low” = 2,256
- 7.5 The outline WSI describes the known records (e.g. UKHO, NRHE and Lincolnshire HER datasets) for locations of historic interest as comprising wreck, obstructions/fouls and other discrete finds and sites. It is worth highlighting that of the 20 (Chapter 13) or 21 “live” wrecks (as given in this document) only 3 correspond with geophysical anomalies identified in the survey data. While we appreciate that “low” potential anomalies are not afforded AEZ), we highlight that subsequent high-resolution survey data acquisition (geophysical and visual inspection) may require re-evaluation of archaeological potential and the application AEZs with appropriate spatial extent.
- 7.6 Section 1.6.5 (Sedimentary Horizons) summarises the interpretation of the archaeological assessment of sub-bottom geophysical data in reference to present understanding about palaeo-environmental change (as illustrated in Plates 1 and 2) and that a palaeochannel system is identified, as mapped in Figure 3. It is important to highlight that this mapping indicates the presence of paleochannel systems in the array area to a depth of up to 32m below the present seabed. The importance of this information is to determine how the proposed development may directly or indirectly impact prehistoric sedimentary sequences of geo-archaeological interest and also prevent subsequent access for research purposes. For example, security and risk issues that prevent research vessel access to conduct geophysical or geotechnical surveys.
- 7.7 Section 1.7 (Mitigation measures) – we concur with proposals as relevant to identified embedded mitigation options and that unknown historic environment receptors will require adaptive mitigation measures. For example, adapting the

design of the proposed development to best facilitate avoidance and inclusion of measures for archaeological post-construction monitoring.

- 7.8 We concur that a Draft Marine WSI (based on the Outline Marine WSI) is to be produced prior to any pre-commencement survey, which details all aspects of any further archaeological survey and analysis work and details suitable mitigation and offsetting measures which are to be embedded into project delivery planning systems.
- 7.9 It is important that all parties understand that the implementation of a Protocol for Archaeological Discoveries is primarily 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.
- 7.10 We appreciate the acknowledgement that the Outer Dowsing marine archaeology study area is of known importance for historic military and merchant activity, as well as for geoarchaeology. We welcome the priority given to an avoidance strategy for locations identified as having potential archaeological interest or significance. However, if impact is unavoidable that further investigation will be conducted. We also note that for locations of potential geoarchaeological interest or significance, any further geotechnical works should contribute to production of a palaeoenvironment deposit model which may necessitate acquiring specific cores to be used exclusively for geoarchaeological analysis.
- 7.11 We appreciate the statement given in paragraph 177 that “It is possible that offshore renewable developments will subsequently identify previously unknown and unlocated sites of archaeological interest which should be considered as heritage assets within the marine archaeology study area.”
- 7.12 We agree that any further geophysical and geotechnical investigations commissioned by this proposed development must be informed by the described process of implementing and revising WSIs, as conditioned within the accompanying deemed Marine Licences of the draft DCO. We add that this provision needs to include ANSs and Biogenic Reef areas.

8 Development Consent Order (Document Ref:3.1; Rev 3.0, September 2024) PINs Reference: PD1-024

- 8.1 Schedule 1, Part 3, Requirement 17, as found in the examination document library as PD1-024, PD1-025 and PD1-026. We are content with this update to Requirement 17 and it reflects our positive dialogue with the applicant. We refer the ExA to the advice of the Lincolnshire County Council (LCC) curator, as regards the detail of its implementation post-DCO. This requirement will however only be sufficient to address archaeological risks if an appropriate level of archaeological evaluation has been completed by the time DCO is granted and that information has been reflected in updates to the Onshore WSI and supplementary reporting.
- 8.2 We are aware that the Outline onshore WSI is included in Schedule 21, Part 2 (Other Documents to be certified), within the draft DCO (as dated 19th September 2024). However, although a “certified document”, reporting of archaeological evaluation work completed after that point will still need to inform Written Schemes of Investigation for mitigation (under requirement 17). Supplementary reporting on

evaluation work would sit alongside the Outline onshore WSI and be material to the discharge of subordinate mitigation WSI by the Local Authority (LCC).

- 8.3 We are satisfied by the inclusion of conditions (Part 2) within (draft) deemed Marine Licence Schedules 10 (Generation Assets) and 11 (Transmission Assets) for production, in consultation with Historic England – as addressed, of a WSI for the offshore Order limits.
- 8.3 We acknowledge the edits made to the (draft) deemed Marine Licences to include in Part 1 the meaning of an outline marine archaeological written scheme of investigation, as specified in Part 2 condition 10(g) and 10(3) as relevant to:
- Schedules 12 (northern artificial nesting structure 1) and 13 (northern artificial nesting structure 2); and
 - Schedules 14 (southern artificial nesting structures 1) and 15 (southern artificial nesting structure 2);
- 8.4 We acknowledge the edits made to the (draft) deemed Marine Licence to include in Part 1 the meaning of an outline marine archaeological written scheme of investigation, as specified in Part 2 condition 8(d) and 8(2) as relevant to:
- Schedule 16 (biogenic reef creation)
- 8.5 Schedules 12, 13, 14, 15 and 16 require Part 1 condition 1(4) to be amended to include Historic England Birmingham office address (as used in Schedules 10 and 11):
- Historic England
The Foundry
82 Granville Street
Birmingham
B1 2LH
Tel: 0121 625 6888

9 National policy of relevance to the submitted DCO application

- 9.1 We recommend that to support your examination of this DCO application that the policies as relevant to the historic environment within EN-1 and EN-3 (published November 2023) are considered in reference to the submitted Environmental Statement and accompanying documentation.
- 9.2 We appreciate that these NPSs include policies specifically related to the avoidance of harm to heritage assets and guidance for the Examining Authority on determining applications which would cause harm to the significance of heritage assets, such that:
- Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets. The absence of designation for such heritage assets does not indicate lower significance.

- Where available evidence indicates the potential for heritage assets to exist that an Applicant carries out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest through field evaluation.
- A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.

10 Historic England Written Representation: Conclusions

- 10.1 Historic England do not object in principle to the Proposed Development.
- 10.2 We consider, however, that there is the potential for harm to non-designated archaeological heritage assets, some of which may be of national significance. This pertains to both the onshore and marine receptors
- 10.3 The local authority heritage advisors for Lincolnshire County Council are the Planning Inspectorate's primary advisors on onshore non-designated heritage assets. However, due to the potential for non-designated heritage assets of archaeological interest to be present which may be demonstrably of equivalent significance to Scheduled Monuments, we will provide comment as appropriate on the issue. Regarding the marine area, as could be subject to this development, Historic England is the primary advisor for any aspect of the historic environment as defined by the Marine and Coastal Access Act 2009, the UK Marine Policy Statement and published English marine plans.