Historic England

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

APPLICATION BY ENERGIE BADEN-WÜRTTEMBERG AG (EnBW) AND 'bp' FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE MORGAN GENERATION OFFSHORE WINDFARM PROJECT

APPLICATION REF: EN010136

SUBMISSION DEADLINE: 3rd October 2024

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

REGISTRATION ID No: 20049461

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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 sites and places 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 DCO.

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 with 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 planning matters. The National Heritage Act (2002) gave Historic England responsibility for identifying sites for designation within the English area of the UK Territorial Sea (i.e. English Inshore Marine Planning Area). We also provide our advice in reference to how the historic environment is included within marine planning and licensing provisions within the Marine and Coastal Access Act 2009.

We have provided substantive pre-application advice about the scope of environmental assessment and the PEIR. We have also submitted a Relevant Representation (dated 5th July 2024). The applicant has provided an Environmental Statement with supporting appendices and other documentation with the application. We have therefore considered this information and we hereby provide detailed comments, expanding on the matters highlighted in our Relevant Representation (PINs Doc Ref: RR-046).

Historic England do not object in principle to the Proposed Development and we summarise our position as follows:

i) The assessment of magnitude of impact and significance of effect on the historic environment is swayed by assumptions made about embedded mitigation.

ii) The application includes an Outline Marine Written Scheme of Investigation (WSI) as a mitigation action which should inform the production of a WSI to support archaeological assessment of further survey data acquired post-consent (should consent be obtained).

iii) The draft DCO includes a Deemed Marine Licence which includes conditions for WSIs. However, the wording requires review to ensure implementation in the crucial post-consent and pre-construction phase to inform the planning and engineering design, and delivery of the proposed project

1. Introduction

1.1 This Written Representation sets out the views of Historic England on the proposed Development Consent Order (DCO) application made by Morgan Offshore Wind Ltd (a joint venture between bp Alternative Energy Investments (referred to as 'bp') and Energie Baden-Württemberg AG (referred to as 'EnBW') for the proposed Morgan Offshore Wind Farm Project: Generation Assets. We understand from the application documents that the array area could be located in the Irish Sea, approximately 36.3km from the northwest coast of England with an array area of 322.2km^2.

1.2 The application explains that the size and capacity of Wind Turbine Generators (WTGs) for the Proposed Development will be determined during the final project design stage i.e. post consent, should permission be obtained, and that this Environmental Statement (ES) assess a maximum design scenario for the WTGs as a "worst case" scenario. The ES describes two design scenarios of either 96 WTGs with 293m blade tip height (Scenario 1) or 68 WTGs with 364m blade tip height (Scenario 2).

1.3 Electricity cables will connect the WTGs to up to four offshore substations, with interconnectors between the substations and up to export four cables to transfer the High Voltage Alternating Current (HVAC) electricity to a proposed landfall location on the Lancashire coast, subject to separate DCO application as transmission assets.

1.4 The submitted application includes an ES, dated April 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.

1.5 In our Section 56 Relevant Representation (dated 5th July 2024) we noted that this development has the potential to impact the historic environment, 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: Volume 1, Chapter 3 – Project description (Document Reference: F1.3) PINS Reference: APP-010

2.1 We note the detail provided regarding the use of a design envelope approach (known as Rochdale Envelope) that should identify key design assumptions, so that the environmental assessment retains flexibility to accommodate further refinement (should the proposed project proceed).

2.2 Section 3.5.2 (preconstruction site survey investigation) details surveys to be undertaken, subject to consent, to provide detailed information on seabed conditions, morphology and geology layers. Pre-construction site investigation surveys are very important in revealing the presence of presently unknown features and sites of archaeological interest, which should be designed to obtain data for the overall proposed development area. However, it is appreciated that high resolution data is likely to be required in the vicinity of the WTGs, Offshore Substation

Platforms (OSPs) and along the intra-array cable routes. Similarly, any further geotechnical survey (comprising deeper boreholes and shallow vibro-cores at specific locations) conducted within the Morgan Array Area should also be planned to optimise data capture which also supports geoarchaeological analysis and interpretation.

2.3 Section 3.5.3 (Unexploded Ordnance clearance) provides a useful illustration of using up-to-date survey data due to the potential for dynamic seabed conditions exposing UXO that may not have been detected in pre-application surveys. Table 3.3 provides a quantified estimate and we add, from experience, that UXO investigations have the potential to also reveal the presence of previously unknown archaeological sites (wreck of both vessels and aircraft).

2.4 Section 3.5.4 (Site preparation activities) describes works inclusive of contemporary debris (out-of-service cables), boulder and sand wave clearance (to 3m depth). It is also important to note in paragraph 3.5.4.5 the statement that additional seabed preparation may be required for gravity base foundations, including dredging of the soft sediments and the use of piles to strengthen the seabed could be required.

2.5 Section 3.5.8 describes the WTG and OSP foundation types that could be used, subject to completion of geotechnical investigations, identification of environmental sensitivities and final design scenario selected (as summarised in Table 3.5). It is explained that different foundation designs could be used:

- Piled jacket foundations;
- Suction bucket jacket foundations;
- Gravity base foundations

2.6 If multi-leg foundations with pin piles are selected, the maximum diameter could be 5.5m with 75m penetration. If multi-leg foundations with suction buckets are deployed, the maximum diameter is stated as 18m with 25m seabed penetration. Gravity base foundations could have a 'base slab' diameter of 49m and if additional ground reinforcements are required e.g. suction buckets, these could have 15m penetration. It is relevant to note that for gravity base foundations dredging to 10m depth, seabed 'levelling' and/or stabilising the upper soil layer could be required.

2.7 The target depth of cable installation is described as 2m, but no detail is provided to describe the use of pre-lay grapnel runs and anticipated seabed area impacted or if other installation technique (e.g. ploughing, jetting, trenching, or a combination of these techniques) could be used. We did note that array cabling between WTGs and offshore substations and interconnector cabling between offshore substations should be buried between 0.5 and 3m. It is therefore relevant that analysis is conducted of pre-commencement surveys to actively inform cable route selection to determine the proximity of cable installation to features of known or possible archaeological interest.

2.8 The operation and maintenance phase (section 3.7), explains that cables could require "…one visit per year" which is rather vague and doesn't adequately address survey requirements informed by an understanding of dynamic seabed conditions in the proposed development area. At decommissioning (Section 3.11), states that infrastructure above the seabed will be removed, but that inter-array and interconnector cables might be recovered.

3. Comments on Environmental Statement: Volume 1, Chapter 5 – Environmental impact assessment methodology (Document Reference: F1.5) PINs Reference: APP-012

3.1 This Nationally Significant Infrastructure Project (NSIP) is subject to an EIA produced in accordance with the Infrastructure Planning (EIA) Regulations 2017. We understand that the accompanying ES should explain the predicted likely significant effects (positive and negative) and the scope for avoiding, preventing, reducing, and if possible, offsetting any identified significant adverse effects on the 'environment' (defined as inclusive of archaeological heritage).

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. Furthermore, that a range of measures that have been designed to reduce or prevent significant adverse effects arising and are set out in a mitigation and monitoring schedule (Document Reference: J6; PINs Reference: App-076)

3.3 We note the attention given to identifying mitigation measures that should be incorporated into the design of the proposed project which are categorised as 'primary', 'secondary' and 'tertiary' measures. We also appreciate the attention given to measures that could enhance "environmental conditions" (paragraph 5.3.5.7).

4. Comments on Environmental Statement: Volume 2, Chapter 8 – Marine archaeology and cultural heritage (Document Reference: F2.8) PINs Reference: APP-026

4.1 We note the attention given to EN-3 (published in November 2023) and we are aware that EN-3 (see paragraph 2.8.315) sets out that sufficient and adequate mitigation is applicable as much to known wreck (of historic environment interest) as for discoveries that may occur when high resolution surveys are commissioned post-consent, should permission be obtained.

4.2 The Applicant's review of information held by the UK Hydrographic Office (UKHO) has identified 6 'live' wreck records (including one for an aircraft), as illustrated in Figure 8.2. Geophysical survey data indicates the existence of 51 anomalies of possible archaeological interest of which five are considered, at this stage, to be of 'high potential' and five of 'medium potential'. The five high potential anomalies also spatially correspond with UKHO wreck records, as detailed in Table 8.12

4.3 Section 8.6 (key parameters for assessment) the Applicant offers three Maximum Design Scenario (MDS):

- MDS1 – the array area comprises 68 WTGs ('Scenario 2' as described in Chapter 3), 45 on three-legged jacket foundations and 23 on gravity base foundations, an OSP on a rectangular gravity base foundation with a base dimension of 100m x 80m, plus scour protection extending 25m from the base, 390km of inter array cables and 60km of interconnector cable. This MDS is described as having the "largest footprint of impact to near surface sediments and the greatest volume of sediment disturbed that may result in either direct or indirect impact…";

- MDS2 – the array area comprises 57 WTGs on four-legged jacket foundations requiring a total of 229 piles with a penetration depth of 75m, two OSPs on jacket foundations reaching a pile penetration depth of 75m and associated infrastructure. It is thought that this scenario could have "…the greatest potential to directly impact deeply buried deposits…"; and

- MDS3 – array area contains 68 WTGs with maximum blade tip height of 364m and a maximum rotor diameter of 320m and is considered to be the scenario visible from greatest distances.

4.4 Table 8.16 describes different potential impacts during construction, operation and decommissioning, with impacts considered inclusive of jack-up vessels. The inclusion of estimated depths of seabed penetration and widths of disturbance are particularly helpful e.g. that 60% of inter-array and 40% of interconnector cable routes will be subject to pre-lay preparation. However, it is noticeable that the Applicant has focussed on maximum depth of seabed penetration and effects on sediment transport due to WTGs and OSPs (e.g. during construction). It is our advice that impact, particularly direct seabed disturbance through dredging for gravity base foundation placement, sand wave clearance and cable route clearance represent specific construction phase impact risks.

4.5 Section 8.7 (Measures adopted as part of the Morgan Generation Assets) explains the commitment to implement measures and presents an assessment based on determination of magnitude and significance subject to implementation of those measures. Table 8.17 identified 'primary' measures as inclusive of Archaeological Exclusion Zones (AEZs) identified through implementation of an Offshore archaeological Written Scheme of Investigation (WSI) and Protocol for Archaeological Discoveries (PAD), as secured through the deemed marine licence(s) within the draft DCO. We also note the inclusion of 'tertiary' measures (i.e. standard industry practice) as secured through the (draft) DCO. We concur with the identification of key aspects of delivery concerning archaeological analysis of survey data obtained post-consent and the role of a professional retained archaeological advice service in the planning and design of any pre-construction surveys. The inclusion of agreed technical reporting produced from archaeological analysis programmes is welcomes vis. National Record of the Historic Environment and completion of OASIS (Online Access to the Index of archaeological investigations) submissions.

4.6 Sub-section 8.7.2 (Archaeological exclusion zones) we concur with the decision to place AEZs, either individually or in cluster configuration around the anomalies considered to be of either 'high' or 'medium' potential (paragraph 8.7.2.3). Also, the use of a Temporary AEZ (TAEZ) for the charted aircraft crash location and two sites in the array buffer zone, as illustrated in Figure 8.5.

4.7 Consideration of sediment disturbance and deposition (sub-section 8.8.2), specifically suspended sediment concentrations and plume effects is confirmed as not significant in EIA terms. Regarding the assessment of seabed preparation activities, we appreciate that for operational reasons, 'low' potential anomalies should be avoided and that pre-construction site investigation surveys will be reviewed by a retained archaeological advice service (and when necessary due to professional opinion, consultation with Historic England), prior to impact due to construction. However, it should be acknowledged that action to record sites only offsets the harm done and cannot remove the magnitude of the impact on as yet unknown marine archaeology receptors, which will be permanent.

4.8 Sub-section 8.8.6 (Effects on Historic Seascape Character) it is our advice that consideration of historic seascape character is only to provide context for heritage assets as could be located within a particular area. It is therefore not possible to identify 'magnitude of impact' on character. Furthermore, we do not agree with the general interpretation provided about historic seascape. It is apparent that considerable change is occurring through energy transition from hydrocarbon (oil and gas production) to renewables generating electricity. While both require the use of 'modern installations' (paragraph 8.8.6.7) they are fundamentally different in design and purpose and therefore do change the existing seascape character. This point is demonstrated in Chapter 10 of this ES in reference to MMO Marine Planning 'Marine Character Area' 38 (Irish Sea South) which is acknowledged as likely to "experience the most change" (e.g. paragraph 10.8.2.2.). However, it is acknowledged that change should be considered in the context of the legacy of industrial activity in this part of the Irish Sea and how change can be accommodated.

4.9 Sub-section 8.8.7 (Potential for visual change within the setting of an asset) we are prepared to agree with the assessment presented that effects during construction, operations and maintenance, and decommissioning of the Morgan Generation project on the assessed designated historic assets within the English study area are not significant in EIA terms.

4.10 Section 8.9 (Cumulative effect assessment methodology) we are aware that the analysis presented is based on three cumulative impact assessment scenarios and an accompanying sequence of tiers. We note the extensive use of tables and the repeated determination that there will be no cumulative impacts that are significant in EIA terms. We note in Section 8.13 (Summary of impacts) and the reference made to consultation. In consideration of the use of an Archaeology and Heritage Engagement Forum during pre-application it is apparent to us that earlier presentation of analysis could have enabled these sections of the final ES to be shortened substantially.

4.11 It is apparent that overall the conclusion of no significant effects arising from the Morgan Generation Assets during construction, operation and maintenance or decommissioning phases is entirely predicated on implementation of embedded mitigation measures. For example, the recording of archaeological materials before loss. It is important to be clear that such action does not reduce harm or magnitude of impact (such sensitivity is accepted by the Applicant). It is therefore essential that investigative archaeological studies are completed for sites at risk of loss or disturbance (e.g. due to unavoidable ground works envisaged for MDS1) should reduce the loss of knowledge and understanding but cannot reduce the actual harm. The assessment therefore presented, and the resultant effects being classified as 'not significant', does not reflect the actual risk presented by this proposed project.

5 Comments on Volume 4, Appendix 8.1: Marine archaeological technical report (Document Reference: F4.8.1) PINs Reference: APP-061

5.1 The detail provided about geophysical and geotechnical survey data acquired for the proposed array area (in 2021 and 2022) and the use of survey legacy data (geophysical and geotechnical) that was spatially compatible with the proposed Morgan Generation project is important. We note the conclusion that the specifically acquired survey data for this project is considered to be "average to good quality".

5.2 The interpretation of available data as presented in Table 1.6 (Quaternary sequence) is helpful. However, it is apparent in sub-section 1.4.2 that attention is not given to specific geotechnical guidance and deposit modelling guidance, both of which are referenced in sub-section 1.2.4. We have repeatedly explained that the focus for attention should be on production of a sedimentary sequence deposit model which should inform any programmed of "staged" analysis which is applied. The importance of focussing on an agreed deliverable (a deposit model) is to give structure and purpose to an accompanying programme of analysis. It is also crucial that the analysis addresses agreed research questions, such as alluded to in paragraph 1.6.1.2. with attention to given to finding evidence on the timing of the marine transgression to determine when the Morgan marine archaeology study area was finally submerged. We therefore concur that a subsequent stage of geoarchaeological assessment should be conducted to advance the understanding of the Devensian ice retreat in the East Irish Sea. Such action will also enable this project to contribute new information, as a positive contribution, as described in National Policy Statement EN-1 in paragraph 5.9.13

5.3 Therefore, if permission is obtained, an agreed objective should be to produce a deposit model, with the methodological approach to its production explained through an archaeological Written Scheme of Investigation (WSI). However, it is important to note that this programme is predicated on the availability of geotechnical cores which have been retained and preserved and have not already been subject to destructive testing. Paragraph 1.4.2.5 does allude to "ground model stratigraphic units" and "…an opportunity to improve the chronology…" which should be addressed specifically in a WSI subsequently produced if consent is secured, as mentioned in National Policy Statement EN-3 (paragraph 2.8.68).

5.4 Section 1.5.8 states that a total of 51 anomalies of potential archaeological interest were identified within the wider Morgan marine archaeology study area (Figure 1.5):

- five are classed as "high potential" anomalies;
- five as "medium potential"; and
- 41 "low potential" anomalies

5.5 The identification of "medium potential" anomalies should receive the most attention as these could be "…either geological or archaeological features..." (e.g. Morgan_0025, Morgan_0015 and Morgan_0116) which are all within the proposed array area as illustrated in Figure 1.6) Another anomaly, Morgan_0030 receives precautionary attention due to poor survey data acquired in this part of the proposed array area. The identification, at this stage, of 'low' potential anomalies is important as subsequent high-resolution survey to inform any foundation positioning and dredging requirements could require re-evaluation of archaeological potential.

5.6 The identified "high potential" anomalies all appear to correspond with live UKHO records. It was noticeable from the information presented that two wrecks were the result of an attack by the same U-boat (UB 57) on 7th February 1918 (as noted in paragraph 1.6.2.1) and therefore there is a collective significance. However, all these wrecks should be effectively avoided by the use of AEZs which must be sufficient to not only enclose the readily identifiable wreck structure, but any associated debris fields (e.g. anomalies Morgan_0097 and Morgan_0098). This is an important matter considering the proposed use of gravity base foundations which will require spatially extensive dredging to facilitate placement.

6 Comments on Volume 4, Annex 8.2 Cultural heritage assessment (Document Reference F4.8.2) PINs Reference: APP-062

6.1 We understand that this document presents the results of the assessment of potential impacts and effects arising from changes which could be considered relevant to the settings of identified terrestrial historic assets in the English coastal zone. We note the attention given to using a "maximum design scenario" (vis. Scenario 2).

6.2 Regarding the assessment set out in Table 1.8 and the identified "significance of effect" of the proposed project on designated heritage assets along the English coastline, and if its presence could detract from their archaeological, historic, and architectural interest, we are minded to concur with the conclusions offered by the Applicant.

6.3 The consideration of cumulative impact (as described in section 1.7) in reference to a maximum design scenario is important, especially considering already constructed and operational offshore wind farms, as well as proposed developments, such as Morecambe Offshore Wind Farm Generation Assets (PINs Reference: EN010121). We have no further comment or other advice to offer regarding the conclusions drawn by the Applicant, as relevant to any cumulative impact on the setting of heritage assets in the English coastal zone.

7 Comments on Outline offshore written scheme of Investigation for archaeology (Document Reference J14) PINs Reference: APP-069

7.1 We agree that this Outline offshore WSI should be updated to produce a "final" WSI to be applied post-consent, should permission(s) be secured, in accordance with NPS EN-3. This document will also require monitoring and review over the lifetime of the proposed Morgan Generation Assets project and that specific tasks, relevant to the WSI will require method statements, produced by a professional retained archaeological advice service (as described in paragraph 1.2.1.3) and subject to consultation with Historic England prior to formal approval.

7.2 We acknowledge here that we are the adviser to the competent authority for any deemed Marine Licence secured, the Marine Management Organisation (MMO), who are ultimately responsible or offering any "approval". Regarding any timeframe for approval, as set out in paragraphs 1.2.1.10 and 1.2.2.1, we defer to the MMO.

7.3 It is noticeable that Table 1.2 only shows development Scenario 1 (as described in Chapter 3). Section 1.4 duplicates the text used in Volume 4, Appendix 8.4, we therefore offer no further comment.

7.4 The inclusion of text about historic seascape character is not relevant to the primary purpose of a WSI. It is the purpose of WSI to set out a clear methodological approach about how post-consent/pre-construction survey campaigns are designed, planned and delivered to incorporate archaeological objectives and thereby inform subsequent engineering design scenarios as described in the ES.

7.5 Section 1.4.6 (Research Frameworks) it would be helpful if the text acknowledged the use of Research Frameworks to inform the design of deposit models as part of an agreed programme of geoarchaeological analysis. We expect such detail to be set out in the objectives of any method statements, should consent be obtained.

7.6 Section 1.6 (Measures adopted as part of Morgan Generation Asset) duplicates information provided elsewhere in the ES and is not specifically relevant to the core purpose of a WSI. Furthermore, in consideration of geophysical and geotechnical data acquisition and archaeological interpretation that has already occurred it is disappointing that this document is so generic. Reflecting on the information presented in Chapter 8 (and accompanying Appendix 8.1) and the likely foundation design to be used (as described in Chapter 3), this WSI should have been able to focus more precisely on optimising specific types of survey to be commissioned post-consent (should authorisation be obtained) and pre-construction to assist final engineering design, as per expectations set out in National Policy Statement EN-3 (e.g. paragraph 2.8.165).

7.7 Section 1.6.2 (Archaeological Exclusion Zones) states that "low" potential anomalies while not presently identified with AEZs or TAEZs, will be included as a factor in the final stages of project design. However, to inform micrositing (as recommended in the EN-3) necessitates the acquisition of high-resolution geophysical data and archaeological interpretation and analysis, as should be acquired post-consent.

7.8 Section 1.6.3 (Monitoring and watching briefs) in consideration of the intended construction requirements for this proposed development (as set out in Chapter 3 and the maximum design scenarios described), it is not entirely clear why the use of watching brief(s) are dismissed at this stage given the acceptance of risks associated with presently unknown archaeological materials that might be present.

7.9 Section 1.7 (Methodology for archaeological work) provides the key information within a WSI. However, it must be made clear that an "approval" can only be given by a competent authority and we therefore defer to the MMO as to the acceptability or otherwise of proposed time cut offs (e.g. paragraphs 1.7.1.2 and 1.7.3.2). It is essential that any and all attention given to a staged process of geoarchaeological assessment (such as described in 1.7.5.5) is done so in the context of an agreed output, as explained within published guidance (as referenced in paragraph 1.1.2.3).

8 Mitigation and monitoring schedule (Document Reference: J6) PINs Reference: APP-076

8.1 While note in Section 1.9 (Marine archaeology and cultural heritage) that the means of securing the commitments for mitigation, specifically a Written Scheme of Investigation (WSI) and Protocol for Archaeological Discoveries (PAD) and the need for a Design Plan to be approved is secured within the deemed marine licence(s) of the draft DCO (PINs examination document reference: APP-005).

9 Development Consent Order (Document Reference: C1), PINs Reference: APP-005

9.1 All advice is offered here without prejudice to any decision as might be made whether or not to grant consent for this proposed development.

9.2 Schedule 3 Deemed marine licence under the 2009 Act – Generation Assets
Part 1 (Licensed Marine activities) requires amendment:
1(4)(b) the address of Historic England should be amended to: Historic England, 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

9.3 Part 2 (Conditions): Pre-construction plans and documentation; It is essential that post-consent and pre-construction archaeological evaluation informs delivery plans to avoid in-situ archaeological sites, as could be revealed through assessments conducted and completed post-consent and pre-construction. We would therefore expect a condition to be applied to that effect on the DML.

9.4 Condition 20(1)(f) to be revised to:
"An offshore written scheme of investigation for archaeology in relation to the Order limits, which must accord with an outline marine written scheme of investigation produced in consultation with the statutory historic body at least 12 weeks prior to the commencement of any survey work unless otherwise agreed by the MMO; to include—"

9.5 Condition 20(2) to be revised to:
"Pre-commencement surveys and archaeological investigations and pre-commencement material operations which involve intrusive seabed works must only take place in accordance with a specific written scheme of investigation for archaeology (which must accord with the details set out in the outline marine written scheme of investigation) which has been submitted to and approved by the MMO."

9.6 Schedule 4 Deemed Marine Licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables requires amendment:
1(4)(b) the address of Historic England should be amended to: Historic England, 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

9.7 Condition 20(1)(f) to be revised to:
"An offshore written scheme of investigation for archaeology in relation to the Order limits, which must accord with an outline marine written scheme of investigation produced in consultation with the statutory historic body at least 12 weeks prior to the commencement of any survey work unless otherwise agreed by the MMO; to include—"

9.8 Condition 20(2) to be revised to:
"Pre-commencement surveys and archaeological investigations and pre-commencement material operations which involve intrusive seabed works must only take place in accordance with a specific written scheme of investigation for archaeology (which must accord with the details set out in the outline marine written scheme of investigation) which has been submitted to and approved by the MMO."

10 Historic England Written Representation: Conclusions

10.1 Historic England do not object in principle to the Proposed Development.

10.2 There is an accepted risk that this project could encounter presently unknown elements of the historic environment which could be subject to a high level of harm.

10.3 It is apparent from the description provided about the maximum design scenario and the foundation designs under consideration that post-consent evaluation will be essential (subject to securing authorisation) and that such survey acquisition and data analysis must occur in a timely way to inform any pre-construction design finalisation.

10.4 The draft DCO includes (draft) Deemed Marine Licences which include conditions for WSIs. However, the wording requires amendment to ensure implementation in the crucial post-consent and pre-construction phase to adequately inform the planning and engineering design, and delivery of the proposed project.