Historic England

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

APPLICATION BY AQUIND LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE AQUIND INTERCONNECTOR PROJECT

APPLICATION REF: EN020022

SUBMISSION DATE: 6th OCTOBER 2020

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

Registration ID: 20025047

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Summary

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i. Historic England's written representation addresses the implications of this project on both onshore and offshore designated and non-designated heritage assets. We also answer the question directed to us in the Examination Authorities First Written Questions.

ii. In the case for designated heritage assets, we draw your attention to possible indirect effects of changes on the setting of Fort Cumberland, a scheduled monument and Grade II* listed building, as could be caused by the proposed design of the Optical Regeneration Station. We consider there to be a level of harm, although less than substantial, which is higher than suggested by the Environmental Statement, or at the very least, has yet to be adequately proven.

iii. The Environmental Statement assesses the effect to Fort Cumberland at the "negligible" level. We do not agree with how this low level of harm has been identified in consideration of the particular relationship that exists between Fort Cumberland its field of fire and, in particular, the visual association between the ravelin and the approach road from Portsmouth, in this instance, Fort Cumberland Road.

iv. The proposal also has the potential to cause harm to onshore buried archaeological remains, either as a result of direct effects or for indirect effects, such as by change within setting. The Specialist Environmental Services (Archaeology) Team at Hampshire County Council is best placed to provide advice about non-designated archaeological heritage assets.

v. In relation to offshore heritage assets we note the identification of potential impacts within the assessment criteria used in the Environmental Statement in reference to the identification of seabed anomalies of possible archaeological interest. We have also identified matters in relation to the geo-archaeological assessment in reference to assessments completed during pre-application. We therefore draw your attention to the Outline Marine Archaeological Written Scheme of Investigation for the analysis and reporting of any further survey data (including geophysical and geotechnical techniques) obtained in support of this proposed project.

vi. We will also offer comment regarding the draft Development Consent Order and Deemed Marine Licence as could inform the preparation of any Marine Archaeological Written Scheme of Investigation, should consent be obtained.

1. Introduction

1.1 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. HBMCE is an executive Non-Departmental Public body sponsored by the Department for Digital 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 the Ministry of Housing, Communities and Local Government, with their responsibilities for land use planning matters. When considering terrestrial designed heritage assets affected by these proposals we provide advice with regard to the 1979 Ancient Monuments and Archaeological Areas Act, the 1990 Planning (Listed Buildings and Conservation Areas) Act, the 2013 DCMS policy document *Scheduled Monuments & nationally important but non-scheduled monuments* and the 2019 National Planning Policy Framework.

1.2 The National Heritage Act (2002) gave HBMCE responsibility to advise DCMS on designation of historic or archaeological sites in the English area of the UK Territorial Sea (i.e. within 12 nautical miles). We also provide our advice in recognition of the English marine plan areas (inshore and offshore), as defined by the Marine and Coastal Access Act 2009 and all matters as relevant to the historic environment as described within National Policy Statements, the UK Marine Policy Statement and the policies of published or draft marine plans.

1.3 In our Section 56 Relevant Representation (dated 17th February 2020) we noted that the Applicant had provided an Environmental Statement (ES), however we identified that this development has the potential to impact upon the historic environment, and that this impact could be significant in relation to a number of heritage assets and in reference to Environmental Impact Assessment (EIA) policy. We also stated that a number of specific points were to be addressed in our Written Representation in relation to the terrestrial and marine sections of the submitted (draft) Development Consent Order (DCO). These matters include the setting of Fort Cumberland, potential harm to onshore buried archaeological remains, either as a result of direct or indirect effects and the completion of a sedimentary deposit model.

1.4 This Written Representation also includes our response to the question, as directed to Historic England, within the Examining Authority's First Written Questions and Requests for Information, as issued by the Planning Inspectorate on 3rd July 2020.

2. Comments in relation to Environmental Statement: Volume 1, Chapter 3 – Description of the Proposed Development – Document Reference: 6.1.3

2.1 We understand that the proposed project is to install an electricity interconnector cable system between Pourville (Normandy), France and Eastney (Portsmouth), UK. The proposed 238km interconnector is to support the transmission of High Voltage Direct Current (HVDC) electricity (within the marine area), to an onshore Converter Station for transmission of High Voltage Alternating Current (HVAC) through an onshore cable system. We understand that Fibre Optic Cables (offshore and onshore) will also be installed together with other associated infrastructure.

2.2 We note that the proposed interconnector will comprise two HVDC Circuits from the boundary of the UK Exclusive Economic Zone to Eastney (accessed via Horizontal Directional Drilling) for a total length of approximately 109km. Onshore, it is proposed that the project will comprise two HVDC Circuits between Eastney and the proposed Converter Station. We understand that the Converter Station area is to include associated equipment, telecommunications buildings, work compounds and laydown area, an access road and other associated infrastructure (as described in ES Vol.1, Chapter 3, section 3.6.3). HVAC Circuits will then connect the Converter Station to the adjacent National Electricity Transmission System at Lovedean Substation near Waterlooville, together with Fibre Optic Cables installed with each of the HVDC and HVAC Circuits.

3. Environmental Statement: Volume 1, Chapter 14 – Marine Archaeology– Document Reference: 6.1.14 and Environmental Statement: Volume 3, Appendix 14.1 – Marine Archaeological Technical Report – Document Reference: 6.3.14.1

3.1 Historic England has reviewed the Marine Archaeology Chapter 14 in conjunction with Appendix 14.1, the Marine Archaeology Technical Report (hereafter abbreviated to MATR) and we offer the following comments for both documents.

3.2 We are satisfied with the information provided in Section 14.2 regarding the legislative, policy and guidance context for the project. However, we note that paragraph 14.2.2.1 states that the UK is a signatory of the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage. However, it should be noted that while the UK has not ratified this Convention, the UK government has adopted the Annex to this Convention as best practice for activities directed at underwater cultural heritage.

3.3 Section 14.3.2 (PEIR consultation) contains a useful summary of the matters identified by Historic England as requiring attention and Section 14.3.3 summarises

further engagement with Historic England with reference to a draft deemed Marine Licence and a Marine Archaeological Outline Written Scheme of Investigation.

Anomalies of possible archaeological interest

3.4 We acknowledge that presently within the defined Archaeological Survey Area (ASA) there are no designated heritage assets. We are also aware that four seabed anomalies are identified within the ES which are classification as "features of anthropogenic origin of archaeological interest" ("A1"); these are described as:

- a large magnetic anomaly which is presently buried which could equate to a dispersed wreck site or "modern anthropogenic debris" (anomaly ref: 70018);
- a dispersed wreck believed to be *Corbet Woodall*, which sank in May 1917 after detonating a mine and presently buried within the seabed (anomaly ref: 70184);
- a debris field which could be of an unidentified steam ship, possibly a First World War coaster, identified as UKHO record ref: 20024 (anomaly ref: 70193); and
- a debris field identified as a large magnetic anomaly, but not immediately apparent on sonar data, which could equate to buried shipwreck or "modern anthropogenic debris" (anomaly ref: 70204).

3.5 In consideration that two of these anomalies classified as "A1" are based on magnetometer data considered "average" (see ES Chapter 14, paragraph 14.5.2.7) it is our advice that, should consent be obtained for this project, post consent survey campaigns are configured to best resolve whether these "A1" anomalies are of any historic or archaeological interest. In particular, if their locations are incompatible with the proposed cable installation route, as recommended in paragraph 14.5.5.2. A similar approach is necessary for any presently identified "A2" anomalies (defined as "features of uncertain origin, but of possible archaeological interest") in accordance with paragraph 14.6.3.6.

3.6 The archaeological interpretation of survey data presented in the ES led to the identification of 383 anomalies classified as "A2". We note the attention given to corroboration with desk-based sources of information, specifically "recorded losses", which highlight locations such as Horse and Dean Sand (off Portsmouth) where numerous wrecking events have occurred (paragraph 14.5.3.15). Furthermore, the proposed route to cross the East and West Winner (sandbanks) will need to take account of the potential for archaeological materials to be exposed. For example, the discovery in 2014 of a wreck on the East Winner Bank to the east of the ASA which was exposed due to sediment migration (Whitewright and Tidbury, 2014).

3.7 Paragraphs 14.5.3.17 to 14.5.3.20 described records of aircraft losses during the Second World War for which four are described as being lost off Eastney. While the analysis of survey data presented in this ES does not identify any crashed aircraft, it

is highly likely that, if present, such material is dispersed and likely only to be confirmed during any subsequent high resolution survey and/or video/camera/diver investigations conducted post-consent. The statements made in Chapter 14, paragraphs 14.8.1.5 and 14.8.1.6 are therefore highly relevant.

Geo-archaeological assessment

3.8 With regards to the geo-archaeological assessment undertaken, we note from paragraph 14.6.3.8 that the burial depths of the cable are anticipated to be between 1 and 3m, and that this is deemed too shallow to impact buried and submerged landscape features. However, it is relevant to consider the factors which were used to come to this position, in particular differentiation between "high priority status" and "medium priority status" vibrocores in reference to the possible identification of "channel or channel complex features" as described in MATR, paragraphs 4.2.7 and 4.2.8.

3.9 It is apparent from the information presented to us that geo-archaeological assessment was focused on one "high priority status" core due to the presence of peat deposits (see MATR, paragraph 4.2.30). However, we are aware from the information provided to us that fine-grained deposits recorded in other core samples, which we identified as "medium" status, were not examined (see MATR, Table 7), although such material might have been suitable for dating by Optically Stimulated Luminescence (OSL), as well as for micro-faunal assessment to determine environment of deposition. It is our advice that restricting analysis to the one vibrocore, identified as containing peat, limited the effectiveness of ground truthing the geophysical results. It appears that the cores identified as being of "medium" status were only subject to a review of the geotechnical log records, which we do not consider to be sufficiently robust to justify the assumption that impacts will be "low" and therefore not significant.

3.10 Furthermore, whilst the depths of the deposits (apart from the bedrock sediments) is not given within the MATR, the figures of the sub-bottom profiler suggest that the Quaternary deposits exist close to the surface and therefore could be impacted by the cable installation. Specifically, MATR, Appendix III shows that all of the "P1" and "P2" recorded features (as described in Table 4) have depths that coincide with the 1 to 3m impact depth of the proposed installation. Given that the cable(s) will bisect such features it is important to understand if the proposed cable burial could occur at a depth associated with sedimentary sequences of particular geo-archaeological interest.

Mitigation measures

3.11 Section 14.8 (proposed mitigation) identifies in Chapter 14, paragraph 14.8.1.2 the "…establishment of appropriately sized AEZs…" specifically focusing on those anomalies identified as "A1". However, we note in Figure 14.4 that the Archaeological Exclusion Zone (AEZ) identified for anomaly reference 70204

includes “A2” anomaly reference 70205 which are located centrally in the proposed cable corridor. The measures therefore identified within the Marine Archaeological Outline Written Scheme of Investigation (WSI) (Appendix 14.3) for further examination of anomalies will require elaboration within any WSI produced post-consent, should permission be obtained. Such matters are also relevant to any effective micro-siting of the cable route to avoid, where possible, other “A2” anomalies, as described by paragraph 14.8.1.4.

3.12 Chapter 14, Paragraph 14.8.1.7 details that impact to prehistoric features can be offset by the palaeoenvironmental assessment of deposits with high geo-archaeological potential. We therefore draw your attention to paragraph 14.9.1.3 which describes the potential for a “significant major positive effect”, which the completion of such analysis could contribute to the public knowledge base. We therefore support the recommendation within the Outline Marine Archaeological WSI (Section 7.5 – Palaeogeographic assessment) for further analysis to be directed at the vibrocore identified as being of “high priority status” (vibrocore ref: 735-VC-B02-046).

3.13 We noted in ES Chapter 14, paragraph 14.6.3.8 the suggestion that impacts will be “low” and not significant, because of the large size of the possible palaeo-landscape features compared with the small size of the scheme footprint. We do not concur with this statement, as we cannot assume such identifiable features survive beyond the areas identified as part of the survey. In addition, the deposits of interest might not be homogenous and could differ in terms of survival, characteristics and archaeological potential within each feature.

3.14 Although we provided comment to the Applicant on the draft Marine Archaeology Outline WSI (as noted in Chapter 14, Table 14.1 – Summary of post-PEIR consultation), this appears to be our first opportunity to provide advice on the MATR including the determination reached to classify vibrocore material, as “high” or “medium” status (see MATR, Table 5 – Criteria to assess the archaeological value of marine assets). It is therefore our position that if any further vibrocores are collected that reveal the presence of fine-grained or organic Quaternary sediments e.g. silt or clay (in addition to any that contain recognisable peat deposits), should be subject to geo-archaeological assessment, in accordance with any agreed WSI. Such action would support ES Chapter 14, paragraph 14.8.1.7 and the measures described to produce a sedimentary deposit model to help understanding the evolution and timing of complex environmental and landscape change, which provide important context for human activity.

3.15 We note that Table 14.7 (Summary of Effects for Marine Archaeology), within Chapter 14 sets out that construction and decommissioning will have no significant residual effects of seabed prehistory receptors. This table and paragraph 14.9.1.3

suggests a "major positive" effect could be obtained if cores are retained and analysed by geoarchaeologists. Therefore to address the matter of the limited vibrocore analysis conducted to date for this proposed project, it is relevant that geo-archaeological matters are included within the Outline Marine Archaeological WSI (Vol. 3, ES Appendix 14.3). We therefore concur with the provisions of the draft DCO for effective preparation and delivery of any marine archaeological WSI produced post-consent, should permission be obtained.

4. Environmental Statement, Volume 1, Chapter 21 – Heritage and Archaeology – Document Reference: 6.1.21

4.1 The following advice relates to possible impacts to designated onshore cultural heritage. In particular we wish to highlight how the impacts were assessed within the ES and that it is our position that the level of harm has the potential to be higher than suggested, at the very least, has yet to be adequately proven.

Designated heritage asset – Fort Cumberland

4.2 For the designated heritage considered here, the effects are indirect, i.e. the change proposed is within the setting of the heritage assets. Setting is the surrounds in which a heritage asset is experienced and our attention here is on how change might affect the ability to understand the significance of the assets identified. For this proposal the area of concern over setting relates to Fort Cumberland, scheduled monument and Grade II* listed building (National Heritage List No: 1015700).

4.3 The Fort has clear historical, evidential, and aesthetic value. Its location on Portsea Island to the west of Langstone Harbour is critical to understanding its role in defending the harbour from attack, through a 360 degree field of defence that provided fire power out to sea, but also onto its landward sides. This is demonstrated clearly by the star shaped form of the Fort, and the ravelin on its western side; this principally covered the approach road to the Fort and the beachfront, providing interlinked defence with other military sites along the coast and providing fire power out to adjacent areas of sea.

4.4 Sightlines, fields of fire, and connectivity with land and sea based approaches, are therefore integral to its significance, and relationships with other fortifications confer additional context and coherence which also contributes strongly to Fort Cumberland's significance. The setting of the Fort was altered during the mid-late 20th century, through residential development in the wider surrounding area. Despite this it is still possible to view, appreciate and understand the landward

approach to the site, via Fort Cumberland Road in particular, and its relationship with the monument.

Other designated heritage assets

4.5 Elsewhere, as relevant to this proposed development, there appear to be several other designated heritage assets also assessed including a number of Grade II buildings, plus one Grade II* (Rookwood, Rushmoor Lane, Denmead; National Heritage List No: 1350642), situated approximately 1.8 km to the west of the proposed Converter Station (adjacent to the existing Lovedean Substation) and the Catherington Conservation Area. The buildings were considered with a specific relationship to the rural and agricultural landscape within which they are located and understanding this is part of their significance. We concur with regard to the listed buildings and the Catherington Conservation Area that the changes from the proposal will not significantly affect an understanding or appreciation of the significance of these assets, although the relevant Local Planning Authority Heritage Conservation teams will be best placed to provide advice about how, in particular, the Grade II listed buildings should be assessed and treated as part of this proposal.

4.6 In terms of our specific comments on the Environmental Statement (Vol. 1, Chapter 21 – Heritage and Archaeology), we agree with the list of assets assessed in Table 2 (ES Vol. 3, Appendix 21.4 – Heritage and Archaeology Impact Tables), and the methodology for assessing the harm and effect to the significance of these assets (Subsection 21.4). We broadly agree with most of the levels of effect for all built designated heritage assets, which are assessed as being “not significant” or “minor adverse” for onshore cultural heritage. However, we do not feel that the assessment of the effect and consequent harm to Fort Cumberland has yet been fully proven.

Fort Cumberland assessment exercise

4.7 The ES assesses the effect to Fort Cumberland at the “negligible” level. We disagree with this based on the assessment of the relationship between the Fort its field of defence and, in particular, the visual association between the ravelin and the approach road from Portsmouth, in this instance, Fort Cumberland Road.

4.8 We note from the documents submitted (specifically the Indicative ORS Elevations and Floor Plans and Parameter Plans– Document Refs: 2.10 & 2.11 respectively), that the ORS is comprised of two structures along the north-western boundary of the car park, located west of Fort Cumberland. As noted in paragraph 21.6.4.28 (ES Chapter 21), this area of land which was previously used for military rifle ranges and the car park is in the historic field of fire (note typo in text) from the western ravelin of the fort, which was designed to defend against attack from land. For the

proposed project, we note that each building would measure 10m x 4m with a proposed height of 4m at a distance of around 250m from the glacis of the Fort. The buildings would be fenced off and surrounded by native hedgerow/trees and amenity grassland (Figure 15.50 – Indicative Landscape Mitigation Plan).

4.9 The assessment of Predicted Operational Stage Environmental Effects in Table 2 (Appendix 21.4) notes that the flat nature of the present car par allows for the preservation of views from the ravelin towards Fort Cumberland Road. It goes on to state that as the ORS will be based in the north-east corner of the car park, and due to its proposed height, the majority of the flat landscape will be retained. Figures 15.55 (Viewpoint 21) and 15.56 (Viewpoint 22) provide an indication of the view of the proposed location of the ORS as would be experienced from the direction of the Fort, but not from within the Fort itself or, in particular from the ravelin. As such it has not been demonstrated that the view of the approach road to the Fort will not be impacted by the new building, thus impacting the understanding and appreciation of the relationship between them.

4.10 Since the ES was produced in November 2019, we have engaged in discussions with the applicant's heritage consultant about the impact of the proposed ORS on the view from the ravelin to Fort Cumberland Road. These discussions are on-going, but it understood that a new visualisation will be submitted which will more effectively demonstrate the potential impact (or not) of the proposed siting of the ORS within the car park on the setting of the Fort. At the time of this submission, the new visual has not yet been submitted by the Applicant. Discussions are also on-going concerning the colour and materials palate for the new building and with regard to the screening options.

National Policy Statement EN-1

4.11 The policy context for decision taking for a DCO is set out in Overarching National Policy Statement (EN-1), and for heritage in Section 5.8. For designated heritage this requires an Applicant to show that harm to heritage significance has been avoided or minimised and that any remaining harm has clear and convincing justification (paragraphs 5.8.12 and 5.8.14). In this case we are aware that harm cannot be avoided altogether and that it is minimised by the development being a sufficient distance from the Fort as to only give rise to low levels of harm to designated heritage. It will be for the Examining Authority to decide if the remaining harm has clear and convincing justification and to weigh that harm against the public benefits in the manner set out in paragraph 5.8.15. We note that the strength of the justification required varies with the degree of harm. The greater the harm to the significance of a designated asset the greater the justification for this would need to be.

4.12 In reaching its decision the Examining Authority will also need to take into account the presumption in favour of the conservation of designated heritage with the more important the asset the greater that presumption needing to be (paragraph 5.8.14). We also draw your attention to paragraph 5.8.18 which notes that "when considering applications for development affecting the setting of a designated heritage asset, the IPC [Examining Authority] should treat favourably applications that preserve those elements of a setting which make a positive contribution to, or better reveal the significance of a heritage asset". When considering applications which do not achieve this, the Examining Authority should weigh any negative effects against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify any approval.

Non-designated historic environment

4.13 The following comments are in relation to onshore non designated heritage assets (including archaeological materials). The proposal also has the potential to cause harm to onshore buried archaeological remains, either as a result of direct effects or for indirect effects, such as by change within setting. The Specialist Environmental Services (Archaeology) Team at Hampshire County Council is best placed to provide advice about how non-designated archaeological heritage assets should be assessed and treated as part of this proposal and we hereby confirm that they should lead for such issues.

4.14 Our remit is strongest for any archaeological remains that may be of national importance such that they have a level of significance comparable to a scheduled monument (including any below ground remains related to the Fort); in which case they should be treated as if they have that protected status. Assessment to date has not confirmed that nationally important archaeological remains will be harmed by the proposal, although it does note the high potential of remains from all periods that could be of medium or high significance, which could be encountered and impacted (ES Appendix 21.4, Table 1).

4.15 The advice we provide here is to assist you in considering the likely archaeological effects of the onshore elements of the proposal and whether the draft DCO could provide a robust and policy compliant framework for resolving such issues. We acknowledge that much detailed design work will take place post determination (should consent be obtained) and so any DCO must provide the mechanisms to avoid, minimise, or mitigate harm to buried terrestrial archaeological remains once the precise effects on these can be described and considered. As the presumption should be that any nationally important archaeological remains should wherever possible be preserved in-situ and not excavated, the proposed project should demonstrate it has flexibility in its proposed design so as to potentially allow for this.

4.16 Excavation is itself a destructive process and can prove costly for the developer. Avoidance of harm to buried remains should be the first aim. For archaeological remains of a local or regional level of significance the project might still wish to consider how to avoid or minimise construction impacts through its detailed design decisions. Where archaeological investigation is unavoidable or considered appropriate then delivering new understanding of the historic environment affected by the proposal is a key part of mitigating harm. Any DCO granted needs to secure not just provision for excavation to recover archaeological information, but also subsequent activities to assess, analyse, publish and curate the significance of the data obtained. This is an important component of the balance for how harm to archaeological remains might be weighed against the benefits of permitting works. Delivering enhanced or new understanding is a public benefit to form part of that process.

5. Examination Authorities First Written Questions (ExQ1) – Ref: CH1.4.4

5.1 The ExA asked the following question – CH1.4.4:
For Section 1 of the Proposed Development (from ES paragraph 21.6.4.5 [APP-136]), the assessment of effects on the settings of assets appears to focus exclusively on views, and relies, in some cases, on established or proposed planting to mitigate effects. Could the Applicant, Historic England and the relevant local authorities comment on the adequacy of this, or whether other factors that contribute to setting should have been considered.

To what extent should the ExA and Secretary of State take established vegetation and proposed mitigation planting into account in the assessment of setting?

5.2 For the assessment of the effect of the proposed development, the ES primarily focuses on views of the proposed Converter Station and the Optical Regeneration Station from the heritage assets. The assets in the Converter Station Area are primarily Grade II (with the exception of the Grade II* Rookwood and the Catherington Conservation Area) and, as such, generally fall under the purview of the local planning authority. However, as noted in the Historic England GPA 3 *The Setting of Heritage Assets* (2nd Edition, 2017), views of or from an asset, although forming an important aspect of setting, are not the only way in which it can be appreciated. It can also be experienced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings, sites or landscapes that are in close proximity, but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

5.3 With regard to the setting assessment of the impact of the Optical Regeneration Station (ORS) on Fort Cumberland, the assessment goes a bit further. In addition to direct views it considered the relationship between specific elements of the defences (i.e. the ravelin) to the wider landscape, such as the field of fire and the relationship to Fort Cumberland Road. Although it is noted that the ORS building will be fenced off and enclosed with native vegetation, it is concluded that this will result in no impact on the continuation of the historic fields of fire from the ravelin. However, the proposed new planting, although softening the appearance of the new buildings, does not alter its proposed height of 4m. Additionally, no supporting information has been provided to demonstrate that the view from the ravelin to Fort Cumberland Road to the west of the ORS will be retained. We deem that the assessment is incomplete and level of impact uncertain until this evidence has been provided.

5.4 As a further point with regard to vegetation and planting, other related considerations should also be taken into account. These could include factors such as the location of historic vegetation, the framing of views, vegetation as a marker of historic land boundaries, seasonal changes and the screening function of vegetation to protect the landscape setting. Furthermore, if new screening is to be proposed, regard has to be given to the fact that it may take time to fully establish to an extent whereby it is fulfilling its purpose and, also, that it may not become a permanent addition to a place.

5.5 As a result it can be concluded that the ExA can, to *some* extent, take established vegetation and proposed planting into account in the assessment of setting but, there are other factors which should also be considered alongside this, as set out above.

6. Comments on the draft Development Consent Order. Document Reference: 3.1 (Version 1, dated 14th November 2019)

6.1 Draft DCO Schedule 2 (Requirements), Condition 14 (Archaeology) addresses matters regarding the preparation of a Written Scheme for the Investigation of areas of archaeological interest as identified in the ES. We hereby defer all further advice regarding the suitability of this condition to the Specialist Environmental Services (Archaeology) Team at Hampshire County Council.

6.2 We note within Schedule 14 that the Outline Marine Archaeological WSI is not included in the list of certified documents, however, within Schedule 15 (deemed Marine Licence) Part 1, Condition 1 it is implied that the “outline written scheme of investigation” is a certified document. We therefore query whether the Applicant

intends to add the "outline written scheme of investigation" to Schedule 14 during examination. Furthermore, for clarity, "outline written scheme of investigation" should be amended to "Marine Archaeological Outline Written Scheme of Investigation" and the definition of the "statutory historic body" is to be amended to the Historic Buildings and Monuments Commission *for England*.

Draft Deemed Marine Licence

6.3 Within the draft DML, Schedule 15, Part 2 (Conditions), Condition 3(1)(a)(ii), we recommend that consideration is given to expanding the survey technologies to include Side-Scan Sonar and magnetometer to assist with identifying other receptors and allow for avoidance and micro-siting in the preparation of delivery plans, should consent be secured. We offer this matter for your consideration in reference to the statement made in Condition 3(2) whereby the detail of proposed preconstruction surveys (e.g. methodologies) are submitted to the MMO for approval following consultation with the "relevant statutory bodies" which could include Historic England. Furthermore, we offer the observation that effective delivery of Condition 4(2) regarding a marine WSI will be best realised if this document is in place to inform any programme of pre-construction surveys.

6.4 We suggest that Part 2, Condition 3(1)(a)(ii) could be expanded to include archaeological features and/or the identification of AEZs as identified within the ES (see Mitigation Schedule – Document ref: 6.6, dated 14th November 2019).

6.5 With regards to Condition 3(2), we suggest a timeframe is required for the submission of the pre-construction survey plan to the MMO and their advisors; this is to ensure adequate time for input to ensure the survey standards and objectives are agreed.

6.6 We suggest that Part 2, Condition 4(1)(c)(viii) is expanded to include "archaeological construction exclusion zones".

6.7 We recommend that Part 2, Condition 4(2)(c) is revised to expand on the delivery of mitigation to include methodologies of further site investigations, monitoring requirements and a timetable for site investigations.

6.8 Part 2, Condition 6 requires checking in reference to the quoted condition (4(1)(e)(vi)) which does not appear elsewhere within the draft DML.

6.9 Condition 10(1)(b) could also reference "archaeological construction exclusion zones" as part of any post-construction monitoring programme to determine effectiveness as set out in the Marine Archaeological Outline WSI.

7. Comments in relation to the Marine Archaeology Outline Written Scheme of Investigation. ES Vol. 3, Appendix 14.3 (Document Ref: 6.3.14.3)

7.1 We concur with the structure and content of the Marine Archaeological Outline WSI, in particular the mitigation measures proposed. However, we offer the following comments regarding matters which should be addressed through any marine WSI produced in reference to the conditions of the DML (Schedule 15) as may be obtained.

7.2 We note that paragraph 1.1.4 discussed the activities covered by the WSI, including operation, repair and maintenance. However, it would be appropriate for decommissioning to also be referenced.

7.3 The party responsible for ensuring that all contractors have had appropriate training for the Protocol for Archaeological Discoveries (PAD) should be included within Table 1 (Roles and Responsibilities). Furthermore, we would like to stress the importance of engaging a Retained Archaeologist early in the pre-commencement process to ensure that archaeological advice is provided in a timely manner to avoid potential delays to the commencement of site investigations, pre-construction site preparation and the cable installation works.

7.4 The inclusion within paragraph 4.2.4 of the commitment for method statements to be submitted to the archaeological curator four months prior to the planned commencement of surveys/works is important. The last sentence of paragraph 5.3.2 appears to be unfinished.

7.5 The inclusion of a timeframe for the submission of method statements to the MMO for consultation (provided in paragraph 8.1.4) is important for the planned commencement of works. However, any WSI produced post-consent should clarify whether this references the commencement of works for which the individual method statement is related to or project commencement more broadly.

7.6 A timeframe should be included within Paragraph 9.1.2 for the submission of method statements to the Archaeological Curator for review.

7.7 The inclusion within paragraph 9.6.5 of the collection of cores in light-proof sleeves and for the splitting of cores in a light-safe environment is important. However, further detail regarding the purpose of these actions for OSL dating should be included.

7.8 The need for archaeological advice in the planning of any further geotechnical work for the scheme within paragraph 9.6.is a useful inclusion. Where possible such further work should target the palaeolandscape features identified by the

geophysical survey and aim to obtain samples as a transect across a feature. Section 9.6.4 suggests MMO approval for any method statement is needed, but this should be clarified to state that method statements should be produced in consultation with Historic England prior to their submission to the MMO (as the competent authority to discharge marine licence conditions).

7.9 Subsection 9.8 (Archaeological investigations using divers and/or ROVs) will require attention in any WSI produced post-consent. The title suggest that this section will set out the means to conduct an archaeological investigation using divers and/or Remotely Operated Vehicles (ROVs), the text below refers to the input into surveys planned for non-archaeological reasons and largely summarises the information provided in Subsection 9.7 (Archaeological assessment of UXO ROV survey data). There should be a clear separation within the WSI about data collected for archaeological purposes and data collected for non-archaeological purposes.

7.10 Further detail will be required within paragraph 9.10.5 about awareness training for relevant project staff, including how and who (will be the implementation service) will conduct the training.

7.11 We welcome the inclusion of Subsection 9.11 (Post Construction Monitoring), and agreed that the measures outlined are appropriate for the Outline WSI.

8. Comments on the Marine Outline Construction Environmental Management Plan. Document Reference: 6.5

8.1 We are encouraged to see that archaeological considerations are included within this document. We would therefore like to the see the relevant DML condition (Condition 4(1)(d)) clearly state that Historic England should be consulted when the Environmental Management Plan is submitted to the relevant authority.

9. References

Whitewright, J. and Tidbury, L., 2014. *East Winner Bank Wreck: Archaeological site visit report*. Southampton: Maritime Archaeological Trust. (https://www.maritimearchaeologytrust.org/uploads/publications/MAT_EastWinnerBankShipwreck_May2014.pdf)