



STATEMENT OF COMMON GROUND BETWEEN HISTORIC ENGLAND AND DRAX POWER LIMITED

Drax Bioenergy with Carbon Capture and Storage

The Planning Act 2008 (as amended)

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Applicant: Drax Power Limited

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AUTHOR: Natasha Powers

APPROVER: Cassie Fountain

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EXECUTIVE SUMMARY

A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO). It is prepared jointly by the applicant and another party, to assist the Examining Authority in examining the DCO Application by providing an understanding of the status of discussions or negotiations between the applicant and the other party.

This SoCG has been prepared between Historic England and Drax Power Limited (the 'Applicant') (jointly referred to as the Parties) to show where agreement has been reached to date in relation to the Applicant's application (the DCO Application) for a DCO for their Bioenergy with Carbon Capture and Storage (BECCS) project (referred to as the Proposed Scheme). The SoCG represents an accurate and up to date reflection of matters discussed between the Parties. It is a document that will evolve during the pre-application and examination stages, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.

Historic England is interested in the Proposed Scheme as a statutory consultee on historic environment matters. Historic England's responsibilities in England cover the protection of the historic environment, including the setting of heritage assets, and it handles applications for Scheduled Monument consent on behalf of the Secretary of State. Historic England must be consulted in relation to all applications likely to affect land in England.

Throughout this document, points of agreement and disagreement between the Parties are clearly indicated.

1. INTRODUCTION AND PURPOSE

1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

1.1.1. A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO) and is prepared jointly by the applicant and another party.

1.1.2. Paragraph 58 of the Department for Communities and Local Government's (DCLG, now Department for Levelling Up, Housing and Communities) guidance entitled 'Planning Act 2008: examination of applications for development consent' (26 March 2015) (DCLG, 2015) hereafter referred to as DCLG Guidance) describes a SoCG as follows:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."

1.1.3. The aim of a SoCG is to assist the Examining Authority in examining the DCO by providing an understanding of the status of discussions or negotiations between the applicant and the other party. The effective use of SoCGs aids an efficient examination process.

1.1.4. A SoCG may be submitted to the Planning Inspectorate (PINS) prior to the start of or during an examination and is updated as necessary or as requested during the examination.

1.2. DESCRIPTION OF PROPOSED SCHEME

1.2.1. A full description of the Proposed Scheme description is included in Chapter 2 (Site and Project Description) of the ES submitted with the DCO Application (PINS document reference APP-038).

1.3. THIS STATEMENT OF COMMON GROUND WITH HISTORIC ENGLAND

1.3.1. This SoCG has been prepared between Historic England and the Applicant (jointly referred to as the Parties) in relation to the DCO Application.

1.3.2. It addresses topics of interest to Historic England. Historic England is interested in the Proposed Scheme as a statutory consultee providing advice to local planning authorities on certain categories of applications for planning permission and listed building consent and is also a statutory consultee on all Nationally Significant Infrastructure Projects (NSIPs). It is the lead body for the heritage sector and is the Government's principal adviser on the historic environment.

- 1.3.3.
- 1.3.4. Section 3 summarises the topics of relevance to this SoCG and Section 4 then details whether matters are agreed, not agreed or under discussion between the Parties.
- 1.3.5. In respect of matters relevant to the Proposed Scheme but not referred to in this SoCG, Historic England has no comments to make.
- 1.3.6. The SoCG is a document which will evolve during the pre-application and examination stages, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.
- 1.3.7. This SoCG has been prepared in accordance with the DCLG Guidance.

2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

2.1. RECORD OF ENGAGEMENT

2.1.1. The tables below set out a summary of the key meetings and correspondence between the Parties in relation to the Proposed Scheme.

Table 2.1 – Schedule of Meetings and Correspondence during the Pre-application Stage

Date	Form of Contact and Attendees	Summary
16 March 2021	<u>Online meeting</u> Drax; Historic England; WSP ¹ Heritage and Environmental Impact Assessment (EIA).	Introduction to the Proposed Scheme Outline of programme for assessment Overview of proposed assessment strategy Review of key heritage constraints
30 March 2021	<u>Email</u> From WSP to Historic England (Inspector of Ancient Monuments, North East and Yorkshire).	Email from WSP confirming removal of jetty from scheme with updated scheme boundary to follow.
10 December 2021	<u>Letter</u> From Historic England (Team Leader, Development Advice, Regions North East and Yorkshire) to WSP.	Response to statutory consultation, including PEIR. Historic England welcomed acknowledgement that targeted site-based archaeological investigations may be required. Noted that a worse-case approach has been assumed in the interim. Would be happy to consult further and to help develop a programme of mitigation.
01 April 2022	<u>Email</u> Between WSP and Historic England (Inspector of Ancient	Email from WSP outlining adjustment to Order Limits which included an intake of trackway that passes through the Scheduled area of Drax Priory.

¹ WSP attending on behalf of the Applicant

	Monuments, North East and Yorkshire)	Historic England confirmed they were happy with the changes with the assumption that no works are to take place to upgrade or otherwise alter this track.
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Table 2.2 – Schedule of Meetings and Correspondence during the Pre-Examination and Examination Stages

Date	Form of Contact	Summary
18 October – 7 November 2022	<u>Emails</u> Between WSP and Historic England	Agreement of Revision 01 of the Statement of Common Ground.

3. SUMMARY OF TOPICS COVERED BY THIS STATEMENT OF COMMON GROUND AND RELEVANT DOCUMENTS

3.1. TOPICS COVERED IN THIS STATEMENT OF COMMON GROUND

3.1.1. The following topic discussed between the Parties is covered by this SoCG:

- Heritage.

3.1.2. In respect of matters relevant to the Proposed Scheme but not referred to in this SoCG, Historic England have no comments to make.

3.2. RELEVANT DOCUMENTS FOR THIS STATEMENT OF COMMON GROUND

3.2.1. Table 3.1 provides a list of documents of particular relevance to this SoCG. This list will be updated to keep a record of the most recent version of the relevant document.

Table 3.1 – List of Relevant Application Documents for this SOCG

Document Reference	Document Name
APP-013	3.1 Draft Development Consent Order
APP-046	6.1.10 Environmental Statement - Volume 1 - Chapter 10: Heritage
APP-179	6.5 Register of Environmental Actions and Commitments
APP-180	6.6 Outline Landscape and Biodiversity Strategy

4. CURRENT POSITION

4.1. HERITAGE

Table 4.1 – Heritage



Ref	Description of Matter	Applicant – Current Position	Historic England – Current Position	Position
4.1.1	ES Study Area and Methodology	The Applicant sets out a description of the Study Area and Methodology for assessment of heritage matters in Section 10.4 and 10.5 of the Heritage Chapter of the ES (PINS Reference APP-046). This takes into account Historic England’s comments at the meeting of 16 March 2021, its statutory consultation response and 1 April 2022 correspondence.	Historic England agree to the Study Area and Methodology.	Agreed
4.1.2	Predicted Impacts	The Applicant sets out the predicted impacts in section 10.8 of the Heritage Chapter of the ES (PINS Reference APP-046). Any form of landscaping, including the planting of trees and hedges for screening and ecological mitigation, has the potential to disturb buried archaeological remains. There is moderate	Historic England agree to the predicted impacts in section 10.8 of the Heritage Chapter of the ES (PINS Reference APP-046). Historic England agree that the proposed methodology for hedgerow enhancement set out in Outline Landscape and Biodiversity Strategy - Volume 2 - Figure 1: Landscape	Agreed

Ref	Description of Matter	Applicant – Current Position	Historic England – Current Position	Position
		<p>potential for palaeoenvironmental remains within the northern parts of the Proposed Scheme and within Carr Dike. All impacts would take place during the construction phase.</p> <p>The Applicant notes that adjustment to Order Limits which included an intake of trackway that passes through the Scheduled area of Drax Priory.</p>	<p>and Biodiversity Mitigation Plan (6.6.2.1, APP-181) will be minimally invasive and are in keeping with the pattern of historic land-use, as agreed in the meeting of 31 January 2022.</p> <p>Historic England confirmed they were happy with the changes to the Order Limits with the assumption that no works are to take place to upgrade or otherwise alter this track as agreed in email correspondence on 1 April 2022.</p>	
4.1.3	Design, Mitigation and Enhancement Measures	Mitigation measures are set out in section 10.10 of the Heritage Chapter of the ES (PINS Reference APP-046). Measures identified will be undertaken in accordance with the standards and guidance from Historic England (2016, 2017) and Chartered Institute for Archaeologists (2014) and are secured by Requirement 13 of the DCO and the Register of Environmental Actions.	Historic England agree with the mitigation approach.	Agreed

Ref	Description of Matter	Applicant – Current Position	Historic England – Current Position	Position
4.1.4	Approach to on-going public engagement on public engagement.	The Applicant sets out the approach to public engagement in Section 10.10 of the Heritage Chapter of the ES (PINS Reference APP-046) and in the Register of Environmental Actions and Commitments (PINS Reference APP-179).	Historic England agrees with the proposed approach for public engagement.	Agreed

5. SIGNATURES

Table 5.1 – Signatures

Ref	Historic England	Drax Power Ltd (the Applicant)
Signature		
Printed Name	Keith Emerick	Dr James Doyle
Title	Inspector of Ancient Monuments	Planning and Consents Manager
On behalf of	Historic England	Drax Power Ltd
Date	31 st October 2022	07 th November 2022