



Mallard Pass

Solar Farm

Mallard Pass Solar Farm

Draft Statement of Common Ground with Historic England

Deadline 2 - June 2023

EN010127

EN010127/APP/8.5

Glossary

The glossary used for the Statement of Common Ground can be found within the Chapter 0 Glossary of the Environment Statement [APP-030].

1.0 Introduction

Status of the Statement of Common Ground

1.1 This Statement of Common Ground ('SoCG') is being submitted to the Examining Authority as an agreed draft between both parties. It will be amended as the examination progresses in order to enable a final version to be submitted to the Examining Authority.

Purpose of this document

1.2 This Statement of Common Ground (hereafter referred to as the 'SoCG') has been prepared in relation to the Mallard Pass Solar Farm Development Consent Order (the Application). The SoCG is a 'live' document that has been prepared by Mallard Pass Solar Farm Limited and Historic England.

1.3 The SoCG has been prepared in accordance with the Guidance for examination of DCO applications which was published in 2015 by the Department for Communities and Local Government¹.

1.4 Paragraph 58 of the Department for Communities and Local Government (DCLG) Guidance comments that:

"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".

1.5 The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not yet made between Historic England and Mallard Pass Solar Farm Limited on matters relating to Mallard Pass Solar Farm.

1.6 The document will be updated as more information becomes available and as a result of ongoing discussions between Mallard Pass Solar Farm Limited and Historic England.

¹ Planning Act 2008: Guidance for the examination of applications for development consent (March 2015) paragraphs 58 – 65

1.7 It is intended that the SoCG will provide information for the examination process, facilitating a smooth and efficient examination and managing the amount of material that needs to be submitted.

Terminology

1.8 In the table in the Issues chapter of this SoCG:

“Agreed” indicates where the issue has been resolved.

“Not Agreed” indicates a position where both parties have reached a final position that a matter cannot be agreed between them.

“Under Discussion” indicates where points continue to be the subject of on-going discussions between parties.

2.0 Description of development

2.1 The Proposed Development comprises the construction, operation, maintenance, and decommissioning of a solar photovoltaic (PV) array electricity generating facility with a total capacity exceeding 50 megawatts (MW) and export connection to the National Grid.

2.2 The Mallard Pass DCO Project comprises those parts of the Mallard Pass Project which are to be consented to by a DCO, namely:

- The Solar PV Site - the area within the Order limits that is being proposed for PV Arrays, Solar Stations and the Onsite Substation.
- Onsite Substation - comprising electrical infrastructure such as the transformers, switchgear and metering equipment required to facilitate the export of electricity from the Proposed Development to the National Grid. The Onsite Substation will convert the electricity to 400kV for onward transmission to the Ryhall Substation via the Grid Connection Cables.
- Mitigation and Enhancement Areas - the area within the Order limits that is being proposed for mitigation and enhancement.
- Highway Works Site - the areas that are being proposed for improvement works to facilitate access to the Solar PV Site
- Grid Connection Corridor - the proposed corridor for the Grid Connection Cables between the Onsite Substation and the National Grid Ryhall Substation.

3.0 Current Position

Position of Mallard Pass Solar Farm Limited and Historic England

- 3.1 The following schedule addresses the position of Mallard Pass Solar Farm Limited and Historic England, following a series of meetings and discussions with respect to the key areas of the project.
- 3.2 As mentioned previously, this is a 'live' document and there are some aspects that are still under discussion between the parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and ultimately both parties agree on relevant points.

4.0 Record of Engagement

Summary of consultation and engagement

4.1 The parties have been engaged in consultation and engagement throughout the development of the Application. Table 1 shows a summary of the meetings and correspondence that has taken place between Mallard Pass Solar Farm Ltd (including consultants on its behalf) and Historic England in relation to the Application.

Table 1 – Record of Engagement

Date	Form of Correspondence	Key topics discussed and key outcomes
05/11/2021	Email from the Applicant	The Applicant introduces the Proposed Development and the start of the Stage One non-statutory consultation, providing links to consultation materials, details on how to provide feedback and an attached copy of the Stage One leaflet.
24/11/2021	Email from Historic England	Written response to Stage 1 consultation: general points raised with no specific issues.
07/03/2022	Email from Historic England	Written response on the EIA Scoping: general points raised welcoming the assessment approach taken to date and the design regarding 'setting issues'.
26/05/2022	Letter from the Applicant	The Applicant provided postal and electronic notifications of Stage Two Statutory Consultation, including a cover letter, copy of the Section 48 Notice and Site Location Plan.
28/07/2022	Email from Historic England	Written response to the PEIR: general comments regarding the scope of the assessment and potential mitigation

Date	Form of Correspondence	Key topics discussed and key outcomes
October, and November 2022	Email, video call and site visit	Email, video call and a site visit to discuss the scope of the assessment undertaken and to engage on the matter of the scope and quantum of the trial trenching. Historic England Science Advisor visited the site during trial trenching works in October 2022. Outcome: Reported within Appendix 8.6: Trial Trenching Report of the ES and the Supplementary Trial Trenching Report
2 March 2023	Letter from Historic England	Written relevant representation response on the DCO Application: Impact on heritage assets, Archaeological Surveys and written schemes of investigation (WSI).
4 April – 9 June 2023	Email Correspondence	Email correspondence between Applicant and Historic England to discuss draft SoCG and matters to discuss as mentioned relevant representation.

5.0 Current Position

5.1 The tables below provide a schedule that details the position on relevant matters on a topic-by-topic basis between Mallard Pass Solar Farm Limited and Historic England, including any matter where discussions are ongoing.

Table 2 – Archaeology and Cultural Heritage

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
HE02	Effects on designated heritage assets due to changes to their setting	Historic England considers that the Applicant's assessment of designated heritage assets and their setting appears proportionate and the potential effects appear appropriately mitigated.	<p>The potential effects on the cultural heritage resource during the construction, operation and decommissioning phases of the Proposed Development are assessed in section 8.4 of Chapter 8: Cultural Heritage of the ES [APP-038].</p> <p>No designated heritage assets comprising Listed Buildings, Conservation Areas, Scheduled Monuments or Registered Parks are located within the Order limits.</p>	Agreed

Table 2 – Historic England Relevant Representation

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
RR-01	Impact upon designated heritage assets	We note that despite its landscape scale, the scheme has it appears to address the setting of designated heritage assets through design (layout and deployment of green space).	The applicant has noted this comment.	Agreed
RR-02	Archaeological surveys	With regard to buried archaeological remains, it is important that the risk of avoidable/unmitigated damage to sensitive remains is well managed in proportion to their importance. This can be achieved through layout, deployment of green space and construction options for cabling and panel mounting etc. Archaeological risks can thus be well addressed, but only if there is a sound understanding of where	This is agreed. The Applicant is of the opinion that sufficient 'understanding of archaeological potential' to inform the decision has been achieved following the completion of the programme of trial trenching. A Written Scheme of Investigation (WSI) will be prepared for discussion with Historic England. The oCEMP [APP-207] provides for the detailed CEMP(s) to reflect archaeological mitigation required during construction works as set out in the forthcoming WSI.	Under Discussion

		<p>archaeological sensitivity and importance lie across the site.</p> <p>Historic England refers the Applicant to the expertise of the Local Authority, archaeological curators with regard to the sufficiency of pre-determination / post-determination archaeological surveys.</p>	<p>As directed by NPS EN-1 and EN-3, it is correct and appropriate to deal with these matters by suitably worded requirements in the DCO, as per the wording included in Requirement 10 in the Draft DCO [APP-017].</p>	
RR-03	Archaeological surveys	<p>Sufficiency of field evaluation is vital because some features (such as for instance early medieval burial grounds or Roman high-status buildings) would be both of high importance and high sensitivity to the insertion of panel mounting piles. In the context of sufficiency of evaluation work we refer you in the first instance to the expertise of local authority archaeological advisors.</p>	<p>No evidence of medieval burial grounds or high-status Roman buildings was discovered during the assessment work completed.</p>	Under Discussion

		Historic England refers the Applicant to the expertise of the Local Authority archaeological curators with regards to the sufficiency of pre-determination / post-determination archaeological surveys		
RR-04	The securing of an acceptability WSI	<p>Advise upon the acceptability of written schemes of investigation (WSI) and their accordance with a robust overall archaeological strategy secured through DCO submission.</p> <p>Historic England refers the Applicant to the expertise of the Local Authority archaeological curators with regards to the sufficiency of pre-determination / post-determination archaeological surveys.</p>	<p>The WSI is referenced in the oCEMP [APP-207], which provides for ongoing archaeological evaluation and assessment in advance of and during construction.</p> <p>The Applicant has included Historic England as a consultee to Requirement 10 in the Draft DCO [APP-017].</p>	Under Discussion

Signatures

6.1 This Statement of Common Ground is agreed upon:

On behalf of Historic England:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date: