



# Mallard Pass

Solar Farm

## Mallard Pass Solar Farm

### **Draft Statement of Common Ground with Historic England**

**Deadline 4 - July 2023**

EN010127

EN010127/APP/8.5.1

## **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 Government<sup>1</sup>.

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.

<sup>1</sup> 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
October, and November 2022	Email, video call and site visit	<p>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.</p> <p>Outcome: Reported within <b>Appendix 8.6: Trial Trenching Report</b> of the ES and the Supplementary Trial Trenching Report</p>
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).



<b>Date</b>	<b>Form of Correspondence</b>	<b>Key topics discussed and key outcomes</b>
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.
19 June 2023	Responses to ExQ1	Written responses to Q6.0.2 and Q6.0.3 refer to the responses of the relevant local authorities and their archaeological curators and notes that Local Government archaeological curators will be best placed in the first instance to deal with the archaeological matters raised by the Proposed Development.
19 June 2023 – 25 July 2023	Email Correspondence	Email correspondence between Applicant and Historic England to discuss draft SoCG and matters arising from the hearings.

## 5.0 Current Position

1.1 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. Historic England’s written responses to Q6.0.2 and Q6.0.3 refer to the responses of the relevant local authorities and their archaeological curators. Historic England set out its position that local government archaeological curators will be best placed to in the first instance deal with the archaeological matters raised by the Proposed Development.

**Table 2 – Archaeology and Cultural Heritage**

Ref.	Description of Matter	Stakeholder Comment	Applicant’s Response	Status
HE01	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.	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].  No designated heritage assets comprising Listed Buildings, Conservation Areas, Scheduled Monuments or Registered Parks are located within the Order limits.	Agreed

HE02	Impact upon designated heritage assets	We note that despite its landscape scale, the scheme has, it appears, addressed the setting of designated heritage assets through design (layout and deployment of green space).	The applicant has noted this comment.	Agreed
HE03	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 archaeological sensitivity and importance lie across the site.	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) is being prepared for discussion with the local authorities and Historic England but is in any event secured through a DCO Requirement. The oCEMP [REP3-011] provides for the detailed CEMP(s) to reflect archaeological mitigation required during construction works as set out in the forthcoming WSI.	Under Discussion
HE04	Archaeological surveys	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	No evidence of medieval burial grounds or high-status Roman buildings was discovered during the assessment work completed.	Under Discussion

		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.	The Applicant is of the opinion that sufficient archaeological investigation has been completed, and this will inform the final design of the Proposed Development.	
HE05	The securing of an acceptability Written Scheme of Investigation (WSI)	Advise upon the acceptability of written schemes of investigation (WSI) and their accordance with a robust overall archaeological strategy secured through DCO submission as being an appropriate approach to the securing of mitigation.	The WSI is referenced in the oCEMP [REP3-011], which provides for ongoing archaeological evaluation and assessment in advance of and during construction. Written Scheme of Investigation (WSI) is being prepared for discussion with the local authorities and Historic England but is in any event secured through DCO Requirement.	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:

