

West Burton Solar Project

Stow Park Cultural Heritage Position Statement

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Issue Sheet

**Report Prepared for: West Burton Solar Project Ltd.
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Stow Park Cultural Heritage Position Statement

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1 Introduction

1.1 Purpose of the Document

- 1.1.1 This Cultural Heritage Position Statement (CHPS) has been prepared as part of the proposed West Burton Solar Project Development Consent Order (the Application) made by West Burton Solar Project Ltd (the Applicant) to the Secretary of State for Energy Security & Net Zero (the Secretary of State) pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2 This CHPS does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate website.
- 1.1.3 This CHPS has been produced to provide collate and supplement information to support the proposed development of land within West Burton 3, which lies within the former Stow Park Deer Park (as shown on Figure 1), surviving elements of which form The medieval bishop's palace and deer park, Stow Park (NHLE 1019229) Scheduled Monument, and are located outside the Scheme Order Limits.

2 Statutory Obligation: Historic England Official List Entry

2.1.1 Regulation 3(3) of the Infrastructure Planning (Decisions) Regulations 2010 states that:

“When deciding an application for development consent which affects or is likely to affect a scheduled monument or its setting, the [Secretary of State] must have regard to the desirability of preserving the scheduled monument or its setting.”

2.1.2 The Medieval Bishop's Palace and Deer Park, Stow Park (NHLE 1019229) is a scheduled monument.

2.1.3 The following text detailing the designation of The medieval bishop's palace and deer park, Stow Park (1019229) is taken from the Historic England List Entry Online database¹.

“Reasons for Designation

Bishops' palaces were high status domestic residences providing luxury accommodation for the bishops and lodgings for their large retinues; although some were little more than country houses, others were the setting for great works of architecture and displays of decoration. Bishops' palaces were usually set within an enclosure, sometimes moated, containing a range of buildings, often of stone, including a hall or halls, chapels, lodgings and a gatehouse, often arranged around a courtyard or courtyards. The earliest recorded examples date to the seventh century. Many were occupied throughout the medieval period and some continued in use into the post- medieval period; a few remain occupied today. Only some 150 bishops' palaces have been identified and documentary sources confirm that they were widely dispersed throughout England. All positively identified examples are considered to be nationally important.

Deer parks were areas of land, usually enclosed, set aside and equipped for the management and hunting of deer and other animals. They were generally located in open countryside on marginal land or adjacent to a manor house, castle or palace. They varied in size between 3ha and 1600ha and usually comprised a combination of woodland and grassland which provided a mixture of cover and grazing for deer. Parks could contain a number of features, such as hunting lodges, park keeper's house, rabbit warrens, fishponds and enclosures for game, and were usually surrounded by a park pale, a massive fenced or hedged bank often with an internal ditch. Although a small number of parks may have been established in the Anglo-Saxon period, it was the Norman aristocracy's taste for hunting that led to the majority being constructed. The peak period for the laying-out of parks, between AD 1200 and 1350, coincided with a time of considerable prosperity amongst the nobility. From the 15th century onwards few parks were constructed, and by the end of the 17th century the deer park in its original form had largely disappeared. The original number of deer parks nationally is unknown but probably exceeded 3000. Many of these survive today, although often altered to a greater

¹ Historic England (2024) *The medieval bishop's palace and deer park, Stow Park* (Online, last accessed 28.03.2024) <https://historicengland.org.uk/listing/the-list/list-entry/1019229?section=official-list-entry>

or lesser degree. They were established in virtually every county in England, but are most numerous in the West Midlands and Home Counties. Deer parks were a long-lived and widespread monument type. Today they serve to illustrate an important aspect of the activities of medieval nobility and still exert a powerful influence on the pattern of the modern landscape. Where a deer park survives well and is well-documented or associated with other significant remains, its principal features are normally identified as nationally important.

The remains of the bishop's palace at Stow Park, together with those of its associated deer park and fishponds, survive well as a series of substantial earthworks. The palace is well documented and, as a result of detailed historical research and archaeological survey, its remains are quite well understood. Buried structural and artefactual remains will provide valuable information about the construction, layout and use of the palace buildings and about social and economic activity on the site. As a result of partial infilling of the moat, ditches and ponds, archaeological deposits relating to the construction and use of these features will also be preserved; in these areas, waterlogging will additionally preserve organic remains such as wood and leather, and environmental material such as seeds and pollen will preserve unique information about the nature of the landscape in which the palace was set. The old ground surface sealed beneath the banks forming the park pale will retain evidence for early land-use prior to the laying-out of the park, while the earthworks themselves will include buried evidence for structures which are no longer evident, such as a fence which may have surmounted the bank. The association of both the deer park and the fishponds with the palace site will give us an insight into the way in which these features of the medieval landscape interrelated as components of a high-status establishment.

Details

The monument includes the buried and earthwork remains of a medieval palace of the Bishops of Lincoln, together with associated water features and deer park, situated at Stow Park, 1.9km south west of Stow. The remains of the bishop's palace and deer park lie in three separate areas of protection. Although the palace is first referred to in documentary sources of the late 12th century, episcopal ownership of the manor is likely to date back to at least the previous century when the bishop founded the Church of St Mary at Stow. King John visited the manor in 1200, and in 1336 a royal licence was obtained to crenellate the dwelling house. During the 13th and 14th centuries it was one of the principal residences of the Bishops of Lincoln. In the mid-16th century, however, Bishop Holbeach transferred the manor into private hands. By the late 18th century the buildings were in ruins, and following the removal of building materials, a new farmhouse with outbuildings, called Moat Farm, was constructed on the site.

The moated site on which the palace stood, together with its fishponds and other water-control features, lies in a prominent position on gently sloping ground overlooking the Trent valley to the south and west. The moat is constructed on the south side of a west-flowing stream, to which it is connected by a linear channel running eastwards from its north eastern corner. Adjacent to the north is a series of broad depressions, partly

embanked, representing ponds constructed along the course of the stream. Although the easternmost pond has been partly infilled, and the dam retaining it lowered by modern ploughing, remains of the pond will survive as buried archaeological deposits. The central depression, immediately to the north of the moated site, is now partly occupied by a modern pond; the dam on its western side, which stands to a height of about 2m, carries a causeway which is believed to represent the principal medieval access to the palace. An area of raised ground adjacent to the western side of the causeway may indicate the position of a gatehouse. The dammed ponds may thus be seen to have formed an ornamental water feature, enhancing the main approach to the medieval palace, as well as being used for keeping fish; documentary sources suggest that they also served as a swannery.

Adjacent to the south east of these water features, and approximately 30m east of the moated site, is a group of much smaller ponds, linked to and aligned with the east-west channel which feeds into the moat. The largest of these ponds measures about 35m by 9m and is 0.5m in depth; a southerly extension at its eastern end, about 14m in length, may have originated as a separate pond. Adjacent to its western end is another pond about 10m square. This group of ponds is believed to represent a series of breeding tanks for raising fish, which would subsequently be transferred into the larger ponds.

The moated site, upon which the principal buildings of the palace were located, lies adjacent to the south of the main water features. The moated island, which is raised about 2m above the surrounding ground level, is subrectangular in plan, measuring about 75m by 85m. Although no standing remains of the medieval palace are now visible above ground, the buried remains of the domestic and service buildings of the palace will survive below it. The island is surrounded by a substantial moat, 3m in depth and now largely dry, which is crossed by the principal causeway on the north side, and by a narrower causeway near the northern end of the east side, which may be later in date. The moat is in turn surrounded by an outer bank; on the north side it separates the moat from the adjacent water features, and on the east it is visible as a substantial earthwork up to 20m wide. On the south side, and on the west where it extends northwards to serve as the westernmost dam among the adjacent water features, the bank has been reduced by modern ploughing and now survives as a low earthwork about 0.5m high.

The medieval deer park associated with the palace formerly occupied an area of about 275ha extending southwards from the moated site. The surviving remains of the park pale are protected in two areas, 1.5km and 1km to the south west and south east of the moated site respectively. The south western part of the park pale survives as a linear bank about 8m in width; along its eastern, inner, side is a broad linear ditch, now partly infilled, which is visible as a dry depression about 1.5m below the narrower inner counterscarp bank which runs in turn along its eastern side. The surviving earthworks thus extend for a length of about 770m, including the south western corner of the deer park. The south eastern part of the park pale also survives as a linear bank about 8m wide and 110m long, although the inner ditch has been replaced by a modern drain and is no longer evident. The earthworks protected in these two areas represent the only surviving parts of a formerly extensive landscape feature.

All fences, gates, and all standing buildings and modern surfaces at Moat Farm are excluded from the scheduling, although the ground beneath them is included."

- 2.1.4 The final paragraph of the 'Reasons for Designation' section provides specific information regarding the designation of the three surviving components of the Stow Park deer ark (see Appendix 1). While the scheduling covers the areas where earthworks associated with the deer park are extant, the reason for designation primarily focuses on the remains associated with the moated bishop's palace, which are "well documented and, as a result of detailed historical research and archaeological survey, [the palace's] remains are quite well understood". The designation states that the park pales also have an archaeological interest as "the old ground surface sealed beneath the banks forming the park pale will retain evidence for early land-use prior to the laying-out of the park...". The listing also states that "the association of both the deer park and the fishponds with the palace site will give us an insight into the way in which these features of the medieval landscape interrelated as components of a high-status establishment" This aligns with the conclusions made in **ES Appendix 13.5 Heritage Statement [APP-117 to APP-119]** (Paragraphs 3.2.49 to 3.2.59), that the significance of the Stow Park Scheduled Monuments is primarily derived from its historical and archaeological interest, which is best appreciated through desk-based research, particularly aerial imagery and historical documentation. It is the survival of the remaining vestiges of the deer ark that contribute to an understanding of its historical proportions. However, as these elements are isolated, have limited intervisibility, and in some areas their location is only postulated, they do not appear as obvious associated features within the landscape. Visually they are, therefore, read as separate entities and desk-based research is required to understand their historical association.
- 2.1.5 As evidenced in the 'Detail' section of the Historic England listing for the Scheduled Monument "the remains of the bishop's palace and deer park lie in three separate areas of protection".
- 2.1.6 While documentary evidence demonstrates the Moated site was one of the principal residences of the Bishops of Lincoln during the 13th and 14th Centuries, the manor was transferred into private hands during the 16th century. By the late 18th Century, the earlier medieval buildings are recorded as being in ruins and were, in turn, replaced by a new farmhouse and outbuildings named 'Moat Farm'. Moat Farm has, in more recent times, also fallen into ruin. The list entry clearly distinguishes between the remains of the ruined Moat Farm and any potential surviving remains of the Bishop's Palace: "all fences, gates, and all standing buildings and modern surfaces at Moat Farm are excluded from the scheduling, although the ground beneath them is included". This demonstrates that the emphasis of the listing is on the heritage values associated with the medieval phases of occupation of the site, buried evidence of which is potentially preserved under the later activity, and that subsequent post-medieval and modern activity is not considered to form part of the scheduling.

- 2.1.7 The list entry above also details the negative effects of post-medieval and modern agrarian activity on heritage or archaeological assets, stating that the easternmost pond to the north of the Moat—which is located outside the Scheme Order Limits—“has been partly infilled, and the dam retaining it lowered by modern ploughing”, such that the only remains of this pond would “survive as buried archaeological deposits”. Likewise, the southern and western outer banks of the bishop’s palace have “been reduced by modern ploughing and now survives as a low earthwork about 0.5m high”.
- 2.1.8 The scheduling also states that “the medieval deer park associated with the palace formerly occupied an area of about 275ha extending southwards from the moated site. The surviving remains of the park pale are protected in two areas, 1.5km and 1km to the south west and south east of the moated site respectively”, and that “The earthworks protected in these two areas represent the only surviving parts of a formerly extensive landscape feature”. This highlights that, while the deer park once occupied the area of land to the south of the moated Bishop’s Palace—and likely contained typical landscape features as depicted in the second paragraph of ‘Reasons for Designation’—the only surviving vestiges of the deer park are the south-eastern and south-western park pales. The scheduling does not include (and, as above in relation to Moat Farm, specifically excludes) any post-medieval or modern features within the scheduling information. There is also no suggestion that the subsequent post-medieval or modern activity contributes to the heritage values and therefore significance of the Scheduled Monument. Conversely, the list entry emphasises the adverse effect of later agrarian land uses as the south-western park pale is “now partly infilled, which is visible as a dry depression”, and the inner ditch of the south-eastern park pale “has been replaced by a modern drain and is no longer evident”.

3 Policy

3.1.1 The following policy tests are considered relevant to the DCO application and the proposed development within the former Stow Park deer park area. The only surviving earthworks of the medieval deer park are designated and form the three separate parts of a Scheduled Monument. All three parts of the Scheduled Monument are located outside of the Order Limits for the Scheme, and no direct harm (i.e. that would equate to substantial harm) will be caused to the Scheduled Monument (Table 3.1 of the **Statement of Common Ground with Historic England [EX5/WB8.3.3_A]**).

3.1.2 Each relevant test is set out below, followed by an explanation for where this test is applied within the Environmental Statement, and a summary of the conclusions identified.

[Paragraph 5.9.10 and 5.9.22 of NPS -EN1 \(November 2023\) and Paragraph 2.10.118 of NPS EN-3 \(November 2023\)](#)

3.1.3 Paragraph 5.9.10 of NPS -EN1 (Paragraph 200 of NPPF) states:

“As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development’s impact.”

3.1.4 Paragraph 5.9.22 of NPS -EN1 states:

“In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:

- *relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application*
- *any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales.*
- *historic landscape character records*
- *the relevant Historic Environment Record(s), and similar sources of information*
- *representations made by interested parties during the examination process*
- *expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it “*

3.1.5 Paragraph 2.10.118 of NPS -EN3 states:

“As the significance of a heritage asset derives not only from its physical presence but also from its setting, careful consideration should be given to the impact of large-scale solar farms which depending on their scale, design, and prominence, may cause substantial harm to the significance of the asset.”

- 3.1.6 Paragraphs 3.2.49 to 3.2.59 of ES Appendix 13.5 Heritage Statement [APP-117 to APP-119] assess the significance of the Scheduled Monument and detail the contribution made by its setting, namely the land which was formerly located within the deer park and is not scheduled. Table 5.1 of the **Statement of Common Ground (SOCG) with Historic England [EX5/WB8.3.4_A]** provides additional detail for how the Applicant’s conclusions in identifying how the significance of the monument have been derived, and the potential for harm caused by the Scheme to that significance.
- 3.1.7 The Scheme would not cause any direct physical harm to the significance of the Scheduled Monument as there is no proposed intervention to the fabric of any of the sections of the Scheduled Monument that would result in its permanent loss either wholly or in part. Any harm would be only that caused to the significance of the monument that is derived from its setting. This would occur through the placement of panels within land that was formerly occupied by the medieval deer park.
- 3.1.8 As detailed in Historic England Advice Note 12² pages 5, 15 and 16, a key element of a heritage assessment is to identify how the significance of a heritage asset is derived.
- “The context for any analysis of the significance of a heritage asset will be a thorough familiarity with the asset itself, developed through site visits, and appropriate inspection of the fabric, its features, materials and ornament, and also its setting if needed.”*
(Historic England Advice Note 12 page 5)
- 3.1.9 This is reiterated on Page 4 of Historic England Planning Note 3 (Second Edition):
- “Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated (see below Designed settings). Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.”*
- 3.1.10 As evidenced at ISH5 and in the **SoCG with Historic England [EX5/WB8.3.4_A]**, the Applicant understands the Scheduled Monument derives its significance from its historic interest as the sole surviving element of a former enclosed medieval space, which is largely understood through desk-based research, particularly aerial imagery and historical documentation. Section 2 of this CHPS confirms how this view has been formed, based on the Reasons for Designation set out in Official List Entry

² Historic England (2019) *Statements of Heritage Significance: Analysing Significance in Heritage Assets: Historic England Advice Note 12*. (Online, last accessed 27.03.2024) <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/>

for the Scheduled Monument. The agrarian landscape, the former MOD petroleum site and the railway, which bisects the Scheduled Monument, have a detrimental effect on the ability to appreciate any remaining elements of the former medieval landscape and are consequently considered to have a detrimental effect on the overall contribution made by setting to the significance of the Scheduled Monument.

[Paragraph 5.9.14 of NPS -EN1](#)

3.1.11 Paragraph 5.9.14 of NPS -EN1 (Paragraph 208 of NPPF) states:

“Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.”

3.1.12 The nature of the Scheme was considered by the Applicant as part of the assessment on Cultural Heritage that is provided in ES Chapter 13 Cultural Heritage [APP-051]. A key aspect of the Scheme is its reversible nature which means that landscape features, such as those that are associated with the former deer park, will not be impacted by the Scheme. As such any harm caused to the significance of the Scheduled Monument that is derived from its setting would be reversed following decommissioning of the Scheme.

[Paragraph 5.9.25 of NPS -EN1\(November 2023\)](#)

3.1.13 Paragraph 5.9.25 of NPS -EN1 (Paragraph 203 of NPPF) states:

“The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public’s enjoyment of these assets.”

3.1.14 Whilst there is currently no public access to the Scheduled Monument (i.e. public rights of way) providing an ability to experience the designated heritage asset or its understanding, this should not inhibit the provision to enhance the potential for communal benefit. How it will be experienced will vary over time and circumstance (as stated in Historic England’s GPA3 *The Setting of Heritage Assets*). As evidenced below in Paragraphs 4.1.1 to 4.1.2, the Applicant explored a range of different mitigation options that had the potential to enhance the public enjoyment of the asset (for example suggestion IV). Historic England believed the benefits from community engagement would not offset any harm, and so these options were not explored further or considered as part of the design of the Scheme.

[Paragraphs 5.9.27, 5.9.28, 5.9.30 and 5.9.31 of NPS -EN1 \(November 2023\)](#)

3.1.15 Paragraph 5.9.27 of NPS states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset’s conservation. The more important the asset, the greater the weight should be. This is

irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.”

3.1.16 Paragraph 5.9.28 of NPS states:

“The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.”

3.1.17 Paragraph 5.9.30 of NPS -EN1 (Paragraph 206 of NPPF) states:

“Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional.”*

3.1.18 Paragraph 5.9.31 of NPS -EN1 (Paragraph 207 of NPPF) states:

“Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation*
- *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible*
- *the harm or loss is outweighed by the benefit of bringing the site back into use ”*

3.1.19 It is acknowledged by the Applicant that substantial harm to or loss of significance of assets of the highest significance, which includes Scheduled Monuments such as The medieval bishop's palace and deer park, Stow Park (NHLE 1019229), should be wholly exceptional and consent should be refused for that element of the Scheme unless it can be demonstrated that the substantial harm to or loss of significance is necessary to achieve substantial public benefits.

3.1.20 Through thorough assessment, the Applicant does not consider that the Scheme would cause substantial harm to The medieval bishop's palace and deer park, Stow Park (NHLE 1019229). As detailed in Paragraph 3.1.1, (above) the Scheme would not cause any direct impact to the fabric of the Scheduled Monument, and there would be no adverse effects to its heritage values that would result in its permanent loss either wholly or in part and consequently the legibility of the deer park would be unaltered. Any effects resulting in a level of harm to the significance of the monument would be derived from changes to its setting through the placement of panels within land that was formerly occupied by the medieval deer park.

- 3.1.21 The Applicant believes, as evidenced by the Official List Entry for the Scheduled Monument (See Section 2 above, Paragraphs 2.1.3 to 2.1.7), that the significance of the Scheduled Monument is primarily derived from its historical and archaeological interest, vested in the Scheduled earthwork features and potential below ground remains, together with that appreciated through desk-based research, particularly aerial imagery and historical documentation. Setting contributes to the understanding of these heritage interests, albeit denuded by the current composition of the landscape in which the Scheduled Monument is located. The post-medieval and modern agrarian land uses does preclude the ability to experience or appreciate the former medieval landscape of the Scheduled Monument. Furthermore, this same post medieval and modern activity has resulted in an adverse effect on elements within its setting as evidenced in the list entry which deliberately excludes post-medieval and modern features and highlights the adverse direct impacts that agricultural activity has had on the Scheduled Monument (see Paragraph 2.1.7 above).
- 3.1.22 The reversible nature of the Scheme means that any harm to significance as a result of changes in the setting of the Scheduled Monument would be temporary and reversed entirely following decommissioning of the Scheme.
[Paragraph 5.9.32 of NPS -EN1\(November 2023\)](#)
- 3.1.23 Paragraph 5.9.32 of NPS -EN1 (Paragraph 208 of NPPF) states:
“Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.”
- 3.1.24 The Applicant’s assessment has found that the Scheme would cause less than substantial harm (at the upper end) to the Scheduled Monument. The introduction of solar panels would not cause direct physical harm to the three isolated elements of Scheduled Monument that form the surviving vestiges of the deer park. Any harm would therefore be solely to the significance the Scheduled Monument derives from its setting (i.e. would be indirect). The layout of the Scheme means that the legibility of the landscape would be unaltered. This is an important factor in the consideration of the temporary nature of the Scheme and any harm to the significance as a result of changes in the setting of the Scheduled Monument which would be reversed entirely following decommissioning of the Scheme.
- 3.1.25 As detailed in the **Statement of Common Ground [EX5/WB8.3.4_A]**, the Applicant notes that “Historic England considers that the impact of the Scheme on land within the former deer park as defined by The medieval bishop’s palace and *deer park, Stow Park* Scheduled Monument (NHLE 1019229) would cause substantial harm (in NPS/NPPF terms) / significant environmental impact (major harmful; in EIA terms) to the significance of the Monument through loss of its character as a bounded architectural space.” Consequently HE “object to installation of any part of the development within the former deer park (as defined by the lines of the scheduled

Park Pale and its former course).³ The Applicant respectfully disagrees that the Scheme represents a loss to the character of the bounded architectural space of the former deer park. The internal space of the Deer Park does not have any designation (i.e. form a Scheduled Monument, Registered Park and Garden, or Conservation Area). The Applicant believes that this is largely due to the absence of any landscape features that can be attributed or associated with the deer park and that would add to our understanding of how the it functioned. Additionally, the sense of a space imparked is not clearly appreciable with the current land use, as that both within and beyond the former boundaries being indistinguishable in its agricultural use. Consequently, the surviving vestiges of the deer park are not experienced collectively within the modern landscape, and it is difficult to reconstruct, understand and appreciate an imparked high status medieval space without the aid of aerial imagery or historical documentation. Instead, the experience is of an agrarian landscape, and the post enclosure field system is the dominant experience.

3.1.26 If the Secretary of State is minded to agree that the Scheme will cause less than substantial harm, the Applicant notes that the Secretary of State must give *“great weight to the asset’s conservation”* and *“considerable importance and weight to the desirability of preserving”* the asset with any harm or loss of significance require clear and convincing justification. Having applied the abovementioned weight, the policy tests confirm that where the public benefits of the Scheme can be demonstrated to outweigh harm to the significance (as a result of changes to the setting) of the three elements constituting the Scheduled Monument (NHLE 1019229), consent should be approved. Sections 4 and 5 below evidence the benefits of the proposed development, which are considered to outweigh any potential harm to the Scheduled Monument.

[Paragraph 5.9.36 of NPS -EN1\(November 2023\)](#)

3.1.27 Paragraph 5.9.36 of NPS -EN1 states:
“When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them 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 approval.”

3.1.28 As evidenced in Paragraphs 4.1.1 to 4.1.2 below, the Applicant explored a range of different mitigation options that had the potential to better reveal the significance of the Asset (for example suggestion III). Historic England believed the benefits from

³ Please see **Draft Statement of Common Ground with Historic England [EX5/WB8.3.4_A]** Table 5.1

community engagement would not offset any harm, and so these options weren't explored further or considered as part of the design of the Scheme.

4 Consideration of design and mitigation measures

- 4.1.1 As part of consultation during the design phases for the Scheme in 2022 and 2023, the Applicant explored several mitigation options with Historic England including:
- I. strengthening current field boundaries with new planting with the aim of better defining landscape features,
 - II. a Scheme design that retained the line of sight between the two sections of the Scheduled Monument that have current intervisibility (the Bishop's Palace and the eastern park pale),
 - III. community research project aimed at better understanding the Bishop's Palace and earlier settlements to the north (i.e. the deserted Medieval Village), which would be aimed at creating a better understanding of the Scheduled Monument and improve our understanding of its significance,
 - IV. provision of a 'heritage trail' or information boards that would enable public experience of a heritage site that currently has no public access.
- 4.1.2 During these discussions, Historic England did not agree that any of the suggested beneficial options would provide any mitigation that would reduce the level of harm caused by the Scheme from substantial harm. Likewise, with consideration to suggestions III or IV above (which have the potential to reveal the significance of the asset and subsequent dissemination of results thereby engaging paragraph 5.9.32 of NPS - EN1 or enhance public enjoyment of the asset activating Paragraph 5.9.25 of NPS -EN1), Historic England believed the benefits from community engagement would not offset any harm, and so these options were not explored further or considered as part of the design of the Scheme.
- 4.1.3 In addition, Historic England's view was that none of the following embedded mitigation options would reduce the level of harm from substantial harm. Embedded design options considered include:
- the type of panel used (i.e. fixed or tracker),
 - height of panels,
 - landscape screening,
 - set back or exclusion areas,
 - spacing of panels.
- 4.1.4 Similarly, the Applicant does not consider that any of the above mitigation measures would reduce the level of harm from less than substantial harm (upper end) and therefore the public benefits from maximising the renewable energy generation support the use of best available technologies where no additional harm or impacts would be caused.

5 Energy Generation Capacity

- 5.1.1 The Applicant has calculated that the removal of the solar panels within the Stow Park Deer Park, as recommended by HE, would result in the loss of approximately 104.145. MWp of installed capacity resulting in West Burton 3 capacity being reduced to 186.615 MWp, based upon the indicative layouts that the Environmental Statement was based upon. Whilst the Applicant acknowledges that this figure may change with future advances in technology, such advances are not anticipated to make a significant difference to the capacity values before detailed design and construction are completed.
- 5.1.2 The Scheme has been subject to a detailed and sensitive iterative design process, as set out in **6.2.5 Environmental Statement - Chapter 5 Alternatives and Design Evolution [APP-043]**. This has taken account of the context and features of the land within the Order Limits whilst balancing the need to maximise the energy generation capacity of the Scheme. This is set out in Section 6.4 of **WB7.5_B Planning Statement Revision B [REP4-048]**. **ES Chapter 5: Alternatives and Design Evolution [APP-043]** sets out the reasons each parcel of land was selected for the Scheme and, as the environmental impacts became known, the Scheme was reviewed to see whether the changes should be made.

6 Benefits








- 6.1.1 The benefits of the Scheme (to be taken into account when considering the policy test under paragraph 5.9.32 of NPS EN1 (November 2032) and when considering the overall planning balancing for the Scheme) are set out within **WB7.5_B Planning Statement Revision B [REP4-048]** in Section 7. It concludes with a consideration of the Planning Balance and justifies how the overwhelming national need, as demonstrated in the Statement of Need **[APP-320]**, outweighs any potential significant adverse impacts which, as the Environmental Statement **[APP-039 to APP-061]** sets out, are limited, and will be considered by the Secretary of State in making a decision on the application.
- 6.1.2 The **Statement of Need [APP-320]** details the benefits that consenting the DCO application would provide:
- “In summary: the meaningful and timely contributions offered by the Scheme to UK decarbonisation and security of supply, while helping lower bills for consumers throughout its operational life, will be critical on the path to Net Zero. Without the Scheme, a significant and vital opportunity to develop a large-scale low-carbon generation scheme will have been passed over, increasing materially the risk that future Carbon Budgets and Net Zero 2050 will not be achieved.”⁴*
- 6.1.3 As detailed in Section 4 above the removal of panels within the deer park in the east of West Burton 3 would result in a substantial loss of energy generation for the Scheme (44% loss of solar generation within West Burton 3), and as a consequence this would significantly undermine the benefits detailed in the **Statement of Need [APP-320]**.
- 6.1.4 As set out in Section 4 above, it is also an agreed point between the Applicant and Historic England that it is not possible to address Historic England’s concern with a specific height of panel, or by removing panels from particular areas within the deer park. Opportunities for mitigation are limited because Historic England’s position is all or nothing. Therefore, the Applicant has sought to maximise the energy generation whilst balancing the identified constraints as referenced in Section 5 of this document and in accordance with paragraph 5.9.32 of Overarching National Policy Statement for Energy (EN-1), November 2023.

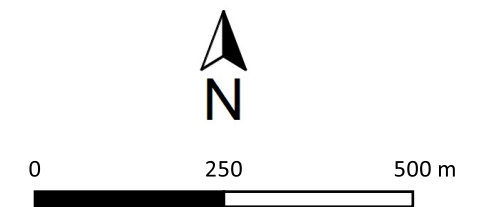
⁴ Statement of Need [APP-320] Section 12, Paragraph 12.1.6.

7 Conclusion

- 7.1.1 The Applicant believes that Scheme would cause less than substantial harm (at the upper end) to the significance of The medieval bishop's palace and deer park, Stow Park Scheduled Monument (NHLE 1019229), which is derived from changes to its setting through the introduction of solar panels.
- 7.1.2 The Scheme would not cause direct harm to the fabric of the three separate elements that constitute the Scheduled Monument and that form the only surviving vestiges of the deer park. The significance of the Scheduled Monument is derived from its historical and archaeological interest, as attested in the list entry, vested in the below ground remains and the understanding of how it functioned which is appreciated through aerial imagery and documentary sources. There would be no adverse effect on these heritage values resulting from the Scheme that would cause permanent loss, either wholly or in part, to its significance.
- 7.1.3 Any harm to the significance would be through the placement of panels within the area of the former deer park and, thus, the setting of the Scheduled Monument. As a result of post-medieval and modern agricultural activity and the introduction of the railway and former MOD storage facility, there are no defining deer park features remaining which has denuded the contribution that setting provides to the significance of the Scheduled Monument. The introduction of panels within the former deer park would not alter the legibility of the landscape and the reversible nature of the Scheme means that any harm to the setting of the Scheduled Monument would be removed following decommissioning of the Scheme. Weighed in the balance of the policy tests, the benefits of the Scheme are considered to outweigh any harm to the significance of the Scheduled Monument brought about by changes to its setting.

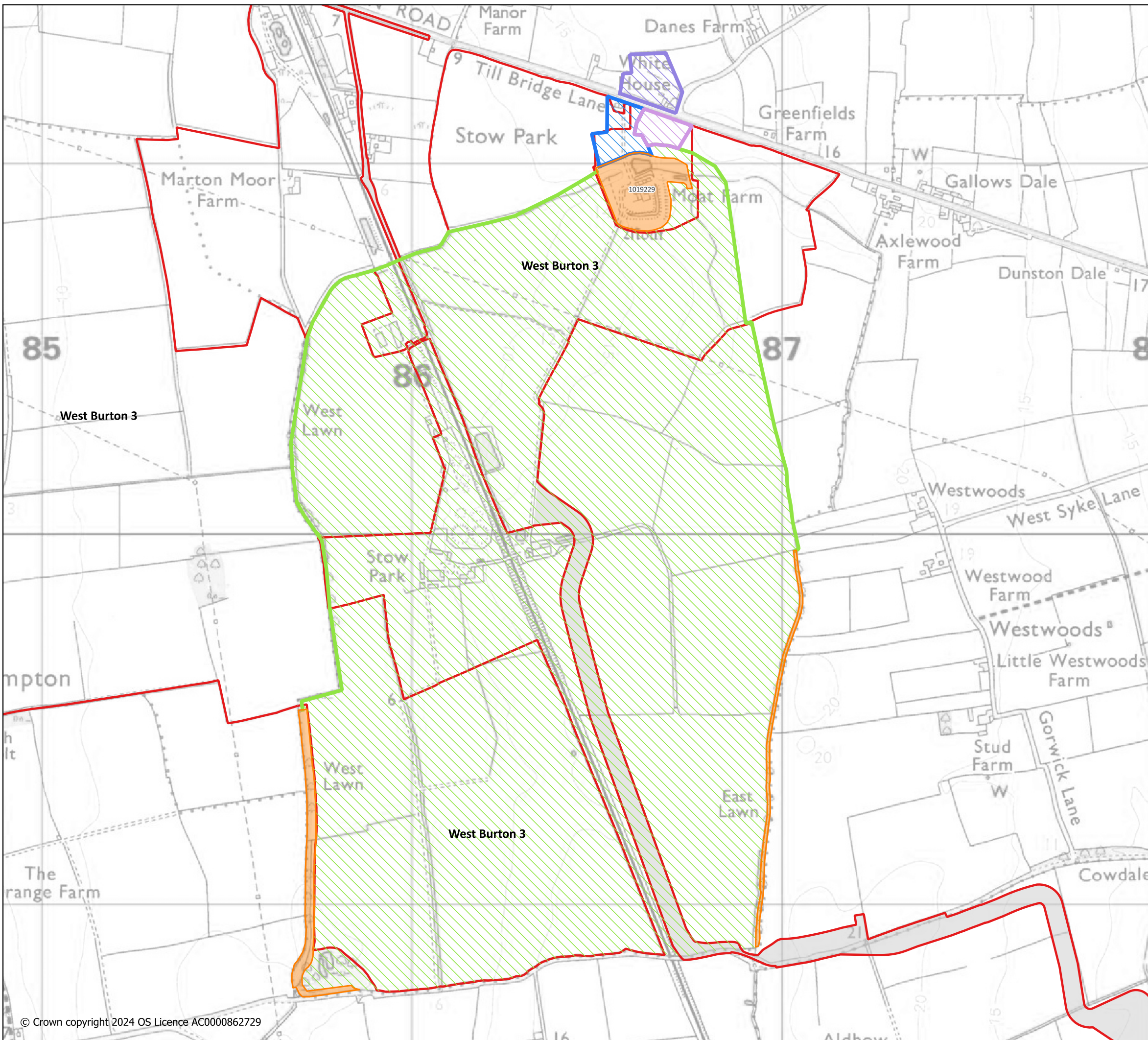
Figure 1

-  West Burton 3 Order Limits
-  Cable Route Corridor and Access Routes
-  Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229)
-  Stow Park Deer Park
-  Area of Medieval / Post Medieval Cropmarks
-  Stow Deserted Medieval Village
-  Possible Early Medieval Settlement



Date: 10/04/2024 Version: 1.1 Ref: 2893/HE-SOCG/1

Figure 1. Location of heritage assets associated with Stow Park Deer Park, Stow Deserted Medieval Village and a possible early medieval settlement in the west of West Burton 3.



Appendix 1 - The medieval bishop's palace and deer park, Stow Park Historic England List Entry

The medieval bishop's palace and deer park, Stow Park

Official list entry

Heritage Category: **Scheduled Monument**

List Entry Number: **1019229**

Date first listed: **12-Jun-1973**

Date of most recent amendment: **24-Jan-2001**

Location

The building or site itself may lie within the boundary of more than one authority.

County: **Lincolnshire**

District: **West Lindsey (District Authority)**

Parish: **Brampton**

County: **Lincolnshire**

District: **West Lindsey (District Authority)**

Parish: **Stow**

County: **Lincolnshire**

District: **West Lindsey (District Authority)**

Parish: **Torksey**

National Grid Reference: **SK 85767 78765, SK 86627 80926, SK 86992 79603**

Reasons for Designation

Bishops' palaces were high status domestic residences providing luxury accommodation for the bishops and lodgings for their large retinues; although some were little more than country houses, others were the setting for great works of architecture and displays of decoration. Bishops' palaces were usually set within an enclosure, sometimes moated, containing a range of buildings, often of stone, including a hall or halls, chapels, lodgings and a gatehouse, often arranged around a courtyard or courtyards. The earliest recorded examples date to the seventh century. Many were occupied throughout the medieval period and some continued in use into the post-medieval period; a few remain occupied today. Only some 150 bishops' palaces have been identified and documentary sources confirm that they were widely dispersed throughout England. All positively identified examples are considered to be nationally important.

Deer parks were areas of land, usually enclosed, set aside and equipped for the management and hunting of deer and other animals. They were generally located in open countryside on marginal land or adjacent to a manor house, castle or palace. They varied in size between 3ha and 1600ha and usually comprised a combination of woodland and grassland which provided a mixture of cover and grazing for deer. Parks could contain a number of features, such as hunting lodges, park keeper's house, rabbit warrens, fishponds and enclosures for game, and were usually surrounded by a park pale, a massive fenced or hedged bank often with an internal ditch. Although a small number of parks may have been established in the Anglo-Saxon period, it was the Norman aristocracy's taste for hunting that led to the majority being constructed. The peak period for the laying-out of parks, between AD 1200 and 1350, coincided with a time of considerable prosperity amongst the nobility. From the 15th century onwards few parks were constructed, and by the end of the 17th century the deer park in its original form had largely disappeared. The original number of deer parks nationally is unknown but probably exceeded 3000. Many of these survive today, although often altered to a greater or lesser degree. They were established in virtually every county in England, but are most numerous in the West Midlands and Home Counties. Deer parks were a long-lived and widespread monument type. Today they serve to illustrate an important aspect of the activities of medieval nobility and still exert a powerful influence on the pattern of the modern landscape. Where a deer park survives well and is well-documented or associated with other significant remains, its principal features are normally identified as nationally important.

The remains of the bishop's palace at Stow Park, together with those of its associated deer park and fishponds, survive well as a series of substantial earthworks. The palace is well documented and, as a result of detailed historical research and archaeological survey, its remains are quite well understood. Buried structural and

artefactual remains will provide valuable information about the construction, layout and use of the palace buildings and about social and economic activity on the site. As a result of partial infilling of the moat, ditches and ponds, archaeological deposits relating to the construction and use of these features will also be preserved; in these areas, waterlogging will additionally preserve organic remains such as wood and leather, and environmental material such as seeds and pollen will preserve unique information about the nature of the landscape in which the palace was set. The old ground surface sealed beneath the banks forming the park pale will retain evidence for early land-use prior to the laying-out of the park, while the earthworks themselves will include buried evidence for structures which are no longer evident, such as a fence which may have surmounted the bank. The association of both the deer park and the fishponds with the palace site will give us an insight into the way in which these features of the medieval landscape interrelated as components of a high-status establishment.

Details

The monument includes the buried and earthwork remains of a medieval palace of the Bishops of Lincoln, together with associated water features and deer park, situated at Stow Park, 1.9km south west of Stow. The remains of the bishop's palace and deer park lie in three separate areas of protection. Although the palace is first referred to in documentary sources of the late 12th century, episcopal ownership of the manor is likely to date back to at least the previous century when the bishop founded the Church of St Mary at Stow. King John visited the manor in 1200, and in 1336 a royal licence was obtained to crenellate the dwelling house. During the 13th and 14th centuries it was one of the principal residences of the Bishops of Lincoln. In the mid-16th century, however, Bishop Holbeach transferred the manor into private hands. By the late 18th century the buildings were in ruins, and following the removal of building materials, a new farmhouse with outbuildings, called Moat Farm, was constructed on the site.

The moated site on which the palace stood, together with its fishponds and other water-control features, lies in a prominent position on gently sloping ground overlooking the Trent valley to the south and west. The moat is constructed on the south side of a west-flowing stream, to which it is connected by a linear channel running eastwards from its north eastern corner. Adjacent to the north is a series of broad depressions, partly embanked, representing ponds constructed along the course of the stream. Although the easternmost pond has been partly infilled, and the dam retaining it lowered by modern ploughing, remains of the pond will survive as buried archaeological deposits. The central depression, immediately to the north of the moated site, is now partly occupied by a modern pond; the dam on its western side, which stands to a height of about 2m, carries a causeway which is believed to represent the principal medieval access to the palace. An area of raised ground adjacent to the western side of the causeway may indicate the position of a gatehouse. The dammed ponds may thus be seen to have formed an ornamental water feature, enhancing the main approach to the medieval palace,

as well as being used for keeping fish; documentary sources suggest that they also served as a swannery.

Adjacent to the south east of these water features, and approximately 30m east of the moated site, is a group of much smaller ponds, linked to and aligned with the east-west channel which feeds into the moat. The largest of these ponds measures about 35m by 9m and is 0.5m in depth; a southerly extension at its eastern end, about 14m in length, may have originated as a separate pond. Adjacent to its western end is another pond about 10m square. This group of ponds is believed to represent a series of breeding tanks for raising fish, which would subsequently be transferred into the larger ponds.

The moated site, upon which the principal buildings of the palace were located, lies adjacent to the south of the main water features. The moated island, which is raised about 2m above the surrounding ground level, is subrectangular in plan, measuring about 75m by 85m. Although no standing remains of the medieval palace are now visible above ground, the buried remains of the domestic and service buildings of the palace will survive below it. The island is surrounded by a substantial moat, 3m in depth and now largely dry, which is crossed by the principal causeway on the north side, and by a narrower causeway near the northern end of the east side, which may be later in date. The moat is in turn surrounded by an outer bank; on the north side it separates the moat from the adjacent water features, and on the east it is visible as a substantial earthwork up to 20m wide. On the south side, and on the west where it extends northwards to serve as the westernmost dam among the adjacent water features, the bank has been reduced by modern ploughing and now survives as a low earthwork about 0.5m high.

The medieval deer park associated with the palace formerly occupied an area of about 275ha extending southwards from the moated site. The surviving remains of the park pale are protected in two areas, 1.5km and 1km to the south west and south east of the moated site respectively. The south western part of the park pale survives as a linear bank about 8m in width; along its eastern, inner, side is a broad linear ditch, now partly infilled, which is visible as a dry depression about 1.5m below the narrower inner counterscarp bank which runs in turn along its eastern side. The surviving earthworks thus extend for a length of about 770m, including the south western corner of the deer park. The south eastern part of the park pale also survives as a linear bank about 8m wide and 110m long, although the inner ditch has been replaced by a modern drain and is no longer evident. The earthworks protected in these two areas represent the only surviving parts of a formerly extensive landscape feature.

All fences, gates, and all standing buildings and modern surfaces at Moat Farm are excluded from the scheduling, although the ground beneath them is included.

MAP EXTRACT The site of the monument is shown on the attached map extract.

Legacy

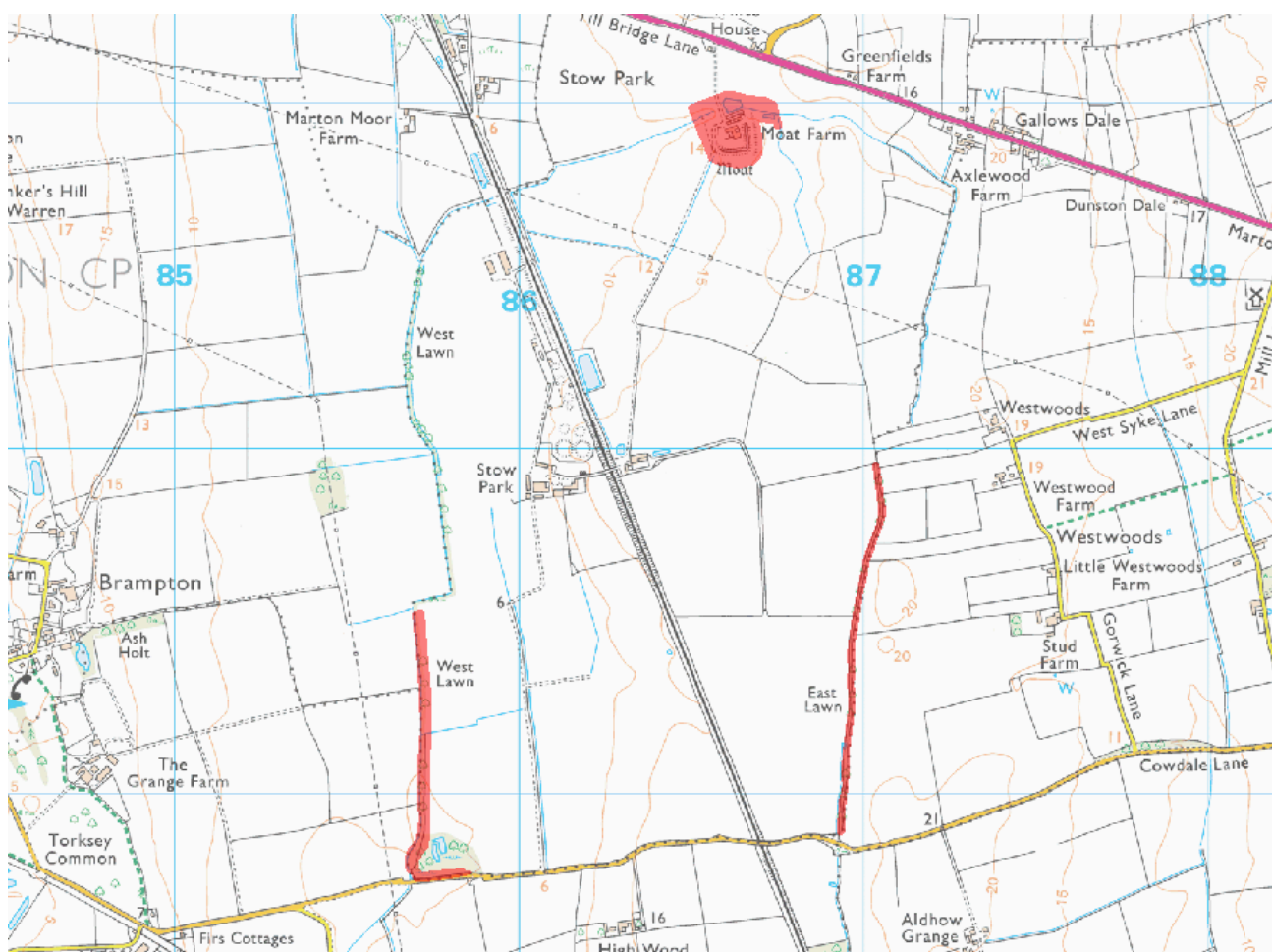
The contents of this record have been generated from a legacy data system.

Legacy System number: **22768**

Legacy System: **RSM**

Legal

This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979 as amended as it appears to the Secretary of State to be of national importance. This entry is a copy, the original is held by the Department for Culture, Media and Sport.



Map

This map is for quick reference purposes only and may not be to scale.
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End of official list entry



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