

West Burton Solar Project

~~Draft~~ Statement of Common Ground with Historic England Revision A (Tracked)

Prepared by: Lanpro Services

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Contents

1	INTRODUCTION	3
1.1	PURPOSE OF THE DOCUMENT	3
1.2	PARTIES TO THIS STATEMENT OF COMMON GROUND	3
1.3	TERMINOLOGY	3
2	RECORD OF ENGAGEMENT	4
2.1	SUMMARY OF CONSULTATION	4
3	MATTERS AGREED	10
3.1	MATTERS AGREED	10
4	MATTERS UNDER DISCUSSION	11
4.1	MATTERS UNDER DISCUSSION	11
5	MATTERS NOT AGREED	16
6	SIGNATORIES	17
1	INTRODUCTION	3
1.1	PURPOSE OF THE DOCUMENT	3
1.2	PARTIES TO THIS STATEMENT OF COMMON GROUND	3
1.3	TERMINOLOGY	3
2	RECORD OF ENGAGEMENT	4
2.1	SUMMARY OF CONSULTATION	4
3	MATTERS AGREED	10
3.1	MATTERS AGREED	10
4	MATTERS UNDER DISCUSSION	11
5	MATTERS NOT AGREED	12
5.1	MATTERS NOT AGREED: APPROACH TO SAFEGUARDING MEDIEVAL BISHOP'S PALACE AND DEER PARK, STOW PARK SCHEDULED MONUMENT (NHLE 1019229)	12
	FIGURE 1	3122
6	SIGNATORIES	3324

Issue Sheet

Report Prepared for: West Burton Solar Project Ltd.
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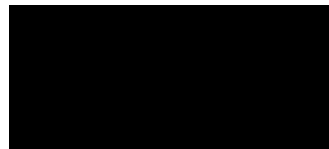
Statement of Common Ground Historic England Revision A

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1 Introduction

1.1 Purpose of the Document

- 1.1.1 This Statement of Common Ground (SoCG) 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 SoCG 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 SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, and where agreement has not yet been reached. SoCGs are an established means in the DCO consenting process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) West Burton Solar Project Ltd. as the Applicant and (2) Historic England (HE).
- 1.2.2 Collectively, West Burton Solar Project Ltd and HE are referred to as ‘the parties’.

1.3 Terminology

- 1.3.1 In the tables in **Sections 3 - 5** of this SoCG:
- “Agreed” indicates where the issue has been resolved.
 - “Not Agreed” indicates a final position, and
 - “Under discussion” indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.

2 Record of Engagement

2.1 Summary of Consultation

2.1.1 The parties have been engaged in consultation since November 2021. A summary of the meetings and correspondence that has taken place between West Burton Solar Project and HE in relation to the Application is detailed in **6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]**, outlined in **Table 2.1**.

Table 2.1: Record of Engagement

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
29.11.2021	Online meeting with Historic England (HE) and the Applicant.	Initiation meeting to brief Historic England on the scope of the Scheme, assessment approach and potential archaeological survey, evaluation and mitigation strategies. Historic England highlighted need to avoid impacts to designated heritage assets.
25.02.2022	Historic England (HE) Scoping Opinion	No issues raised with the iterative approach proposed to assess the archaeological potential of land within the Scheme. HE looked forward to continued discussion regarding the setting effects on heritage assets and direct impacts on archaeological remains. <i>HE "Welcomed the early inclusion of a palette of mounting techniques to allow for the avoidance of some physical impacts upon buried remains."</i> HE noted that the Scheme involved significant cable infrastructure. HE stated <i>"the significance / character / importance of assets on these cable routes will need to be well understood from an early stage such that route options can effectively be weighed and risks managed."</i> HE noted that the Scheme should look to find opportunities to reduce harm. Appropriate timeframes should be given to field evaluation, and any areas of

		<p>heightened risk (i.e. burials, wet deposits and former water courses) should be given early attention.</p> <p>The following designated heritage sites and their setting were highlighted as being of particular interest:</p> <ul style="list-style-type: none"> • Broxholme medieval settlement and cultivation remains (1016797) • Deserted village of North Ingleby (1003570) • The medieval bishop's palace and deer park, Stow Park (1019229)
13.05.2022	Site Visit with Historic England (HE) and the Applicant	<p>Site visit to West Burton 1, 2 and 3 to initially assess the Stow Park, Ingleby, Broxholme Scheduled Monuments.</p> <p>HE confirmed that they would have no objection to the generality of proposals within West Burton 1 and 2. HE appreciated that design proposals were sympathetic to the setting of Ingleby DMV through the removal of panels in fields adjacent to the Scheduled Monument.</p> <p>In relation to West Burton 3, HE stated that it was minded to object to any development within the historical area of Stow Park, which it considered had potential to change the setting of 'The medieval bishop's palace and deer parkDeer Park' (1019229)'. </p>
25.05.2022	Online meeting with Historic England's Science Advisor and the Applicant	<p>No objections were raised to the proposed methodology for evaluation works.</p> <p>Historic England's Science Advisor was happy with the baseline information that was being collated and being used to inform the location of evaluation trial trenches. They were pleased that palaeoarchaeology was being considered for the Scheme.</p> <p>HE advised that archaeological works should be considered as part of other ground investigations i.e. archaeological monitoring of boreholes.</p>

27.07.2022	Section 42 Consultation	<p>HE noted <i>“the necessity of geophysical survey and targeted trial trenching to inform a proportionate approach to the significance of below ground heritage assets and their individual sensitivity and importance”</i>. HE referred the Applicant to the Lincolnshire Historic Places Team (LHPT) to agree the scope of works.</p> <p>HE stated that the landscape adjacent to the Trent is considered to contain a complex archaeological landscape. HE recommended that combined cable route option be explored that combines the Cottam, Gate Burton and West Burton Schemes.</p> <p>HE welcomed <i>“a dynamic approach to setting assessment which is not overly constrained fixed radii”</i> and highlighted the designated sites identified during in the scoping opinion (25.02.2022).</p> <p>With reference to the site visit with the Applicant on 13.05.2022, HE stated <i>“With regard to impacts upon those specific assets Historic England would have no objection to the proposals within West Burton 1 and 2 and noted that the design proposals at West Burton 2 had taken into account the setting of the Ingleby Scheduled Monument, by removing areas adjacent to the Scheduled Monument from any proposed development. On the basis of the indicative layout plans for panels with the pale of Stow Park we are as noted in the PEIR minded to object to installation of any part of the development within the former deer parkDeer Park (as defined by the lines of the scheduled Park Pale and its former course). Our concerns are focussed upon setting impacts upon the significance of the medieval bishop's palace and deer parkDeer Park SM 1019229 and we consider that the proposed sections of solar array sited within the medieval deer parkDeer Park at Stow would constitute substantial harm to the significance of the scheduled monument. That part of the Scheme within the historic extent of Stow Park should we suggest be deleted prior to submission as it presents avoidable and unjustified harm to the significance of a nationally important designated heritage asset.”</i></p>

07.06.2023	Historic England (HE) West Burton Relevant Representations (Ref EN010133)	<p>HE stated that they are minded to oppose the grant of the DCO for the West Burton scheme on the basis of avoidable harm to the significance of Medieval bishop's palace and deer parkDeer Park, Stow Park Scheduled Monument (NHLE 1019229). HE stated the <i>"impact of the proposed installation within the former deer parkDeer Park represents substantial harm (in NPS/SPPF terms) to the significance of the monument through loss of its character as a bounded architectural space. This represents a significant environmental impact (major harmful) in EIA terms."</i></p> <p>HE stated <i>"the Medieval Bishop's Palace site and deer parkDeer Park is set on the Roman road from Lincoln to Doncaster a key line of communication between the Episcopal sees of Lincoln and York. Deer parksParks and palace / lodges offered a place for retreat, rest and entertainment of social and political peers, clients and Royal guests and were hence key spaces for the performance of the elite status of Bishops in the medieval landscape. The deer parkDeer Park is an architectural space, a place cut out from the overlapping and complex the medieval landscape, a place where rights were monopolised - in this instance the Bishop. At the heart of the significance of a medieval deer parkDeer Park is not just the functional containment and protection of deer and other resources but also their articulation as a space apart – a space imparked. This central aspect of significance would be profoundly compromised by the loss both of its rural character through the installation of panels and by it being subsumed into a new landscape of solar generation. The railway and associate ex MOD petroleum storage facility represented significant change to the former deer parkDeer Park by bisecting the site, but they have not fundamentally compromised the ability to experience the park as a space defined in the landscape. As one walks from the moated site at the north to the raised ground occupied by the farm buildings at the south of the park and then crosses the railway past the fuel depot to the farmstead and the south western part of the park one can still gain a sense of this as a bounded space."</i></p>
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		<p>As previously identified during a site visit on the 13.05.2023, HE <i>“would have no objection to the proposals within West Burton 1 and 2 and noted that the design proposals at West Burton 2 had taken into account the setting of the Ingleby Scheduled Monument, by removing areas adjacent to the Scheduled Monument from any proposed development.”</i></p> <p>In regard to buried archaeological remains HE commented that <i>“it is important that 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.”</i></p> <p>HE stated that <i>“archaeological risks can thus be well addressed, but only if there is a sound understanding of where archaeological sensitivity and importance lies across the site”</i>. HE believes a sufficient field evaluation is vital as some features considered to be of a high importance (i.e. early medieval burial ground or high-status Roman buildings), will have a high sensitivity to the insertion panel mounting piles.</p> <p>HE acknowledges <i>“discussion is continuing as regards the extent of archaeological evaluation and deployment of intrusive and non-intrusive techniques, the reliance upon / complimentary nature of such techniques, and the timing there-of; all in the context of concerns around the management of archaeological and project risk.”</i></p> <p>HE defers the Applicant to local authority archaeological advisors (LHPT) to agree a sufficient level of evaluation work, written schemes of investigation and an overall archaeological strategy secured through DCO submission.</p> <p>HE welcomes a combined cable connection corridor with other local Solar NSIPs, as this has the potential to minimise cumulative impacts in archaeologically sensitive areas.</p>
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17.08.2023	Phone call / Email exchange between Historic England (HE) and the Applicant.	<p>Conversation to ascertain the contents that would be itemised in the Statement of Common Ground.</p> <p>HE confirmed that they will not comment on the scope or adequacy of the assessment in the ES Chapter as part of the SoCG.</p> <p>Historic England and the Applicant identified that there was one item currently under discussion: Medieval bishop's palace and deer parkDeer Park, Stow Park Scheduled Monument (NHLE 1019229).</p> <p>HE stated that any matters relating to evaluation trial trenching should be discussed with the County Archaeologists.</p>
29.08.2023	Email from Historic England (HE) to the Applicant.	Comments received from HE on the first draft of the Statement of Common Ground. HE provided revised statement for Topic HE-02 in Table 4.1
30/01/2024	Online meeting with Historic England (HE) and the Applicant.	Positions of HE and the Applicant remain unchanged.
03/04/2024	Online meeting with Historic England (HE) and the Applicant.	Meeting to discuss Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229) and agree the location of the Deer Park.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) West Burton Solar Project Ltd. and (2) Historic England in relation to the issues addressed in this SoCG.

3 Matters Agreed

Tables 3.1 below detail by topic the matters agreed with Historic England (HE).

3.1 Matters Agreed

Table 3.1

Main Topic	Sub-topic	Details of Matters Agreed
HE-01 Approach to safeguarding designated heritage assets	Assessment and mitigation of designated heritage assets	<p>The assessment of designated heritage assets within the Heritage Statement (6.3.13.5 Environmental Statement - Appendix 13.5 Heritage Statement [APP-117 to APP-119]), which was used to inform 6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051] is considered proportionate.</p> <p>Setting issues are considered appropriately mitigated for all designated heritage assets, excluding the Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229) – see matters under discussion not agreed (Table 3-25.1).</p>
HE-02 Approach to safeguarding designated heritage assets	Location of Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229)	In line with meeting on 3rd April 2024, both parties agree that Figure 1 shows the location of the three parts of the Scheduled Monument, the most likely boundary of Stow Park Deer Park with consideration to currently available information. Figure 1 also shows crops marks interpreted as having a potential medieval / post medieval origin, the possible early medieval settlement as identified during the evaluation for the Scheme and Stow deserted medieval village.

4 Matters Under Discussion

4.1.1 ~~Tables 4.1 below detail by topic the~~ [There are no](#) matters “under discussion” with Historic England ~~(HE)~~.

4.15 ~~Matters Under Discussion~~ **Not Agreed**

Table 4.1

One topic is not agreed with Historic England:

- Approach to safeguarding Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229)

Table 5.1 below details both Historic England (HE) and the Applicant's position regarding the proposed development within the form Stow Park Deer Park, surviving elements of which form Medieval Bishop's Palace and Deer Park, Stow Park (NHLE 1019229) Scheduled Monument, and are located outside of the Scheme Order Limits.

5.1 **Matters Not Agreed: Approach to safeguarding Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229)**

Table 5.1

Item	Applicant Position	Historic England Position
<p>Main Topic Level of harm</p>	<p>Sub-topicThe Applicant believes that Scheme would cause less than substantial harm (at the upper end) to the significance of 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.</p> <p>The introduction of solar panels would not cause direct harm to the fabric of the three isolated elements that constitute the Scheduled Monument and that form the only surviving vestiges of the Deer Park. Due to the</p>	<p>Details of Matters Under DiscussionHE considers that the impact of the Scheme on land within the former Deer Park as defined by 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 Scheduled Monument through loss of its character as a bounded architectural space. Consequently HE "object to installation of any part of the development</p>

	<p><u>distances between these elements of Scheduled Monument and the lack of coherent sightlines, the legibility of the landscape would be unaltered 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.</u></p>	<p><u><i>within the former Deer Park (as defined by the lines of the scheduled Park Pale and its former course)."</i></u> <u>For extent of the Deer Park see the appended agreed map.</u></p>
<p><u>Composition</u></p>	<p><u>The Medieval bishop's palace and Deer Park, Stow Park Scheduled Monument (1019229) is composed of three physically separate elements. These are the site of a moated Bishop's Palace, the west section of park pale and the east section of park pale.</u></p> <p><u>The internal section 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 are associated with the Deer Park and that would add to our understanding of how the Deer Park functioned. The Applicant believes that while it is possible to postulate from more well preserved examples of deer parks—which contain landscape features that demonstrate how the Deer Park would have formally functioned (i.e. Ravensdale Deer Park in Derbyshire which is designated as a Scheduled Monument and Conservation Area)—where features typically associated with a deer park may have been located at Stow Park, there is a paucity of evidence base to confirm any correlation.</u></p>	<p><u>Historic England stated in their relevant representation that <i>"the impact of the proposed installation within the former Deer Park represents substantial harm (in NPS/SPPF terms) to the significance of the monument through loss of its character as a bounded architectural space."</i> Historic England believes that <i>"this represents a significant environmental impact (major harmful) in EIA terms."</i></u></p> <p><u>As detailed in their Relevant Representations <i>"The Medieval Bishop's Palace site and Deer Park is set on the Roman road from Lincoln to Doncaster a key line of communication between the Episcopal sees of Lincoln and York. Deer parks and palace / lodges offered a place for retreat, rest and entertainment of social and political peers, clients and Royal guests and were hence key spaces for the performance of the elite status of Bishops in the medieval landscape. The Deer Park is an architectural space, a place cut out from the overlapping and complex medieval landscape, a place where rights were monopolised - in this instance [by] the Bishop. At the heart of the significance of a medieval deer park is not just the functional containment and protection of deer and other resources but also their articulation as a space apart – a space</i></u></p>

	<p>The Applicant believes that the various Scheduled areas can only be experienced individually and in relatively close proximity. Therefore, the Applicant believes that the 'architectural' space of the Deer Park is derived from the historical spatial relationship between the three sections of the Scheduled Monument bounding the area, which is largely defined by cartographic evidence.</p>	<p><i>imparked. This central aspect of significance would be profoundly compromised by the loss both of its rural character through the installation of panels and by it being subsumed into a new landscape of solar generation.</i></p>
<p><u>Legibility</u></p>	<p>The Applicant believes that the overall legibility of the Deer Park is largely understood through desk-based research, particularly aerial imagery and historical documentation. Land within the Deer Park has been adversely compromised by the removal of associated features after disemparkment and subsequent post-medieval and modern activity, resulting in a lack of coherent legibility when experiencing the Deer Park at ground level. Given the Scheme would not cause direct harm to the three elements of the Scheduled Monument, which form the remaining vestiges of landscape features associated with the Deer Park, the Applicant believes that any current legibility of the Deer Park would not be negatively altered by the presence of solar panels.</p> <p>As stated in Paragraph 3.3.34 of the Heritage Statement (6.3.13.5 Environmental Statement - Appendix 13.5 Heritage Statement [APP-117 to APP-119]), the Applicant acknowledges that the Scheme has the potential to physically and visually isolate the three elements that make up the medieval bishop's palace and</p>	<p>Historic England stated in their relevant representation that <i>"The railway and associate ex MOD petroleum storage facility represented significant change to the former Deer Park by bisecting the site, but they have not fundamentally compromised the ability to experience the park as a space defined in the landscape. As one walks from the moated site at the north to the raised ground occupied by the farm buildings at the south of the park and then crosses the railway past the fuel depot to the farmstead and the south western part of the park one can still gain a sense of this as a bounded space."</i></p> <p>HE stated in ISH5 that the significance of the medieval bishop's palace and deer park, Stow Park as a bounded architectural space can still be experienced as a whole despite the dissection by the railway, one can appreciate and understand the park kinetically from the Palace moving through the park southwards over the railway via the modern bridge.</p>

	<p>Deer Park Scheduled Monument. However, as identified in Paragraph 3.3.35 of the Heritage Statement [APP-117 to APP-119], the Applicant believes that the relationship between the three surviving components of the Deer Park has already been adversely compromised: modern activity including the ex-MOD petroleum storage facility and a railway line completely bisect the Deer Park, resulting in there being no intervisibility between the west park pale, and the Bishop's Palace and east park pale. Whilst theoretically intervisibility exists between the Bishop's Palace and the east park pale, their historical relationship is only experienced through the fossilisation and demarcation of the parkland boundary by later mature trees and hedgerow. Further to this, the Applicant highlights that the northern section of the Deer Park has limited legibility. Desk-based research has demonstrated that there are several possibilities for the locations of the pales in the north of the Deer Park, which would have each joined the east and west park pales to the Bishop's Palace (Paragraphs 3.2.27-3.2.48 [APP-117 to APP-119]). During a meeting on the 3rd April 2024 the Applicant agreed the most likely boundary of Stow Park Deer Park with Historic England (see Figure 1)</p>	
<p>Experience</p>	<p>Post-medieval and modern interventions have significantly altered the character of the former medieval park preventing it from being experienced as a continuous enclosed space.</p>	<p>In an email dated 29/08/2023 HE stated that: <i>"The scheduled monument is experienced kinetically as one moves through and reconstructs the Deer Park, for instance from the moated palace site at the north on the Roman Tillbridge Lane to the slightly raised ground within the centre of the park at the</i></p>

	<p><u>Additionally, the sense of a space imparked is not clearly appreciable with the current land use both within and without the space being agricultural. 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 principally appreciated.</u></p>	<p><u>present farmstead where the railway is bridged. Crossing the railway at the farmhouse to find the park pale and 'west lawn' one heads south and exits onto the Torksey – Brandsby Road turning east and encountering the pale again at the park's south-east corner enclosing the 'east lawn'. The ability to thereby reassemble the park would be substantially compromised by the insertion of panels filling up its interior space. The north – south striated topography suggests (by analogy with sites such as Ravensdale Medieval Deer Park – Derbs.) that the moated site was set in a structured landscape of deer coursing (with hounds set to a deer as a spectacle), the stagger in the western boundary may also be associated as at Ravensdale with deer herding. The Ordnance Survey 1" 1824 mapping, before the railway, marks the moated site as 'Stow Park' whilst the present farm is an unlabelled group of buildings set on a north-south track then running the length of the park (now surviving south of the present farmstead). A further building now lost is shown on the southern boundary, these sites within the park may have their origins in ancillary buildings such as a park keeper's house or kennels. One can still experience the Deer Park as an enclosed historic space for acting out social status; bounded to protect the rights and dignity of its owner. At the same time one is forced to engage with those historic processes whereby bishops' estates were dispersed and deer hunting abandoned as a forum for elite discourse.</u></p>
HE-02	Scheduled Monument: Medieval Bishop's Palace and Deer Park, Stow Park (NHLE 1019229)With regard to the land	HE considers that the impact of the Scheme on land within the former deer park as defined by Medieval bishop's

<p><u>Approach to safeguarding designated heritage assets</u> <u>Contribution of setting to significance</u></p>	<p><u>within the former Deer Park space that provides the setting to the three elements of the Scheduled Monument, Paragraphs 3.3.35 and 3.3.36 of the Heritage Statement (APP-117 to APP-119) highlights the negative effect that has been caused by post-medieval and early modern agricultural activity. Land within the Deer Park has been transformed from a compartmentalised parkland containing areas of managed woodland and grassland to a landscape characterised by enclosed fields used for agricultural purposes. The character and appearance of the land within the historical boundaries of the Deer Park is indistinguishable from the agricultural land outside of its boundaries and does not contribute to the understanding or appreciation of its former medieval Deer Park function. The site of the Bishop’s Palace presently contains the derelict remains of the post-medieval Moat Farm. Consequently, the general character of the landscape within the former Deer Park relates to a post-medieval or later use (and therefore landscape) and fails to embody a sense of the earlier medieval Deer Park.</u></p> <p><u>The Applicant considers the post-medieval changes within the Deer Park to have had a negative contribution to the significance of the Scheduled Monument. The agrarian land use, MOD petroleum site and the railway contribute to the post-medieval landscape, which is distinctly different to the earlier medieval landscape that the Scheduled Monument belongs to. The Scheduled</u></p>	<p>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).”</p> <p>Historic England stated in their relevant representation that “the impact of the proposed installation within the former deer park represents substantial harm (in NPS/SPPF terms) to the significance of the monument through loss of its character as a bounded architectural space.”—In an email dated 29/08/2023 HE stated that: “Historic England believes that “this represents a significant environmental impact (major harmful) in EIA terms.” As detailed in their Relevant Representations “The Medieval Bishop’s Palace site and deer park is set on the Roman road from Lincoln to Doncaster a key line of communication between the Episcopal sees of Lincoln and York. Deer parks and palace / lodges offered a place for retreat, rest and entertainment of social and political peers, clients and Royal guests and were hence key spaces for the performance of the elite status of Bishops in the medieval landscape. The deer park is an architectural space, a place cut out from the overlapping and complex medieval landscape, a place where rights were monopolised—in this instance [by] the Bishop. At the heart of the significance of a medieval deer park is not just the functional containment and protection of</p>
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	<p><u>Monument therefore predominately derives its significance from its historic interest as the surviving elements of a former enclosed medieval space, and not from its setting. As such, the agrarian landscape, MOD petroleum site and 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 significance the Deer Park.</u></p> <p><u>The Historic England Designation Listing primarily focuses on the remains associated with the moated bishops palace as it is well documented and so has a clear historical and archaeological interest.¹ It can also be noted that archaeological evaluation undertaken as part of the Scheme, directly to the north of the moated site has identified buried remains associated with a potential early medieval settlement (see page 90 of the evaluation trial trenching report [APP-120]), and earthwork remains associated with a medieval village are located to the north of the Roman Road Till Bridge Lane. The relationship between these different phases of settlement activity is not known, and so it is not possible</u></p>	<p>deer and other resources but also their articulation as a space apart—a space imparked. This central aspect of significance would be profoundly compromised by the loss both of its rural character through the installation of panels and by it being subsumed into a new landscape of solar generation. The railway and associate ex-MOD petroleum storage facility represented significant change to the former deer park by bisecting the site, but they have not fundamentally compromised the ability to experience the park as a space defined in the landscape. As one walks from the moated site at the north to the raised ground occupied by the farm buildings at the south of the park and then crosses the railway past the fuel depot to the farmstead and the south western part of the park one can still gain a sense of this as a bounded space.”</p> <p>HE added (email of 29/08/2023) that: “The scheduled monument is experienced kinetically as one moves through and reconstructs the deer park, for instance from the moated palace site at the north on the Roman Tillbridge Lane to the slightly raised ground within the centre of the park at the present farmstead where the railway is bridged. Crossing the railway at the farmhouse to find the park pale and ‘west lawn’</p>
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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>

	<p>to postulate whether any of these settlements (i.e. the early medieval settlement, medieval settlement or Bishop’s Palace) were contemporaneous or had a direct association. Due to the archaeological interest of the buried remains identified to the north of the moated site, and their potential, albeit not known, for association with the Scheduled Monument this area was removed from the Scheme’s Order Limits as part of the design phase of the Scheme.</p> <p>Please see Stow Park Position Statement for further details on the Applicant’s position (REP5-027)</p>	<p>one heads south and exits onto the Torksey – Brandsby Road turning east and encountering the pale again at the park’s south-east corner enclosing the ‘east lawn’. The ability to thereby reassemble the park would be substantially compromised by the insertion of panels filling up its interior space. The north – south striated topography suggests (by analogy with sites such as Ravensdale Medieval Deer Park – Derbs.) that the moated site was set in a structured landscape of deer coursing (with hounds set to a deer as a spectacle), the stagger in the western boundary may also be associated as at Ravensdale with deer herding. The Ordnance Survey 1” 1824 mapping, before the railway, marks the moated site as ‘Stow Park’ whilst the present farm is an unlabelled group of buildings set on a north-south track then running the length of the park (now surviving south of the present farmstead). A further building now lost is shown on the southern boundary, these sites within the park may have their origins in ancillary buildings such as a park keeper’s house or kennels. One can still experience the deer park as an enclosed historic space for acting out social status; bounded to protect the rights and dignity of its owner. At the same time one is forced to engage with those historic processes whereby bishops’ estates were dispersed and deer hunting abandoned as a forum for elite discourse. These post-medieval changes including arable cultivation and the railway are part of the significance of the monument, rather than something separate from an essential medieval identity. Significance therefore is [diachronic] concerned with the history and evolution of the monument as</p>
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		<p><i>a landscape rather than [synchronic] confined to certain particular points in time. Infill with panels would inhibit the monument's legibility and conceal its character."</i></p> <p>The Medieval bishop's palace and deer park, Stow Park Scheduled Monument (1019229) is composed of three physically separate elements. These are the former medieval deer park; the site of a moated Bishop's Palace, the west section of park pale and the east section of park pale. Although the Applicant acknowledges HE's view that the deer park forms an architectural space and that there is an associated historical spatial relationship between the three sections of the Scheduled Monument, the Applicant believes that the various Scheduled areas can only be experienced individually. In ISH5 HE set out that-</p> <p><u>"Policy does not differentiate between harm to an asset caused by direct physical action and setting impacts both are potential sources of harm, which can be less than substantial or substantial.</u></p> <p><u>In EN-1 March 2023 under 5.9 Historic Environment, setting impacts are clearly and consistently framed in respect of assets, there is no differentiation between harm caused by direct physical action and harm caused to significance through change in setting. Differentiation is confined to level of harm and the importance of the assets effected. This is also the case in EN 1 2011 5.8.14 & 5.8.15. See also EN 01 2023 3.10.109 As the significance of a heritage asset derives not only from its physical presence but also from</u></p>
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		<p>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. Fn 228 The setting of a heritage asset is the surroundings in which it is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset and may affect the ability to appreciate that significance or may be neutral. Fn 233 Relevant guidance is given in the Historic England publication, The Setting of Heritage Assets See https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/</p> <p>Substantial Harm to the significance of a Scheduled Monument can be caused by setting impacts upon its significance.</p> <p>Given that policy (EN-3 3.10.109) specifically recognises that setting impacts can cause substantial harm to the significance of the asset (ie without direct physical impacts on the asset itself) then one must consider the degree of impact in this case. As we set out in our response to ExA Q 1.7.7 "The whole park, ... including the palace, pale and enclosed park as a private space cut out of the medieval landscape for the enjoyment of the Bishop and his guests. The enclosed space is intrinsic to the significance of the scheduled monument." It is hard to envisage a more</p>
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		<p>substantially harmful setting impact upon an designated heritage asset than one such as that proposed at Stow Park where the most central attribute of a park, that it encloses a space of countryside for private uses, is subverted by that space being filled with solar panels. The Bishop’s Palace at Stow is first described in Gerald of Wales’ life of St Hugh of Avalon 1140-1200, Bishop of Lincoln in which its woods and ponds form the bucolic setting for his friendship with the great swan which features in iconographic representations of the saint, this was a place of contemplation as well as display. Post-medieval and modern interventions have significantly altered the character of the former medieval park preventing it from being experienced as a continuous enclosed space. Additionally, the sense of a space imparked is not clearly appreciable with the current land use both within and without the space being agricultural. Consequently the surviving vestiges of the deer park are not experienced collectively within the modern landscape, and it is difficult to reconstruct and get a sense of an imparked high status medieval space, without the aid of aerial imagery or historical documentation.</p> <p>As stated in Paragraph 3.3.34 of the Heritage Statement (6.3.13.5 Environmental Statement – Appendix 13.5 Heritage Statement [APP-117 to APP-119]), the Applicant acknowledges that the Scheme has the potential to physically and visually isolate the three Scheduled areas that make up the medieval bishop’s palace and deer park Scheduled Monument. However, as identified in Paragraph</p>
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		<p>3.3.35 of the Heritage Statement [APP-117 to APP-119], the Applicant believes that the relationship between the three surviving components of the deer park has already been adversely compromised. Modern activity including the ex-MOD petroleum storage facility and a railway line completely bisect the deer park, resulting in there being no intervisibility between the west park pale, and the Bishop's Palace and east park pale. While intervisibility exists between the Bishop's Palace and the east park pale, their historical relationship can only be experienced through the fossilisation of the parkland boundary by later mature trees and hedgerow. Conversely although this intervisibility exists, the Applicant highlights that the overall legibility of the northern section of the deer park is problematic. Desk-based research has demonstrated that there are several possibilities for the locations of the pales in the north of the deer park, which would have each joined the east and west park pales to the Bishop's Palace (Paragraphs 3.2.27-3.2.48 [APP-117 to APP-119]). Consequently, the Applicant believes that Scheme would cause less than substantial harm (at the upper end) to the designated heritage assets and that use of fixed shorter panels, as incorporated into the design of the Scheme, is sufficient mitigation (Paragraph 3.4.9 [APP-117 to APP-119]).</p> <p>The Applicant does not consider that all of the post-medieval changes to the deer park identified contribute positively to the significance of the scheduled monument. Although, it is agreed that the MOD petroleum site and the</p>
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		<p>railway form elements of the post-medieval narrative of the scheduled monument and therefore make a contribution to its significance, the asset derives the majority of its significance from its historic interest as an enclosed medieval space. As such, the MOD petroleum site and railway, which bisects the scheduled monument, have a detrimental effect on the ability to appreciate the asset's enclosed medieval character and consequently a detrimental effect on the significance the deer park derives from its historical interest as an enclosed medieval space.</p> <p>With regard to the land within the deer park that provides the setting to the three sections of Scheduled Monument, Paragraphs 3.3.35 and 3.3.36 of the Heritage Statement (APP-117 to APP-119) highlight the negative affect that has been caused by post-medieval and early modern agricultural activity. Land within the deer park has been transformed from a compartmentalised parkland containing areas of managed woodland and grassland to a landscape characterised by enclosed fields used for agricultural purposes. The character and appearance of the land within the historical boundaries of the deer park is indistinguishable from the agricultural land outside of its boundaries and does not contribute to the understanding or appreciation of its former medieval deer park function. The site of the Bishop's Palace presently contains the derelict remains of Moat Farm. Consequently, the general character of the landscape within the former deer park</p>
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		<p>relates to a post-medieval or later landscape and fails to embody a sense of the earlier medieval deer park.</p> <p>The Applicant also highlights the commitment for the Scheme to be decommissioned at the end of its operational life, as set out in Requirement 21 of Schedule 2 to the draft Development Consent Order [APP-017]. This commits the Applicant to submitting a decommissioning plan to the local planning authority for approval prior to decommissioning the Scheme. This plan must be substantially in accordance with the Outline Decommissioning Statement [APP-310]. Following decommissioning, any impact to the setting (or ability to appreciate it) of the Scheduled Monument caused by the proposed Scheme will be reversed as the land is reverted back to its current, modern function.</p> <p>These matters remain under discussion.</p>
<p>Reversibility</p>	<p>The Applicant also highlights the commitment for the Scheme to be decommissioned at the end of its operational life, as set out in Requirement 21 of Schedule 2 to the draft Development Consent Order Revision E [REP4-024]. This commits the Applicant to submitting a decommissioning plan to the local planning authority for approval prior to decommissioning the Scheme. This plan must be substantially in accordance with the Outline Decommissioning Statement Revision A [REP3-026]. Following decommissioning, any impact to the setting (or ability to appreciate it) of the Scheduled Monument</p>	<p>The 60-year (trans-generational) span of the proposed installation is such that HE does not consider that reversibility materially mitigates the impact of the scheme upon the significance of the Stow Park Scheduled Monument.</p>

	<p>caused by the proposed Scheme will be reversed as the land is reverted back to its current, modern function.</p>	
<p>Energy generation capacity</p>	<p>The Applicant has calculated that the removal of the solar panels within the Deer Park, as recommended by HE, would result in the loss of approximately 104.145 MWp of installed capacity resulting in the capacity of West Burton 3 being reduced to 186.615 MWp, based upon the indicative layouts assessed in the Environmental Statement. The Applicant does however acknowledge that whilst this figure may change with future advances in technology, this is not anticipated to make a significant difference to the capacity values before detailed design and construction are completed.</p> <p>Please see Response 7 of the Applicant's Response to Request for Further Information by the ExA [EX6/WB8.1.39] for the overall impact to the generating capacity of the Proposed Development as a result of the removal of solar panels within the Stow Park Deer Park.</p>	<p>West Burton 3 is a sub-unit of the West Burton Solar DCO scheme. The applicant was aware of Historic England's advice in respect of Stow Park from an early stage as set out above. There would appeared to have been every opportunity to redraw the scheme to design-out impact upon the significance of Stow Park scheduled monument. The responsibility for any loss in generating capacity attendant on addressing impact on the significance of the Stow Park Scheduled Monument at this stage rests solely with the applicant.</p>
<p>Mitigation</p>	<p>As part of consultation during the design phases for the Scheme in 2022 and 2023, the Applicant informally explored several mitigation options with Historic England including:</p> <ol style="list-style-type: none"> I. strengthening current field boundaries with new planting with the aim of better defining landscape features 	<p>None of the mitigation or compensatory measures raised informally on behalf of the Applicant as listed to the left would in HE's view as government's expert advisor reduce the harm to the significance of the Stow Park scheduled monument below substantial harm.</p> <p>Historic England's comments on panel height can be found in its response to ExA's 1st Questions 1.7.5, viz</p>

	<p><u>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)</u></p> <p><u>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 monument and improve our understanding of its significance</u></p> <p><u>IV. provision of a 'heritage trail' or information boards that would enable public experience of a heritage site that currently has no public access.</u></p> <p><u>During these discussions, Historic England did not agree that any of the suggested mitigation 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, Historic England believed the benefits from 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.</u></p> <p><u>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:</u></p>	<p><i><u>"Historic England notes c2m panels might be a little less prominent than those at c3.5m but do not see that as providing a tipping point from the substantial harm we identify in respect of the proposed scheme. At either height the scheme as set out would cause substantial harm through loss to its largely agrarian character as a former deer park and its legibility."</u></i></p> <p><u>In response to ExA's Second Questions 2.7.10 HE stated:</u></p> <p><i><u>"The implications for the determination of the Proposed Development. Should the Secretary of State agree with the conclusion of Historic England that the development as proposed would cause substantial harm to the significance of the Stow Park Medieval Bishops Place and Deer Park we urge that the scheme is only consented if amended to delete those panels lying within the areas indicated comprising array areas P2, P3, P6, P5 (part of), Q24, Q25, Q26 and Q27 on the plan of the medieval deer park agreed between Historic England and The Applicant (dated 05/04/2024). We request that the applicant is asked to prepare alternative detailing of this part of the scheme sufficient to allow for a plan excluding the area identified on the agreed plan of Stow Park Medieval Bishops Place and Deer Park to identified in an updated DCO rather than as presently submitted. The deletion of the solar panel arrays set out above would mitigate the substantial harm otherwise caused to the significance of the monument. The site-specific substantial harm to the significance Stow Park Medieval Bishops Place and Deer Park is not necessary to the</u></i></p>
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[April 2024](#)

	<ul style="list-style-type: none"> • the type of panel used (i.e. fixed or tracker) • height of panels • landscape screening • set back or exclusion areas • spacing of panels <p>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.</p>	<p><i>general public benefit of renewable energy nor is it would appear essential to the operation of the majority of the remaining parts of this scheme (given its modular design). As set out on EN 01 2023 5.9.28 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. The tests for allowing substantial harm under EN 01 2023 - 5.9.29 are not met ..."</i></p>
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~~5 Matters Not Agreed~~

~~5.1.1 There are no matters “not agreed” with Historic England.~~










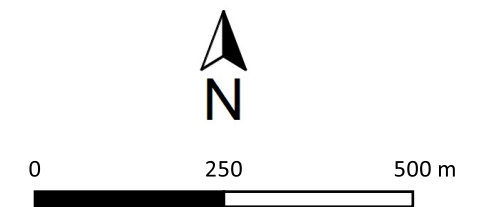
Statement of Common Ground: Historic England
~~November 2023~~

[April 2024](#)



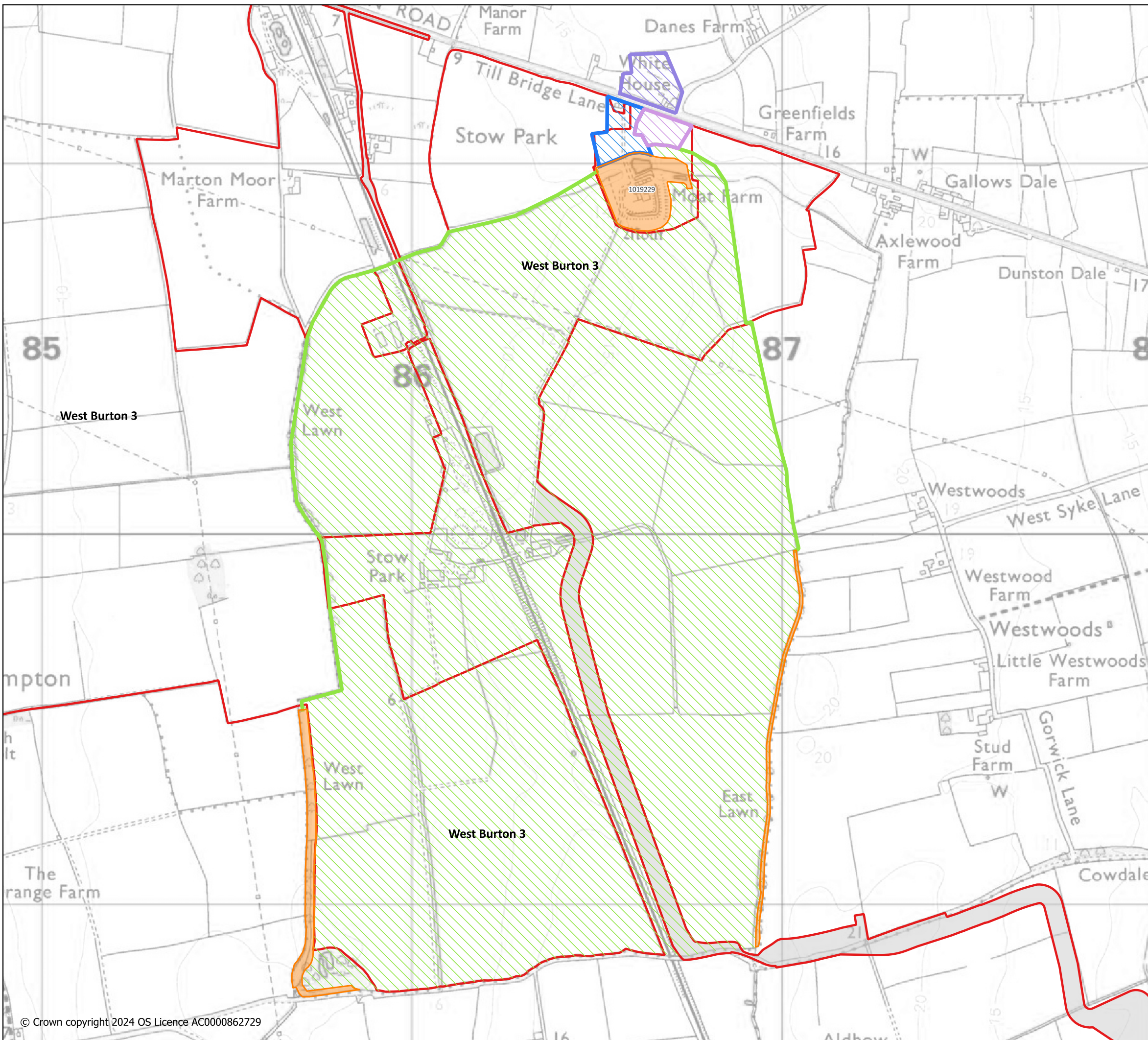
Figure 1

-  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.



6 Signatories

6.1.1 The above SoCG is agreed between West Burton Solar Project Ltd. (the Applicant) and Historic England (HE) as specified below.

Duly authorised for and on behalf of **West Burton Solar Project Ltd.**

Name:	Eve Browning
Job Title:	Head of Projects UK
Date:	30/04/2024
Signature:	

Duly authorised for and on behalf of **Historic England (HE)**

Name:	Tim Allen
Job Title:	Team Leader (Development Advice)
Date:	29/04/2024
Signature:	