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Ref: EN010132

Date: 6th December 2024

Dear Sir/Madam

**APPLICATION BY WEST BURTON SOLAR PROJECT LIMITED (“THE APPLICANT”) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE PROPOSED WEST BURTON SOLAR PROJECT**

Following the publishing of the additional information provided in response to the Secretary of State’s consultation letters dated 19 September 2024 and 15 October 2024, the Secretary of State in his letter dated 7<sup>th</sup> November 2024 has invited all Interested Parties to comment on the information provided.

Lincolnshire County Council (LCC) has reviewed the additional information provided and has the following comments to make in respect of the further information submitted regarding the option to remove solar panels from Stow Park Deer Park (“the Stow Park Alteration”), and in relation to archaeology the Outline Decommissioning Statement

Please note as requested LCC previously provided comment in connection with proposed requirement 22 on 29 October 2024.

**Landscape**

The Stow Park Alteration option proposes to remove areas of development in WB3. Following their review of the Secretary of State’s questions and the updated plans and information submitted by the applicant, the County Council concurs with the pages 5 and 6 assessment relating to landscape as summarised in the ‘The Applicant’s Response to the Secretary of State’s Request for Information’ that:

Landscape (ES Chapter 8) - would not result in any changes to the findings of the Landscape Assessment of the LVIA.

Visual (ES Chapter 8) - Visual Receptors and Viewpoints where Significant Adverse Visual Effects were initially identified have been reviewed. There would be a decrease in the level of adverse visual effects associated with the Scheme, and in the case of the following two viewpoints and receptors the effects would reduce to the point at which they would no longer be considered Significant.

- LCC-C-O Cowdale Lane West Burton 2 and 3 [APP-265] - no views of the Scheme within WB3 from this location. Glimpses of infrastructure in WB2 possible to the south.
- Viewpoint VP45: Cowdale Lane West Burton 2 and 3 [APP-238] - no views of the Scheme within WB3 from this location. Glimpses of infrastructure in WB2 possible to the south.
- Residential Receptor R074: Residents in Stow Park WB3 and Cable Corridor (WB2 to WB3) - Views to the Scheme would become greatly reduced, solar panels within WB3 being located approximately 255m west of the properties. Existing woodland around the farmstead and the surrounding farm buildings would provide screening of WB2.
- Transport Receptor T015: Cowdale Lane western section near Torksey West Burton 1, 2 and 3 and Cable Corridor (WB1 to WB2 and WB2 to WB3) - Road users would no longer have transient glimpsed views of solar panels within WB3 at any point of the assessment

## **Ecology and BNG**

LCC has reviewed the updated information and notes that whilst the number of biodiversity units predicted to be delivered by the scheme has decreased, the predicted percentage gain has increased. LCC welcomes the delivery of significant levels of BNG by this proposal.

LCC notes that at P6 of the ES Appendix 9.12 BNG Report Revision A, the Applicant states that the scheme is predicted to deliver 61.85% in river units whereas the included biodiversity metric screenshots on p38 only show an increase of 38.01% in river units. It is assumed that the figure on P6 is a typo but the applicant should clarify which figure is correct.

LCC has reviewed the updated information in the Outline Landscape and Ecology Management Plan Revision F, and welcomes the additional details provided by the Applicant in relation to planned habitat management and monitoring.

Regarding the Outline Decommissioning Statement (ODS) Revision C, LCC has reviewed the updated information and accepts the additional ecology details provided by the Applicant at Table 3.1 'Decommissioning Mitigation and Management Measures'

Please note there appears to be a discrepancy on the area of the Deer Park shown under solar panels between the updated Environmental Statement Figure 8.18.3: Landscape and Ecology Mitigation and Enhancement Measures Revision B and the maps shown in the ES

Appendix 9.12 BNG Report Revision A. The western side of the most eastern block of panels in WB3 appears differ. The applicant should clarify the area which is correct.

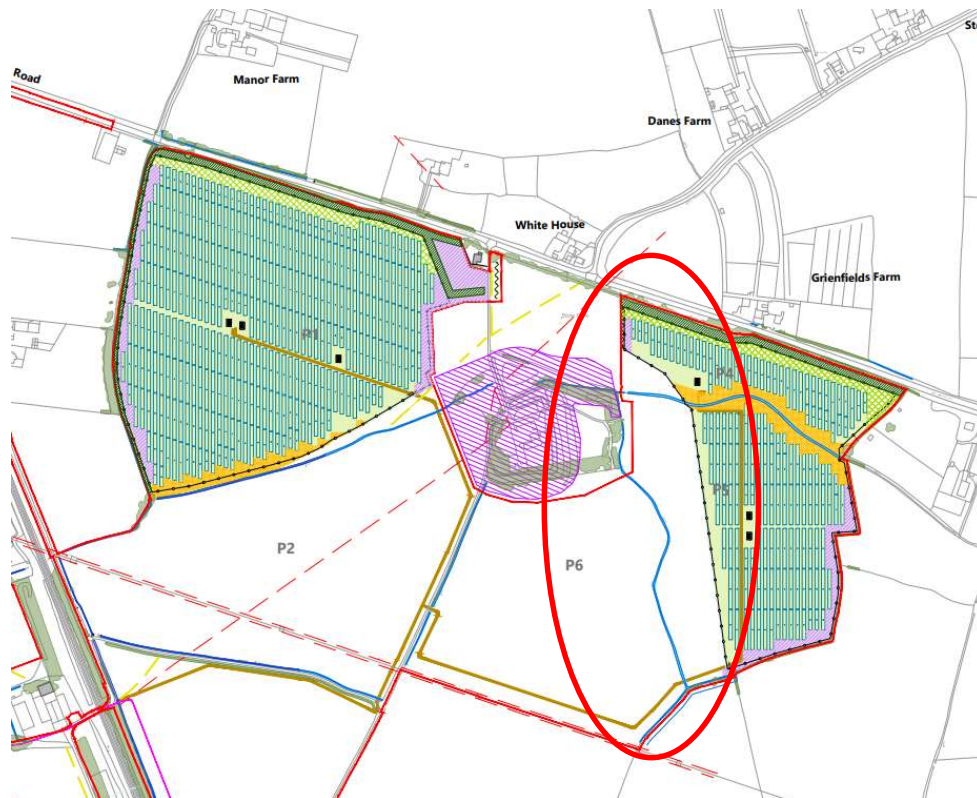


Figure 8.18.3: Landscape and Ecology Mitigation and Enhancement Measures Revision B

## Historic Environment

The medieval bishop's palace and deer park at Stow Park (NHLE 1019229) is a scheduled monument of national significance. The site encompasses the moated palace and remnants of the park pales, offering valuable insights into medieval land use, social structures, and cultural traditions. Together, these heritage elements form an irreplaceable part of the national historic environment, whose integrity would be compromised by the proposed development within parts of the historic deer park. LCC objects to the proposed development due to the substantial harm it would cause to the monument's significance, impacting its physical character and the public's ability to experience it as a cohesive historic landscape encompassing tangible and intangible heritage.

Areas of dispute: significance and proposed harm:

The applicant asserts that the proposed solar farm would cause "less than substantial harm" to the monument, citing post-medieval and modern alterations (e.g., a railway line and ex-MOD petroleum facility) as factors compromising the site's historical legibility (Stow Park: Cultural Heritage Position Statement April 2024 Doc ref EX5/WB8.2.10). However, while intrusive, these features have not fundamentally disrupted the ability to experience the site as a bounded medieval space. This echoes the same position Historic England took (Socg: Historic England April 2024 Doc ref EX5/WB8.3.3). Conversely, the proposed solar array would fundamentally alter the site's internal character, introducing a wholly incompatible industrial element that would diminish its medieval narrative and irreversibly disrupt its

spatial and experiential qualities. Unlike the existing features, which remain secondary to the park's historic context, the solar panels would dominate and obscure its core identity as an enclosed medieval landscape.

The applicant's assessment of the site's significance and value to public experience underestimates the importance of the landscape context and the diverse ways in which heritage assets are understood and appreciated by different audiences. LCC does not agree with the applicant that the site's historical value and overall legibility rely primarily on material aids such as maps and aerial imagery (Stow Park: Cultural Heritage Position Statement April 2024 Doc ref EX5/WB8.2.10 and ES Appendix 13.5 Heritage Statement APP-117 to App-119). The park's character as an enclosed architectural space—central to the social and cultural identity of the medieval bishops – remains both perceptible and meaningful, even without detailed historical research, and despite post-medieval and modern intrusions such as the ex-MOD facility, railway line or farmstead.

The applicant also contends that the harm to this site would be temporary and reversible upon decommissioning. However, the 60-year operational lifespan represents a significant period during which the site's historical character and setting would be fundamentally altered and its accessibility for public and community engagement lost. This effectively removes the site from intergenerational appreciation, severing its connection to local and national heritage. Furthermore, there is no guarantee that the site could be fully restored to its current state after decommissioning, making the proposals effectively permanent for current and subsequent generations.

In summary, LCC disagrees with the applicant's position and approach to safeguarding the medieval bishop's palace and deer park. National Policy (EN-01 2023, 5.9.28) clearly states that substantial harm or loss of significance to assets of the highest importance, such as scheduled monuments, should only be permitted in wholly exceptional circumstances. LCC considers that the current proposal does not meet this threshold. The substantial harm caused by the development is not necessary to achieve the scheme's broader benefits, which could be delivered without compromising this nationally significant heritage asset.

## **Archaeology**

### **Updated documents arising from SoS letter dated 19 September 2024**

The Updated Outline LEMP on p3 refers to works for which ground impacts must be understood in order to determine their potential to damage or destroy surviving archaeology. Ponds, planting and habitat creation measures can have impacts through ground disturbance and through subsequent impacts from for example tree roots. The root structures of mature trees can be deep and cover areas several times the size of the tree canopy. The roots can damage and destroy surviving archaeological features. Subsequent removal of tree stumps or uprooting from storm damage would cause substantial disturbance to buried archaeology and when a tree dies the roots wither and leave voids which collapse.

Any works involving changes to the current ground surface can cause truncation or compaction of shallow archaeological remains and would remove part or all of the protective overburden for deeper archaeology thus exposing it to increasing levels of harm.

Changes to hydrology and soil chemistry can also have detrimental impacts on the preservation of buried archaeological remains.

The areas of proposed works which may have such an impact will therefore need to be adequately archaeologically evaluated to inform any necessary archaeological mitigation to deal with detrimental impacts where sensitive archaeology has been identified.

LCC does not agree with the statement that *'Proposed archaeological mitigation will only be required in areas of impacts caused by the installation of the underground cables.'* (p9)

It is noted that other schemes include details on water strategies such as temporary drainage systems, swales and drainage ditches. Surviving archaeology is shallow in this landscape, for example an unexpected Saxon burial ground was found 20cm from the current ground surface on the neighbouring Cottam NSIP scheme so these impacts and ground disturbance for any purpose may therefore result in damage or destruction to surviving archaeology without identification or recording.

Compaction can be caused by plant movement and spoil storage which can cause harm to archaeological deposits. These designated areas will need to have adequate evaluation to understand whether any surviving archaeology would be detrimentally impacted. Mitigation may therefore be necessary, for example by relocating proposed spoil storage areas or by undertaking archaeological investigation and recording before groundworks commence.

This section uses the phrase *'short-term impacts'* during the operational phase. For archaeology any impacts would be permanent.

#### **Updated documents arising from SoS letter dated 15<sup>th</sup> October 2024**

Regarding the Outline Decommissioning Statement Revision C on p16 and SoS's request that Cultural Heritage and Archaeology be included in *'sufficient detail as to the avoidance and mitigation measures to be taken to preserve archaeological and heritage assets.'* LCC does not agree with the statement that *'Activities associated with the decommissioning phases are not considered to cause further impact to buried archaeological remains beyond that which will occur during the construction phase.'*

The mounting structures will be removed, the cables may be removed and the planting may be removed. These impacts and the associated groundworks will cause intensive site-specific impacts which cannot be mitigated during the decommissioning. Mounting structures for example will presumably simply be pulled out or pushed over and the metal piles will after many years in the ground have concretions so will cause considerably more deep ground disturbance than they made when going into the ground.

The statements on temporary fencing and banksmen being made aware of scheduled area buffer zones presumably is a response to any preservation in situ areas agreed as a form of archaeological mitigation. All management plans must include the specific mitigation measures required to ensure the preservation in situ areas are protected from development works such as machine tracking or plant storage which could damage or destroy the surviving archaeology. The full extent of the archaeological areas must be determined and

each area must be fenced off and subject to a programme of monitoring throughout the construction, operation and the decommissioning phases, and there will be no ground disturbance whatsoever which may disturb or affect the archaeological remains, including plant movement or storage. The fencing will need to remain in place and be maintained throughout the lifetime of the scheme. An appointed Archaeological Clerk of Works will be responsible for monitoring archaeological mitigation measures for the preservation in situ areas and will need to be included in all management plans to ensure the protection measures stay in place throughout the development.

Regarding the statement that *'Baseline condition for the identified heritage assets will be restored.'* This is not the case for archaeology, again any impacts on the non-renewable archaeological resource will be permanent and irreplaceable.

The Council will continue to engage with this proposal as required. Please do not hesitate to get in contact if there are any further queries or clarification required.

Yours faithfully

**Neil McBride**  
**Head of Planning**