

From: Allen, Tim [REDACTED]
Sent: 09 December 2024 22:36
To: West Burton Solar Project
Cc: Midlands ePlanning; Russell Clarkson; Jan Allen
Subject: Historic England - response to SoS Letter 7th November 2024 - West Burton Solar EN010132

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 Application by West Burton Solar Project Limited (“the Applicant”) for an Order granting Development Consent for the proposed West Burton Solar Project

Historic England - response to SoS Letter 7th November 2024 - West Burton Solar

Dear Secretary of State

Thank you for consulting Historic England (the Historic Buildings and Monument Commission for England). We are an arm’s length public body sponsored by the Department for Culture Media and Sport, we are a statutory consultee on Nationally Important Infrastructure Projects.

SUMMARY

On the 19th September 2024 the SoS requested the applicant provided further information regarding the option to remove solar panels from Stow Park Deer Park (“the Stow Park Alteration”).

On the 7th November 2024 the SoS invited all Interested Parties to comment on the information provided in response to the Secretary of State’s requests of 19 September 2024 and 15 October 2024. We note the applicant’s submissions in response to the SoS’s request, this letter represents our comments.

It is our view as government’s advisor on the historic environment that the Stow Park Alteration is necessary to avoid substantial harm to the significance of Stow Park Medieval Bishops Place and Deer Park a scheduled monument designated by the Secretary of State under S1 of the 1979 Ancient Monuments and Archaeological Areas Act.

SIGNIFICANCE

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. The Park and Palace were the subject of survey by the former Royal Commission on the Historic Buildings and Monuments Commission for England and recent work carried out on behalf of the applicants. The monument is described in the entry for scheduled monument 22768 which is published on the internet under National Heritage List for England reference 1019229.

Stow Park, 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 the medieval landscape, a place where rights were monopolised - in this instance 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 imparked.

The railway and associate ex Ministry of Defence 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 southwestern part of the park one can still gain a sense of this as a bounded space.

IMPACT and POLICY

As set out in our response to the Examining Authorities 2nd questions (ExQ2) is consistent with that expressed since pre-application site visit with the applicant’s consultants on 13th May 2022. Without the Stow Park Alteration the scheme would cause substantial harm to the significance of the Scheduled Monument through the loss of its character as a bounded architectural space.

The Stow Park Alteration remains necessary in order for the proposed development to be rendered sustainable and as set out in our responses to ExQ2 specifically to address NPS EN01 2023 5.9.29 as regards substantial harm (and paragraphs 5.9.25 to 5.9.30). This policy was essentially the same under NPS EN-1 2011.

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 viz.

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

Given that policy (EN-3 3.10.109) specifically recognises that setting impacts can cause substantial harm to the significance of the asset (i.e. 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.” 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. It is hard to envisage a more substantially harmful setting impact upon a 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.

As explored in our response to ExQ2 - the potential for large scale solar to cause substantial harm through setting effects is recognised in EN-3 3.10.109. The site-specific substantial harm to the significance Stow Park Medieval Bishops Place and Deer Park is not necessary to the general public benefit of renewable energy, nor is it, it would appear essential to the operation of the majority of the remaining parts of this scheme (given its modular design).

HISTORIC ENGLAND POSITION IN RESPECT OF THE STOW PARK ALTERATION

The deletion of the solar panel arrays within the former deer park as set out in the submitted Works Plan Rev F Document reference: DEC/WB2.3_F would mitigate the substantial harm otherwise caused to the significance of the monument.

There would remain a considerable level of less than substantial harm to the significance of the monument caused through the erosion of the character of the wider rural setting of the monument, this impact may be to a large degree compensated for by the application of an appropriately detailed scheme of habitat creation and management within the former deer park in those areas otherwise proposed for panels. With sensitive detailing and a sympathetic treatment of the lodge site within that holistic scheme the significance of the monument can be better revealed.

NOTE ON DCO REQUIREMENT 12 ARCHAEOLOGY

We note that the latest version of the DCO (Rev I) as submitted in response to SoS's request has the following requirement in relation to archaeology:-

Archaeology

12. The authorised development must be implemented in accordance with the written scheme of investigation.

This text appears unchanged from that originally submitted despite the focus in ExQ2 2.5.10 on alternative wording and more broadly through the examination process on the sufficiency of trial trench evaluation. The wording as above would appear insufficiently robust to secure an informed process of archaeological assessment and mitigation. Mindful of the close similarity of issues between the schemes the SoS may wish to replace the working in Draft DCO Rev I with the more suitable requirement contained in the Cottam Solar DCO as made - viz

Archaeology

12.—(1) The authorised development may not commence until—

(a) a scheme of additional trial trenching has been submitted to and approved by each relevant planning authority, in consultation with Historic England

(b) additional trial trenching has been carried out in accordance with the scheme approved under sub-paragraph (a); and

(c) updates are made to the Written Scheme of Investigation to account for the results of the additional trial trenching carried out, and the updated Written Scheme of

Investigation is submitted to and approved in writing by each relevant planning authority, in consultation with Historic England

(2) The authorised development must be implemented in accordance with the updated Written Scheme of Investigation approved under sub-paragraph 1(c), and any archaeological works must be carried out by a suitably qualified and competent person or body previously notified to each relevant planning authority.

Yours sincerely

Tim Allen (for Historic England)

Tim Allen MA FSA
Team Leader (Development Advice)

Midlands Region
Historic England

[Redacted]

Direct Line [Redacted]

[Redacted] | [Redacted]



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