



# Stonestreet Green Solar

## Statement of Common Ground with Historic England

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December 2024

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EP Rule 8(1)(e)  
Planning Act 2008  
The Infrastructure Planning (Examination Procedure) Rules 2010



## Revision History

Revision	Revision Date	Authorised By	Position	Comment
Issue 1	13/11/24	MS	Senior Director	For HE Review
Issue 2	25/11/24	MS	Senior Director	Update to reflect HE comments
Issue 3	6/12/24	JJ	Inspector of Historic Buildings and Areas (Kent)	HE Comments
Issue 4	9/12/24	MS	Senior Director	Update to reflect HE comments

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# 1 Introduction

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## 1.1 Purpose of this Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application (the Application) for a Development Consent Order (DCO) from the Secretary of State for Energy Security and Net Zero under Section 37 of the Planning Act 2008 (PA 2008) for the proposed Stonestreet Green Solar Farm (the Scheme). The Application has been submitted by EPL 001 Limited (the Applicant).
- 1.1.2 This SoCG has been prepared between (1) the Applicant and (2) Historic England (HE) (jointly referred to as the 'Parties'). It has been prepared in accordance with The Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects guidance<sup>1</sup>.
- 1.1.3 HE is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009<sup>2</sup> and so has been consulted during the preparation of the Application and following its acceptance.
- 1.1.4 The Examining Authority has requested that the SoCG include the following matters as set out in the Rule 6 Letter [[PD-004](#)], Annex G (Dated 22 October 2024) .
- The effects on heritage assets and their settings and consideration of cumulative effects;
  - Archaeological considerations;
  - Various Environment Management Plans, both during construction and operation; and
  - The dDCO
- 1.1.5 This document has also been prepared in the context of the Initial Assessment of Principal Issues (Annex C), in particular:
- impact to the setting of the designated and non-designated assets;
  - Impact to the conservation area;
  - physical impact from the construction and decommissioning phase on potential archaeological heritage assets; and
  - mitigation measures.
- 1.1.6 It is agreed that any matters not specifically referred to in this SoCG are not of material interest or relevance to the representations submitted to the Examining Authority by HE (the 'Representations') and therefore have not been considered in this document.
- 1.1.7 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the Parties, where agreement has not been

reached (and that is the parties' final position) and where discussions are still ongoing. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

## **1.2 Description of the Project**

1.2.1 The Project comprises the construction, operation and maintenance, and decommissioning of solar photovoltaic ('PV') arrays and energy storage, together with associated infrastructure and an underground cable connection to the existing National Grid Sellindge Substation.

1.2.2 The Project will include a generating station (incorporating solar arrays) with a total capacity exceeding 50 megawatts ('MW'). The agreed grid connection for the Project will allow the export and import of up to 99.9 MW of electricity to the grid. The Project will connect to the existing National Grid Sellindge Substation via a new 132 kilovolt ('kV') substation constructed as part of the Project and cable connection under the Network Rail and High Speed 1 ('HS1') railway.

## **1.3 Current Position**

1.3.1 Section 2 of this SoCG addresses the position of the Applicant and the HE, following a series of meetings and discussions with respect to the key areas of the Project and the Representations.

1.3.2 This is intended to be a 'live' document and some aspects are still under discussion between the Parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and ultimately both Parties agree on relevant points.

## **1.4 Record of Engagement**

1.4.1 The Applicant has undertaken consultation and engagement with HE throughout the development of the Application. The Applicant consulted HE, as a prescribed consultee, in accordance with section 42 of The Planning Act (as amended) about the Project and environmental impact assessment as part of the formal pre-application consultation procedures. This afforded HE the opportunity to provide responses to the information in various stages of the pre-application process.

1.4.2 As highlighted in Table 1.1 below, the Applicant has provided a number of opportunities for HE to engage in the Project during the pre-application stage.

1.4.3 Table 1.1 shows a summary of the meetings and correspondence that has taken place between the Applicant (including consultants on its behalf) and HE in relation to the Application.



Table 1-1: Record of Engagement

Date	Form of correspondence	Key topics discussed and outcomes (the topics should align with the issues tables)
19 April 2022	EIA Scoping – HE consultation response to EIA Scoping Opinion (response to the Applicant’s request for a Scoping Opinion submitted to PINS on 19 April 2022)	HE were formally consulted as part of the EIA Scoping Opinion. No comments were received.
25 March to 29 April 2022	Non-Statutory Consultation 2022	No comments were received.
20 May 2022	Written pre-application response from HE to the Applicant	Pre-application response received advising that HE do not consider it necessary for HE Historic England to participate in pre-application stage.
17 <sup>th</sup> July 2023	HE’s response to the 2022 Statutory Consultation	<p>HE responded to the 2022 Consultation.</p> <p>Key Topics:</p> <ul style="list-style-type: none"> <li>▪ Assessment Methodology;</li> <li>▪ Assessment of Setting;</li> <li>▪ Landscape Assessment;</li> <li>▪ Scoping range;</li> <li>▪ PEIR;</li> <li>▪ Scope of Environmental Statement;</li> <li>▪ Relevant legislation and guidance;</li> <li>▪ Cumulative impacts; and</li> <li>▪ Heritage Consultation Visual Appraisal Plan.</li> </ul>
28 November 2023	Statutory Consultation 2023 (PEIR Addendum) – Response to KCC and HE in respect of Heritage and Archaeology Comments	The Applicant responded to a number of heritage matters regarding the scope and content of the cultural heritage assessment, and supporting Heritage Statement.

Date	Form of correspondence	Key topics discussed and outcomes (the topics should align with the issues tables)
13 November to 13 December 2023	Targeted Consultation 2023	<p>HE provided the following feedback:</p> <ul style="list-style-type: none"> <li>▪ Noted that HE had no comments in response to the proposed 7 minor changes to the Order limits regarding heritage impacts.</li> <li>▪ HE are pleased Aldington Knoll (NHLE 1012216) and the group of scheduled barrows located in the North Downs AONB will be scoped into the Heritage Statement.</li> <li>▪ Confirmed that Barrow Cemetery should be scoped into the Heritage Statement.</li> <li>▪ HE would anticipate that holistic landscape assessment would look to understand and characterize the area of the proposed development as a historic place.</li> </ul>
13 November 2024	Issue 1 of the Draft SoCG	Issued by the Applicant
25 November 2024	Meeting to discuss Issue 1 of the SoCG	Meeting to review draft SoCG and resolve outstanding matters.

1.4.4 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Parties in relation to the issues addressed in this SoCG as at the date of this SoCG.

## 1.5 Format of Document and Terminology

1.5.1 This SoCG has been structured to reflect matters and topics of interest to HE in relation to the Project as set out in the HE Representations.

1.5.2 Section 2 summarises the issues that are ‘agreed’, ‘not agreed’ or are under discussion under the topics of interest in tables as follows:

- Table 2.1: Historic Environment Assessment

- Table 2.2: Impacts on Designated Heritage Assets

1.5.3 The following terminology is applied in Section 2:

- 'Agreed' indicates where the issue has been resolved (no colour).
- 'Not Agreed' indicates a position where both Parties have reached a final position that a matter cannot be agreed between them.
- 'Under Discussion' indicates where points continue to be the subject of on-going discussions between Parties.

1.5.4 For any issues that are 'Under Discussion', the Parties have also indicated the likelihood that disagreement will remain by the end of the Examination using a "Low" (Green), "Medium" (Amber) and "High" (Red) traffic light model, as requested in the Rule 6 letter.



## 2 Areas of Discussion between the Parties

### 2.1 Historic Environment Assessment

Table 2-1: Historic Environment Assessment

Ref	Relevant Application Document	Description of Matter	HE Current Position	Applicant's Current Position	Status
Section 1	RR	Introduction (Record of Consultation and Engagement)	The applicant has provided a full Environmental Statement, which includes Historic Environment Chapters, reports and appendices. We can confirm Historic England has not provided pre-application advice, but we did provide a response to the S.42 PEIR (Preliminary Environmental Information Report) consultation. We subsequently had a meeting and provided another updated response to the PEIR.	The Applicant confirms that HE have submitted comments in May 2022, July 2023 and in December 2023, as set out in Table 1.1 above.  Tables 7.1, 7.4 and 7.5 of <b>ES, Volume 2, Chapter 7: Cultural Heritage (Doc Ref. 5.2(A))</b> <a href="#">[AS-010]</a> provide a summary of how Historic England's responses have been responded to.	Agreed
Section 2	RR	Historic Environment Assessment (Assessment of the impact upon the Historic Environment)	The proposed development lies in a sensitive area for the historic environment and would impact upon a wide range of heritage. Within the 5km study area, the Environmental Assessment identified three Grade I listed buildings, three Grade II* listed buildings, three Conservation	Noted.	Agreed

Ref	Relevant Application Document	Description of Matter	HE Current Position	Applicant's Current Position	Status
			Areas, one Grade II Registered Park and two Schedules Monuments. We have focused our advice on the assets we believe are most impacted by the proposed development. Our response to the PEIR consultation noted that a detailed assessment of the impact upon the historic environment would be required and we are satisfied that this has been undertaken.		
2.1.1	S42 Consultation Response to 2023 Statutory Consultation	Cumulative Assessment	It is agreed that the potential cumulative harm that could be caused by proposals has been adequately assessed.	<p>A cumulative impact assessment is included at <b>Section 7.10</b> of the <b>ES Volume 2, Chapter 7: Cultural Heritage (Doc Ref. 5.2 (A))</b> <a href="#">[AS-011]</a>.</p> <p>This chapter assesses the likely cultural heritage effects of the Project in combination with the effects of the projects listed in <b>ES Volume 4, Appendix 6.1: List of Cumulative Schemes (Doc Ref. 5.4)</b> <a href="#">[APP-068]</a>.</p>	Agreed

## 2.2 Impacts on Designated Heritage Assets

Table 2-2: Impacts on Designated Heritage Assets

Ref	Relevant Application Document	Description of Matter	HE Current Position	Applicant's Current Position	Status
Section 3	RR	Impacts upon Designated Heritage Assets (Scope of Advice)	Our primary concern in relation to this scheme is the impact upon the significance of the Church of St Martin in Aldington, the Church of St John the Baptist in Mersham, Stonelees House and scheduled (and unscheduled) Bronze Age barrows through development within their setting. We would defer advice on grade II listed buildings and conservation areas to the local planning authority (ABC) but will comment on the assessment of the grade I and II* listed buildings and scheduled monuments.	Noted. ABC and KCC have been consulted throughout the pre-application stage and have not raised any specific concern regarding Grade II listed buildings.	Agreed
Section 3	RR	Impacts upon Designated Heritage Assets: Church of St Martin, Aldington	We have identified harm to the significance of the Church of St Martin, Aldington (Grade I: NHLE1071208) a Saxo-Norman Parish church listed on 10 August 1988. The church is set on a small hill with an architecturally exceptional medieval tower that acts as a landmark in the landscape. The open fields within the application	Noted. Table 7.1 (Heritage Assets with Identified Impact by the Project and Harm Category Assessment Summary) of <b>ES Volume 4, Appendix 7.2: Heritage Statement (Doc Ref. 5.4)</b> <a href="#">[APP-072]</a> confirms that a slight impact (not significant in EIA terms) has been predicted. This is categorised as 'less than	Agreed

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			<p>site contribute positively to the significance of the church and add to historic value as the location of the church with its surrounding fields meaning it is at the heart of the agrarian community who built and worshipped there. This appreciation would be altered in a key view of the church from the west by the presence of solar panels. The fields (and footpath) also act as an important land buffer showing the historic separation between the church and village and this landscape separation would be eroded to a small extent by the proposed development. We therefore consider that the proposal would result in a low level of less than substantial harm to the significance of the church through this development in the setting. We would welcome the opportunity to explore with the applicant the ability to avoid or minimise the low level of harm identified to significant. In particular we consider that there could be scope to avoid/minimise the harm to significance in relation</p>	<p>substantial harm' (lowest end of the spectrum).</p> <p>Paragraphs 7.6.16 and 17 of <b>ES Volume 2, Chapter 7: Cultural Heritage (Doc Ref. 5.2 (A))</b> <a href="#">[AS-011]</a> then sets out the embedded mitigation measures that have been included within the design of the Project.</p> <p>The detailed design of the landscape are then secured by Requirement 8 (Landscape and biodiversity) in the <b>Draft DCO (Doc Ref. 3.1(B))</b>.</p> <p>The <b>Planning Statement (Doc Ref. 7.6)</b> <a href="#">[APP-151]</a> then notes at paragraph 6.13.8 that the <i>'limited harm to heritage assets is considered to be demonstrably outweighed by the substantial public benefits that would only be realised if the Project was delivered'</i>.</p> <p>Further discussion with HE has identified that whilst there is some disagreement between the use of the term 'lowest' in relation to the level of harm (HE has identified the level of harm as low), the</p>	

Ref	Relevant Application Document	Description of Matter	HE Current Position	Applicant's Current Position	Status
			to the St Martin's tower experienced from the west (view 28).	Applicant and HE are in agreement that the level of harm to the significance of St Martin's Church Aldington would be on the lower end of less than substantial harm.	
Section 3	RR	Impacts upon Designated Heritage Assets: Church of St John the Baptist, Mersham	We have identified harm to the Church of St John the Baptist, Mersham (Grade I: NHLE1276693), a twelfth century parish church from which was listed on 27 November 1957. It is situated on rising ground to the north of the site and can be seen from some views at the edge of the Aldington Clap Hill Conservation Area (view 11). Whilst the tower is screened by some trees, the fields provide a countryside setting for the church which contributes to its significance as a rural place of worship and focal point in the landscape. This would be eroded to a small degree by the proposed development. We judge harm to be at the lower end of substantial.	Noted. Table 7.1 (Heritage Assets with Identified Impact by the Project and Harm Category Assessment Summary) of <b>ES Volume 4, Appendix 7.2: Heritage Statement (Doc Ref. 5.4)</b> <a href="#">[APP-072]</a> confirms that a slight impact (not significant in EIA terms) has been predicted. This is categorised as 'less than substantial harm' (lowest end of the spectrum).  Paragraphs 7.6.16 and 17 of <b>ES Volume 2, Chapter 7: Cultural Heritage (Doc Ref. 5.2 (A))</b> <a href="#">[AS-011]</a> then sets out the embedded mitigation measures that have been included within the design of the Project.  The detailed design of the landscape are then secured by Requirement 8 (Landscape and	Agreed

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				<p>biodiversity) in the <b>Draft DCO (Doc Ref. 3.1)</b>.</p> <p>The <b>Planning Statement (Doc Ref: 7.6)</b> <a href="#">[APP-151]</a> then notes at paragraph 6.13.8 that the <i>'limited harm to heritage assets is considered to be demonstrably outweighed by the substantial public benefits that would only be realised if the Project was delivered'</i>.</p> <p>Further discussion with HE has identified that whilst there is some disagreement between the use of the term 'lowest' in relation to the level of harm, (HE has identified the level of harm as low), the Applicant and HE are in agreement that the level of harm to the significance of St John the Baptist Church Mersham would be on the lower end of less than substantial harm.</p>	
As above Section 3	RR	Impacts upon Designated Heritage Assets: Stonelees House	At the south-west corner of the site, the panels would cover fields which historically formed the estate of the Stonelees House, a medieval hall (Grade II*: NHLE 1233761). We have identified harm to the	Noted. <b>Table 7.1</b> (Heritage Assets with Identified Impact by the Project and Harm Category Assessment Summary) of <b>ES Volume 4, Appendix 7.2: Heritage Statement (Doc Ref.</b>	Agreed



Ref	Relevant Application Document	Description of Matter	HE Current Position	Applicant's Current Position	Status
			<p>building's significance (because of historic association). We would also encourage the applicant to explore opportunities to reduce harm to Stonelees, for example, by reducing the number of solar panels at the south ends of fields 3 and 7.</p>	<p><b>5.4)</b> <a href="#">[APP-072]</a> confirms that a slight impact (not significant in EIA terms) has been predicted. This is categorised as 'less than substantial harm (lower end of the spectrum).</p> <p>The design of the Project has been refined as a result of the pre-application process. As set out in paragraph 7.6.17 of <b>ES Volume 2, Chapter 7: Cultural Heritage (Doc Ref. 5.2 (A))</b> <a href="#">[AS-011]</a> following key principles of mitigation relevant to cultural heritage receptors have been embedded within the design of the Project via the <b>Works Plans (Doc Ref. 2.3(B))</b>, the <b>Design Principles (Doc Ref. 7.5(A))</b>, <b>Vegetation Removal Plan (Doc Ref. 2.8)</b> <a href="#">[APP-014]</a> and <b>Outline LEMP (Doc Ref. 7.10(A))</b>:</p> <p><i>"PV panels have been removed from the western edge of Field 3 adjacent to the barn located close to Stonelees (Grade II* listed building). A new hedge is proposed and the security fence adjusted to accommodate a 15m</i></p>	

Ref	Relevant Application Document	Description of Matter	HE Current Position	Applicant's Current Position	Status
				<p><i>buffer from the property line. This would supplement the existing c. 2m high stone and brick wall to the north and vegetative boundaries enclosing the asset to the north east and assist in minimising intervisibility with the Site. A section of the previously proposed hedge along the western boundary of Field 3 has been removed;”</i></p> <p>Further discussion with HE has identified that whilst there is some disagreement between the use of the term ‘lowest’ in relation to the level of harm (HE has identified the level of harm as low), we are in agreement that the level of harm to the significance of Stonelees would be on the lower end of less than substantial harm.</p>	
Section 3	RR	Impacts upon Designated Heritage Assets: Scheduled and Unscheduled Monuments	In relation to the scheduled monuments within the study area, we consider that the proposed development site contributes to the setting of the scheduled monuments in this area. This is particularly true for the scheduled (and unscheduled) Bronze Age barrows which are scattered across the	Noted. The nearest scheduled barrow (Barrow cemetery to the south west of Barrow Hill) is approximately 3km from the solar arrays. <b>ES Volume 4, Appendix 7.2: Heritage Statement (Doc Ref. 5.4) [APP-072], Annex 2 Heritage Viewpoints</b> includes view 3H, which paragraph 6.3.8	Agreed

Ref	Relevant Application Document	Description of Matter	HE Current Position	Applicant's Current Position	Status
			<p>landscape, creating a wider ritual space. However, we cannot fully appreciate the inter-relationship of this site with the surrounding landscape and heritage assets without a more comprehensive understanding of the archaeological remains which may be present, in the proposed development site. We wish to see further information on this point and will be liaising with the applicant about this in order to form a view on the likely impact.</p>	<p>states '<i>demonstrate the subtle elevation of the asset and confirm that the Project would not be visible in views towards the monument from this position</i>'.  For the avoidance of doubt, the archaeological assessment work undertaken is detailed in <b>ES Volume 2, Chapter 7: Cultural Heritage (Doc Ref. 5.2 (A))</b> <a href="#">[AS-011]</a> and <b>ES Volume 4, Appendix 7.1: Archaeological Desk-Based Assessment (Doc Ref. 5.4)</b> <a href="#">[APP-070]</a> and <a href="#">[APP-071]</a> include an assessment of the archaeological features within the Site, which has taken into account the proposed service routes, compounds and all relevant construction works.  The archaeological investigations followed a structured sequence starting with a desk-based assessment, which was enhanced by a geophysical survey to identify anomalies. Following discussions with the KCC Archaeological Officer, the Applicant conducted intrusive investigations, including geoarchaeological surveys and</p>	

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				<p>trial trench evaluations, focusing on high-potential areas.</p> <p>The comprehensive evaluation provided a proportionate baseline to assess potential significant effects on archaeological assets. Further trial trenching is proposed before construction to fully investigate archaeological potential and mitigate any residual risk.</p> <p><b>The AMS (Doc Ref. 7.17) [APP-162]</b> sets out the approach to archaeological management, which will be submitted to the local planning authority for approval prior to commencement as secured by a Requirement in the <b>Draft DCO (Doc Ref. 3.1(B))</b>.</p> <p><b>The AMS (Doc Ref. 7.17) [APP-162]</b> establishes a strategy which will minimise the impact of the Project on the archaeological resource and preserve and record archaeological features</p> <p>If archaeological findings are identified, the <b>Works Plans (Doc Ref. 2.3(B))</b> secure flexibility to relocate infrastructure and the</p>	

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				<p><b>Design Principles (Doc Ref. 7.5(A))</b> allow flexibility for the use of alternative construction techniques for the PV array areas to reduce impacts.</p> <p>Further discussion with HE have concluded that whilst the exact level of harm cannot be determined until the full suite of archaeological investigations has been undertaken, it is agreed that the level of harm to scheduled and unscheduled monuments is likely to be on the lower end of less than substantial harm.</p>	

### 3 Signatures

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This Statement of Common Ground has been prepared and agreed by EPL 001 Limited and Historic England.

On behalf of EPL 001 Limited

Name:

Signature:

Position:

Date:

.....

On behalf of Historic England

Name:

Signature:

Position:

Date:

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## References

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<sup>1</sup> *Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects*. [online] GOV.UK. Available at: <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects> [Accessed 14 Oct. 2024]

<sup>2</sup> Legislation.gov.uk. (2023). *The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009*. [online] Available at: <https://www.legislation.gov.uk/uksi/2009/2264/schedule/1/made>