
EAST YORKSHIRE SOLAR FARM

**East Yorkshire Solar Farm
EN010143**

**Statement of Common Ground between East Yorkshire Solar
Farm Limited and Historic England**

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Statement of Common Ground

Signatures

This Statement of Common Ground has been prepared and agreed by East Yorkshire Solar Farm Limited and Historic England.

Helen Standing, NSIP Development Manager on behalf of East Yorkshire Solar Farm Limited

Date: 9th August 2024.....

Signed: 

Keith Emerick, Inspector of Ancient Monuments, on behalf of Historic England.

Date: 9th August 2024.....

Signed:


1. Introduction and Purpose

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) made to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (PA 2008) for the proposed East Yorkshire Solar Farm (the Scheme). The Application is submitted by East Yorkshire Solar Farm 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).
- 1.1.3 HE is the Government's lead advisor on the historic environment and protects England's historic environment through championing historic places; identifying and protecting England's heritage; managing change; understanding historic places; and providing expertise at a local level. HE is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and so has been consulted throughout the preparation of the Application.
- 1.1.4 The Examining Authority has requested that the SoCG include the following matters as set out in the Rule 6 Letter **[PD-002]**:
- a. Effects on the Historic Environment including the adequacy of assessments, methodology and proposed mitigation;
 - b. Impacts on the setting of designated heritage assets;
 - c. Effects on archaeology;
 - d. Effectiveness of proposed mitigation and monitoring measures and method for securing such measures within the draft DCO **[REP1-006]**; and
 - e. Drafting of the draft DCO **[REP1-006]**, including the Articles and Requirements.
- 1.1.5 It can be taken that any matters not specifically referred to in section 2 and 3 of this SoCG are not of material interest or relevance to HE's representations and therefore have not been considered in this document.
- 1.1.6 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 Scheme

- 1.2.1 The Scheme comprises the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) electricity generating facility with a total capacity exceeding 50 megawatts (MW) and export connection to the national grid, at National Grid's Drax Substation. A detailed description of the Scheme is included in Chapter 2: The Scheme, Environmental Statement Volume 1 which was submitted with the DCO

Application **[APP-054]** and a description of the development to be authorised is set out in Schedule 1 of the draft DCO **[REP1-006]**.

1.3 Format of Document and Terminology

- 1.3.1 Section 2 of this SoCG summarises the engagement the Parties have had with regard to the Scheme.
- 1.3.2 Section 3 of this SoCG summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’. ‘Not agreed’ indicates a final position where the Parties have agreed to disagree, whilst ‘Agreed’ indicates where the issue has been resolved. The Parties have also indicated the likelihood that agreement will be reached on each item.
- 1.3.3 Abbreviations used within the SoCG are provided in Table 1-1 below.

Table 1-1 Abbreviations

Abbreviation/Term	Definition
CEMP	Construction Environmental Management Plan
DBA	Desk-Based Assessment
DCO	Development Consent Order
ES	Environmental Statement
HE	Historic England
MW	Megawatts
OWSI	Overarching Written Scheme of Investigation
PA	Planning Act 2008
PEI Report	Preliminary Environmental Information Report
PV	Photovoltaic
SoCG	Statement of Common Ground
ZOI	Zone of Influence
ZTV	Zone of Theoretical Visibility

2. Record of Engagement

2.1 Record of Engagement

2.1.1 The tables below set out a summary of the meetings and correspondence between the Parties in relation to the Scheme.

Table 2-1 Schedule of Meetings and Correspondence during the Pre-application Stage

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
7 November 2022	Email	Introductory email to seek advice and provide key project details.
8 November 2022	Email	Response from HE to confirm receipt of email received 7 November 2022.
7 June 2023	Email	Response from HE to the Applicant's Section 42 statutory consultation.
26 July 2023	Meeting (Teams)	Meeting with HE to discuss Heritage and Archaeology. An overview of the Scheme and potential design changes following statutory consultation was provided by the Applicant.

Feedback was provided by the consultees on the PEI Report with an opportunity for discussion. HE raised that the methodology should be amended as the 'significance of effects' is not the same as the 'effect on significance'. The Applicant explained that the methodology in Chapter 7: Cultural Heritage, ES Volume 1 **[REP2-006]** does not conflate significance of effect with the effect on (heritage) significance and it is recognised that these are separate Issues. It was agreed that the proposed methodology was acceptable.

HE also raised that the emphasis on Grade II buildings should be ranked higher than 'Medium' in the PEI Report. The Applicant explained that the assessment reflects the separation of the grades in paragraph 206 of the National Planning Policy Framework (December 2023). This methodology was agreed by HE.

The Applicant provided updates on trial trenching.

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
3 November 2023	Email	The Applicant provided a copy of the draft Desk-Based Assessment (DBA) to HE for review prior to submission of the Application.
29 November 2023	Email	Comments received from HE on draft DBA.
6 March 2024	Email	The Applicant provided a copy of the Trial Trench Evaluation Assessment Report prepared by West Yorkshire Archaeological Service for information
12 April 2024	Email	The Applicant provided a copy of the draft Overarching Written Scheme of Investigation for Archaeological Mitigation (OWSI) for comment by HE.
24 April 2024	Email	The Applicant requested if HE could return comment on the previously submitted Trial Trench Evaluation Assessment Report and OWSI by 20 May 2024.
		In addition, the Applicant requested clarity from HE regarding a reference in their Relevant Representation, submitted to the Planning Inspectorate on 29 February 2024, to cumulative effects arising from other schemes. Applicant asked HE to specify which developments their Relevant Representation referred to so that the assessment submitted in Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] could be double-checked.
10 May 2024	Email	HE confirmed they are happy to defer comment on the OWSI to the Local Planning Authority Archaeology Officers.
		HE provided clarity on the cumulative impact assessment. HE's comment relates to landscape-scale change as a result of several solar schemes contributing to a landscape of energy production.
04 June 2024	Meeting (Teams)	The draft SoCG was reviewed and some issues previously 'under discussion' were confirmed as 'agreed'. It was discussed and agreed that a previous issue relating to cumulative

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
		<p>impacts could be resolved and marked in the draft SoCG as 'Agreed' (item 3.3.1 of Table 3-3), as it was determined that the issue would be better resolved via an alternative assessment method. The issue, originally raised by HE in their Relevant Response, relates to the impact of change to the landscape, and specifically the effect of incremental solar development on elements of the historic landscape which includes existing power-related infrastructure. It was agreed that additional assessment of landscape-level change would be carried out and submitted during the Examination. This additional assessment is presented in the updated Chapter 7: Cultural Heritage of the ES [REP2-006] which was updated at Deadline 2.</p>
25 June 2024	Email	<p>The Applicant advised HE that the additional assessment would be detailed in an updated Cultural Heritage ES chapter, rather than a separate addendum, and would be submitted for Deadline 2 of the Examination.</p>
08 July 2024	Email	<p>The Applicant provided Examination Library references for the tracked [REP2-007] and clean [REP2-006] versions of the updated Chapter 7 Cultural Heritage and also attached copies of the reports to the email.</p>
17 July 2024	Email	<p>HE confirmed in an email to the Applicant that they have reviewed the updated ES Chapter 7 [REP2-006] and are happy with the conclusions of the additional assessment.</p>
24 July 2024	Email	<p>HE confirmed that matters marked previously as 'Under discussion' in Table 3.2 of this SoCG can now be marked as 'Agreed'.</p>

3. Areas of Discussion Between the Parties

3.1 Assessment Methodology

Table 3-1 Assessment Methodology

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.1.1	Relevant Representation	Remit	HE's interest in the Scheme is focused on designated and non-designated heritage assets of national importance.	The Applicant agrees with this position and has consulted with the Local Planning Authorities regarding the non-designated sites of lower status.	Agreed
3.1.2	Scoping Opinion Response	Assessment of significance	HE considers that the methodology should be amended as the 'significance of effects' is not the same as the 'effect on significance'.	<p>The methodology in Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] does not conflate significance of effect with the effect on (heritage) significance and it is recognised that these are separate Issues.</p> <p>The issue was discussed at a meeting with Historic England held on 26 July 2023, and it was agreed that the proposed methodology was acceptable.</p> <p>Section 7.7 of Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] assesses impacts to heritage assets</p>	Agreed

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
				deriving from change to their heritage interests and heritage significance. A resulting significance of effect is then assessed.	
3.1.3		Baseline conditions and adequacy of assessment	HE agrees that the baseline assessment set out in Section 7.5 of Chapter 7: Cultural heritage, ES Volume 1 [REP2-006] contains an appropriate level of information to inform the impact assessment.	The Applicant agrees with this position.	Agreed
3.1.4	Scoping Opinion Response	Value of heritage assets	Ranking of heritage assets – the emphasis on Grade II buildings should be higher than ‘Medium’.	This matter was addressed and resolved at a meeting with Historic England, Conservation Officer for East Riding of Yorkshire Council and Archaeology Officer for East Riding of Yorkshire Council held on 26 July 2023. Section 7.4 of ES Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] explains that while it is recognised that listed buildings are designated due to an architectural or historic interest considered to be of national importance, the Applicant's assessment makes a distinction in value between Grade I and Grade II* listed buildings and Grade II listed buildings. This reflects the separation	Agreed

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.1.5	Scoping Opinion Response	Change to long distance views	HE considers that more credence should be placed on long distance views. Information on how views change as the viewer moves through the landscape – taking a more dynamic approach rather than an approach to views based on fixed points.	<p>of the grades in paragraph 206 of the National Planning Policy Framework (December 2023) which makes a distinction between Grade II listed buildings and registered parks and gardens, and assets which it considers to be of 'the highest significance', notably scheduled monuments, Grade I and II* listed buildings and Grade I and II* registered parks and gardens. The Applicant notes that the National Planning Policy Framework referred to above (December 2023) came into effect after the meeting held with HE in which this matter was discussed (July 2023), but confirms that the explanation above remains valid.</p> <p>The Study Area has been informed by the Zone of Theoretical Visibility (ZTV), shown on Figure 10-5 [APP-160] and Figure 10-6, ES Volume 3 [APP-161], but primarily from the results of the site visit which considered the Scheme's impact on the experience of heritage assets as the viewer moves through the landscape. The Study Area therefore considers the potential for the Scheme to change the experience</p>	Agreed

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
				of a heritage asset as the viewer moves through the landscape rather than solely from a fixed viewpoint. A thematic assessment of how long-distance views change as a viewer moves through the landscape is presented in Section 5 of Appendix 7-2: Cultural Heritage Desk-Based Assessment, ES Volume 2 [APP-080] .	
3.1.6	Section 42 Statutory Consultation Response	Non designated heritage assets	The ES should consider the potential impacts which the proposals might have upon those heritage assets which are not designated.	Impacts to designated and non-designated heritage assets, including assets identified through the course of the assessment, have been assessed in section 7.7 of Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] .	Agreed.
3.1.7	Email dated 17 July 2024.	Magnitude of change on a landscape-level scale.	Additional assessment should be carried out to assess the magnitude of change to the landscape, specifically the effect of incremental solar development on elements of the historic landscape which includes existing power-related infrastructure.	The Applicant agrees that additional assessment will be carried out to assess this potential impact. The assessment results are included in the updated Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] submitted at Deadline 2 of the Examination. In an email dated 17 July 2024, HE confirmed they were happy with the conclusions of the additional assessment.	Agreed

3.2 Assessment of Effects and Proposed Mitigation

Table 3-2 Assessment of Effects and Proposed Mitigation

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.2.1	Relevant Representation Response	Assessment of impact on the significance of Howden and its Minster church (Grade I Listed).	<p>The assessment of impact on the significance of Howden and its Minster church (5.1.8 onwards) is well-written and considered. HE like the approach used to present both Chronological (4.8 onwards) and Thematic (5.1.1 onwards) assessments. This latter section assesses landscape scale change and the dynamics of moving through the landscape.</p> <p>HE expects the Applicant to identify the contribution that setting makes to significance, give appropriate weight to 'experience', and identify the impact on significance and not the significance of the impact when preparing statements of significance for individual places.</p>	<p>The Applicant agrees that the experience of a heritage asset is an important component in the assessment of its heritage significance, and this forms part of the assessment process set out in the Cultural Heritage Desk-Based Assessment [APP-080] and Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006].</p> <p>In accordance with the published guidance on the Setting of Heritage Assets (https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/), section 4.3 and section 5 of the Cultural Heritage Desk-Based Assessment [APP-080] articulate the experience of individual heritage places and assets and describes how this experience contributes to their heritage</p>	Agreed

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.2.2	N/A	Other Designated Heritage Assets referred to in Section 7.7 of Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] .	The assessment of effects on Hagthorpe Hall, Hagthorpe Stables, Derwent View, Rowland Hall (all Grade II Listed Buildings), Drax Augustinian Priory, Wressle Castle (Scheduled Monuments) and Hagthorpe Moated Site (A Non designated Heritage Asset of, potentially, national heritage significance) are considered acceptable.	Impacts to designated heritage assets, including assets identified through the course of the assessment, have been assessed in section 7.7 of Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] . The Heritage Statement (Appendix E of the Planning Statement [APP-233]) sets out the assessment of harm that the Scheme may have upon designated heritage assets and a non-designated asset identified as being of, potentially, national heritage significance.	Agreed

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.2.3	Relevant Representation	Assessment of potential impacts associated with landscape-level change	<p>HE states that the assessment of impact on the significance of Howden and its Minster church (5.1.8 onwards within Appendix 7-2: Cultural Heritage Desk-Based Assessment, ES Volume 2 [APP-080]) is well-written and considered. HE like the approach used to present both Chronological (4.8 onwards) and Thematic (5.1.1 onwards) assessments. This latter section addresses the points made in our original communications to the applicant about trying to assess landscape scale change and the dynamics of moving through the landscape.</p>	The Applicant agrees with this position.	Agreed
3.2.4	Section 42 Statutory Consultation Response	Significance of Heritage Assets	<p>The level of detail for explaining the significance of heritage assets should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance. The following were noted as assets which should be considered;</p> <ul style="list-style-type: none"> NHLE 1015304 Moated site at Manor Farm, Portington 	<p>The identification of assets which will be impacted by the Scheme, and a description of their heritage significance, including the contribution made by their setting, is presented in Appendix 7-2: Cultural Heritage Desk-Based Assessment, ES Volume 1 [APP-080] and summarised as relevant in the ES. The specific assets mentioned by HE have been considered in the assessment.</p>	Agreed.

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.2.5	N/A	Proposed mitigation	<p>HE agrees with the proposed mitigation as set out in Section 7.8 of Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006], the OWSI [REP1-086] and that this will be implemented through requirement 10 of the draft DCO [AS-008].</p>	<p>Noted. The mitigation measures, as set out in Section 7.8 of Chapter 7: Cultural Heritage ES Volume 1 [REP2-006], are detailed in the OWSI [REP1-086] which has been agreed with the Archaeology Officers from the relevant Local Planning Authorities, and the Science Advisor for Historic England. The agreed mitigation measures are also set out in Table 2 of the Framework Construction Environmental Management Plan (CEMP) [REP1-053] will be secured through requirements 10 (OWSI) and 11 (CEMP) of the draft DCO [REP1-006].</p>	Agreed.

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.2.6	Relevant Representation 146	Adequacy of the assessment of archaeological potential in the area	<p>HE has reviewed the Cultural Heritage Desk-Based Assessment [APP-080] and notes that the applicant states that because little archaeological research has been carried out in the area, with little result, the archaeological potential is therefore 'low' or 'negligible' (section 6.1). HE do not consider that this is the case. NPS EN1 – Overarching National Policy statement for Energy makes it clear that the construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground. It goes on to set out that the applicant should undertake an assessment of any likely significant heritage impacts of the proposed development, and as a minimum the applicant should have considered the relevant Historic Environment Record and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact, and where a site includes or</p>	<p>The Applicant would like to clarify that section 6.1 of the Cultural Heritage Desk-Based Assessment, Appendix 7-2, ES Volume 2 [APP-080] does not state that because little archaeological research has been carried out in the area, with little result, the archaeological potential is 'low' or 'negligible'.</p> <p>The archaeological potential, which is assessed in section 6.1 as ranging from 'negligible' to 'high' for different chronological periods, has been determined by a review of the known heritage resource, including the relevant Historic Environment Record, land-use and topography, the results of stakeholder engagement and the results of archaeological field evaluation. This is stated in section 6.1.1 of the Cultural Heritage Desk-Based Assessment [APP-080]. The results of the field evaluation, which have informed the assessment of likely impacts of the Scheme, are set out in the Geophysical Survey Report, Appendix 7-3, ES Volume 2</p>	Agreed.

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
			<p>available evidence suggests it has the potential to include heritage assets with an archaeological interest, the applicant should carry out appropriate desk based assessment and if this is insufficient a field evaluation. It is clear that there are archaeological deposits in the area, but the assessment does not provide the necessary detail. For example, the section on the post-medieval (6.1.8), has a focus on former field boundaries and seems to gloss over the potential for WW1 and WW2 archaeology.</p>	<p>[APP-081] and the Archaeological Trial Trench Evaluation Report, Appendix 7-4, ES Volume 2 [REP1-018].</p> <p>The potential for previously unrecorded heritage assets relating to WW1 and WW2 archaeology is assessed to be negligible. Heritage assets from this period are well-researched and their locations are recorded on the relevant local authority Historic Environment Record. The WW1 and WW2 assets discussed in section 4.8 of the Cultural Heritage Desk-Based Assessment [APP-080] are all located outside of the Order Limits and the potential for previously unrecorded assets within the Order Limits is negligible. Arising from the meeting with HE on 05.06.24, it was agreed that this information would be clarified in Section 3.4 Archaeological Baseline of the OWSI along with an additional section detailing the archaeological potential.</p>	

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
3.2.7	Relevant Representation response	Potential research themes for future programmes of archaeological investigation	<p>HE recognises that the potential research themes set out in Paragraph 6.2.1 of the Desk-Based Assessment [APP-080] represent interim themes only and would be refined following the results of fieldwork.</p> <p>HE has reviewed and approves the final research themes which are detailed in section 4 of the OWSI [REP1-086].</p>	<p>Given the above the Applicant does not consider there is a need for further detail (assessment and analysis) to be provided as to the potential for archaeological deposits in the Scheme area.</p> <p>The potential research themes listed in section 6.2.1 of the Cultural Heritage Desk-Based Assessment, Appendix 7-2, ES Volume 2 [APP-080] are outline. Section 6.2.1 of the Desk-Based Assessment states that these research themes will be developed and updated following the results of fieldwork surveys and consultation with the local authority archaeology officers, and will then be set out in future Written Schemes of Investigation.</p> <p>Informed by the results of the geophysical surveys [APP-081] and updated Trial Trench Report [REP1-018] the research themes have now been updated and are included in section 4 of the OWSI [REP1-086], which has been agreed with the relevant local authority archaeology</p>	Agreed.

Ref	Relevant Application document	Summary of description of Matter	HE Current Position	Applicant's Current Position	Status
				officers and HE and has been submitted at Deadline 1 of the Examination.	
3.2.8		Assessment results (construction)	HE agrees with the assessment of impacts arising from construction set out in Section 7.7 of the updated Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] .	The Applicant agrees with this position.	Agreed
3.2.9		Assessment results (operation)	HE agrees with the assessment of impacts arising from operation set out in Section 7.7 of the updated Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] .	The Applicant agrees with this position.	Agreed
3.2.10		Residual effects	HE agrees with the assessment of residual effects set out in Section 7.7 of the updated Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006] .	The Applicant agrees with this position.	Agreed

3.3 Cumulative effects

Table 3-3 Cumulative Impact

Ref	Relevant Application Document	Summary of Description of Matter	HE Current Position	Applicant's Current Position	Status
3.3.1	Relevant Representation Response	Cumulative Impacts	HE does not consider that the cumulative impacts of the development has been properly considered as there are numerous solar farms proposed (and some consented) for the Humberhead Levels, the southern end of the Vale of York and the Vale of Holderness.	The cumulative schemes identified in Chapter 17: Cumulative Effects and Interactions [APP-069] and assessed in Chapter 7: Cultural Heritage, ES Volume 2 [REP2-006] were agreed in consultation with the relevant local planning authorities. The cumulative schemes assessed in the ES fall within a Zone of Influence (Zol) which was also agreed with local planning authorities, and which is illustrated on Figure 17-1 [APP-227] and Figure 17-2 [APP-228] ES Volume 3.	Agreed

Ref	Relevant Application Document	Summary of Description of Matter	HE Current Position	Applicant's Current Position	Status
				<p>The solar schemes located at Humberhead Levels, Vale of York and Vale of Holderness are outside of the agreed ZOI and their distance from the Scheme would preclude significant cumulative effects for heritage assets.</p> <p>The Applicant does not consider there is a need to assess any additional cumulative schemes to those which are presented in Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006]. Historic England agreed during a meeting dated 04 June 2024 that the cumulative assessment in the ES was adequate, and the area of potential impact to be further investigated related to the magnitude of change to the</p>	

Ref	Relevant Application Document	Summary of Description of Matter	HE Current Position	Applicant's Current Position	Status
				landscape and specifically, the effect of incremental solar development on elements of the historic landscape, including to existing power-related infrastructure and ancillary features. Refer to 3.1.7 in Table 3-1.	