



THE DROVES
SOLAR FARM

The Droves Solar Farm

Preliminary Environmental Information Report

Volume III, Chapter 8: Cultural Heritage and Archaeology

Prepared by: GHC Heritage

Date: May 2025

PINS Reference: EN0110013



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Appendix 8.1

Consultation and Legislation, Planning Policy and Guidance



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1 Consultation and Legislation, Planning Policy and Guidance

1.1 Consultation

- 1.1.1 The Planning Inspectorate (PINS) was provided with the Scoping Request in November 2024 (**Volume III, Appendix 2.1**), which included a chapter setting out the proposed scope of cultural heritage and archaeology assessment and methodology for the Scheme. A Scoping Opinion was subsequently issued in December 2024 by the Planning Inspectorate on behalf of the Secretary of State (**Volume III, Appendix 2.2**). The comments from PINS in respect of the cultural heritage and archaeology assessment have been summarised in Table 1.1 below, alongside commentary on where the comments have been addressed in **Chapter 8: Cultural Heritage and Archaeology**.
- 1.1.2 Further consultation has been undertaken throughout the pre-application phase of the Scheme, and a summary of this, as relevant to cultural heritage and archaeology, is also provided within Table 1.1 below.
- 1.1.3 The scope and information set out within this chapter has been, and will continue to be, informed by initial scoping and ongoing consultation with a number of relevant bodies. In the first instance, the information set out has been informed by the formal Scoping Opinion provided by the PINS, with consultees having been contacted and/or providing input into the consultation in relation to cultural heritage and archaeology.

Table 1.1 Summary of Consultation Undertaken as of February 2025

Consultee	Comments	Response
Planning Inspectorate (on behalf of the Secretary of State) Scoping Opinion	There are several heritage assets in close proximity to the site, including those of a higher grade (Scheduled Monuments, Grade I Listed Buildings). The Planning Inspectorate considers that potential effects may occur resulting in direct impacts to heritage assets during the construction phase, and therefore this should be scoped in to the ES.	Following changes to the redline boundary there are no designated heritage assets within 475m of the site (and no high grade assets within 500m). Therefore, direct impact from construction activity, including vibration from piling will not occur. Further details on the potential vibration effects of piling can be found in Chapter 10. Further assessment of transport routes and proximity to designated



Consultee	Comments	Response
		heritage will be presented in the ES.
	2. The Planning Inspectorate is in agreement that direct impacts to archaeological remains during the decommissioning phase can be scoped out of the ES.	No action required.
	3. Indirect impacts to Designated and Non-Designated heritage assets during the construction and decommissioning phases should be scoped in to the ES.	This will be included in the ES.
	4. The study area should include consideration of ZTV models produced for the landscape and visual assessment.	The ZTVs produced for the LVIA will be considered in the Cultural Heritage assessment and will be used to inform the creation of heritage specific viewshed analysis.
	5. Norfolk County Council's 'Standard for Development-Led Archaeological Projects in Norfolk' (2018) should be referred to	Following further assessment, the ES where considered reasonable will reference Norfolk County Council's 'Standards for Development-Led Archaeological Projects in Norfolk' (NCC 2018).
Historic England Scoping Opinion	1. Agreement that the identification of designated heritage assets in Appendix 8.1 of the Scoping report is appropriate	No action required



Consultee	Comments	Response
	2. Historic England is broadly in agreement with the proposed scope and methodology for ES	No action required
	3. Historic England is in agreement with the proposed extent of the Cultural Heritage study area	No action required.
	4. The potential value of BGS Borehole data should be considered	BGS data for the site is very limited with only four recorded on the northern edge of the site and few in the immediate environs. Therefore, whilst it will be considered, it is likely to be of little value.
	5. LiDAR used should be a 1m resolution as the basic minimum but higher resolution data would be preferred for areas where greater detail is required. 'Using Airborne Lidar in Archaeological Survey (HE 2018) should be referred to.	The LiDAR assessment has been undertaken in accordance with HE guidance.
	6. Norfolk HER should be consulted for information on non-designated heritage assets	The HER has been consulted for all records within and surrounding the site, however, not all HER entries can be considered as non-designated heritage assets and consultation with the Norfolk Historic Environment Team is ongoing with regards to archaeological remains that may be considered as non-designated heritage assets.



Consultee	Comments	Response
	7. Geophysical Survey technique should be stated	The technique is detailed in the full report presented at Volume III, Appendix 8.5
	8. The date of Fincham Drove as an extension of the Fen Causeway has been called into question and the dating of the rectilinear enclosures that appear to respect the route identified by the geophysical survey have important potential to assist in dating the routeway.	Agreed and will be expanded upon following trenching to inform the ES
	9. Norfolk County Council's 'Standard for Developer-Led Archaeological Projects in Norfolk' (2018) should be referred to	Agreed
	10. Historic England agrees with the identification of both direct and indirect impacts as potential likely significant effects of the Scheme but would add that there may be potential for indirect impacts on non-designated heritage assets as well.	Identification of non-designated heritage assets with potential to be effected is underway and will be covered in the ES
	11. Effect of compaction on archaeological assets should be considered.	The nature of potential sources of compaction is such that it is unlikely to impact the archaeological resource. Further information about the nature of the archaeological remains and their susceptibility to compaction will be gained from forthcoming trial trenching.



Consultee	Comments	Response
	12. Embedded mitigation measured will be required.	Agreed
	13. Cumulative and in-combination effects particularly in relation to the adjacent High Grove Solar Farm should be considered.	This will be covered
	14. Ground truthing geophysical survey results will be important.	A scheme of trial trenching is in the process of being agreed with NCCHE
	15. Further consultation with Historic England would be welcomed throughout the pre-application and application process	Currently waiting for HE to confirm fees so that they will engage
Borough Council of King's Lynn & West Norfolk Scoping Opinion	1. Castle Acre Priory and Castle are the key designated heritage assets sensitive to the Scheme. Whilst it is not visible from the site the landscape is visible from the monument and the effect of development within this setting at all phases of development should be considered.	Both the Priory and Castle are in fact visible from certain small areas of the site and this visibility will be assessed for contribution to significance.
	2. The setting of the larger heritage assets must be considered at all stages of development	Now scoped in
	3. HER Records are considered as non-designated heritage assets	Not all HER records are non-designated heritage assets. Many HER records relate to find spots of



Consultee	Comments	Response
		<p>artefacts that have been removed from the site, former monuments that have been destroyed, cropmarks whose veracity as an archaeological site has not been confirmed etc. Therefore, many HER records are an indication of potential rather than representing a non-designated heritage asset. It is for this reason that consultation is ongoing with the LPAs and their advisors as to what constitutes a non-designated heritage asset.</p>
	<p>4. The Castle Acre Neighbourhood Plan should be consulted for non-designated heritage assets and key views</p>	<p>This has been done</p>
	<p>5. West Norfolk Planning Policies DM15 and CS12 should be considered</p>	<p>Agreed and referenced</p>
	<p>6. The Scheme is situated on higher ground than the surrounding village allowing for longer views</p>	<p>6. The topography of the area is such that visibility, both to and from the surrounding villages is actually very limited and the nature of development, particularly the areas of solar arrays, actually results in less visibility from the villages than were the Scheme at a lower elevation. This will be expanded upon in the ES and illustrated through bespoke viewshed analysis.</p>



Consultee	Comments	Response
	7. Consideration of potential effects of sense of remoteness and tranquility on the landscape character.	Landscape character is assessed within the Landscape and Visual Chapter. Consideration to landscape within the Cultural Heritage chapter will be confirmed to where it directly contributes to the significance of a heritage asset and how the Scheme may effect that significance.
Breckland District Council Scoping Opinion	1. Cumulative impacts should consider the proximity of other NSPIPs in the area	Agreed
	2. Formal consultation on point 1 would be welcomed	Email sent to BDC on 14.2.25 to initiate further consultation and request officer contact details with aim to set up meeting. No response received at the time of writing. Applicant to continue efforts to engage with Council.
Further Consultation		
James Albone, Inspector of Ancient Monuments (Cambridgeshire & Norfolk, Historic England Consultation		Applicant to engage with Historic England to clarify elements raised in their response to the Scoping Opinion. Applicant initiated engagement with Historic England via email and phone in attempt to arrange consultation. At the time of writing no formal further consultation has taken place. Applicant to continue efforts to engage with Historic England prior to submission of the ES.



Consultee	Comments	Response
John Percival, Historic Environment Senior Officer, Norfolk County Council Consultation	To discuss extent of further archaeological evaluation works to inform the DCO Application.	The Applicant will continue consultation with national Heritage Environment Services on such matters to inform scope of archaeological evaluation works and preparation of a trenching plan which the approach and parameters will be agreed upon with NHES.
Lynette Fawkes, Conservation Officer, King's Lynn & West Norfolk Council Consultation		Email sent to Council on 14.2.25 to initiate further consultation and with aim to set up meeting. No response received at the time of writing. Applicant to continue efforts to engage with Council.
Breckland Council Consultation		Email sent to BDC on 14.2.25 to initiate further consultation and request officer contact details with aim to set up meeting. No response received at the time of writing. Applicant to continue efforts to engage with Council.

1.2 Legislation, Planning Policy and Guidance

1.2.1 This Appendix identifies the relevant legislation, planning policy, and guidance which underpin the assessment methodology for cultural heritage and which have informed the scope of the assessment.

1.2.2 The following legislation is relevant to the assessment:

- Ancient Monuments and Archaeological Areas Act (AMAAA) 1979
- Infrastructure Planning (Decisions) Regulations 2010
- Planning (Listed Buildings and Conservation Areas) Act (P(LBCA)) 1990
- Town and Country Planning Act (TCPA) 1990



- Planning Act 2008
- Levelling-Up and Regeneration Act (LuRA) 2023; and
- Hedgerow Regulations 1997.

Legislation

1.2.3 The following legislation is relevant to the assessment:

- Ancient Monuments and Archaeological Areas Act (AMAAA) 1979
- Infrastructure Planning (Decisions) Regulations 2010
- Planning (Listed Buildings and Conservation Areas) Act (P(LBCA)) 1990
- Town and Country Planning Act (TCPA) 1990
- Planning Act 2008
- Levelling-Up and Regeneration Act (LuRA) 2023; and
- Hedgerow Regulations 1997.

Planning Policy

1.2.4 The Overarching National Policy Statement (NPS) for Energy (EN-1) (2023) [Ref 8-1] sets out the government’s policy for the delivery of major energy infrastructure and, in conjunction with relevant technology-specific National Policy Statements, forms the primary policy for Secretary of State decision making for such developments. Part 5 of EN-1 details the policies on the assessment of common impacts across the range of energy technologies, with Section 5.9, entitled ‘Historic Environment’, specifying the predominant policy concerning impacts of major energy infrastructure on the historic environment, including guidance on the assessment and mitigation of these impacts. This section requires applicants to assess the significance of any heritage assets with the potential to be affected and provides advice on the means of reducing any impact, which should be considered throughout the design process.

1.2.5 EN-1 further recognises that the Secretary of State should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target, stating that this public benefit must be weighed against any loss or harm to the significance of a designated heritage asset (paragraphs 5.9.32 to 5.9.33).

1.2.6 The relevant technology-specific NPS for the Scheme comprises the National Policy Statement for Renewable Energy Infrastructure (EN-3) [Ref 8-2]. Paragraphs 2.10.107-110 of EN-3 details government policy on developments for Solar Photovoltaic Generation and incorporates specific considerations in regard to cultural heritage:

“The impacts of solar PV developments on the historic environment will require expert assessment in most cases and may have effect both above and below ground.

Above ground impacts may include the effects on the setting of Listed Buildings and other designated heritage assets as well as on Historic Landscape Character.



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Below ground impacts, although generally limited, may include direct impacts on archaeological deposits through ground disturbance associated with trenching, cabling, foundations, fencing, temporary haul routes etc.

Equally, solar PV developments may have a positive effect, for example archaeological assets may be protected by a solar PV farm as the site is removed from regular ploughing and shoes or low-level piling is stipulated.”

- 1.2.7 National Policy Statement for Electricity Networks Infrastructure (EN-5) [Ref 8-3] details government policy on electricity infrastructure. With regards to cultural heritage the document largely refers to policies set out in EN-1 and EN3 but recognises the potential impacts upon the setting of designated heritage assets from overhead cables and direct impacts from undergrounding (paragraph 2.9.25).
- 1.2.8 The National Planning Policy Framework (NPPF) [Ref 8-4] sets out the Government's planning policies for England, with the key objective of ensuring the delivery of sustainable development. Section 16 of the NPPF, entitled 'Conserving and enhancing the historic environment', establishes policies in relation to the historic environment. Paragraphs 207 and 208 establish the importance of assessing the significance, including any contribution made by their setting, of heritage assets with the potential to be impacted by development and seeks to conserve England's heritage assets in a manner appropriate to their significance. Paragraphs 212 to 221 ascertain that heritage assets can be harmed or lost through alteration, destruction or development within their setting, with the level of this harm ranging from less than substantial through to substantial.

Planning Policy Guidance

- 1.2.9 The Planning Practice Guidance [Ref 8-5] is a web-based resource which is to be used in conjunction with the NPPF. The relevant section is entitled 'Conserving and enhancing the historic environment'. The guidance given in this section sets out the best practice to applying government policy in the NPPF.

Local Planning Policy

- 1.2.10 The Breckland Council Local Development Plan (adopted September 2023) [Ref 8-6] comprises various documents which are used in addressing planning applications within the district, four of which are relevant to the assessment:
- Policy ENV 06 Trees, Hedgerows and Development;
 - Policy ENV 07 Designated Heritage Assets;
 - Policy ENV 08 Non-Designated Heritage Assets; and
 - Policy ENV 10 Renewable Energy Development.
- 1.2.11 The King's Lynn and West Norfolk Local Plan Core Strategy (adopted July 2011) [Ref 8-7] further contains a single policy of relevance to the assessment:
- Policy CS12 - Environmental Assets
- 1.2.12 An additional policy relating to cultural heritage is included in included the King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan (adopted September 2018) [Ref 8-8]:



- Policy DM15 - Environment, Design and Amenity:

1.2.13 The strategy for the protection of the historic environment is laid out in the above policies; the key points of which are summarised as follows:

- Proposals that may affect the significance of a designated or non-designated heritage asset will be required to provide proportionate evidence to the asset's importance, sufficient to identify its significance and the contribution to this made by its setting
- Developments should seek to conserve and, wherever possible, enhance the significance, architectural and historic character, appearance and setting of heritage assets
- Proposals should identify assets of archaeological significance and an archaeological evaluation will be required for development sites that are known or thought to have the potential to hold archaeological interest. The archaeological resource within a development site should be preserved either in situ or in record according to its significance; and
- Development requiring the loss of a protected hedgerow (as defined by the Hedgerow Regulations 1997) will only be permitted where it would allow for a substantially improved overall approach to the design that would outweigh this loss.

1.2.14 The Site straddles three parishes: the majority is within South Acre, with the western section within Narford and a small area within the south-eastern corner within Sporle with Palgrave. There are no Neighbourhood Plans for any of these Parishes at time of writing, although the Parish of Sporle with Palgrave is in the process of developing a Neighbourhood Plan (application to designate a neighbourhood area was submitted in January 2024).

Professional Guidance

- Historic England, Chartered Institute for Archaeologists and Norfolk County Council have published a suite of professional guidance of relevance to the assessment, summarised as:
- Standard and Guidance for Historic Environment Desk-based Assessment (Chartered Institute for Archaeologists (CIfA) 2020), which provides guidelines and recommendations for best practice in undertaking archaeological desk-based research and assessment [Ref 8-9]
- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment (Historic England 2015) [Ref 8-10] outlines a seven-stage process for the assembly and analysis of relevant information relating to heritage assets potentially affected by a proposed development. It emphasises the importance of understanding the significance of heritage assets with the potential to be impacted by development
- Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets (HE 2017) [Ref 8-11] recognises that whilst setting is not a heritage asset, "*Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance*" (paragraph 9)



- Historic England Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets. (Historic England 2019) [Ref 8-12], brings together all of the above guidance in an analysis of an appropriate approach for applicants for heritage and other consents in providing an understanding of the significance of heritage assets in line with NPPF
- Historic England Advice Note 15: Commercial Renewable Energy Development and the Historic Environment. (Historic England 2021) [Ref 8-13] addresses the above guidance in the context of commercial renewable energy proposals.
- Norfolk County Council Standards for Developer-Led Archaeological Projects in Norfolk [Ref 8-14] contains guidance on the current standards for archaeological works carried out as part of the development process.

1.2.15 The following topic-specific professional guidance documents produced by Historic England may also be referred to:

- Piling and Archaeology (2019) [Ref 8-15]
- Using Airborne Lidar in Archaeological Survey (2018) [Ref 8-16]
- Land Contamination and Archaeology (2017) [Ref 8-17]
- Preserving Archaeological Remains (2016) [Ref 8-18]



References

- Ref 8-1 Overarching National Policy Statement for Energy (EN-1). Department for Energy Security and Net Zero.
- Ref 8-2 National Policy Statement for Renewable Energy Infrastructure (EN-3)
- Ref 8-3 National Policy Statement for Electricity Networks Infrastructure (EN-5)
- Ref 8-4 Department for Levelling-Up, Housing and Communities 2024 National Planning Policy Framework
- Ref 8-5 Ministry of Housing, Communities and Local Government and Department for Levelling-Up, Housing and Communities 2021 Planning Practice Guidance
- Ref 8-6 Breckland Council 2023 Adopted Local Plan
- Ref 8-7 Borough of King's Lynn and West Norfolk Council 2011 The King's Lynn and West Norfolk Local Plan Core Strategy
- Ref 8-8 Borough of King's Lynn and West Norfolk Council 2016 King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan
- Ref 8-9 ClfA 2020 Standards and Guidance for Archaeological Desk-Based Assessment
- Ref 8-10 Historic England 2015 Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment
- Ref 8-11 Historic England 2017 Setting of Heritage Assets Historic Environment Good Practice Advice in Planning: 3 (2nd Edition)
- Ref 8-12 Historic England 2019 Statement of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12
- Ref 8-13 Historic England 2021b Commercial Renewable Energy Development and the Historic Environment. Historic England Advice Note 15
- Ref 8-14 Norfolk County Council 2018 Standards for Developer-Led Archaeological Projects in Norfolk
- Ref 8-15 Historic England 2019 Piling and Archaeology
- Ref 8-16 Historic England 2018 Using Airborne Lidar in Archaeological Survey
- Ref 8-17 Historic England 2017 Land Contamination and Archaeology
- Ref 8-18 Historic England 2016 Preserving Archaeological Remains



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