

Light Valley Solar

Technical note - Cultural Heritage: Level of Harm

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APFP Regulation 5(2)(a)



**Light Valley
Solar**

Infrastructure Planning

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The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1 Introduction

1.1 Overview and purpose of the document

- 1.1.1 This document provides a response to the Examining Authority's (ExA) first written questions, specifically Q1.5.2 relating to Cultural Heritage - Level of Harm.

2 Response to ExA Q1.5.2 – Cultural Heritage: Level of Harm

2.1 NPPF (2026)

- 2.1.1 Following the revision of the National Planning Policy Framework (NPPF) in August 2026, the categorisation of impacts to the historic environment has been revised. The latest iteration of NPPF introduces a five-tier classification system in place of substantial/less than substantial harm:

- 1) Positive Effect
- 2) No Effect
- 3) Harm
- 4) Substantial Harm
- 5) Total Loss

- 2.1.2 The revised NPPF also explicitly defines 'substantial harm' as occurring when a development 'seriously affects a key element of an asset's significance'. These amendments do not fundamentally alter the outcomes of our assessment as an equivalence to EIA terminology can be drawn; this is set out below.

2.2 Updated Assessment terminology

- 2.2.1 As set out within ES Volume 1 Chapter 8 – Cultural Heritage [APP-046], the EIA determines a significance of effect, rather than 'harm' as per NPPF/NPS EN-1. The criteria for determining the significance of effect are set out within Table 8-13. Section 8.5.15 states that '*Whilst adverse significant effects typically equate to 'substantial harm' as described in NPS EN-1 (Ref 18) and defined in the NPPF (Ref 21), moderate adverse effects might, depending on the nature of the asset affected, equate to an NPS EN-1/NPPF assessment outcome of 'less than substantial harm'. This assessment is made based on professional judgement.*' In line with this statement, all outcomes of minor adverse or negligible adverse would have previously automatically equated to 'less than substantial harm'.
- 2.2.2 Within the impact assessments set out in Environmental Statement Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment [APP165] all outcomes where a significance of effect is determined to be *minor adverse* or *negligible adverse*, these would equate to 'harm' under the revised classification

system. Where the significance of effect is recorded as *neutral*, this would equate to 'No Effect'. No effects which could equate to 'Positive Effect' are recorded within the EIA.

- 2.2.3 Significant effects on buried archaeological remains within the Order Limits have the potential to equate 'Substantial Harm' or 'Total Loss' to undesignated heritage assets under the revised NPPF framework. Archaeological mitigation for these impacts is set out within the Archaeological Mitigation Strategy [APP-200]. Where preservation *in situ* through non-intrusive construction methodologies is not achievable, twelve strip, map and sample areas have been agreed, with archaeological monitoring proposed for areas of the cable corridor which have not been subject to geophysical survey. Further archaeological mitigation on Highways Improvement Areas and Site 8 Access will be agreed as necessary with NYC.

2.3 Assessment of Harm within the Application

- 2.3.1 A full assessment of impacts is presented within Environmental Statement Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment [APP-165]. With the exception of potential effects on buried archaeological remains within the Order Limits and after the application of embedded mitigation, no assets have been identified as experiencing a significant effect (or substantial harm) as a result of the Proposed Development, however for transparency, where professional judgement has been applied in this decision for assets which have the potential for an outcome of minor or moderate significance of effect (i.e. a choice between a non-significant effect equating to 'harm' and a significant effect which could equate to 'substantial harm'), these are listed in detail within ES Volume 1 Chapter 8 - Cultural Heritage [APP-046]:

- 1) Thorpe Hall moated monastic grange [NHLE 1017460]
- 2) Church of St. Mary [NHLE 1316671]
- 3) Former Coach House And Stables Adjoining Escrick Park To Rear Right [NHLE 1148489]
- 4) Escrick Park [NHLE 1167878]
- 5) Garden Temple [NHLE 1148453]
- 6) Wheldrake Lodge [NHLE 1148456]
- 7) Gates, Piers and Railings at Wheldrake Lodge [NHLE 1316305]
- 8) Thorpe Hall [NHLE 1365820]
- 9) Rectangular Range opposite Thorpe Hall, Consisting of Stables, Open Cart Shed, Barn, Wall, Pump And Basin [NHLE 1132561]
- 10) Birkin House [NHLE 1316672]
- 11) Common Lane Bridge, HUL3/4 [NHLE 1419073]
- 12) Church of St Mary, Hambleton [NHLE 1474381]

- 2.3.2 In the context of NPPF (2026) all assets listed above would be considered to experience ‘harm’ (arising through changes in their setting) as a result of the Proposed Development. All further effects are detailed within ES Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment [APP-165]. As noted above, it is considered that where a significance of effect is determined to be *minor adverse* or *negligible adverse*, these would equate to ‘harm’ under the revised classification system. Where the significance of effect is recorded as *neutral*, this would equate to ‘No Effect’.

2.4 Harm arising from the Proposed Development

- 2.4.1 The Proposed Development has the potential to result in ‘Total Loss’ or ‘Substantial Harm’ to buried non designated archaeological remains within the Order Limits. Archaeological mitigation for these impacts is set out within the Archaeological Mitigation Strategy [APP-200]. No other instances of Substantial Harm or Total Loss are anticipated.
- 2.4.2 Assets outside of the Order Limits have the potential to experience ‘harm’ (generally at low levels) from impacts arising from changes within their setting. This primarily relates to the introduction of a new industrial element to a predominantly rural landscape, where this contributes to the significance of the heritage asset. The assets listed above (discussed in detail within ES Volume 1 Chapter 8 - Cultural Heritage [APP-046]) represent high value assets judged to receive a minor adverse effect, which is defined within Table 8-11 as ‘*Minor detrimental alteration, either directly or indirectly, to at least one key characteristic that contributes to the cultural significance (value) of a heritage asset.*’ In all cases, professional judgement concluded that whilst this would equate to ‘harm’ this would not meet the criterion for ‘substantial harm’.
- 2.4.3 Where a significance of effect is recorded within ES Volume 3 - Appendix 8.5 Statements of Significance and Impact Assessment [APP-165] as *neutral*, these assets will receive no effect from the Proposed Development on the interests (archaeological, architectural, or historic) which make up their significance.
- 2.4.4 No effects which could be classified as positive effects were identified within the EIA.



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