

The Drovers Solar Farm

Appendix 8.1: Consultation and Legislation, Planning Policy and Guidance

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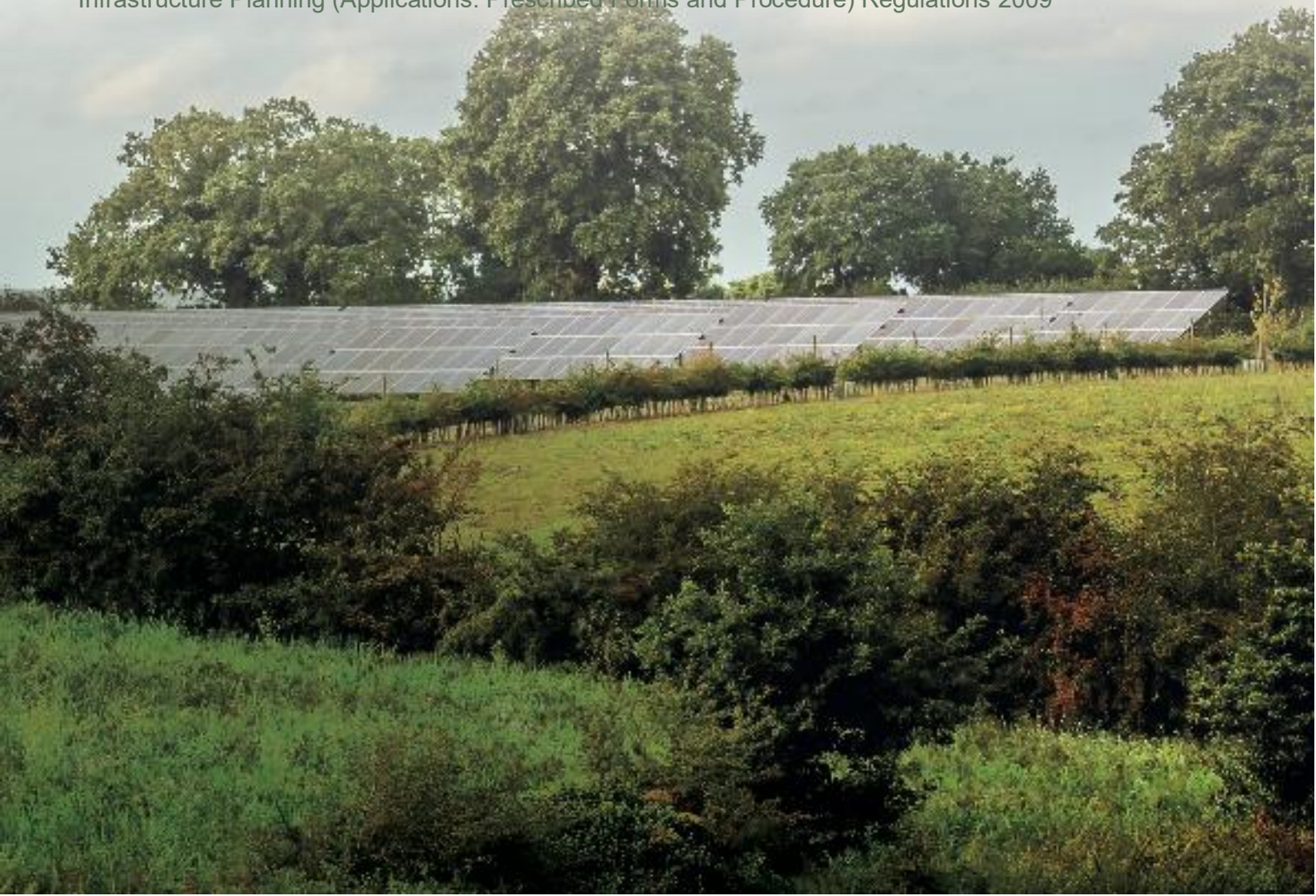
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APFP Regulation Reg 5(2)(a)

Planning Act 2008

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





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8 Consultation, Legislation, Planning Policy and Guidance

8.1 Consultation

Scoping Opinion

- 8.1.1 A request for an EIA Scoping Opinion was sought from the Secretary of State (SoS) through the Planning Inspectorate (PINS) in November 2024. PINS subsequently issued the Scoping Opinion in December 2024.
- 8.1.2 The issues raised in the Scoping Opinion relating to heritage and archaeology are summarised and responded to within Table 8-1 which demonstrates how the matters raised in the Scoping Opinion are addressed in this ES.



Table 8-1 Relevant Scoping Opinion Comments from Statutory Bodies relating to Cultural Heritage and Archaeology

Consultee and Date	Comment and Scoping Opinion ID No.	How has the comment been addressed in the ES chapter	Location of response in ES Chapter
The Planning Inspectorate, Scoping Opinion, December 2024	3.3.1 <i>“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”.</i>	The assessment of impacts on heritage assets during the construction phase has been presented in this ES chapter.	Presented in Section 8.8, Assessment of Likely Effects of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	3.3.2 <i>“The Planning Inspectorate is in agreement that direct impacts to archaeological remains during the decommissioning phase can be scoped out of the ES.”.</i>	The PINS comment is noted. Direct impacts to archaeological remains during the decommissioning phase has been scoped out of the ES.	N/A.
	3.3.3 <i>Indirect impacts to Designated and Non-Designated heritage assets during the construction and decommissioning phases should be scoped into the ES.</i>	Noted. Indirect impacts to Designated and Non-Designated heritage assets during the construction and decommissioning phase have been scoped into the ES.	Presented in Section 8.8, Assessment of Likely Effects of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	3.3.4 <i>The study area should include consideration of ZTV models produced for the landscape and visual assessment.</i>	The Zone of Theoretical Visibility (ZTVs) produced as part of ES Chapter 6: Landscape and Visual [APP/6.2] have been considered in the Cultural Heritage and Archaeology assessment and have	Presented in Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] , and Appendix 8.2: Stage 1 and Stage 2 Setting Assessment [APP/6.4]



		been used to inform the creation of heritage specific viewshed analysis.	
	<i>3.3.5 LiDAR survey should be informed by relevant Historic England guidance</i>	The LiDAR Survey undertaken has been completed in accordance with that requested in the PINS Scoping Opinion (Historic England guidance 'Using Airborne Lidar in Archaeological Survey' (2018)) and informed by the consultation response from Historic England.	Appendix 8.5: Air Photo Services Report [APP/6.4]
	<i>8.4.11 Norfolk County Council's 'Standard for Development-Led Archaeological Projects in Norfolk' (2018) should be referred to</i>	PINS comment is noted and agreed with. The assessment does reference Norfolk County Council's 'Standards for Development-Led Archaeological Projects in Norfolk' (NCC 2018).	Presented in Section 8.3 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
Historic England, Scoping Opinion, December 2024	<i>Agreement that the identification of designated heritage assets in Appendix 8.1 of the Scoping report is appropriate</i>	Noted.	N/A
	<i>2. Historic England is broadly in agreement with the proposed scope and methodology for ES</i>	Noted.	N/A
	<i>3. Historic England is in agreement with the proposed extent of the Cultural Heritage study area</i>	Noted.	N/A
	<i>4. The potential value of BGS Borehole data should be considered</i>	BGS Borehole data for the Site is very limited, with only four recorded on the northern edge of the Site and only four additional records within 500m. Therefore,	Presented in Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



		whilst it has been considered, it has been of little value.	
	<i>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.</i>	The LiDAR assessment has been undertaken in accordance with HE guidance and at a 1m resolution.	Appendix 8.5: Air Photo Services Report [APP/6.4]
Historic England, Scoping Opinion, December 2024	<i>6. Norfolk HER should be consulted for information on non-designated heritage assets</i>	The Norfolk Historic Environment Records (HER) has been consulted for all records within and surrounding the Site.	Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.3: Archaeological Desk-Based Assessment [APP/6.4]
	<i>7. Geophysical Survey technique should be stated</i>	The technique is detailed in the Geophysical Survey Report.	Appendix 8.4: Geophysical Survey Report [APP/6.4]
	<i>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.</i>	This comment is agreed with and has been expanded upon in response to trial trenching results, which indicate (but do not confirm) that the route originated in the Roman period.	Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.6 Archaeological Trial Trenching Report [APP/6.4]
	<i>9. Norfolk County Council's 'Standard for Developer-Led Archaeological Projects in Norfolk' (2018) should be referred to</i>	Norfolk County Council's 'Standard for Developer-Led Archaeological Projects in Norfolk' (2018) has been referred to.	Section 8.3 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



	10. <i>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.</i>	Identification of non-designated heritage assets with potential to be affected has been undertaken.	Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	11. <i>Effect of compaction on archaeological assets should be considered.</i>	The impact of compaction has been considered; however, the results of the trial trench evaluation have not identified any archaeological remains that would be sensitive to the potential sources of compaction resulting from the development.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	12. <i>Embedded mitigation measured will be required.</i>	Embedded mitigation is provided.	Section 8.7 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	13. <i>Cumulative and in-combination effects particularly in relation to the adjacent High Grove Solar Farm should be considered.</i>	Cumulative and in combination effects are considered	Section 8.11 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Chapter 17: In-Combination Effects [APP/6.2]
	14. <i>Ground truthing geophysical survey results will be important.</i>	Trial trench evaluation has been conducted to ground truth the results of the geophysical survey	Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.6: Archaeological Trial Trenching Report [APP/6.4]



	<i>15. Further consultation with Historic England would be welcomed throughout the pre-application and application process</i>	Further consultation has been carried out with Historic England as part of the PIER process, as detailed in Appendix 8.1 [APP/6.4] and will be ongoing.	Table 8.2 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
Borough Council of King's Lynn & West Norfolk Scoping Opinion December 2024	<i>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.</i>	Both the Priory and Castle are visible from certain small areas of the Site and this visibility has been assessed for contribution to significance.	Sections 8.6 and 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	<i>2. The setting of the larger heritage assets must be considered at all stages of development</i>	Noted and scoped in.	Sections 8.6 and 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	<i>3. HER Records are considered as non-designated heritage assets</i>	Not all HER records are non-designated heritage assets. Many HER records relate to find spots of 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. Given the consultation responses, for the purposes of the ES, archaeological remains (both those identified by the HER and those identified by archaeological fieldwork undertaken to inform this study) are	Sections 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



		considered as potential non-designated heritage assets.	
	<i>4. The Castle Acre Neighborhood Plan should be consulted for non-designated heritage assets and key views</i>	The Castle Acre Neighbourhood Plan has been consulted.	Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.2: Stage 1 and Stage 2 Setting Assessment [APP/6.4] .
	<i>5. West Norfolk Planning Policies DM15 and CS12 should be considered</i>	West Norfolk Planning Policies DM15 and CS12 have been considered	Section 8.3 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	<i>6. The Scheme is situated on higher ground than the surrounding village allowing for longer views</i>	The topography of the area is such that visibility, both to and from the surrounding villages, is actually very limited. This results in a lower degree of intervisibility between the surrounding villages and the Site, which has been expanded upon in the ES and illustrated through bespoke viewshed analysis.	Appendix 8.2: Stage 1 and Stage 2 Setting Assessment [APP/6.4] .
	<i>7. Consideration of potential effects of sense of remoteness and tranquility on the landscape character.</i>	Landscape character is assessed within ES Chapter 6: Landscape and Visual [APP/6.2] . Consideration to landscape within the Cultural Heritage and Archaeology chapter is confined to where it directly contributes to the significance of a heritage asset and how the Scheme may affect that significance.	Expanded upon in Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



Breckland Council Opinion	District Scoping	<i>1. Cumulative impacts should consider the proximity of other NSIPs in the area</i>	Noted and detailed in ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .	Section 8.11 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
		<i>2. Formal consultation on point 1 would be welcomed</i>	Undertaken with PEIR	Table 8.2 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



Statutory Consultation and Preliminary Environmental Information Report (PEIR)

- 8.1.3 Statutory consultation was held between May 21st 2025 and 9th July 2025. Relevant responses to the PEIR relating to heritage and archaeology and how these have been addressed through the ES are set out in Table 8-2 are set out below.



Table 8-2 Responses to the PEIR relating to Cultural Heritage and Archaeology

Consultee and Date	Comment	How has the comment been addressed in the ES chapter	Location of response in ES Chapter
Historic England, July 2025	Historic England agrees with the scope and methodology of the cultural heritage and archaeology assessment set out in Section 8.2.	Noted.	N/A
	Section 8.4 Baseline Conditions – We are in broad agreement with the range of baseline data cited in paragraph 8.4.0 and support the inclusion of geophysical survey and aerial survey data at this stage. However, we note that the reference to the Regional Research Frameworks, here and elsewhere in Chapter 8 are to an earlier superseded version. A revised version was published online in 2021 https://researchframeworks.org/eoe/ .	References to the Regional Research Frameworks have been included in this ES chapter, as relevant.	Section 8.5 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	Paragraphs 8.4.6 – 8.4.12 describe fifteen designated heritage assets within the study area. We agree that these are the principal designated heritage assets that require consideration in the Cultural Heritage and Archaeology Assessment. These heritage assets are discussed in more detail within Section 8.6 Preliminary Likely Significance Effects (paragraphs 8.6.3 – 8.6.13).	Noted.	Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.2 Stage 1 and Stage 2 Setting Assessment [APP/6.4]
	The setting impacts are discussed in more detail in Appendix 8.6: Stage 1 and 2 Setting Assessment. Whilst we are in broad agreement with these assessments at this stage, we consider that they need to be further refined though the	Noted. The Scheme design, which has been refined to consider potential setting impacts, is presented in ES Chapter 5: The Scheme [APP/6.1] and the Landscape and Visual Impact	ES Chapter 5: The Scheme [APP/6.1] , ES Chapter 6: Landscape and Visual [APP/6.2] , and Section 8.8 of ES



Landscape and Visual Assessment and finalisation of the scheme infrastructure and layout.	Assessment is presented in ES Chapter 6: Landscape and Visual [APP/6.2] .	Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
As piling will be used for various elements of the proposed scheme, we would recommend that the Historic England document 'Piling and Archaeology' (2019) is referred to: https://historicengland.org.uk/images-books/publications/piling-and-archaeology/ .	This document has been referred to in this ES chapter, as relevant.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
In areas where impacts may be up to 12m in depth, such as the use of HDD, we would recommend that the sequence of deposits are characterised and investigated using a programme of geoarchaeology and deposit modelling. This will help understand the archaeological potential of the affected deposits. We would recommend that the following Historic England documents are referred to: 'Geoarchaeology' (2015, https://historicengland.org.uk/images-books/publications/geoarchaeology-earth-sciences-to-understand-archaeological-record/) and 'Deposit Modelling and Archaeology' (2020, https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/).	As described in the Archaeological Mitigation Strategy (AMS), the need for and location of deep impacts (up to 12m for piles and/or directional drilling) are not yet known and so it is not possible to firmly identify the need for and location of any geoarchaeological assessment. Once details are available, the need for and scope of any geoarchaeological assessment will be agreed with Norfolk Historic Environment Service (NHES) and implemented in accordance with the AMS. The AMS will be secured via requirement of the DCO.	Section 8.9 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.7: outline Archaeological Mitigation Strategy [APP/6.4]
It is stated that a full mitigation strategy will be presented in the Environmental Statement once the Trial Trench evaluation has been completed. We would expect to see this discussed within an Outline Written Scheme of Investigation (OWSI)	The mitigation strategy is summarised herein and is detailed in ES Appendix 8.7: outline Archaeological Mitigation Strategy [APP/6.4] . The Archaeological Mitigation Strategy	Appendix 8.7: outline Archaeological Mitigation Strategy [APP/6.4]



	that makes it clear what work will be carried out and the requirements for sampling for palaeoenvironmental remains and scientific dating.	(AMS) fulfils the same function as an Outline Written Scheme of Investigation but has been given a different title to comply with Norfolk County Council's 'Standard for Developer-Led Archaeological Projects in Norfolk' (2018).	
	Based on Figure 6.8 Viewpoints 12 and 14 the proposed substations would be visible in views of and from Castle Acre Castle and Priory. The visual impact is likely to be worse if the substations are located in the northern fields that are proposed – fields 33 and 35 for the Customer Substation and field 33 for the National Grid substation as these are located on a slightly north-facing slope. Fields 24, 26 and 27 lie to the south of Bartholomew's Hill Plantation and are thus partly screened in views south from Castle Acre. Consequently, it is likely that the visual impact of the proposed substations on designated heritage assets in Castle Acre would be lower if they are located in fields 24, 26 or 27 rather than fields 33 and 35.	The National Grid Substation and Customer Substation have now been wholly located in Field 27, and the BESS has been amended to Fields 24 and 27.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
Breckland Council, July 2025	Please note the officer has stipulated that the comments below on designated heritage assets are offered on the basis that the following area, the combined parcel of land to the north – Bartholomew's Plantation, Harringtons Pit, 69, and the section to the extreme north (all to the north of Fincham Drove) – will be removed from the allocation for solar and associated development and allocated for mitigation and enhancement instead. Should this land not be removed, it is considered that there would be	The National Grid Substation, Customer Substation have now been wholly located in Field 27, and the BESS location has been amended to Fields 24 and 27. Field 34 is proposed for solar and Field 33 for solar and mitigation and enhancement land.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



	unacceptable, significant impacts upon the character and setting of said assets:		
	<p>South Acre Conservation Area</p> <p>It is considered that the proposal, subject to the removal of the land described above and additional mitigation and enhancement, is not considered to be significantly harmful</p>	Noted.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	<p>Little Palgrave Hall</p> <p>The proposal is not considered to be harmful due to separation and existing landscaping.</p>	Noted.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	<p>Church of St. George</p> <p>It is considered that the proposal, subject to the removal of the land described above and additional mitigation and enhancement, is not significantly harmful. Reinforcement of the existing screening to the south-west of the churchyard would be beneficial.</p>	The area referred to at the immediate south-west of the churchyard is beyond the Order limits, however, the hedgerow forming the northern boundary of Field 33 will be retained and enhanced.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	<p>Narford Hall (registered park and garden)</p> <p>The proposal is not considered to be harmful due to separation, the existing landscaping and the proposed area allocated for mitigation and enhancement.</p>	Noted.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



	<p>Castle Acre Priory, Castle and Church of St. James</p> <p>It is considered that the proposal, subject to the removal of the land described above and additional mitigation and enhancement, is not significantly harmful. The current established pattern of landscape to the south is considered to be prominent visually as an arable landscape with established 20th Century farm buildings, electricity pylons with distant views of 20th Century wind turbines.</p> <p>5.14 Although not referred to within the documentation, it is suggested that the colouration of the associated equipment and structures is such that it complements the landscape, with no corporate identifiers, or excessive lighting.</p> <p>5.15 A careful selection of colour would be a continuation of the 18th Century practice of using 'invisible green' for man-made features set within a landscape.</p>	<p>Noted. The colour of the Scheme will be determined during the detailed design stage and in accordance with the Design Principles, Parameters and Commitments [APP/5.8].</p>	<p>Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Design Principles, Parameters and Commitments [APP/5.8].</p>
<p>Borough Council of King's Lynn and West Norfolk, July 2025</p>	<p>The most harmful element of the scheme as it relates to the historic environment of West Norfolk is the placement of the substations and the grid connection infrastructure in the fields around the Batholemew Hill Plantation. It is clear from the information and visualisations provided that, with certain parts of the infrastructure being up to 13m high and with lighting, fencing and general industrial built form being required, if placed to the north of this wooded area, the views from Castle</p>	<p>The National Grid Substation, Customer Substation have now been wholly located in Field 27, and the BESS location has been amended to Fields 24 and 27. Field 34 is proposed for solar and Field 33 for solar and mitigation and enhancement land.</p>	<p>Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2].</p>



	Acre Priory will be impacted, as will views from Castle Acre Castle and the Conservation Area.		
	The potential temporary working area for grid connection infrastructure is also shown to the north of the plantation. The construction phase is expected to last approximately 2 years. Whilst this is a relatively short timescale, the Borough Council do not consider that this would be an appropriate use of this area of land in heritage/landscape terms considering the significance of the landscape as identified in the heritage statement.	The potential impacts of the construction phase on heritage receptors are assessed in ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] . The grid connection points are located to the north of the plantation and will, therefore, necessitate temporary working areas in this location. Furthermore, the anticipated construction period applies to the entire Scheme and it does not necessarily follow that the temporary working area will be required for the full period of construction.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	As noted throughout Chapter 6, the scale of the effect on visual receptors would reduce if larger elements of the scheme were to be situated south of Bartholomew's Hill Plantation. The Borough Council consider that any intrusion of infrastructure of any scale north of this landscape feature would lead to significant adverse impacts on the setting of Castle Acre and West Acre (and South Acre). This includes glint and glare impacts if solar arrays were proposed in these fields.	The National Grid Substation, Customer Substation have now been wholly located in Field 27, and the BESS location has been amended to Fields 24 and 27.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
	At Paragraph 8.4.14, the relevance of the Historic Environment Record is discussed, with the paragraph concluding that 'although archaeological remains as well as built heritage can be considered non-designated heritage assets, HER monuments recorded within the Site	Not all HER records are non-designated heritage assets. Many HER records relate to find spots of artefacts that have been removed from the site, former monuments that have been destroyed, cropmarks	Section 8.6 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .



	<p>are not considered as such'. The Borough Council disagree with this stance. Although these assets could not be recognised from a statutory point of view; Historic England guidance recognises that the Historic Environment Record is a primary source of information for planning, development control work and land management and can be used to record non-designated heritage assets. The Norfolk Historic Environment Record have furthermore historically requested that Local Planning Authorities maintain and update the HER when non-designated heritage assets are identified during planning applications. The starting point in the Borough Council's opinion is therefore that the records on the HER are non-designated heritage assets, even if their historic significance overall is limited.</p>	<p>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. Given the consultation responses, for the purposes of the ES, archaeological remains (both those identified by the HER and those identified by archaeological fieldwork undertaken to inform this study) are considered as potential non-designated heritage assets.</p>	
	<p>The heritage chapter and associated setting assessment appendix effectively conclude that as the development would only be visible in certain views, the proposal would have a neutral impact on the character of the Conservation Area; and that as the majority of the site would be hidden in views from Castle Acre Castle and Priory, the impacts on significance are limited. The Borough Council strongly disagree with this statement. As mentioned in the reports, the wider landscape is part of what makes the heritage assets significant. Therefore, if the infrastructure will be present in each of the views, even if only limited views are possible overall, then part of the significance of the assets would be eroded. This is particularly important given the harsh industrial nature of the proposal compared to the current rural landscape, which as noted in the various reports, has been</p>	<p>Potential impacts on Castle Acre Castle, Priory and Conservation Area are assessed in ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2].</p>	<p>Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2].</p>



	largely uninterrupted since the construction of the monuments themselves.		
	The Borough Council's Conservation Officer recommends that the PEIR heritage document is amended before the formal submission to properly consider the impact of the development in this wider landscape. As it stands, the level of impact does not seem to co-ordinate with the importance of the surrounding landscape which is given in the document, in particular where it relates to the wider landscape as the setting to these highly graded heritage assets.	The position on the contribution of the wider setting to the significance of heritage assets has been expanded upon in this ES chapter.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.2: Stage 1 and Stage 2 Setting Assessment [APP/6.4]
	Irrespective of how the heritage document is amended, the Borough Council are fundamentally against the use of the land parcels to the north of the aforementioned plantation for any of solar farm, including the panels, any associated infrastructure or any construction compounds.	The National Grid Substation, Customer Substation have now been wholly located in Field 27, and the BESS location has been amended to Fields 24 and 27.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] .
Norfolk County Council, July 2025	3.13 There are no designated heritage assets within the Site boundary, so that there would be no direct impacts on any designated heritage assets. The PEIR nevertheless identifies that there are 151 designated heritage assets in the surrounding area, comprising three Scheduled Monuments, nineteen Grade I listed buildings, seven Grade II* listed buildings, one hundred and eight Grade II listed buildings, one Grade II Registered Park and Garden, and three Conservation Areas. The most significant of these include Castle Acre Castle and Castle Acre Priory, which are both located approximately 1km north of the site. In addition the Norfolk Historic Environment Record (HER) contains 145 records	The Cultural Heritage and Archaeology chapter provides an assessment of potential impacts upon the historic environment.	Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2]



		within a 1km. There is therefore consider potential for impacts on the historic environment.		
		<p>3.15 The PEIR identifies that there is potential for likely significant effects on the historic environment (i.e. impact on designated heritage assets) through changes to their settings during all Phases of the project; and in particular for there to be residual significant adverse cultural heritage effects on Castle Acre Castle and Castle Acre Priory. These will need to be assessed in the Environmental Statement (ES) once the detailed design of the project is further developed. In addition, a programme of archaeological trial trenching will need to be undertaken to inform the archaeological assessment within the ES.</p> <p>Therefore at this stage pending further design and mitigation works being undertaken, there are concerns regarding the impact on the historic assets in this area particularly on Castle Acre (the Castle and the Priory).</p>	<p>The ES has assessed the identified setting impacts and undertaken a programme of trial trench evaluation.</p> <p>The assessment has led to the positioning of the National Grid Substation, Customer Substation and BESS in Fields 24 and 27 south of Bartholomew's Hill Plantation.</p> <p>In terms of fields north of Bartholomew's Plantation, solar is only proposed in the southern half of Field 33, which is to the south of the north facing break of slope and in Field 34, which lies on a south facing slope and so will not result in significant impacts to heritage assets located to the north.</p>	<p>Section 8.8 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Appendix 8.6: Archaeological Trial Trenching Report [APP/6.4]</p>
Sporle Palgrave Council July 2025	with Parish	The National footpath, the Peddars Way, passes alongside both developments, it passes the old medieval village site of Great Palgrave and down Southacre Road to cross the A1065. These panel areas will impact adversely the view as shown from the path at VP46 (as shown on High Grove PEIR Figure 10.15) and VP8 (Drovers representative view point shown on their PEIR Figure 6.5a and their photomontage –	No impacts upon the Scheduled Monument of the Deserted medieval village at Great Palgrave have been identified in Appendix 8.2: Stage 1 and Stage 2 Setting Assessment [APP/6.4] .	Appendix 8.2: Stage 1 and Stage 2 Setting Assessment [APP/6.4]



	representative viewpoint 8 in their PEIR Figure 6.8).		
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- 8.1.4 Further engagement has been undertaken as part of stakeholder engagement specific to heritage and archaeology this, as detailed in Table 8-3.

Table 8-3 Summary of Further Engagement Undertaken

Consultee and Date	Summary of Matter	Response
Norfolk County Council June 2025	Archaeological trial trenching	Agreement of scope of trenching and approval of Written Scheme of Investigation.
Norfolk County Council August 2025	Monitoring of archaeological fieldwork	Trial trench evaluation carried out to inform ES completed to the satisfaction of NCC. The report on results is in Appendix 8.6: Archaeological Trial Trenching Report [APP/6.4] .
September 2025	Discussion of archaeological mitigation strategy for preserving archaeological remains in record and/or in situ, appropriate to their sensitivity and degree of likely impact	Additional Mitigation outlined in Section 8.9 of ES Chapter 8: Cultural Heritage and Archaeology [APP/6.2] and Archaeological Mitigation Strategy is included as Appendix 8.7: outline Archaeological Mitigation Strategy [APP/6.4] .

- 8.1.5 A further round of targeted consultation was undertaken between 3 September 2025 and 1 October 2025 following changes to the development boundary area of the Scheme presented in the PEIR and during Stage Two Statutory Consultation. Further detail regarding the targeted consultation is provided in **ES Chapter 1: Introduction [APP/6.1]**.

8.2 Legislation, Planning Policy and Guidance

- 8.2.1 An overview of the legislation, planning policy and guidance against which the Scheme will be considered for the Cultural Heritage and Archaeology assessment is set out below.

Legislation and Regulations

- 8.2.2 The following legislation is relevant to the assessment:

- Infrastructure Planning (Decisions) Regulations 2010 (Ref 8-1)
 - The Infrastructure Planning (Decisions) Regulations 2010 outline how decisions on Nationally Significant Infrastructure Projects (NSIPs) should consider the impact of proposed projects on heritage assets and places a focus of the desirability of preserving the character, significance and setting of said heritage assets. These



regulations ensure that the potential harm to designated heritage assets is an important factor in the decision-making process for major infrastructure projects.

- Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
 - The process of Environmental Impact Assessment in the context of nationally significant projects in England is governed by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the '2017 Regulations'). These regulations apply to development which is given planning permission under Part III of the Town and Country Planning Act 1990.
 - These regulations apply the amended EU directive "on the assessment of the effects of certain public and private projects on the environment" (usually referred to as the 'Environmental Impact Assessment Directive') to the planning system in England.
- Ancient Monuments and Archaeological Areas Act (AMAAA) 1979
 - The AMAAA largely relates to Scheduled Monuments (SMs) and designated archaeological areas, detailing in particular what can and cannot be undertaken on archaeological grounds.
- Planning (Listed Buildings and Conservation Areas) Act (P(LBCA)) 1990
 - The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) provides for the protection of listed buildings and Conservation Areas and is largely expressed in the planning process through policies in regional and local planning guidance, as outlined below. This act is the primary legislative instrument addressing the treatment of listed buildings and Conservation Areas through the planning process.
- Historic Buildings and Ancient Monuments Act 1953
 - The Historic Buildings and Ancient Monuments Act (HBAMA) (Ref 12.5) makes provision for the compilation of a register of gardens and other land (parks and gardens, and battlefields).
- Planning Act 2008 (Ref 8-6)
 - The Planning Act 2008 established the Infrastructure Planning Commission, a consent regime for major infrastructure projects concerning energy, transport, water, waste water and waste. Further, it made provisions about the authorisation of nationally significant infrastructure projects (NSIPs) in addition to town and country planning and the imposition of a Community Infrastructure Levy. Part 3 of the act defines the criteria for NSIPs, including the construction or extension of a generating station if '...a) It is in England; aa) it does not generate electricity from wind; b) it is not an offshore generating station, and; c) its capacity is more than 50 megawatts.
- Hedgerow Regulations 1997 (Ref 8-7)
 - The Hedgerow Regulations 1997, made under Section 97 of the Environment Act 1995, set out criteria that must be used in determining which hedgerows are important, and thus a material consideration in planning.



- UNESCO Convention Concerning the Protection of the World Cultural and National Heritage 1972 (Ref 8-8)
 - While not part of the legislative framework, the UNESCO Convention Concerning the Protection of the World Cultural and National Heritage 1972 (Ref 12.9) (to which the UK is a signatory) makes provision for the World Heritage List, which is a list of cultural and/or natural heritage sites of outstanding universal value.

Planning Policy

National Planning Policy

8.2.3 The National Policy Statements (NPSs) are a suite of documents issued by the SoS, setting out the government's policy for delivery of major energy infrastructure and represent the primary policy tests against which this DCO Application for the Scheme will be considered. Listed below are the details of the elements of NPSs considered relevant to the Cultural Heritage and Archaeology assessment.

- The Overarching National Policy Statement (NPS) for Energy (EN-1, 2023) (Ref 8-9) sets out the government's policy for the delivery of major energy infrastructure and, in conjunction with relevant technology-specific NPSs, 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.
- Paragraph 5.9.3 of EN-1 defines the term 'heritage assets' and identifies what constitutes 'significance' in the historic environment:

"Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called 'heritage assets'. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset hold is referred to as its significance. Significance derives not only from a heritage asset's physical presence, but also from its setting."

- Paragraph 5.9.9 of EN-1 outlines the requirements for the applicant's assessment:
"The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these in the ES ... This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project."



- Paragraph 5.9.10 discusses significance and proportionality, identifying the minimum requirements for assessment:

“As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record ... and assessed the heritage assets themselves using expertise where necessary according to the proposed development’s impact.”

- Paragraph 5.9.11 discusses the requirements for archaeological DBAs and field evaluation:

“Where a site on which development is proposed includes, or the 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, where such desk-based research is insufficient to properly assess the interest, a field evaluation’.

- Paragraph 5.9.12 highlights the required standard for any supporting documents:

“The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.”

- Paragraph 5.9.13 encourages the applicant to identify any opportunities to enhance the historic environment:

“The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:

- enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;
 - considering where required the development of archive capacity which could deliver significant public benefits;
 - considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of the heritage assets affected by the scheme.”
- Paragraph 5.9.32 and 5.9.33 of EN-1 recognise 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.
- The relevant technology-specific NPS for the Scheme comprises the National Policy Statement for Renewable Energy Infrastructure (EN-3, 2023) (Ref 8-10). Paragraphs 2.10.107 to 2.10.119 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.

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.”

“Applicant assessments should be informed by information from Historic Environment Records (HERs) or the local authority ...Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, the applicant should submit an appropriate desk-based assessment and, where necessary, a field evaluation. These should be carried out using expertise where necessary and in consultation with the local planning authority and should identify archaeological study areas and propose appropriate schemes of investigation, and design measures, to ensure the protection of relevant heritage assets.”

“In some instances, field studies may include investigative work (and may include trial trenching beyond the boundary of the proposed site) to assess the impacts of any ground disturbance, such as proposed cabling, substation foundations or mounting supports for solar panels on archaeological assets ... The extent of investigative work should be proportionate to the sensitivity of, and extent of, proposed ground disturbance in the associated study area.”

“Applicants should take account of the results of historic environment assessments in their design proposal” and “Applicants should consider what steps can be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting.”

- The National Policy Statement for Electricity Networks Infrastructure (EN-5, 2023) (Ref 8-11) 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 in paragraph 2.9.25 and emphasises the duty to have regard to protecting sites, buildings and objects of architectural, historic or archaeological interest and seeking to mitigate any effects upon those assets (paragraph 2.2.10).

8.2.4 The National Planning Policy Framework (NPPF), as revised in December 2024, sets out national planning policies that reflect priorities of the Government for operation of the planning system and the economic, social, and environmental aspects of the development and use of land. The NPPF has a strong emphasis on sustainable development, with a



presumption in favour of such development (Ref 8-12). The NPPF has the potential to be considered important and relevant to the SoS consideration of the Scheme. Listed below provides details of the elements of the NPPF that are relevant to this chapter, and how and where they are covered in the ES.

8.2.5 Section 16 of the NPPF, entitled ‘Conserving and enhancing the historic environment’ provides guidance for planning authorities, property owners, developers and others on the conservation and investigation of heritage assets.

- Overall, the objectives of Section 16 of the NPPF can be summarised as seeking the: Delivery of sustainable development; Understanding the wider social, cultural, economic and environmental benefits brought by the conservation of the historic environment, and Conservation of England’s heritage assets in a manner appropriate to their significance.
- Section 16 of the NPPF recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term Paragraph 207 states that planning decisions should be based on the significance of the heritage asset, and that the level of detail supplied by an applicant should be proportionate to the importance of the asset and should be no more than sufficient to review the potential impact of the proposal upon the significance of that asset.
- Heritage Assets are defined in Annex 2 of the NPPF as: *“a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”*
- Annex 2 also defines ‘Archaeological Interest’ as a heritage asset which *“holds or potentially holds, evidence of past human activity worthy of expert investigation at some point”*. Heritage Assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
- A Designated Heritage Asset comprises a *“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.”*

National Planning Practice Guidance

8.2.6 The Planning Practice Guidance is a web-based resource which is to be used in conjunction with the NPPF (Ref 8-13). It is aimed at planning professionals and prescribes best practice within the planning sector. The relevant section is entitled ‘Historic Environment’. The guidance given in this section sets out the best practice to applying government policy in the NPPF.

Local Planning Policy

8.2.7 The Scheme is located within the administrative areas of Norfolk County Council (NCC) and Breckland Council (BC), who are host authorities. The Borough Council of King’s Lynn



and West Norfolk (KLWN) is a neighbouring authority. Local planning plan policies which are relevant to Cultural Heritage and Archaeology and have informed the Cultural Heritage and Archaeology assessment are detailed below.

8.2.8 The Breckland Council Local Development Plan (adopted September 2023) (Ref 8-14) 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
- Policy ENV 10 Renewable Energy Development

8.2.9 The King's Lynn and West Norfolk Local Plan Core Strategy (adopted March 2025) (Ref 8-15) further contains a single policy of relevance to the assessment:

- Policy LP20 - Environmental Assets – Historic Environment.

8.2.10 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 8-16):

- Policy DM15 - Environment, Design and Amenity.

8.2.11 The strategy for the protection of the historic environment in the administrative areas 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
- 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

8.2.12 The Scheme 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 the 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).

Other Guidance

8.2.13 The assessment has been carried out in accordance with the following other guidance documents.

- 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 8-17)
- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment (Historic England 2015) (Ref 8-18) 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 8-19) 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 8-20), 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 8-21) addresses the above guidance in the context of commercial renewable energy proposals; and
- Norfolk County Council Standards for Developer-Led Archaeological Projects in Norfolk (Ref 8-22) contains guidance on the current standards for archaeological works carried out as part of the development process.

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

- Piling and Archaeology (2019) (Ref 8-23)
- Using Airborne Lidar in Archaeological Survey (2018) (Ref 8-24)
- Land Contamination and Archaeology (2017) (Ref 8-25); and
- Preserving Archaeological Remains (2016) (Ref 8-26).



References

- Ref 8-1 The Infrastructure Planning (Decisions) Regulations, 2010. Available from: <https://www.legislation.gov.uk/ukdsi/2010/9780111490266/contents>
- Ref 8-2 The Infrastructure Planning (Environmental Impact Assessment) Regulations, 2017. Available from: <https://www.legislation.gov.uk/ukdsi/2017/572/contents>
- Ref 8-3 Ancient Monuments and Archaeological Areas Act, (AMAAA) 1979. Available from: <https://www.legislation.gov.uk/ukpga/1979/46>
- Ref 8-4 Planning (Listed Buildings and Conservation Areas) Act, 1990. Available from: <https://www.legislation.gov.uk/ukpga/1990/9/contents>
- Ref 8-5 Historic Buildings and Ancient Monuments Act, 1953. Available from: <https://www.legislation.gov.uk/ukpga/Eliz2/1-2/49/contents>
- Ref 8-6 The Planning Act, 2008. Available from: <https://www.legislation.gov.uk/ukpga/2008/29/contents>
- Ref 8-7 Hedgerows Regulations, 1997. Available from: <https://www.legislation.gov.uk/ukdsi/1997/1160/contents>
- Ref 8-8 UNESCO Convention Concerning the Protection of the World Cultural and National Heritage, 1972. Available from: <https://whc.unesco.org/archive/convention-en.pdf>
- Ref 8-9 Overarching National Policy Statement for Energy (EN-1). Department for Energy Security and Net Zero.
- Ref 8-10 National Policy Statement for Renewable Energy Infrastructure (EN-3)
- Ref 8-11 National Policy Statement for Electricity Networks Infrastructure (EN-5)
- Ref 8-12 Department for Levelling-Up, Housing and Communities 2024 National Planning Policy Framework
- Ref 8-13 Ministry of Housing, Communities and Local Government and Department for Levelling-Up, Housing and Communities 2021 Planning Practice Guidance
- Ref 8-14 Breckland Council 2023 Adopted Local Plan
- Ref 8-15 Borough of King's Lynn and West Norfolk Council 2011 The King's Lynn and West Norfolk Local Plan Core Strategy
- Ref 8-16 Borough of King's Lynn and West Norfolk Council 2016 King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan
- Ref 8-17 ClfA 2020 Standards and Guidance for Archaeological Desk-Based Assessment
- Ref 8-18 Historic England 2015 Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment
- Ref 8-19 Historic England 2017 The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 2 (Second Edition)
- Ref 8-20 Historic England 2019 Statement of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12



- Ref 8-21 Historic England 2021b Commercial Renewable Energy Development and the Historic Environment. Historic England Advice Note 15
- Ref 8-22 Norfolk County Council 2018 Standards for Developer-Led Archaeological Projects in Norfolk
- Ref 8-23 Historic England 2019 Piling and Archaeology
- Ref 8-24 Historic England 2018 Using Airborne Lidar in Archaeological Survey
- Ref 8-25 Historic England 2017 Land Contamination and Archaeology
- Ref 8-26 Historic England 2016 Preserving Archaeological Remains



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