

Statement of Common Ground.

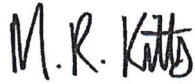

Between Hertsmere Borough Council and Pegasus Group.

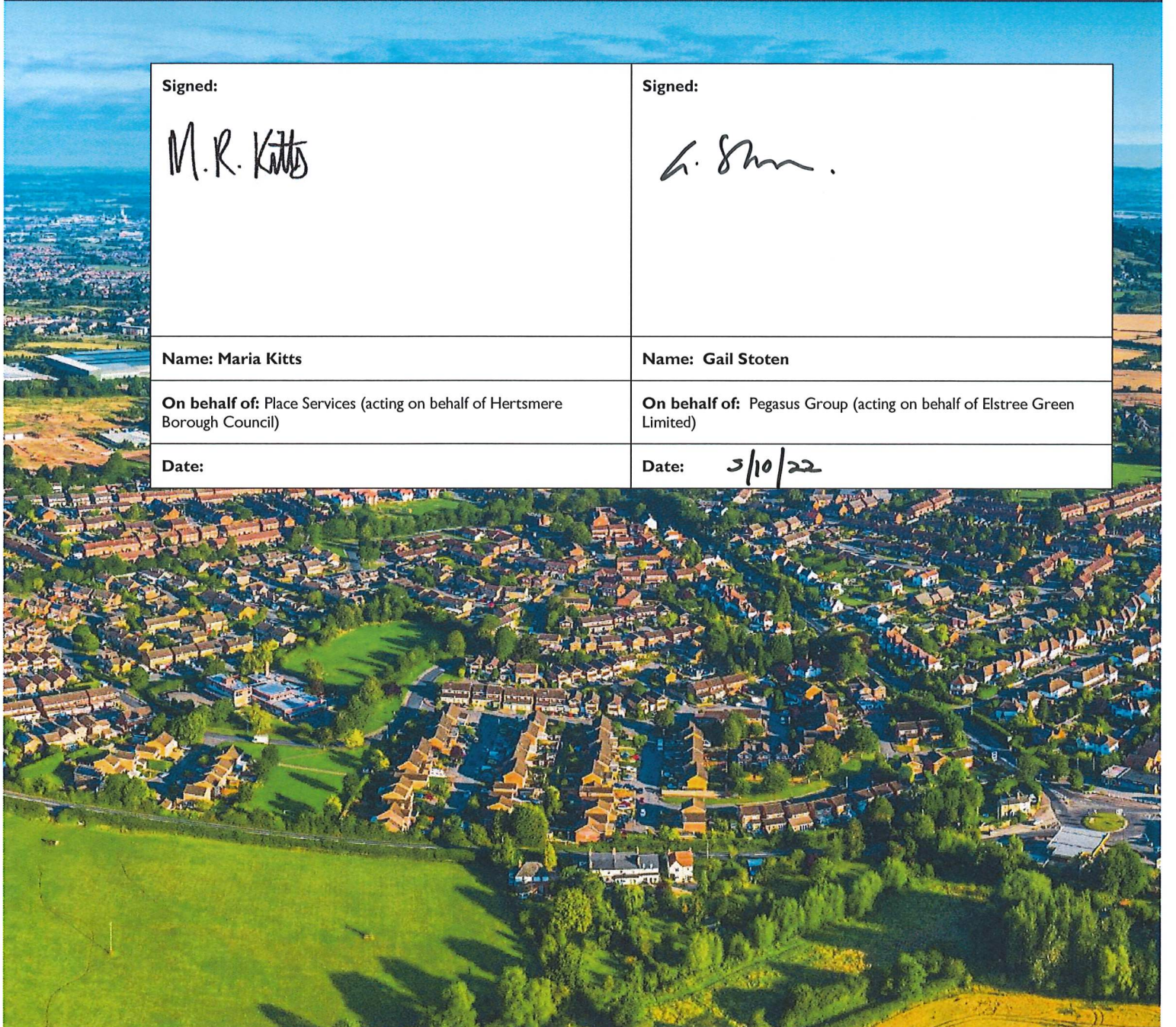
Pegasus Group on behalf of Elstree Green Limited.

Hilfield Solar Farm and Battery Storage Facility.

14th September 2022: | Pegasus Ref: P21-3101

Author: GS

Signed: 	Signed: 
Name: Maria Kitts	Name: Gail Stoten
On behalf of: Place Services (acting on behalf of Hertsmere Borough Council)	On behalf of: Pegasus Group (acting on behalf of Elstree Green Limited)
Date:	Date: 3/10/22





Document Management.

Version	Date	Author
1	14/09/22	GS

1. Introduction

- 1.1. This Statement of Common Ground (SoCG) is agreed between Gail Stoten (for Elstree Green Limited; the Appellant) and Maria Kitts of Place Services (for Hertsmere Borough Council) following the refusal of planning permission by the Council for the:

"Installation of renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements"

- 1.2. This Statement of Common Ground relates to Heritage.

2. Areas of Agreement

- 2.1. It is agreed that all heritage harms that would rise in this case would be 'less than substantial', and therefore the test within para 202 NPPF is to be applied.
- 2.2. It is agreed that 'less than substantial harm' covers a wide range from harm which is just above de minimis to harm which is bordering on substantial. Therefore it is agreed that it would assist the Inspector for the respective witnesses to indicate where, within that range, they consider the impacts to lie for each of the relevant designated heritage assets.
- 2.3. With regards to **Slades Farmhouse**, a Grade II Listed building of late 18th-century origins, it is agreed that the harm caused to the heritage significance of the asset by the proposed development lies within the lower half of the less than substantial harm spectrum. The Appellant considers the harm to be '**low**'. The Council considers the harm to be '**low-medium**'.
- 2.4. With regards to **Hilfield Castle**, a Grade II* Listed late 18th-century residence, and **Hilfield Lodge**, a Grade II Listed late 18th-century building, both parties agree that the harm caused by the proposed development to the heritage significance of the assets would be '**low**'. It is agreed that no harm would occur to the heritage significance of the Grade II Listed Gatehouse.
- 2.5. With regards to **Penne's Place moated site**, a scheduled monument, it is agreed that that any harm to the heritage significance of the asset would be at the lowermost end of the spectrum, at most. The Appellant considers that **no harm** to the heritage significance of the asset would occur. The Council considers that there would be some harm, at the **lowest end** of the range.
- 2.6. With regards to **Aldenham House**, a Grade II Registered Park and Garden, it is agreed that that any harm to the heritage significance of the asset would be at the lowermost end of that spectrum, at most. The Appellant considers that **no harm** would occur. The Council considers that there would be some harm, at the **lowest end** of the range.
- 2.7. It is agreed that no harm to the heritage significance of the Grade II* Listed Aldenham House and Stable Block or other Listed assets within the bounds of the Registered Park and Garden would occur.
- 2.8. It is agreed that no harm would occur to any other heritage assets.
- 2.9. The following table summarises the parties' positions on harm within the range of less than substantial harm:

Heritage Asset	Appellant's position	Council's position
Slade's Farmhouse, Grade II	Low	Low-Medium
Hillfield Castle, Grade II*	Low	Low
Hillfield Lodge, Grade II	Low	Low
Penne's Place moted site, SM	No harm	Lowest end
Aldenham House, Grade II RPG	No harm	Lowest end

3. Matters in Dispute

3.1. The key areas of disagreement are:

- Whether any harm would occur to the heritage significance of Penne's Place Scheduled Moated site and Aldenham House Registered Park and Garden.
- The level of harm which would occur to the heritage significance of Slades Farmhouse Grade II Listed building.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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