

## PROOF OF EVIDENCE

APPEAL IN RESPECT OF HILFIELD  
SOLAR FARM: LAND NORTH OF  
BUTTERFLY LANE, LAND  
SURROUNDING HILFIELD FARM AND  
LAND WEST OF HILFIELD LANE,  
ALDENHAM, HERTFORDSHIRE, WD25  
8DA.



CAMBRIDGE HERITAGE  
LIMITED

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On behalf of: The Combined Objectors Group (COG) – Rule 6 Party

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## 1.0 – AUTHOR’S BACKGROUND

1. My name is Jacob William Billingsley. I am the Director of Cambridge Heritage Limited (CHL). CHL is a built-heritage consultancy specialising in the management of change to the historic environment.
2. I hold the degrees of BA(Hons) in History from King’s College, University of London and MSt in Building History from Wolfson College, University of Cambridge. I am a member of the Society for the Protection of Ancient Buildings (SPAB) and an affiliate member of the Institute of Historic Building Conservation (IHBC).
3. I have been in continuous employment as a heritage consultant since 2016. I have worked on a wide-range of development projects throughout the UK, including residential, power generation, commercial, industrial, and leisure and recreation schemes. I have gained significant experience in the renewable energy sector over the past two years, preparing built heritage impact assessments for Environment Statements and Environmental Impact Assessments.
4. The evidence which I have provided in this Proof of Evidence consists of my true opinions and has been given in accordance with my interpretation of national and local heritage planning policy and guidance. I confirm that the opinions expressed are my true professional opinions.

## 2.0 – INTRODUCTION

### *Scope and Purpose of Evidence*

5. I have been appointed by the Combined Objectors Group (COG) – Rule 6 Party (R6P) to present specialist heritage evidence on their behalf in support of the refusal to grant planning permission for the development of a solar farm on land north of Butterfly Lane, land surrounding Hilfield Farm and land west of Hilfield Lane, Aldenham, Hertfordshire, WD25 8DA (henceforth referred to as the ‘Appeal Site’).
6. Planning application 21/0050/FULEI was submitted to Hertsmere Borough Council (HBC) and validated on 08.01.2021. The submission sought Full Planning Permission for the construction of a 49.9MW solar farm with battery storage containers, a

substation, an inverter/transformer station and associated infrastructure over a site area of approximately 130.6 hectares.

7. The application was refused by HBC for 2 reasons. Reason 1: Inappropriate development in the Green Belt and Reason 2: Harm to the significance of designated heritage assets. Subsequently, an Appeal was submitted by the Appellant, to be determined by way of Public Inquiry.
8. This evidence considers matters relating to heritage (Reason 2). Matters relating to the Green Belt are examined in the proofs of Mr Drummond and Mr Berry (Reason 1). Matters relating to the planning balance are considered in the proof of Mrs Benedek.
9. My evidence examines the effects of the Appeal Scheme (**Chapters 6-10**) on the historic environment, specifically on the significance of the five designated heritage assets cited in Reason 2 for refusal of planning application 21/0050/FULEI.
10. My evidence also examines the effects of the Appeal Scheme on other heritage assets not cited within the Decision Notice (**Chapter 11**). These assets were identified in my Supplemental Statement of Case (SSoC) following a site visit on 12 August 2022.
11. A key strand of my evidence is that, in addition to the assets noted within Decision Notice, the Appellant did not prepare a proportionate, robust assessment of the impacts of the Appeal Scheme on *all* the heritage assets likely to undergo change to their settings as a result of the development.
12. In preparing my proof of evidence, I have examined and considered the following documents which were produced by various parties over the course of the planning application:
  - *Proposed Site Layout prepared by Blueleaf Energy (drawing no: HF2.o)*
  - *Archaeological Desk-Based Assessment (DBA) prepared by Headland Archaeology (December 2020).*
  - *Landscape and Visual Impact Assessment (LVIA) prepared by LDA Design (December 2020).*
  - *Environmental Statement (ES) prepared by Aardvark EM Limited (December 2020).*

- *Historic England Built Heritage Response (Ref: P01361170); Dated 16/02/2021.*
- *Place Service Historic Buildings and Conservation Advice (Ref: 21/0050/FULEI); Dated 02/04/2021.*
- *Letter from Headland Archaeology to Hertsmere Borough Council, prepared by Jen Richard, Senior Heritage Consultant at Headland Archaeology (Dated 30/04/2021).*
- *Design and Access Statement (DAS) prepared by Enso Energy Limited (May 2021).*
- *Decision Notice for 21/0050/FULEI. Dated 19/11/2021.*
- *Elstree Green LTD Statement of Case. Dated March 2022.*

13. Of particular relevance to my proof is the DBA prepared by Headland Archaeology in December 2020, Historic England’s response to the application (16/02/2021), Place Services’ built heritage advice (02/04/2021), and a letter from Headland Archaeology addressed to HBC (30/04/2021). These documents illustrate the lack of detailed information submitted by the Appellant to assist with the determination of the application and the strong concerns raised by the Statutory Consultees throughout the application process. The documents are referred to throughout **Chapters 6-11** of my proof and form the basis of the discussion in **Chapter 12**.

#### *Appeal Site*

14. The Appeal Site covers an area of approximately 130 hectares of gentle, undulating open countryside between Elstree to the south, Borehamwood to the east, Radlett to the north and Watford to the west.
15. All land forming the Appeal Site is in agricultural use, mainly for arable purposes and in particular the cultivation of wheat and barley. It comprises Subgrade 3b agricultural land, as identified by the Agricultural Land Classification (ALC).
16. The Appeal Site is wholly within the Green Belt.
17. The site is split into two principal areas of land. The western area is divided into two parcels, Fields 1-5, and is located either side of Hilfield Lane. The eastern area, Fields 7-20, is located between Aldenham Road and Watling Street. Field 6 was previously removed from the Appeal Site by the Appellant. A connecting corridor for underground electricity cable is proposed to link the two areas (**Figure 1**).

18. As noted within the submitted Design and Access Statement<sup>1</sup>, the red line boundary of the Appeal Site is contiguous with the land under the control of the Appellant. The arable fields and grid connection cable route between the two land parcels as shown on **Figure 1** totals an area of approximately 130 hectares. Excluding the grid connection cable route, the site totals an area of approximately 128 hectares.

### *Appeal Scheme*

19. The Appeal Scheme is for the construction and operation of a grid-connected solar photovoltaic farm with battery storage facility. This would consist of the addition of ground mounted Bifacial solar photovoltaic (PV) panels to the site together with associated battery storage containers, a substation and an inverter/transformer station. The development was described as:

*“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.”<sup>2</sup>*

20. The solar arrays would occupy 20 parcels of land and would be laid out in rows with gaps of approximately 3-4.5m between each row depending on the topography of each field. The higher edges of the PV panels would be approximately 3m high off the ground and would utilise a south-facing system at a tilt of 15-30 degrees.<sup>3</sup>
21. The panels would be mounted on a fixed tilt structure made of galvanized steel or aluminium. The metal framework that supports the solar panels would be fixed into the ground by posts centred c. 6m apart. The posts would be pile-driven to a depth of around 2-2.5m.<sup>4</sup>
22. In addition to the construction of fixed 3m high, 31m wide solar panels within the Appeal Site, approximately 3,000 cu.m. of built development is proposed in the

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<sup>1</sup> R004: Design & Access Statement, Aardvark EM Limited – December 2020

<sup>2</sup> Ibid

<sup>3</sup> Ibid

<sup>4</sup> Ibid



form of 136 shipping containers. Of these, 116 would be located throughout the site and the other 20 in a storage area near the existing National Grid Substation.

23. Further floor space would comprise a substation with a height of 4.2m and a control room 3.9m tall.<sup>5</sup> This would equate to a total of 3,400 cu.m. of additional built development. The entirety of the site and the public rights of way (PROW) which run through the Appeal Site would be enclosed under the Appeal Site through the erection of a 2.2m high welded mesh fence. The fencing would be supported on timber posts and would be set back by at least 5m from the PROW.<sup>6</sup>

### *Appeal Site Context*

24. The Appeal Site has a historic context and there are 40 statutorily listed buildings within the 1km study radius area. **Figure 2** highlights the designated heritage assets within the 1km study radius area, which include three Grade II\* Listed Buildings, two Conservation Areas, a Scheduled Monument, Registered Park and Garden (II), and many Grade II Listed Buildings.<sup>7</sup>

25. Designated Heritage Assets within particularly close proximity to the Appeal site (inside 200m of its boundary) are:

- Aldenham House Registered Park and Garden (Grade II, list entry no: 1000902);
- Penne's Place Moated Site (Scheduled Monument, list entry no: 1013001);
- Slades Farmhouse (Grade II, list entry no: 1103614);
- Hilfield Castle (Grade II\*, list entry no: 1103569);
- Hilfield Castle Lodge (Grade II, list entry no: 1103570);
- Hilfield Castle Gatehouse (Grade II, list entry no: 1346907);
- Kendall Hall Cottage (Grade II, list entry no: 1103523)

### *Consultation*

26. Due to the capacity of the solar farm being strategically set just below 50 megawatts (MW) at 49.9MW, the project is not classified as a Nationally Significant

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<sup>5</sup> R004: Design & Access Statement, Aardvark EM Limited – December 2020

<sup>6</sup> Ibid

<sup>7</sup> R017: Heritage Desk Based Assessment (DBA), Headland Archaeology – December 2020

Infrastructure Project (NSIP). In accordance with the Planning Act 2008, NSIPs must carry out a statutory phase of consultation on NSIP's above 50 MW, meaning a consultation process is required to be carried out by law.

27. A request for a screening opinion (Environmental Impact Assessment) for a proposed solar farm and battery storage facility at the Appeal Site was made to HBC and a response was provided by the LPA on 11 September 2020. It is noted that the only topic that the Council advised must be covered by the EIA is that of aviation safety and there is no indication that other matters such as the impact of the development on heritage assets were discussed.
28. It is understood that the Appellant had Pre-Application discussions with Council Officers prior to the submission of the instant planning application. A copy of HBC's Pre-Application advice has not been provided for review.

#### *Statutory Consultees*

29. All statutory consultees (heritage) opposed the proposed development on heritage grounds. *Historic England* had 'strong concerns' and considered that the scheme would cause 'less than substantial harm, moderate in scale to the setting of three highly graded heritage assets.'<sup>8</sup>
30. *Historic England's* response stated that 'the agricultural, open character of the landscape in which the assets are experienced contributes positively to their significance and this should be given great weight in the planning process'.<sup>9</sup> It is worth noting that *Historic England* did not comment on the impact of the scheme on the significance of Slade's Farmhouse and Hilfield Lodge, with the Grade II Listed assets being outside of their remit.
31. *Place Services Historic Buildings and Conservation Advice* stated that the proposed development would result in demonstrable harm to the significance of the following assets: Aldenham House Registered Park and Garden (Grade II, list entry no: 1000902); Penne's Place Moated Site (Scheduled Monument, list entry no:

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<sup>8</sup> *Historic England Built Heritage Response (Ref: P01361170); Dated 16/02/2021.*

<sup>9</sup> *Ibid*

1013001); Slades Farmhouse (Grade II, list entry no: 1103614); Hilfield Castle (Grade II\*, list entry no: 1103569); Hilfield Castle Lodge (Grade II, list entry no: 1103570).<sup>10</sup>

### *Reasons for Refusal*

32. Two reasons were given for refusal of application 21/0050/FULEI. Reason 1 related to inappropriate development in the Green Belt and is dealt with in the Proofs prepared by Mr Drummond and Mr Berry.
33. Reason 2 for refusal of application 21/0050/FULEI related to the impact of the proposed development on the surrounding designated heritage assets. In line with the recommendations of Historic England and Place Services, it stated:

*‘The proposal would cause less than substantial harm to the significance of the following neighbouring designated heritage assets by reason of its impact on their settings: Slades Farmhouse (listed building, Grade II, entry 1103614), Hilfield Castle (listed building, Grade II star, entry 1103569), Hilfield Castle Lodge (listed building, Grade II, entry 1103570), Aldenham House Registered Park and Garden (Grade II, entry 1000902) and Penne’s Place (Scheduled Monument entry 1013001). The public benefits of the development would not be sufficient to outweigh the less than substantial harm that would be caused to the significance of those designated heritage assets, and therefore the proposal is considered unacceptable, pursuant to Policy CS14 (Protection or Enhancement of Heritage Assets) of the Hertsmere Local Plan (Core Strategy) 2013 and pursuant to paragraph 202 of the National Planning Policy Framework 2021.’<sup>11</sup>*

### 3.0 – KEY ISSUES

34. In my opinion, the key issues relevant to this Appeal are:

- What impact and level of harm would occur through the Appeal Scheme on the setting and significance of the five designated heritage assets referred to in Reason for Refusal 2 of application 21/0050/FULEI, specifically: Slades Farmhouse (listed building, Grade II, entry 1103614), Hilfield Castle (listed building, Grade II star, entry 1103569), Hilfield Castle Lodge (listed building, Grade II, entry 1103570), Aldenham House Registered Park and Garden (Grade II, entry 1000902) and Penne’s Place (Scheduled Monument entry 1013001)?

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<sup>10</sup> Place Service Historic Buildings and Conservation Advice (Ref: 21/0050/FULEI); Dated 02/04/2021.

<sup>11</sup> Reason 2 for refusal of planning application 21/0050/FULEI

- Would the Appeal Scheme result in harm to the significance of any other heritage assets not previously identified by the Appellant?
- Are the benefits of the Proposed Development sufficient to outweigh the harm to these heritage assets? This matter of planning balance is considered in the proof of Mrs Benedek.

#### 4.0 – LEGISLATION AND PLANNING POLICY

35. The relevant legislation, policy and guidance is summarised in **Appendix 1**.

#### 5.0 – METHODOLOGY

36. A full methodology is provided in **Appendix 2**.

#### 6.0 – SLADES FARMHOUSE (II), 1103614

37. First listed (Grade II) in August 1985, the asset is of architectural and historical significance as a multi-phase farmhouse set within a rural, agricultural landscape and displaying elements of the picturesque movement. The building is the focal point of its farmstead, and the surrounding fields contribute to how it is appreciated and experienced within a historic, predominately agrarian context.

38. Slades Farm is one of a number of farms on the wider Aldenham Estate, which include Home Farm (previously Stapes Farm). Home Farm, which is within the Registered Park and Garden to the south of Slades Farm, was rebuilt by H. H. Gibbs from the late 1870s. Both farms were recorded in the first methodical survey of the estate produced in 1786 for Robert Hucks.<sup>12</sup>

39. The exact origins of Slade's Farm are not known, but the statutory listing description notes a construction date for the house in the late 18<sup>th</sup> century, with 19<sup>th</sup> century modifications. The observations from my site visit corroborate this approximate date of construction and subsequent alteration.

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<sup>12</sup> *An Account of the Garden at Aldenham House and of Its Makers: Henry Hucks Gibbs, Vicary Gibbs and Edwin Beckett, Audrey Le Lievre, (Garden History; Vol. 14, No. 2 (Autumn, 1986), pp. 173-193), p. 173*

40. **Figure 3** illustrates an extract from the 1839 tithe map for Aldenham. It depicts Slades Farm prior to the relocation of Grubbs Lane further north to form New Grubbs Lane (Butterfly Lane) in the late 19<sup>th</sup> century. Sawyers Lane is shown running north-south past the complex. This historic route would have afforded a kinetic experience of the farmstead from this route. The farmhouse is depicted with three outbuildings to the south (shaded); the two barns directly south and south-west of the asset appear to have been retained to this day.
41. The landowner of plot 376 was Sarah Noyes, a descendent of Robert Hucks, and the occupier was Henry Dickinson (1840). Similarly, adjacent plots 437 and 375 were owned by Noyes and occupied by Dickinson, demonstrating the historical connection and association between the Farm, its surrounding land and the wider Aldenham Estate, in terms of location, use, ownership and occupation.
42. The map regression (**Figures 3-6**) illustrates how Slades Farm remained within a predominately undeveloped agrarian landscape over the course of the 19<sup>th</sup> and 20<sup>th</sup> centuries. Associated ranges continued to be developed immediately south of the asset, within its curtilage, and the land west, north, and east of the building continued to be utilised to service the farm.
43. While the relocation of Butterfly Lane (previously named New Grubb's Lane) directly to the south of Slades had some impact in modifying the field boundaries to this side of the asset, the land to the west, north and east remained largely unchanged and continued to be characterised by its agricultural function and openness.

#### Statement of Significance

44. Listing Description: *'House. Late C18, altered and extended in C19. Brick, pebbledashed. Half hipped tiled gambrel roof. 2 storeys and attic. 3 windows. Central entrance. Glazing bar sashes. Coved hoods over ground floor openings. 3 dormers. Ridge stack just off centre. Lean-to and further extensions to rear. Interior not inspected.'*
45. The heritage value of Slades Farmhouse is discussed with reference to the four key components of significance as set out in the NPPF:

- Architectural interest: The asset has a degree of architectural interest deriving from its vernacular form and appearance which is indicative of the period in which it was first constructed and subsequently altered. It is not known if Slades Farmhouse was designed by a formally trained architect, although given its vernacular form this seems unlikely. Nevertheless, elements of the composition such as the basic plan and 2-storey form with half hipped gambrel roof all contribute to the traditional character, appearance and architectural value of the farmhouse. While the main elevations were covered with pebbledash in the 20<sup>th</sup> century, the asset retains historic fabric, its historic plan and fenestration arrangement.
- Historical interest: The asset is of historical interest as a traditional farmhouse at the heart of its farmstead and a constituent element of the wider Aldenham Estate. The building is of historical significance as a physical reminder of the past, providing an insight into the building methods and architectural fashions developing from the late 18<sup>th</sup> century. Historic group value is derived from the connection of the farmhouse to both the historic structures within its immediate curtilage and the other examples of historic farmsteads which functioned in tandem to provide for the Aldenham Estate.
- Artistic interest: I do not consider Slades Farmhouse to be of high artistic interest, although the form of the building and its relationship with the landscape does have some picturesque qualities. The asset is in this regard of its time, capturing the enthusiasm for picturesque architecture which evolved partly as a reaction against the earlier 18<sup>th</sup>-century trend of Neoclassicism, with its emphasis on formality, proportion, order, and exactitude. In this regard the relationship between the asset and its wider landscape is of interest.
- Archaeological interest: An assessment of the potential archaeological interest of the site is beyond the scope of this assessment.

#### *Contribution of Setting to Significance*

46. The following assessment of the contribution of the asset's setting to its significance has been made with reference to the checklists in GPA3 (Step 2). The topography of the land surrounding the Slades Farm is gently undulating, affording short, medium and longer-range views towards the complex, especially from the fields north of Butterfly Lane (**Plates 1-6**). There are some glimpsed views towards the complex from along Butterfly Lane through the trees and vegetation which line the northern side of the street.
47. While Slades Farmhouse is surrounded to the south and east by agricultural and industrial ranges, the building remains the focal point of the farm and is appreciated as such from the fields to the west and north. It is also worth noting that during the winter months the intervisibility between the Appeal Site and Slades Farmhouse is likely to be much greater as a result of the density and species of the trees, surface vegetation and boundary treatments.
48. The barns directly south of the Grade II Listed farmhouse contribute positively to how it is experienced within a historic farmstead. Aldenham House Registered Park and Garden also reinforces the historic character of the asset and forms a verdant backdrop to the asset in views from the fields north of Butterfly Lane.
49. Slades Farm retains elements of its formal farmyard design, with the main farmhouse set within a garden plot and associated agricultural structures to the south arranged on a broken 'W' plan. Despite the appearance of some industrial development to the east of the asset, the formal layout of the farm remains legible and it continues to be experienced and appreciated from the west and north within its agricultural setting characterised by open fields (**Plates 1-6**).
50. The map regression (**Figures 3-6**) illustrates the very limited change which has occurred within the setting of the asset over the years. Changes include the relocation of Grubbs Lane to its current position, the loss of the legibility of Sawyer's Lane, and the development of some industrial structures directly east of the farm.
51. The land forming the Appeal site has itself changed very little over the centuries, continuing to contribute to the rural agricultural surroundings of the asset and how it is experienced and appreciated within its context.

52. Green space, historic open fields, trees and vegetation play an important role in how the asset is appreciated within a rural and agricultural setting. There is an openness to the land north of the Slades Farm, which although divided into historic field boundaries, affords views back towards the asset from many of the fields forming the eastern parcel of the Appeal Site (**Plates 1-6**).
53. There is a clear functional relationship between the asset and the land which surrounds it, with the fields having been utilised for grazing and the production of crops for many centuries in order to produce for the farm and in turn the wider Aldenham Estate.
54. With regards to noise, vibration and other nuisances, the industrial activity to the east of the farm has not lessened the sense of tranquillity that the asset still enjoys. The Appeal site contributes to this sense of tranquillity and rural remoteness which is a feature of the setting of Slades Farm.
55. Open fields, mature trees, vegetation and boundary treatments relate positively to the asset in this respect and allow the complex to be appreciated within an unspoilt context from much of the land forming the eastern parcel of the Appeal Site.
56. The surroundings of the asset are not particularly busy, with limited bustle, movement and activity interfering with the experience of the building from the surrounding fields. Agricultural practices associated with farming the local land are the main contributing factor to these elements of the setting of the asset, with the scents and smells encountered being those associated commonly with agriculture.
57. Overall, the Appeal Site contributes positively to the setting of Slades Farmhouse in a multitude of ways. In addition to providing the asset with an unspoilt, agricultural context, historically and to this day, Fields 7-20 of the Appeal Site also have a historical connection and association with the asset in terms of land use, ownership and occupation.

#### Impact Assessment

58. My impact assessment considers the location and siting of the Appeal Scheme, its form and appearance, and the wider effects of the proposed solar farm on the asset. It follows the methodology recommended in GPA3.



59. The proximity of the Appeal Site to the asset and the gently undulating topography means that the solar farm would be highly visible in views towards, across and from the Listed Building (**Plates 1-6**).
60. Key views of the asset from the surrounding landscape would be impacted and the development would be highly visible from within the building itself and its garden plot. The south-facing solar arrays would be orientated facing towards the asset and would engulf much of the area directly north of the Slades Farm.
61. The solar farm would introduce prominent and conspicuous development into the surroundings in which Slades Farm is experienced and appreciated and would lead to some level of competition with and distraction from the asset in views towards the complex. There would be the loss of the agricultural field coverage and the introduction of 3m high mounted solar panels, fencing to the PROW's, and other intrusions which are uncharacteristic of this landscape.
62. The large industrial scale of the development would overwhelm the surroundings of Slades Farm and would introduce alien materials to the landscape north of the asset which was historically utilised in association with the farm. The prevalent landscape style, which is currently agricultural, would be transformed into one of an industrial landscape, discordant with the existing rural character.
63. The Appeal Scheme would also introduce movement and activity uncharacteristic of that which would usually surround a historic farmstead, both during the construction and operational phases of the Appeal Scheme. Seasonal change from summer to winter is likely to increase the intervisibility between the asset and the Appeal Site and therefore emphasise its effects.
64. With regards to the wider effects of the development, the Appeal Scheme would result in widespread change to the surroundings of the asset and to the open field spaces which contribute to how it is experienced and appreciated. The Appeal Scheme would industrialise the land area north of Butterfly Lane and there would be significant changes to the land coverage and silhouettes.
65. There would also be changes to the sensory features of the setting of the asset which contribute to how it is experienced. The changes to these more abstract elements of the asset's setting, such as changes to the levels and types of noise,

vibration and dust, as well as to the smells and sounds associated with farming, would cause harm to the significance of the Listed Building. There would similarly be a transformation of the general character, land use and land cover to the landscape surrounding Slades Farm which would be industrialised.

#### Summary of Impact(s) on Slades Farmhouse

66. In my assessment the Appeal Scheme would lead to less-than-substantial harm to the significance of Slades Farmhouse, through the transformation and industrialisation of its rural agricultural setting. The Appeal Scheme would detrimentally alter how the listed building is experienced and appreciated within its agricultural context, impacting views towards, from and across the listed building and resulting in adverse sensory and experiential effects.
67. The detrimental change to the setting of the asset would cause harm to its historical and artistic interest, eroding its picturesque qualities and its associations with its surrounding countryside. Given the proposed changes to land use and cover around the building, the introduction of wholly modern, industrial development, and the severing of the historical association between the surrounding landscape and Slades Farmhouse, the harm to the significance of the asset is, in my assessment, moderate within the ‘scale of harm’ referenced in **Appendix 2**.
68. It is an agreed position that the development would cause less-than-substantial harm to Slades Farmhouse, although the articulation of what level of less-than-substantial harm would be caused is not agreed.

#### **7.0 – ALDENHAM HOUSE REGISTERED PARK AND GARDEN (II), 1000902**

69. First listed (Grade II) in June 1987, the heritage value of Aldenham House Registered Park and Garden is multi-faceted but relates principally to the surviving remains of a renowned late 19<sup>th</sup> and early 20<sup>th</sup> century arboretum and ornamental gardens surrounded by historic parkland.
70. Two mansions are historically recorded within the parkland: the first of these, Penne’s Place, is a medieval moated manor house; the second, ‘a fair house of

brick' known as Wigbournes, was built by Henry Coghill about 1632 and much built upon and altered, eventually passed to the Hucks Family.<sup>13</sup>

71. In 1786 the first methodical survey of the estate was made for the benefit of Robert Hucks, the landowner. This survey recorded three tenant farms, various common lands and in excess of ninety-six acres in the vicinity of the Mansion.<sup>14</sup> The land forming the eastern parcel of the Appeal Site was part of this landholding and Slades Farm was one of the tenant farms under the ownership of the Estate.
72. George Henry Gibbs later inherited Aldenham House from his cousin Sarah Noyes in 1842. She was a descendent of Robert Hucks. Gibbs never lived at the house and upon his death the mansion passed to his wife's son, Henry Hucks Gibbs, who was the single most influential figure in the development of the park and gardens.<sup>15</sup>
73. Gibbs was elected MP for the City of London and was appointed Governor of the Bank of England in 1875.<sup>16</sup> He was later appointed High Sheriff of Hertfordshire, by which time he was reputed to be one of the four richest men in England. Queen Victoria conferred on him the title of the first Lord Aldenham in 1896.<sup>17</sup>
74. Over the course of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, Henry Gibbs and his son established a collection of trees and shrubs on the estate to rival those at Kew. In 1907, the gardens were chosen from those throughout Europe to raise the seeds sent back from China by the horticulturalist, Ernest Wilson. The cartographic evidence relating to the period is reproduced in **Figures 7-11**.
75. Within two years, specimens of over 600 species and varieties of plants were being sent to botanic gardens all over the world. The gardens were reputed to contain a specimen of every tree growing in the western hemisphere and its collections of Yews, Oaks, Bamboos and Thorns were widely envied.<sup>18</sup>
76. Lord Aldenham's son, Vicary, inherited the estate when his father died, but, after his own death in 1932, the family were unable to keep on the house and its estate

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<sup>13</sup> *An Account of the Garden at Aldenham House and of Its Makers: Henry Hucks Gibbs, Vicary Gibbs and Edwin Beckett, Audrey Le Lievre*, (Garden History; Vol. 14, No. 2 (Autumn, 1986), pp. 173-193), p. 173  
Published By: The Gardens Trust, <https://www.jstor.org/stable/1586862>

<sup>14</sup> *Ibid.* p.173

<sup>15</sup> *Ibid.* p.175

<sup>16</sup> <https://pulham.org.uk/2013/07/31/27-aug-13-1892-97-alDENham-house-elstree-herts/>

<sup>17</sup> *Ibid*

<sup>18</sup> <https://pulham.org.uk/2013/07/31/27-aug-13-1892-97-alDENham-house-elstree-herts/>

staff of more than 100 people.<sup>19</sup> The estate consequently fell into decline and was taken over by the BBC as an overseas broadcasting station during WWII. The Haberdashers' Company purchased the house and estate in 1959 and the site became operational as a school from October 1961 to this day.

#### Statement of Significance

77. The heritage value of Aldenham House Registered Park and Garden is discussed with reference to the four key components of significance as set out in the NPPF:

- Architectural interest: The park and gardens form the setting of the Grade II\* Listed Aldenham House, which is of more than special interest due to its architectural value. The landscape is largely the work of the Gibbs family, assisted by Edwin Beckett. Although none of these individuals had special training as an architect or a landscape gardener, they nevertheless produced a landscape and built features within the park and garden which are of some considerable architectural interest, including numerous bridges (**Figure 13**). At the northernmost part of the park along Butterfly Lane there is an elaborate iron gate with piers forming the entrance to the north-west drive (**Figure 14**); it is a further architectural feature of the period which contributes to the historic character and appearance of the area. The drive runs south-east past Penne's Place over a rustic bridge towards the house. These architectural features are of interest and appear to have been added by Gibbs at the turn of the 20<sup>th</sup> century.
- Historical interest: Aldenham House Park and Garden are of historical interest as the surviving remains of a renowned late 19<sup>th</sup> and early 20<sup>th</sup> century arboretum and ornamental gardens surrounded by parkland. Some formal gardens and groves had been developed by the late 18<sup>th</sup> century and are shown on an estate map dated 1786. Historic interest is derived from the various surviving elements of the park and garden, as well as the collection of plants from across the western hemisphere.

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<sup>19</sup> The Aldenham House Gardens – A Brief History of the School Grounds by Andrew Lawrence, published by the Haberdashers' Aske's School c1997

Historic value is also derived from the association of the parkland with Henry Hucks Gibbs (1819-1907, first Lord Aldenham 1896) who moved with his family to Aldenham in 1869, developing the gardens and surrounding landscape with his son Vicary Gibbs (1853-1932) at the turn of the century. Important developments within the park and garden in the period are detailed within Henry Gibbs' Year Book which he kept from 1869 to 1902. The garden was celebrated in the early to mid C20 for its variety, extent and horticultural excellence, becoming 'the period's most discussed virtuoso garden'.<sup>20</sup>

- Artistic interest: The various designed elements of the park which appear to have been formally developed from the late 18<sup>th</sup> century and evolved over the 19<sup>th</sup> and early 20<sup>th</sup> centuries have distinct artistic value. This is evidenced by the inclusion of the park and gardens at Aldenham in M.L. Gothein's authoritative 1913 volume: the History of Garden Art.
- Archaeological interest: The potential for archaeological finds at the Registered Park and Garden is relatively high due to the presence of prominent medieval remnants such as Penne's Place. A full assessment of the potential archaeological interest of the Registered Park and Garden is beyond the scope of this assessment.

#### *Contribution of Setting to Significance*

78. Given the size of the Registered Park and Garden - which is over 140 hectares - it has a relatively large and wide setting which includes the eastern parcel of the Appeal Site (Fields 7-20) located to the north of Butterfly Lane. The relatively close distance (approx. 100m) between the park and the Appeal Site is highlighted by **Figure 1**.

79. The Appeal Site is a positive element of the setting of the park and garden and contributes to how it is experienced and appreciated within a rural, predominantly agricultural landscape (**Plates 4, 7-8**). The submitted DBA recognised this positive

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<sup>20</sup> Elliott, 1986

contribution that the land forming the Appeal Site makes to the setting of the asset:

*‘The setting of the park within a rural area contributes to its significance as views out from the park, particularly to the west, south and east borrow from this wider setting. Views to the north are restricted by dense woodland planting alongside Butterfly Lane, but the view when entering and leaving the park via the entrance drive onto this lane affords some views of the adjacent farmland.’<sup>21</sup>*

80. The following analysis follows the methodology for assessing the contribution that setting makes to significance recommended in GPA3. Today the c. 140 hectare park and garden is bounded to the east by Watling Street, to the north by Butterfly (formerly New Grubb's) Lane, to the west by the road connecting Elstree with Aldenham, and to the south by agricultural land and the village of Elstree.
81. There are a number of other heritage assets which have historical ties and associations with the park and garden. The most obvious of these include Aldenham House and Penne's Place, within the park and garden.
82. Outside of the formal parkland, the constituent farmsteads which are connected with the Aldenham Estate are positive elements of the setting of the asset and contribute to how it is understood within a historic context. These include Slades Farm directly to the north of the park and New Grubb's Lane. The Appeal Site similarly forms part of this historic context, the land forming Fields 7-20 having functioned for centuries to provide for the wider Aldenham Estate.
83. The formally designed park and garden which is largely the product of the late 19<sup>th</sup> and early 20<sup>th</sup> century development is set within an informal parkland setting which reinforces the leafy character of the asset. In this respect green space, open fields, trees and vegetation make an important contribution to the way that the park and garden is appreciated from outside of its boundary.
84. There are key functional relationships and associations between Fields 7-20 which have historically been used to serve Slades Farm and in turn the wider Aldenham Estate. The setting of the park and garden appears have changed little over the

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<sup>21</sup> R017: Heritage Desk Based Assessment (DBA), Headland Archaeology – December 2020), p.12

centuries, with limited man-made intrusions into the agricultural landscape which surrounds the asset (Figures 7-10).

85. With regards to the experience of the asset, the surrounding landscape character is that of agriculture, without large scale development within close proximity to the park and garden, especially to its north (Plates 4, 7-8). There are views towards and across the park and garden from the Appeal site in which the mature tree covered area can be appreciated within its rural landscape.
86. From the Appeal Site, the park and garden can be seen in long range views and there is a sense of tranquillity and remoteness which is reinforced by the lack of man-made intrusions into the landscape and the leafy character of parkland.
87. The gardens and surrounding parkland have some degree of seclusion due to dense and mature trees and vegetation which exist within its boundary. This affords the parkland a setting, giving the gardens intimacy and privacy, with limited development surrounding the asset.
88. Land use surrounding the park and garden is generally agricultural, although there are some residential uses to the south of the area. Patterns of movement include the principal roads which bound the gardens, including Watling Street to the east and Butterfly Lane to the north. These do not appear to have been modified since Grubb's Lane was moved further north to its current position in the 19<sup>th</sup> century.
89. There are limited other comparable examples of settings such as that found at Aldenham House Park and Garden. It has a rarity value, with there being few comparable survivals of such vast parks and gardens which have a predominantly rural, unspoilt agricultural setting.
90. To summarise, the Appeal Site is assessed as contributing positively to the significance of the park and garden, providing an unspoilt agricultural context which has remained largely unchanged for more than a century. Aside from the visual connections between the gardens and its wider parkland setting, there are also historical connections between the Appeal site and the asset. These include associations of ownership, occupation and use. Similarly, there are socio-economic ties between the land and the Aldenham Estate, of which the park and garden are integral elements.

## Impact Assessment

91. My impact assessment considers the location and siting of the Appeal Scheme in relation to the park and garden, its form and appearance, and the wider effects of the proposed solar farm on the asset. It draws on the methodology recommended in GPA3.
92. The proximity of the Appeal Site to the park and garden means that the solar farm would be visible in views towards and across the park from the north (**Figure 1**). There would also be an impact on some views from within the park, with the south-facing solar arrays located just 150m away from the boundary of the park and garden likely to feature in glimpsed views from the area itself. The solar arrays would be orientated facing south towards the asset. Seasonal change from summer to winter is likely to increase the intervisibility between the asset and the Appeal Site.
93. The industrial scale of the development comprising Fields 7-20 would engulf part of the surroundings of the registered park and garden to the north and would introduce modern PV panels to an area which has historically and still today is used for the cultivation of crops and other agricultural processes to produce for the Aldenham Estate.
94. The Appeal Scheme would result in some loss of the agricultural surroundings of the Registered Park and Garden, transforming the land use and land cover immediately north of the estate from open fields into an industrial area lined with solar arrays.
95. The industrialisation of this area of land to the north of the park and garden which has historical associative links with Aldenham House and its park and garden in terms of ownership, occupation, use and would transform a large area which forms the setting of the asset.
96. The style of the landscape to the north of the park and garden is agricultural in character and would be transformed into an industrial landscape. The Appeal Scheme would also remove the types of activity and movement associated with the farming of the land.



97. With regards to the wider effects of the development, it is clear that the Appeal Scheme would result in widespread change to the surroundings of the asset and the spaces which contribute to how it is experienced and appreciated. The Appeal Scheme would industrialise the land area north of Butterfly Lane and the asset and there would be significant changes to the land coverage and silhouettes.

98. The Appeal Scheme would also result in changes to the sensory features of the setting of the asset which contribute to how it is experienced within an undeveloped agricultural context. The changes to these more abstract elements of the asset's setting, such as alterations to the levels of noise, vibration, and dust associated with the transformation of the landscape, in addition to the loss of the smells and sounds associated with farming, would cause a minor level of less-than-substantial harm to the heritage value of the Registered Park and Garden.

#### Summary of Impact on Aldenham House Registered Park and Garden

99. In my opinion the Appeal Scheme would lead to a **minor** (low) level of less-than-substantial harm to the significance of the Registered Park and Garden through the loss of part of its agricultural setting to the north of Butterfly Lane and the industrialisation of its wider landscape. My assessment of a **minor** (low) level of less-than-substantial harm through the transformation of part of the bucolic setting of Aldenham House Park and Garden is made with reference to the 'scale of harm' discussed in **Appendix 2**.

### 8.0 – PENNE'S PLACE SCHEDULED MONUMENT, 1013001

100. First Listed in February 1991, Penne's Place is a good example of a double moated site and is noted as having well documented connections with the Penne family dating back to the 13<sup>th</sup> century.<sup>22</sup>

101. The Scheduled Monument (SM) is located in Aldenham House Registered Park and Garden and is directly south of Butterfly Lane and the Appeal Site near to the gated entrance to the Aldenham Estate. The physical features of the SM

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<sup>22</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1013001?section=official-list-entry>

include an external perimeter bank and ponds, some of which appear to have been excavated since the mid-20<sup>th</sup> century.<sup>23</sup> Today the moated site is covered with trees and vegetation.

102. The SM takes its name from the family of Penne, or de la Penne, who settled in the Parish of Aldenham in the 13<sup>th</sup> century.<sup>24</sup> Reginald de la Penne held land which adjoined that of Geoffrey Picot, of the abbot of Westminster and the moated site provides the last remaining evidence of the connection with the family.
103. Cartographic evidence relating to the SM has been reproduced in **Figures 16-18** and photographs of the moat itself have been included in **Plates 9-10**. The SM forms part of a significant class of domestic medieval monument and is an important remnant from the medieval landscape for the understanding of the distribution of wealth and status in the countryside.

#### Statement of Significance

104. The heritage value of Penne's Place is discussed below with reference to the four key components of significance as set out in the NPPF:
- Architectural interest: No built form of architectural interest remains visible on the site of Penne's Place.
  - Historical interest: Penne's Place has historical interest deriving from its surviving physical features and what they reveal about the medieval origins of the site as a high status domestic moated site. The connection to the Penne Family provides historic value, as does the fact that the moat forms the last vestiges and remnants of the site of the original Aldenham Hall.
  - Artistic interest: The SM does not appear to be of artistic interest.
  - Archaeological interest: Being a medieval moated site, Penne's Place is understood to have a high potential for archaeological finds. This is reinforced by the Listing Description which states that the SM will 'provide

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<sup>23</sup> Information obtained verbally from the Head of Development at Haberdashers Boys School.

<sup>24</sup> 'Parishes: Aldenham', in *A History of the County of Hertford: Volume 2*, ed. William Page (London, 1908), pp. 149-161. British History Online <http://www.british-history.ac.uk/vch/herts/vol2/pp149-161> [accessed 20 August 2022].

conditions favourable to the survival of organic remains’ and ‘retains significant archaeological potential.’<sup>25</sup> A full assessment of the archaeological interest of Penne’s Place is beyond the scope of my built heritage evidence.

### *Contribution of Setting to Significance*

105. The setting of the SM makes some limited contribution to how the asset is appreciated and experienced within a largely unchanged and unspoilt rural context. Due to the relatively dense vegetation which exists on the SM, during summer months there is limited visibility between the SM and the Appeal Site although the visibility is likely to be far greater during the winter months.
106. The SM also has historic links and ties with the land forming the eastern area of the Appeal Site. Governmental guidance on Scheduled Monuments produced in 2013 makes it clear that the ‘significance of ancient monuments derives not only from their physical presence, but also from their setting.’<sup>26</sup> This is true of Penne’s Place which has a connection with the countryside around it with regards to its ownership, occupation and use.
107. In addition to the socio-economic ties between Penne’s Place and the surroundings landscape, the fields which form the Appeal Site’s eastern area also contribute to the tranquil surroundings of the SM which have remained largely unchanged for centuries (**Figures 16-18**).
108. While there has been some change within the setting of Penne’s Place over the centuries, mainly as a result of the relocation of Grubb’s Lane (now Butterfly Lane) to its current location, Fields 7-20 do positively reinforce the unspoilt and peaceful surroundings of the asset and have a connection and association with the SM and the wider Aldenham Estate.

### Impact Assessment

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<sup>25</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1013001?section=official-list-entry>

<sup>26</sup> ‘Scheduled Monuments & nationally important but non-scheduled monuments’, Department for Culture, Media & Sport (October 2013), p.10

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/249695/SM\\_policy\\_statement\\_10-2013\\_\\_2\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/249695/SM_policy_statement_10-2013__2_.pdf) [accessed 23/07/2022].

109. Drawing on the methodology recommended in GPA3, my impact assessment considers the location and siting of the Appeal Scheme in relation to Penne's Place, its form and appearance, and the wider effects of the solar farm on the asset.
110. The proximity of the Appeal Site to the moated site (within 100m) means that there are some limited views from the asset itself northwards towards Fields 7-20. While there would be no change to key views of the physical features of the moated site, the industrial scale of the development comprising Fields 7-20 would engulf part of the land north of the asset and would introduce uncharacteristic modern PV panels to the historic context of Penne's Place.
111. The Appeal Scheme would result in some loss of the agricultural surroundings of the moated site, transforming the land use and land cover immediately north of Butterfly Lane and resulting in the industrialisation of part of the SM's context. The industrialisation of this area of land to the north of the SM which has historical associative links with the Aldenham Estate, would transform a large area which forms the wider agricultural setting of the asset.
112. Furthermore, the Appeal Scheme would also introduce movement and activity uncharacteristic of Penne's Place's historic context and would result in the loss of the activity associated with the farming of the land. Visually, during the winter months the solar arrays to the north of the moated site are likely to be more intrusive on the SM than during the summer.
113. With regards to the wider effects of the development, the Appeal Scheme would result in some change to the surroundings of the asset. The Appeal Scheme would industrialise the land area north of Butterfly Lane and the asset and there would be significant changes to the land coverage and silhouettes.
114. The Appeal Scheme would also result in changes to the sensory features of the setting of the asset which contribute to how it is experienced. The changes to these more abstract elements of the asset's setting, such as changes to the levels of noise, vibration, and dust as well as the loss of smells and sounds associated with farming, would cause harm to the significance of SM, but it is principally the

loss of the land cover and use in addition to the severing of the historical links between the two area which would cause harm.

#### Summary of Impact on Penne’s Place Scheduled Monument

115. In my opinion the Appeal Scheme would lead to a **minor** (low) level of less-than-substantial harm to the significance of Penne’s Place, transforming the undeveloped agricultural land to the north of Butterfly Lane which has historical and associative ties with the Aldenham Estate, of which Penne’s Place is an important element. The development would industrialise the landscape north of the Scheduled Monument, with the solar arrays located within 150m of the asset. My assessment of a **minor** (low) level of less-than-substantial harm is made with reference to the ‘scale of harm’ discussed in **Appendix 2**.

#### 9.0 – HILFIELD CASTLE (II\*), 1103569

116. First listed (Grade II\*) in June 1984, Hilfield Castle (originally known as Sly’s Castle) is a Picturesque Gothick country house constructed at the turn of the 18<sup>th</sup> century for G. Villiers.<sup>27</sup> The building is located in a commanding elevated position overlooking the surrounding landscape and the adjacent reservoir and has 360 degree views over the countryside (**Figures 25-27**).

117. The architect of Hilfield Castle was Sir Jeffry Wyattville (1766-1840), a quintessential designer of the Regency period who gained a reputation as an improver of country houses.<sup>28</sup> He is mainly remembered for making alterations and extensions to Chatsworth House and Windsor Castle.

118. The Castle is characterised by its reproduction of medieval modes of architecture through the use of features and detailing which include turreted towers, castellations, mullioned windows, and other types of details associated with this form of revival architecture (**Figures 23-24**).

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<sup>27</sup> *The Buildings of England: Hertfordshire*, Nikolaus Pevsner (Penguin Books, London, 1953), p.78

<sup>28</sup> *Encyclopaedia of Interior Design*, Ed. Joanna Banham (Taylor & Francis, eBook, 1997), p.1401

119. Hilfield Castle Estate was listed for sale in 1809 on the instructions of a son of the 2<sup>nd</sup> Earl of Clarendon, whom Wyattville described as ‘the Honble. G. Villiers.’ It was described in the sale particulars as ‘a Gothic Pile of the most chaste and correct Taste.’<sup>29</sup>
120. The 1839 tithe apportionment map for Aldenham depicts Hilfield Castle (then named ‘Hill Field Lodge’) in the early-to-mid 19<sup>th</sup> century (**Figure 20**). At that time the landowner and occupier of Hilfield was John Farn Simins. Mr Simins appears to have owned all of the surrounding fields and development around Hilfield Castle, including Hilfield Farm further north. Fields 1-5 of the Appeal Site were under the same ownership as the Castle and appear to have remained as such throughout the subsequent centuries (**Figures 21-22**).
121. Aerial photographs of Hilfield Castle and the surrounding landscape from the mid-20<sup>th</sup> century clearly illustrate the prominent elevated position of the asset which commands far reaching views over the local area (**Figures 25-27**). As the name of the asset suggests, Hilfield Castle was developed within a field on top of a hill, meaning that it afforded 360-degree views over the surrounding countryside.

#### Statement of Significance

122. The heritage value of Hilfield Castle as a Grade II\* Listed Building of more than special interest is discussed below with reference to the four key components of significance as set out in the NPPF:
- Architectural interest: Hilfield Castle has a high level of architectural interest deriving from its origins and design, form, architectural ethos and development, in addition to its association with a famous architect. The multi-faceted architectural value of the asset is recognised by its statutory listed at Grade II\* which reflects the important architectural interest of the house. Elements of the building such as its axial, compact plan with an extension along the central axis to the west is of architectural interest, in addition to the ecclesiastical character of the conservatory wing which gives

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<sup>29</sup> Sir Jeffrey Wyattville: Architect to the King, Derek Linstrum, (Clardeon Press, Oxford, 1972), p.72

the effect of a castellated house linked with a church in one building. It is noted that this is also an idea that Wyattville used at Lypiatt Park.<sup>30</sup>

- Historical interest: Historical interest is derived from the origins and development of the Estate and its association with Wyattville and Villiers. The building is a physical reminder of the past, providing evidence of the architectural fashion for the Gothick at the turn of the 18<sup>th</sup> century. Hilfield also illustrates the increasing importance of comfort and convenience in the Regency villa. The gatehouse, for example, contains a water-engine which supplied water closets on every floor.

Historical interest is also derived from the connection between Hilfield Castle and the surrounding landscape, with much of the countryside around the asset being under common ownership and having been utilised specifically for the purpose of harvesting the land for the benefit of the Hilfield Estate. In this regard, the asset has group historic value with a number of associated buildings within the wider estate. These include, amongst others, Hilfield Farm, which has clear associative and historical connections with the main elevated house.

- Artistic interest: Hilfield Castle has artistic interest deriving from its Picturesque Gothick design and detailing and its association with the neo-gothic revival style of architecture popularised earlier at Strawberry Hill House. A key strand of the revival style popular in the late 18<sup>th</sup> and early 19<sup>th</sup> century was the relationship of the architecture with the surrounding landscape, with the style promoted in contrast to neo-classical modes of architecture as an appropriate design for rural settings, with its complex and irregular shapes and forms appropriately assimilating into the natural landscape. Artistic interest is also derived from the craftsmanship and artistic merit of those who designed and constructed the asset, notably Wyattville and his builders.

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<sup>30</sup> Sir Jeffrey Wyattville: Architect to the King, Derek Linstrum, (Clardeon Press, Oxford, 1972), p.72

- Archaeological interest: An assessment of the archaeological potential of the site is beyond the scope of my assessment.

### *Contribution of Setting to Significance*

123. The following analysis assesses the asset's physical surroundings and how it is experienced within its existing setting, with particular reference to the considerations set out in the applicable checklist, Step 2 of GPA3.
124. Hilfield Castle is located on an elevated plot of land with views overlooking the surrounding fields and principally agricultural landscape. The formal design of the building and its orientation means that the building is afforded 360 degree views of the area and likewise there are views towards Hilfield from many angles (**Figures 25-27**).
125. Short range views of the building are from close quarters within its curtilage and the medium and longer-range views towards and across the asset are mainly from the west and north, including from the Appeal Site where the asset is clearly visible.
126. Other heritage assets relevant to how the building is experienced include the Grade II Listed Gatehouse and the contemporary Grade II Listed lodge which marks the entrance to the complex from Hilfield Lane. There are other historic structures within the complex which also reinforce the special architectural and historic interest of the building. The scale and grain of the other buildings within the complex compliment Hilfield Castle which is the focal point and has Landmark qualities.
127. Hilfield Castle is part of a formally designed site with the main picturesque dwelling being the hierarchical structure within the complex, positioned at the highest point topographically to assert a commanding dominance over the nearby land area which was all historically under the ownership of the Hilfield Estate.
128. Green space, trees and vegetation play an important role in how the asset is seen, appreciated and experienced from the surrounding landscape. In views towards the asset, the mature vegetation provides some level of screening although the scale of the house means that it is still visible above the treeline from many positions west and north of the complex (**Plate X**).



129. Hilfield Castle is enclosed by the trees and vegetation directly to its north and west but further away from the immediate surroundings of the asset the landscape opens into larger fields from which the building can be seen and appreciated.
130. There are functional relationships between Hilfield Castle and the buildings in the surrounding landscape, which include Hilfield Farm further north along Hilfield Lane. The assets are shown on the 1839 tithe apportionment map with only a single large field connecting the two along Hilfield Lane and both the buildings and the surrounding fields were under a common ownership. It seems likely that there was intentional intervisibility between Hilfield Castle and Farm, given the prominence of the structure and its elevated position overlooking the land to the north.
131. While there has been some degree of change to the surroundings of Hilfield Castle over the years through the development and expansion of the aerodrome to the east, the construction of the M1 motorway to the west and the reservoir to the south, much of the land to the north and west of the asset on either side of Hilfield Lane has remained unchanged and continues to contribute to the agrarian setting of the Listed Building
132. There are views from and towards Hilfield Castle from Field 1-5 of the Appeal Site (**Plates 10-14**). In such views towards the asset from the west and north, it is the Grade II\* Listed Building which is the prominent focal point of the complex. It has visual dominance over the other ranges within the complex.
133. Given the elevated position of Hilfield Castle set back from the road, there does not appear to be much in the way of external noise, vibration and other nuisances, asides from the aeroplanes landing at the nearby aerodrome. Aside from the aeroplanes taking off and landing, Hilfield Castle retains a sense of tranquillity which is afforded by the largely undeveloped and unspoilt rural context.
134. It seems likely that in the winter months Hilfield Castle will be even more readily visible from the western area of the Appeal Site (Fields 1-5) with the vegetation and trees which surround the building to those sides being less dense

during these months and having less of an impact in shielding the asset from view than in summer.

135. Hilfield Castle has landmark qualities deriving from its impressive design and form in addition to its elevated position overlooking the surrounding landscape to all aspects. The land surrounding the Listed Building, which includes Fields 1-5 of the Appeal Site, has economic, social and cultural ties and associations with the asset and has functioned historically to serve the Hilfield Estate.

136. In summary Fields 1-5 make an important contribution to how Hilfield Castle is experienced and appreciated within an agricultural context and there is a historical associative relationship between the land forming the Appeal Site and the Grade II\* Listed Building.

#### Impact Assessment

137. This impact assessment follows the recommended methodology of GPA3, in particular Step 3 of that guidance document. It analyses the location and siting of development in relation to the asset, its form and appearance, and the wider effects on the Grade II\* Hilfield Castle.

138. Fields 1-5 are located to the west and north of Hilfield Castle. These fields form a key part of the agricultural setting of the asset and the fields were used historically as part of its land holding. Given the topography of the land on which the asset is located, there is likely to be a relatively high level of intervisibility between the asset and the Appeal Site.

139. Key medium and longer-range views towards the asset would be industrialised and from the building itself the solar arrays would be highly visible when facing west and north (**Plates 10-14**). During winter months the intervisibility between the land which forms the agrarian setting of Hilfield is likely to be much greater than during the summer months. The orientation of the building affords 360 degree views of the countryside.

140. The Appeal Scheme would result in some change to the physical and visual isolation of the asset, in that land to the north and west would be developed. The asset would no longer be appreciated within a predominantly agricultural setting but would be industrialised through incongruous development.

141. With regards to the form and appearance of development, the solar arrays in Fields 1-5 are likely to be prominent and conspicuous from the asset itself and in views back towards the building from the north and west the modern industrial arrays would form new man-made intrusions into the countryside. In such views, there would be some degree of competition with and distraction from the asset. The solar farm is likely to be more visually intrusive in views from Hilfield Castle during the winter months when the trees and vegetation are likely to form less of a visual screen to the development within Fields 1-5.
142. The development would not be visually permeable and given that the panels would be orientated to face south, in the fields to the north of Hilfield the reflectivity of the solar arrays is likely to be a factor in how the experience of the asset would change. A modern palette of materials would be introduced into the landscape which would result in a man-made intrusion into the surrounding landscape and would be visible from the asset itself.
143. The style of the landscape to the north and west of Hilfield Castle is agricultural and the bucolic setting of the building would undergo significant change as a result of the development of Fields 1-5. There would be the introduction of movement and activity uncharacteristic of the existing rural environment of the asset.
144. With regards to the wider effects of the development, the addition of the solar farm on Fields 1-5 would represent significant change to the surroundings and spaces to the north and west of Hilfield Castle. Aside from the visibility of the solar farm in views towards, across and from the asset, the development would also result in the loss of the historical land use and land cover, altering the unspoilt context of Hilfield Castle which would be transformed into an industrial landscape.
145. There is likely to be a change to the levels and types of noise and odour resulting from the development of the solar farm, resulting in a change to the general character of the setting of the asset.

#### *DBA Assessment*

146. The submitted DBA made the following brief assessment of the impact of the proposed development on the setting and significance of Hilfield Castle:

*‘Hilfield Castle (NHLE: 1103569) is a late 18th century house by Jeffry Wyatt in picturesque gothick style. The symmetrical villa has a four storey central tower that affords views over the former parkland around the house (now largely removed by the Hilfield Park Reservoir and Elstree Aerodrome) and also acts as a landmark in views from the wider area (including from the footpath through Field 1). The Proposed Development has been designed to retain green space within the areas of former parkland north of the house which will also retain the important view of the tower from within Field 1. There will be no effect on the surviving areas of parkland or on the designed view south from the house across the park (the PDA is located north and west of the house). No harm to the significance of Hilfield Castle is predicted.’<sup>31</sup>*

147. My analysis indicates that there will in fact be relatively major adverse effects on how Hilfield Castle is appreciated and experienced resulting from the development of the solar farm on land historically forming part of the holding of the Hilfield estate.

148. These detrimental changes would not be confined to the visual effects of the development, e.g. the impact on views from and towards the asset, but would extend to a number of other more abstract sensory and experiential factors. It is worth noting that the historical ownership of the land and its role and function as part of the Hilfield Castle estate does not appear to have been taken into account in the analysis of the DBA.

#### Summary of Impact on Hilfield Castle (II\*)

149. In my assessment the Appeal Scheme would lead to less-than-substantial harm to the significance of the Grade II\* Listed Hilfield Castle and would detrimentally transform much of its historic landholding from undeveloped agricultural fields into an industrialised area covered with solar arrays and associated structures. The Appeal Scheme would detrimentally alter how the listed building is experienced and appreciated within its agricultural context, impacting views towards, from and across the listed building and resulting in adverse sensory and experiential effects.

150. Given the proposed changes to land use and cover around the building, the introduction of wholly modern, industrial development to Fields 1-5, and the

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<sup>31</sup> R017: Heritage Desk Based Assessment (DBA), Headland Archaeology – December 2020), p.12

severing of the historical association between the surrounding agrarian landscape and Hilfield Castle, the harm to the significance of the asset is, in my assessment, moderate within the ‘scale of harm’ referenced in **Appendix 2**.

151. It is an agreed position that the development would cause less-than-substantial harm to this asset, although the articulation of what level of less-than-substantial harm would be caused is not agreed.

#### 10.0 – LODGE AT HILFIELD CASTLE (II), 1103570

152. First Listed (Grade II) in June 1984, the Lodge at Hilfield Castle is the Castle’s more modest counterpart, signalling one of the two main entrances to the Estate from Hilfield Lane. The building is contemporary with much of the adjacent development at Hilfield, including the Castle and Gatehouse all designed Jeffrey Wyattville for Villiers.

153. Hilfield Lodge features many of the picturesque Gothick features found at the main house, including octagonal crenelated towers, hoodmoulds, string course detailing and other architectural devices characteristic of this revival style. The asset has been carefully restored in recent decades.

154. The building derives heritage value from how it is appreciated and experienced within a predominantly rural, agricultural context. In much the same way as the Grade II\* Listed Hilfield Castle, the Grade II Listed Lodge has historical connections with the land around it with regards to ownership, occupation and use.

155. Cartographic evidence (**Figures 14-15**) demonstrates how the surroundings of the Lodge have changed little over the years, with very little man-made intrusion into the countryside surrounding the Listed Building.

156. The most evident changes to the setting of the asset over the 19<sup>th</sup> and 20<sup>th</sup> centuries were the development of the railway line and the M1 motorway to its west. Despite this, Hilfield Lodge continues to be appreciated within a largely tranquil and peaceful setting which is reinforced by the surrounding fields forming the western site of the Appeal Scheme.

### Statement of Significance

157. The heritage value of the Lodge is discussed with reference to the four key components of significance as set out in the NPPF:

- Architectural interest: Hilfield Lodge has a high level of architectural interest deriving from its form, fabric and design which mirrors that of the main Castle. Architectural value comes from the association of the building to Wyattville and its picturesque features. The asset was designed to a high architectural standard and having been carefully restored in recent decades continues to be of high architectural interest.
- Historical interest: The Lodge is of historical interest as a physical reminder of the past, providing physical evidence of the origins and development of the Hilfield Estate. Its architecture mirrors that of Hilfield Castle and was designed as part of a comprehensive complex by Wyattville in the 1790s. Alongside the gatehouse and other ancillary buildings, the Lodge illustrates the status and wealth associated with the Hilfield Estate. It has historic group value with the other assets within the complex at Hilfield, including Hilfield Farm further north along Hilfield Lane.
- Artistic interest: The building is of artistic interest deriving from its Picturesque Gothick design and detailing and its association with the revival style of architecture. Artistic interest is also derived from the craftsmanship and artistic merit of those who designed and constructed the asset, notably Wyattville and his builders.
- Archaeological interest: An assessment of the archaeological potential of the site is beyond the scope of my assessment.

### *Contribution of Setting to Significance*

158. The following analysis references the methodology recommended in GPA3. With regards to the asset's physical surroundings, they are formed of Hilfield Lane running adjacent to its western boundary, the gravelled parking area north of the house, its garden space running around the property and the lake and fish ponds

directly south-east. Hilfield Lodge's wider surroundings comprise other historic buildings within the complex, open countryside and the aerodrome.

159. Although the topography of the plot itself is relatively flat, the wider topography of the land rises from the Lodge up to the Castle. The topography of Field 1 rises to the west (**Plates 16-18**) meaning that the solar arrays would be prominently visible from the asset and its garden space.
160. The Lodge forms part of a formal design with clear hierarchy between it and the main dwelling. The original layout of the complex as designed by Wyattville is still very much appreciable.
161. With regards to orientation, the building's three-dimensional design means that it has outwards views in all directions, including to the west over Hilfield Lane towards Field 1. Key views towards and across the asset are from relatively close quarters, where its architecture can be appreciated. In many of such views, Field 1 is visible in the backdrop. From the asset itself there are outwards views towards the surrounding landscape which would be impacted.
162. The main noises, vibration and other nuisances come from Hilfield Lane and the aerodrome, although these factors do not have a great effect on how the asset is continued to be experienced within a largely undeveloped, rural context.
163. It appears that there is some element of intentional intervisibility with the other heritage assets forming the complex, with the driveway leading from Hilfield Lane running past all three statutorily listed buildings in tandem.
164. There is a sense of tranquillity, remoteness, and 'wildness' to the surroundings of Hilfield Lodge which are enhanced by the surrounding countryside. While Hilfield Lane presents some level of movement and bustle near to the asset, the building is afforded a relatively tranquil setting by the surrounding fields and mature vegetation within the Hilfield Estate.

#### Impact Assessment

165. As previously noted, the topography of Field 1 means that the solar arrays would be visible in views from Hilfield Lodge and its garden plot. Key views towards, from and across the asset would be impact, including a number of views from the ground and first floor windows of the building (**Plate 16**). The Appeal

Scheme would introduce foreign and uncharacteristic industrial development into these views which would appear incongruous within the existing countryside setting.

166. The development would not be visually permeable and would result in some level of competition with and distraction from the asset. Given the location of Field 1 and its proximity to the Lodge, the development would appear prominent and conspicuous in views from the building and its garden plot.
167. Industrial materials would be introduced into the landscape west and north of Hilfield Lodge resulting in a demonstrable change to the character and style of the countryside which surrounds the asset. The addition of solar panels to Field 1 in particular would result in significant effects on the agricultural context of the building and how it is enjoyed within its current setting.
168. The development would also result in the loss of the movement and activity associated with the current use of the land for agrarian purposes as well as the introduction of new types of movement and activity during the construction, operation and maintenance of the solar farm. These new forms of movement and activity would be uncharacteristic of the existing context of the asset, altering its general character.
169. Similarly, the development of Fields 1-5 would result in a loss of the sounds and smells associated with their current agricultural use. There would be changes to the levels of noise, odour, vibration and dust during both the construction and operational phases of the development.
170. During the winter months the visual impact of the Appeal Scheme is likely to be accentuated given that the existing vegetation along Hilfield Lane would provide less of a visual screen between Field 1 and the Lodge. It is worth noting that the photographs included were taken in August 2022 when the visual screen provided by the vegetation is at its height. Any lighting introduced to Field 1 would only serve to draw attention to the industrial transformation of the landscape surrounding Hilfield Lodge during the night.
171. It is clear that the development of Fields 1-5 would result in detrimental change to the agricultural surroundings of Hilfield Lodge, with visual, sensory and



experiential changes resulting from the Appeal Scheme. The development would transform the spaces around the asset and introduce intrusive, incongruous and industrial development into its countryside setting.

172. There would be a change to the general character of the landscape surrounding Hilfield Lodge which would result from the detrimental alterations to the land use and land cover. Much of the currently undeveloped and unspoilt context of the asset to the west and north would be industrialised.

#### Summary of Impact on Lodge at Hilfield Castle (II)

173. In my assessment the Appeal Scheme would lead to less-than-substantial harm to the significance of the Grade II Listed Lodge. The development would industrialise Field 1 directly to the west of the asset on the other side of Hilfield Lane and the solar arrays would be highly visible in views from inside the asset and from its plot.
174. In addition to the detrimental visual effects on Hilfield Lodge, there would also be other sensory changes resulting from the development of the solar farm resulting from the industrialisation of the currently undeveloped farmland which has functioned as such for centuries.
175. Given the historic connection between the Appeal Site and the Hilfield Lodge, and proposed changes to land use and cover directly to west of Hilfield Lodge, leading to the curtailing and erosion of its agricultural setting, I consider the harm to the significance of the asset to be moderate within the ‘scale of harm’ referenced in **Appendix 4**.
176. It is an agreed position that the development would cause less-than-substantial harm to this asset, although the articulation of what level of less-than-substantial harm would be caused is not agreed.

## 11.0– OTHER HERITAGE ASSETS

177. A supplemental statement of case (SSoC) was prepared to address additional issues relating to built heritage only. Following a site visit on 12 August 2022, the SSoC developed an issue previously raised in COG’s statement of case relating to the sufficiency of the Appellant’s analysis of heritage assets, with a particular focus on non-designated heritage assets.

178. Paragraph 194 of the NPPF states:

*‘194. In determining applications, local planning authorities should **require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.** The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. **As a minimum the relevant historic environment record should have been consulted** and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.’*

179. In addition to the five DHA’s cited in Reason 2 for refusal of the application, the Appellant did not describe the significance of all heritage assets affected, including any contribution made by their setting. These assets are circled on **Figure 31**. There is no indication that the relevant historic environment records were consulted for the following assets, or that a detailed assessment of the likely impacts (visual, sensory and experiential) was undertaken:

- **Medburn School, Watling Street (16327):** Located along Watling Street, this 19<sup>th</sup> century asset will experience change to direct views from, across and towards it from the Site and surrounding landscape. The development of the farmland immediately west of this asset would transform its tranquil agricultural setting and would lead to visual and sensory changes to how it is experienced and appreciated. There appears to be a historic, functional relationship between Medburn School and Aldenham School to the west which has not been explored by the Appellant. There is a historic footpath running between the two sites and the topography affords views across the currently undeveloped Site from Medburn School. There is also an auditory

connection between the two educational sites. The development would result in harm to the heritage value of this non-designated heritage asset (“NDHA”).

- **No.1 Watling Street:** Constructed between 1883 and 1899, this Victorian dwelling is located 50 metres north of Medburn School and is assessed as being of some local heritage value. The house is contemporary with Medburn School and similarly the proposed development would result in change to direct views from within the asset and towards and across it. The Site is located directly to the north and west of this Victorian house and there would be a range of visual, sensory and experiential change to the building arising from the solar farm. The landscape immediately surrounding it and Medburn House would be transformed from a peaceful agricultural landscape into an industrialised one, causing harm to arise to its heritage value.
- **Kendall House, 1103523 (II):** There would be at least some change to the setting of Kendall House as a result of the proposed development of the Site. Kendall House is in relatively close proximity to the solar farm, albeit somewhat screened from view by existing vegetation which includes Kendall Wood. The loss of the former agricultural land surrounding this farmhouse, which had connections to the listed building in terms of ownership, occupation and use would result in some impacts on the asset. The impact of the Appeal Scheme on the setting and significance of this Listed Building has not been fully explored.
- **Heritage Assets at Aldenham Senior School:** In addition to the three Grade II listed buildings at this site, Beaver’s House and McGill’s House are assessed as having local heritage value, with both buildings having direct visibility on the Appeal Site. Both buildings are largely unchanged from when they were first constructed between 1883 and 1899 and have group value with the designated heritage assets to the north-west. They are located at the junction of Aldenham Lane with Ward’s Lane within close proximity to the Site. Their tranquil, rural setting contributes positively to how they are

experienced. These assets, and the complex at Aldenham School generally, merited a more detailed impact assessment than was provided by the Appellant.

- **Hilfield Farm, Hilfield Lane:** The farmhouse at Hilfield Farm is shown on the tithe map and there will be direct visibility of the proposed development from the building and its grounds. The Farmhouse has occupied the same, relatively isolated position for several centuries and has a functional association with the complex at Hilfield Castle to the south-east. The proposed development would almost entirely engulf the agrarian surroundings of this asset, industrialising and enclosing much of the neighbouring undeveloped farmland. It would lead to coalescence between the complex and the existing National Grid Substation to the NW. Furthermore, the proposed battery storage area, substation, storage container, auxiliary transformer and control room would be located immediately adjacent the complex to the NE. Together with the solar panels, the battery storage area would lead to visual, experiential and sensory impacts on the NDHA.
- **Dwelling west of Hilfield Lane, c. 50m west of Hilfield Farm:** This detached house was constructed between 1883 and 1899 and has direct visibility from its front and side elevation windows towards the Appeal Scheme (Fields 1-5) Due to the age of the dwelling, its relatively unchanged form, and its relationship with Hilfield Farm and the wider Hilfield Estate, it is assessed as being of some local heritage value. Its setting would also undergo a significant transformation as a result of the proposed development, causing harm to its local heritage value.

## 12.0 – DISCUSSION

180. In this chapter I discuss the previous impact assessments prepared by the Appellant in support of the application. There was no stand-alone built heritage assessment submitted alongside the application and therefore the most detailed

analysis of the potential effects of the development was contained within the DBA<sup>32</sup> and a letter from Headland Archaeology addressed to HBC.<sup>33</sup>

181. In my opinion, the number of heritage assets impacted and the level and magnitude of the impacts on their setting and significance was consistently underestimated and downplayed by the Appellant.

182. This is emphasised by the fact that while the original DBA concluded only ‘very much less than substantial harm’ would be caused to a single heritage asset, Slades Farm, the Appellant’s Statement of Case accepted that a further two designated heritage assets would be harmed. These are the Grade II\* Listed Hilfield Castle and the Grade II Listed Hilfield Castle Lodge.

183. Throughout the course of the application, the Appellant has not provided sufficient evidence as to the historical relationships and connections between the land forming the Appeal Site and the five designated heritage assets which were cited in Reason 2 for Refusal of the application.

184. No detailed analysis of the associations between the Appeal Site and these assets was conducted. Factors such as ownership, occupation and use were not fully explored. Similarly, there is no detailed analysis of the more abstract sensory and experiential factors contributing to the respective settings of the assets. A non-exhaustive checklist of these factors is outlined in Historic England guidance GPA3, which is a material consideration.

185. Adequate investigation into the contribution that the Appeal Site makes to the setting and significance of the assets and the impact of the development on these factors was the responsibility of the Appellant. In submitting an application, it was the Appellant’s duty to demonstrate that it was, as far as possible, policy compliant.

#### *Commentary on DBA*

186. The planning application was accompanied by an Archaeological Desk-Based Assessment (DBA) produced by Headland Archaeology. The assessment of

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<sup>32</sup> R017: Heritage Desk Based Assessment (DBA), Headland Archaeology – December 2020)

<sup>33</sup> Letter from Headland Archaeology to Hertsmere Borough Council, prepared by Jen Richard, Senior Heritage Consultant at Headland Archaeology (Dated 30/04/2021).

the impacts of the development on the surrounding heritage assets was inadequately brief and only 6 photographs were included within the report. Following a disproportionately short assessment of potential effects, the DBA concluded that:

*‘No harm is predicted to the majority of designated heritage assets in the study area through change in their setting. The exception is Slades Farmhouse, Grade II Listed Building, which is predicted to experience much less than substantial harm as a result of the change of land use within the PDA. This should be weighed against the benefits of the proposed development in line with paragraph 197 of NPPF and local planning policy.’*

187. It is unclear if the assessment of ‘much less than substantial harm’ to Slades Farmhouse referred to a high or low level of less than substantial harm to the significance of this asset. This is with reference to the ‘scale of harm’ discussed in **Appendix 2**. In my opinion, the level of harm would be moderate.

*Commentary on Letter to HBC (30.04.2021)*

188. A letter was sent to HBC from the then Applicant specifically in relation to built heritage following the receipt of comments from the statutory consultees. The conclusion of the letter, which does not differ from the conclusions of the DBA, has been reproduced:

*‘The consultation responses do not alter the conclusions of the DBA or the planning policy assessment of the proposed scheme in relation to heritage matters. There will be no direct physical impacts on designated heritage assets. No harm is predicted to the majority of designated heritage assets in the study area through change to their setting. The only exception is Slades Farmhouse, a Grade II Listed Building, which is predicted to experienced much less than substantial harm as a result of the change to land use within its setting.’*

189. Once again, the conclusion of the letter dated 30.04.2021 severely downplays and underestimates the likely effects of the Appeal Scheme on the historic environment, only citing harm to a single designated heritage asset. It is worth noting that the Appellant now concedes there will be less than substantial harm to three designated heritage assets as is discussed below.

### Commentary on Appellant's Statement of Case

190. The Appellant's Statement of Case accepts that there will be less than substantial harm to three designated heritage assets: Slades Farmhouse (II), Hilfield Castle (II\*) and Hilfield Castle Lodge (II). In relation to 'Issue 2', the harm to the significance of designated heritage assets, the Appellant's Statement of Case argues:

*'With regards to the Grade II Listed Slades Farmhouse, the harm caused to the heritage significance of the asset will be less than substantial and at the low end of the spectrum. Whilst the character of some of the historically associated farmland will change, no panels will be located in land to south-west across which there are views from the asset.'*<sup>34</sup>

191. In the light of the evidence demonstrating the visibility of the Appeal Scheme in views towards, from and across this asset, and the severing of the historic associations between the land forming the site and the asset, I disagree with this conclusion that the harm will be 'at the low end of the spectrum'. There would be a disruption to the rural agrarian character of the surroundings of the asset which would detrimentally alter how it is experienced. The artistic and historic interest of the Listed Building would be eroded and diminished through the loss of the picturesque agricultural land north of the building, which was previously used in conjunction with the farm to provide for the wider Aldenham Estate.

192. In relation to Hilfield Castle and Hilfield Castle Lodge, the Appellant also now accepts that the development would lead to less than substantial harm to their significance:

*'With regards to Hilfield Castle and Hilfield Castle Lodge, the proposals mainly lie beyond the area that was depicted as associated parkland on historic maps. A small area of former parkland, as denoted on historic maps, to the north-east of Hilfield Castle will have panels placed within it, but this area has changed through its severance from Hilfield Castle and the remainder of the grounds by a tree belt and the grounds of the Aerodrome, and its change of intrinsic character from grassland with scattered trees to arable cultivation. The change of character to the wider surrounds of the assets, including some areas under common ownership and*

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<sup>34</sup> APELSTREE GREEN LTD HILFIELD SOLAR FARM & BATTERY STORAGE FACILITY APPELLANT'S STATEMENT OF CASE (MARCH 2022 | PB | P21-3101)

*occupation, will cause only less than substantial harm at the low end of the spectrum to Hilfield Castle and Hilfield Castle Lodge.*<sup>35</sup>

193. Once again, no apparent thorough assessment of the contribution that setting makes to the significance of these assets was undertaken and no robust assessment of the impact(s) of the development on their respective settings has been carried out by the Appellant. As such, the articulation of the level of harm to the significance of these assets as being at ‘the low end of the spectrum’ has not been fully explained or justified.
194. In my assessment, the harm to the significance of these Listed Buildings would be moderate within the ‘scale of harm’ referenced in **Appendix 2**. It is worth noting here that in accordance with paragraph 200 of the NPPF, any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. This has not been provided by the Appellant.
195. The Appellant does not consider that the Appeal Scheme would result in harm to the significance of either Aldenham House Registered Park and Garden or Penne’s Place Monument, despite the fact that the submitted DBA recognised the positive contribution that the land to the north of Butterfly Lane makes to the how these assets are appreciated.
196. A robust assessment of the full range of visual, sensory and experiential factors and impact(s) of the development on the heritage asset was not undertaken by the Appellants, hence a disproportionately low impact assessment of no harm to their heritage value.

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<sup>35</sup> APELSTREE GREEN LTD HILFIELD SOLAR FARM & BATTERY STORAGE FACILITY APPELLANT’S STATEMENT OF CASE (MARCH 2022 | PB | P21-3101)



### 13.0 – SUMMARY AND CONCLUSION

197. In conclusion, a thorough evaluation of the designated heritage assets cited in the Reason 2 for Refusal of application 21/0050/FULEI has identified that the Appeal Scheme would result in less than substantial harm to the significance of each of the assets cited.
198. The level of less than substantial harm to Slades Farmhouse (II), Hilfield Castle (II\*) and the Lodge at Hilfield Castle (II\*) would be **moderate**. The level of less than substantial harm to Aldenham House Registered Park and Garden (II) and Penne’s Place (SM) would be **minor** (low). This is with reference to the ‘scale of harm’ discussed in **Appendix 2**.
199. In addition to these five designated heritage assets cited in Reason 2 for Refusal of application 21/0050/FULEI, my analysis also concludes that the Appeal Scheme would result in at least some harm to the heritage value of several other built heritage assets, discussed in **Chapter 11**. These include the Grade II Listed Kendall Hall Farm and non-designated heritage assets at Aldenham School, Medburn House (previously named Medburn School), Hilfield Farm and the dwelling 50m west of Hilfield Farm.
200. Paragraph 194 states that in determining applications, LPA’s should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impacts of the proposal on their significance. In my assessment, the information provided by the Appellant during the course of the application was not sufficient to allow for an informed judgement of the proposal on the sensitive historic environment.
201. Paragraph 194 also states that at a minimum, the relevant historic environment record should be consulted, and the heritage assets assessed using appropriate expertise where necessary. There is no evidence that the historic environment record was consulted and the submitted DBA was not undertaken by a built heritage expert.

202. Furthermore, Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. No clear and convincing justification for the harm to the designated heritage assets cited within the Reason 2 for Refusal has been provided by the Appellant.
203. A full evaluation of the planning balance, taking into account the various harms I have identified above, is provided in the proof of Mrs Benedek.