



Priory Farm Solar Array

Proposed solar array with associated battery storage containers and ancillary development including means of access and grid connection cable on land at Graveley Lane east of Great Wymondley, Hertfordshire

**Planning Application Ref:
APP/X1925/N/23/3323321**

Statement of Common Ground



August 2023
3004-01-SoCG



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Well House Barns, Chester Road, Bretton, Chester, CH4 0DH

Camelia House, 76 Water Lane, Wilmslow, Cheshire, SK9 5BB

T: 0344 8700 007
enquiries@axis.co.uk
www.axis.co.uk

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1.0 INTRODUCTION

- 1.1.1 This Statement of Common Ground has been agreed by North Hertfordshire District Council (the Council) and AGR 4 Solar Limited (AGR or 'the Applicant') to set out common ground in relation to called-in Planning Application Ref: APP/X1925/V/23/3323321 for Proposed solar array with associated battery storage containers and ancillary development including means of access and grid connection cable ('the proposed development') on land at Graveley Lane east of Great Wymondley, Hertfordshire ('the application site').
- 1.1.2 The Statement of Common Ground (SoCG) addresses the following areas of agreement between the Applicant and the Council:
- i) Description of the site (including agreed dimensions)
 - ii) Description of the Development
 - iii) Planning History of Application site
 - iv) Development Plan (including relevant policies)
 - v) Other Relevant Documents published by LPA
 - vi) Statutory and Non-Statutory Consultee Responses
 - vii) Other Common Ground
 - viii) List of possible conditions
 - ix) Legal Agreement

2.0 DESCRIPTION OF THE APPLICATION SITE

- 2.1.1 The application site comprises two parcels of agricultural land either side of Graveley Lane. It also includes the route of the grid connection cable to National Grid's Wymondley Substation which follows Graveley Lane, Priory Lane, Stevenage Road, Blakemore End Road and Sperberry Hill. The application site is located within the open countryside and lies in the Metropolitan Green Belt to the northeast and east of the settlement of Great Wymondley. Immediately to the east of the site is the A1 (M) with the settlement of Graveley beyond.
- 2.1.2 The farmland is a mix of grade 2 and 3a grade land.
- 2.1.3 The application site is not located within any statutory landscape or ecological designation.



- 2.1.4 The application site does not constitute a 'valued landscape' as defined by section 174(a) of the National Planning Policy Framework.
- 2.1.5 The application site is located 5.3km east of the Chiltern Hills Area of Outstanding Natural Beauty (AONB).
- 2.1.6 The application site, including the route of the grid connection, extends to 88 hectares and comprises farmland with dividing field hedgerows, and public highway (for the grid connection).
- 2.1.7 The site slopes in a westerly and south-westerly from a highpoint of c.110m AOD to a low point of c. 90m AOD. Field boundaries are defined by established hedgerows and this limits visibility from the village of Great Wymondley, sections of the North Hertfordshire Way and sections of Graveley Lane.
- 2.1.8 The Hertfordshire Way runs adjacent to the site beyond the northern boundary.
- 2.1.9 A National Grid gas pipeline passes through the southern part of the application site.
- 2.1.10 The closest designated heritage asset is the grade II listed Conduit Head at Priory Farm is located c. 70m to the west of the application site. This designated heritage asset forms part of the Wymondley Priory Scheduled Monument, the main part of which is located c.300m to the west, separated from the site by an arable field and intact established hedgerow. Within the Priory there is a Grade I listed building and associated Grade II* Tithe Barn, along with two further grade II listed buildings.
- 2.1.11 In addition, the site of Great Wymondley Castle, a Scheduled Monument is located c.260m from the application site.
- 2.1.12 There is evidence of a Roman Settlement between the northern part of the site and Great Wymondley. All heritage assets within 1km of the site are considered in the Heritage Impact Assessment that accompanied the planning application.
- 2.1.13 Historic England was consulted on the application and concluded that the Proposal would have a limited impact upon the setting of heritage assets that include two scheduled monuments and associated listed buildings and Great Wymondley Conservation Area and that this would equate to less than substantial harm. The Council and applicant are of the view that the Proposal would cause less than substantial harm, at the lower end of the spectrum, to the significance of the following



designated heritage assets, specifically through development within their respective settings:

- i) Graveley Hall Grade II Listed
- ii) St. Mary's Church at Little Wymondley Grade I Listed
- iii) Wymondley Priory Scheduled Monument
- iv) The Priory (dwelling) Grade I listed
- v) Tithe Barn at Wymondley Priory Grade II* Listed
- vi) Barn and attached stable at Priory Farm Grade II Listed
- vii) Garden walls at the Priory Grade II Listed
- viii) Listed Conduit Head Grade II
- ix) Wymondley Castle Scheduled Monument
- x) Castle Cottage Grade II Listed
- xi) Wymondley Hall Grade II* Listed
- xii) Great Wymondley Conservation Area

3.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

3.1.1 The proposed development is for a photovoltaic (PV) solar array, battery energy storage system (BESS) compound, grid connection cable and ancillary development. This would comprise the following main elements:

- i) Solar PV panels and associated support frames;
- ii) 22 No. Inverter/transformer stations;
- iii) 22 No. battery storage containers;
- iv) 1 No. storage container;
- v) 1 No. switchgear building;
- vi) 1 No. control room building;
- vii) 3.8km Grid connection cable to National Grid's Wymondley Substation
- viii) 2.1km of new or resurfaced internal access tracks (3m wide)
- ix) 2 No. improved access points from Graveley Lane
- x) 7.8km of stock fencing
- xi) 40 No. CCTV cameras on 4m high posts
- xii) 2.1 hectares new woodland planting
- xiii) 2.3 km new hedgerow planting
- xiv) Security lighting above access doors to the Switchgear building, Control Building and Inverter Transformer Stations

- xv) 3 No. surface water attenuation ponds and 2 No. surface water detention basins
- 3.1.2 The application seeks an operational life of 40 years for the proposed development during which most of the land will also continue to be used for agriculture through sheep grazing and after which time the solar array, associated equipment, installations and works would be decommissioned and the application site returned to its current condition.
- 3.1.3 During the construction phase of the development activities are proposed to take place Mondays to Saturdays within the following hours:
- i) Monday to Friday 08.00 to 18.00
 - ii) Saturday 08.00 to 13.00 with
 - iii) No deliveries on Sundays with the exception of one-off abnormal loads or large vehicles such as cranes
 - iv) Piling would only be undertaken between 09.00 and 17,00 each day Monday to Friday.
- These activities and working hours should be controlled by planning conditions.
- 3.1.4 Construction access would be via the proposed operational access points off Graveley Lane. Temporary construction compounds would be provided within the development footprint.
- 3.1.5 Documents that formed the final planning submission that was considered by the Council are set out in Table 3.1 below with core document references.



Table 3.1: Planning Submission Documents

	Planning Documents
CD1	Planning Application Form and Certificates
CD2	Planning, Design and Access Statement by Axis November 2021
CD3	Appendix A – Screening Opinion
CD4	Appendix B -Landscape and Visual Impact Assessment
CD5	Appendix C - Heritage Assessment
CD6	Appendix D -Flood Risk Assessment - 2022-05-30 5208 v1.3
CD7	Appendix E - Preliminary Ecological Appraisal
CD8	Appendix F - Noise Impact Assessment
CD9	Appendix G - Glint and Glare Assessment
CD10	Appendix H - Agricultural Land Assessment – 3004-01 – September 2021
CD11	Appendix I - Transport Statement 3004-01-TS01 v3
CD12	Appendix J – Planning Policy Wording
	Planning Drawings
CD13	Drawing No. 3004-01-001 Rev A – Location Plan
CD14	Drawing No. 3004-01-002 Rev B – Statutory Plan
CD15	Drawing No. 3004-01-004 – Illustrative PV Frame and Panels
CD16	Drawing No. 3004-01 003 Rev F – General Arrangement
CD17	Drawing No. 3004-01-005 – Indicative Inverter-Transformer Station f
CD18	Drawing No. 3004-01-006 – Storage Building
CD19	Drawing No. 3004-01-007 – Control Building
CD20	Drawing No. 3004-01-008 – Switchgear Building
CD21	Drawing No. 3004-01-009 – Battery Storage Container
CD22	Drawing No. 3004-01-010 Rev A Indicative Deer/Stock Fencing, Access Track and CCTV

CD23	Drawing No. 3004-01-011 – Typical Cable Trench
CD24	Drawing No. 3004-01-012 Rev F – Landscape Proposals
CD25	Drawing No. 3004-01-D04 – Proposed Passing Place and Visibility Splays
CD26	Drawing No. 3004-01-D05- Forward Visibility Splays
CD27	Drawing No. 3004-01-ATR03 - Swept Path Assessment – Northern Access
CD28	Drawing No. 3004-01-AR01C Northern and South Access Swept Paths
	Other Supporting Documents
CD29	Response to Highways Objection dated 16 th December 2021 and 8 th June 2021
CD30	Archaeological WSI Version 2
CD31	Drainage Technical Note v1.1
CD32	Archaeological Geophysical Survey – AOC Project No: 40205 – November 2021
CD33	Comments of Landscape Review and Updates on Policy and Need – 26 July 2022
CD34	Wymondley Biodiversity Metric 3.0 Calculation Tool_v1.3 – 15 August 2022

4.0 PLANNING HISTORY OF APPLICATION SITE

- 4.1.1 The planning application was submitted on the 6th December 2021 following pre-application advice (21/01269/PRE) received from the Council on the 28th May 2021 (CD38) and a negative EIA screening opinion (21/02228/SO) issued in September 2021 (CD3).
- 4.1.2 The Applicant presented the proposals to an open Parish Council meeting via Zoom on the 11th January 2022. Following comments received from the Parish Council and other consultee responses during the determination period the proposals were modified as follows:



- i) Buffers between existing hedgerows, trees and woodlands were increased from 6m to 12m in response to comments from the Wildlife Trust. This resulted in increased biodiversity gains (see Biodiversity Metric 3.0 Calculation Tool (CD34)) with the increased buffers managed as species rich grassland and wildflower areas;
- ii) Permissive footpaths were added within the increased buffer zones to provide safe permissive footpath links from the existing public right of way near Milksey Cottages. Two links to the existing Hertfordshire Way were incorporated into the proposed development. One parallel to Graveley Lane and one perpendicular to Graveley Lane. This would enable safe circular walking routes to be provided for the life of the proposed development;
- iii) No dig areas in locations of known archaeological interest are illustrated as per the submitted Written Scheme of Investigation (WSI) (CD30);
- iv) Drainage attenuation features were added in response to comments from the Lead local Flood Authority as set out in the updated Flood Risk Assessment (FRA) (CD6) and Drainage Technical Note (CD31). These features provide betterment over the existing drainage conditions at the application site;
- v) Two new hedgerows were added within the northern area to link an existing truncated hedgerow to the wider field pattern in response to comments of the Council's landscape consultant. This is intended to help restore elements of the landscape fabric that have been lost and provide long term beneficial effect in terms of increased biodiversity gain (CD34), ecological connectivity and landscape integration;
- vi) Woodland copses were added either side of the proposed site entrance to limit views into the site from Graveley Lane in response to comments from the Council's landscape consultant.
- vii) The solar panels were pulled back from Graveley Lane in the field nearest to Great Wymondley to reduce visibility of the proposed development and additional woodland and hedgerow planting/gapping up was proposed along the western boundary towards Great Wymondley, and
- viii) The northern construction and operational access was repositioned following consultation with Hertfordshire County Council Highways Department.

4.1.3 These Changes are illustrated on Planning Drawings 3004-01 003 Rev F – General Arrangement (CD16) and 3004-01-012 Rev F – Landscape Proposals (CD24).



- 4.1.4 North Hertfordshire Planning Control Committee resolved to grant planning permission for the above planning application at a full planning committee on the 17th November 2022. The planning officer subsequently referred the application to the SoS, through the Planning Casework Unit, due to its green belt location. The Planning Casework Unit confirmed that the 21-day call-in period would expire on 13th December 2022. An Article 31 holding direction was sent to the Council planning officer at 17:54 on the 13th December 2022.
- 4.1.5 The Planning Casework Unit, on behalf of the SoS, wrote to the applicant and the Council on the 26th May 2023 to direct, under the SoS powers in section 77 of the 1990 Act, that the application would be determined by him instead of being dealt with by the Local Planning Authority. The matters referred to in the call-in letter that the SoS particularly wishes to be informed about are as follows:
- i) The extent to which the proposed development is consistent with Government policies for protecting Green Belt land as set out in the NPPF (Chapter 13); and
 - ii) The extent to which the proposed development is consistent with Government policies for meeting the challenge of climate change, flooding and coastal change as set out in the NPPF (Chapter 14); and
 - iii) The extent to which the proposed development is consistent with Government policies for conserving and enhancing the natural environment as set out in the NPPF (Chapter 15); and
 - iv) The extent to which the proposed development is consistent with the development plan for the area; and
 - v) any other matters the Inspector considers relevant.

5.0 DEVELOPMENT PLAN (INCLUDING RELEVANT POLICIES)

- 5.1.1 It is agreed that the Development Plan in force is as follows:
- i) Hertfordshire Minerals Local Plan Review adopted in 2007 (HCC);
 - ii) Hertfordshire Waste Core Strategy and Development Management Policies Document, 2012 (HCC);
 - iii) Hertfordshire Waste Site Allocations Document, 2014 (HCC);
 - iv) North Hertfordshire District Local Plan 2011-2031 (Adopted November 2022)
 - v) Wymondley Neighbourhood Development Plan (2011-2031) (Adopted 2018).

5.1.2 It is agreed that the proposed development does not relate to waste or mineral development and there are no waste allocations at this location. The adopted Minerals Local Plan includes policies for safeguarding minerals and the emerging Minerals Local Plan identifies some Sand & Gravel Minerals Safeguarding Areas within the application site boundary. However, it is agreed that due to the temporary and reversible nature of the proposed development there would be no permanent sterilisation of potential mineral reserves. As such the adopted Minerals Local Plan, Waste Core Strategy and Development Management Policies, and Waste Site Allocations Document are not relevant to the determination of the planning application.

5.1.3 It is agreed that the Development Plan Policies relevant to determination of the planning application subject the Call-in inquiry are set out below:

North Hertfordshire District Local Plan 2011-2031 (CD39)

- i) Policy SP1: Presumption in Favour of Sustainable Development
- ii) Policy SP5: Countryside and Green Belt
- iii) Policy SP11: Natural Resources
- iv) Policy SP12: Green Infrastructure, Landscape and Biodiversity
- v) Policy SP13: Historic Environment
- vi) Policy D1: Design and Sustainability
- vii) Policy D3: Protecting Living Conditions
- viii) Policy D4: Air Quality
- ix) Policy HE1: Designated Heritage Assets
- x) Policy HE3: Non-Designated heritage assets
- xi) Policy HE4: Archaeology
- xii) Policy NE1: Strategic Green Infrastructure
- xiii) Policy NE2: Landscape
- xiv) Policy NE3: The Chilterns AONB
- xv) Policy NE4: Biodiversity and Geological sites
- xvi) Policy NE5: Protecting Open Space
- xvii) Policy NE7: Reducing Flood Risk
- xviii) Policy NE8: Sustainable Drainage Systems
- xix) Policy NE12: Renewable and Low Carbon Energy Development

Wymondley Neighbourhood Development Plan (2011-2031) was made on 27th September 2019 (CD40)

- i) Policy NHE1: Landscape Character
- ii) Policy NHE2: Biodiversity
- iii) Policy NHE3: Wildlife and Ecology
- iv) Policy NHE8: Landscaping Schemes
- v) Policy NHE9: Historic Character and Heritage Assets
- vi) Policy GB1: Green Belt
- vii) Policy FR1: Flood risk
- viii) Policy SLBE1: Business Development

6.0 OTHER RELEVANT DOCUMENTS PUBLISHED BY THE COUNCIL

6.1 Landscape Studies

- i) North Hertfordshire Landscape Study 2011: Area 216 Arlesey – Great Wymondley

6.2 Evidence Base Documents Supporting the Adopted Local Plan

- i) North Hertfordshire Local Plan 2011-2031 Green Belt Review Update 2018 (CD135)

6.3 Other Relevant Council Publications

- i) Council Plan 2020 – 2025 (CD135)
- ii) North Herts Climate Change Strategy (CD65)

7.0 STATUTORY AND NON-STATUTORY CONSULTEE RESPONSES

- 7.1.1 Statutory and Non-Statutory consultee responses are clearly set out in the Planning Committee Report (CD35a) and supplement (CD35b).

8.0 OTHER COMMON GROUND

- 8.1.1 North Hertfordshire District Council and Hertfordshire County Council have both declared a Climate Change Emergency.



- 8.1.2 Prior to resolving to grant planning permission for the proposed development North Hertfordshire had not consented a commercial renewable energy generation scheme since 2015.
- 8.1.3 The LPA, via its Planning Control Committee's resolution to grant planning permission for the development agreed that Very Special Circumstances exist and the harm to the green belt by reasons of inappropriateness and any other harm is clearly outweighed by other considerations including the wider environmental benefits of the scheme.
- 8.1.4 The development has a capacity of 49.9 Mw. This would provide for a reduction of approximately 20,289 cubic tonnes of CO₂ emissions per annum¹ and meet the energy needs of approximately 17,756 homes² through renewable energy. This would equate to approximately 31% of the households in North Hertfordshire based on the 2018 Census³. Government data (CD51) shows that the proposed scheme would more than double the installed generation capacity in the District.
- 8.1.5 Biodiversity net gain will accompany the Proposed Development when measured using the Defra Biodiversity Net Gain Calculator Metric (Version 3.0). This shows a net gain of over c.205% in habitat units, plus over 102% gain in hedgerow units (CD34).

National Planning Policy Framework (2021)

- 8.1.6 The National Planning Policy Framework (NPPF) policies considered particularly relevant to determination of the planning application are as follows:
- i) Paragraph 11 – Presumption in Favour of Sustainable Development

¹ Using 394 gCO₂/kWh for Gas CCGT (<https://www.nationalgrideso.com/future-energy/our-progress-towards-net-zero/carbon-intensity-dashboard>) and 51.5 GWh (above) CO₂ 20,289 tonnes of carbon savings compared to gas

² Generation: 51,494,850 kWh (49.995 MWac x 1030 yield); Ofgem avg household electricity consumption: 2,900 kWh (for 2.4 person household) <https://www.ofgem.gov.uk/publications/decision-typical-domestic-consumption-values-2020>

51,494,850/ 2,900 = 17,756 households worth of electricity

³ North Herts District Council 2018 Census: 56,430 households. 56,430/ 17,756 = 31.46% of North Herts households

- ii) Section 4 – decision making
- iii) Section 13 – Protecting Green Belt Land**
- iv) Section 14 – Meeting the Needs of Climate Change**
- v) Section 15 – Conserving and Enhancing the Natural Environment**
- vi) Section 16 – Conserving and Enhancing the Historic Environment

8.1.7 Those sections highlighted in bold were specifically referenced in the Planning Casework Unit's call-in letter, on behalf of the SoS, dated 26th May 2023.

Other Key Strategy Documents

8.1.8 It is agreed that other key strategy documents are as follows:

- i) Clean Growth Strategy (Updated April 2018) (CD42);
- ii) Climate Change Act 2008 (2050 Target Amendment) Order 2019 (CD43);
- iii) Net Zero Strategy: Building Back Greener (2021) (CD44);
- iv) Sixth Carbon Budget (2020) (CD45);
- v) British Energy Security Strategy (2022) (CD46);
- vi) Climate Change Committee. (2023). Progress in Reducing Emissions, 2023 Report to Parliament. (June 2023) (CD47);
- vii) Net Zero Review (2023) (CD48);
- viii) Powering Up Britain (2023) (CD49);
- ix) The latest version of the 'Digest of United Kingdom Energy Statistics', currently the July 2022 version (C50);
- x) Department for Business, Energy and Industrial Strategy. (2022). *Renewable Energy by Local Authority 2014 to 2021*. (CD51) Published at: <https://www.gov.uk/government/statistics/regional-renewable-statistics>;
- xi) Department for Business, Energy and Industrial Strategy. (2022). *Sub-national electricity consumption statistics 2005 to 2021*. (CD52) Published at: <https://www.gov.uk/government/statistics/regional-and-local-authority-electricity-consumption-statistics>;
- xii) Department for Energy Security and Net Zero. (2023). *Renewable Energy Planning Database (REPD): April 2023*. (CD53). Published at: <https://www.gov.uk/government/publications/renewable-energy-planning-database-monthly-extract> ;
- xiii) National Policy Statement for Energy (EN-1) (July 2011);
- xiv) National Policy Statement for Renewable Energy Infrastructure EN-3 (July 2011);

- xv) Draft National Policy Statement for Energy (EN-1) (March 2023);
- xvi) Draft National Policy Statement for Renewable Energy Infrastructure EN-3 (March 2023);
- xvii) Energy White Paper: Powering our Net Zero Future (December 2020) (CD136)
- xviii) Declaration of a Climate Emergency (2019) – North Hertfordshire District Council (CD54), and
- xix) Declaration of a Climate Emergency (2019) – Hertfordshire County Council (CD55);

9.0 LIST OF POSSIBLE CONDITIONS

- 9.1.1 The draft conditions that have been agreed between the applicant and the Council are set out in Appendix A. Where there is not agreement comments are provided by each party.

10.0 LEGAL AGREEMENT

- 10.1.1 No legal agreement is required in this case. Community benefits that are being offered by the Applicant are not a material planning consideration in determination of the planning application. Such community benefits were not taken into account by the Council when resolving to grant planning permission.



Appendix A – Draft Conditions

