Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0717
Barn End, West Chiltington Lane, Coneyhurst, West Sussex, RH14 9DY

DESCRIPTION:
Installation of 16 solar panels on non-ground penetration frame in field at end of garden

RELEVANT PLANNING HISTORY
None relevant

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 26- Strategic Policy: Countryside Protection
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction

Neighbourhood Plan:
West Chiltington Parish submitted their Submission draft plan to Horsham District Council on 19 November 2018. In accordance with legislation, the Council is in the process of considering whether the plan meets the Basic Conditions and can progress to Regulation 16 consultation and formal examination.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:
Natural England: Standing Advice:-

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Parish Comments:
No Objection

Representations:
None received

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT
The application site comprises a substantial plot. The main property is located on the eastern side of West Chiltington Lane. The area is characterised by detached properties of similar scale. The application seeks planning permission for the installation of 16 solar panels on the rear (east) ground mounted.

The application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photograph supplied by the agent. These details were considered sufficient to allow the application to be properly considered and determined.

Principle

Policy 35 of the HDPF states that development will be supported where it makes a clear contribution to mitigating and adapting to the impacts of climate change and to meeting the district's carbon reduction targets. Measures which should be used to mitigate the effects of climate change includes improved energy efficiency in new developments, and the use of decentralised, renewable and low carbon energy supply systems.

Policy 36 of the HDPF relates to the development of renewable and low carbon energy as a key means of reducing the district's contribution to climate change. This policy sets out the requirement for development to minimise its energy use in accordance with the energy hierarchy and to incorporate renewable and low carbon energy supplies. This policy is set out to benefit residents by dealing more directly with solar panels.

The solar panels would reduce the applicant's dependence on centralised and carbon-based energy by introducing the use of decentralised renewable energy, contributing to the efficient and sustainable use of resources. This would be supported by the above policies, with the principle of development considered acceptable, subject to detailed considerations.

Character and Appearance

Policies 25, 32 and 33 of the HDPF promote development that is of a high-quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved, and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

The proposed solar panels would be positioned to the east of the rear garden on open field. The land subject to this application currently comprises of open land bounded by existing vegetation. The topography of the field is relatively unremarkable, remaining relatively flat across its length. The proposed solar arrays are well-sited within the proposed area, being located some noticeable distance from public vantages and afforded some degree of visual protection by virtue of existing screening and their modest height of approximately 500mm above ground level.

It is considered that taking into account the proposed siting and above factors, the proposal would not result in any demonstrable adverse visual impact, and when seen the panels would be seen as a modest addition which is viewed in conjunction with the wider incidental residential curtilage. The proposal is therefore considered to be of an acceptable scale, design and layout, and would accord with the above policies.

Impact on Neighbouring Amenity

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Given the nature, scale and positioning of the proposal, the development does not raise any concerns in terms of potential impact on neighbouring properties. As such, it is considered that the development does not result in any additional disturbance to neighbouring properties beyond that of what would normally be expected as part of a residential use in this location. As such, it is therefore considered that the application is acceptable on amenity grounds.

Water Neutrality

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusion

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Regulatory Condition**: The solar panel array hereby approved shall be ground mounted and shall strictly accord with the specification and details shown on the approved plans and documents.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The panels hereby permitted shall be retained in accordance with the approved details. In the event of the solar panels ceasing to be used, the panels shall be removed, and the land made good, as soon as is reasonably practicable and be no later than six months after the cessation of the panels.

Reason: In the absence of demonstrable need, there is no justification for the retention of the panels and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/0717

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	19.06.2024
Supporting Statement	Site and solar details	NONE	07.05.2024
Supporting Statement	UK Power Networks Feedback	NONE	07.05.2024

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DELEGATED

Case Officer sign/initial Shazia Penne Date: 13.08.2024

Authorising Officer sign/initial Guy Everest Date: 14.08.2024