Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0604
Liston House , Faygate Lane, Faygate, West Sussex, RH12 4SJ

DESCRIPTION:
Siting of solar panel array on agricultural land.

RELEVANT PLANNING HISTORY:

DC/20/1001	Retrospective application for the change of use of residential outbuilding to use Class B1(a) offices.	Application Permitted on 07.08.2020

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
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

Colgate Parish has not been designated as a Neighbourhood Plan.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Policy 9: Water Neutrality
Policy 19: Development Quality
Policy 20: Development Principles

Parish Design Statement:
None

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

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.

Ecology

The grassland is indeed modified grassland. The site was recently mown, and therefore it was difficult to ascertain the number of species per m2 and thus the overall condition of the habitat. However, with this limitation and from what could be seen on the day, there were less than 6 vascular species per m2 present for the main grassland habitat, making this poor condition. Areas of ruderal/ephemeral were present along the periphery of the site. The Applicant who met us on site assured us that the solar panels would not impact this ruderal/ephemeral habitat.

As such, with the above information, I believe this development can be considered exempt from BNG on de minimis grounds, as the deterioration to the biodiversity value of the habitat through cable and pole installation equals less than 25sqm. The impact of shading from the solar panels cannot reduce the biodiversity value of the grassland beyond its current condition.

Parish Comments:
None received

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 has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs obtained during site visit. These details were considered sufficient to allow the application to be properly considered and determined.

Principle of Development:

Policy 37 of the Horsham District Planning Framework (HDPF) states that proposals must seek to improve the sustainability of development. To deliver sustainable design, development should incorporate measures that, among other things, maximise energy efficiency and integrate the use of decentralised, renewable and low carbon energy. Policies 35 and 36 of the HDPF state that all development will be required to contribute to clean, efficient energy, including the use of decentralised, renewable and low carbon energy supply systems.

Paragraph 162 of the NPPF states that plans should take a proactive approach to mitigating and adapting to climate change; taking into account long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts. Paragraph 165 states that to help increase the use and supply of renewable and low carbon energy, plans should provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts). Paragraph 168 of the NPPF continues that when determining planning applications for renewable and low carbon energy, local planning authorities should: not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

The use of renewable energy resources are supported by national and local planning policy, with increasing the amount of energy from renewable and low carbon technologies helping to secure a reliable energy supply and also help reduce greenhouse gas emissions. It is therefore considered that the principle of the development is acceptable, subject to all other material considerations.

Character and Appearance

Policies 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

The proposal would involve the installation of ground mounted solar panels. During the course of this application the proposed number of solar panels had been reduced from 32 to 16 panels. The development would be positioned to the west of Liston House on agricultural land comprising of 1 row of 16 solar PV panels measuring approx. no higher than 2.5 metre across a total covered area of approximately 32sqms. It is considered that the views of the panels from the surrounding land would be restricted by the mature vegetation bounding the site therefore the overall impact would be slight, with their modest height and the existing boundary screening such that the installation and any related glare would not appear unduly prominent or intrusive. The proposal would be sited close proximity to the residential curtilage although positioned within the open agricultural field the existing boundary treatment would screen the development by minimising the adverse impacts on the wider rural surroundings.

The visual impact of the proposal is therefore considered acceptable and in accordance with the above policy.

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.

The siting and layout of the proposed solar panels and the resulting relationship with adjacent properties, would be sufficient to prevent any unacceptable harm to neighbouring amenity.

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 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024. It is acknowledged that the deterioration to the biodiversity value of the habitat through cable and pole installation equals less than 25sqm. The impact of shading from the solar panels would not reduce the biodiversity value of the grassland beyond its current condition.

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 materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

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 solar panels hereby permitted shall be installed in accordance with the approved details. In the event of the solar panels ceasing to be used, they shall be removed from the land and the land made good, as soon as is reasonably practicable and no later than six months after the cessation of their use.

Reason: To ensure that the significance of the designated heritage assets, and the landscape character of the wider surroundings is not prejudiced, and to comply with Policy 25, 33, and 34 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/25/0604

Schedule of plans/documents **approved**:

Plan Type	**Description**	**Drawing Number**	**Received Date**
Location & Block plan		01	19.06.2025
Elevation		02	19.06.2025
Supporting Statement		NONE	19.06.2025

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 19.06.2025

Authorising Officer sign/initial RHERMITAGE Date: 20.06.2025