Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2159
Swallow Barns, Loxwood Road, Rudgwick, West Sussex, RH12 3BP

DESCRIPTION:
Installation of a 20kW ground mounted solar array of 44 panels (2 x rows of 22 panels) measuring approximately 2.2m high x 25.6m long x 3.18m wide.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DISC/21/0233 | Approval of details reserved by condition 3 to approved application DC/21/0365 | Application Permitted on 17.11.2021 |
| DC/21/1971 | Erection of a detached garden outbuilding with basement (Householder Application). | Application Permitted on 13.10.2021 |
| DC/21/0365 | Demolition of existing stable building and erection of an outbuilding. | Application Permitted on 17.08.2021 |

SITE AND SURROUNDS
Swallow Barns is a C18. Timber Grade II listed building faced with weather-boarding that forms a courtyard property. It has a hipped tiled roof with pentice (covered walkway) to the east and central entrance. The site occupies a large residential curtilage which has been extended to include the paddock to the east and north of the house (DC/09/1144 refers) an area of 0.751hectares.

The site is the southern side of Loxwood Road, outside any built up area boundary and therefore a countryside location, and is accessed via a long shared driveway, which is also a public bridleway, some 750 metres from the highway. There is further land to the west on the opposite side of the shared driveway that is also in the applicant's ownership and comprises a pond, large grassed area and a stable block.

DETAILED DESCRIPTION
Planning permission is sought for the installation of a 20kW ground mounted solar array measuring 2.2m high x 25.6m long x 3.18m wide. The system is designed to reduce the carbon footprint of the inhabitants of Swallow Barn and allow for the connection and utility of Electric Vehicles and Air Source Heating. The provision of the Ground Mounted System enables a cost saving on bills for the occupants in addition to a reduction in demand of electricity from the local Network Provider.

The system consists of 44 solar panels fitted in portrait orientation in 2 x rows of 22 panels. The design consists of 8 x concrete plinths on which a steel frame manufactured by Schletter will be assembled and bolted. The plinths themselves will sit 200mm proud of the ground and have stone gravel beneath to a depth of 100mm and railway sleepers around to keep the gravel inside.

The location of the system will be inside a field, offset from the road by 60m to the east, on a piece of land over 100m north of the Swallows Barn dwelling.

The location where the array will be sited has high hedgerows around and will not be visible from the road or from the main house itself.

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 34 - Cultural and Heritage Assets

**Rudgwick Neighbourhood Plan**:
RNP1- Spatial Strategy
RNP6- Materials
RNP7- Architectural Style

**Rudgwick Parish Design Statement**

**Planning Advice Notes**:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:
**HDC Conservation**: No Objection

**Great Crested Newt Consultants (NatureSpace)**: No Objection, advisory recommended

Parish Comments:
No Objection

Representations:
One representation has been received raising no objections, noting that the development is out of sight from houses and road / footpath, and are generally supportive of the use of solar panels.

Member Comments:
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

**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.

The use of renewable energy resources is favoured within national and local planning policy, where it considers that increasing the amount of energy from renewable and low carbon technologies will help 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 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

In addition, Policy 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be of a scale appropriate to its countryside character and location, and should not lead either individually or cumulatively to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including the development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change; the pattern of woodlands, fields, hedgerows, trees, waterbodies, and other features; and the landform of the area.

Paragraph 012 of the Planning Practice Guidance, “Renewable and Low Carbon Energy”, states that factors to bear in mind when considering active solar technology includes: the importance of siting systems in situations where they can collect the most energy from the sun; need for sufficient area of solar modules to produce the required energy output from the system; and the colour and appearance of the modules.

The proposal would extend across a relatively large area which is current undeveloped. The solar panels would though be sited within established boundary treatments and would be largely screened from public views by existing boundary vegetation and surrounding buildings. This screening is assisted by the modest height and angle of the panels, which would not appear unduly intrusive above the existing boundary screening. On this basis, while there would be some localised visual impact it is not considered that the proposal would result in a level of harm which would adversely impact to the landscape character of the area, in accordance with the above policies.

**Amenity Impacts**:

Policy 33 of the HDPF relates to Development Principles and requires that the scale, massing and appearance of development is of a high standard of design and that any proposal does not cause unacceptable harm to the amenity of occupiers/users of nearby property and land.

It is considered that the proposed would not cause any unacceptable impact on neighbouring amenity due to the modest nature of the proposal, separation distances and screening. The development would therefore accord with the above policy.

**Other Matters**:

The application site is within the red Impact Risk Zone for potential impact on Great Crested Newts. It is considered that the proposed development would however present a low risk to great crested newts and/or their habitats, with an informative recommended to address potential impact(s).

**Conclusion**:

The proposal is considered to accord 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 array hereby permitted shall be installed and retained in accordance with the approved details. In the event of the solar array ceasing to be used, it shall be removed and the site made good, as soon as is reasonably practicable and no later than six months after the cessation of their use.

Reason: In the interests of good planning and making best use of resources and in accordance with Policies 33 and 36 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

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.

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**Plans list for: DC/23/2159**
(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 |
|---|---|---|---|
| Details plan | | 146003-050 | 06.02.2024 |

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|---|---|---|---|
| Details plan | | 146003-050 | 06.02.2024 |
| Details plan | | 146003-050 | 06.02.2024 |
| Details plan | | 146003-050 | 06.02.2024 |
| Supporting Statement | Planning | NONE | 19.12.2023 |
| Photos | | NONE | 28.12.2023 |
| Supporting Statement | Cover letter | NONE | 28.12.2023 |
| Site plan | | NONE | 28.12.2023 |
| Location plan | | NONE | 06.02.2024 |
| Supporting Statement | Heritage | NONE | 14.12.2023 |
| Block plan | | NONE | 14.12.2023 |
| Details plan | | 146003-050 | 03.04.2024 |

**DELEGATED**

Case Officer sign/initial Steve Astles Date: 04.04.2024

Authorising Officer sign/initial Guy Everest Date: 11.04.2024