Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1926
Yonder Thatch, Bashurst Hill, Itchingfield, West Sussex, RH13 0NY

DESCRIPTION:
Installation of a solar array.

RELEVANT PLANNING HISTORY:
None relevant to this application.

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 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

Barns Green and Itchingfield Neighbourhood Plan 2024 – 2031
Policy 13 Sustainable design

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

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:
None received

Representations:
None received

Parish Comments:
Itchingfield Parish Council: *No objections and recommends this planning application for approval.*

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
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 seeks planning permission for the installation of solar panels which would be affixed to a frame measuring 23.5m in length, 3.7m in depth with a maximum height of 3.4m. While some brief views of the array would be possible, particularly from a right of way to the south, the overall visual impact would be slight. The site is well screened along north, east and western boundaries with the modest scale (relative to surrounding screening) such that the panels would not appear unduly prominent or intrusive. The application does not entail a change of use of the land, which would remain agricultural / paddock.

The associated infrastructure laying, with the battery to be stored within an existing garage within the incidental residential curtilage, would not, given the nature of the site and surrounding screening result in any harm once installed.

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

Great Crested Newt

The application site is within the red zone for Great Crested Newts, indicating the most suitable habitat, with a high risk of great crested newts. The nature of the site and the proposed development, together with the apparent absence of ponds in the near vicinity, would not be expected to raise any implications for newts. An informative is though recommended to minimise the potential for harm during installation.

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.

Conclusions:

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 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).

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.

Additionally, all works shall be carried out in accordance with the following measures:

- Any demolition materials should be stored in skips or similar containers rather than in piles on ground
- Any trenches left overnight should be covered or provided with ramps to prevent great crested newts from becoming trapped.
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage great crested newts from using them as shelter.

If at any point during construction works any great crested newts are identified, then the following instructions must be strictly adhered to:

- Stop all works immediately and leave the area
- Inform an ecologist immediately who will provide further guidance / instructions

- Do not resume construction works until advised it is safe to do so by an ecologist

NOTE TO APPLICANT
Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

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/25/1926
(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
Supporting Statement	Planning	NONE	24.11.2025

Elevation plan	Proposed	170/2025/2	24.11.2025
Location & Block plan		170/2025/2	03.12.2025

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 20.01.2026

Authorising Officer sign/initial Guy Everest Date: 28.01.2026