



TO: Planning Committee North

BY: Head of Development

DATE: 07 January 2020

DEVELOPMENT: Installation of a row of solar panels on land to south of dwelling

SITE: Morriswood Old Holbrook Horsham West Sussex RH12 4TW

WARD: Colgate and Rusper

APPLICATION: DC/19/2223

APPLICANT: **Name:** Mr Hogben **Address:** Morriswood Old Holbrook Horsham West Sussex RH12 4TW

REASON FOR INCLUSION ON THE AGENDA: The applicant is a Horsham District Councillor

RECOMMENDATION: To approve the application subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the installation of an array of 100no. solar panels arranged in two rows to the south of the dwelling known as Morriswood.

1.3 Each array would measure to a length of 50m and a width of 1.6m, and would be fixed to the ground at an angle of 30 degrees. Each array would measure to a height of 1.7m, with the panels coated in an anti-reflective coating to maximise light capture.

DESCRIPTION OF THE SITE

1.4 The application site forms part of the wider ownership of Morriswood, and comprises agricultural land located outside of the residential curtilage of the dwelling. The site is located to the west of Old Holbrook Road, and sits amongst sporadic development north of the A264 and the nearby settlement of Horsham.

1.5 The land to which the application relates slopes on an incline from south to north, and is raised slightly above the public highway that bound the site to the east. The site is relatively open to the south, allowing extended views to the settlement of Horsham located approximately 1km to the south.

1.6 The wider site comprises a two storey dwelling (including an attached single storey swimming pool building) together with various single storey outbuildings and a tennis court.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

2.3 **National Planning Policy Framework**

2.4 **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 24 - Strategic Policy: Environmental Protection

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

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 There is no 'made' plan for the parish of North Horsham.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.6 No relevant planning history

3. OUTCOME OF CONSULTATIONS

- 3.1 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

INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** Comment. The solar array is to be located in close proximity to the dwelling, in front of a dense hedge facing south-west. The 30 degree orientation of the panels and the steeply sloping nature of the landscape means that the face of the panels will not be noticeable, with only an oblique view of the thin front edge visible from the wider landscaping. The intervening vegetation will also help to help to file any views. The landscape character will be affected to a slight degree, but no so much as to raise major concerns.

PUBLIC CONSULTATIONS

- 3.3 **North Horsham Parish Council:** No Objection

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission for the installation of an array of 100no. solar panels to be arranged in two rows to the south of the dwelling known as Morriswood.

Principle of Development

- 6.2 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.
- 6.3 Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources; and support renewable and low carbon energy and associated infrastructure.
- 6.4 Paragraph 154 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.
- 6.5 The proposed development seeks to provide an alternative energy source and reduce the reliance on imported energy, while also reducing the carbon footprint of the property. The Cover Letter outlines that the system would likely generate of 20,000 kWh of clean energy per annum, which would mean that the premises would be virtually self-sufficient in terms of power consumption, with any spare electricity exported to the local grid.
- 6.6 Minimising the impacts or and adapting to climate change are current drivers within national and local planning policy, with positive weight given to the use of renewable energy subject to consideration of effects such as landscape character and amenity value. As such, the principle of the development is considered acceptable, subject to all other considerations.

Landscape Character and Visual Impact

- 6.7 Policy 25 of the HDPF states that the natural environment and landscape character of the District, including the landscape, landform and development pattern together, with protected landscape and habitats will be protected against inappropriate development. Development proposals will be supported where they protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. Policies 32

and 33 of the HDPF continue that development should provide an attractive, functional, accessible, safe and adaptable environment, and contribute a sense of place in the way they integrate with their surroundings and the historic landscape in which they sit. In addition, development should be of a scale, massing and appearance that relates sympathetically with the landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

- 6.8 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.
- 6.9 Paragraph 153 of the NPPF states that in determining applications, local planning authorities should expect new development to: comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.10 Paragraph 012 of the Planning Practice Guidance under “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.
- 6.11 The application site is located in the Warnham and Rusper Wooded Ridge Landscape Character Area which is defined by undulating wooded ridges, strong pattern of shaws and hedgerows, intricate patchwork of small pasture fields, and a mostly rural character. The area is characterised by dense woodland covering the low ridges of Weald Clay, with mostly small irregular fields surrounded by large and small woodlands and many shaws/hedgerows. There is a strong sense of enclosure, and views are confined, except from some ridgetops. The area retains a rural unspoilt character, and the historic dispersed settlement pattern is largely intact. Key sensitivities include, any large scale housing/commercial development, the cumulative impact of vertical structures on ridge slopes/ridgetops, and small scale incremental change.
- 6.12 The proposed solar array would be located to the north of the wider field, and would sit on the apex of the steeply sloping ground levels, which fall to the south. The wider field is bound by mature hedging and trees, with the solar array oriented at a 30 degree angle and facing south.
- 6.13 Given the sloping topography of the site, it is recognised that wider views are possible from the vantage point of the site. However, given the intervening boundary treatments enclosing the application field and the surrounding fields, wider views to the site from lower ground levels would be limited. Furthermore, given the 30 degree angle of the solar array, when coupled with the topography of the site and surroundings, only the thin edge of the solar panel array would be visible.
- 6.14 While recognising that the solar array would result in some visual impact and landscape character impact, given the interceding vegetation and topography, it is not considered that the solar panel array would be overtly perceptible from wider views. Therefore, while the array would have some impact on the landscape character of the locality, this is not

considered to be of such severity to justify a reason for refusal. This takes into account the comments of the Council's Landscape Officer who has commented that the proposal will affect affected the landscape area, but no so much as to raise major concerns.

- 6.15 Given the topography of the site and surroundings, and the mature vegetation bounding the application site and wider fields, it is not considered that the proposed development would result in harm to the visual amenities or landscape character of the locality. The proposal is therefore considered to accord with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.16 Policy 33 of the HDPF states that in order to conserve and enhance the natural and built environment development shall ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, while having regard to the sensitivities of surrounding development.
- 6.17 The proposed development would be located to the south of the residential dwelling of Morriswood, and would be oriented to face south. The nearest residential property of Cedar Farm is located approximately 126m to the south of the proposed siting, with the southern boundary of the wider field bound by mature trees and hedging.
- 6.18 Given the siting and orientation of the proposed development, it is not considered that the proposal would result in harm to the amenities or sensitivities of neighbouring properties or users of land, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Ecology

- 6.19 Circular 06/05: *Biodiversity and Geological Conservation* outlines that the potential effects of a development on habitats or species listed as priorities are capable of being a material consideration, with the presence of a protected species a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habit.
- 6.20 The application site is a managed piece of grassland, with an area of Ancient Woodland located to the west of the site. Given the managed and maintained nature of the site, and the distance of the proposed array from the area of Ancient Woodland it is considered unlikely that protected species are present on the site, or would be affected by the proposal.

Conclusion

- 6.19 The proposed development is considered to be acceptable in principle, and is not considered to be of a nature, scale or siting that would result in harm to the visual amenities or landscape character of the locality, or the amenities of neighbouring properties. It is therefore considered that the proposal accords with Policies 25, 26, 32, 33, 37 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions:

Conditions:

1 Approved Plans

- 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 system hereby permitted shall be retained in accordance with the approved details. In the event of the solar photovoltaic ground mounted system hereby permitted ceasing to be used, the equipment together with all debris shall be removed from the site and the site cleared as soon as is reasonably practicable and by no later than six months after the cessation of such use.

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

Background Papers: DC/19/2223