

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1103	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Provision of 24 solar panel array on garage south facing front roof slope and no higher than the ridge line.		
Site:	Merrybrook, Broxmead Lane, Bolney, Haywards Heath, West Sussex, RH17 5RG, ,		
Validation Date	5 Jun 2026	Overall Expiry Date:	14 Jul 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Jul 2026
Target Date:	31 Jul 2026	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	24 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1103

**Merrybrook, Broxmead Lane, Bolney, Haywards Heath, West Sussex, RH17 5RG,
Provision of 24 solar panel array on garage south facing front roof slope and no higher than the
ridge line.**

Mr Robert Morfield

REPRESENTATION RECEIVED

None received.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for the provision of 24 solar panels on the south facing roof slope of the garage.

RELEVANT PLANNING HISTORY

04/02658/FUL - Demolition of existing house and garage. Construction of new house and garage.
Permission

08/03392/FUL - Widen garage by 3m to create triple bay garage.(Planning permission has already been
granted for a 6.5m x 6.5m double garage). Permission

SITE AND SURROUNDINGS

The application property is a detached curved two-storey dwelling located on the north side of Broxmead Lane, within the countryside and the High Weald AONB.

The application property is constructed from white render with plain roof tiles and timber fenestration. The dwelling is set well back from the highway with mature hedging and trees along the boundary with the highway. On the west side of the dwelling is a 3 bay detached garage with a room above. To the front of the dwelling and garage is a large gravel driveway.

Surrounding the site are fields and woodland with the closest dwellings some 280 metres to the west.

APPLICATION DETAILS

The application seeks planning permission for the provision of 24 solar panels on the south facing roof slope of the garage. The panels will have a size of approximately 1.15 metres by 1.75 metres and will be in 3 lines of 8 across the roof. The panels will protrude approximately 0.10 metres.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and Ansty and Staplefield Neighbourhood Plan

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP12 - Protection and Enhancement of Countryside
DP16 - High Weald Area of Outstanding Natural Beauty
DP26 - Character and Design

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Ansty and Staplefield Neighbourhood Plan (ASNP). (Adopted February 2017)

Relevant policies:

AS3 - High Weald Area of Outstanding Natural Beauty

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant Policies:

DPS2 - Sustainable Design and Construction
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
DPB1 - Character and Design

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Impact on character of area
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Biodiversity Net Gain

Design and Impact on character of area

Policy DP12 of the Mid Sussex District Plan in part states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
 - *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
 - *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
 - *protects open spaces, trees and gardens that contribute to the character of the area;*
 - *protects valued townscapes and the separate identity and character of towns and villages;*
 - *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
 - *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
 - *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
 - *positively addresses sustainability considerations in the layout and the building design;*
 - *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development.'*

It is proposed to add solar panels to the south roof slope of the garage which faces towards the highway and would be visible from the street scene. The proposed solar panels are of an acceptable design and sited to be low profile as to minimise the visual impact. As such, the proposal is considered appropriate in terms of design, form and scale and should not detract from the rural character of the area, thereby according with policies DP12 and DP26 of the Mid Sussex District Plan.

Impact on AONB

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CROW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CROW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended section 85 of the CROW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Mid Sussex District Plan policy DP16 states:

Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

- *the identified landscape features or components of natural beauty and to their setting;*
 - *the traditional interaction of people with nature, and appropriate land management;*
 - *character and local distinctiveness, settlement pattern, sense of place and setting of the AONB;*
- and*
- *the conservation of wildlife and cultural heritage.*

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular'

Policy AS3 of the Ansty and Staplefield Neighbourhood Plan states:

'Development proposals within the High Weald Area of Outstanding Natural Beauty in the neighbourhood plan area (as shown on the Proposals Map) must demonstrate how they address the requirements of the NPPF, policies of the Mid Sussex Local Plan 2004 or the District Plan once it is adopted;

- o conserve and enhance the natural beauty of the AONB area; and*
- o demonstrate how they meet the objectives of the High Weald AONB Management Plan; and*
- o for major development, proposals must include an assessment of:*
 - a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
 - b) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'*

The proposed solar panels would be located on the roof slope of the existing garage building. They would be visible from the highway through the entrance to the property, however they are low profile across the roof and would therefore not be obtrusive within the locality thereby conserving the overall landscape quality of the AONB. As such the proposal would comply with the requirements of Policy DP16 of the District Plan, The High Weald AONB Management Plan and the NPPF.

Impact on neighbouring properties

Policy DP26 in part seeks to ensure that development:

'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);'

Owing to the rural character of the application site, combined with the distance to neighbouring dwellings and the nature of the proposal, it can be reasonably concluded that the proposal would not result in significant harm to neighbouring amenities. Therefore, the proposal is deemed to comply with policy DP26 of the District Plan.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of design, form and scale to the dwellinghouse and locality, would not cause significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP12, DP16 and DP26, policy AS3 of the Ansty and Staplefield Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies