

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1033	Case Officer:	Jessica Szollosi
Application Type:	Householder Application		
Proposal:	Retrospective planning permission for the installation of PV panels on an outbuilding.		
Site:	Pickeridge, Cob Lane, Ardingly, Haywards Heath, West Sussex, RH17 6ST, ,		
Validation Date	24 Apr 2026	Overall Expiry Date:	4 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	2 Jul 2026
Target Date:	19 Jun 2026	Recommending Officer Signature:	<i>Jessica Szollosi</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	2 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1033

**Pickeridge, Cob Lane, Ardingly, Haywards Heath, West Sussex, RH17 6ST,
Retrospective planning permission for the installation of PV panels on an outbuilding.
Mrs Rachel Milliken**

SUMMARY OF REPRESENTATIONS

No third party letters or representation have been received.

SUMMARY OF CONSULTEES

Conservation Officer

The Conservation Officer objected to the application on the following grounds:

'Pickeridge Farm is a historic farmstead located in a rural position outside Ardingly. It includes the former farmhouse, which dates from the 16th century and is Grade II listed, and a number of ancillary buildings including a modern workshop adjacent to the house (the subject of the current proposal), a range of more historic former farm buildings dating from the 19th century or earlier to the south of this, and to the south again Pickeridge Cottage, which dates from the second half of the 20th century. Pickeridge is recorded in the West Sussex Historic Farmstead and Landscape Character assessment as a historic farmstead of the Medieval period. A public right of way (PROW) runs north-south past the eastern side of the house, farmstead and cottage, and onwards into the surrounding countryside. There are clear views of the farmstead from this pathway, including of the subject outbuilding, which is visible in views looking towards the grouping from the countryside to the south.

Based on the information in front of us, Pickeridge house would be considered to possess architectural value based on its construction and craftsmanship, historical illustrative value as a good example of a 16th century Sussex farmhouse, and aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn. The surviving historic farm buildings within the historic farmstead, which are likely to be regarded as curtilage listed, will have similar values as former agricultural buildings of their type and period. All of these buildings share group value as component parts of the historic farmstead.

The surviving rural, agricultural character of the settings of the farmhouse and curtilage listed buildings will make a strong positive contribution to the special interests of these buildings and how they are appreciated, in particular those parts of those interests which are drawn from historical illustrative and aesthetic values.

The subject building appears to date from the late 20th century, and provides ancillary accommodation to the former farmhouse. Planning permission was granted in 2019 for renovation and alterations including external refurbishment. Care was taken in the consideration of this application, including seeking amendments to the original submission, to ensure that the rural, agricultural character of the setting of Pickeridge Farmhouse and its farmstead was preserved.

The current proposal, which is retrospective, is for the retention of a solar array which has been installed to the south facing roof slope of the outbuilding.

I have concerns in relation to this proposal due to the scale and visual prominence of the array within the setting of the listed farmhouse and curtilage listed farm buildings. It is an extensive array which occupies most of the south facing roof slope of the building, and being grey/black in colour, and reflective in terms of their surface, the panels stand out against what can be seen of the underlying red clay tile roof. Their

material, colour and reflectivity also appear incongruous in the context of the traditional roofing materials of the farmhouse and wider farmstead generally.

Although the array is facing away from the farmhouse, and is not visible from the building itself, it is prominent in views and vistas looking towards the listed building and the historic farmstead from the gardens to the south and southwest. It is also relatively prominent in longer views looking from the fields to the south, including kinetic views from the PROW mentioned above, as illustrated in the photographs sent under a separate email. This is likely to be particularly the case in winter, due to seasonal variation in the hedgerow running along the western side of the footpath. This prominence is enhanced by the colouration and reflectivity of the array, which as noted above contrasts strongly with the traditional clay tiled roofs of the historic buildings within the farmstead.

In my opinion, this will result in a degree of less than substantial harm, through impact on setting, to the special interests of the listed and curtilage listed buildings within the Pickeridge farmstead. I would place this harm at the low-mid level of that scale, such that the balancing exercise set out in paragraph 215 of the NPPF will apply. In carrying out this exercise, the Council must be mindful of the requirements of paragraph 212 of the NPPF that great weight should be given to the conservation of heritage assets, and that any harm to a designated asset should require clear and convincing justification (para 213).

Paragraph 208 of the Framework further requires that harm to heritage assets should be avoided or minimised. However, no evidence has been provided within the submitted application documents to suggest that alternative, less harmful locations for the solar array have been considered. For example, the Pickeridge Farmstead is set in extensive gardens and farmlands which are within the same ownership (ref. the submitted Location Plan), but no consideration appears to have been given to whether a ground mounted array within this extensive landholding could have provided similar benefits in terms of energy efficiency without harm arising to the setting of the historic farmstead.

The submitted documents suggest that the energy efficiency arising from the proposal would ensure the continuing beneficial use of the listed farmhouse. However, no evidence has been provided to substantiate this claim, which can therefore be afforded only minimal weight, particularly given that an alternative position for the solar array may be possible.

It therefore appears to me that no convincing argument has been made to demonstrate that any public benefit arising from the carbon reduction aspects of the proposal could not be achieved by an alternative scheme which would not result in harm to the special interests of the affected heritage assets. This is not in my opinion the clear and convincing justification required by paragraph 213 of the NPPF.

The proposal is also contrary to the requirements of District Plan Policy D34.'

PARISH COUNCIL OBSERVATIONS

West Hoathly Parish Council has no objections and supports the application.

INTRODUCTION

The retrospective application is made pursuant to S.73a of the Town and Country Planning Act 1990, as amended, and seeks planning permission for a roof mounted photovoltaic solar panel array.

RELEVANT PLANNING HISTORY

HO/016/81 - Two storey extension to replace existing extension at rear - Permitted 08/05/1981

HO/027/81 - Demolition of existing extension. Erection of two storey extension with garage - Permitted 10/11/1981

HO/016/81/AP1 - Amended plans: Two storey extension to replace existing extension at rear. Amended plans showing: Garage of different design - Permitted 04/08/1982

HO/063/89 - Refurbishment of redundant farm buildings to form swimming pool hall and works to existing garage, also enclosing existing court yard with new roof - Permitted 13/03/1990

HO/063/89/AP1 - Amended plans : Refurbishment of redundant farm buildings to form swimming pool hall, and works to existing garage, also enclosing existing court yard with new roof. Amended plans showing: Changes to elevations - Permitted 18/12/1990

DM/18/1875 - Replace existing lean-to extension to main house with a new kitchen extension. Minor remodelling and alterations to the east end of the garage barn and swimming pool barn - Permitted 01/11/2018

DM/18/1882 - Replace existing lean-to extension to main house with a new kitchen extension. Minor remodelling and alterations to the east end of the garage barn and swimming pool barn - LBC - Permitted 01/11/2018

DM/18/4784 - Renovation of workshop with new internal fit-out, including new W/C and kitchenette, alongside new windows and doors in existing openings, new timber cladding and new external staircase to access the storage above. Barn annexe to become guest annexe by converting to a habitable space including new floor level accessed internally by new stair, new windows and doors fitted in existing openings, and two new skylights in existing roof fabric - Permitted 20/05/2019

DM/21/2227 - Lift all softwood boards and dispose of them. Lift all original oak boards and cut off eaten and decayed timber to provide useable square edged boards and to reinstall them, having first treated them against further infestation. Replace the short fall in boards with new oak boards and replace the irreparable joist(s) and repair the others - Permitted 09/06/2021

DM/25/2966 - Demolition of existing house, replacement new build house with associated landscaping - Refused 26/03/2026

SITE AND SURROUNDINGS

Pickeridge Farm is located in a rural countryside setting outside the village of Ardingly and sits within the High Weald National Landscape (formally known as an Area of Outstanding Natural Beauty (AONB)).

Pickeridge Farm is a historic farmstead consisting of the Pickeridge Farmhouse, a 16th century Grade II listed timber framed building which has been altered and extended, and a number of ancillary buildings to the south, including a 20th century workshop which forms the site for this retrospective planning application.

The workshop was originally constructed in 1982 and planning permission was granted in 2019 for renovation and alteration works both internally and externally. The workshop is set over two storeys and comprises black timber weatherboarding, red clay tiles and glazed sections. An external staircase leading from the ground to first floor is located on the southern and western elevation of the workshop. The proposed roof mounted solar panel array is located on the south facing roof slope.

Adjacent to the workshop is the pool barn and annexe with further outbuildings to the south which are deemed to be curtilage listed. Beyond that, Pickeridge Cottage, a two-storey dwelling constructed in the late 1970's is located to the south of the farm.

Pickeridge Farmstead is located at an elevated position to the surrounding land to the north, south and west and overlooks Cob Lane, a historic lane to the west of the site and an Historic public right of way (PRoW) which runs from north to south along the east of the site. The farmstead is enclosed with hedges to the north and west, however, these would not provide dense screening during the winter months.

To the south and west of the site, the landscape character is more open, comprising a network of fields. The surrounding area is rural in nature with sporadic residential development to the north.

APPLICATION DETAILS

The retrospective application is made pursuant to S. 73a of the Town and Country Planning Act 1990 (as amended) and seeks retrospective planning permission for the installation of 19 photovoltaic solar panels on the south facing roof slope of the workshop.

Per the design and access statement, the solar panels have been designed using high efficiency, modern photovoltaic panels to provide renewable energy to generate heat for the farmhouse. Electrical connections between the workshop and the farmhouse main property have been made using existing ducts and service routes. As a result, no intrusive works have been required to the listed building and its structure and materials remain unaffected by the installation.

The photovoltaic panels are located on the south facing roof slop of the workshop, facing away from the Grade II listed farmhouse which is located to the north of the workshop.

The main issues to assess in this case are:

- The impact of the proposal on the significance and setting of a listed building; and
- The impact on the character and natural beauty of the national landscape

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.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application, and*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

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 West Hoathly 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 it 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 the Countryside
DP16 - High Weald Area of Outstanding Natural Beauty
DP26 - Character and Design
DP34 - Listed Buildings
DP39 - Sustainable Design and Construction
DP40 - Renewable Energy Schemes

Site Allocations Development Plan Document

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

There are no relevant policies.

West Hoathly Parish Neighbourhood Plan

The West Hoathly Neighbourhood Plan was made in March 2015.

WHP1 - Landscape
WHP2 - Historic Lanes
WHP3 - Rights of Way

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

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.

DPS2 - Sustainable Design and Construction
DPN1 - Biodiversity, Geodiversity and Nature Recovery
DPN2 - Biodiversity Net Gain
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets

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.

National Policy

National Planning Policy Framework (NPPF) (December 2024)

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

Paragraphs 48, 161, 205, 207, 208, 187, 189 and 212-215 of the NPPF are relevant.

National Planning Policy Guidance

National Design Guide (Published January 2021)

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

The High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029

Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) places a duty on relevant authorities in respect of their functions which affect land in National Parks, National Landscapes, and the Norfolk and Suffolk Broads (collectively referred to as Protected Landscapes) in England to 'seek to further' the statutory purposes of Protected Landscapes.

Conservation of Habitats and Species Regulations 2017 (as amended)

ASSESSMENT

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

- Principle
- Impact on Heritage Assets
- Design and impact on the character of the area and the impact on the High Weald AONB
- Sustainability of the Development
- Biodiversity Net Gain
- Planning Balance and Conclusion

Principle

The site is located within the defined Countryside and as such, the starting point is policy DP12 of the Mid Sussex District Plan which refers to the protection of the Countryside and states, in part, that development will be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and is necessary for the purposes of agriculture or is supported by a specific policy reference either elsewhere in the Mid Sussex District Plan, a Development Plan Document or relevant Neighbourhood Plan.

In association with Policy DP12, Policy DP40 of the Mid Sussex District Plan relates to Renewable Energy Schemes:

'Proposals for new renewable and low carbon energy projects (other than wind energy development - see below), including community-led schemes, will be permitted provided that any adverse local impacts can be made acceptable, with particular regard to:

- Landscape and visual impacts, including cumulative impacts, such as on the setting of the South Downs National Park and High Weald Area of Outstanding Natural Beauty, and the appearance of existing buildings;*
- Ecology and biodiversity, including protected species, and designated and non-designated wildlife sites;*
- Residential amenity including visual intrusion, air, dust, noise, odour, traffic generation, recreation and access*

Assessment of impacts will need to be based on the best available evidence, including landscape capacity studies.'

The principle of the proposal to provide a source of renewable energy would not be considered to accord with the abovementioned element of DP40 in that the adverse landscape and visual impacts within the setting of the High Weald National Landscape and a Grade II Listed building would not be considered acceptable. The design of the proposal, its impact on the character of the countryside and the setting of the listed building will be assessed later in this report.

As per planning legislation, a decision must be made in accordance with the development plan unless there are any material planning considerations which indicate otherwise.

The policies contained within the NPPF are material considerations which should be taken into account in the determination of this application.

Impact on Heritage Assets

S.66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy DP34 of the District Plan is relevant and states:

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- Special regard is given to protecting the setting of a listed building;*
- Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.'*

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paras 207-208 of the NPPF state:

'207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into

account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

Paras 212- 215 of the NPPF state:

'212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Substantial harm to or loss of:

(a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
(b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and
b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d) the harm or loss is outweighed by the benefit of bringing the site back into use.

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the listed building or its setting in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The applicant's planning statement submits that the solar array has been mounted on the roof of the workshop, a building located within the residential curtilage of the Grade II listed building, to avoid the installation within or in close proximity to the listed building. Furthermore, the planning statement submits that the panels are arranged in a uniform, low-profile configuration and would not be considered visually prominent or intrusive upon the listed building's historic character and appearance.

The Council's Conservation Officer was consulted on the application and provided a response. Their full comments are on the case file.

The Conservation Officer has raised concerns relating to the scale and visual prominence of the extensive solar panel array within the setting of a listed farmhouse and curtilage listed farm buildings. The material, grey/black colour and reflectivity stand out against the red clay tile roof of the workshop and appear incongruous when compared to the traditional roofing materials of the Grade II listed farmhouse and wider farmstead.

Furthermore, the Conservation Officer has noted that whilst the array faces away from the farmhouse and is not visible from the farmhouse itself, the solar array is prominent in views and vistas looking towards the listed building and the historic farmstead from the gardens to the south and southwest as well as longer views from the fields to the south, Cob Lane to the west and the public right of way to the east of the site.

The Conservation Officer has identified harm at the low to mid level scale, through impact on the setting to the special interests of the listed and curtilage listed buildings within the Pickeridge farmstead, such that the balancing exercise set out in paragraph 215 of the NPPF will apply.

Furthermore, the Conservation Officer notes that Paragraph 208 of the NPPF requires that harm to heritage assets should be avoided or minimised. However, no evidence has been provided within the submitted application documents to suggest that alternative, less harmful locations for the solar array have been considered, despite extensive gardens and farmlands which could potentially house a ground mounted solar array without harming the setting of the historic farmstead.

The Conservation Officer also noted that no evidence has been provided to substantiate the applicant's claim that the energy efficiency arising from the proposal would ensure the continuing beneficial use of the listed farmhouse and therefore this can only be afforded minimal weight, particularly given alternative positions for the solar array within the extensive gardens.

As such, the Conservation Officer concluded that no convincing argument has been made to demonstrate that any public benefit arising from the carbon reduction aspects of the proposal could not be achieved by an alternative scheme which would not result in harm to the special interests of the affected heritage assets and did not consider it to be the clear and convincing justification required by paragraph 213 of the NPPF. The proposal is also contrary to the requirements of District Plan Policy DP34.

The comments by the Conservation Officer are agreed with by the Case Officer.

Two letters were received from the applicant's planning agent and architect in response to the Conservation Officer's comments. The Conservation Officer has commented on these letters, all of which is available on the case file.

Whilst the comments received are noted, the Case Officer agrees with the comments made by the Conservation Officer.

The 20th Century workshop upon which the PV panels have been installed was recently refurbished, and great care and attention was taken to ensure the design and materials used were sympathetic to the character of the heritage asset and wider farmstead. The installation of the roof mounted PV panels is a prominent modern feature which would not be considered sympathetic to the workshop or the surrounding buildings when considered as one farmstead and is considered to diminish the architectural and historic significance of the 16th Century farmhouse through its setting.

Design, impact on the character of the area and impact on High Weald National Landscape

District Plan Policy DP12 seeks to protect the countryside from harmful development, with the aim to conserve its intrinsic character and beauty. Development will be permitted provided that it maintains or where possible enhances the quality of the rural and landscape character of the District.

A similar ethos can be found within both policies DP16 of the District Plan which states in part that development within the High Weald AONB 'will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular... character and local distinctiveness, settlement pattern, sense of place and setting of the AONB...'

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'.*

The Mid Sussex Design Guide seeks high quality design from all proposed development.

Policy WHP1 of the West Hoathly Neighbourhood Plan states that *'Where appropriate, proposals for development should demonstrate that the viewpoints and spaces identified on Map B will be preserved.'*

Policy WHP2 refers to historic lanes and states that *'Where appropriate, development proposals should demonstrate that they will preserve the historic and rural character of the Historic Lanes identified on Map A.'*

Policy WHP3 of the West Hoathly Neighbourhood Plan states that *'Development proposals that will enhance the rights of way network, whilst meeting other policies of this Plan, will be supported.'*

Paragraph 187 of the NPPF states that:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:
a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;'

Paragraph 189 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues'.*

The site is located within the High Weald Area of Outstanding Natural Beauty. 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.

The application site consists of a 20th century workshop constructed ancillary to the Pickeridge farmhouse, a Grade II listed building to the north of the site. The workshop is set over two storeys with a dual pitched roof on which the proposed roof mounted solar panel array has been installed. The workshop was constructed in 1982 and comprises black timber weatherboarding, red clay roof tiles and

glazed sections. An external staircase leading from the ground to first floor is located on the southern and western elevation of the workshop.

The solar PV array has been installed on the south facing roof slope and consists of 19 photovoltaic panels, each measuring 1.85 metres in width and 0.6 metres in height and covering a total area of some 21 square metres. The south facing roof slope measures a total area of approximately 31 square metres. The panels are grey/black in colour.

The verdant rural location is characterised by open countryside and low-density development. The colour, materials and reflectivity of the proposed development contrasts with the red clay roof tiles of the workshop and would be considered incongruent in the context of the traditional roofing materials of the farmhouse and wider farmstead. The proposed roof mounted solar panels are visible in views from the east, south and west and would be considered a prominent feature within the national landscape altering key views to the listed building and the historic farmstead.

In relation to the impact upon the National Landscape, there is limited boundary treatment around the site, with the site occupying an elevated position within the open landscape. As such, there would be views of the proposed development from the public realm, including Cob Lane to the west; identified in the West Hoathly Neighbourhood Plan as a protected landscape and the historic lane and the public right of way to the east.

For the reasons outlined above, it is considered that the proposed development would result in harm to the design and character of the site and surrounding farmstead, including the Grade II listed farmhouse. Furthermore, the proposal would not be considered to maintain or enhance the surrounding countryside, resulting in harm to the countryside and therefore by definition, harm to the National Landscape.

As such the proposal conflicts with the requirements of policies DP12, DP16 and D26 of the District Plan, Policies WHP1, WHP2 and WHP3 of the West Hoathly Neighbourhood Plan, High Weald AONB Management Plan 2024-2029 and paragraph 187 and 189 of the NPPF.

Impact on Neighbouring Amenity

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan in part states proposals should *'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 DP29)'*.

A similar ethos is contained within the Mid Sussex Design Guide SPD.

Given the nature of the development, it would not be considered to cause any impact in terms of privacy, daylight and sunlight, noise, and air and light pollution.

To the south of the application site is Pickeridge Barn. Given the scale and location of the proposal, this building is considered to experience minor harm to amenity in terms of outlook given the contrasting grey/black colour and reflectivity of the solar panels which are in close proximity of this property. However, the impacts to outlook would be considered limited given that its windows are west facing overlooking the open fields and do not directly face the site.

Further south of the barn, Pickeridge Cottage is situated overlooking the vistas to the south of the site. Given the separation of distance from this property, it would not be considered to experience significant harm to amenity, although minor impacts may be experienced in respect of outlook.

The Grade II listed Pickeridge Farmhouse is not considered to experience any harm to amenity in terms of Policy DP26 given that it is located to the north of the site and the proposed development is on the south facing roof slope. Consequently, the development is not visible from the listed property.

Consequently, whilst limited impacts to neighbouring amenity may be experienced, the overall impact would be considered neutral and therefore the development would accord with this element of Policy DP26 of the Mid Sussex District Plan.

Sustainable Design and Construction

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate measures including minimising energy use through the design and layout of the scheme; maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation; and also to limit water use to 110 litres/person/day.

Paragraph 161 of the NPPF states:

'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, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

The proposal for photovoltaic solar panels would be considered sustainable as the solar energy created would be converted to heat the farmhouse and excess energy would be fed back into the national grid, as stipulated in the Design and Access Statement.

Accordingly, it is considered that the proposed development would accord with Policy DP39 of the District Plan and paragraph 161 of the NPPF.

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

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the West Hoathly Neighbourhood Plan.

Where the harm would be less than substantial, in terms of the NPPF, the criteria set out in paragraph 215 of that document would apply. This states that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'* This is the balancing exercise that must be undertaken by the decision maker, ensuring that considerable importance and weight is given to the less than substantial harm to the setting of the heritage asset that has been identified.

The proposed development is for roof mounted photovoltaic solar panels. The applicant claims that the energy efficiency arising from the proposal would ensure the continuing beneficial use of the listed farmhouse, however this is tempered by the fact that no evidence has been submitted demonstrating this and therefore this statement attributes limited weight.

The applicant submitted that the solar panels have reduced carbon emissions and surplus electricity has been exported to the National Grid elevating pressure thereon. Whilst this would be considered to benefit the public, it is considered that this benefit to public could be achieved with a more appropriate scheme in a less prominent position to avoid harm to the National Landscape and the setting of a Grade

II Listed Building. Furthermore, the amount of surplus energy exported to the national grid would be considered minimal and therefore the public benefit would be limited in this regard. It is not considered that the proposal would lead to any other discernible public benefits.

Overall it is considered that the proposal would cause less than substantial harm which would not be sufficiently outweighed by public benefits arising from the proposal. Accordingly, the proposal would conflict with the provisions of policy DP34 of the District Plan, Paragraph 215 of the NPPF and Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The application must be assessed against the policies of the development plan taken as a whole; this assessment has identified conflict with the development plan. This being in respect of policies DP12, DP16, DP26 (design and character) and DP34 of the District Plan, policies WHP1, WHP2 and WHP3 of the West Hoathly Neighbourhood Plan and the relevant paragraphs of the NPPF.

For the reasons set out within the assessment section, it is considered that the application has a neutral impact in terms of neighbouring amenity and therefore accords with Mid Sussex District Plan policy DP26 in respect of the impact of neighbour amenity only and policy DP39 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

Taking the above into account, it is considered that the application is in conflict with the most important policies for determining the application and therefore it is considered that the application conflicts with the development plan when read as a whole. This is not the end point as planning law requires that 'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise'.

Weighing against the application, the proposal fails to respond appropriately to the established character and design of the application site and surrounding properties and would be considered an incongruent and prominent feature within the historic farmstead. Furthermore, the proposal does not maintain or enhance the rural countryside or intrinsic character of the National Landscape, resulting in an inappropriate and visually unfitting addition within this sensitive landscape. As a consequence of this poor relationship with its surroundings, the development would also erode the contribution that the rural setting makes to the significance of Pickeridge farmhouse, a Grade II listed building. The proposal would be considered to result in low to medium harm to the setting of the heritage asset within its traditional landscape context, thereby resulting in less than substantial harm to its significance. The proposal has not provided sufficient evidence to demonstrate that the public benefits outweigh the less than substantial harm to the setting of the heritage asset following implementation of the development.

In favour of the scheme, the proposal would provide a sustainable energy source to heat the farmhouse and export surplus electricity to the National Grid, albeit limited.

The proposal is considered to have a neutral impact in respect of neighbouring amenity.

In weighing up these issues, when taken together, it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposal.

Overall, the proposal is in conflict with the development plan and the planning balance is considered to fall in favour of refusing planning permission.

Decision: Refusal

Case Officer: Jessica Szollosi