



The countryside charity  
Sussex

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Attention Case Officer: Ms Nicola Pettifer

Horsham District Council  
Parkside  
Chart Way  
Horsham  
West Sussex  
RH12 1RL

21 January 2024

Dear Ms Pettifer,

Representation submitted for and on behalf of CPRE Sussex objecting to

**DC/23/2172**

**Street Record, Burnthouse Lane, Cowfold, West Sussex**

**Construction and operation of a solar photovoltaic farm and associated infrastructure including transformers, inverters, DNO Substation, customer switchgear, security cameras, fencing, access tracks and landscaping**

CPRE Sussex asks that the application be refused for the reasons explained below.

**1. The 74.4ha rural Site 'is largely consistent with the published landscape character assessments and, in this sense, is locally distinctive and has a medium to high value in this regard'.**

1.1 The Site comprises:

'a complex area of arable and pastoral fields generally contained by mature hedgerows, generally well treed, and areas of woodland, predominantly ancient, abutting the Site boundary' (Landscape & Visual Appraisal (LVA), paragraph 2.9) And

'hedgerows across the Site are generally species-rich, well-treed, and in good condition, providing thick foliage cover between field parcels. Occasional gaps are apparent along certain boundaries affording glimpsed views into the Site' (LVA, paragraph 2.10).

1.2 Under the heading 'Distinctiveness':

'The Site is largely consistent with the published landscape character assessments and, in this sense, is locally distinctive and has a medium to high value in this regard' (LVA, paragraph 4.32: 5<sup>th</sup> bullet).

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President: Lord Egremont

Campaign to Protect Rural England Sussex Branch CIO | Registered charity number: 1156568

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**2. The proposed 74.4ha development on arable and pastoral fields in a predominantly rural landscape that is ‘locally distinctive and has a medium to high value’, would by reason of its siting, extent and character of use have significant adverse landscape character impacts on the site itself and immediate surrounds, significant adverse visual impacts on users of footpaths on the site and in the surrounding area and adverse impacts on the amenity of nearby properties.**

**3. The quantity of renewable energy that would be generated annually by the proposed scheme should be calculated, not estimated.**

3.1 The PDAS, paragraph 1.3 states that ‘It is **estimated** that the solar panels would generate approximately 49.9 megawatts (‘MW’) of renewable energy, providing power to 16,581 homes annually’.

3.2 The quantity of renewable energy that would be generated annually by the proposed scheme is fundamental and most certainly should be calculated, not estimated, and the calculation included in the application bundle for public scrutiny and comment.

3.3 The calculation should factor in the impact on output of latitude and aspect, cloud cover and seasonal variations in daylight hours, and any assumptions or presumptions made declared.

3.4 Whether the functionality of and output from the solar pv panels would reduce over the operational life (40 years) of the scheme should also be considered and declared.

**4. Apparently the application was submitted before completion of the detailed design phase. The application is a full, not an outline application, and it is therefore surprising and should be cause for concern that the application is informed by indicative plans, not actual plans, for example PDAS paragraphs:**

- The Indicative Site Layout Plan (Reference: LCS049-PLE-02) that forms part of the planning application submission illustrates the indicative layout (4.5)
- An example of a row of solar panels is shown in Figure 4.2 below. Indicative dimensions of the panels and frame are shown in the Solar Panel Elevation Maximum Height 3m Plan (Drawing reference LCS-SD-39.4) (4.16).
- The Indicative Site Layout Plan (reference: LCS049-PLE-02) that forms part of the planning application submission illustrates an example layout (6.12).
- For more detail, please refer to the LVIA and the Ecological Impact Assessment that has been submitted as part of the planning application, which includes an indicative Landscape Strategy Plan (para 6.30).
- Adequate parking space would be provided on site for construction and operational maintenance staff. The indicative layout plan (LCS049-PLE-02) indicates three compound locations (8.111).

4.1 Apparently the application was submitted before completion of the detailed design phase, therefore prematurely. Reliance on indicative plans is not conducive to sound decision taking.

**5.1 The BNG analysis was made on outline, indicative landscaping plans and assumptions.**

5.2 The Applicant's Ecological Impact Assessment, published 28 November 2023 (paragraph 9.1.2.7), advises that

'The BNG analysis was made on outline, indicative landscaping plans (see Appendix 6), and as such precautionary assumptions were made. Further uplift will be sought during the detailed design phase'.

5.3 The application was submitted before completion of the detailed design phase, therefore prematurely. This is not conducive to sound decision making.

**6. Contrary to the LVA's assessment, the site has a High not Medium functional value in the 'healthy functioning of the wider landscape'.**

6.1 The LVA paragraph 4.32 states under the heading 'Value of the Site', 9<sup>th</sup> bullet:

'Functional: The Site does not perform a clearly identifiable and valuable function, particularly in the healthy functioning of the landscape, beyond provision of a linked network of field boundaries and other landscape and ecological assets. The Site has a medium functional value'.

6.2 This statement is misleading because it does not acknowledge the actuality that the 'field boundaries' are hedgerows, of which there are 45 throughout the 74.4 ha site, and that these hedgerows are classified as Hedgerows of Principal Importance (Ecological Impact Assessment, page 15). Some also meet the criteria of 'Important' Historic Hedgerows as laid out in the Hedgerows Regulations 1997 (Heritage Assessment, paragraph 3.31).

6.3 The LVA fails to consider that hedgerows provide landscape-scale connectivity and make an immense contribution to halting biodiversity decline and tackling climate change:

<https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/habitats/hedgerows/>

And are 'Often the only link between other isolated patches of wildlife habitat scattered across the landscape, thick, flora-rich hedges provide valuable nesting and foraging opportunities for a huge range of wildlife' :

<https://www.wildlifetrusts.org/habitats/farmland/hedgerow>

6.4 The 74.4ha Site that the applicant wishes to develop, fence-off and thereby isolate is 'generally species-rich, well-treed, and in good condition' (LVA paragraph 2.10) and does not exist in isolation from the wider landscape and natural environment.

6.5 The Site's 45 hedgerows provide essential landscape-scale connectivity for nature across the wider landscape.

6.6 The applicant's statement that the Site does not perform a clearly identifiable and valuable function is therefore incorrect and misleading.

6.7 The Site clearly has a High not Medium functional value in the 'healthy functioning of the wider landscape'.

**7. Enclosing the Site with a deer fence would restrict the movement of wildlife including Badgers.**

7.1 The PDAS advises that to secure the proposed development 'deer fencing (mesh with wooden posts or similar) to a height of approximately 2 m would be installed along the outer edges of the Site to restrict access' (paragraph 4.22).

7.2 That enclosing the Site with a deer fence would restrict the movement of wildlife including Badgers, which is a protected species, is not considered in the application. It should be considered.

7.3 Measures will be needed to enable unrestricted movement of Badgers and other mammals.

**8. Contrary to the PDAS paragraph 3, Cowfold and Partridge Green are not 'towns'.**

8.1 Both are classified by the Horsham District Planning Framework (HDPF) as Medium Villages. This is because they provide some day-to-day needs for residents but rely on small market towns and larger settlements to meet a number of their requirements (HDPF page 27).

**9. Contrary to LVA paragraph 2.4, the Site is not dissected by the A24.**

**10. No positive weight should be given to DC/23/2172's reversibility.**

10.1 The proposed scheme would have, if permitted, an operational life of 40 years.

10.2 Refused and dismissed at appeal, proposed solar farm scheme DC/13/2420 would have had an operational life of 30 years.

10.3 The then Secretary of State (SoS) was of the view that 30 years was 'a considerable period of time' and he did not afford 'any positive weight to reversibility' (APP/Z3825/A/2218035, Appeal by Huddlestone Farm Solar Park Ltd: Huddlestone Farm, Horsham Road, Steyning, West Sussex, BN44 3AD, decision date 26 January 2016, paragraph 15).

10.4 Accordingly, with an operational life of 40 years, no positive weight should be given to DC/23/2172's reversibility.

**11. The Landscape Ecological Management Plan for the scheme should be included in the application bundle for public scrutiny and comment.**

11.1 The applicant's Planning and Design Statement (PDAS) paragraph 8.102, states that

'With the successful implementation of the mitigation measures, any adverse effects upon the important ecological features identified will be reduced to a non-significant level. The detailed design of the habitats to be created and details on their ongoing

management will be provided in a Landscape and Ecological Management Plan (LEMP) which would be agreed with the council prior to the commencement of site works and secured through a planning condition’.

11.2 Successful implementation of proposed mitigation measures, and enhancements too, will require and be dependent upon appropriate management and expertise.

11.3 The Landscape Ecological Management Plan, including full details of the habitats to be created and how they and existing habitats would be maintained (including replacement of saplings that fail to establish), managed and monitored over the lifetime of the scheme, should be included in the application bundle for public scrutiny and comment.

11.4 This is because the applicant’s Landscape and Visual Appraisal (LVA) advises that

‘It is considered that, due to an environmentally led approach including landscape and visual considerations, the design would provide sufficient screening, filtering and softening of the proposed development to ensure its landscape and visual integration into the landscape west of Cowfold. Further, the proposals have the potential to make a positive contribution to the landscape fabric and biodiversity’ (paragraph 8.7). And that the Site has ‘the capacity for the development as proposed and that there is no ‘in principle’ or policy landscape or visual reason why the Site should not be developed’ (paragraph 8.8).

11.5 Whether the various mitigation and enhancement measures proposed, including the planting of 4.87km of new hedgerow and the proposed enhancement of 170m of ‘defunct hedgerow’, together with ‘a mixture of gapping up (where necessary) and changed management regime (Ecological Impact Assessment, 28 Nov 2023, paragraph 8.3.1.3), would provide sufficient ‘screening, filtering and softening of the proposed development to ensure its landscape and visual integration into the landscape west of Cowfold’, and that there is no ‘in principle’ or policy, landscape or visual reason why the Site should not be developed’, are essential considerations in the deciding of this application – and would be dependent upon appropriate management and expertise.

**12. Note the RHS advice that planted hedges require aftercare and might need shelter in their initial years on exposed sites and are vulnerable to establishment problems:** <https://www.rhs.org.uk/plants/types/trees/establishment-trees-shrubs>

**13. The Landscape Ecological Management Plan should be informed by the ‘BRE National Solar Centre Biodiversity Guidance for Solar Developments.**

13.1 The guidance ‘centers on the development of a biodiversity management plan for each site which identifies appropriate biodiversity objectives and defines the establishment, management and monitoring activities required to achieve them’, including a management regime for habitats for the entire life of the site; a plan for monitoring the site, adapting management as appropriate to the findings of this monitoring; and setting out how the site will be decommissioned (page 2).

**14. The length of time it would take for the proposed plantings, including 4.87km of new hedgerow and the proposed enhancement of 170m of 'defunct hedgerow, to become established and provide the required mitigation and enhancements are important considerations.**

14.1. The LVA, paragraph 1.13, 4<sup>th</sup> bullet, advises that

'Typically, a 15-year time-horizon is used as the basis for conclusions about the residual levels of effect. Fifteen years is a well-established and accepted compromise between assessing the shorter-term effects (which may often be rather 'raw' before any proposed mitigation has had time to take effect) and an excessively long time period'.

14.2 A 15-year time horizon is used throughout the LVA (for example at paragraphs 7.7, 7.10, 7.11, 7.14, 7.15,7.17,7.18, 17.23, 17.27, 17.28, 17.30, 17.35, 17.36, 17.37,17.40, 17.43; this listing is not exhaustive).

14.3 Fifteen years is 37.5% of the proposed scheme's 40-year operational life.

CPRE Sussex asks that the application be refused for the reasons explained above.

Yours faithfully,

Dr R F Smith DPhil, BA (Hons), FRGS  
Trustee CPRE Sussex

Copy to Chair CPRE Sussex