Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0521
22 Hazelwood Road, Partridge Green, West Sussex, RH13 8EX

DESCRIPTION:
Retrospective application for the removal of existing shed and erection of oak frame gazebo.

RELEVANT PLANNING HISTORY:

None

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

West Grinstead Neighbourhood Plan (2019-2031):

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 46: Ancillary Accommodation

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:

Natural England: Standing Advice: -
It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Parish Comments:
Objection: too close to the boundary and too tall.

Representations:
4 representations from 2 addresses have been received, objecting to the application for the following reasons: -

- Breach of permitted development rights – the building is located within 2 metres of the boundary and exceeds the maximum height limit
- Excessive height and close proximity to boundary – structure is significantly overbearing
- Oppressive visual impact
- Height will result in loss of sunlight when tiled
- Altering the character of the neighbourhood
- Structure is incongruous to its surroundings
- Overbearing impact

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 supplied by the agent, as well as a site visit from the case officer. These details were considered sufficient to allow the application to be properly considered and determined.

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 application seeks planning permission for the removal of the existing shed and erection of oak frame gazebo. The application is retrospective with the works started in March 2025. The oak frame gazebo would be built to replace the existing shed and would be open on two sides. The gazebo would have woburns tiles on the roof and have an oak frame structure which consists of planed green oak secondary timbers, with two side walls clad with green oak weatherboard.

The existing shed floor area was 12.81 sqm, the proposed gazebo would have a floor area of approximately 12.25 sqm. The floor areas of each are similar, however, the scale and size of the building regarding height is where these two buildings differ. The proposed gazebo is at its highest, 3.6m tall, 3m wide and 2.1m eaves height. The gazebo has a pitched roof, which would be tiled. The existing shed had a lower overall height, with a flat roof and appeared less prominent in the surrounding area. The gazebo is visible in the immediate surroundings, from the footpath that runs from east to west along the boundary of the site, through the gap between 20 and 22 Hazelwood and from the immediate neighbouring dwellings. However, the gazebo is of design and appearance that would be expected development within the area (ie, built-up and residential in nature). The gazebo appears subservient to the main dwellinghouse and is comfortably accommodated within the residential curtilage. In addition, the visual appearance of gazebo will be improved due to the weathering of materials over time.

The proposal would be a clearly subservient addition and is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

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 neighbouring objections received are acknowledged. However, the gazebo is not considered to result in significant amenity harm as it is an expected development within a residential area. There are no windows proposed as to not result in adverse overlooking. While it is located close to the boundary, the overall scale and resultant harm would not be considered sufficient to warrant a refusal, especially given its orientation and siting away from the neighbouring dwelling. It is considered that the gazebo would not cause 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 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

Conclusion

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

2 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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/25/0521

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	28.03.2025
Floor plan	Existing	1-EP	28.03.2025
Floor plan	Proposed	2-EP2	28.03.2025
Elevation plan	Proposed	3-GPE	28.03.2025
Photos	Existing	5-SP	28.03.2025
Photos	Proposed	6-SP-C	28.03.2025

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 14.05.2025

Authorising Officer sign/initial RHERMITAGE Date: 23.05.2025