



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0040

Carvers, Emms Lane, Brooks Green, West Sussex, RH13 0TR

DESCRIPTION:

Variation of Condition 4 of previously approved application DC/20/1309 (Conversion of storage barn and single storey side extension to provide ancillary accommodation) to allow use as a separate unit of ancillary accommodation.

RELEVANT PLANNING HISTORY:

DC/20/1309	Conversion of storage barn and single storey side extension to provide ancillary accommodation	Application Permitted on 16.09.2020
DISC/24/0146	Application for Approval of Details Reserved by Condition 3 to approved application DC/20/1309	Application Permitted on 06.08.2024

DESCRIPTION OF THE SITE

The application site, within the Parish of Shipley, is located outside of any built-up area boundary and is therefore in a countryside location, for planning policy terms. The site is accessed via a single track to the western side of Emms Lane and sits within a cluster of three residential, with open countryside surrounding the site. The site is not within a conservation area, nor are there any statutory or locally listed buildings in the vicinity. The building itself, a former stable block building, has been converted to provide ancillary accommodation featuring 1 bedroom, 1 bathroom and a sitting room.

DESCRIPTION OF THE APPLICATION

In 2020, planning consent was granted (ref DC/20/1309), for the conversion of a storage barn and the erection of a single storey side extension to provide ancillary accommodation to the host dwelling Carvers, Emms Lane. As part of this consent, the following condition was imposed:

Condition 4:

Regulatory Condition: *The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Carvers, Emms Lane, as identified on the approved site location plan, as a dwelling and shall not be used as a separate unit of accommodation.*

Reason: *The establishment of an additional independent unit of accommodation would not be appropriate in this countryside location and would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).*

This current application seeks to vary the wording of condition 4, to allow for the accommodation to be used as separate unit of ancillary accommodation. No other alterations to the consent are proposed.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (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 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
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 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Shipley Parish Neighbourhood Plan 2019-2031

Policy Ship HD1: New Housing Development
Policy Ship HD2: Housing Mix
Policy Ship HD3: High quality design

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1.7 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 9: Water Neutrality
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District
Policy 41: Rural Exception Homes
Policy 45: Replacement Dwellings and House Extensions in the Countryside

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Shipley Parish Design Statement

Planning Advice Notes:

Shaping Development in Horsham District

Biodiversity and Green Infrastructure

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:

None received

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

Shipley Parish Council: Support

At the meeting of Shipley PC held on 10th February 2016, Members voted to support the application.

Member Comments:

None received

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

Principle of Development:

This application seeks consent to vary the wording of condition 4 of DC/20/1309, which gave consent for the conversion of the storage barn/stables and allowed for the erection of a single storey side extension, to provide ancillary accommodation to the host dwelling of Carvers. Evidence is before the council which confirms that planning permission DC/20/1309 was implemented prior to the expiration of the consent.

As part of this consent, the following condition was imposed:

Regulatory Condition: *The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Carvers, Emms Lane, as identified on the approved site location plan, as a dwelling and shall not be used as a separate unit of accommodation.*

Reason: *The establishment of an additional independent unit of accommodation would not be appropriate in this countryside location and would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).*

This current application seeks to vary the wording of condition 4, to allow for the accommodation to be used as separate unit of ancillary accommodation, requesting the revised condition read as follows:

Regulatory Condition: *The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Carvers, Emms Lane, as identified on the approved site location plan, as a dwelling and shall not be occupied as a separate dwellinghouse.*

Reason: *The establishment of an additional independent unit of accommodation would not be appropriate in this countryside location and would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).*

Within the submitted Planning Statement, the applicant confirms there will be no physical alterations, extensions, subdivision of the site, or intensification of use. The annex will remain ancillary to the main dwelling, with the applicant stating the current condition is considered overly broad and imprecise. Under the original application, the applicant stated the accommodation was to be used by elderly family members, who required care and support. The applicant has not provided precise details around whether this arrangement has changed, or further details about the potential proposed occupation of the outbuilding.

The revised wording of condition 4 would ensure the accommodation remains occupied solely for purposes ancillary to the occupation and enjoyment of the host dwelling and could not be used as a separate dwellinghouse. Furthermore, the wording is considered appropriate in ensuring the accommodation remains functionally linked to Carvers and cannot become severed, and could not be used for other accommodation purposes, for example as holiday let accommodation. The rewording of the condition ensures there would be no intensification of use and that the accommodation would remain ancillary to the host dwelling. As such, the proposal would not conflict with Policies 26 and 33 of the HDPF (2015).

It is therefore recommended that the application be approved subject to the revised condition wording.

Water Neutrality:

The proposed development will not result in any increase in mains water demand and therefore will not lead to adverse effects on the integrity of the Arun Valley SAC, SPA or Ramsar sites, either alone or in combination. The proposal can therefore be screened out at the HRA Stage 1 Screening and does not require progression to Appropriate Assessment. On this basis, the development is considered acceptable in ecological terms and compliant with Policy 31 of the HDPF and relevant national policy of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Conclusions:

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

Recommendation: Application Permitted

Conditions:

2 Not used

- 3 **Regulatory Condition:** The development hereby permitted shall take place in accordance with the agreed details relating to the structure covering the pathway, as approved under application DISC/24/0146.

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).

- 4 **Regulatory Condition:** The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Carvers, Emms Lane, Brooks Green as identified on the approved site location plan and shall not be occupied as a separate dwelling house.

Reason: The establishment of an additional independent unit of accommodation would not be appropriate in this countryside location and would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 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/26/0040

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning Statement	NONE	12.01.2026
Elevation plan	Existing	KM-Ele-04 Rev A	20.07.2020
Location plan		NONE	20.07.2020
Design & Access Statement		NONE	14.07.2020
Location plan		KM-LP 01	14.07.2020
Block plan		KM-BP 01	14.07.2020
Plans	Proposed general arrangement	KM-SK 09	14.07.2020
Elevation plan	Proposed	KM-ELE-03 Rev A	14.07.2020
Plans	Existing general arrangement	KM-BB-GA-01	14.07.2020
Photos		NONE	14.07.2020

DELEGATED

Case Officer sign/initial Sam Nye Date: 05.03.2026

Authorising Officer sign/initial RHERMITAGE Date: 09.03.2026