Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1533
Hinkhurst, Emms Lane, Brooks Green, West Sussex, RH13 0TR

DESCRIPTION:
Conversion of existing garage with the installation of windows and doors to create additional ancillary annexe accommodation.

RELEVANT PLANNING HISTORY:

DC/15/2231	Room above existing double garage to studio annex for use by family and guests in breach of condition 3 of planning approval SP/33/96 (Lawful Development Certificate - Existing)	Application 25.11.2015	Permitted
SP/33/96	Erection of double garage with room above Site: Hinkhurst Emms Lane Brooks Green	Application 03.09.1996	Permitted on

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
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 40 - Sustainable Transport
Policy 41 - Parking

Shipley Neighbourhood Plan:
The Shipley Neighbourhood Plan was formally made on 23 June 2021.
Policy Ship HD3: High quality design

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 45: Replacement Dwellings and House Extensions in the Countryside
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:
None

Parish Comments:
Shipley Parish Council: No Objection – Shipley Parish Council voted to support the application, subject to a request for a planning condition restricting the use of the annex for purposes ancillary to the main dwelling.

Representations:
1 letter of representation has been received, supporting the application.

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 and available images. These details were considered sufficient to allow the application to be properly considered and determined.

Character and Appearance

Policy 28 of the HDPF relates to house extensions and outbuildings in the countryside, stating that ancillary accommodation and garaging must demonstrate that the need for additional space cannot be met within the existing dwelling or through the conversion of suitable existing buildings on the site. The policy also states that the use of ancillary accommodation as a separate dwelling will not be supported. Policies 32 and 33 of the HDPF seek to ensure that development achieves a high standard of design which respects and enhances local character. Development should be sympathetic to the scale, massing, form and appearance of existing buildings and their surroundings.

Policy Ship HD3 of the Shipley Neighbourhood Plan seeks to ensure that new development is of a high-quality design which respects the character and appearance of the surrounding area and responds positively to its local context.

Policy 19 of the HDLP requires development to achieve high-quality, inclusive and sustainable design that responds positively to local character and context. Development should make efficient use of land; respect the character of surrounding development, landscape and heritage assets; provide a high standard of amenity for existing and future occupiers; retain and enhance landscaping and biodiversity features where appropriate; and create safe, accessible and attractive places that promote active travel, inclusivity and community wellbeing.

Policy 45 of the HDLP supports garages and other ancillary outbuildings within the countryside where they are appropriately accommodated within the existing residential curtilage, remain proportionate to

the dwelling they serve, are grouped with the main house, and respect the scale and character of both the host property and the surrounding area. Development should avoid cumulative overdevelopment and comply with wider design policies.

The application relates to an existing detached two-storey garage building within the residential curtilage of Hinkhurst. Planning permission was previously granted under reference SP/33/96 for the erection of a double garage with a room above. Condition 3 of that permission restricted the use of the building to a private domestic garage in connection with Hinkhurst only. A certificate of lawful existing use was granted on 25.11.2015 for the use of the first floor as an annexe, which was in breach of conditions attached to SP/33/96. The current proposal seeks to convert the existing garage on the ground floor to provide additional ancillary annexe accommodation.

The proposed development would largely utilise the existing building, retaining its established footprint, overall scale, roof form and massing. The majority of the proposed alterations would be internal, involving the reconfiguration of the existing accommodation to provide living facilities at ground-floor level, including a lounge, kitchen and dining area, with bedroom and bathroom accommodation at first-floor level. The proposed development would therefore make more effective use of an existing building within the residential curtilage rather than introducing a new detached structure into the countryside.

Externally, the proposed changes would principally involve the replacement of the existing garage doors with windows, alterations to the existing cladding and brickwork to accommodate the new openings, the installation of aluminium bifold doors and alterations to the existing fenestration. The proposed windows would be white flush uPVC, whilst the bifold doors would have an anthracite finish. These alterations would result in some changes to the appearance of the building, particularly to the front elevation where the existing garage doors would be replaced with domestic windows. However, the changes would be relatively modest in the context of the existing building and would not materially alter its overall form or proportions.

The building is already established within the site and benefits from planning permission and a certificate for a double garage with accommodation above. Given that the proposal would retain the existing building envelope and that the principal changes would be internal, it is considered that the development would not result in any significant additional visual impact upon the character and appearance of the site or the surrounding countryside. The proposed external alterations would be appropriate to the intended ancillary residential use and would remain sympathetic to the existing building.

Furthermore, the proposed accommodation would remain within the residential curtilage of Hinkhurst and would be used for purposes ancillary to the main dwelling. Whilst the accommodation would contain facilities capable of supporting day-to-day living, it is proposed as ancillary accommodation rather than as a separate independent dwelling. A condition restricting its occupation to purposes ancillary to Hinkhurst would therefore be appropriate to ensure that the building does not become a separate residential planning unit.

Overall, the proposal would represent an acceptable conversion of an existing building, with the majority of the works comprising internal alterations and relatively limited changes to its external appearance. The development would preserve the established character and appearance of the building and would not result in any material harm to the visual amenities of the surrounding area or the wider countryside. The proposal is therefore considered acceptable in accordance with Policies 28, 32 and 33 of the HDPF and Policy Ship HD3 of the Shipley Neighbourhood Plan.

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.

Policy 19 of the HDLP seeks to ensure that development provides a good standard of amenity for existing and future occupiers and avoids unacceptable impacts from overlooking, loss of privacy, overshadowing, overbearing effects, noise, odour, vibration and light pollution.

It is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity. In any case, the proposal would not amount to any further additional harm over and above the existing arrangement.

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 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **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).

4 **Regulatory Condition**: The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Hinkhurst, Emms Lane, Brooks Green (as identified on the approved plans) and shall not be occupied as a self-contained unit of accommodation or for any commercial purpose(s).

Reason: The establishment of an additional independent unit of accommodation or commercial uses 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/26/1533
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		26625/P100	25.09.2026

Elevation & Floor plan	Existing	26625/P101	25.09.2026
Elevation & Floor plan	Proposed	26625/P102	25.09.2026

DELEGATED

Case Officer sign/initial Shazia Penne Date: 18.11.2026

Authorising Officer sign/initial RHERMITAGE Date: 20.11.2026