



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1834

Rowan, Two Mile Ash, Horsham, West Sussex, RH13 0LA

DESCRIPTION:

Retention of childrens play equipment and zipwire platform and extension of residential curtilage (Retrospective).

RELEVANT PLANNING HISTORY:

DC/22/2316	Installation of 22no ground mounted solar panels.	Application Permitted on 23.02.2023
DC/23/1295	Reduction of existing roof overhang to the front elevation at ground floor. Installation of a flat roof canopy to main entrance and window alteration.	Application Permitted on 30.08.2023
DC/24/0757	Change of use of swimming pool to include commercial use	Application Refused on 12.08.2024
DC/25/0606	Change of use of existing swimming pool to allow mixed private and commercial use.	Application Refused on 05.12.2025
DC/25/0812	Erection of a ground floor infill extension. Change of roof tiles and changes to material finish on all elevations.	Application Permitted on 08.07.2025

DESCRIPTION OF THE SITE

The application site is located on the eastern side of Two Mile Ash. The main dwelling is a large, detached two storey dwelling set within a generous plot. A swimming pool building is situated close to the north-eastern boundary of the site in a purpose-built building that includes changing rooms and plant room. The site is accessible from a driveway leading to a hardstanding area as well as a detached garage / storage building. The southern area of the overall site comprises a large rear paddock / field which is classed as being outside of the residential curtilage. The proposal in this application is located partly within the southern area of the site.

The application site is located outside of the built-up area boundary and is therefore within the countryside in policy terms. The main property is not a listed building nor does the site fall within a conservation area.

DESCRIPTION OF THE APPLICATION

The proposal seeks planning permission for the retention of childrens play equipment and zipwire platform located on land to the south and southeast of the dwelling and its curtilage. The red line has been extended south in this application to include this land.

Details submitted with the application state that, with reference to the proposed site, that the previous owner of the site had always used this land as part of their residential garden, and that fencing previously in situ was only erected by the previous owners to provide some containment for their dogs. It is also stated that this is contrary to previous permissions, applications and statements.

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 24 - Strategic Policy: Environmental Protection
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 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Southwater Neighbourhood Plan 2019 - 2031:

SNP1 – Core Principles
SNP14 – Adequate Provision of Car Parking
SNP15 – Driving in the 21st Century
SNP16- Design

Southwater Parish Design Statement

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: Protected Landscapes
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles

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:

INTERNAL CONSULTATIONS

HDC Arboricultural Officer: No arboricultural concerns

OUTSIDE AGENCIES

Great Crested Newt Consultant: No objection

Representations:

Representations have been received from 3 addresses, objecting to the application for the following reasons: -

- Design
- Loss of General Amenity
- Privacy Light and Noise
- Development on agricultural land

- Trees and Landscaping
- Other

6 representations have been received, supporting the application for the following reasons: -

- Encourages outdoor play and exercise for children. Access to safe outdoor play facilities is an important aspect of a child's development and wellbeing
- Positive enhancement to the garden.
- In terms of noise, the level generated is consistent with normal domestic garden use, particularly that associated with children playing

Parish Comments:

Southwater Parish Council: Object: -

Application DC/22/2316 refers to the land in question as being "outside the residential curtilage" and therefore not being used for residential use.

The council further objects to the position of the zip wire and platform in close proximity to the neighbouring property and is in direct line of sight of the neighbouring property's bedroom and overlooking their garden. This is in direct contravention of Policy 33.2 of the HDPF framework.

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

Character and Appearance:

Policy 25 of the HDPF is concerned with the Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.

Policy 26 of the HDPF states the rural character and undeveloped nature of the countryside will be protected against inappropriate development; development should not lead to a significant increase in the overall level of activity and should protect the characteristics of the landscape.

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. Allied to this, Policy SNP16 states that all development must be of a high-quality design.

The application includes an extension of the incidental residential curtilage to include an area to the south which appears to historically formed part of a larger paddock-type field. This change of use would create a sizeable incidental curtilage to Rowan which would contrast with the pattern of surrounding development. The extent of the incidental curtilage creates appreciable separation

between domestic structures and paraphernalia and the related dwellinghouse, to the extent that there is only a limited functional and visual relationship. This harm is extenuated by the apparent absence of pre-existing field divisions which the change of use would incorporate, and in the absence of any detail as to how the incidental use would be contained there is significant potential for activities to spill across to the neighbouring land.

It is considered that the change of use to create an enlarged incidental curtilage would represent an anomalous feature in the rural landscape that would undermine the rural qualities of the setting and thus harm the character of the countryside. The proposed layout for the residential site as a whole does not clearly show how the change would be visually incorporated into the landscape or how a clear and logical boundary would be properly defined, between the residential land and the open field.

The proposal is therefore considered contrary to Policies 25, 26 and 33 of the Horsham District Planning Framework (2015). Notwithstanding, it is noted that the zip wire platform is considered has been somewhat crudely attached to a mature birch tree within the property. The tree is not though readily visible from public view and is not in any way an exceptional specimen for the species. The tree thus does not form a significant constraint on potential development of the land and as such there are no arboricultural concerns.

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 proposed play equipment includes a raised platform and zip wire ride. The nearest neighbouring property is Backsetts and the proximity of this equipment would create potential for overlooking in a location where none previously existed, and where given its height and location (beyond the established incidental curtilage) none would have been expected. It is acknowledged that overlooking may be intermittent and that some planting is being carried out along site boundaries. This planting could not though be relied upon in perpetuity, with only limited detail provided as part of the submission, and the overlooking would likely occur during periods when outdoor space attached to the neighbouring property would be in use.

Overall, it is considered that the siting and layout of the proposed raised platform and zip wire and the resulting relationship with adjoining properties would result in unacceptable harm to neighbouring amenity in terms of privacy / overlooking, contrary to the above policy.

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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

The application is retrospective made under Section 73(A) of the Town and Country Planning Act and is therefore exempt from the requirement to achieve a minimum 10% BNG.

Conclusions:

The extension of the incidental residential curtilage would result in the incremental erosion of the character in this countryside location and would undermine the rural qualities of the setting, and thus harm the character of the countryside. In addition, the raised platform and zip wire and the resulting relationship with adjoining properties would result in unacceptable harm to neighbouring amenity through increased overlooking causing a harmful loss of privacy. The application is therefore recommended for refusal.

Recommendation: Application Refused

Reasons:

- 1 The extension of the incidental residential curtilage would result in the incremental erosion of the character in this countryside location and would undermine the rural qualities of the setting, and thus harm the character of the countryside, contrary to Policies 25, 26 and 33 of the Horsham District Planning Framework (2015).
- 2 The raised platform and zip wire and the resulting relationship with adjoining properties would result in unacceptable harm to neighbouring amenity through increased overlooking causing a harmful loss of privacy, contrary to policy 33 of the Horsham District Planning Framework (2015) and Policy SNP16 of the Southwater Neighbourhood Plan (2019-2031).

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/25/1834

Schedule of plans/documents **not approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning	P-045a	11.11.2025
Location plan	Existing	2024.440a.01	11.11.2025
Block plan	Proposed	2024.440a.02	11.11.2025
Plans	Proposed climbing frame	2024.440a.03 REV A	18.11.2025
Plans	Proposed Rope Swing	2024.440a.04 REV A	18.11.2025

DELEGATED

Case Officer sign/initial Steve Astles Date: 02.04.2026

Authorising Officer sign/initial Guy Everest Date: 08.04.2026