



Building Plot at Marlpost Meadows | Bonfire Hill | Marlpost, Southwater, Nr. Horsham |
West Sussex | RH13 9BU

H.J. BURT
Chartered Surveyors : Estate Agents



Building Plot at Marlpost Meadows | Bonfire Hill | Marlpost, Southwater, Nr. Horsham | West Sussex | RH13 9BU

Guide Price Range: £625,000 to £675,000

- A fine semi-rural building plot forming part of a delightful mature garden with attractive large pond.
- Planning consent for 3-4 bedroom chalet style detached house with link-attached double garage with room over.
- Plot extending overall to c. of an 0.84 ac (0.34 Ha). Mains electricity, water & gas are believed to be located in adjacent road.
- Occupying a desirable yet accessible semi-rural location within 0.75 miles of Southwater; c. 2.5 miles to Christ's Hospital (including mainline train station) & c. 5 miles of Horsham.

Description

Guide Price Range: £625,000 to £675,000The building plot comprises an increasingly rare opportunity to obtain a semi-rural building plot within an attractive and unspoilt semi-rural location, yet convenient to major routes and centres being c. 0.75 miles from Southwater and just under 5 miles from the old market town of Horsham. The plot comprises a beautiful mature garden forming part of the vendors' adjacent retained country house and with an abundance of colourful mixed herbaceous plants and shrubs and specimen trees and with attractive large pond to one end. The garden is bordered by mature hedging and tree planting to enhance the degree of privacy. The plot is to be approached by means of a private electric gated entrance leading from the small country lane/Bonfire Hill and thence into a proposed parking and turning area to the East of the detached dwelling and with its glazed link attached double garage with proposed room over accessed by an external staircase.

Planning consent (ref. **DC/22/0495**) was granted on appeal (ref. **APP/Z3825/W/22/3303603**) for the chalet style dwelling and including under Condition 3 a scheme to minimise water demand by the occupants of the proposed dwelling and with the vendors also undertaking water saving 'off-setting' works on their existing house and annexe to enable the discharge of this condition. It is also noted under the appended appeal point 21 that there will not be a condition to withdraw permitted development rights to the development. Subsequently, consent (ref. DC/23/2210) was granted for the construction of double garage with room over and also amendments to create a separately gated entrance drive from the lane.

Extracts of the above consents and drawings are appended and with further information available on the Horsham District Council online planning portal.

The proposed accommodation of the consented house with its proposed brick and tile elevations includes entrance hall, triple aspect living room with fireplace, kitchen/dining room, utility/boot room, plant room and cloakroom to the ground floor. To the first floor, principal ensuite triple aspect bedroom, two further double ensuite bedrooms and study/fourth bedroom. The approved double garage includes a link attached walkway with door into the plant room of the house. *Please Note: The floor area as provided by the vendors are c. 2,475 sq. ft. for the new house, c. 43 sq. m (463 sq. ft.) for the garage and to the first floor over 2 m of headroom at c. 19 sq. m. (204 sq. ft.).*

The gardens and grounds are a real delight offering privacy and seclusion and an abundance of colour and mixed interest with paths interwinding around the edges and leading to a wonderful pond to the West and North sides forming a perfect base for visiting wildfowl and with path meandering around the edge.

Location

Occupying a desirable semi-rural location, the plot is within 0.75 miles of Southwater which includes a good range of local shops and facilities at Lintot Square, whilst more extensive shops, restaurants and other facilities may be found in the old market town of Horsham within 5 miles and also including a mainline railway station. There is also a mainline station at Christ's Hospital accessible via the rural lanes and Gatwick Airport is c. 19.75 miles. The cosmopolitan coastal city of Brighton is c. 22.75 miles.

Information: Property Ref: HJB02760. Photos & particulars prepared: March 2024 (Ref RBA).

Title: Freehold title no. WSX280519 and part of WSX103614.

Services: Mains water, electricity and gas are understood to be in the lane, but the Purchaser must reply upon their own searches. Intended private drainage within the confines of the site.

Other: The Vendors will erect close-board boundary fencing to their retained land and undertake to set-back their entrance gate to comply with the planning consent.

Community Infrastructure Levy (CIL): If and where applicable, this will be the responsibility of the Purchaser to pay.

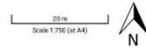
Viewing and Health & Safety: Strictly by appointment with HJ Burt. All parties viewing are requested to ensure that all the shut gates are kept shut and gateways are not blocked. We ask you to be as vigilant as possible when making your inspection for your own personal safety and including around open areas of water.



Building Plot at Marlpot Meadows, Bonfire Hill, Southwater, Horsham, West Sussex



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Directions

The location is as shown on the appended plan accessed off Bonfire Hill leading West from Southwater village and down Church Lane which then merges with Bonfire Hill.

what3words:/// crows.spits.spotty

Viewing

Strictly by appointment with:

H.J. BURT Steyning

The Estate Offices | 53 High Street | Steyning | West Sussex | BN44 3RE

01903 879488 | www.hjburt.co.uk | steyning@hjburt.co.uk



IMPORTANT NOTE: These particulars and photographs were prepared on the date as stated above by H.J. Burt in good faith for the guidance of purchasers. The descriptions, measurements and distances within the particulars were taken by H.J. Burt or taken from information supplied by the vendor, but should only be relied upon as approximations and not as statements or representations of fact. Information regarding the tenure of this property has not been verified and purchasers should consult their own solicitor for verification. H.J. Burt offer no warranty as to the condition of the property, services or appliances. Purchasers should satisfy themselves as to such condition. H.J. Burt have not made any enquiry concerning Planning Consents, Building Regulations or other approvals for any part of the property unless specifically referred to and purchasers are advised to make their own enquiries of the Local Authority.



Appeal Decision

Site visit made on 24 April 2023

by **Robert Parker BSc (Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st August 2023

Appeal Ref: APP/Z3825/W/22/3303603

Marlpost Meadows, Bonfire Hill, Southwater, West Sussex RH13 9BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs M Ellis against the decision of Horsham District Council.
- The application Ref DC/22/0495, dated 8 March 2022, was refused by notice dated 3 May 2022.
- The development proposed is construction of chalet style detached dwelling.

Decision

1. The appeal is allowed and planning permission is granted for erection of a chalet style detached dwelling at Marlpost Meadows, Bonfire Hill, Southwater, West Sussex RH13 9BU in accordance with the terms of the application, Ref DC/22/0495, dated 8 March 2022, subject to the conditions set out in the attached schedule.

Main Issues

2. The main issues are:
 - a) whether the site represents a suitable location for housing, having regard to its accessibility to services and facilities;
 - b) the effect of the proposal on the integrity of the Arun Valley Special Protection Area, Special Area of Conservation and Ramsar site, with particular regard to water neutrality; and
 - c) whether any harm in respect of the above issues would significantly and demonstrably outweigh the benefits of the scheme.

Reasons

Suitability of location for housing

3. The appeal site comprises part of the garden to Marlpost Meadows. This property forms part of a small cluster of dwellings near the junction of Marlpost Road and Bonfire Hill, in rural surrounds to the west of Southwater. In policy terms, the site lies in the countryside, outside of any designated built-up area boundary. Policy 26 of the Horsham District Planning Framework (2015) (HDPF) seeks to protect the countryside against inappropriate development by ensuring that any proposals are essential to their countryside location. The appeal scheme is not being advanced as a rural worker dwelling and there is no other evidence to suggest that a new home is essential in this location. As such, there is a clear conflict with HDPF Policy 26.

4. Policy 4 of the HDPF has been cited on the decision notice. This policy supports settlement expansion outside of built-up area boundaries, provided that the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge. The appeal site does not meet either of these criteria and therefore the proposal cannot rely upon Policy 4 for support.
5. The appellant contends that the site is sustainably located due to its proximity to Southwater which is identified within Policy 3 of the HDPF as a Small Town/Larger Village. Settlements at this tier on the hierarchy are acknowledged to have a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and/or bus services. The sustainability credentials of Southwater are confirmed by the fact that Policy 2 of the HDPF allocates a strategic site for 600 dwellings on its western edge. This development, which was partially built at the time of my visit, lies approximately 850m from the appeal site at its closest point.
6. The site lies roughly 1.5km from the village centre of Southwater. This area, centred around Lintot Square, contains a wide range of services and facilities which include shops, a public house, library and health centre. The trip takes less than 3 minutes by car and slightly longer by bicycle. Although it would be possible for residents of the proposed dwelling to make the journey on foot, the lack of pavements and street lighting along Bonfire Hill and Church Lane would function as a deterrent, notwithstanding the option to use the Downs Link and other public rights of way as an alternative.
7. There can be no doubting that the proposal would lead to some additional vehicle journeys. However, the harm in this regard would be tempered by the short distance to the village centre. There would be options to use more sustainable transport modes. The poor provision for pedestrians weighs against the proposal, but walking remains a realistic possibility in daylight and good weather. Overall, I consider that occupants of the proposed dwelling would have reasonably good access to services and facilities in a higher order settlement.

Water neutrality (incorporating Appropriate Assessment)

8. The appeal site falls within the Sussex North Water Supply Zone. Natural England has raised concerns over the impact of groundwater abstraction on a number of designated sites which include the Amberley Wild Brooks Site of Special Scientific Interest (SSSI) and Pulborough Brooks SSSI. These form part of the Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. These 'European sites' are legally protected for their wintering birds, wetland habitats, a rare snail species, invertebrates and several rare and uncommon aquatic and wetland plants.
9. Natural England is undertaking work to establish the condition of the SSSIs that make up the European sites. However, based on water levels, the present indication is that the sites' condition is Unfavourable. Some areas have been shown to be linked hydrologically to a layer of rocks from which water is currently being abstracted, and in other locations the hydrological link cannot be ruled out. Consequently, it is impossible to eliminate the possibility that the existing public water supply abstraction within the Supply Zone is having an adverse effect on biodiversity. Any further development which requires an increase in water abstraction would be likely to have an adverse impact on the European sites. This includes modest developments such as that proposed, due to their in-combination effects with other plans and projects.

10. Natural England is working in partnership with relevant authorities to develop a strategic long-term approach, but in the interim its advice is that schemes may only proceed where it can be demonstrated that they would be water neutral – in other words the proposed development should not result in a net increase in water consumption from the public supply.
11. The proposal would lead to an increase in water usage from the occupation of the new dwelling. The appellant has provided a Water Neutrality Report which sets out how 'reduce and re-use' measures would be incorporated to minimise water usage by future occupiers of the new dwelling. The remaining water demand would be offset by retrofitting the existing dwelling with the same features, including rainwater and greywater harvesting.
12. Natural England is content that, subject to agreement on drought storage capacity, the proposed water neutrality mitigation measures are sufficient to avoid an adverse impact to the integrity of the European Sites. The principles of mitigation are clear from the submitted report, but a detailed scheme would need to be secured by condition. This would be a pre-commencement condition to ensure that the existing dwelling is upgraded prior to any works commencing on the development. Subject to this, the scheme would meet the requirements of the Conservation of Habitats and Species Regulations 2017, Policy 31 of the HDPF and paragraph 180 of the National Planning Policy Framework (the Framework) to protect the biodiversity of European sites.

Other Matters

13. There is no dispute that the scheme would be acceptable in terms of its impact on the character and appearance of the area. The site is well contained by mature hedging along the boundaries, and this would ensure that the new dwelling is not a prominent feature of the street scene. In all probability, only the roof would be visible, and this would be viewed as part of the small cluster of houses which characterises this location.

Planning Balance

14. The Council concedes that it is unable to demonstrate a five-year supply of deliverable housing sites. The Annual Monitoring Report for 2021/22 indicates a supply of 4.0 years, which represents a significant shortfall. Paragraph 11 d) of the Framework states that in circumstances such as this, where the requisite housing land supply does not exist, the policies which are most important for determining the application should be deemed out-of-date. Permission should therefore be granted unless i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
15. The development would fall within the zone of influence of European sites, but the mitigation measures identified with the Water Neutrality Report would ensure that it does not harm the qualifying features of those sites. As such, the scheme falls to be considered against the second limb of Paragraph 11 d).
16. I have attached limited weight to the conflict with HDPF Policy 26 in respect of development outside of built-up area boundaries. The housing shortfall dictates that those boundaries are out of date. I consider that some weight can still be

- given to the strategy set out within HDPF Policy 2, in terms of the general locations of new development, but the fact that a site may lie outside of the built-up area boundary does not, in and of itself, constitute a reason to refuse planning permission.
17. The proposal would increase the supply of housing in the District and help to address the identified shortfall in new homes. The benefits of a single dwelling are very modest, but cumulatively windfall sites have a significant influence on supply. The Framework explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. The land forms part of the curtilage of an existing dwelling in the countryside and it would qualify as previously developed land under the definition set out in Annex 2 of the Framework. The site has reasonably good accessibility to services and facilities within Southwater, despite its location outside of the built-up area.
 18. In the overall planning balance, I conclude that there are no adverse impacts that would significantly and demonstrably outweigh the benefits. The proposal would therefore constitute a sustainable form of development in terms of the Framework, and this would be a material consideration sufficient to outweigh the conflict with the development plan arising from the location of the development outside of settlement boundaries.

Conditions

19. In addition to the standard commencement condition, I have attached a condition specifying the approved plans in the interests of certainty. To prevent harm to the integrity of European sites, a pre-commencement condition is necessary to secure details of the measures for reducing water demand, and to ensure that these measures are implemented and retained in perpetuity.
20. Policies 37 and 40 of the HDPF seek, amongst other things, to cut carbon emissions through the use of sustainable forms of transport and the provision of high-speed broadband access. Conditions are therefore necessary to secure an electric vehicle charging point and high-speed broadband infrastructure prior to first occupation of the new dwelling.
21. The Council has requested a condition to remove permitted development rights for the enlargement, improvement or alteration of the dwelling, additions to the roof and the provision of buildings etc incidental to the enjoyment of a dwellinghouse. However, advice with the Planning Practice Guidance states that conditions of this nature may not pass the test of reasonableness or necessity. In my view, the suggested condition cannot be justified.

Conclusion

22. For the reasons given above I conclude that the appeal should be allowed.

Robert Parker

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Drawing No. 6901 Rev A and Drawing No. 6905 Rev B.
- 3) No development shall commence on site until a detailed scheme for minimising water demand by occupants of the proposed dwelling and the existing dwelling known as Marlpost Meadows has been submitted to and approved in writing by the local planning authority. The scheme shall accord with the principles set out in the Water Neutrality Report (CGS Civils) dated 9 March 2022.

No development shall commence on site until the measures for Marlpost Meadows have been completed in accordance with the approved details and a completion report which evidences the works undertaken (with photographs) submitted to the local planning authority.

The dwelling hereby approved shall not be occupied until the measures for that property have been completed in accordance with the approved details and a completion report which evidences the works undertaken (with photographs) submitted to the local planning authority.

All measures shall be retained and maintained in full working order whilst each of the dwellings is occupied.

- 4) The dwelling hereby permitted shall not be occupied until provision has been made within the site for an electric vehicle charging point, in accordance with details that have been first submitted to and approved in writing by the local planning authority. The charging point shall be retained in working condition thereafter for the life of the development.
- 5) The dwelling hereby permitted shall not be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection have been installed. The infrastructure shall be retained in working condition thereafter for the life of the development.

*** END OF CONDITIONS ***

Mr Nikolas Antoniou
 NJA Town Planning Ltd
 The Beehive
 City Place
 Gatwick
 RH6 0PA

Application Number: DC/23/2210

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
 TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mr and Mrs M Ellis

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Construction of garage, alteration to access and construction of entrance gates and piers (in association with dwelling permitted under application DC/22/0495).

Marlpost Meadows Bonfire Hill Southwater West Sussex

to be carried out in accordance with Application No. DC/23/2210 submitted to the Council on 04/12/2023 and subject to compliance with the plans/documents and conditions specified hereunder.



Emma Parkes
 Head of Development and Building Control

Date: 29/01/2024

- 1 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Block plan		D 0923/669/02	04.12.2023
Floor plan	Proposed garage	D 0923/669/03	04.12.2023
Floor plan		D 0923/669/04	04.12.2023
Roof plan	Proposed garage	D 0923/669/05	04.12.2023
Elevation plan	Proposed garage section	D 0923/669/06	04.12.2023
Elevation plan		D 0923/669/07	04.12.2023
Elevation plan	Existing and proposed gate	D 0923/669/08	04.12.2023

Photos		D 0923/669/09	04.12.2023
Design & Access Statement	Planning	NONE	04.12.2023
Supporting Docs	Application Form	NONE	04.12.2023
Location plan		D 0923/669/01	04.12.2023

Reason: For the avoidance of doubt and in the interest of proper planning.

- 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 and finishes of all new external walls, windows and roofs of the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The development hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the dwelling permitted under DC/22/0495 and shall not be used as primary living accommodation, as a separate planning accommodation or for any commercial purpose(s).

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites and as the establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation, in accordance with Policies 28, 31, 32 and 33 of the Horsham District Planning Framework (2015).

Note to Applicant

- The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page:

<http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/>

- The applicant is advised that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably

qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

Note to Applicant

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.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

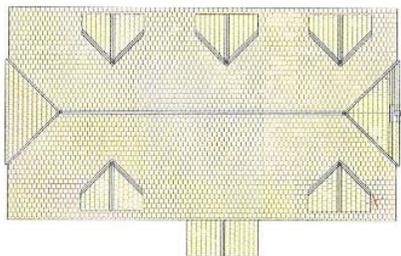
Right of Appeals

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

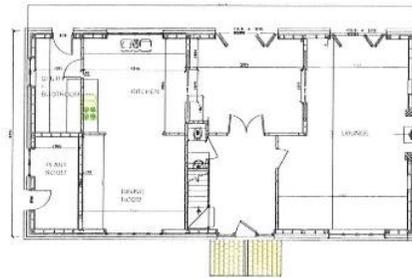
PROPOSED ELEVATIONS SCALE 1:100 @A1



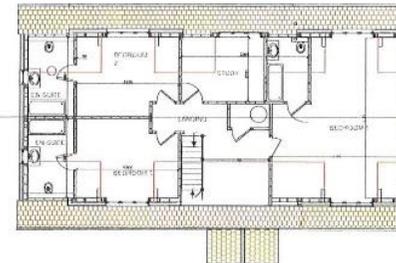
PROPOSED PLANS SCALE 1:100 @ A1



ROOF PLAN SCALE 1:100

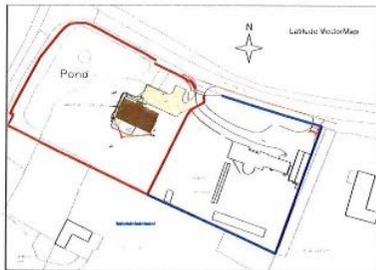


GROUND FLOOR PLAN



FIRST FLOOR PLAN

SCALE 1:100 @ A1



BLOCK PLAN SCALE 1:500 @ A1

GENERAL KEY
 RW = RAIN WATER PIPE
 BH = BLANK HEIGHT S.V.P. = SOIL AND VENT PIPE
 CH = CHIMNEY HEIGHT
 IL = INVERT LEVEL = SILL HEIGHT

THIS IS NOT A WORKING DRAWING
 This information provided is for information purposes only and does not constitute a contract. It is subject to change without notice. Please refer to the contract documents for the full terms and conditions. No liability is accepted for any errors or omissions. The client is responsible for obtaining all necessary permissions and approvals from the relevant authorities. The architect is not responsible for any structural or other matters not shown on these drawings.

TITLE PROPOSED 3 BEDROOM CHALET DWELLING
 (UNITS) INTERNAL FLOOR AREA: 300sqm (3228sqft)
SITE PART OF GARDEN WEST SIDE OF MARLEPOST MEADOWS BODFIRE LANE SOUTHWATER RH13 9BU

REV A: Client changes 04/11/21
 REV B: Proposed planning 04/11/21
 REV C: REV D: REV E: REV F: REV G: REV H:

CLIENT M & Mrs M. Ellis
DATE 24.11.21
SCALE/S As noted

DRN BY Gwyn Chosenier
No 1717



Dwg No 6905
REV B



H.J. BURT
Chartered Surveyors : Estate Agents

rightmove
find your happy

UKLANDand
FARMS.co.uk

ZOPLA

PrimeLocation.com

01903 879488 | www.hjburt.co.uk

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