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Sent: 26 November 2025 04:51

To: validation

<validation@horsham.gov.uk>

Subject: Submission of Planning Statement to enable Validation of removal of Condition 5 Your Reference DC/25/1876

Thank you for your validation update, which outlines the requirements needed to validate my S73 application Please find enclosed the requested planning statement, addressing...

. Planning history .The intended nature of proposed use .The policy justification for removal of Condition 5.

Planning Statement

Section 73 Application

Removal of Condition 5 (Water Neutrality)

Land at Thornhill Stables, Billingshurst
Road, Coolham RH13 8QN

Application Ref: DC/24/1486 / Appeal Ref:
APP/Z3825/W/25/3361339

Applicant: Mr Victor Sawyer

1. Introduction

This Planning Statement supports a Section 73 application seeking the removal of Condition 5 from the appeal permission issued on the 28th of October 2025 ,for the approved barn-style dwelling, which requires implementation of a Water Neutrality Strategy.

In October 2025 the requirement for water neutrality across Horsham District was formally lifted following updated advice from Natural England. The condition is therefore no longer necessary and fails the statutory tests under NPPF Paragraph 56.

1a) Background.

The appeal granted permission for a detached barn style dwelling. Condition 5 required the implementation of a water neutrality scheme. Since the appeal decision Natural England, on the 31 st of October 2025, has formally withdrawn the water neutrality requirement. This includes for the Sussex North Water Supply Zone. Horsham District Council has confirmed it no longer requires water neutrality evidence for new developments. Following the Natural England withdrawal statement, HDC issued a statement which directed...

“ For applicants who have existing planning permissions with conditions and s106 obligations requiring compliance with bespoke water neutrality mitigation, we will consider applications under s.73 of the Town and Country Planning Act to remove those conditions, and any associated applications to vary or discharge any relevant s106 obligations. If your

permission is for new dwellings, we will instead apply a condition requiring compliance with the Building Regulations Part G Optional Technical Standard referred to above. This is the same condition we applied to all new dwellings prior to the 2021 Position Statement.”

2. Planning History

. DC/24/1486 The original application was for a Barn Style House on approximately 1 acre of unused land and was submitted on the 26th September 2024. This application was supported by a detailed planning design and access statement and supporting documents

- DC/24/1486 – Refusal of planning permission by Horsham District Council.
- APP/Z3825/W/25/3361339 – Appeal allowed 28 October 2025 for construction of a two-storey barn-style dwelling.

The Inspector imposed Condition 5 only because at that time water neutrality was an operative requirement.

No other relevant, enforcement matters, or policy conflicts apply to the site.

3. Proposed Use

The approved dwelling remains entirely unchanged. There are no alterations to design, scale, massing, footprint, appearance, access, drainage, or landscaping. The proposal continues to be for a single private residential dwelling to be occupied by the applicant.

4. Basis for Section 73 Removal

Condition 5 states that the dwelling shall not be occupied until a full Water Neutrality Strategy has been implemented. As water neutrality is no longer a regulatory requirement for Horsham District, the condition is now unnecessary and unreasonable.

5. Compliance with NPPF Paragraph 56 – The Six Statutory Tests

A planning condition must be:

1) Necessary – The condition is no longer necessary because water neutrality is not required.

2) Relevant to planning – It is no longer relevant as no legislative or policy basis remains.

3) Relevant to the development – The development does not create any exceptional water-use impact beyond standard residential use now accepted district-wide.

4) Enforceable – Enforcement would require compliance with a superseded requirement, making enforcement unreasonable.

5) Precise – The condition relates to now-obsolete technical standards.

6) Reasonable – It is unreasonable to require costly retrofitted measures where no policy basis exists.

Because the Water Neutrality requirement has been removed, Condition Number 5 is no longer necessary, and therefore fails all six tests, the NPPF confirms it should be removed.

6. Policy Considerations

Horsham District Planning Framework (HDPF) policies continue to support residential development in appropriate locations. No adopted policy now requires water offsetting or neutrality. The proposal remains fully compliant with the approved scheme and causes no additional impacts.

7. Conclusion

The development remains exactly as approved on appeal. The only purpose of

Condition 5 was compliance with a requirement that no longer exists. The condition therefore fails the NPPF Paragraph 56 tests and should be removed.

The applicant respectfully requests that Condition 5 be deleted in full.