

Statement for the removal of Condition 8

In relation to Permit of application Number: DC/24/0345.

Demolition and replacement of existing barn and erection of a single storey two bedroom dwelling utilising the existing shared access

Gessgates Farm, Stane Street, Adversane, West Sussex, RH14 9JR

On behalf of: Mrs Sally Wieland.

A permit for the development mentioned above was given on the 22/11/2024 for planning application DC/24/0345, with 18 conditions attached.

The Development has yet to start as the latest submitted proposals to meet the drainage and arboriculture requirements and to discharge the last two pre-commencement conditions are still being considered by HDC Planning Department.

This application seeks the removal of condition 8:

Pre-Occupation Condition: The development hereby permitted shall be undertaken in accordance with the water neutrality strategy (Water Neutrality Statement received 27 June 2024 and appendices). The dwelling hereby permitted shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling, which for the avoidance of doubt shall include rainwater tanks to be sized for a 3-bedroom dwelling, has been implemented in full. The evidence shall include the specification of the rainwater tanks, the fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Water neutrality background statement

The site falls within the Sussex North Water Supply Zone which covers the whole of Horsham District and parts of the administrative areas of Chichester and Crawley. Natural England have written to these authorities and provided a Position Statement on developments which may place increased pressure on water abstraction in this zone. The Position Statement explains in greater detail (including with reference to recent case law) that abstraction from the Sussex North Water Supply Zone may be having an impact on protected sites, namely the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar. In order not to exacerbate the impact, developments within this zone must not take place unless they can be considered water neutral and do not result in an increase in mains water usage.

Water neutrality can be achieved by minimising water use through a water budget, strict water targets, greywater recycling, rainwater harvesting, water-efficient fixtures and water offsetting.

The Water Neutrality proposal concluded for this development (see attachment) That a 3500 litre water harvesting tank should be installed for the proposed building and a 6500 litre RWH tank should be installed and used for offsetting measures in the existing farmhouse.

Water-efficient fixtures for the new development along with the tanks proposed by the development would be considered water neutral.

Along with these measures there would need to be a retro fit of new pipework to the existing farmhouse, separating mains water from rain water, the new dwelling would also have separate pipework for harvested rainwater, along with this pipework it was also envisage that a U V filtering system to be installed in both dwellings and a regimented schedule of monitoring, cleaning and maintaining be undertaken thereafter.

On 31 October 2025, Natural England issued a Withdrawal Statement confirming that its Water Neutrality Position Statement of September 2021 has been withdrawn.

This follows agreement between Natural England, Southern Water and the Environment Agency that a reduction in the licence cap on water abstraction will ensure with sufficient certainty that development will not adversely impact the protected Arun Valley habitats. This is the primary element of interest to local authorities in making decisions regarding relevant plans or projects, as it removes the connection between abstraction and growth.

Since the development has yet to commence and the HDC has withdrawn the Water Neutrality requirement we can see that:

1 no water neutrality is now required

2 Non applicable

3 No bespoke conditions or s106 obligations are required to demonstrate water neutrality.

Therefore, we are requesting that condition 8 and any obligations requiring compliance with bespoke water neutrality mitigation be removed under s.73 of the town and country planning act.

And instead apply a condition requiring compliance with Buildings regulations Part G Optional Technical standard (currently 110 l/p/d) as required by policy 37 of the Horsham District Planning Framework.