

4 December 2025

Planning Department
Horsham District Council
Albery House, Springfield Road
Horsham
RH12 2GB

MS/Let/P2277

Dear Sir / Madam,

Section 73 Application – Removal of Conditions Related to Water Neutrality

Planning permission ref. DC/22/1784 - Land adjacent to Little Paddock, Hurston Lane, Storrington

We act on behalf of the applicant in submitting a Section 73 application to vary planning permission DC/22/1784. The purpose of this application is to remove all conditions relating to water neutrality, which are no longer required following the recent changes in national and local guidance.

Background and Reason for Application

Since the grant of permission in July 2023, there have been significant changes to the regulatory context surrounding water neutrality in the Sussex North Water Supply Zone. Natural England has formally withdrawn its Position Statement on Water Neutrality, confirming that developments within the zone no longer need to demonstrate neutrality or secure mitigation under the Habitats Regulations. As a result, local planning authorities are no longer required to secure water-neutrality measures when determining planning applications or discharging associated conditions.

The original planning permission for DC/22/1784 included a suite of conditions requiring a private borehole supply, detailed private water supply management arrangements, potable water testing, and a restriction preventing the dwellings from connecting to the mains water network other than in an emergency. These conditions were imposed solely to secure water neutrality.

Given the withdrawal of the Position Statement and the removal of the water neutrality requirement, these conditions are no longer necessary, reasonable, or relevant. This Section 73 application therefore seeks their removal to ensure the permission reflects the current regulatory position and can be implemented in a practical and proportionate way.

Mains Water Connection

The original permission required the development to rely on a private borehole, with Condition 19 restricting connection to the mains network. As water neutrality is no longer applicable, the development can now be supplied directly from the mains network in the normal way, without prejudicing any protected site or resulting in new environmental constraints.

Southern Water has confirmed that the site can be served from the existing infrastructure, and the applicant intends to proceed on this basis. The removal of Condition 19 is therefore necessary and appropriate to reflect the current regulatory context and the operational requirements of the development.

Scope of Section 73 Application

This application seeks to vary the planning permission by deleting Conditions 6, 7, 9, 17, and 19 in full, as they are no longer relevant or necessary in light of:

- the withdrawal of Natural England's Position Statement;
- Horsham District Council's updated position confirming that water neutrality is no longer required; and
- the applicant's intention to connect to the mains water supply.

No other changes are proposed. The approved plans, layout, appearance, access arrangements, and all other conditions remain unchanged.

Conclusion

The removal of the water-neutrality conditions is a straightforward and necessary update to the permission, reflecting the current regulatory position and ensuring the development can be delivered efficiently and lawfully. A separate Non-Material Amendment application addressing minor design updates has already been approved, and this Section 73 application relates exclusively to the removal of the water-neutrality conditions.

We therefore respectfully request that the Council approves this Section 73 application at the earliest opportunity.

If you have any further queries or require further information, please contact me on 01903 248777.

Yours sincerely
ECE Planning



Huw James MRTPI
Director