Planning Statement
Section 73 Application
Removal of Condition 3

APP/Z3825/W/25/3367225

Greenfield Farm, Valewood Lane, Barns Green, West Sussex, RH13 0QJ

Introduction

This application seeks the removal of condition 3 attached to planning permission APP/Z3825/W/25/3367225 to remove any water neutrality requirements.

The purpose of the application is to remove the water neutrality requirements imposed by the existing conditions, on the basis that these requirements are no longer considered applicable to the development.

Proposal

The principle of the development has already been established through the grant of planning permission under appeal APP/Z3825/W/25/3367225. As such, this Section 73 application is limited solely to the removal of condition 3. All other planning conditions attached to the original consent are proposed to remain unchanged unless varied by the Local Planning Authority.

Planning Assessment

The applicant respectfully submits that the continued retention of Condition 3 is no longer necessary or proportionate in light of the withdrawal of Natural England's former position statement and the revised approach adopted by Horsham District Council.

The condition was imposed under a planning framework that required individual developments to demonstrate water neutrality or secure bespoke mitigation. That framework has since changed, with the relevant authorities adopting a strategic approach to addressing the water-resource concerns that originally gave rise to the requirement.

Horsham District Council's updated guidance confirms that bespoke water-neutrality conditions are no longer required to demonstrate water neutrality for relevant developments and that existing conditions may be considered for removal.

In these circumstances, the applicant considers that the continued imposition of Condition 3 would retain a planning restriction arising from guidance that is no longer in force.

The application does not seek to undermine the protection of the Arun Valley habitats or disregard other applicable environmental requirements. Rather, it seeks to bring the existing planning permission into line with the current position established by Natural England and reflected in the Council's published guidance.

Accordingly, the removal of Condition 3 is considered justified, subject to the Local Planning Authority's assessment of any remaining relevant statutory requirements.

Conclusion

The requirement for water neutrality was introduced following Natural England's September 2021 Position Statement concerning the Sussex North Water Supply Zone.

On 31 October 2025, Natural England formally withdrew that position statement following agreement on a strategic approach to addressing the potential effects of water abstraction on the protected habitats of the Arun Valley.

Horsham District Council has subsequently updated its guidance and confirmed that applicants are no longer required to provide bespoke water-neutrality mitigation and that existing water-neutrality conditions may be considered for removal through applications under Section 73 of the Town and Country Planning Act 1990.

In light of these developments, the applicant respectfully submits that the continued retention of Condition 3 is no longer necessary or proportionate.

The removal of Condition 3 would reflect the revised planning circumstances, bring the permission into line with the current approach to water neutrality and leave the remainder of the appeal-approved development unchanged.

For these reasons, the applicant respectfully requests that Horsham District Council grant permission for the removal of Condition 3 relating to water neutrality from the planning permission granted under appeal reference APP/Z3825/W/25/3367225.