

Planning Statement

For Application for Removal of Condition 11 (Water Neutrality)

Planning Permission Ref: DC/23/2064

Erection of an E(g)(iii) / B8 building (as an amendment to planning permission DC/20/0049 to alter window and door locations, amend the parking layout and landscaping, relocate the cycle store, extend timber cladding to meet brick plinth, erect solar panels on the western roof slope, and insert a small mezzanine within Unit 3).

Site: Senlac, Shoreham Road, Henfield, West Sussex BN5 9SE

Introduction

This statement is submitted in support of an application under Section 73 of the Town and Country Planning Act 1990 for the removal of Condition 11 (Water Neutrality) attached to planning permission ref. DC/23/2064.

The development has been lawfully implemented and works are currently underway. We seek the removal of Condition 11 in light of the formal withdrawal of Natural England's Water Neutrality Position Statement and the updated guidance issued by Horsham District Council.

The Condition

Condition 11 on Planning Permission Ref. DC/23/2064 states:

"Pre-Occupation Condition: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (by Folkes Architects dated July 2023). No part of the development hereby permitted shall 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 the development has been implemented in full. The evidence shall include the specification of 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), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species)."

Background to the Condition

The condition was imposed because the site lies within the Sussex North Water Supply Zone. In 2021, Natural England issued a Position Statement advising that new development within this zone could not proceed unless demonstrated to be water neutral, due to potential impacts on the Arun Valley SAC, SPA and Ramsar sites arising from abstraction.

This requirement led to the imposition of bespoke water neutrality conditions on planning permissions across Horsham District.

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Withdrawal of Water Neutrality Requirements

On 31 October 2025, Natural England formally withdrew its Water Neutrality Position Statement (September 2021). This followed agreement between Natural England, Southern Water and the Environment Agency that a reduction in the abstraction licence cap would ensure, with sufficient certainty, that development would not adversely affect the protected Arun Valley habitats.

The Withdrawal Statement confirms that:

- Development within the Sussex North Water Supply Zone is no longer required to demonstrate water neutrality;
- No water neutrality statement is required;
- No payment into the Sussex North Water Certification Scheme (SNWCS) is necessary (and the scheme will not be launched);
- No bespoke planning conditions or Section 106 obligations are required to secure water neutrality.

Horsham District Council has confirmed that for existing permissions containing bespoke water neutrality conditions such as this development, applications under Section 73 will be considered to remove such conditions.

Conclusion

Given the formal withdrawal of the Water Neutrality Position Statement and the strategic abstraction licence modifications agreed between Natural England, Southern Water and the Environment Agency, the policy basis for requiring bespoke water neutrality mitigation has been removed.

Condition 11 was imposed solely to address water neutrality concerns arising from the 2021 Position Statement. As those requirements have now been withdrawn at a strategic level, the condition is no longer necessary or reasonable and therefore fails the tests set out in paragraph 57 of the NPPF.

In summary:

- Condition 11 was imposed solely to secure water neutrality in response to Natural England's 2021 Position Statement.
- That Position Statement has been formally withdrawn as of 31 October 2025.
- Horsham District Council has confirmed that no water neutrality statement, bespoke condition, or financial contribution is now required.
- The condition is therefore no longer necessary or reasonable and fails the tests set out in paragraph 57 of the NPPF.

We respectfully request that Condition 11 be removed from planning permission ref. DC/23/2064 with immediate effect. We trust the above is clear and sufficient to enable a favourable determination of this application.

Mrs Emma Cole

Monday 16 February 2026