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Mr Mathew Porter,
Development Management,
Parkside,
Chart Way,
Horsham,
West Sussex,
RH12 1RL

Robert Steele
E: RSteele@savills.com
DL: +44 (0) 1483 796 807

244-246 High Street, Guildford GU1 3JF
T: +44 (0) 1483 796 840
savills.com

FAO. Mr Mathew Porter

LAND AT DUCKMOOR, EAST OF BILLINGSHURST, BILLINGSHURST.

APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT (1990) (AS AMENDED) FOR A MINOR – MATERIAL AMENDMENT TO PLANNING PERMISSION REF. DC/20/2607, DATED 18TH JANUARY 2023.

PLANNING PORTAL REF. NO. PP-14716225

On behalf of our client Bellway Homes (Southern Counties) Limited hereafter referred to as ('The Applicant') please find enclosed an application for an application under Section 73 of the TCPA 1990 (As Amended) for a minor material amendment to LPA ref. DC/20/2607, dated 18th January 2023.

The approved development is for the following:

"Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access".

The Outline Permission is subject to a requirement to demonstrate a Water Neutral development via on site and offsite mitigation measures. A bespoke strategy was secured via Condition 21 on the Decision Notice and under Schedule 1, Clause 5 of the Section 106 Legal Agreement (dated 21st December 2022).

On 31st October 2025, Horsham District Council (HDC) published a statement outlining that Natural England had withdrawn their Water Neutrality Position Statement (September 2021). This followed agreement between the Environment Agency, Natural England and Southern Water that a reduction in the license cap on water abstraction will ensure that the development will not adversely impact the protected Arun Valley habitats.

The position statement made clear that moving forward HDC will be applying the 2024/25 savings made by Southern Water to allow all development to move forward as water neutral from 1st November 2025. This removes a requirement for new development to achieve Water Neutrality via SNCWS credits or bespoke mitigation secured by legal agreement or conditions.

Importantly, the position statement makes clear that for existing permissions with conditions or S106 obligations requiring Water Neutrality the Council will support S73 applications to remove this requirement. This will be replaced with a reference to compliance with the Building Regulations Part G Optional Technical Standard (currently 110 l/p/d).

This application seeks an amendment to Condition 21 to omit the requirement to demonstrate Water Neutrality.

This Application has been supported by the following information:

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS. A subsidiary of Savills plc. Registered in England No. 2605138.
Registered office: 33 Margaret Street, London, W1G 0JD



- Application Forms and Certificates, prepared by Savills;
- Site Location Plan, prepared by DHA Architects;
- Amended Surface Water and Foul Water Drainage Strategy plans, prepared by Stuart Michael Associates:
 - 7276-SMA-XX-XX-DR-C-0515 Drainage Layout Sheet 1-C07
 - 7276-SMA-XX-XX-DR-C-0516 Drainage Layout Sheet 2-C06
 - 7276-SMA-XX-XX-DR-C-0517 Drainage Layout Sheet 3-C05
 - 7276-SMA-XX-XX-DR-C-0518 Drainage Layout Sheet 4-C06
 - 7276-SMA-XX-XX-DR-C-0534 Manhole Schedules Sheet 1-C04

The Application Fee of £2,085.0 has been made as a direct payment to Horsham District Council via the Planning Portal.

Modification of Condition 21

Condition 21 was amended under by Non Material Amendment (NMA) LPA ref. DC/25/0195 (dated 01st April 2025) and is worded as follows:

No development approved pursuant to the outline planning permission hereby permitted shall commence until planning permission for the works required to deliver the off-site water neutrality measures at Dedisham Farm as set out in the Motion Technical Note 1: Water Neutrality Statement Site: Duckmoor, Billingshurst Dated: 13th September 2024 have been permitted.

The Strategy outlined in the Motion report (dated 13th September 2024) was predicated on delivery of enhancement measures on the Dedisham Farm site along with implementation of water efficiency measures within dwellinghouses on the Duckmoor Farm site. The measures on the Dedisham Farm site secured under LPA ref. DC/22/1947 and DC/24/0948 have been completed. Construction operations are due to commence on the Duckmoor Farm site in Spring 2026.

The Applicant seeks to remove Condition 21 and replace this with a Condition requiring implementation of water efficiency fittings that align with the requirements of Part G of the Building Regulations.

The proposed revised wording of Condition 21, is as follows:

Regulatory Condition: The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

Omission of Schedule 1 Clause 5

Clause 5.1.1 and 5.1.2 in the legal agreement require details of the on-site water efficiency measures to be submitted to HDC for approval, prior to first occupation of the development as set out below:

5.1 Not to Occupy or permit Occupation of a Phase of the Development until

5.1.1 *The Water Neutrality Measures relevant to that Phase of the Development have been delivered in accordance with the Water Neutrality Scheme and are fully operational at all times in accordance with the Water Neutrality Scheme so that such Phase of the Development is Water Neutral*

5.1.2 *evidence of the implementation and operation of the relevant Water Neutrality Measures to that Phase of the Development contained in the Water Neutrality Scheme has been submitted to the Council.*

Clause 5.2 and 5.3 require evidence to be submitted detailing the maintenance of the on-site Water Neutrality measures across the lifetime of the development. The Applicant will progress a modification to the legal agreement to remove Schedule 1, Clause 5.

Rainwater Collection Systems

The onsite water neutrality measures included provision of rainwater tanks. The details were approved under LPA ref. DISC/25/0054 which was for the discharge of condition 10 attached to DC/20/2607 The tanks have been removed from the updated drainage layout strategy plans as they are no longer required. The wording of Condition 09 (foul water) and 10 (surface water drainage) should reference the plans set out in **Table 1**, below as a compliance condition.

Table 1 – Amended Drainage Information

Description	Approved Detail	Revised Detail
Construction Details Sheet 1	7276-SMA-XX-XXDR-C-0529 REV C02	-
Construction Details Sheet 2	7276-SMA-XX-XXDR-C-0530 REV C01	-
Construction Details Sheet 3	7276-SMA-XX-XXDR-C-0531 REV C02	-
Construction Details Sheet 4	7276-SMA-XX-XXDR-C-0532 REV C02	-
Construction Details Sheet 5	7276-SMA-XX-XXDR-C-0533 REV C03	-
Construction Details Sheet 6	7276-SMA-XX-XXDR-C-0546 REV C01	-
Drainage Layout Sheet 1	7276-SMA-XX-XXDR-C-0515 REV C03	7276-SMA-XX-XX-DR-C-0515 Drainage Layout Sheet 1-C07
Drainage Layout Sheet 2	7276-SMA-XX-XXDR-C-0516 REV C03	7276-SMA-XX-XX-DR-C-0516 Drainage Layout Sheet 2-C06
Drainage Layout Sheet 3	7276-SMA-XX-XXDR-C-0517 REV C03	7276-SMA-XX-XX-DR-C-0517 Drainage Layout Sheet 3-C05
Drainage Layout Sheet 4	7276-SMA-XX-XXDR-C-0518 REV C03	7276-SMA-XX-XX-DR-C-0518 Drainage Layout Sheet 4-C06
Drainage Layout Sheet 5	7276-SMA-XX-XXDR-C-0519 REV C02	-
Drainage Layout Sheet 6	7276-SMA-XX-XXDR-C-0520 REV C01	-
Drainage Layout Sheet 7	7276-SMA-XX-XXDR-C-0521 REV C02	-
Manholes Schedules Sheet	-	7276-SMA-XX-XX-DR-C-0534 Manhole Schedules Sheet 1-C04

Conditions

There are a number of conditions attached to DC/20/2607 as set out in **Table 2** below that require modification under this application.

Table 2, Conditions discharged in full under LPA ref. DC/20/2607

No.	Purpose	Revised wording
1	Reserved Matters	The development shall be completed in accordance with the details submitted under DC/24/0768, dated 29 th November 2024.
4	Land Contamination	The development shall be completed in accordance with the details approved under LPA ref. DISC/25/0156 dated, 23 RD May 2025.
5	Construction Environmental Management Plan	The development shall be completed in accordance with the details approved under LPA ref. DISC/25/0055, dated 14 th March 2025 and LPA ref. DISC/25/0252 dated, 07 th November 2025.
6	Dormouse License	The development shall be completed in accordance with the details approved under LPA ref. DISC/26/0023, as submitted under LPA ref. DC/20/2607.
7	Ecological Mitigation and Enhancement Strategy	The development shall be completed in accordance with the details approved under LPA ref. DISC/25/0010 dated, 29 th Jan 2025.
8	Written Scheme of Archaeological Investigation	The development shall be completed in accordance with the details approved under LPA ref. DISC/25/0034 dated, 03 RD March 2025 & DISC/25/0128, dated 30 th April 2025.
9	Foul Water Drainage Scheme	Wording of Condition 09 and 10 to be based on details approved under LPA ref. DISC/25/0054 and the amended drainage layout details set out in Table 1.
10	Surface Water Drainage Scheme	
22	Biodiversity Net Gain	The development shall be completed in accordance with the details approved under LPA ref. DISC/25/0257 dated, 17 th October 2025.

This application seeks an amendment to the Outline Permission (DC/20/2607) dated 18th January 2023, to remove the requirement for provision of water neutrality measures. A linked application will be submitted to HDC to amend the approved reserved matters application to align it with the revised Outline Permission.



We trust that the information provided with this application is sufficient to enable processing and validation.

If you have any queries or would like to discuss in more detail regarding this application, please do not hesitate to contact either myself or my colleagues Rob Allen (Robert.allen@savills.com) or Dominic Taylor (dominic.taylor@savills.com) at this office.

Yours sincerely,

Robert Steele
Director
Savills Planning