Horsham District Council

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 29

Suffix:

Property Name:

Address Line 1: Gaggle Wood

Address Line 2:

Address Line 3: West Sussex

Town/city: Mannings Heath

Postcode: RH13 6JR

Description of site location must be completed if postcode is not known:

Easting (x): 520482

Northing (y): 128960

Description

Applicant Details

Name/Company

Title

Mr

First name

Simon

Surname

Hedger

Company Name

Address

Address line 1

29 Gagglewood

Address line 2

Mannings Heath

Address line 3

Town/City

Horsham

County

Country

United Kingdom

Postcode

RH136JR

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

29 Gaggle Wood Mannings Heath West Sussex RH13 6JR
Change of Use from residential to short term holiday let.

Reference number

DC/25/0417

Date of decision (date must be pre-application submission)

17/07/2025

Please state the condition number(s) to which this application relates

Condition number(s)

3

Has the development already started?

◯ Yes
⊘ No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

The pre-development condition requires that the development achieves water neutrality, with compliance to be secured through the use of the Strategic Natural Water Credits Scheme (SNWCS) administered by Horsham District Council.

Since the original permission was granted, the policy position regarding water neutrality within the Sussex North Water Supply Zone has changed significantly. The SNWCS is no longer going ahead, and Natural England has confirmed that it has withdrawn the water neutrality requirement as an obstacle to determining planning applications in the affected area.

Whilst the prior requirement for water neutrality cannot now be achieved, the development will still include very low-use water fittings such as a dual flush WC (6/3 litres), flow restrictors on both taps and the shower and will include rainwater harvesting for garden watering purposes.

- Permission DC/25/0417 was granted subject to the water neutrality pre-commencement condition, reflecting Natural England's previous position that all developments within the Sussex North Water Supply Zone should demonstrate no net increase in water abstraction.
- The Council's SNWCS was designed as a mitigation mechanism to enable compliance with this requirement. However, the scheme has now been suspended, and Natural England has advised that its earlier guidance on water neutrality will be withdrawn.

As a result, it is anticipated that there will no longer be a policy or regulatory basis for retaining the water neutrality condition.

The reason for the imposition of the pre-commencement condition, namely to ensure the development achieved water neutrality, is now redundant. In the absence of a functioning credits scheme and following Natural England's change in position, the condition cannot reasonably be complied with and serves no continuing planning purpose.

Paragraph 55 of the National Planning Policy Framework (NPPF) states that planning conditions should only be imposed where they are:

- necessary,
- relevant to planning and the development,
- enforceable,
- precise, and
- reasonable in all other respects.

In this case, the water neutrality condition no longer meets the tests of necessity or reasonableness.

Accordingly, it is requested that the Council remove the pre-commencement condition in its entirety under Section 73 of the Town and Country Planning Act 1990.

Conclusion

This application seeks the removal of the pre-commencement water neutrality condition from planning permission DC/25/0417, as the justification for water neutrality requirements has been withdrawn by Natural England and the supporting SNWCS mitigation mechanism has been paused indefinitely.
The removal of this condition would not result in any material harm or conflict with the Development Plan, given the updated position on water neutrality and the absence of any residual environmental impact.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

We do not require the existing condition to be changed, we wish that it be removed for the reasons as set out above.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☑ Yes
- ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ○ The agent
- ☑ The applicant
- ○ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

◯ Yes
⊘ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

⊘ Yes
◯ No

Is any of the land to which the application relates part of an Agricultural Holding?

◯ Yes
⊘ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

⊘ The Applicant
◯ The Agent

Title

Mr

First Name

Simon

Surname

Hedger

Declaration Date

12/11/2025

☑ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Simon Hedger

Date

12/11/2025