



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

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

Mrs

First name

Celia

Surname

Akam-Chauvignat

Company Name

Denver Commercial LLP

Address

Address line 1

Aspen Place

Address line 2

Okehurst Lane

Address line 3

Town/City

Billingshurst

County

West Sussex

Country

Postcode

RH14 9HR

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Applicant Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Description of the Proposal

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

Denver Storage Okehurst Lane Billingshurst West Sussex Demolition of the existing building and erection of 3no storage units (Use Class B8), incorporating vehicular access, landscaping, and on-site parking provision

Reference number

DC/22/1458

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

05/06/2024

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

Condition number(s)

Conditions 11, 19, 20, 21, 27, 38 and 39

Has the development already started?

- ☐ Yes
- ☒ No

Condition(s) - Variation/Removal

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

Each of Conditions 11, 19, 20, 21, 27, 38 and 39 was imposed for a single, identical and expressly stated reason: to ensure the development is water neutral, in response to Natural England's Water Neutrality Position Statement of September 2021 applying to the Sussex North Water Supply Zone. None of the seven carries any independent or secondary justification.

Natural England formally withdrew that Position Statement on 31 October 2025 and has advised that local planning authorities are no longer required to consider water neutrality when determining plans or projects. Horsham District Council has confirmed that, from 1 November 2025, all development in the district is treated as water neutral by reference to Southern Water's 2024/25 water efficiency savings, and that no water neutrality statement and no bespoke conditions or Section 106 obligations are required. The Council's published guidance expressly invites Section 73 applications to remove conditions of this kind from existing permissions.

The sole basis for the seven conditions has therefore fallen away. They are no longer necessary, and consequently no longer reasonable, and fail the tests for planning conditions set out in the National Planning Policy Framework and Planning Practice Guidance.

No change is proposed to the approved development. Please refer to the accompanying Supporting Statement for the full case, including the position on Condition 41 and the Section 106 agreement.

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

Not applicable — removal is sought, not variation.

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

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Email : sophie.moore@horsham.gov.uk

28/05/2026

Details of the pre-application advice received

Hi Nick, My presumption is that rainwater harvesting was proposed as part of a Water Neutrality Strategy, thus Condition 11 was applied to ensure that the long-term management of the system was secured. Despite the requirement for water neutrality being removed by Natural England late last year, the requirements of the condition still need to be satisfied prior to development commencing above ground floor slab level as this is what was agreed under DC/22/1458. You therefore have two options: Continue with plans to provide rainwater harvesting as part of the development and satisfy the requirements of Condition 11 by submitting a maintenance and management plan. Remove rainwater harvesting from the scheme entirely and submit a S73 removal application to remove the requirement to satisfy Condition 11. To be clear, this is not just a water neutrality specific process. All applicants that are wanting to vary or remove a condition (for example, varying agreed opening hours when a new business takes over premises – a common request) would need to go through the S73 application. Kind regards, Sophie Moore Planning Officer

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?

E.g. All the land is owned by a single individual

- ☐ Yes
☒ No

Is the land owned by multiple individuals, or has agricultural tenants where the details of all individuals are known by the Applicant?

E.g. The land is owned by 2 people and the applicant can provide details of those owners.

- ☒ Yes
☐ No

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

- ☒ I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or
☐ The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.

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

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Aspen Place

Number:**Suffix:****Address line 1:**

Aspen Place

Address Line 2:

Okehurst Lane

Town/City:

Billingshurst

Postcode:

RH14 9HR

Date notice served (DD/MM/YYYY):

28/05/2026

Person Family Name:

Person Role

☒ The Applicant☐ The Agent

Title

Mrs

First Name

Celia

Surname

Akam-Chauvignat

Declaration Date

22/07/2026

☒ 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

Nick Plank

Date

11/08/2026