



THE RETREAT, FOREST ROAD, COLGATE, RH12 4TB

SUPPORTING STATEMENT FOR:

**S73 Deletion of Conditions 3 & 4 to previously approved
application DC/22/0270 and replacement with Water
Consumption requirements relating to the operation of the
site**

FEBRUARY 2026

CONTENTS

PAGE(S)

1.0	INTRODUCTION & BACKGROUND	3
2.0	DELETION OF CONDITIONS 3 & 4 (WATER NEUTRALITY)	4

RELEVANT INFORMATION

Decision Notice DC/22/0270 for information

Delegated Report DC/22/0270 for information

1.0 INTRODUCTION & BACKGROUND

- 1.1 Following the grant of permission on 30 June 2023 (DC/22/0270) the Applicant now seeks the removal of the Water Neutrality conditions and their replacement with the standard Building Control water condition following recent changes.
- 1.2 The Retreat is a single storey dwelling situated just to the west of the village of Colgate within the countryside and the High Weald Area of Outstanding Natural Beauty (AONB). The dwelling is situated to the north of Forest Road and is screened to the road frontage by a number of mature trees and mature shrubs. There are two other residential properties to the west of The Retreat and the land to the north and east of the property is undeveloped countryside.
- 1.3 The above permission was granted for the siting of a mobile home within the side garden area of the dwelling to be occupied as a residential annex, ancillary to The Retreat. The mobile home comprises two small bedrooms, a bathroom and an open plan living room, dining area and kitchen. It will be occupied by the Applicant's son and his partner as there is limited space within the main dwelling.

2.0 DELETION OF CONDITIONS 3 & 4 (WATER NEUTRALITY)

2.1 As part of this application the removal of conditions 3 & 4 relating to water neutrality is requested and its replacement with a condition requiring compliance with the Optional Technical Standard of Building Regulations Part G (110 litres of water per person per day).

2.2 This request follows the withdrawal of Natural England's former Position Statement on water neutrality. As confirmed on the Council's website,

"This follows agreement between Natural England, Southern Water and the Environment Agency that a reduction in the licence cap on water abstraction will ensure with sufficient certainty that development will not adversely impact the protected Arun Valley habitats. This is the primary element of interest to local authorities in making decisions regarding relevant plans or projects, as it removes the connection between abstraction and growth."

Natural England has now advised that issues of water abstraction can be addressed without requiring individual developments to demonstrate water neutrality. There is no need for water neutrality statements, no payments to SNWCS and no bespoke conditions or s106 obligations requiring water neutrality to be demonstrated.

2.3 Following Natural England's updated position, the Council remains mindful that the area remains one of having significant water stress and as a result *"all applications for new housing will be required by conditions to comply with the Building Regulations Part G Optional Technical Standard (currently 110 l/p/d) as required by Policy 37 of the Horsham District Planning Framework"*. This standard limits water consumption to 110 litres per person per day. In respect of existing permissions, the Council's guidance confirms that:

"For applicants who have existing planning permissions with conditions and s106 obligations requiring compliance with bespoke water neutrality"

mitigation, we will consider applications under s.73 of the Town and Country Planning Act to remove those conditions, and any associated applications to vary or discharge any relevant s106 obligations. If your permission is for new dwellings, we will instead apply a condition requiring compliance with the Building Regulations Part G Optional Technical Standard referred to above. This is the same condition we applied to all new dwellings prior to the 2021 Position Statement.”

- 2.3 Accordingly, as set out above this application seeks to amend the current permission to remove the water neutrality condition and replace it with a condition requiring compliance with the Optional Technical Standard of Building Regulations Part G (110 litres of water per person per day). The expectation is that this will be applied as a regulatory condition as normal and given the uniqueness of this matter it would not alter the approved scheme.
- 2.4 In summary it is hoped that having regard to latest guidance this change will be approved as soon as possible.