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Horsham District Council
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Your ref: DC/23/1178
Our ref: Horsham Golf Park

05 March 2026

Dear Jason

HORSHAM GOLF PARK, DENNE PARK, HORSHAM, RH13 0AX – REMOVAL OF CONDITION 33 (WATER NEUTRALITY) ATTACHED TO PLANNING PERMISSION DC/23/1178

On behalf of Generator (Horsham) Limited (the Applicant), we have been instructed to submit an application under Section 73 of the Town and Country Planning Act 1990 (as amended) to amend planning permission DC/23/1178. Permission was allowed at appeal on 11th July 2025 for the following:

“Outline planning application with all matters reserved save for access for the development of a Sports and Leisure Hub including the provision of communal facilities, nursery, Golf College, sports club house (containing Health & Fitness spa, changing facilities and food & beverage) and an educational facility for Warren Clark Golfing Dreams (Use Classes E, F1 & F2); a local centre containing a convenience store and co-working space (Use Classes E & F2); the provision of supporting landscaping, open space and related infrastructure; outdoor sports and leisure provision comprising Driving Range, reprovision of golf (including supporting golf facilities) and hockey (including pitches and training area) (Use Class F2) and up to 800 dwellings (Use Class C3).”

This application seeks the:

“Removal of condition 33 of previously approved application DC/23/1178 (Outline planning application with all matters reserved save for access for the development of a Sports and Leisure Hub including the provision of communal facilities, nursery, Golf College, sports club house (containing Health & Fitness spa, changing facilities and food & beverage) and an educational facility for Warren Clark Golfing Dreams (Use Classes E, F1 & F2); a local centre containing a convenience store and co-working space (Use Classes E & F2); the provision of supporting landscaping, open space and related infrastructure; outdoor sports and leisure provision comprising Driving Range, reprovision of golf (including supporting golf facilities) and hockey (including pitches and training area) (Use Class F2) and up to 800 dwellings (Use Class C3)) relating to water neutrality”.

Planning Condition 33 states:

“Prior to first occupation of any dwelling within a phase or sub-phase, details of water supply to the dwellings and any non-residential buildings shall be submitted to and approved in writing by the Local

Planning Authority. The details shall include confirmation that all the relevant requirements of Private Water Supply (England) Regulations 2016 have been complied with. The approved details shall thereafter be retained and maintained.”

Background

Outline planning permission, with all matters reserved except access, was granted on appeal for land at Horsham Golf Park on 11 July 2025 under application reference DC/23/1178 and appeal reference APP/Z3825/W/24/3355546. The permission allows for a residential-led mixed-use strategic development comprising a Sports and Leisure Hub, a local centre and up to 800 dwellings (Use Class C3), together with associated landscaping, open space and supporting infrastructure.

Condition 33 was imposed on the basis that the site falls within the Sussex North Water Supply Zone, in order to secure the private water neutrality solution advanced by the Applicant as part of the original permission to achieve water neutrality on the site.

On 31st October 2025, Natural England issued a Withdrawal Statement confirming its Water Neutrality Position Statement from September 2021 has been withdrawn. 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.

As a consequence of this, developments, including Horsham Golf Park, are no longer required to demonstrate Water Neutrality or comply with a Water Neutrality Statement going forward. In this context, condition 33 is now considered redundant and can reasonably be deleted.

Following our recent correspondence with the Council dated 9th February 2026, it is however anticipated that an alternative condition will be imposed to limit water consumption to 110 litres per person per day. Suggested wording is set out below:

Regulatory Condition: *The dwelling(s) 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), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species)..*

The proposed wording is broadly similar to the standard requirement under adopted Local Plan Policy 37 to meet the Building Regulations Optional Technical Standard, as applied to residential permissions prior to Natural England's 2021 Position Statement, and should therefore be acceptable.

Legislative Context

Section 73 of the Town and Country Planning Act 1990 (as amended) ('S73') allows for the variation or removal of conditions attached to a planning permission. While there is no statutory limit on the extent of change that may be made under S73, such changes cannot alter the operative part of the permission or extend the time limit for implementation.

Paragraph 57 of the National Planning Policy Framework (2024) sets out the tests for the imposition of planning conditions. Of particular relevance in this instance is the requirement that conditions must be necessary, namely that they are essential to make the development acceptable in planning terms

In light of recent announcements from Natural England and Horsham District Council confirming that water neutrality is no longer required within Horsham, the Water Neutrality condition is no longer necessary to make the development acceptable. On this basis, the condition can reasonably be removed.

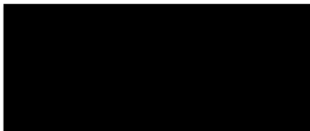
Submission Documents

In support of this application, please find enclosed the following:

- Application Form completed by Carter Jonas
- Covering Letter (this letter) prepared by Carter Jonas
- CIL Form prepared by Carter Jonas

We trust you will find the application in order and look forward to receiving acknowledgement of its validation in due course. If you have any queries, please do not hesitate to contact me or my colleague David Churchill (David.Churchill@carterjonas.co.uk).

Yours sincerely,



Amon Yiu
Senior Planner

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