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Our Ref. 004/23/MS

February 2026

Planning Department
Horsham District Council
Albery House
Springfield Road
Horsham
West Sussex
RH12 2GB

Dear Sirs,

Land at Gate Cottage, The Street, Thakeham, West Sussex

RE: APPLICATION UNDER SECTION 73 TO VARY/REMOVE CONDITION 8 (RELATING TO WATER NEUTRALITY)

ORIGINAL PROPOSAL: Erection of two dwellings together with associated works.

D&M Planning Ltd are instructed by the applicant to seek the removal/variation of the above condition of the scheme consented under LPA reference DC/24/0070.

The application is made to vary/remove the condition relating to water neutrality. The application is made following the withdrawal of Natural England's Position Statement concerning water neutrality.

As is outlined on the Council's website, it is now Natural England's position that the issues of water abstraction can be dealt with without the need for 'water neutrality' to be demonstrated on an individual case basis. This follows agreement between Natural England and the Environment Agency that a reduction in the license cap on abstraction would ensure that there is sufficient certainty that development will not adversely impact on the habitats within Arun Valley. These habitats being the principal element of interest to Horsham in making decisions regarding relevant proposals, as it removed the connection between abstraction and growth.

Following receipt of Natural England's withdrawal statement, the Council has confirmed that it will no longer be launching the Sussex North Water Certification Scheme (SNWCS). In its place and noting that the area remains one of significant water stress, there is a requirement for

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new housing to comply with the Building Regulations Part G Optional Technical Standard. This is currently set at being equivalent to 110 litres of water per person per day.

For existing permissions, the Council's website states:

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.

This application therefore seeks permission to vary/remove the existing condition relating to water neutrality and replace them with a regulatory condition requiring compliance with the Optional Technical Standards of Part G to provide for 110 litres of water per person per day. As is common practice the implication of such a condition would allow the stricter building control regulations to be applied and in light of such, we do not consider that the replacement condition requires any formal discharge but can instead be worded in the manner of a regulatory condition.

Given that this represents a straightforward application that does not seek to revisit the wider scheme in principle or matters of judgement but simply seeks to enact the advice now available of the Council's statement following the withdrawal statement it is requested that this application be dealt with as quickly as possible and without delay.

There would be no conflict with the operative part of the permission as a result of the proposed change with this falling clearly within a Section 73 application.

We trust we have provided you with sufficient information, but should you have any questions please do not hesitate to contact me.

Yours sincerely,

Matt Smith, BA(Hons), MA, MRTPI

D&M Planning Ltd