

15 May 2026



Nicola Pettifer
Senior Planning Officer
Horsham District Council
Albery House
Springfield Road
Horsham
West Sussex
RH12 2GB.

William Price

E: William.Price@savills.com
DL: +44 (0) 7977 197906

Mountbatten House
1 Grosvenor Square
Southampton SO15 2BZ
savills.com

Dear Ms Pettifer

**RE: SUBMISSION OF A MINOR MATERIAL AMENDMENT RELATING TO PLANNING PERMISSION
DC/24/0749-APPLICATION UNDER SECTION 73 TCPA 1990**

HILLAND HOUSE, NEW ROAD, BILLINGHURST, WEST SUSSEX, RH14 9AA

On behalf of Northgate Properties Ltd ("the Applicant"), we hereby submit an application under S73 of the Town and Country Planning Act 1990 in relation to planning permission for:

"Outline Application for redevelopment of the site to provide up to 125 dwellings, ancillary parking new landscaping and open space, an ecological and woodland park together with associated works and landscaping with all matters reserved except access"

The formal decision notice was allowed at appeal on 8th July 2025 (planning permission ref. DC/24/0749) (Appeal ref. APP/Z3825/W/25/3361285).

In addition to this letter, the application submission consists of:

- Application Form
- CIL Form
- The relevant application fee

This S73 application is to amend the relevant conditions on permission DC/24/0749 to allow for either a public mains water connection or the provision of boreholes in order to provide potable water to the future occupants.

Background to Amendments

On the 31st October 2025, Natural England issued a Withdrawal Statement confirming that its Water Neutrality Position Statement of September 2021 has been withdrawn. The Horsham District Council website confirms that for applicants, this means that:

1. No water neutrality statement is now required
2. No payment into Sussex North Water Certification Scheme (SNWCS) is needed to use the Southern capacity referred to above
3. No bespoke conditions or s106 obligations are required to demonstrate water neutrality.

It is noted that all applications for new housing will be required by condition 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.



For applicants who have existing planning permissions with conditions and s106 obligations requiring compliance with bespoke water neutrality mitigation, Horsham District Council 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. This is outlined on Horsham District Council's website for guidance: <https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district>.

Proposed Amendments

In light of Natural England's Withdrawal Statement, the following condition amendments are proposed as part of the S73 application to planning permission DC/24/0749:

- Condition 30 - Private Water Supply Management Plan
- Condition 31- Compliance with the Private Water Supplies (England) Regulations 2016
- Condition 32- Water Supply Risk Assessment

This S73 application is to amend the relevant conditions on permission DC/24/0749 to allow for either a public mains water connection or the provision of boreholes in order to provide water to the future occupants. This will provide suitable flexibility for a future housebuilder.

Condition Number	Existing Wording of Condition – to remove	Proposed Condition – to replace
30	No dwelling hereby permitted shall be first occupied until, a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the local planning authority. The PWSMP shall include, but not necessarily be limited to, i) Detail on the operational sampling and testing regime, undertaken in accordance with the Private Water Supplies (England) Regulations (2016) (or any Act or Order amending, superseding and re-enacting the same); ii) Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification of what steps will be taken in the event of equipment failure. This should include sufficient detail on proposed maintenance and management measures to address the risks from fouling; iii) Arrangements for keeping written records of all sampling, analysis, inspection, cleaning and maintenance; iv) Contingency measures to be taken in the event of equipment failure and a named contact on a 24/7 basis in the event of a failure or issue with the	No dwelling hereby permitted shall be first occupied until a Proposed Scheme for Potable Water Provision has been submitted to the Local Planning Authority. This shall identify whether it is proposed to service the development by means of a private water supply or by connection to the water main. The following shall also be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling hereby permitted if it is proposed to service the development by means of a private water supply: A) No dwelling hereby permitted shall be first occupied until, a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the local planning authority. The PWSMP shall include, but not necessarily be limited to, i) Detail on the operational sampling and testing regime, undertaken in accordance with the Private Water Supplies (England) Regulations (2016) (or any Act or Order amending, superseding and re-enacting the same); ii) Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the

private water supply; The PWSMP shall be implemented prior to the first occupation of the proposed development and adhered to thereafter.

development along with regularity of servicing/maintenance and clarification of what steps will be taken in the event of equipment failure. This should include sufficient detail on proposed maintenance and management measures to address the risks from fouling;

- iii) Arrangements for keeping written records of all sampling, analysis, inspection, cleaning and maintenance;
- iv) Contingency measures to be taken in the event of equipment failure and a named contact on a 24/7 basis in the event of a failure or issue with the private water supply;

The PWSMP shall be implemented prior to the first occupation of the proposed development and adhered to thereafter.

B) No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the local planning authority that water taken from a tap within the dwelling has been:-

- i) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies;
- ii) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification; and
- iii) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same).

C) No dwelling hereby permitted shall be first occupied unless and until a Risk Assessment has been conducted pursuant to Regulation 6 of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same) and any agreed remedial and/or corrective actions undertaken.

31 No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the local planning authority that water

Remove - condition requirements addressed in reworked condition 30.

taken from a tap within the dwelling has been:-

- i) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies;
- ii) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification; and
- iii) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same).

32	No dwelling hereby permitted shall be first occupied unless and until a Risk Assessment has been conducted pursuant to Regulation 6 of the Private Water Supplies (England) Regulations 2016 (or any Act or Order amending, superseding and re-enacting the same) and any agreed remedial and/or corrective actions undertaken.	Remove - condition requirements addressed in reworked condition 30.
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Further, considering the new £39bn Social and Affordable Homes Programme (SAHP) 2026-2036, and to provide flexibility for a future owner to deliver additional affordable housing on site, this application seeks to amend the definition of Affordable Housing Units from 43% of the total Housing Units to a minimum of 43% of the total Housing Units. A draft deed of variation will be provided to the Council, following this submission.

Summary

As detailed above, there is a strong rationale for these limited revisions to the consented development. The S73 application comes as a direct response to Natural England's Withdrawal Statement and Horsham District Council's accompanying guidance.

If you require any information regarding this process, please do not hesitate to contact me.

Yours sincerely

William Price
Associate