White & Sons Est. 1817

jds/ah

10 November 2025

Barbara Childs
Director of Place
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Dear Ms. Childs,

Re: DC/24/2004 -The Business Park, Maydwell Avenue, Slinfold, West Sussex– Removal of conditions 3, 4 and 5.

I refer to the above. We have been instructed by Mr. B. Richmond to prepare an application to remove conditions 3, 4 and 6 of permission ref: DC/24/2004 (Erection of a storage building (Use Classes B8) with associated parking and revised circulation arrangements).

The following conditions the application is seeking to remove state:-

"3 Pre-Commencement (Slab Level) Condition: No development above ground floor slab level shall commence until a management and maintenance plan for the rainwater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:

- ***The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.***
- ***Detail on how any failure of any samples will be investigated and managed.***
- ***Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit***

- ***Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.***
- ***Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.***
- ***The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.***
- ***Detail on the continuity of supply during dry periods extending beyond 35 days.***
- ***Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.***
- ***Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local authority The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.***

Reason: To ensure the development is water neutral 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), Paragraphs 193 and 194 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).

4 Pre-commencement (Slab Level) Condition: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (Water Neutrality Statement received 18.12.2024) have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity (at least 14,000l), including details of their location and whether they would be surface mounted or set within the ground, in addition to evidence that their initial fill will be supplied with water from outside of the Water Supply Zone.

Reason: To ensure the development is water neutral 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 enable 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).

5 Pre-Occupation Condition: The use hereby permitted shall not take place until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that use has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, details of the rainwater harvesting system installed including a minimum 35 days storage capacity, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter, or to a similar improved water performance.

Reason: To ensure the development is water neutral 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 enable 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 conditions were imposed as a result of the development falling within the Sussex North Water Supply Zone which covers the whole of Horsham District and parts of the administrative areas of Chichester and Crawley. Natural England had written to these authorities and provided a Position Statement in 2021 on developments which may place increased pressure on water abstraction in this zone. The Position Statement explains in greater detail (including with reference to recent case law) that abstraction from the Sussex North Water Supply Zone may be having an impact on protected sites, namely the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar. In order not to exacerbate the potential impact, developments within this zone were prevented from taking place unless they can be considered water neutral and do not result in an increase in mains water usage to avoid an adverse impact on the Arun Valley SAC, SPA and Ramsar sites.

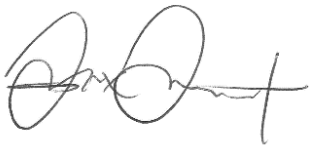
It has since been confirmed by the Government by a Press Release on 8th October 2025 that an agreement between government, regulators and industry had been reached to avoid an adverse impact and enable development to go ahead.

On 31 October 2025, Natural England issued a Withdrawal Statement confirming that its Water Neutrality Position Statement of September 2021 has been withdrawn. This means that development within the Sussex North Water Supply Zone will no longer be required to demonstrate that it is water neutral due to a reduction in the licence cap on water abstraction and a package of ecological resilience measures.

Having regard to the above the water neutrality conditions are no longer considered reasonable or necessary and therefore they are contrary to these tests for conditions at paragraph 57 of the NPPF. As such they should be removed with immediate effect and therefore this application is submitted to remove the conditions.

If you have any comments or queries, please do not hesitate to contact us.

Yours sincerely



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