

4 February 2026

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

Dear Ms. Childs,

**Re: DC/23/1792 - Removal of condition 3 (water neutrality) and variation of condition 1 (plans and documents)
Baileys Farm, Brooks Green Road, Coolham, Horsham RH13 8GR
Erection of a business unit (Use Classes E and B8) with associated parking.**

I refer to the above. We have been instructed by Mr. Nigel Parsons to prepare an application to remove condition 3 (water neutrality) and vary condition 1 (plans and documents) of permission ref: DC/23/1792.

The permission has not been implemented.

For clarification condition to be removed states:

***“3 Pre-Occupation Condition: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Design Engineers received 03 June 2024). The use of the building hereby permitted not shall be brought into first use 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, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.*”**

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 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning

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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 condition to be varied states:

"1 Plans Condition: The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Location & Block plan	Proposed floor and elevations	22-11-01	26.09.2023
Supporting Statement	Planning	NONE	26.09.2023
Supporting Statement	Water neutrality	NONE	03.07.2024

Reason: For the avoidance of doubt and in the interest of proper planning."

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 could 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 had 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 condition (no.3) is no longer considered reasonable or necessary and therefore it is contrary to these tests for conditions at paragraph 57 of the NPPF. As such it should be removed with immediate effect and therefore this application is submitted to remove the condition. For clarity it

is also sought that condition 1 be varied to omit reference to the water neutrality supporting statement from the schedule of plans/documents.

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

Yours sincerely

Julian Sharpe MRTPI

Associate Partner

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