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Dear Sir/Madam,

WESTONS FARM, WESTONS HILL, ITHCINGFIELD, WEST SUSSEX, RH13 0BD

APPLICATION UNDER S96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) FOR NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REF. DC/25/0173, DATED 23 JULY 2025

On behalf of our client, the Christ's Hospital Foundation ('CHF'), please find enclosed an application under Section 96a of the Town and Country planning Act (1990) (As Amended). This application seeks to make a non-material amendment to planning permission ref: DC/25/0173 which secured approval for the erection of a glasshouse at the above address.

This Section 96a application seeks:

- The removal of Condition 3 (water neutrality pre-occupation condition) from the original permission; and
- The consequential amendment to Condition 1 to remove the Water Neutrality Statement (688769 REV 2, 04.02.2025) from the approved documents.

Background

The Applicant previously discharged Condition 3 of the approved scheme, which restricted use of the site until evidence demonstrating that the water neutrality strategy had been implemented, was submitted to and approved by the Local Planning Authority.

Condition 3 reads as follows:

Pre-Occupation Condition: *The development hereby permitted shall not be brought into use until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy (set out in the Water Neutrality Statement, ref. 688769 REV.2, Dated 31/01/2025) has been implemented in full.*

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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).*

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However, on 31 October 2025, Natural England issued a Withdrawal Statement confirming that the Water Neutrality Position Statement issued on 14 September 2021 had been withdrawn and that measures had been implemented that meant that developments will not adversely impact the protected Arun Valley habitats, as a result of potable water consumption.

Following this, Horsham District Council published guidance stating the following:

- No water neutrality statement is now required;
- No payment into the Sussex North Water Certification Scheme is needed to use the Southern Water capacity to above; and
- No bespoke planning conditions or section 106 obligations are required to demonstrate water neutrality.

Proposed Amendments to Conditions

As the approved development comprises a glasshouse and is not new residential development, the Council's approach to securing the Building Regulations Part G Optional Technical Standard for new housing is not engaged in this instance. The amendment therefore simply removes a water neutrality control which is no longer required under the Council's updated position.

Thus, following the changes and water neutrality now no longer being required by Horsham District Council, it is requested that Condition 3 is to be removed from the approved scheme.

Similarly, the Water Neutrality Statement (688769 REV 2, 04.02.2025) should be removed from the approved plans listed in the schedule set out in Condition 1 of the decision for planning permission ref: DC/25/0173. Condition 1 should be updated so that the approved plans and documents schedule reads as follows:

Plan Type	Description	Drawing Number	Received Date
Location plan	—	001 REV P3	04.02.2025
Block plan	Existing	002 REV P1	04.02.2025
Block plan	Proposed	003 REV P1	04.02.2025
Floor plan	Proposed	010 REV P1	04.02.2025
Elevation plan	Proposed South	012 REV P2	04.02.2025
Elevation plan	Proposed East	013 REV P2	04.02.2025
Elevation plan	Proposed North	014 REV P2	04.02.2025
Elevation plan	Proposed West	015 REV P2	04.02.2025
Roof plan	—	011 REV R1	04.02.2025
Supporting Statement	Planning	None	04.02.2025
Supporting Statement	BNG	REV 1	04.02.2025
Supporting Docs	BNG Metric Tool	None	04.02.2025
Supporting Docs	Conditions Assessment	None	04.02.2025

Nature of Change

The proposed amendment is non-material in planning terms. It does not alter the approved development, its use, scale, layout, appearance, operation or any physical works authorised by the permission. The amendment relates only to the removal of now-superseded water neutrality controls, following the withdrawal of the Natural England Water Neutrality Position Statement and Horsham District Council's updated published guidance.

The amendment would not give rise to any new or different planning impacts. In particular, it would not increase water demand beyond that now accepted through the Council's updated position, nor would it alter the basis on which the development was found acceptable in land use, design, amenity, transport, ecology or other planning terms.

The permission would remain internally coherent and capable of implementation. The proposed change is therefore considered to fall within the scope of Section 96A of the Town and Country planning Act (1990) (As Amended) as a non-material amendment.

Conclusion

For the reasons set out above, the proposed amendments do not materially alter the approved development or give rise to any new or different planning impacts. The amendments are therefore considered to fall within the scope of Section 96A of the Town and Country Planning Act 1990 (As Amended) as non-material amendments.

The application has been submitted via the Planning Portal ref. PP- 15016257, and the requisite application fee of £400.00 has been paid via the Planning Portal. If you have any queries, or would like to discuss the proposals further, please do not hesitate to contact me in the first instance.

Yours sincerely,

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