

16 June 2026



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Dear Sir/Madam,

SLUETTS FARM, TWO MILE ASH ROAD, HORSHAM, WEST SUSSEX, RH13 0LA

APPLICATION UNDER S96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) FOR NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REF. DC/23/0306 DATED 23 FEBRUARY 2024

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/23/0306 which secured approval for the erection of a temporary agricultural workers dwelling at the above address.

This Section 96a application seeks:

- The removal of Conditions 6 and 7 (water neutrality conditions);
- An amendment to Condition 1 to remove the Water Neutrality Statement from the list of approved documents and drawings; and
- The consequential insertion of a replacement water efficiency condition requiring compliance with the Building Regulations Part G Optional Technical Standard.

Background

The Applicant previously discharged Conditions 6 (DISC/24/0078) and 7 (DISC/25/0169) of the approved scheme, which required submission of evidence to the Local Planning Authority to show that the details of the approved Water Neutrality Statement had been implemented.

Condition 6 reads as follows:

"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 (Savills received by the Council on 03.05.2023) have

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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.

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), 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).

Condition 7 reads as follows:

“Pre-Occupation Condition: *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 the approved water neutrality strategy for that dwelling 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.*

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), 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).

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.

It notes that, given the area remains at significant water stress, applications for new housing will instead be required to comply with the Building Regulations Part G Optional Technical Standard, currently 110 litres per person per day. This would be secured by condition.

Proposed Condition and Amendment to Condition 1

Following the changes and water neutrality now no longer being required by Horsham District Council, it is requested that Condition 6 and 7 relating to water neutrality are to be removed from the approved scheme, and instead for the following condition to be applied relating to the Building Regulations Part G Optional Technical Standard:

Proposed Regulatory Condition – Water Consumption Rate

Regulatory Condition: *The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.*

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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 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).

To also account for the changes, the Water Neutrality Statement (REV 4, 03.05.2023) should be removed from the approved plans listed in the schedule set out in Condition 1 of the decision for planning permission ref: DC/23/0306. Condition 1 should be updated so that the approved plans and documents schedule reads as follows:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Appendix 2a AONB and NP	NONE	20.02.2023
Supporting Docs	Appendix 2b – Nitrate Vulnerable Zones	NONE	20.02.2023
Supporting Docs	Appendix 2c – SSSI	NONE	20.02.2023
Supporting Statement	Temporary Agricultural Workers Dwelling Appraisal	NONE	20.02.2023
Supporting Statement	Preliminary Ecological Appraisal	NONE	20.02.2023
Block Plan	Existing	4 002	20.02.2023
Site Plan	Existing	4 003 REV A	20.02.2023
Elevation & Floor Plan		4 1010	20.02.2023
Supporting Docs		Appendix 1	20.02.2023
Location Plan		4 001 REV A	24.04.2023
Site Plan		4 100 REV B	25.04.2023

Nature of the Change

The proposed amendment is considered 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 imposition of the new Building Regulations condition, required by policy, is also non-material in the context of the permission as a whole being akin to the objectives of the previously secured water neutrality statement.

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 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 non-material amendment.



The application has been submitted via the Planning Portal ref. PP-15016214, 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,

Hannah Keyte • MRTPI

Senior Planner

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