

Planning Department
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Our ref: 2858

02 February 2026

Dear Sir/Madam

Section 73 application to vary conditions 3 and 7 of planning permission DC/23/1224 for the stationing of 3no. 2-bedroom residential park homes for year round occupation at Brooks Green Park Emmas Lane Brooks Green West Sussex

On behalf of our client **N Doe Caravans Ltd** ("the Applicant"), I write to submit a Section 73 application to remove condition 3 and vary condition 7 of planning permission DC/23/1224 (dated 15th May 2024) for the stationing of 3no. 2-bedroom residential park homes for year-round occupation at Brooks Green Park Emmas Lane Brooks Green West ("the site").

Specifically, condition 3 states:

Pre-Occupation Condition: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Motion 8 Sept 2023). No part of the development 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 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 (2021), its duties under the



Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Natural England published its Withdrawal Statement on the 31st October 2025, which confirmed that its Water Neutrality Position Statement of September 2021 had been withdrawn as a technical solution has been agreed between Southern Water and the Environment Agency thereby removing the requirement for Water Neutrality. The Council's website confirms that for individual applications, the Council will now be using the 2024/ water efficiency savings made by Southern Water to allow all development to move forward as water neutral from 1st November 2025. The Council's website goes on to state that:

1. *No water neutrality statement is now required;*
2. *No payment into SNWCS is needed to use the Southern Water capacity referred to above;*
3. *No bespoke conditions or S106 obligations are required to demonstrate water neutrality.*

As such, the Council has confirmed for applicants who have existing planning permissions with conditions and S106 obligations with bespoke water neutrality mitigation, applications under Section 73 of the Town and Country Planning Act will be considered to remove these conditions, and any associated applications. In accordance with policy 37 of the Horsham District Planning Framework, the inclusion of flow regulators (110l/person/day) is required, and this can be secured through the Building Regulations process. It is therefore requested that condition 3 is removed: it no longer meets the tests set out in paragraph 57 of the National Planning Policy Framework, as it is not required to mitigate any identified harm.

Condition 7 states:

Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection has been provided to the premises. Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

Policy 37 of the Horsham District Planning Framework sets out that new homes and workplaces should include the provision of "high-speed broadband access and enable provision of future technologies where available". The current wording of condition 7 exceeds the policy requirement and removes the flexibility to provide other technologies. It currently obligates 30 megabytes per second through full fibre, thereby restricting the provision of other types of broadband/ internet connection. Additionally, it specifies 'in building infrastructure' which fails to take account of the park home character of the site and the potential for the broadband to be provided on site, for example, via a single network. It is therefore requested that



this condition be varied to allow flexibility in the option to deliver broadband. The following wording is suggested:

Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until the ~~necessary in building physical infrastructure and external site wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre high speed~~ broadband connection has been provided to ~~each of~~ the premises. Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

If you require any further information or clarification, please contact the writer of this letter.

Yours faithfully

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