



**FIR TREES, WESTWARD LANE, WEST CHILTINGTON,
WEST SUSSEX, RH20 2PA**

SUPPORTING STATEMENT FOR:

**S73 Deletion/Variation of Condition to previously approved
application DC/24/1905. Deletion of Condition 3 (Water
Neutrality) and replacement with Water Consumption
requirements**

JUNE 2026

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RELEVANT INFORMATION

Decision Notice DC/24/1905 for information

C3480 Water Neutrality Report - P2 dated 25 March 2025 for information

Decision - DISC/25/0230 dated 17 September 2025 for information

CON 3 - C3480 Installed Fittings dated 21.07.25 for information

1.0 INTRODUCTION & BACKGROUND

- 1.1 Following the grant of permission on 18 June 2025 (DC/24/1905) the Applicant now seeks the removal of the Water Neutrality condition and its replacement with the standard Building Control water condition following recent changes.
- 1.2 CGS Civils undertook an Installed Fittings Survey (Ref: C3480 Rev P dated 21.07.25) which confirmed that the Client had followed the required measures that were listed within the Water Efficiency Measures report (Ref: C3480 Water Efficiency Measures which formed part of the permission)
- 1.3 The Water Neutrality Report (Ref: C3480 Rev P2 dated 25.03.25) which also formed part of the permission (Decision - DISC/25/0230) confirmed that the water demand from the proposed swimming pool will be 67.5 l/day prior to any mitigation techniques reusing water through rainwater harvesting tanks to provide water to the pool for top up following evaporation and backwash.

2.0 DELETION OF CONDITION 3 (WATER NEUTRALITY)

2.1 As part of this application the removal of condition 3 relating to water neutrality is requested and its replacement with a condition requiring compliance with the Optional Technical Standard of Building Regulations Part G (110 litres of water per person per day).

2.2 This request follows the withdrawal of Natural England's former Position Statement on water neutrality. As confirmed on the Council's website,

"This follows agreement between Natural England, Southern Water and the Environment Agency that a reduction in the licence cap on water abstraction will ensure with sufficient certainty that development will not adversely impact the protected Arun Valley habitats. This is the primary element of interest to local authorities in making decisions regarding relevant plans or projects, as it removes the connection between abstraction and growth."

Natural England has now advised that issues of water abstraction can be addressed without requiring individual developments to demonstrate water neutrality. There is no need for water neutrality statements, no payments to SNWCS and no bespoke conditions or s106 obligations requiring water neutrality to be demonstrated.

2.3 Following Natural England's updated position, the Council remains mindful that the area remains one of having significant water stress and as a result *"all applications for new housing will be required by condition to comply with the Building Regulations Part G Optional Technical Standard (currently 110 l/p/d) as required by Policy 37 of the Horsham District Planning Framework"*. This standard limits water consumption to 110 litres per person per day. In respect of existing permissions, the Council's guidance confirms that:

"For applicants who have existing planning permissions with conditions and s106 obligations requiring compliance with bespoke water neutrality mitigation, we will consider applications under s.73 of the Town and Country

Planning Act to remove those conditions, and any associated applications to vary or discharge any relevant s106 obligations. If your permission is for new dwellings, we will instead apply a condition requiring compliance with the Building Regulations Part G Optional Technical Standard referred to above. This is the same condition we applied to all new dwellings prior to the 2021 Position Statement.”

- 2.4 Accordingly, as set out above this application seeks to amend the current permission to remove the water neutrality condition. Notwithstanding the fact that the swimming pool has been constructed in accordance with approved plans / conditions there are now no grounds upon which the Applicant should be bound by the measures set out in Condition 3 such as for example future filling of the pool etc.
- 2.5 It is therefore requested that the condition be deleted or if the Council feels necessary that it's replaced with the standard condition requiring compliance with the Optional Technical Standard of Building Regulations Part G (110 litres of water per person per day). The expectation is that this will be applied as a workable regulatory condition as normal and given the uniqueness of this matter it would not alter the approved scheme.
- 2.6 In summary it is hoped that having regard to latest guidance, this condition relating to water neutrality measures can be deleted and that this application will be approved as soon as possible.