

# Horsham District Local Plan 2023-2040 Examination

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**Our ref** 61647/02/MS/HBe  
**Date** 21 November 2024  
**From** Lichfields obo Berkeley Strategic Land Limited

## Subject Matter 3: Climate Change and Water

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This Hearing Statement has been submitted by Berkeley Strategic Land Limited ('Berkeley'); promoting the 'Land North West of Southwater' (HA3) 'Strategic Site' for around 1,000 homes.

Appendix 1 to Berkeley's Matter 1 statement sets out a Table of Modifications as proposed within Berkeley's submitted Hearing Statements (Matters 1 to 10).

### **1.0 Issue 1 – Whether the approach to climate change and energy use, sustainable design and construction is justified, effective, consistent with national policy and positively prepared?**

**Q1. Is Strategic Policy 6: Climate change sound? a) Is this policy consistent with national policy, justified and effective particularly when read alongside Building Regulations?**

1.1 No comment.

**b) Does the justification accurately reference “net zero carbon”?**

1.2 No. **Berkeley objects** to policy SP6 on the basis it does not accurately reference 'net zero carbon' and it is therefore not consistent with national policy (NPPF Para 35d). The Council has suggested a modification to Para 5.3 of the plan as well as the glossary in this respect<sup>1</sup>. This modification would resolve Berkeley's objection.

**c) Is criterion 2d) effective?**

1.3 No comment.

**d) is the reference to “sustainable transport infrastructure” effective and consistent with other policies in the Plan?**

1.4 No comment.

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<sup>1</sup> HM012, SD14

**e) Does this policy appropriately deal with the demolition of buildings?**

1.5 No comment.

**Q2. Is Strategic Policy 7: Appropriate Energy Use sound? a) Is the cascade set out in criterion 1 justified and effective?**

1.6 No comment.

**b) Is the order of preference set out in criterion 2c) justified and effective? Should any other “means” be identified and are the “means” identified justified and effective?**

1.7 No. **Berkeley objects** to policy SP7. The policy should be technology agnostic to ensure the ‘optimum’ solution can always be implemented; as will be demonstrated in an Energy Statement submitted to support any future planning application. This is particularly important given a ‘one-size-fits-all’ approach in terms of which technologies are prioritised – as policy SP7 currently proposes – is unlikely to be suitable for the wide range of sites, locations, designs and construction methods for the new homes delivered under the plan; noting that technology is evolving.

1.8 To make the plan sound, part 2(c) of Policy SP7 could be amended to read:

*“Use of the optimum means of low or zero-carbon heat supply is demonstrated including: ...”*

1.9 Implementing such a modification would resolve Berkeley’s objection. It would further be consistent with the Written Ministerial Statement of 13 December 2023 on ‘Planning: Local Energy Efficiency Standards’ which addresses how energy efficiency standards should be addressed in local planning policies<sup>2</sup>.

**c) Is the reference to energy from waste in the justification text justified?**

1.10 No comment.

**Q3. Is Strategic Policy 8: Sustainable Design and Construction sound?**

1.11 No comment.

**2.0 Issue 2 – Whether the approach to water neutrality and flooding is justified, effective, consistent with national policy and positively prepared?****Q1. Is Strategic Policy 9: Water Neutrality sound? a) Is the geographical application of this policy accurately identified on the submission Policies Map?**

2.1 No comment.

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<sup>2</sup> <https://hansard.parliament.uk/commons/2023-12-13/debates/23121331000011/PlanningLocalEnergyEfficiencyStandards>

**b) Is the restriction for residential development of 85 litres of mains supplied water per person per day justified and effective?**

- 2.2 In the context of the water neutrality issue, the proposed restriction to limit water consumption to 85l/p/d is considered justified and effective noting that its implementation limits the need for additional offsetting measures (to be implemented by Southern Water) and will enable the increased delivery of housing within the plan-period<sup>3</sup>.
- 2.3 Moreover, implementing the same restriction was recently considered as part of the Crawley Local Plan (an authority affected by the same water neutrality issue). The Inspectors concluded in their September 2024 report that in respect of the 85l/p/d restriction: *“We are satisfied that these standards have been properly tested by the Council and its partners regarding potential alternatives for more or less restrictive limits”* (IR239)<sup>4</sup>.

**c) Is it clear how this policy would be applied to non-domestic buildings?**

- 2.4 No. **Berkeley objects** as the policy it is not effective (NPPF paragraph 35c). The Council has proposed a modification to the policy<sup>5</sup> that if implemented would resolve Berkeley’s objection.

**d) Is the approach to water off setting justified and effective? Has any further progress been made on implementing the Sussex North Offsetting Water Scheme? When realistically is it likely to be in place? Will it be effective?**

- 2.5 This is considered a matter for the Council. Notwithstanding, it should be noted that the SNOWS scheme should be seen as a measure needed to support short and medium growth for this plan prior to a strategic solution being implemented through the emerging Southern Water WRM 2025.

**e) Has achieving water neutrality been adequately assessed as part of the viability evidence and is this policy flexible enough to deal with changes in circumstances with regard to water neutrality?**

- 2.6 Yes, the cost of achieving water neutrality has been adequately addressed as part of the viability evidence. These costs are considered in both the Part C Water Neutrality Study (CC11) and considered in the Local Plan Viability Study<sup>6</sup>. The same costings were recently found sound at the Crawley Local Plan examination as per the Inspectors September 2024 report<sup>7</sup>.
- 2.7 Notwithstanding, **Berkeley object** to policy SP9 on the basis that the policy is not flexible enough to deal with changes in circumstances; therefore, it is not effective as it is not

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<sup>3</sup> See Section 4.2 (pages 18-19), and Paras 5.1 to 5.3 including Figure 5.1 (page 23-27) Water Neutrality Part C – Mitigation Strategy (CC11)

<sup>4</sup> [https://crawley.gov.uk/sites/default/files/2024-09/Crawley%20Borough%20Local%20Plan%202023%20to%202040%20inspectors%20report%20-%20final\\_o.pdf](https://crawley.gov.uk/sites/default/files/2024-09/Crawley%20Borough%20Local%20Plan%202023%20to%202040%20inspectors%20report%20-%20final_o.pdf)

<sup>5</sup> HM015, SD14

<sup>6</sup> Page 34, H12

<sup>7</sup> See IR239 and Para 60. [https://crawley.gov.uk/sites/default/files/2024-09/Crawley%20Borough%20Local%20Plan%202023%20to%202040%20inspectors%20report%20-%20final\\_o.pdf](https://crawley.gov.uk/sites/default/files/2024-09/Crawley%20Borough%20Local%20Plan%202023%20to%202040%20inspectors%20report%20-%20final_o.pdf)

deliverable over the plan period (NPPF paragraph 35c). Part 3 of the policy should refer to specific priority in terms of the release of credits: prioritising the strategic scale allocations within this plan (i.e. including the delivery of the 'Land North West of Southwater' site [HA3]) as these sites are (1) crucial to the overall strategy of the plan, with delivery of them phased to meet policy SP37; and (2) have greater lead-in times and costs associated with securing permission and therefore require greater certainty to bring them forward as required within the plan-period. Existing commitments within the plan should also be prioritised.

**Q2.**

2.8

No comment.

**Word Count:** 611