

**Horsham Local Plan 2023-2040
Examination of the Local Plan**

Matter 3: Climate Change and Water

Statement on behalf of Barratt David Wilson
Southern Counties

November 2024

1. Introduction

- 1.1 This Statement is submitted on behalf of Barratt David Wilson Homes Southern Counties (hereafter referred to as 'BDWHSC') to the Horsham Local Plan Examination in response to 'Matter 8: Housing' as set out in the Inspector's Matters Issues and Questions document (ID04 – 14th October 2024).
- 1.2 This statement should be read in conjunction with the other statements submitted on behalf of BDWHSC, and their representations to consultation on the draft Local Plan.
- 1.3 BDWHSC have built a number of developments within Horsham District, recent developments include sites in Storrington and Henfield. BDWHSC has an interest in, and has actively promoted the at land at Dunstons, Shermanbury Road, Partridge Green.
- 1.4 The land promoted by BDWHSC at Dunstons, Shermanbury Road, Partridge Green was considered during the preparation stages of the Horsham Local Plan as is identified as site SA634 within the SHELAA (2018) and was included in the Council's Regulation 18 draft Local Plan as a potential site allocation (Map 15 – Partridge Green). See **Figure 1** below.

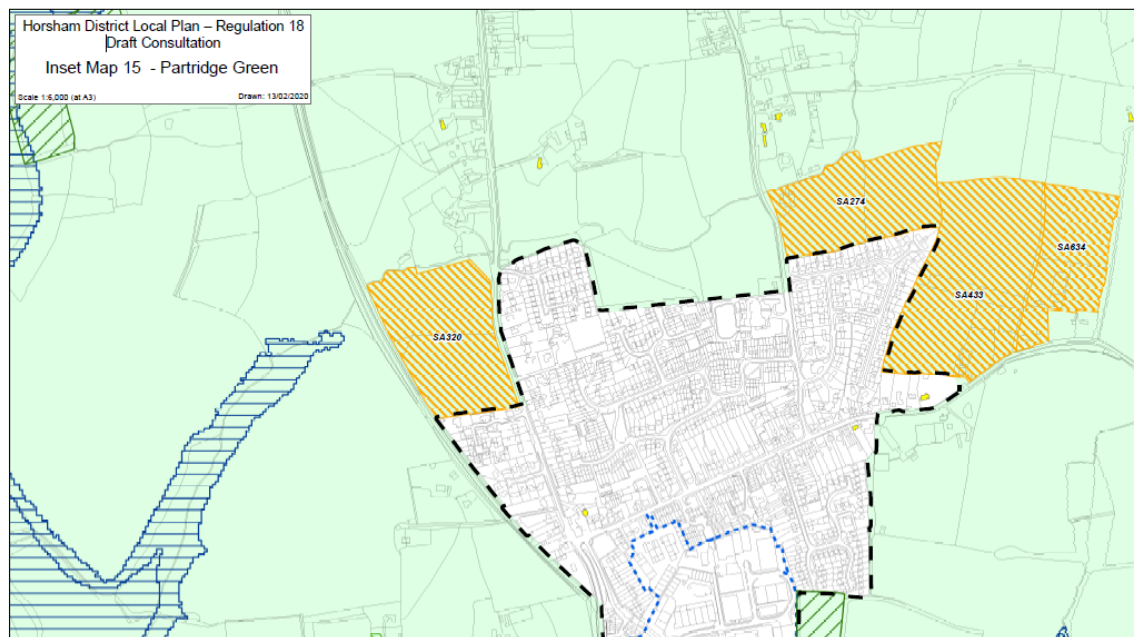


Figure 1: Horsham District Local Plan - Regulation 18 Draft Consultation (Inset Map 15)

- 1.5 Following Regulation 18 consultation, the site was assessed again and was subsequently removed from the Regulation 19 draft Local Plan as a site allocation.

2. Response to Matter 3: Climate Change and Water

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?

2.1 No comment.

Q2. Is Strategic Policy 7: Appropriate Energy Use sound?

a) Is the cascade set out in criterion 1 justified and effective?

2.2 BDWHSC do not consider the cascade under criterion 1 is justified, or effective.

2.3 In response to 'Be Lean' under criterion a), the phrase 'use less energy' is not clear on how much energy use would need to be reduced by. It is assumed this would be considered on a case-by-case basis however it does not suggest that a consistent approach would be able to be taken across all development proposals.

2.4 The requirements under criterion b) 'Be Clean' are not considered to be effective, as if a proposal is located in an area where a planned heat network is proposed (but not yet delivered), there is a risk that the policy will force developments to incorporate the infrastructure for a scheme that may never come forward. In addition, if a scheme is unable to utilise heat and district energy networks, it is unclear whether they will be immediately considered inappropriate.

2.5 In part 2 of the policy, we note the asterisk refers to text which states:

"Where a local heat network is planned but not yet in existence or connection is not currently viable, but may become viable in the future, the development should be designed to allow for the cost-effective connection and supply at a later date. In this case the heat should be supplied according to steps 2b and 2c of the above hierarchy."

2.6 In effect the Council is setting out that a scheme that is delivered in advance of a network will need to provide current grid accessible solutions for energy; and then if and when a network is provided, the scheme will need to be retrofitted to utilise the system. This would create a doubling of costs, and would require a developer to revisit homes already sold to retrofit them (and there is no guarantee that purchasers would allow access to do this). Unfortunately it is not as simple as unplugging the electricity from the heating for the house; and reconnecting the heating generated by a network system, the two will be run on completely separate systems, it is simply unviable to allow for retrofitting.

2.7 Criterion c) 'Be Green' is not considered to be effective. It is not clear to what extent the maximisation of renewable energy sources will be required in order for a development to be considered acceptable by the Council. The wording does not detail

examples of renewable energy sources the Council would consider appropriate. It is also unclear if a development is unable to incorporate an 'acceptable' amount of renewable energy into a scheme, whether the Council would support this, despite efforts to include renewables.

2.8 Criterion d) is considered to be ineffective, there is no detail provided as to how the Council will regulate and monitor the requirement for developers to report on energy performance.

2.9 The wording of the policy is also unclear as to whether minor developments would be required to deliver the same level of energy efficiency as major proposals.

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

2.10 BDWHSC do not consider the criterion under 2 c) to be justified or effective.

2.11 BDWHSC consider the 'order of preference' should be removed from the policy wording. The inclusion of the order of preference could restrict certain development coming forward if it is unable to deliver the Council's preferred choice of zero carbon heat supply. It is unclear from the wording whether development proposals would have to demonstrate why they are unable to deliver criterion i-iii should they be unable to do so.

2.12 In terms of 'other means', the Council have not made it clear in the policy wording what they consider these would be. However, they have identified a list of alternative means at paragraph 5.16 which have not been listed in the criterion under Strategic Policy 7.

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

2.13 No. The wording is not clear and does not provide details regarding the sources of waste the Council would consider appropriate or expect to see from including this as a suggested source of energy.

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

a) Is this policy consistent with national policy, justified and effective particularly when read alongside Building Regulations?

2.14 Criterion a) of the policy requires developments to meet part L of the Building Regulations. Given this is a statutory requirement which is likely to be subject to change in 2025, BDWSC consider it is unnecessary to repeat this as part of the policy wording. In addition, BDWSC also note that it is not for those making decisions on planning applications to confirm if a development meets Building Regulations or not.

2.15 In relation to criteria 1d, we note that concerns and questions should arise as to how the LPA are going to monitor such matters. It is unclear whether the LPA will be seeking to monitor waste from sites and what measures would then be taken.

- 2.16 Criteria 1e is also unclear – what level of flexibility are HDC willing to allow for within major application site for example. Is the expectation for homes to be adaptable, and if so, adaptable for what purposes. It is also unclear as to whether HDC expects such schemes to be adaptable in line with M4(2) / M4(3) or is it adaptable for other reasons.
- 2.17
- 2.18 In terms of consistency with national policy, the Written Ministerial Statement ('WMS') issued on the 13th December 2023 ¹makes clear the Government's position with regard to plan makers and their consideration of energy efficiency for new developments. The WMS reiterates that that the 2021 Part L uplift to the Building Regulations sets the minimum energy efficiency standards.
- 2.19 The WMS notes that *"A further change to energy efficiency building regulations is planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continue to decarbonise."*
- 2.20 The WMS continues by stating that improvements to the current standards are already in force, alongside additional ones that are planned in 2025, with the Government stating *"In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale."*
- 2.21 BDWHSC do not consider the Council's proposed inclusion of a 'Fabric First Approach' is justified or consistent with the WMS in that it introduces standards beyond Building Regulations, and it does not provide a well-reasoned and robustly costed rationale for its inclusion in the policy and it does not ensure that:
- *That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.*
 - *The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).*
- 2.22 BDWHSC would note the WMS where it states, *"Where plan policies go beyond current or planned building regulations, those polices should be applied flexibly to decisions on planning applications and appeals where the applicant can demonstrate that meeting the higher standards is not technically feasible, in relation to the availability of appropriate local energy infrastructure (for example adequate existing and planned grid connections) and access to adequate supply chains."*
- 2.23 In this context, it is considered that the Council should make it clear in the wording that should a scheme not be able to achieve the 'Fabric First' approach, the Council will

¹ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hlws120>

consider this on a case-by-case basis provided the applicant can demonstrate why this cannot be achieved.

- 2.24 In any event, BDWHSC consider this policy to be unsound in that it does not align with national policy.

b) Is it consistent with national policy and legislation with regard to its approach to heritage assets?

- 2.25 No comment.

c) Is it consistent with Strategic Policy 9: Water Neutrality?

- 2.26 No. Criterion b) of Strategic Policy 8 states that “*New non-domestic buildings to achieve a BREEAM rating of ‘Excellent’, unless it can be demonstrated that this would make the scheme unviable.*” Criterion b) of Strategic Policy 9 states that “*New non-domestic buildings to achieve a score of 3 credits within the water (WAT01 Water Consumption) issue category for the BREEAM Standard or an equivalent standard set out in any future update.*”

- 2.27 Should a scheme demonstrate that it would be unviable in the context of criterion b) of Strategic Policy 8, then there is a chance that the scheme would not comply with criterion b) of Strategic Policy 9.

- 2.28 It is not clear whether ‘*water efficient design*’ as required by Strategic Policy 9 would conflict with the design requirements of Strategic Policy 8. For example, criterion e) of Strategic Policy 8 states that developments should be “*designed flexibly to enable future modification of use or layout, facilitating future adaption, refurbishment and retrofitting.*” However, if a scheme is design to meet this criteria, it may conflict with the requirements of water efficient design under Strategic Policy 9.

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?

- 2.29 No comment.

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

- 2.30 No BDWHSC do not consider the restriction to be justified or effective.

- 2.31 We note that the Council is proposing to require that new developments achieve a standard of water consumption that is lower than the current national standards and guidance.

- 2.32 BDWHSC consider that addressing the subject of viability in relation to delivery of schemes that are water neutral is important and should be addressed within the policy wording.
- 2.33 BDWHSC are at the forefront of testing new technology through the Energy House 2.0 project, in conjunction with Salford University. This project is testing all elements of sustainable design, including seeking to reduce water usage. However, there have been no practical and customer friendly solutions that would allow water usage to be taken below 90 litres per person per day. It would have a negative impact upon the customer experience if it were, with the introduction of elements such as push button showers, single temperature water taps across all areas, and the potential requirement for recycled water from roofs for secondary water usage (toilet flushing, etc). Each of these technologies have issues, customers will simply press the push button to extend their shower length, customers do not like to brush their teeth with tepid water, and customers are often discouraged by any residue brought from the secondary water storage (usually from the roof) which starts to stain sanitary wear.

2.34 <https://energyhouselabs.salford.ac.uk/>

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

2.35 No comment.

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?

- 2.36 BDWHSC do not consider the proposed approach to water offsetting is justified or effective. In this regard, we note that the premise of water neutrality appears to assume that the development industry, rather than the utility industry, should be responsible for the issue of water capacity.
- 2.37 The Council published a project review in May 2024 regarding the Sussex North Offsetting Water Scheme ('SNOWS'). The paper identifies a significant amount of outstanding scope to be delivered as part of the scheme. The paper does not include an estimated timetable for delivery of the scheme, and it is not clear when the scheme is likely to be in place. If the timetable for implementation of the SNOWS is unclear, the follows that there can be no certainty or clarity as to the efficiency of the proposed measures.
- 2.38 Furthermore, we have been unable to identify any new evidence supporting this Local Plan which demonstrates that the overall capacity of the SNOWS approach to off-set development impact in the manner envisaged. Without this evidence, it is not possible to conclude whether it supports the level of growth in the draft Local Plan, or whether it provides additional capacity which might serve a greater level of development. This uncertainty remains reflected at paragraph 4.19 of the Local Plan which states "*Given the wider uncertainties surrounding the delivery of solutions to water neutrality...*"
- 2.39 Notwithstanding the above, BDWHSC do not consider it is the responsibility of developer, but for the relevant water companies to provide for sufficient levels of

supply and plan for those needs, whilst also meeting their obligations in relation to environmental considerations.

- 2.40 In addition, we note that the Policy enables alternative offsetting solutions to be deployed. As far as we can establish, the Council assumes that the issue of water neutrality is such that it restricts the overall capacity of the District to accommodate new development, has established the SNOWS system and then drafted a policy which enables alternatives to be used. However, at now point does the LPA appear to have taken a step back to consider whether those alternative solutions might enable greater levels of development to be accommodated.

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?

- 2.41 No.

- 2.42 The Council's Viability Assessment (H12) within the Local Plan evidence base states that the cost per dwelling towards Water Neutrality is £2,000. The reasoning behind this figure is not clear whether "funding for administrative of offsetting programme" includes purchase of credits towards the SNOWs process or alternative offsetting measures as referred to in Strategic Policy 9.

Q2. Is Strategic Policy 10: Flooding sound?

a) Is the policy effective in terms of having regard to cumulative impacts?

- 2.43 No comment.

b) Should it reference green and blue infrastructure?

- 2.44 No comment.

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