

POLICY SDC4: WATER NEUTRALITY PROPOSED MODIFICATIONS (DECEMBER 2023)

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1. Introduction

- 1.1 At the Stage 1 Hearings, through its written statement and verbal discussion on Matter 8 Issue 2 (Water Neutrality), the council has suggested a number of proposed modifications that it considers necessary to add to the clarity and effectiveness of Local Plan Policy SDC4.
- 1.2 The proposed modifications are discussed in detail in the council’s Written Statement on Matter 8 Issue 2 (Examination Document Reference: CBC/MIQ/08b) and are also set out through the Schedule of Suggested Modifications (Examination Documents Reference CBC/CBLP/07d). As several modifications have been proposed to date, the council consider that it may assist the Inspectors and participants to set out a version of the policy and supporting text showing the proposed modifications in full.
- 1.3 In addition to these proposed modifications, the council notes discussion at the Water Neutrality hearing session relating to the possible inclusion of wording within Policy SDC4 to cover the eventuality of water neutrality no longer being required during the Plan period. Whilst the council considers that the text of Local Plan Paragraph 1.37 already provides a suitable ‘review trigger’, it is of the view that inclusion of additional text within Policy SDC4 would provide clarity as to the approach were water neutrality no longer required.
- 1.4 Therefore, this note shows on a comprehensive basis the modifications proposed to date in relation to Policy SDC4 and its supporting text. It also proposes a further modification in relation to the discussion at paragraph 1.3 above.

2. Proposed Additional Modification (post Stage 1 Hearings)

- 2.1 As set out in the supporting text to Policy SDC4, much of Crawley falls within Southern Water’s Sussex North Water Resource Zone (WRZ) and is therefore subject to water neutrality at this time. Policy SDC4 requires development in the Sussex North WRZ to achieve a water efficiency standard of 85l/p/d for residential or a score of 3 credits within the water (WAT01 Water Consumption) issue category for the BREEAM Standard (or future equivalent) for non-domestic buildings.

- 2.2 As recognised by Local Plan Policy SDC3, Crawley is located within an area of serious water stress. For the parts of the borough that are located outside of Sussex North WRZ (and which are therefore not subject to water neutrality) a water efficiency standard of 110l/p/d (or BREEAM 'Excellent' within the Water category for non-domestic buildings) applies.
- 2.3 Should water neutrality requirements no longer be required during the lifetime of the Local Plan, the water efficiency standards set out in Policy SDC4 would no longer apply, and these would instead revert to the water efficiency standards set out in Policy SDC3 given the 'serious water stress' designation.
- 2.4 It is considered necessary to address this eventuality through Policy SDC4, thereby providing certainty as to the water efficiency standards that would apply should water neutrality no longer be required. Having discussed this with the Local Authorities and South Downs National Park Authority, it is proposed that the following additional wording is added to Policy SDC4 as a new Part 7:

7. Area of Serious Water Stress

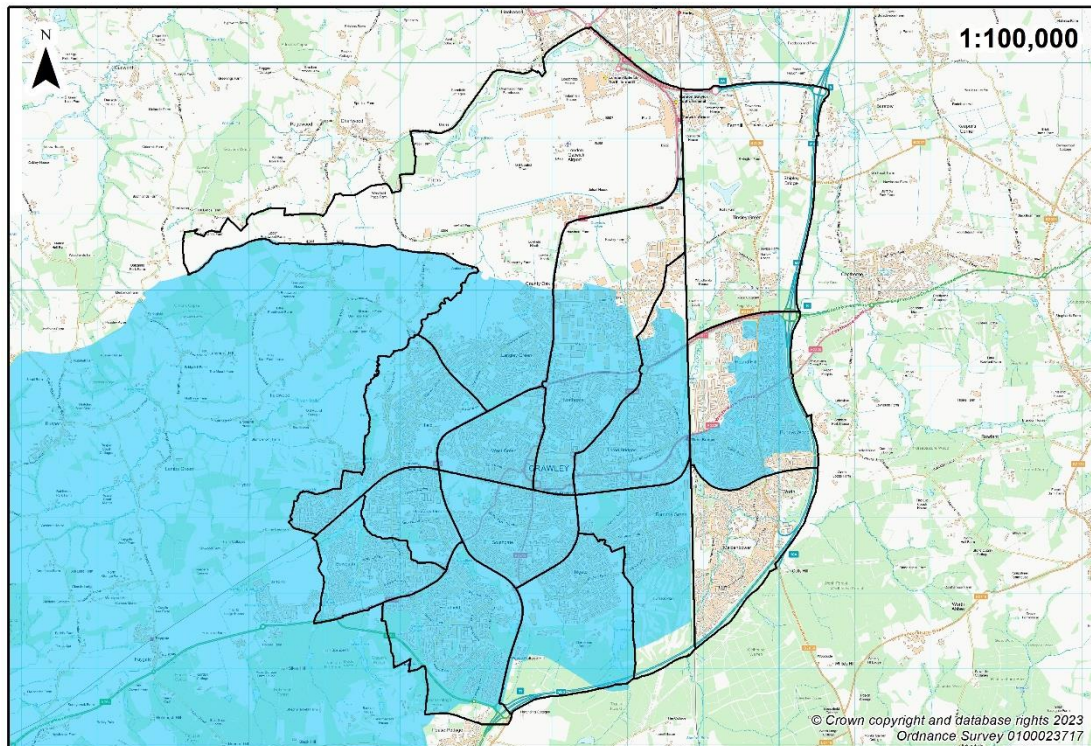
Should the need to demonstrate water neutrality no longer be required, new residential development must be designed to utilise no more than 110 litres of mains supplied water per person per day (or non-domestic equivalent), as per Local Plan Policy SDC3 and the Building Regulations optional requirement for tighter water efficiency. For non-domestic buildings, the minimum standards for BREEAM 'Excellent' within the Water category will apply. Should tighter national standards be introduced during the Local Plan period applicable for areas of serious water stress, the updated standards will be applied.

3. Overview of Proposed Modifications to Policy SDC4 and Supporting Text

Water Neutrality

- 15.413 Crawley borough lies within Southern Water's Sussex North Water Resource Zone (WRZ), within which water is mains-distributed by Southern Water. As well as covering Crawley, the WRZ covers Horsham district, parts of Arun district, Chichester district, and areas located in the South Downs National Park.
- 15.424 Sussex North WRZ is supplied from groundwater abstraction, from the Folkestone beds of the Lower Greensand/Wealden Greens and semi-confined aquifer, on the River Arun, close to Pulborough in Horsham district. The abstraction site is located close to a group of nature conservation sites, known as the Arun Valley Sites, that are nationally or internationally designated as Special Areas of Conservation, Special Protection Area, and a Ramsar Site for their rare and protected habitats. On 14 September 2021, local planning authorities covered by the Sussex North WRZ received a Position Statement from Natural England. This set out that it could not be concluded with certainty that water abstraction at Pulborough was not impacting negatively on the Arun Valley Sites, and outlined that development must not add to this impact. Given the high level of regulatory protection afforded to the Arun Valley Sites, certainty is needed that development will not have an adverse effect on the sites.
- 15.435 To provide the necessary certainty, the most feasible approach is for development ~~must~~ to demonstrate that it is water neutral. This means that for every new development, total water use in the region after the development must be equal to or

less than the total water-use in the region before the new development. Water neutrality should be achieved by first ensuring that development is highly water efficient, and secondly by ensuring that the additional demand arising from development is offset within the Sussex North WRZ.



■ Sussex North Water Resource Zone: Water Neutrality (Policy SDC4)

Figure 1: Sussex North Water Resource Zone - Crawley borough

- 15.446 This means that all development will need to be designed to achieve water efficiency standards above the requirements set out by the optional requirements in Building Regulations. New residential development will be required to use no more than 85 litres per person per day (l/p/d) and non-residential buildings required to achieve 3 credits within the BREEAM water issue category. This may include incorporating a range of measures, such as greywater recycling and rainwater harvesting into the design of new development, and fitting water saving fixtures such as flow regulators, low flush toilets, low volume bath, aerated taps and water efficient appliances (in particular, washing machines and dishwashers).
- 15.457 Water efficient design will not be sufficient alone to achieve water neutrality, as new development, regardless of how efficient it is, would still increase the demand for water above existing levels. Therefore, the additional demand arising from development will need to be offset against existing supplies. It is envisaged that this will be achieved through demand management savings identified in Southern Water's Water Resource Management Plan, together with measures to be identified in a joint Local **Planning Authority and South Downs National Park Authority**-led Offsetting Implementation Scheme (OIS) being prepared; note that achieving the aforementioned higher levels of efficiency will enable the OIS to provide necessary offsetting more effectively, thereby reducing offsetting costs and ensuring viability for all development within the WRZ. Development may choose to achieve water neutrality through other means, but the key principles of water efficient design and offsetting the additional demand created, remain. Offsetting is

expected to be provided prior to occupation of new developments and this shall be secured through the Development Management process.

Strategic Policy SDC4: Water Neutrality

1. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. This is to be achieved by ensuring that:

Water Efficient Design

- a) New residential development is designed to utilise no more than 85 litres of mains supplied water per person per day;
- b) New non-domestic buildings 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;

AND

Offsetting Water Use

- c) Development proposals demonstrate that having achieved water efficient design, any remaining mains-supplied water use from the development is offset such that there is no net increase in mains-supplied water use within the WRZ compared with pre-development levels.

Water Neutrality Statement

2. ~~5.~~ A water neutrality statement will be required to demonstrate how policy requirements have been met in relation to water supply, water efficient design and offsetting. The statement shall provide, as a minimum, the following:
 - a. baseline information relating to existing water use within a development site;
 - b. full calculations relating to expected water use within a proposed development; and
 - c. full details of how any remaining water use will be offset.

Offsetting Schemes

3. ~~2.~~ A local ~~planning~~ authority and South Downs National Park Authority (SDNPA)-led water offsetting scheme will be introduced to bring forward development and infrastructure supported by Local and Neighbourhood Plans. The authorities will manage access to the offsetting scheme to ensure that sufficient water capacity exists to accommodate planned growth within the Plan period.
4. ~~3.~~ Development proposals are not required to utilise the local ~~planning~~ authority and SDNPA-led offsetting scheme and may bring forward their own offsetting schemes. Any such development proposals will need to have regard to the local authority and SDNPA-led offsetting scheme and associated documents.
5. Offsetting schemes can be located within any part of the WRZ, with the exception that offsetting will not be accepted within the Bramber/Upper Beeding area in Horsham district.

Alternative Water Supply

6. ~~4.~~ Where an alternative water supply is to be provided, the Water Neutrality s Statement will need to demonstrate that no water is utilised from sources that supply the Sussex North WRZ. The wider acceptability of and certainty of delivery for alternative water supplies will be considered on a case-by-case basis.

Water Neutrality Statement

- ~~5. A water neutrality statement will be required to demonstrate how policy requirements have been met in relation to water supply, water efficient design and offsetting. The statement shall provide, as a minimum, the following:~~
- ~~d. baseline information relating to existing water use within a development site;~~
 - ~~e. full calculations relating to expected water use within a proposed development;~~
 - ~~and~~
 - ~~f. full details of how any remaining water use will be offset.~~

Area of Serious Water Stress

- 7. Should the need to demonstrate water neutrality no longer be required, new residential development must be designed to utilise no more than 110 litres of mains supplied water per person per day, as per the Building Regulations optional requirement for tighter water efficiency. For non-domestic buildings, the minimum standards for BREEAM 'Excellent' within the Water category will apply. Should tighter national standards be introduced during the Local Plan period applicable for areas of serious water stress, they will be applied.**

Reasoned Justification

- 15.468 The impact of groundwater abstraction within the Sussex North Water Resource Zone was identified by Natural England as a concern in 2019. At this time, Natural England advised Southern Water that it could not conclude, with certainty, that existing abstraction within the Sussex North Water Resource Zone was not having an adverse impact on the integrity of the designated sites through reduced water levels and potential water quality impacts. The affected sites include Amberley Wild Brooks SSSI and Pulborough Brooks SSSI, which form part of Arun Valley SPA, Arun Valley SAC and Arun Valley Ramsar site.
- 15.479 In addition to existing pressures, Natural England is also concerned that the Sussex North WRZ will be subject to significant future development pressures that would necessitate increased abstraction within the region that would likely further exacerbate any existing impacts on the Habitats Sites. Pursuant to these concerns, on 14 September 2021 Natural England advised the relevant Local Authorities that existing abstraction within the Sussex North WRZ could not be ruled out as causing an adverse effect on the Habitats Sites. Furthermore, if further development were to be consented in this region (with the requirement for additional abstraction) such development was likely to have an adverse effect on the designated sites. To avoid an adverse effect on integrity, the conservation status of a habitat must, if favourable, be preserved. If unfavourable, it must not be further harmed or rendered more difficult to restore to a favourable status. It is this which Water Neutrality is seeking to achieve.
- 15.4850 To ensure that development identified in the Local Plan comes forward in a manner that enables water supplies to be maintained and the environment protected, the affected local authorities have worked with consultants, Natural England, Southern Water, the Environment Agency and others to produce a Water Neutrality Strategy. The Water Neutrality Strategy evidences that the amount of development proposed in this Local Plan and in Local Plans of the other affected authorities, provided it is delivered to the water efficiency standards set out in the policy and achieves sufficient offsetting within the Sussex North WRZ, would not increase abstraction at Pulborough and thus, would not negatively impact on the Arun Valley Sites. It should be noted that the precise boundary of the Sussex North WRZ may be amended by Southern Water over the Plan period, and applicants should clarify with Development Management prior to submitting a planning application.

- 15.49⁵¹ Applicants using the **Local Authority and SDNPA-led** Offsetting Implementation Scheme (OIS) to offset water, will 'buy in' to the scheme at a level to ensure that their development achieves water neutrality. Where development achieves its offsetting through accessing the Local Authority OIS, a proportionate developer contribution will be secured. Further detail on this contribution is set out in the Planning Obligations Annex. Recognising that the capacity of water offsetting that the OIS can provide may be limited at particular points in time during the plan period, the authorities will monitor use across the WRZ and manage access to the OIS to ensure that, prior to permissions being granted, sufficient water capacity exists to ensure that water neutrality will be achieved when occupation takes place.
- 15.52 Offsetting capacity in the OIS is not limitless and access will be managed by the local authorities and SDNPA to ensure there is sufficient capacity in the OIS to demonstrate water neutrality in schemes that are approved. The authorities will publish and keep regularly updated, a Scheme Access Prioritisation Protocol (SAPP) to show how access to the offsetting in the OIS will be managed. Infrastructure necessary to support planned growth, such as schools, will be prioritised in the SAPP.**
- 15.50³ Development is not required to utilise the Local Authority **and SDNPA-led** OIS, and may choose to undertake its required water offsetting through other offsetting schemes. Where this is the case, offsetting must take place within the Sussex North WRZ. The exception to this is the Bramber/Upper Beeding area (Horsham district), as water in this part of the Sussex North WRZ is usually provided by a water source other than the Pulborough abstraction site, meaning that offsetting cannot take place within this area. The Bramber/Upper Beeding area is shown on the interactive Water Neutrality Map: <https://www.westsussex.gov.uk/planning/water-neutrality/>.
- 15.51⁴ For all development, it will be necessary to demonstrate how water neutrality will be achieved through a Water Neutrality Statement to be submitted as part of any planning application within the Sussex North WRZ. This will be required to set out baseline information relating to existing water use within a development site, full calculations relating to expected water use within a proposed development; and full details of how any remaining water use will be offset. Detail should also be provided as to how delivery of water efficiency measures, alternative water supplies and offsetting prior to occupation of the development will be verified and monitored.
- 15.55 Should applicants not utilise the Local Authority and SDNPA-led OIS, certainty of delivery of alternative offsetting will need to be demonstrated. The Water Neutrality Statement should supply full details of the offsetting scheme that their development would rely upon. Similarly, certainty of alternative supply will need to be demonstrated in the Water Neutrality Statement. For connection to an alternative water company, this could be achieved by confirming that the alternative water company has sufficient capacity and will take on supply to the development. For a private supply borehole or other source of supply, this will require evidence that sufficient water supply is available to meet demand arising from the proposed development, and demonstrating with certainty that the alternative supply source does not impact upon the Arun Valley sites.**
- 15.56 To provide the necessary certainty, measures to deliver water neutrality will need to be secured through the Development Management process.** The council will seek to provide additional guidance to further assist applicants with water neutrality statements.