

HDC Draft Local Plan Regulation 19 representations

Filed on behalf of Save Rural Southwater and Stammerham Amenity Association

Executive Summary

For the reasons set out in more detail in the paragraphs which follow, Save Rural Southwater (“SRS”) and Stammerham Amenity Association (“SAA”) respectfully submit that the Inspector should not approve the provisions in the draft plan in its present form on the grounds, amongst others, that:

(1) the measures outlined in the draft plan designed to achieve Water Neutrality (“WN”) (and thereby compliance with the Habitats Regulations 2017) are fundamentally flawed; they do not comply with the Natural England (“NE”) definition of WN or the standards required to be met by the Habitats Regulations for new developments;

(2) contrary to NE requirements, there is no fully defined mutually agreed and enforceable strategic policy among all the affected LPAs to approve, monitor and enforce the measures required to meet the WN standards and to comply with the Habitats Regulations 2017;

(3) the designation of the land north and west of Southwater as a strategic site conflicts with a number of the strategic policies in the draft plan; and

(4) the designation of the land north and west of Southwater as a strategic site in the draft plan conflicts with the 2019 Southwater Neighbourhood Plan 2019-2031.

On each of these grounds individually, and collectively, it is respectfully submitted that the plan should not be approved in its present form.

Statement of interest

Save Rural Southwater (“SRS”) is an informal group of local Southwater Parish and nearby residents which initiated and co-ordinated an on-line petition opposing the 2022 application (which attracted over 1300 objections and was withdrawn in 2023) for the development of open countryside/farmland North-West of Southwater by Berkeley Homes. This petition currently has over 2900 supporting signatures. At the time the land put forward for the development was outside the Southwater BUAB in the 2015 Horsham District Plan and outside the Made Southwater Neighbourhood plan BUAB. HDC has however now included this land in the draft plan as a strategic development site.

The Stammerham Amenity Association (“SAA”) is a local residents group which was established over 30 years ago, to help protect the rural quality of life in Tower Hill, Two Mile Ash, Christ’s Hospital and Denne Park. The object of the Association is to maintain and manage a forum for the discussion of matters of local interest, to consult with the Parish, District and County Councils on matters regarding any future plans for the area and to put forward a consensus opinion to the aforesaid authorities wherever appropriate.

The SAA/SRS representation is, therefore, made by and on behalf of interested parties who will be directly or indirectly, and adversely, affected by;

- (1) the district-wide exposure to insufficient water supply which will be significantly and potentially fatally impacted by the scale of the development proposed in the draft plan, and
- (2) the allocation of the land North-West of Southwater as one of the three strategic development sites in the district,

Before addressing the specific provisions of the plan, this representation addresses the central and critical issues of threat to sustainable water supply and water neutrality.

1. Water supply in the Sussex North Water Resource Zone (“SNWRZ”) and “Water Neutrality”.

The Sussex North Water Resource Zone (SNWRZ) which is served by Southern Water is the most over-stressed water supply zone in the country. The zone extends from Crawley through Horsham, Pulborough and Arundel to Chichester.

This serious water supply problem is largely due to very large scale housebuilding across our region over recent decades, which has massively increased demand on the finite and sole water supply available, namely the Arun aquifer at Hardham, near Pulborough.

This critical threat to water supply across the SNWRZ and the resulting adverse effects upon a number of designated sites within the SNWRZ (the “Protected Sites”) were recognised by the Government’s Environment Agency (EA) and by Natural England (NE) and other stakeholders, including Southern Water and the affected local planning authorities (“LPAs”). Following engagement and consultation between these bodies, NE established the principle, uniquely applied to the SNWRZ, of “Water Neutrality” (“WN”) specifically designed to meet the duties imposed under the Habitats Regulations 2017 to avoid damage or adverse effects on the Protected Sites.

The WN principle was intended to set the standard by which developers and LPAs should demonstrate with certainty that any proposed development will

not contribute further to the existing adverse effects upon the Protected Sites. The WN principle is unique to the SNWRZ and applies in addition to the existing and broader obligations to meet the requirements of the Habitats Regulations 2017.

NE has required the LPAs within the SNWRZ to work together to prepare and implement a legally robust and enforceable joint strategy under which all affected LPAs (and the relevant regulatory and governing bodies) can measure and ensure enforcement of WN across the SNWRZ. NE has further required that such strategy must be integrated by each of the affected LPAs into their respective Local Plans.

In order to establish and then to implement a WN strategy which complies with the requirements of the Habitats Regulations 2017, it is well established that LPAs must adopt a strictly 'precautionary approach' where Protected Sites might be affected. A legal briefing commissioned by the Planning Advisory Association for the benefit of LPAs in November 2023, makes it clear that:

- 1. development can only be consented where the decision maker is sure, meaning that there is no scientific doubt, that it will not affect the integrity of the Protected Site;*
- 2. any assessment [of policy or its implementation] must be particularly robust to a high standard of investigation, based upon the best up-to-date scientific knowledge and not based upon the bare assertion of an expert. Any scientific uncertainty should be addressed by applying precautionary rates to variables. In all, the assessment can have no gaps, and must contain complete, precise and definitive conclusions "capable of removing all scientific doubt" as to the effects on the Protected Site;*

3. *case law provides that an LPA must be able to rule out all reasonable scientific doubt that a proposal would have an adverse effect on the integrity of a Protected Site. This doubt must be ruled out at the date of the decision authorising a project, not based on something that might or should happen later;*
4. *any mitigation measures can only be considered as part of the assessment when it is sufficiently certain that the proposed measures will be effective in avoiding the harm. In all the LPA must be able to guarantee beyond all reasonable doubt that the mitigation will mean that a project will not adversely affect the integrity of a Protected Site. This represents a particularly high bar. Relevant considerations will include how the measures will be implemented and monitored, and how any enforcement will take place*
5. *the appropriate assessment of a plan or project on a Protected Site may not take into account the future benefits of such mitigation measures if those benefits are uncertain, inter alia because the procedures needed to accomplish them have not yet been carried out or because the level of scientific knowledge does not allow them to be identified or quantified with certainty*
6. *when considering measures that seek to achieve neutrality, the measures will need to be preventative rather than compensatory*

Whilst the affected LPAs, Water Authorities, NE and other regulatory and consulting bodies have carried out detailed studies and have considered various options to address the WN issue, it is clear that the proposals and 'Statements of Common Ground' do not satisfy the legal requirements outlined above, for the reasons set out in the following paragraphs.

The process to identify an appropriate WN strategy therefore remains incomplete and requires further information and evaluation before any policy or strategy can be determined to meet the above standards and be finalised and incorporated into the respective local plans.

Without a legally robust and enforceable policy amongst all of the affected LPAs, the draft plan does not meet the WN requirements and any reliance placed by the draft plan upon the incomplete strategy is fundamentally flawed.

Water Neutrality – the theory.

In an attempt to address the real risk of the water supply being exhausted, and to ensure the continued integrity and conservation status of the Protected Sites, NE developed the policy of “water neutrality” and robustly and unambiguously defined what this means;

“The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place”

To meet the water neutrality test, any new development (which will inevitably introduce very significant new water demand) will need to show that it can match (or better) this new demand through offset savings on existing council-owned residential or commercial buildings or through other supply sources unconnected to the Arun/Hardham aquifer e.g. bore holes, rain water harvesting or grey water recycling

In September 2021, NE published guidance on how this policy should be implemented within SNWRZ.

The guidance advises on how new building developments can demonstrate compliance with the water neutrality requirement. Developers have to show

both significant water efficiency in new-build properties through a combination of water flow restriction and water efficient appliances, and by offsetting through alternative supply sources e.g. bore holes, through grey water recycling and/or rainwater harvesting, and by reducing water use in already built properties through retro-fitting of water flow restriction devices.

Overall a very sensible and vital approach to mitigating development impact on overstressed water supply to the SNWRZ. But is it working?

Water Neutrality – the reality.

The NE guidance promotes a target for water use ‘per person per day’ (l/p/d) of 85 litres for new builds. NE states that this target figure is “reasonably achievable”. However, it is not based on any *actual* water use data from new build properties fitted with flow restriction devices, but rather on aspirational and theoretical calculations, prepared mainly by water consultants and suppliers in the water industry who have financial motivations in promoting their goods and services. In short, it is a purely fictional target.

So how does the fictional target stand up against actual widely and readily available water use data. A target consumption of 85 litres l/p/d is:

1. far below Southern Water’s ***estimated*** average daily water consumption of 136 l/p/d based on their customers’ metered usage;
2. far below national average ***estimated*** use data from the water industry of 146 litres l/p/d;
3. far below the ***actual*** data of 166 l/p/d (after fitting flow restriction devices) advised by the consultants retained on behalf of Crawley, Horsham and Chichester District councils in a pilot scheme conducted in

Crawley (within the SNWRZ area), where 100 Council properties were retrofitted with flow restriction devices.

4. Far below **actual** water use data from a sample of new build properties on the Berkeley Homes Broadacres Southwater development which revealed average water use of 180 l/p/d in households of 2-4 occupants and very considerably higher than that in single occupancy properties.

What is now happening, unsurprisingly, is that developers are submitting applications based on the NE target of 85 litres l/p/d but are not being required to demonstrate that this vastly lower consumption will ever be achieved. They merely have to show that, in theory, it could be. Recently submitted development applications reveal that, to meet the theoretical 85 l/p/d target, the developer's calculations simply reduce the number of baths to be taken, showers taken and shower duration, and WC flushes to *well below* the freely available *actual* average use data. Of course this target might be achieved if residents took two weeks holiday each month. Or if they took one bath a week, one short shower a day and did not always flush the WC after use but that is not what happens in the real world.

Why is this theoretical approach so fundamentally wrong? Simply because the lower the theoretical water use target, the easier it is for the developer to "demonstrate" water neutrality through offset, he will only have to offset 85l/p/d against an actual consumption which will in all likelihood be around or over double that figure. This unrealistically low NE target is a gift for developers and the developer's theoretical calculations are not challenged by LPAs unless there is an obvious mathematical error.

To illustrate this fictitious and fundamentally flawed approach, a newbuild development application based on the NE 85 l/p/d target, which was recently approved by Horsham District Council, included the following water use calculations (all l/p/d);

Baths – 14 litres. This would mean roughly 2 ½ inches of water in a standard sized bath. A normal bath, half-filled, will use 80-100 litres so this daily allowance would permit one decent bath every 6/7 days. Survey data collected by the Energy Saving Trust (EST) on actual bath use showed that consumers in the Thames water region took a bath 4/5 times a week.

Showers – the developer limited shower use time to 4.37 minutes per day. The Energy Saving Trust actual use survey revealed an average duration of around 7 ½ minutes per shower.

WC flushing – the developer limited WC flushing to 4 ½ times per day - around half the national average.

External water use (e.g. Garden/Car washing/Pressure washing) - the developer allowed 5 litres l/p/d. A car wash using a hose will use around 250 litres and very recent research from SW shows that a hose used for watering/garden sprinkler can use up to 1000 litres per hour.

Another application recently approved by Horsham District Council provides an even starker example of this absurd manipulation. The application was for permission for the erection of 6 3-bed dwellings in Rusper. To satisfy water neutrality requirements, the applicant proposed to offset against the additional water demand from the new properties by retrofitting 8 basin taps in the washrooms of a commercial office building in Horsham with low-flow taps.

The application claimed, and Horsham District Council Planning accepted without question, that this would reduce total water consumption per person per day to 4.97 litres. This consumption approximates to 1 wc flush without any tap use per person per day.

Actual water use data obtained for the building based on metred billing over a 3 year period revealed an average total daily water use of around 1900 litres or 31.66 litres per person per day based on the occupancy figure accepted and used by the Horsham Planning department. So the application was accepted and approved on the basis that for the very modest cost of fitting 8 new sink taps, water consumption would reduce from 31.66 l/p/d to 4.97 litres l/p/d.

NE has abdicated from all responsibility for ensuring WN in new builds. It has stated that scrutiny of applications for WN compliance, approval of applications which comply, monitoring actual water use and enforcement where actual water use demonstrates that the development is not water neutral is the exclusive remit and responsibility of LPAs. This total delegation to LPAs conflicts with and is a dereliction of NE's fundamental duty as the approving body for developments under the Habitats Regulations.

Horsham District Council is not prepared to challenge the fictional target of 85l/p/d despite having access to actual water use data, some of it based on the pilot study it jointly commissioned , and it has further made it clear, in agreeing the first development application mentioned above, that it will not test or monitor actual water usage either. This is hardly surprising, given that *actual* use data would clearly explode the myth of achieving 85 litres l/p/d (and of the water neutrality compliance of the applications already approved and continuing to be approved by HDC. This would be a very inconvenient truth for NE and HDC. This "blind eye" approach, and the lack of any actual use

monitoring, will inevitably encourage and result in the removal of water flow restriction devices by home owner/occupiers further exacerbating the problem. This is already happening in many new build developments where devices have been fitted.

WN does not and will never work without effective testing and on-going monitoring of actual water use, and the strict application of robust enforcement measures where this evidences non-compliance.

SRS has engaged extensively with HDC and with NE over many months on these issues, sharing the data and conclusions set out above and seeking clarification on the achievability of the notional 85 l/p/d water use target. None of the conclusions above have been challenged and no actual evidence (rather than theoretical surmise) in support has been provided.

During the debate in HDC on 11 December 2023 at which the Council by a strong majority supported the draft plan a number of Councillors queried the 85 l/p/d target and why the Building Regs Part G target had not been used. This higher target (125 or 110 l/p/d) would certainly go some way to addressing the fundamental flaws highlighted above, however these provisions in the Building Regs were not designed to address the water neutrality situation, nor would they do so. The only way to meet the test of offset for water neutrality is to assess this by reference to ***actual water use***, not unsupported theoretical and aspirational water use. The current approach is premised on comparing apples with pears. ***At the risk of repetition it is manifestly fundamentally and fatally flawed.***

So where does that leave the residents, present and future, of the SNWRZ?

SRS has contacted both NE and HDC seeking clarification of the evidence relied upon in setting the 85 litres target included in various sections of the draft plan (commented on in further detail in subsequent paragraphs) and the only actual use data SRS has been referred to is the Energy Saving Trust technical study and the Crawley Pilot scheme, neither of which get anywhere close to supporting the 85 l/p/d target ,and in fact both sources very clearly contradict it.

If, as the available actual use data unarguably confirms, the 85 litres l/p/d target is unachievable in practice, then the outcome for our area, the SNWRZ, is that **development applications will be approved which will not be, and have no chance of ever being, water neutral in clear breach of the requirements of the Habitats Regulations 2017 and of the mandatory policy of water neutrality. This will mean even more ,and potentially terminal pressure on the already hugely overstressed water supply in the SNWRZ.**

It should not be forgotten what happened in this district in May 2023 Over 20,000 homes were without water for a number of days – people were queuing in car parks for bottled water supplies, a stark reminder of how vulnerable our water supply is already, even without further large-scale development as envisaged in the draft plan.

Water neutrality is a sensible and vital strategy and is robustly defined by NE in their guidance. If applied in practice, it is the only solution to the critical SNWRZ water supply problem. The stark reality, however, is that the concept is fatally flawed and is being abused in its implementation - through sole reliance on aspirational and theoretical assumptions of water use which ignore the readily available evidence of actual water use and water use behaviour. The

endorsement of this flawed approach in the draft plan is at best irresponsible, and could well be said to be negligent, and it puts the entire SNWRZ at risk of exhaustion of its finite water supply.

The only way this policy can be made to work effectively is by ;

- (i) substituting a realistic water use target for any new development in the draft plan. A target which is evidence based, using actual consumption experience from recent new developments of which there are countless across the district, and
- (ii) requiring LPAs to strictly apply the policy through (a) rigorous scrutiny of applications and supporting actual water use evidence, (b) actual post build water use monitoring and (c) enforcement for non-compliance with water use targets, duties already delegated to them by NE but which are not being observed.

Water Neutrality in the draft plan

Strategic Policy 9 pp 48-51 paras 5.30 – 5.38.

HDC openly acknowledges in SP9 the critical importance of water neutrality to protect supply in the SNWRZ. In para 5.33 HDC states (***‘..new residential development will be REQUIRED (our emphasis) to use no more than 85 l/p/d and non residential development required to achieve 3 credits within the BREEAM water issue category.’***)

Three comments, all of which stem from the inherent and false premise, highlighted above, that actual water use will be dictated by the measured efficiency rating of water fittings, rather than by human behaviour.

First, having clearly stated the requirement in para 5.33 HDC then materially and significantly water this down in the SP wording on p50 (under the Water Efficient Design section) to the requirement that ***“New residential development is DESIGNED (our emphasis) to use no more than 85 litres...”***.

“Designed to use” or a “requirement to use” are patently conflicting objectives and both are totally immaterial measures in the exercise of determining compliance or otherwise with WN, actual water use is the only basis and this will be dictated by consumer behaviour.

Secondly, in SP9 p50 in para 2 b), it is stated that the water neutrality statement required to be submitted by an applicant must provide, amongst other information, ***“full calculations relating to expected water use within a proposed development”***. To give water neutrality any chance of achieving its vital objective, it is actual water use which must be the offsetting benchmark, not theoretical water use. And there is ample actual use data available to developers in this district from already built developments which have been fitted with water efficiency devices.

Thirdly, in relation to commercial developments, the use of the BREEAM calculator is again a purely hypothetical exercise based on the water efficiency rating of appliances. **BREEAM has confirmed to SRS that its calculator “is not a measure of actual water use”** .

Actual water use data is readily available and should be used in demonstrating water neutrality.

2. NPPF changes

The plan has been rushed out at a time when changes, which may well have a material/fundamental impact on the form and content of the plan, are pending publication and SRS/SAA reserve the right to submit further in due course and beyond the consultation period if/as necessary on the significance and impact of these anticipated changes.

3. Comments on specific provisions/policies in the plan.

CH 1 p5 para 1.7

HDC acknowledges the requirement for the plan to “demonstrate water neutrality”. For the reasons set out above it completely fails to meet this requirement.

CH2 p9 para 2.9 Water Neutrality

HDC has included an incorrect and misleading definition of water neutrality in this paragraph which reads “***Water Neutrality is defined as development that takes place which does not increase the rate of water abstraction for drinking water supplies above existing levels***”. This infers that water abstraction is not restricted for “non-drinking water supplies”, e.g. for bath/shower/WC/clothes and dishwashing/sinks and basins and external use.

The correct definition of water neutrality is “the use of water supply in the area before the development is the same or lower after the development is in place” (per Natural England position statement). In other words, all the water which is drawn from the mains water supply to a property, regardless of how it is used.

PLAN CH3 p.17 para 3.19 Villages and small towns

HDC states ***“Local communities will continue to have a say in how their communities evolve and consider the need for local growth and design through the preparation and review of Neighbourhood Plans”***. But not in Southwater it seems – the designation in the plan as a Strategic Site usurps and sidelines any local say in the process which is pre-determined by the plan.

PLAN CH3 p.19 Table 1 – Spatial objectives for Horsham District

The designation of Southwater as a Strategic Site conflicts with the following spatial objectives in the plan;

Objective 1- the plan fails this objective. The overdevelopment of Southwater will not ***“deliver a thriving community with a strong sense of place”***. Quite the opposite.

Objective 3 - the plan fails this objective. The overdevelopment of Southwater by transforming almost 300 acres of agricultural land into housing and related development will not ***“..preserve the unique landscape character and the contribution this makes to the setting of rural villages’*** nor will it ***“ensure that new development minimises the impact on the countryside”***. Quite the opposite.

Objective 4 - the plan fails this objective. The overdevelopment of Southwater will not ***“safeguard and enhance the environmental quality (of the village) nor will it maintain or enhance ecosystem services, or deliver biodiversity net gain”***. Quite the opposite.

Objective 10 - the plan fails this objective. The overdevelopment of Southwater will not ***“respect the scale”*** of the existing village, nor will it in the

hands of the developers proposed “*deliver the requisite range of housing*”.
Quite the opposite.

Plan Strategic Policy 2 p.30 para 4.31 Development Hierarchy

The policy states the “limited development” will be supported to meet local needs and to support rural services in medium and smaller towns. The plan identifies Southwater as a small town. The development proposed to be inflicted on Southwater is anything but limited.

Plan Strategic Policy 2 p.30 para 4.33 BUAB

The policy provides that it is important that future growth takes place in a manner that protects, retains and enhances the rural landscape character and that with this objective expansion of existing settlements must be carefully managed. The proposed huge expansion of the Southwater BUAB fundamentally conflicts with this policy.

Plan Strategic Policy 15: Settlement coalescence pp. 63-64

The inclusion of the approximately 300 acres of open farmland and countryside north and west of Southwater within the village BUAB offends the policy of settlement coalescence. Extending the village as proposed will result in the settlement impacting on and coalescing with existing settlements at Christ’s Hospital, Tower Hill, Two Mile Ash and Horsham. Contrary to Strategic Policy 15.1, development within the extended the BUAB would very significantly reduce “*the openness and break between (the) settlements*”.

Plan Strategic Policy 17 – Green Infrastructure and Biodiversity

SP 17 mandates that development should deliver a biodiversity gain of at least 12%. The proposed development area within the extended BUAB comprises exclusively of large tracts of rural/farm land and adjacent woodlands, hedges and treelines, currently home to a wide variety of grazing stock and wildlife, aquatic life, bird life, flora and fauna. Species include cattle and sheep, deer, foxes, rabbits, hedgehogs, herons, wild duck and geese, moorhens, birds of prey, rooks, nesting birds, bats, and great crested newts, frogs and other amphibians, ancient woodlands, trees and hedgerows. The loss of this habitat to development will render it largely if not entirely devoid of all such irreplaceable biodiversity.

Whilst each development application will have to be considered on its merits (or otherwise) when submitted, it is the proposed extension of the Southwater BUAB to permit large scale further development on agricultural/rural in/around the village that will herald the irreparable damage to the biodiversity in the area.

Plan Strategic Policy 27 – Health p.94 para 8.32

“The need for a hospital has not been identified as required in this Plan”.

For 24 hour A&E treatment Horsham/Southwater residents have to go either to Redhill or to Worthing hospitals. Which depending on traffic can take from 40 minutes to over an hour. And when patients do get to these hospitals there are most often long delays to be seen/treated. With the scale of the already permitted development yet to be completed, and the huge increase in housebuilding foreseen in the draft plan, more proximate 24 hour hospital facilities are essential.

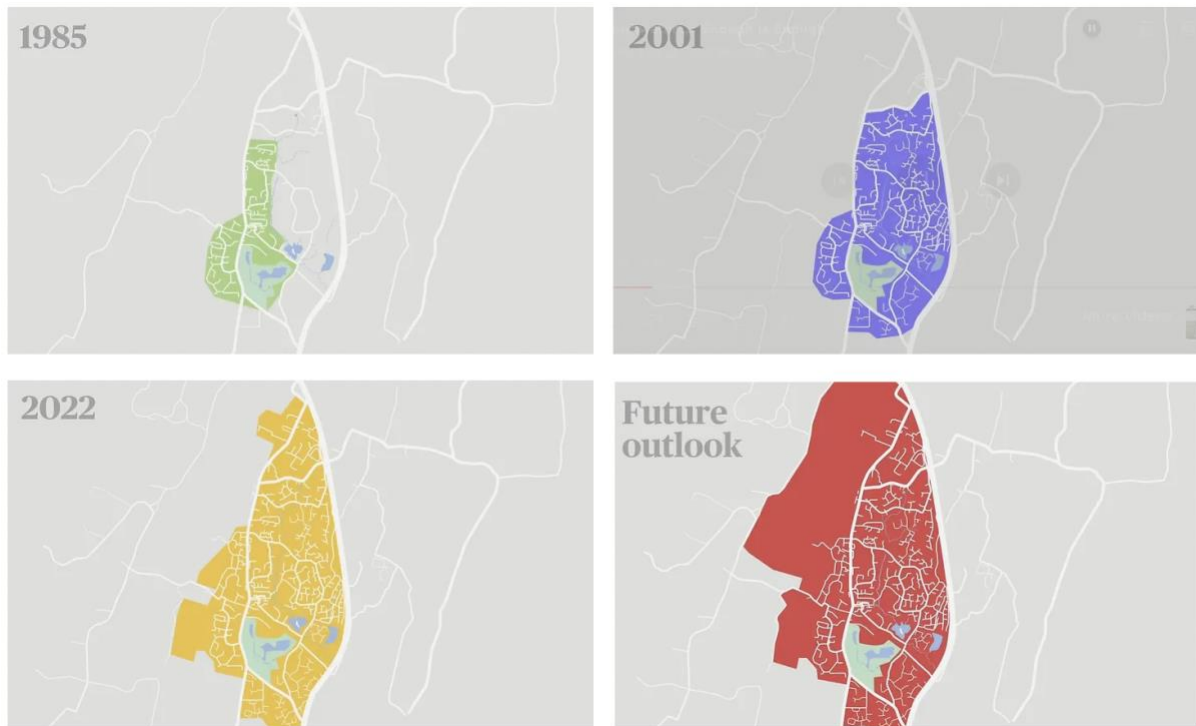
Furthermore existing GP surgeries are already at operating at overcapacity. Appointment delays of over a month are increasingly common.

Policy HA23 imposes no requirement for delivery of additional local healthcare facilities to meet the needs of existing and future residents.

Strategic Policy HA3: Land North West of Southwater pp.163-167

Yet again, HDC has identified Southwater as a convenient dumping ground for huge scale housing development. The once small rural village has been subjected to 40 plus years of continuous large scale housing development and remains a building site with almost 300 homes already approved but still to be built by HDC's favoured developer, Berkeley Homes which in recent years has deliberately slowed build rates and now stopped building to avoid oversupply and protect its profit margins, subjecting the village to even more years of building disruption.

The village footprint has trebled in size since the mid 1980s and with the proposed extension of the village BUAB in the draft plan will have more than quadrupled. The village population has grown correspondingly.



The houses which are being built do not address local housing needs – they are very largely unaffordable for those in the local area and are being marketed by the developers as far afield as mainland China.

Para 10.99

The village centre of Lintot Square is already at overcapacity – it cannot stand the scale of additional development proposed in the plan.

Para 10.100/101

Para 10.100 states total additional growth over the wider period **“would amount to 1000” homes**. Para 10.101 allocates the land for **“at least 1000 “** homes so without any upper limit. This is no doubt deliberate on the part of HDC and the developers/landowners. The extended BUAB closely mirrors the

footprint of the Berkeley Homes application for 1500 homes withdrawn in 2023. HDC has made it absolutely clear the Berkeley Homes have designed the district plan for Southwater included under HA3. So it is not unreasonable to assume that for **“at least 1000”** homes the final tally will be 1500 or close to that figure.

Para 10.102

Para 10.102 states that the proposed development will give the opportunity to **“enhance open space and wildlife and provide biodiversity improvements”**.

There is absolutely no prospect whatsoever that developing on almost 300 acres of productive agricultural/rural land which is currently used for livestock grazing and crop cultivation and which supports a very diverse wildlife, bird and insect population will have any positive impact whatsoever – exactly the opposite in fact.

Para 10.102-104

Para 10.102-104 promotes the as yet un-evidenced need for a new school in Southwater, but gives no assurance that this will be provided, by whom and when. Neither WSCC nor private academy providers will embark on construction of a new school until they know that there will be full take up across the academic years so delivery, if this occurs at all, may be very far in the future.

4. Conflict with the 2019-2031 Southwater Neighbourhood Plan

The **2019-2031 Southwater Neighbourhood Plan (“NP”)** is current and its content should be supported and respected. The plan accepted the need to take some further development but was focussed on nuclear development around the village centre. It did not support the linear “ribbon” expansion of the village now proposed in the draft plan. In terms of what if any further development the village should be prepared to take after 2031, that should be determined through the Neighbourhood plan consultation and referendum process. Otherwise what is the purpose of the Neighbourhood Plan process.

Southwater Neighbourhood Plan 2019-2031 – Core Principles impact considerations

SNP1.1.a -The proposed inclusion of Southwater as a strategic development site offends the core principle that the village will remain a single centre settlement centred in/around Lintot square.

SNP1.1.b - The proposed extension of the BUAB in the draft plan falls substantially outside the BUAB identified in the NP.

SNP1.3. - The proposed development offends the core principle that the unique and separate identities of Southwater village, Christs Hospital and Tower Hill will be maintained and will result in unacceptable coalescence of these separate communities and further coalescence with Horsham.

SNP2.2 - The proposed development offends the core principle that the land west of Southwater is allocated for the provision of only 422-450 new residential units.

SNP4. - The proposed development offends the core principle of “keeping our roads moving”. It will substantially increase the number of vehicles, private and commercial, based in the enlarged village, will entail the need for more traffic calming measures and significantly increase congestion in the village and at junctions with the A24 at both ends of the village. It will also significantly increase vehicular traffic/congestion on the minor roads in and out of the village including around Christs Hospital, Tower Hill and Two Mile Ash Road which are already over-stressed with existing traffic and will be further very heavily stressed by the future traffic which will be generated by the recently approved expansion of the Christs Hospital leisure and sports facilities designed to attract individuals and sports clubs/teams both in the Horsham district and from across the south east.

4.Summary

This plan should not be approved as presented.

- (i) It conflicts with and totally undermines the mandated application of water neutrality.**
- (ii) The water neutrality strategy demonstrably does not meet the standards required under regulations and case law.**
- (iii) contrary to NE requirements, there is no fully defined mutually agreed and enforceable strategic policy among all the affected LPAs to approve, monitor and enforce the measures required to meet the WN standards and to comply with the Habitats Regulations 2017;**

- (iv) The designation of the land north and west of Southwater as a strategic site conflicts with a number of the strategic policies in the plan**
- (v) The designation of the land north and west of Southwater as a strategic site conflicts with and disrespects the democratically decided upon current Southwater Neighbourhood plan.**

SRS/SAA submit that;

- (i) As required under the Habitats Regulations, a fully defined enforceable and binding strategic policy must be developed and agreed among all the affected LPAs to approve, monitor and enforce the measures required to meet the WN standards and to comply with the Habitats Regulations 2017;**
- (ii) The binding plan developed pursuant to (i) above must be incorporated in the new draft district local plan:**
- (iii) the new draft district local plan must require, for the purposes of approving existing and new development applications that water neutrality offset requirements are based on evidenced actual water use data from comparable local developments, and**
- (iv) The new draft district local plan must require that LPAs put in place robust provisions to ensure the testing and on-going monitoring of actual new development water consumption, and processes for enforcement where this reveals non-compliance, and**
- (v) The new draft district local plan must fully respect over the full district plan period, the current Southwater Neighbourhood Plan**

and in particular the delineation of the Southwater BUAB in that plan.