



Horsham
District
Council

Local Plan Update

30 November 2021

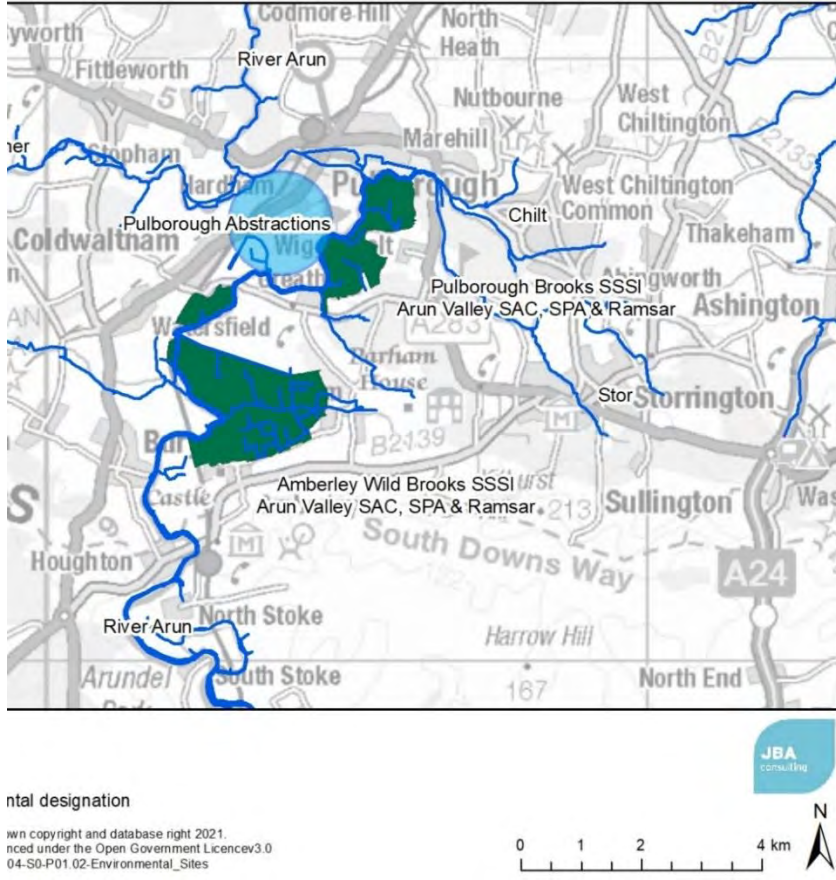
Local Plan – why the delay?

- Local Plan – had been due to be considered by Council in July
- NPPF update – requirement to look at the 30 year vision
- Received Position Statement from Natural England in September – all development to be Water Neutral
- Water Neutrality – not a new concept to us. What has changed is the requirement for a mitigation strategy that includes 3rd party solutions to be agreed before the plan can proceed.

What is Water Neutrality?

“Development which does not increase the level of water demand / abstraction above existing rates”

Why is Water Neutrality an Issue?



- Arun Valley SAC & SPA is internationally protected for biodiversity.
- Wetland habitat – mix of peat bog, chalk streams, floodplains and ditches. Results in rare species assemblage.
- Water for North West Sussex is abstracted from Hardham.
- Natural England data - indicates that abstraction is adversely affecting water levels at the Arun valley.

Lesser Whirlpool Ramshorn Snail



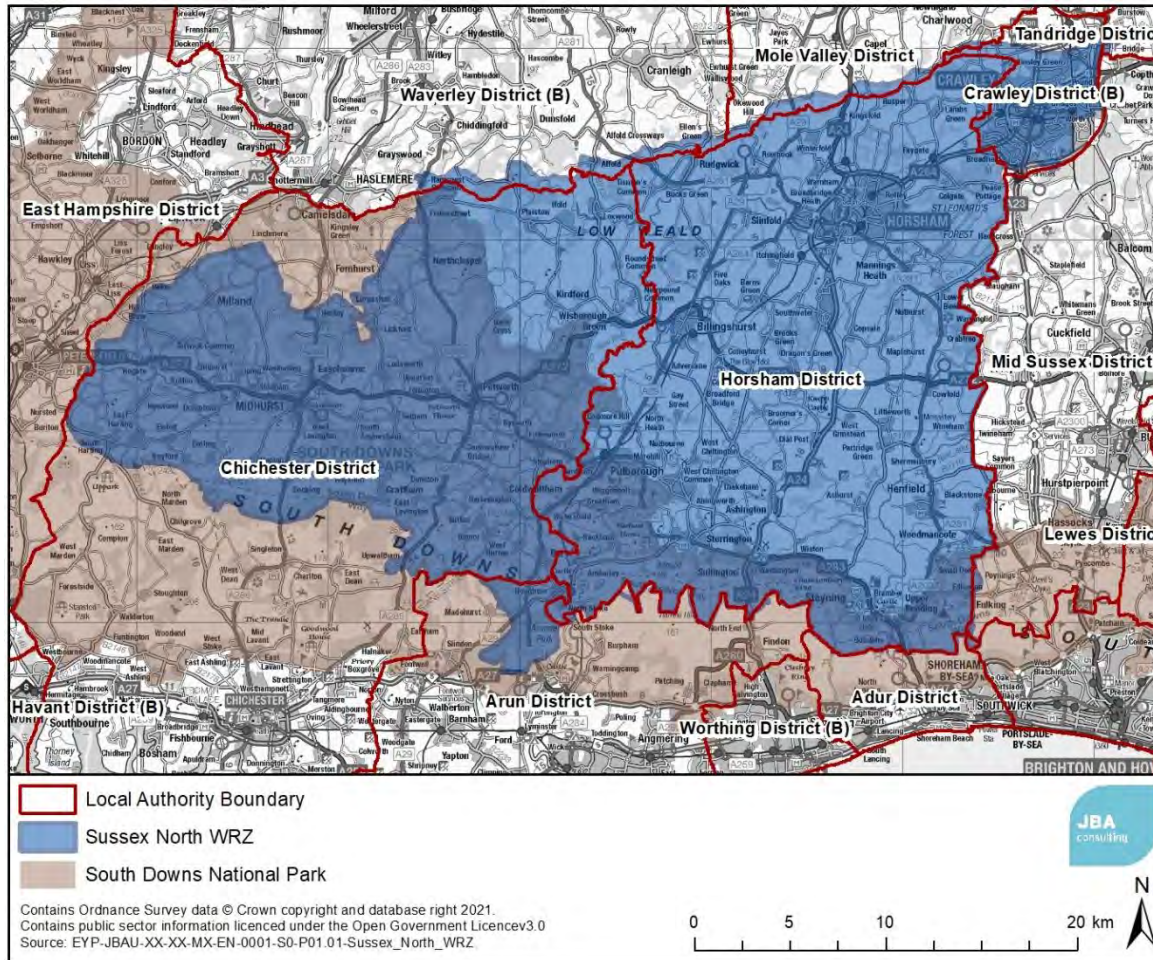
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Affected Area



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The Habitat Regulations

- Before deciding to consent / authorise a plan or project, the ‘competent authority’ (HDC) which **is likely to** have a significant effect on SPA /SAC
- **Must** undertaken an ‘Appropriate Assessment’ of the implications of the plan / project on that site.
- Agree plan / project only after having ascertained it will not adversely affect integrity of the site. This can take account of mitigation measures
- If effects cannot be rules out - ‘IROPI’ applies. It requires compensatory measures be put in place

Water Neutrality Timeline



Timescale	Action
2020 – now	Work to deliver water neutrality policies and solution as part of Local Plan 'Habitat Regulations Assessment'
2020 - now	Neighbourhood Plans – 'mixed bag' of responses from Natural England
September 2021	Position Statement published – development that increases the population must demonstrate water neutrality to proceed.
Sept – Nov 2021	Legal advice, key stakeholder discussions on next steps

DM implications

- The Position statement is a material consideration in nearly all planning application decisions – including made NPs
- Some minor applications have been screened out as not having a significant effect
- All others need to demonstrate water neutrality
- Time has been given to applicants to provide a water neutrality statement
- The Position Statement has been sent to PINs. It will need to be considered in all current appeals
- Some permitted development rights will be impacted, such as Prior Approvals

Strategic planning implications

- Local Plan must be supported by a deliverable mitigation strategy to show how water neutrality can be achieved.
- Without this the plan is not legally compliant (and Natural England will object to the plan).
- Planning Inspector unable to progress examination of the plan until this is resolved
- Neighbourhood Plans not yet at referendum must consider issue of water neutrality to meet the basic conditions.

‘Real world’ Impacts

- Small / medium businesses
- Pandemic recovery
- Investment
- Social impacts – schools / community
- Affordable housing schemes

Next Steps

- FAQs being developed by Natural England
- Work continuing on mitigation strategy. It will consider:
 - ❖ Reduce demand
 - ❖ Water efficient development
 - ❖ Offsetting
 - ❖ Longer term measures

Not all solutions are within Local Authority Control

Timescales

- Considerable uncertainty as to exact timescale, but months, not years
- Ultimately a solution will be found – lack of delivery in the short term will worsen 5 year supply / housing delivery test figures.
- Significant risk of speculative development at that point unless Local Plan strategy in place.
- To date our housing target has not changed – but mitigation strategy may well affect what we can deliver. Strategic Planning to keep this under review.