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Dear Ofwat,

**Consultation on Environmental incentives to support sustainable new homes – Wessex Water response**

Thank you for the opportunity to respond to the above consultation.

Design standards for new homes are set by the Government through the Building Regulations. It is crucial that the infrastructure that serves a new property is constructed in a way that ensures little or minimal impact on the surrounding environment. This requirement should cover water use (and efficiency) as well as drainage. New development provides the best point at which to act, by reducing demand for unnecessary potable water through substitution with rainwater for non-potable activities; and restricting rainwater run-off from the development site and preventing it from combining with sewage.

This is what the Building Regulations are for. Their adherence should be implemented through the planning permission process which set the requirements according to the building regulations and the building inspections process which ensure the compliant assets are built at each property.

Here are the current building regulation requirements on this matter:

**Building Regulations Approved Document G** covers sanitation, hot water safety and water efficiency. It refers to, but does not mandate, BS8515:2009 Rainwater harvesting systems – Code of Practice [Note: this has now been superseded by the following Code of Practice: BS EN 16941-1:2018 On-site non-potable water systems - Systems for the use of rainwater]. Unlike Building Regulations, these Codes of Practice are not legislative requirements.

**Building Regulations Approved Document H** covers rainwater drainage provision but, like Approved Document G and BS EN 16941 it does not cover the capture of rainwater in water butts

for garden use (in fact section H3 on rainwater drainage specifically excludes it). It does (now) require separate drainage for rainwater and foul water.

However, this area is one of the clearest examples of where (in hindsight) poorly considered building regulations have led to adverse environmental consequences i.e. the allowance of rainwater to be combined with sewage via a single drainage pipe. This was rectified in the mid-1960s, but we are dealing with the legacy today with the issue of storm overflow discharges. Today, over half of the properties in existence in England have a single drainage pipe serving them combining rainwater and sewage at the property.

Building Regulations should follow the “good rainwater management principles”, as laid out by Defra in the Storm Overflows Discharge Reduction Plan.

These are that:

- Rainwater should be treated first and foremost as a resource to be valued for the benefit of people and the environment
- Rainwater should be discharged back to the environment as close as possible to where it lands or channelled to a close watercourse and not combined with sewage.

This does not yet happen and it would seem strange, inappropriate and unfair to put the onus and burden on the organisation responsible for the upstream and downstream assets (the water and sewerage undertaker) rather than the organisation causing the problem at the point of demand (for water) and supply (of surplus rainwater) in the first place (the developer).

To expect a water and sewerage undertaker to have to incentivise a developer to be responsible for the consequential use of the earth’s resources due to the poor design of the new development is a poor way to try to address the problem.

## **Recommendations**

Too often, new development does not follow the two simple rainwater management principles (above). High density housing drives costs and problems elsewhere and does not make enough space for rainwater – its capture and its disposal.

All new development should be required to recognise rainwater as a resource for re-use and should be required to ensure that appropriate infrastructure is built to facilitate this. In its simplest form, this equates to rainwater harvesting for garden use (e.g. water butt installation). In more complex form, this equates to rainwater harvesting to replace potable use for non-potable purposes, such as toilet flushing (i.e. BS EN 16941).

We recommend that Building Regulations (enforce through Local Planning Policies) ensure that all new development should minimise its water (and corresponding carbon) footprint impact on the environment by:

1. Requiring adherence to BS EN 16941-1:2018 “On-site non-potable water systems - Systems for the use of rainwater”.
2. Requiring that SuDS are constructed for the disposal of surplus rainwater, regardless of the size of the new development, and that there should be no net increase in rainwater discharged to combined sewers. The default planning condition should be that no rainwater should be allowed to combine with foul water. Whilst Schedule 3 of the Flood and Water

Management Act 2010 is likely to be enacted in 2024 in respect of the mandatory requirement for sustainable drainage systems (SuDS), this does not prevent rainwater from combining with sewage after the SuDS. In other words the 'right to connect' (S106 of the Water Industry Act) rainwater to a sewer carrying foul water continues. This should also be addressed.

In your consultation you offered to arrange a conversation on the issues raised. We would welcome this opportunity.

Kind regards,

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Director of Infrastructure Development