

NUTRIENT NEUTRALITY UPDATE

08.06.2022

KEY UPDATE

Norwich City Council and Broadland South Norfolk held a meeting to inform the industry on Nutrient Neutrality (NN) in Norfolk on the 6th June 2022, and DFAL was in attendance. The following were the main takeaways from the meeting:

- Agree to Local Authorities' requested extension of time
- Be Patient

Ultimately, there is no method to demonstrate compliance because there is still no answer to nutrient neutrality.

WHAT THIS MEANS FOR YOU

If you have a Planning Approval in place, you remain unaffected.

If you have a live application lodged with the Planning Authority which forms overnight accommodation, it remains on hold and an extension of time for the application must be agreed or you will risk receiving a refusal.

If you have commercial applications that would draw clients from outside of the NN catchment areas, these applications are on hold as well, and you must agree to an extension of time or you will risk receiving a refusal.

If you are about to submit a planning application which includes overnight accommodation or commercial operations that would draw clients from outside of the catchment area, the planning authority will request an extension of time until at least November 2022.

THE COUNCILS ANTICIPATE TIME SCALES

Short Term (1-5 Weeks)

- Publication of detailed strategy and catchment maps

Medium Term (6-12 Weeks)

- Review and publication of new calculator
- Publication of short term interim mitigation strategy

Long Term (February 2023)

- Preparation and adoption of long term mitigation strategy

DEVELOPER MITIGATION

There was no guidance given on how developers might mitigate nutrient run-off, however, it was discussed that either a Levy would be imposed or an intermediary would make nutrient credits available for purchase (similar to carbon credits) to mitigate developments run-off.

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POTENTIAL ANTICIPATED MITIGATION METHODS

Short Term

- Installation of water efficiency measures in existing council housing stock
- Short term land changes
 - Cover crops
 - Sediment traps
 - Field buffer strips
- Short term land change of use
 - Fallow
 - Cover Crops
- SUDs
 - Rainwater harvesting
 - Grey water harvesting
 - Soakways
- Review of expired permissions to establish 'head room'

Long Term

- Permanent change of agricultural land to woodlands, wetlands, heathlands or grasslands.
- Formation of treatment wetlands
- Wastewater treatment plant upgrades.

DFAL COMMENTARY

What was evident to us at the meeting was that the mitigation is not something that individual developers should undertake, but also that, the Statutory Authority Anglia Water (who were not present) is the key to dealing with this matter. Ultimately, foul water discharged into a public sewer eventually ends up in treatment plants before being released into the environment. Anglian Water has reportedly set aside money for infrastructure improvements, however, it was evident that this was significantly less than what was required to bring their treatment system into a nutrient neutral state (despite AWA posted profit for 2021 being £94 million). Furthermore, during storm occurrences, Anglian Water has repeatedly released untreated sewage into the catchment areas on numerous occasions, further polluting the river.

More information on AWA storm surge discharges can be found here:

<https://experience.arcgis.com/experience/e834e261b53740eba2fe6736e37bbc7b/page/Map/>

The Local Councils are scrambling to create "head room" in the nutrient discharge, to allow the planning system to start moving again for developments that can demonstrate mitigation. However, it was suggested that this 'head room' would be assigned to developments in some form, but no clear guidance was provided on how or what basis this would be done.

DFAL will continue to monitor the situation closely and provide further updates as we know more.