

Date: 24 May 2024

Our Ref:



Horizon House
Deanery Road
Bristol
BS1 5AH

By email only:

Mike Garrity, Head of Planning, Dorset Council
[REDACTED]

Announcement of Wastewater Treatment Works to be upgraded under Levelling-Up and Regeneration Act (LURA)

Dear Mr Garrity

As Deputy Director for the Natural England Wessex Area, I wanted to write to you at the earliest opportunity to inform your Authority of a change in Natural England's advice in relation to Poole Harbour Special Protection Area/Ramsar and nutrient neutrality.

As you are aware, the Water Industry Act 1991 (as amended by the Levelling-up and Regeneration Act 2023) sets a new duty on water companies to ensure relevant wastewater treatment works meet specified nutrient removal standards by an upgrade date in designated catchments.

Competent authorities (including local planning authorities) considering planning proposals for development draining via a sewer to a wastewater treatment works subject to the upgrade duty are required to consider that the nutrient pollution standard will be met by the upgrade date for the purposes of Habitats Regulations Assessments.

Defra has published a list of over [140 wastewater treatment works](#) that must be upgraded by water companies to meet nutrient removal standards in designated areas particularly affected by nutrient pollution. This includes additional upgrades for phosphorus at seven smaller wastewater treatment works in the Poole Harbour catchment, by 1 April 2035. This is in addition to the required upgrades for phosphorus and nitrogen at all works serving a population equivalent above 2,000 in the catchment by 1 April 2030.

Natural England's assessment is that this will deliver the reduction in phosphorus levels required to achieve the conservation objectives of the site, with headroom for new development. It is therefore Natural England's view that the upgrades provide a legally binding solution to restore sustainable phosphorus levels in the Poole Harbour SPA/Ramsar.

This letter provides confirmation from Natural England that our advice that new development in the Poole Harbour SPA/ Ramsar catchment should achieve nutrient neutrality for phosphorus, is no longer required. Please note that our advice regarding nutrient neutrality for nitrogen remains unchanged.

To align with the change in advice on nutrients in Poole Harbour SPA/ Ramsar, Natural England has amended the Poole Harbour nutrient budget calculator. The updated version of the calculator only generates values for nitrogen (rather than nitrogen and phosphorus) and will be available on Gov.uk shortly.

I also wanted to take the opportunity to let you know that Natural England's Nutrient Mitigation Scheme is currently working to set a date for the release of its first nitrogen mitigation credits in the

Poole Harbour catchment. We will provide a further update on our credit release plans in due course.

Should you wish to discuss the information set out in this letter, please do not hesitate to contact me.

Yours sincerely

Rachel Williams
Deputy Director
Wessex Area Team