

# River Wensum and Broads Special Areas of Conservation Nutrient Neutrality Update

Agents Forum – 6<sup>th</sup> June 2022

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Housekeeping



# Natural England Advice

- Water quality is a serious issue across England: less than 15% of our rivers and streams SSSIs are in favourable condition
- Pollution primarily comes from wastewater treatment works, Livestock farming and intensive agricultural practices
- An EU court ruling (the 2019 Dutch nitrogen case and subsequent Fareham Judicial Review) has focused more attention on the need to prevent additional pressure on sites that are already impacted by pollution and provide mitigation measures that will help.
- Nutrient Neutrality is not new and has been introduced in a number of areas over the last few years – 29 LPAs effected
- New evidence of the poor condition of some protected sites has also reinforced the need for action.
- In Mid March an additional 42 councils were issued with NE advice on Nutrient Neutrality, including the Norfolk LPAs

## Nutrient Advice Areas



# Impact in Norfolk

- NE Advice has been issued for River Wensum SAC and Broads SAC
  - River Wensum advice – excessive levels of Phosphates impacting Wensum SAC
  - Broads – excessive levels of Phosphates and Nitrates impacting Broads SAC
- All LPAs in Norfolk are covered to some degree
- NE advice means that development decisions in the catchments for these areas has been paused where it results in additional ‘overnight stays’ including
  - new homes, student accommodation, care homes, tourism attractions and accommodation (campsites, glamping pods / holiday lets etc are all included).
  - Other commercial development (not involving overnight accommodation) is generally not included, so nutrient neutrality does not apply to new schools, shops, offices etc.
  - Other applications will be considered on their individual merits, for example new industry, extensions to regional airports etc as they may be caught if they attract people, from outside the catchment



# River Wensum & Broads Catchment areas



# Greater Norwich Local Plan Implications

- The Greater Norwich Local Plan was submitted for examination in public in July 2021.
- Seeks growth to 2038 and is ambitious, identifying more than sufficient housing growth to meet needs and to deliver significant economic development.
- The advice from Natural England has resulted in significant uncertainty for the progress of the plan and the Inspectors have recently asked how nutrient neutrality will be addressed.
- Housing delivery is a crucial test of soundness: the area affected covers the vast majority of the plan's strategic growth area.
- The resulting ambiguity about housing delivery following the NE advice means that the trajectory and deliverability of the housing growth is being questioned.
- Lobbied Government to enable local plan inspectors to take a pragmatic approach to the examination process.
  - the plan should be allowed to be adopted without a demonstrable 5YLS and
  - incorporate a stepped housing trajectory reflecting deliverability now impacted by nutrient neutrality advice



# Development Management Applications affected

- We are aware the NE advice is causing delays
- We are working hard to try to find short-term solutions quickly
- Received legal advice end of last week – DM and policy officers considering implications
- FAQs on website will be updated shortly

What can you do?

- Agree EOTs with us
- Continue to be patient – we are doing all we can



# Timescales

Short term (1-5weeks): Strategy mapping and catchment Mapping

Medium term (6-12 weeks): Review and publication of nutrient calculator. Publication of short term interim mitigation strategy

Long term (Feb 23): preparation and adoption of long term mitigation strategy





# Work completed so far:

1. A Norfolk-wide approach to cover both catchments with an emphasis on short-term mitigation strategies has been agreed by all LPAs.
2. The approach to Development Management procedures has been agreed Norfolk wide and we are all doing the same.
3. Responding to press enquiries as they arise.
4. A letter to Government Ministers Gove and Eustace has been issued on behalf of all the Norfolk authorities. A second letter has also been issued on behalf of the Greater Norwich authorities.
5. Possible short-term solutions are being progressed
6. Weekly meetings are occurring between authorities for development management and policy, Directors are meeting fortnightly.
7. Appointed Royal Haskoning to prepare the Norfolk wide Mitigation Strategy



# Stakeholders engaging with us:

- Wensum Farmers
- Norfolk Wildlife Trust
- Wendling Beck Project
- Broadland Catchment Partnership
- Norfolk Rivers Trust
- Water Resources East
- Norfolk Water strategy
- Local Authority housing teams
- Registered Providers and NCC Housing colleagues



# Short term solutions being considered

1. Water efficiency measures for existing housing stock – circa £1,500-£2,000 per dwelling – 6 months (approx.)
2. 'Off the peg' solutions LPAs can secure – cost TBC – 6 months (approx.)
3. Short-term landowner mitigation:
  1. cover crops - £115-£150 per hectare
  2. sediment traps - £5,000 per trap
  3. Buffer strips - £512 per hectare per yearAll 6 months (approx.)
4. Short term land use changes (fallowing / cover crop) - £1,500-£1,700 initial cost, harvesting circa £170 per hectare (every 2-4 years) – 6 months (approx.)
5. SuDS (examples include rainwater harvesting, grey water re-use, soakaways) – varying from £100- £3,000 per dwelling – 1 year +
6. Headroom from expired permissions since baseline data (16/03/2022) – none.



# Possible long-term solutions

1. Long term land use change from intensively farmed land to woodlands, wetlands, heathland, conservation grassland etc.
2. Provision of treatment wetlands
3. Provision of new wastewater treatment facilities



# Questions

