

Nutrient neutrality

Stodmarsh, Kent

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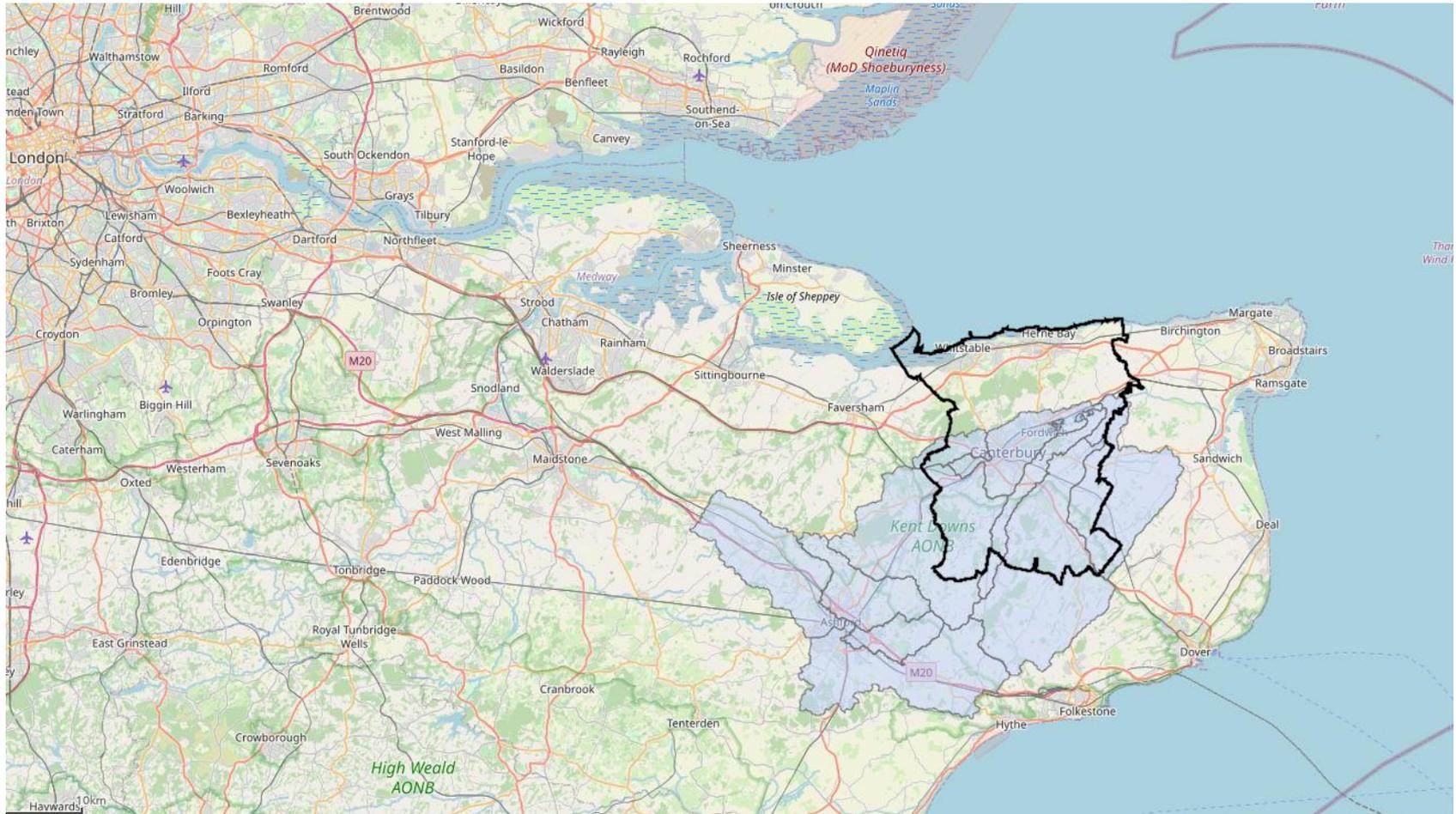
The issue - east Kent

- Discharge from Wastewater Treatment Works contains Phosphorus and Nitrogen and then enters the River Stour
- The River Stour feeds the Stodmarsh lakes (including downstream?)
- Stodmarsh is a Special Protection Area (SPA), a Ramsar site, a Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI) and some parts are a National Nature Reserve (NNR)
- Water quality in the Stodmarsh Lakes is in **“unfavourable condition”**
- Evidence exists of algae growth and fish kill

Stodmarsh



River Stour Catchment



Why it is a planning issue

The Wastewater Treatment Works at Canterbury is operating within its permit levels for Phosphorus and there is no permit in place for Nitrogen.

But - discharge from WWTW is potentially a problem

more homes

= greater volume of water through WWTW

= more Phosphorus and Nitrogen in the river Stour

= Phosphorus and Nitrogen potentially entering the Stodmarsh

lakes

= likely significant effect on SPA

What this means for planning permissions

- Planning applications for new homes cannot be granted unless there is an adopted Appropriate Assessment (under the Habitats Regulations)
- The AA needs to demonstrate nutrient neutrality
- Mitigation is therefore required in all cases

What it means for housing delivery

Six Districts in east Kent are affected

The greatest impact is on **Canterbury** and **Ashford**

For the Catchment as a whole **33,431** dwellings are due to be delivered through Local Plans

New Local Plans are now being developed and will need to address this issue

There is an urgent need to find a short, medium and long term solutions

Why the WWTW can't be upgraded immediately

This might not happen until 2030

Timescales -

- WINEP - April 2022
- Design mitigation - 2023/4
- Funding - 2025-30

Case Law - The 'Dutch case' - we cannot rely on upgrades until scheme and funding are certain

How we are responding

- Heads of Planning - meet regularly - it is a complex issue
 - Initial discussions with SW, NE and EA to understand issue
 - December 2020 PAS meetings with all stakeholders
 - Ongoing liaison with developers and KMEP
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- April 2021 - east Kent Leaders wrote to Ministers - response awaited

Our approach to MHCLG and DEFRA

Strategic approach - letter to Government - response awaited:

Two objectives:

- (1) Deliver planned growth to support the local economy and meet housing needs
- (2) Bring the Stodmarsh site back into favourable condition at the earliest opportunity.

Requests

- **Funding** for upfront costs of on-site WWTW
- **Funding** of LPA land acquisition to provide wetlands and operate a 'nitrogen credits' system
- **Lobby** for funding to be made available as soon as possible to accelerate WWTW upgrades

Finding solutions

Upgrade to WWTW

New permit will be granted by Environment Agency

Large sites - current solution

On-site WWTW together with on-site environmental enhancements and water efficiencies within the development = nutrient neutrality

But there is potential viability issues

Finding solutions

Small sites - need a strategic solution

Phosphorus - Headroom will be created by planned upgrades to other WWTW in the catchment (2023-4). We can rely on these now and add a planning condition re. occupancy

Also water efficiency means can be used eg Council housing stock

Nitrogen - We are investigating acquisition of land to mitigate the problem. Eg Creation of wetlands or taking agricultural land out of use.

Wetland is the most efficient option

Next Steps

Await response from Government to our letter and request for funding

We understand that Ministers are prioritising the issue

Pursue local solutions eg wetland creation and nutrient credit schemes

(this will need up front funding from Government, LEP or LPAs)

WINEP findings