Teesmouth and Cleveland Coast Nutrient Neutrality Assessment and Shadow Habitats Regulations Assessment (sHRA) Report

Proposed Residential Development, Sloper House, Barnard Castle, County Durham

Mr John Oddy via Blu Room Architecture

Prepared by:

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SLR Project No.: 402.065076.00001

Client Reference No: UK.136329

20 December 2023

Revision: 01

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
01	20 December 2023	Helena Preston	Andrew Dannatt	Andrew Dannatt

Basis of Report

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Acronyms and Abbreviations

DCC	Durham County Council
HRA	Habitats Risk Assessment
LURB	Levelling Up and Regeneration Bill
MAGIC	Multi-Agency Geographic Information for the Countryside
NBC	Nutrient Budget Calculator
NE	Natural England
N	Nitrates
PTP	Package Treatment Plant
RWH	Rainwater Harvesting
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WWTW	Wastewater Treatment Works

1.0 Introduction

In November 2023, SLR Consulting Limited (SLR) was appointed by Mr John Oddy via Blu Room Architecture (the Client) to provide consultancy services to support a planning application to subdivide an existing dwelling into two dwellings, and extend and convert an existing garage to the rear into a third dwelling, at Sloper House, Sloper House Road, Barnard Castle, County Durham DL12 9TY (the 'Site').

This document is a Shadow Habitats Regulation Assessment (sHRA) template report in compliance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended); hereafter referred to as the 'Habitats Regulations'.

This document has been prepared to assist the assessment of the potential for effects from nutrient changes caused by the proposed plan or project on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar Site as required by Regulation 63 of the Habitats Regulations.

The Teesmouth and Cleveland Coast SPA is vulnerable to nutrient loading and is protected by the Habitats Regulations and any proposals that could affect it requires an HRA.

This document is to be submitted to Natural England (NE) as the statutory advisor for designated nature conservation sites in England to formally request their views on the assessment under Regulation 76 of the Habitats Regulations, and specifically whether they can concur with the conclusions.

1.1 The HRA Process

Regulation 63 of the Habitats Regulations requires a 'competent authority' to make an 'Appropriate Assessment' of the implications of the plan or project for that site in view of its Conservation Objectives, before deciding to undertake or give consent for a plan or project which (a) is likely to have a significant effect on a European Site (either alone or in-combination with other plans or project), and (b) is not directly connected with or necessary to the management of that site. In light of the conclusions of the assessment, the 'competent authority' may proceed with or consent to the plan or project only after having ascertained that it will not adversely affect the integrity of the European Site.

All plans and projects should identify any possible effects early in the process and then either alter the plan or project to avoid them or introduce mitigation measures to the point where no adverse effects remain. The 'competent authority' shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned, and if appropriate, having obtained the opinion of the general public.

The assessment of a project under the Habitats Regulations can be split into four stages as shown in Table 1. This template covers Screening (Stage 1) and Appropriate Assessment (Stage 2).

Table 1: Stages of HRA

Stage	Description
Screening (Stage 1)	Assessment of the likelihood of a plan or project, alone or in-combination, having a significant effect on European Site or its features. If a significant effect is likely, an Appropriate Assessment is required as set out in Regulation 63(1).
Appropriate Assessment (Stage 2)	A detailed consideration of the potential effects of the plan or project in relation to the Conservation Objectives for the European Site(s) to determine if there is likely to be an adverse effect on the integrity of the site (i.e. an effect that would compromise the Site meeting its Conservation Objectives). If it can be demonstrated that with appropriate mitigation measures the project would not give rise to an adverse effect on the integrity of a European Site, the project can proceed.
Assessment of Alternatives Solutions (Stage 3) **Not covered in this report**	Where it cannot be demonstrated that is no adverse effect, or there is uncertainty, the assessment would then need to consider if there were any other alternatives to the plan or project that would not give rise to adverse effects on the integrity of the European Site.
Assessment where no alternative solutions exist and where adverse impacts remain (Stage 4) **Not covered in this report**	If adverse effects are still likely then the competent authority would then consider if there are any Imperative Reasons of Overriding Public Interest (IROPI), only at this stage can Compensatory Measures be considered.

2.0 Guidance and Policy when Assessing the Potential Effects of a Plan or Project

The following guidance and policy have been followed during the assessment of potential effects of the project:

The Habitats Regulations Assessment Handbook, DTA Publications Ltd[1]; which includes analysis of relevant recent caselaw, and

Gov.uk website[2], and

The Levelling Up and Regeneration Bill (LURB) (2023).

Natural England's advice to local planning authorities: *Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites* (16 March 2022). Refer to **Appendix A**.

In addition to the guidance noted above, information from the following sources has been used;

Natural England (NE) website[3];

MAGIC (Multi-Agency Geographic Information for the Countryside) website[4]; and

Joint Nature Conservation Committee (JNCC) website[5].

2.1 A Note on Case Law Regarding the Consideration of Mitigation

With regards to recent case law (Coillte vs People Over Wind[6]) the inclusion of plainly established and uncontroversial mitigation during Stage 1 is no longer considered appropriate. Mitigation, as considered by the Centre Européen de Coopération Juridique (CECJ) in regard to the case law, is interpreted to mean measures that are intended to avoid or reduce the harmful effects of the envisaged plan or project on the site concerned.

Consequently, any project which identifies an impact on a European Site and where avoidance and mitigation is applicable will need to address these measures during a Stage 2 Appropriate Assessment.

[1] Tyldesley, D. and Chapman, C. (2013) The Habitats Regulations Assessment Handbook. Nov 2019 edition. UK, DTA Publications Ltd https://www.dtapublications.co.uk/

[2] https://www.gove.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

[3] Natural England Access to Evidence http:/publications.naturalengland.org.uk/

[4] MAGIC. Magic Interactive Mapping Application. Http:/www.magic.gov.uk/MagicMap.aspx

[5] JNCC Website https://jncc.gov.uk/

[6] People over Wind, Case C323/17 European Court of Justice, 12th April 2018.

3.0 Details of the Plan or Project

3.1 Overview

Table 2: Project Details

Application Reference Number	NDM/23/00915/FPA	Date	23/11/2023
Applicant Details	Mr John Oddy via Blu Room Architecture 5 Uplands Road Darlington DL3 7SZ	**Document prepared by/and on behalf of**	SLR Consulting Limited on behalf of the applicant
Project Name	Sloper House, Barnard Castle		
Project Location	Sloper House, Sloper House Road, Greta Bridge, Barnard Castle, Durham DL12 9TY (NGR) NZ 10011 12529	**European Site(s) potentially affected**	Teesmouth and Cleveland Coast SPA
Component SSSI(s)	Teesmouth and Cleveland Coast SSSI		

3.2 Project Site Location

The Site currently comprises an existing dwelling and associated garden. The A66 highway is located immediately south-west of the garden, and approximately 100m south-west of the existing dwelling. The area immediately north, east and west of the site currently comprises agricultural fields. The town of Barnard Castle is located approximately 5km north-west of the site. The remainder of the surrounding area is rural, and mainly comprises agricultural fields.

3.3 Environmental Baseline

No site visit has been undertaken for the proposed development. According to Defra's Multi-Agency Geographic Information for the Countryside (MAGIC) map[4], the site is not within any Living England habitat designations. An area of Coastal and Floodplain grazing marsh priority habitat is indicated approximately 300m north of the site.

The site and the site vicinity include habitat suitable for black grouse, curlew, grey partridge, lapwing, redshank, snipe, tree sparrow and yellow wagtail. It is not recorded whether any of these species are currently present within the site. The site is within a Priority Area for Countryside Stewardship, addressing habitat issues for curlew and lapwing.

Hydraulic connectivity to the Teesmouth and Cleveland Coast SPA

The client has advised that a drainage ditch is present adjacent to the site. With reference to 1:25,000 scale Ordnance Survey (OS) mapping, a drainage ditch is indicated approximately 150m north of the site at is closest point. The River Greta flows in a north-easterly direction, approximately 1.5km north-west of the site at its closest point. The River Greta flows into

the River Tees, approximately 1.8km north-west of the site. The Teesmouth and Cleveland Coast SPA comprises the entire River Tees catchment[7].

Current Land Use

Online mapping[8] indicates that the Site currently comprises one existing dwelling, with associated outbuildings and garden. The land surrounding the site to the north, east and west is currently used for arable farming.

Geology and Hydrogeology

Online mapping from the British Geological Survey[9] indicates that the Site is underlain by superficial Diamicton (Glacial Till) deposits. The solid geology underlying the Site is indicated to be Limestone of the Four Fathom Limestone Member. No ground investigation has been undertaken at the site.

Existing Site Drainage

The client has advised that the foul effluent from the existing property on the site is currently discharged to an on-site septic tank, located approximately 15m to the rear of the existing dwelling. Foul effluent from the septic tank is currently tankered off-site.

Northumbrian Water have confirmed that there are no mains sewers in the vicinity of the site. Refer to **Appendix B**.

Surrounding Area

The site is within a rural area, and the vicinity of the site comprises agricultural fields, the A66 highway and woodland.

3.4 Project Description

It is proposed to subdivide the existing dwelling (Sloper House) into 2 new dwellings and to extend and convert the existing garage to the rear into a third dwelling, with associated access driveway, parking areas and gardens. Refer to existing and proposed layout plans in **Appendix C**.

3.5 Construction Methodology and Programme

A Construction Environment Management Plan (CEMP) will be provided post planning; it is assumed that this will be the subject of a planning condition. The construction methodology for the Site will be provided at the post planning stage.

3.6 Operation

3.6.1 Operational Nitrate Outputs

3.6.1.1 Before Mitigation

Foul effluent from the existing dwelling is currently discharged to a septic tank. No details about the age, condition or capacity of this tank are known.

[7] Wood, A. Wake, H and McKendrick-Smith, K. 2022. Teesmouth and Cleveland Coast Special Protection Area/Ramsar – Evidence Pack. Natural England Technical Information Note. TIM204 Natural England.

[8] https://www.google.com/maps/@54.50751,-1.8471237,192m/data=!3m1!1e3?entry=ttu accessed November 2023

[9] https://www.bgs.ac.uk/map-viewers/geoindex-onshore/ accessed November 2023

The Teesmouth Nutrient Budget Calculator (NBC) was used to calculate the nitrate (N) budget for the Site. The NBC calculation sheets are included within **Appendix D.**

Stage 1: Calculate Total N Load from Increased Population

The proposed development comprises 3 residential dwellings. In a letter dated the 12th of April 2023, Durham County Council (DCC) have advised that the occupancy rate for new dwellings in the DCC area is 1.38 people per dwelling, which has been accepted by NE. Refer to **Appendix E**.

The standard default water usage of 120 litres/person/day was assumed, as specified in the NBC.

The 'Septic Tank Default' setting was assumed, as no details are known regarding the existing septic tank.

All this information was added to the Teesmouth NBC.

Stage 2: Calculate Existing N Load from Current Land Use

The Landis Soilscapes tool[10] was used to determine the soil type for the Site, as specified in the Instructions tab of the Teesmouth NBC. The soil type of the Site is classified as 'Impeded drainage'. This accords well with the known geology.

The site currently comprises one dwelling and associated garden. Therefore, the current use of the site was classified as 'Residential urban land'[11], which includes roads, driveways and gardens. This value was inputted for the entire Site (0.65 Ha).

All of the above information was added to the Teesmouth NBC, which calculates the nitrate loading from the existing Site (8.78 kg nitrate/year).

Stage 3: Calculate Total N Load of the Proposed Development

The post development land use of the Site is classified as 'Residential urban land' by the Instructions tab of the Teesmouth NBC. The associated driveways, parking areas and gardens are included in this definition, therefore the whole post development Site (0.65 Ha) is classified as residential urban land.

The above information was added to the Teesmouth NBC, which calculates the nitrate loading from the proposed development.

Stage 4: Calculate the Net Change in N Load from the Proposed Development

The Teesmouth NBC added the calculated nitrate loading from the additional population and the net change in nitrate loading from the proposed land use change, in order to calculate the nitrate budget for the proposed Site.

A 20% precautionary buffer is added by the calculator, to account for uncertainties in the nutrient methodology. This is therefore reflected in the outputs below.

The total post development nutrient budget for the Site at current removal rates **is 20.97 kg N/year**, which also includes the 20% buffer applied by the Teesmouth NBC. Refer to calculations in **Appendix D**.

[10] https://www.landis.org.uk/soilscapes/ accessed September 2023

[11] Teesmouth and Cleveland Coast Ramsar and SPA – Nutrient budget calculator guidance document V1 – March 2022 (Natural England)

Total Nitrate produced by the plan or project before mitigation = 20.97 kg/yr

3.6.1.2 Proposed Mitigation Measures

Water Efficiency

In their response dated the 12th of April 2023, DCC stated that '*You may wish to look at ways in which your development could reduce the water usage lower than the 120 litres per person per day which is used in the Calculator*'. Refer to **Appendix E**.

The current government guidance for water efficiency states that the water efficiency of new dwellings must be 110 litres/person/day[12]. New developments in County Durham are expected to use water efficient components and water recycling systems, and as a minimum, to meet current Building Regulations requirements[13].

Therefore, the proposed development will need to meet a minimum water efficiency standard of 110 litres/person/day. This can be achieved by using some or all of the following measures[14]:

Installing water meters in each property.

Installing rainwater harvesting (RWH) systems for non-potable uses, such as toilet flushing.

Using water efficient shower and tap fittings.

Installing dual flush toilets in each property.

Details of water efficiency measures and proposed savings will be provided at the post planning stage.

Sustainable Drainage Systems

It is recommended that sustainable drainage systems (SuDS) are included within the surface water drainage system for the proposed new dwellings[15]. This may include any or all of the following:

Grassed filter strips

Filter drains

Swales

Grassed attenuation basins

[12] https://assets.publishing.service.gov.uk/media/5a74cf3de5274a3cb28675c1/140901__G2_-_Water.pdf Approved Document G: Requirement G2 Water Efficiency – September 2014 (accessed November 2023)

[13] https://www.durham.gov.uk/media/35041/Sustainability-Checklist-for-Developers/pdf/SustainabilityChecklistForDevelopers.pdf?m=637751771147200000 (accessed November 2023)

[14] https://www.waterwise.org.uk/save-water/ (accessed November 2023)

[15] CIRIA C753 The SuDS Manual (2015)

SuDS improve the water quality of surface water discharge from the site, and can remove a proportion of nitrate from surface water runoff from the site[16]. This should be considered further when a drainage design for the post development site is being prepared.

Upgrade to private Package Treatment Plant

Foul water from the existing dwelling is currently discharged to an on-site septic tank. It is recommended that the post development foul drainage is upgraded to a foul package treatment plant (PTP) to serve all 3 proposed dwellings.

The current guidance from NE for the Teesmouth and Cleveland Coast SPA[17] regards the replacement of existing septic tanks with improved PTPs as an acceptable nutrient mitigation activity.

Information provided by Graf UK indicates that the one2clean foul package treatment plant reduces total nitrate (TN) discharge to a rate of 7.9 mg/l. Refer to product details in **Appendix F**. The client has indicated that a surface water drainage channel is present adjacent to the site.

The Teesmouth and Cleveland NBC was run to take into account removal rates from a foul PTP (default settings from Teesmouth and Cleveland NBC) and a foul PTP with enhanced tertiary treatment for nitrate removal. Refer to Table 3 below for details of remaining nitrogen load to mitigate post treatment.

Table 3: Post Treatment Nitrate Loadings

POST DEVELOPMENT FOUL TREATMENT	TOTAL ANNUAL NITROGEN LOAD TO MITIGATE (KG TOTAL NITROGEN/YEAR)
Septic tank	20.97
PTP (default settings from Teesmouth and Cleveland NBC)	9.7
PTP with enhanced tertiary treatment for nitrate removal	0.27

Nutrient Credits

Natural England have developed a nutrient mitigation scheme in the Teesmouth and Cleveland Coast catchment[18]. These nutrient credits are made available in 'rounds' when associated nutrient mitigation projects are in place. It is recommended that credits are purchased to offset the remaining nitrate from the development, when these are available.

These credits will offset the N produced by the proposed development and will reduce the net N from the development to zero.

Total Nitrogen produced by the plan or project after mitigation
= 0 kg/yr

[16] Bradley, J. (2022) Using SuDS to reduce nitrogen in surface water runoff, C815, CIRIA, London, UK

[17] Nutrient Neutrality and Nutrient Mitigation Scheme NE776 (Natural England, October 2023)

[18] https://www.gov.uk/government/news/teesside-first-to-area-benefit-from-new-scheme-to-unlock-development-and-drive-nature-recovery accessed December 2023

Maintenance and Monitoring

Maintenance of the wetlands providing the nutrient credits for the site will be undertaken on behalf of Durham County Council and the other authorities within the Teesmouth and Cleveland SPA, and details of this will be provided when the credits are available.

3.6.1.3 After Mitigation

The proposed mitigation measures for the Site will reduce the nitrogen loading from the proposed development to zero.

3.6.1.4 Limitations

The Teesmouth and Cleveland Nitrate Budget Calculator[19] used to calculate nitrogen outputs for the plan or project follows a generic 'board-brush' approach and therefore cannot be tailored to meet all details of specific sites or situations.

[19] https://www.durham.gov.uk/media/41915/Nutrient-Budget-Calculator/xls/NutrientBudgetCalculator.xlsx?m=638155274509670000 accessed November 2023

4.0 Information about the Teesmouth and Cleveland Coast SPA

4.1 Identifying Sites

European Sites that are located close to the plan or project or are linked by pathways such as hydrological connections must be identified. This report is for plans or projects potentially affecting the Teesmouth and Cleveland Coast SPA via nutrient change. No other European Sites are identified as being linked to this project.

4.2 European Site Conservation Objectives and Qualifying Features

Distance of the plan or project from the Teesmouth and Cleveland Coast SPA* = Site is approximately 20km west of the SPA

*distance and direction are measured as a straight line from the closest edge of the plan or project to the closest edge of the European Site.

The features and the conservation objectives of the Teesmouth and Cleveland Coast SPA and the potential vulnerability of the features to any effects that might arise from the plan or project are summarised in Table 3.

Teesmouth and Cleveland Coast Special Protection Area

Table 4: Characteristics of the Teesmouth and Cleveland Coast SPA (refer to Natural England Advice Note[7] for further information)

Name of European Site	Teesmouth and Cleveland Coast Special Protection Area
European Site Size	12km^2
Description of European Site	The Teesmouth and Cleveland Coast SPA is a wetland of European importance, located on the coast of north-east England between Castle Eden Dene Mouth in the north and Marske-by-the-Sea in the south. The SPA comprises of a wide variety of habitats including intertidal sand and mudflats, rocky shore, saltmarsh, freshwater marsh, saline lagoons, sand dunes and estuarine and coastal waters on and around the Tees estuary, which has been considerably modified by human activities. These habitats provide feeding and roosting opportunities for important numbers of waterbirds in winter and during passage periods including in particular common redshank, red knot and ruff, which occur in internationally important numbers. Freshwater and brackish pools also support breeding avocet during summer. The saltmarsh and mudflat habitats of the Teesmouth and Cleveland Coast SPA are of great importance to a diverse assemblage of bird species. Mudflats support high densities of benthic invertebrates, including worms, molluscs and crustaceans, which provide an important food resource for migrant and overwintering SPA bird species. Areas of saltmarsh provide significant feeding and roosting opportunities for many species of waterbird including common redshank and red knot. In summer, little tern breed on the sandy beaches within the site and feed out at sea while the common tern, which breed at various locations, feed within the

	River Tees and associated water bodies and within the wider estuary mouth and bay. In late summer, Sandwich tern aggregate in important numbers at Coatham Sands, North Gare Sands/Seaton Snook and Bran Sands while on passage.
Qualifying Features of the European Site	**The Teesmouth and Cleveland Coast Ramsar is designated for the following features:** Knot, Calidris *canutus islandica* – Wintering Redshank, *Tringa tetanus* – Passage Sandwich tern, *Thalasseus sandvicensis*, syn. *Sterna sandvicensis* – Passage Waterbird assemblage – Wintering
European Site Conservation Objectives	Site specific conservation objectives for Ramsar sites have not been published. However, the following generic Conservation Objectives for all Ramsar sites have previously been signed off by Natural England: *With regard to the Ramsar Site and the wetland habitats, individual species and/or groups of species for which the site has been listed (its 'Qualifying Features'), and subject to natural change;* *Ensure that the integrity of the [Ramsar] site is maintained or restored as appropriate, and ensure that the site contributes to achieving the wise use of wetlands across the UK, by maintaining or restoring:* *The extent and distribution of qualifying habitats and habitats of qualifying species* *The structure and function of qualifying habitats and habitats of qualifying species* *The supporting processes on which qualifying habitats and habitats of qualifying species rely;* *The populations of each qualifying species, and,* *The distribution of each qualifying species within the site'.* The conservation objectives for the Ramsar Site are consistent with the published conservation objectives for the Teesmouth and Cleveland Coast SPA.
Vulnerability of the European Site	Algal mats can be observed on intertidal mud and sandflats across the site during the summer months, particularly at Seal Sands, indicating excess nutrient levels. The presence of dense algal mats can impair waterbird foraging success. Nutrient levels should be reduced to increase suitable foraging area for this feature. The presence of algal mats on Seal Sands has resulted in the 'unfavourable' Site of Special Scientific Interest status for this part of the SPA. High concentrations of nutrients in the water column can cause phytoplankton and opportunistic macroalgae blooms, leading to reduced dissolved oxygen availability. This can impact sensitive fish, epifauna and infauna communities and hence adversely affect the availability and suitability of bird breeding, rearing, feeding and roosting habitats. The aim is to seek no further deterioration and improve water quality.

	Any nutrients entering the catchment upstream of the locations which are exceeding their nutrient targets will make their way downstream and have the potential to further add to the current exceedance. Therefore, the entire catchment for the Tees is included in the catchment map[20].
Identified ways in which the Qualifying Features of the European Site could be affected by the plan or project	There are several main identified ways by which the qualifying features of the European Site could be affected. These are noted below. <u>Aquatic invertebrate assemblage</u> The main factors considered to potentially cause loss or decline in the aquatic invertebrate assemblage of the Ramsar include: Degradation or changes to water quality resulting from increased nutrients entering watercourses which are hydrologically linked to the Ramsar. The growth of algal mats can lead to eutrophication and reduced availability of dissolved oxygen. <u>Migratory/wintering birds</u> The main factors considered to potentially cause loss or decline in the migratory/wintering birds of the Ramsar/SPA include: Increased eutrophication leads to the growth of dense algal mats which negatively impact the availability and suitability of bird breeding, rearing, feeding and roosting habitats.

[20] Natural England website 'European Site Conservation Objectives for Teesmouth and Cleveland Coast SPA' Site Code UK9006061 https://publications.naturalengland.org.uk/publication/6619918699069440

5.0 Stage 1 – Screening of the Project

5.1 Likelihood of Significant Effects Alone

Stage 1 of the HRA, the screening, is a test of Likely Significant Effect (LSE) to determine whether an Appropriate Assessment is required against all impact pathways identified. The screening is done considering the proposal in isolation and therefore not in-combination with any other plans or projects. It is also done in the absence of avoidance or other mitigation measures. Note that the assessment is made with awareness of the conservation objectives for the features of the European Site. However, the actual assessment of the plan or project against the conservation objectives is not required until the Appropriate Assessment (Stage 2).

Table 5: Potential Effects of the Project Alone on the Teesmouth and Cleveland Coast SPA and its Qualifying Features

Qualifying Feature*	Relevant Conservation Objectives	Potential Impact Pathway	Likely Significant Effect Alone
1	2	3	4
European Site: Teesmouth and Cleveland Coast SPA and Ramsar Site			
Ramsar criteria 2 - A wetland should be considered internationally important if it supports vulnerable, endangered, or critically endangered species or threatened ecological communities: Knot, Calidris *canutis islandica* – wintering Redshank, *Tringa tetanus* – passage Sandwich tern, *Thallasseus sandvicensis,* syn. *Sterna sandvicensis* – passage Waterbird assemblage - wintering	Ensure that the integrity of the Ramsar site is maintained or restored as appropriate, and ensure that the site contributes to achieving the wise use of wetlands across the UK, by maintaining or restoring: The supporting processes on which qualifying habitats and habitats of qualifying species rely.	The proposed development will result in an increase in nitrate loading within the hydrological catchment of the Ramsar via the River Tees, through the production of wastewater/slurry during construction, potentially leading to degradation of habitat or changes in water quality.	There is an impact pathway and significant effects cannot be ruled out.
		The proposed development will result in an increase in nitrate loading within the hydrological catchment of the Ramsar via the River Tees, through the production of wastewater during operation, potentially leading to degradation of habitat or changes in water quality.	There is an impact pathway and significant effects cannot be ruled out.
Screening Decision of the Plan or Project Alone			
'The risk of Likely Significant Effects on the Teesmouth and Cleveland Coast SPA and Ramsar Site from the plan or project alone cannot be ruled out, and therefore an Appropriate Assessment (Stage 2) is required'. (Go to Section 6 'Stage 2 – Appropriate Assessment')			

Note that within the HRA process it would be normal to carry out an in-combination assessment at screening stage, should a conclusion of no Likely Significant Effect be reached. However, the position adopted by Natural England means that if there is an

increase in nitrates due to the project, then a conclusion of no Likely Significant Effect should not be reached.

6.0 Stage 2 – Appropriate Assessment

6.1 Appropriate Assessment of the Plan or Project

Where screening in Table 4 has determined that the plan or project may have a likely significant effect on the Teesmouth and Cleveland Coast SPA and Ramsar Site alone, an Appropriate Assessment is required. The Appropriate Assessment is detailed in Table 5 and Table 6.

6.1.1 Assessment of Potentially Adverse Effects without Additional Mitigation Measures

Table 6: Appropriate Assessment of the Project Alone and in the Absence of any Mitigation Measures

Qualifying Feature	Impact Pathway	Description of Impacts and Adverse Effects	Assessment of Adverse Effects in Relation to Conservation Objectives	Can Adverse Effect on Ramsar Site Integrity be Ruled out? Yes or No
European Site: Teesmouth and Cleveland Coast SPA and Ramsar				
Ramsar criteria 2 - A wetland should be considered internationally important if it supports vulnerable, endangered, or critically endangered species or threatened ecological communities: Knot, Calidris *canutis islandica* – wintering Redshank, *Tringa tetanus* – passage Sandwich tern, *Thallasseus sandvicensis,* syn. *Sterna sandvicensis* – passage Waterbird assemblage – wintering	The proposed development will result in an increase in nitrate loading within the hydrological catchment of the Ramsar, through the production of wastewater during the construction phase, potentially leading to degradation of habitat or changes in water quality.	The wastewater produced by the project will be treated by an on-site package treatment plant with enhanced nutrient removal, before discharge into the Tees catchment. This will result in an increase in nitrogen (0.27/kg/yr) that will be produced in the catchment and ultimately discharged into the Ramsar Site. Due to the sensitivity of the Ramsar to any increase in nitrates, this increase could cause further degradation or changes to water quality to the waterbodies which support the water birds named under criteria 2.	The increase in nitrates could adversely affect all of the conservation objectives listed for the site; it will contribute to eutrophication of water bodies and changes to water chemistry within the site, thus making it unfavourable to habitats that support water birds named under criteria 2.	No
	The proposed development will result in an increase in phosphate loading within the hydrological catchment of the Ramsar, through the production of wastewater during occupancy of the proposed dwellings, potentially leading to degradation of habitat or changes in water quality.			No

Qualifying Feature	Impact Pathway	Description of Impacts and Adverse Effects	Assessment of Adverse Effects in Relation to Conservation Objectives	Can Adverse Effect on Ramsar Site Integrity be Ruled out? Yes or No
Total Nitrogen produced by the plan or project in the absence of mitigation (as calculated in Section 3.6.1.1) = 0.27 kg/yr				

6.1.2 Assessment of Potentially Adverse Effects with Additional Mitigation Measures

Table 7: Appropriate Assessment of the Project Alone with any Mitigation Measures, Conditions or Restrictions

Qualifying Feature	Description of Adverse Effects	Can Adverse Effects be Mitigated? Yes or No	Description of Mitigation Measures Including how they would be Applied	Can Adverse Effect on Site Integrity be Ruled Out? Yes or No
European Site: Teesmouth and Cleveland Coast SPA and Ramsar				
Ramsar criteria 2 - A wetland should be considered internationally important if it supports vulnerable, endangered, or critically endangered species or threatened ecological communities: Knot, Calidris *canutis islandica* – wintering Redshank, *Tringa tetanus* – passage Sandwich tern, *Thallasseus sandvicensis,* syn. *Sterna sandvicensis* – passage Waterbird assemblage – wintering	The following effects are considered to be a result of the two impact pathways identified in Table 5 above. The wastewater produced by the project will be treated by an on-site package treatment plant with enhanced nutrient removal, before discharge into the Tees catchment. This will result in an increase in nitrogen (0.27/kg/yr) that will be produced in the catchment and ultimately discharged into the Ramsar Site. Due to the sensitivity of the Ramsar to any increase in nitrates, this increase could cause further degradation or changes to water quality to the waterbodies which support the water birds named under criteria 2.	Yes	Mitigation credits will be purchased for the site from the Tees Catchment Nutrient Mitigation Scheme when these become available. This will offset the nitrates generated by the proposed development.	Yes
Total Nitrogen produced by the plan or project with mitigation (as calculated in Section 3.6.1.2)* = 0 kg/yr				

Qualifying Feature	Description of Adverse Effects	Can Adverse Effects be Mitigated? Yes or No	Description of Mitigation Measures Including how they would be Applied	Can Adverse Effect on Site Integrity be Ruled Out? Yes or No
*Negative values show nitrogen removed from the catchment, '0' shows nutrient neutrality and positive values show that more mitigation is needed				
Concluding Statement of Appropriate Assessment Alone				
When considered alone, it has been determined that the proposal has no adverse effect on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar Site'.				
Residual Effects				
N/A				

6.2 Likelihood of Adverse Effects on Site Integrity in Combination due to Nutrients

6.2.1 Likelihood of Adverse Effects in Combination due to Nutrients

'Nutrient neutrality has been demonstrated for the project alone with mitigation in place and therefore there will be no adverse effect on integrity of the Ramsar Site due to nutrients. Therefore, no in-combination assessment is required'.

7.0 Conclusions on Site Integrity

Concluding Statement on the Teesmouth and Cleveland Coast SPA and Ramsar Site Integrity
It is concluded that the project will not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar Site, either alone or in-combination with other plans or projects, subject to the mitigation identified in section 3.6.1.2 being secured in perpetuity.

As referenced in Section 3.6.1.2, it is intended to access the 'River Tees Catchment Nutrient Credits' when these become available.

Natural England have advised that the cost of one nutrient credit was £2,300 in the most recent credit round of October 2023[21]. This equates to 1 kg of nitrogen removed from the River Tees catchment per year. The cost of providing nitrogen credits for the development are outlined below.

Table 8: Nutrient Credit Cost

On-site Wastewater Treatment	Total N from Development (kg/yr)	Cost (£)
Septic tank	20.97	48,231
PTP (default settings)	9.7	22,310
PTP (enhanced nutrient removal)	0.27	602

[21] https://www.gov.uk/government/news/further-housing-credits-for-nutrient-mitigation-scheme-announced#:~:text=In%20the%20Tees%20catchment%2C%20where,be%20found%20on%20gov.uk. Accessed December 2023

Appendix A Natural England Advice Note

Date: 16 March 2022

To: LPA Chief Executives & Heads of Planning,
County Council Chief Executives and Heads of Planning,
EA Area and National Team Directors,
Planning Inspectorate,
Natural Resources Wales (Cross border sites only) &
Secretary of State for Department for Levelling Up Housing & Communities (DLUHC)

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir / Madam

Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites.

1.0 Summary

This letter sets out Natural England's advice for development proposals that have the potential to affect water quality in such a way that adverse nutrient impacts on designated habitats sites[1] cannot be ruled out.

It also provides an update to those Local Planning Authorities (LPAs) whose areas include catchments where Natural England has already advised on how to assess the nutrient impacts of new development and mitigate any adverse effects, including through application of the nutrient neutrality methodology. It includes:

Supporting Information (Annex A) which summarises the key tools and guidance documents available and how to take account of certain issues in any Habitats Regulations Assessment (HRA)
a national map showing the affected catchments (Annex B)
a list of habitats sites in unfavourable condition due to nutrients, where new development may have an adverse effect by contributing additional nutrients and therefore where nutrient neutrality is a potential solution to enable development to proceed (Annex C)
a national generic Nutrient Neutrality Methodology (attached in covering email with this letter)
a nutrient assessment methodology decision tree (Annex D)
a flow diagram of the HRA process (Annex E)
guidance on thresholds for insignificant effects for phosphorus discharges to ground (Annex F)
Natural England Area Team contacts for each habitats site and catchment (Annex G)
Catchment Specific Nutrient Neutrality Calculators and associated Calculator Guidance (attached in covering email with this letter)
Site specific catchment maps (attached in covering email with this letter)
Site specific evidence documents (new catchments only - attached in covering email with this letter)
Nutrient Neutrality Principles (attached in covering email with this letter)

[1] Habitat sites are sites which are protected by the Habitats Regulations and includes Special Areas of Conservation (SAC) and Special Protection Areas (SPA). Any proposals that could affect them require a Habitats Regulations Assessment (HRA). Ramsar sites are also included as these are protected as a matter of government policy and also require a HRA where proposals may affect them.

Nutrient Neutrality – A Summary Guide to Nutrient Neutrality (attached in covering email with this letter)

Natural England advises you, as the Competent Authority under the Habitats Regulations, to carefully consider the nutrients impacts of any new plans and projects (including new development proposals) on habitats sites and whether those impacts may have an adverse effect on the integrity of a habitats site that requires mitigation, including through nutrient neutrality.

This letter provides advice on the assessment of new plans and projects under Regulation 63 of the Habitats Regulations. The purpose of that assessment is to avoid adverse effects occurring on habitats sites as a result of the nutrients released by those plans and projects. This advice does not address the positive measures that will need to be implemented to reduce nutrient impacts from existing sources, such as existing developments, agriculture, and the treatment and disposal of wastewater. It proposes that nutrient neutrality might be an approach that planning authorities wish to explore.

This letter is being sent to the Environment Agency (EA) and all Heads of Planning and Chief Executives for the Local Planning Authorities (LPAs) which are affected by this advice as well as the following:

The Planning Inspectorate as the Competent Authority for appeals and local plan examinations.
Secretary of State for the Department of Levelling Up, Housing and Communities (DLUHC) as Competent Authority for called in decisions/appeals.
County Councils where there is a 2-tier authority.
Natural Resources Wales (for cross border sites).

NE will also be writing to Ofwat and water companies to inform them of our advice.

2.0 Background

In freshwater habitats and estuaries, poor water quality due to nutrient enrichment from elevated nitrogen and phosphorus levels is one of the primary reasons for habitats sites being in unfavourable condition. Excessive levels of nutrients can cause the rapid growth of certain plants through the process of eutrophication. The effects of this look different depending on the habitat, however in each case, there is a loss of biodiversity, leading to sites being in 'unfavourable condition'. To achieve the necessary improvements in water quality, it is becoming increasingly evident that in many cases substantial reductions in nutrients are needed. In addition, for habitats sites that are unfavourable due to nutrients, and where there is considerable development pressure, mitigation solutions are likely to be needed to enable new development to proceed without causing further harm.

In light of this serious nutrient issue, Natural England has recently reviewed its advice on the impact of nutrients on habitats sites which are already in unfavourable condition. Natural England is now advising that there is a risk of significant effects in more cases where habitats sites are in unfavourable condition due to exceeded nutrient thresholds. More plans and projects are therefore likely to proceed to appropriate assessment.

The principles underpinning HRAs are well established[2]. At the screening stage, plans and projects should only be granted consent where it is possible to exclude, on the basis of objective information, that the plan or project will have significant effects on the sites concerned. Where it is not possible to rule out likely significant effects, plans and projects should be subject to an appropriate assessment. That appropriate assessment must contain complete, precise and definitive findings which are capable of removing all reasonable scientific doubt as to the absence of adverse effects on the integrity of the site.

[2] See, amongst others Case C-127/02 *Waddenvereniging and Vogelsbeschermingvereniging* (Waddenzee); *R (Champion) v North Norfolk DC* [2015] EKSC 52 (Champion); C-323/17 *People Over Wind, Peter Sweetman v Coillte Teoranta* (People Over Wind); C-461/17 *Brian Holohan and Others v An Bord Pleanála* (Holohan); Joined Cases C-293/17 and C-294/17 *Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Other* (the Dutch Nitrogen cases).

Appropriate assessments should be made in light of the characteristics and specific environmental conditions of the habitats site. Where sites are already in unfavourable condition due to elevated nutrient levels, Natural England considers that competent authorities will need to carefully justify how further inputs from new plans or projects, either alone or in combination, will not adversely affect the integrity of the site in view of the conservation objectives. This should be assessed on a case-by-case basis through appropriate assessment of the effects of the plan or project. In Natural England's view, the circumstances in which a Competent Authority can allow such plans or projects may be limited. Developments that contribute water quality effects at habitats sites may not meet the no adverse effect on site integrity test without mitigation.

Mitigation through nutrient neutrality offers a potential solution. Nutrient neutrality is an approach which enables decision makers to assess and quantify mitigation requirements of new developments. It allows new developments to be approved with no net increase in nutrient loading within the catchments of the affected habitats site.

Where properly applied, Natural England considers that nutrient neutrality is an acceptable means of counterbalancing nutrient impacts from development to demonstrate no adverse effect on the integrity of habitats sites and we have provided guidance and tools to enable you to do this.

3.0 Natural England's Role and Advice

Natural England is the government's adviser for the natural environment in England. As a statutory consultee in the planning and environmental assessment processes we provide advice to planning authorities to support them in making plans and decisions that conserve and enhance the natural environment and contribute to sustainable development.

In reviewing our advice on water quality effects on habitats sites Natural England has:

Undertaken an internal evidence review to identify an initial list of water dependent habitats sites (which includes their underpinning Sites of Special Scientific Interest) that are in unfavourable condition due to elevated nutrient levels (phosphorus or nitrogen or both). These sites are listed in Annex C. Development which will add nutrients to these sites may not meet the site integrity test without mitigation. This will need to be explored as part of the HRA. Nutrient neutrality is an approach which could be used as suitable mitigation for water quality impacts for development within the catchments of these sites (please refer to the Nutrient Neutrality – A Summary Guide for an explanation of nutrient neutrality).

Revised our internal guidance for planning, permitting and other HRA consultations which have the potential to have water quality and in particular nutrient effects on a habitats site.

This advice applies to the following types of habitats sites:

Special Protection Areas (SPA) designated under the Habitat Regulations 2017.
Special Areas of Conservation (SAC) designated under the Habitat Regulations 2017.
Sites designated under the Ramsar Convention, which as a matter of national policy are afforded the same protection as if they were designated under the Habitat Regulations 2017**.**
Sites identified or required as compensatory measures for adverse effects on SPAs, SACs and Ramsar sites.

A plan or project will be relevant and have the potential to affect the water quality of the designated site where:

It creates a source of water pollution (e.g. discharge, surface run off, leaching to groundwater, etc.) of either a continuous or intermittent nature or has an impact on water quality (i.e. reduces dilution).

AND

There is hydrological connectivity with the designated site i.e. it is within the relevant surface and/or groundwater catchment.

AND

The designated sites interest features are sensitive to the water quality pollutant/impact from the plan/project.

For LPAs where Natural England has already provided advice on this matter: Natural England has already provided advice to some local authorities on how to address the impacts of development which has the potential to increase nutrient emissions and adversely affect the integrity of habitats protected sites. The sites subject to this previous advice are listed in Annex C Table 1. There is an agreed approach between Natural England and these authorities on applying nutrient neutrality as a mitigation measure to enable development to proceed without causing harm to the integrity of those habitats sites (which are in unfavourable condition due to elevated nutrient levels). We have advised that a likely significant effect from development that increases these nutrients cannot be ruled out[3]. In the absence of evidence to the contrary, our advice has been and continues to be that all new housing development proposals (including any other additional locally specific advice which has been issued), will need to consider, via an appropriate assessment, the impact of adding to the existing nutrients levels / loads where water quality targets are not being achieved for these habitats sites. Having carried out that assessment, permission for the plan or project may only be given if the assessment allows you to be certain that it will not have an adverse impact on the integrity of the site i.e. where no reasonable scientific doubt remains as to the absence of effects[4].

We are writing to your authority now to keep you updated on the development of the approach including the availability of an updated package of tools and guidance. We recommend that your authority moves to using the updated generic Nutrient Neutrality Methodology (attached) and the updated catchment calculators (attached) in preference to existing methodologies whether produced by Natural England or your own authority. Your authority will be best placed to consider how it transitions to the new tools and guidance. Natural England recognises that for some existing catchments where nutrient neutrality is being implemented and mitigation is being actively progressed, authorities may need to consider the associated practicalities of moving to the new guidance whilst recognising their role as Competent Authority. The updated generic Nutrient Neutrality Methodology and associated catchment calculators incorporates new information and evidence, which is explained in Annex A.

For local authorities where this advice is new: Natural England advises you, as the Competent Authority under the Habitats Regulations, to fully consider the nutrients implications on the sites identified in Annex C Table 2 when determining relevant plans or projects and to secure appropriate mitigation measures (see Annex A, para 6 for mitigation options).

When considering a plan or project that may give rise to additional nutrients within the affected catchments, you should undertake a HRA. An Appropriate Assessment will be needed where a likely significant effect (alone or in-combination) cannot be ruled out, even where the proposal contains mitigation provisions. The need for an Appropriate Assessment of proposals that includes mitigation measures intended to avoid or reduce the harmful effects of a plan or project is well established in case law[5] .The Competent Authority should only grant permission if they have made certain at the time of Appropriate Assessment that the plan or project will not adversely affect the integrity of a habitats site i.e. where no reasonable scientific doubt remains as to the absence of effects[6].

The application of nutrient neutrality as mitigation for water quality effects from development has been tested in *Wyatt v Fareham case*[7]. The High Court dismissed an application for judicial review that planning permission which applied nutrient neutrality as mitigation did not satisfy the Habitats

[3] Natural England has agreed that for some sites it is appropriate to screen out insignificant discharges to ground of phosphorus where certain criteria are met. See Annex E for further details

[4] Unless the further conditions in regs. 64 and 68 apply.

[5] *Gladman Developments Limited v S of S for Housing, Communities and Local Government and another* [2019] EWHC 2001 (Admin)

[6] Unless the further conditions in regs. 64 and 68 apply.

[7] *Wyatt v Fareham BC [2021]* EWHC 1434 (Admin)

Regulations. The case has now been appealed. Where properly applied Natural England considers that 'nutrient neutrality' can be a robust way to mitigate nutrient impacts from development.

Your authority may wish to consider a nutrient neutrality approach as a potential solution to enable developments to proceed in the catchment(s) where an adverse effect on site integrity cannot be ruled out. For such an approach to be appropriate, the measures used to mitigate nutrients impacts should not compromise the ability to restore the designated site to favourable condition and achieve the conservation objectives (Further guidance is provided on what this means in practice in the Nutrient Neutrality Principles document, attached).

4.0 Plans and Projects Affected

Development

The Nutrient Neutrality Methodology enables a nutrient budget to be calculated for all types of development that would result in a net increase in population served by a wastewater system.

It covers all types of overnight accommodation including new homes, student accommodation, care homes, tourism attractions and tourist accommodation and permitted development[8] (which gives rise to new overnight accommodation) under the Town and Country Planning (General Permitted Development) (England) Order 2015[9].

For authorities where Natural England's advice is already being applied the development types affected remain as previously advised but are summarised in Table 1 Annex C.

This advice also applies to planning applications at the reserved matters approval stage of the planning application process, and to applications for grants of prior approval and/or certificates of lawfulness for a proposed use or operation.

Tourism attractions and tourism accommodation are included in the methodology as these land uses attract people into the catchment and generate additional wastewater and consequential nutrient loading on the designated sites. This includes self-service and serviced tourist accommodation such as hotels, guest houses, bed and breakfasts, self-catering holiday chalets and static caravan sites. Other types of proposal should be considered on their individual merits, for example conference facilities that generate overnight stays.

Other types of business or commercial development, not involving overnight accommodation, will generally not need to be included in the assessment unless they have other (non-sewerage) water quality implications. For the purposes of the Methodology, it is assumed that anyone living in the catchment also works and uses facilities in the catchment, and therefore wastewater generated can be calculated using the population increase from new homes and other accommodation. This removes the potential for double counting of human wastewater arising from different planning uses.

Permitting

Activities that require an environmental permit (such as waste operations, water discharge activities and groundwater activities) should be subject to an HRA where they are carried out within the catchment of a habitats site and there is a risk that they may affect water quality within that catchment.

Where a likely significant effect on the habitats site cannot be ruled out, they should be subject to an appropriate assessment. Mitigation will be required if an adverse effect on the integrity of the site cannot be ruled out, although depending on the type of permit being considered it may not be appropriate, to apply the standard nutrient neutrality methodology to such plans and projects. This would need to be considered on a case-by-case basis.

[8] Please note the condition on permitted development relating to European sites is set out in Regulation 75 of the Habitats Regulations 2017. The statutory condition on permitted development in regulation 75 only applies the HRA procedure (via regulations 76 and 77) to statutory European Sites. It therefore only applies to Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's) it does not apply to Ramsar sites, proposed SAC's or potential SPA's or to sites identified, or required, as compensatory measures for adverse effects on habitats sites.

[9] Planning permission granted for permitted development is subject to regs. 75-78 of the Habitats Regulations.

Other Plans and Projects

Whilst nutrient neutrality is only currently being applied to development that would result in a net increase in population served by a wastewater system, the HRA requirements will apply to any plans or projects, including agricultural or industrial plans and projects that have the potential to release additional nitrogen and / or phosphorus into the system and that require an LPAs or the EA's consent, permission or approval.

A case-by-case approach will need to be adopted for these. Early discussions with Natural England via our chargeable Discretionary Advice Service (DAS) are recommended Natural England Discretionary Advice Service.

Competent Authorities must be cognisant of their duties under the Habitats Regulations when performing any of their functions. Competent Authorities may reasonably conclude that a HRA is required whenever they receive an application for any consent, approval, licence or permission for plans and projects not expressly referenced in this advice that may affect a habitats site. Natural England would welcome further discussion with you on any other types of plans and projects that you consider may have nutrients impacts.

5.0 Supporting Information

Annex A of this letter outlines the tools and guidance documents that will support LPAs in implementing this advice. There are also a suite of documents appended to this email including the generic Nutrient Neutrality Methodology, catchment specific calculators and associated guidance, catchment maps, Nutrient Neutrality Principles, Nutrient Neutrality – A Summary Guide and site specific evidence documents. We recommend reading the Nutrient Neutrality – A Summary Guide to help your understanding of what is a complex issue. Natural England has been working closely across government departments (Defra and DLUHC) in the preparation of this support package and will continue to do so in the development of longer-term solutions.

The Planning Advisory Service will be hosting detailed teach ins and Q&A sessions on nutrient neutrality and we therefore strongly advise joining these as a first step to understanding the issue and as an opportunity to raise questions. Please follow the link for further details: Nutrient neutrality and the planning system | Local Government Association

Area Team contacts have been provided in Annex G as an initial point of contact for informal discussions. However, should you have any detailed or technical questions concerning this advice, please contact consultations@naturalengland.org.uk marked for the attention of the relevant Area Team. Please ensure that any formal consultations are also sent to consultations@naturalengland.org.uk.

Yours faithfully,

Melanie Hughes

Sustainable Development Programme Director

ANNEX A:Supporting Information

This Annex summarises the key information and tools that are available to enable LPAs to implement Natural England's advice contained in this letter. It also explains how to take account of the following issues in any HRA:

Habitats sites which are in unfavourable condition due to nutrients
Use of permitted Wastewater Treatment Works (WwTW) headroom
Summary of the updated generic Nutrient Neutrality Methodology
Status of the National Nutrient Methodology and Calculators
Mitigation options
Forthcoming tools and guidance

1.0 Available Tools and Guidance

To help competent authorities take account of these water quality issues and develop strategic solutions, Natural England has provisionally developed the following tools and guidance:

1. A national generic Nutrient Neutrality Methodology (attached)
2. A national map showing the affected catchments (Annex B)
3. Table 1 listing the habitats sites that Natural England has previously advised are in unfavourable condition due to excessive nutrients and will require a HRA and where nutrient neutrality is a potential solution to enable development to proceed (Annex C).
4. Table 2 listing the additional habitats sites which are in unfavourable condition due to excessive nutrients which will require a HRA and where nutrient neutrality is a potential solution to enable development to proceed (Annex C).
5. A nutrient assessment methodology decision tree (Annex D)
6. A HRA Flow chart (Annex E)
7. Thresholds for insignificant levels of phosphorus discharges to ground (Annex F)
8. Area Team contacts for each habitats site and catchment (Annex G)
9. Catchment specific Nutrient Neutrality Calculators and associated Calculator Guidance
10. Detailed catchment specific maps (attached)
11. Evidence summary for each habitats site (new catchments only) including, brief site description, habitats site designated water dependent features, names of component SSSIs where relevant and summary of water quality data including targets and exceedances (attached).
12. Nutrient Neutrality Principles (attached)
13. Nutrient Neutrality – A Summary Guide to Nutrient Neutrality

The Nutrient Neutrality Methodology is a national generic methodology which can be used for all affected catchments and sites (as listed in Annex C). The methodology can be used for both phosphorus and nitrogen. It provides a framework and a set of agreed "input values" to enable a nutrient budget to be determined for any development draining into a habitats site. These values are based on updated information and evidence; Natural England considers that they are suitably precautionary[10] and address impacts in perpetuity to remove risks to site integrity beyond reasonable scientific doubt. The nutrient budget calculated should form part of the Appropriate Assessment (AA) of any HRA produced to address nutrient impacts on affected habitats sites.

The HRA Flow Chart summarises the key stages in the HRA process and the questions which need to be answered in relation to the habitats site and the proposed development at the screening and the appropriate assessment stages.

Guidance on Thresholds for Insignificant Effects from Phosphorus Only. This identifies the conditions which must be met to enable the effects of phosphorus, where it discharges to ground, to be considered as being insignificant. Where best available evidence indicates that these

[10] Precautionary values are used for key variables and an additional buffer is applied in stage 4 of the methodology.

conditions are met, Natural England's advice is that a conclusion of no LSE, either alone or in combination, for phosphorus can be reached. Note this does not apply to nitrogen.

The Catchment Calculators have been developed for each designated habitats site and its catchment. They enable nutrient budgets to be calculated for phosphorus and nitrogen. The calculators will be in an Excel spreadsheet format. There will be an associated guidance document for each calculator.

Site Specific Catchment Maps show the extent of the affected catchment. Natural England advises that a HRA of water quality impacts on the habitats sites is undertaken for developments that are within, or discharge to, Wastewater Treatment Works (WwTW) that are within these catchments.

Evidence Summary for each habitats site. This document includes the site name and site details including reasons for designation, nutrient pressure (i.e. whether it is nitrogen, phosphorus or both), water quality evidence and information on the underpinning Sites of Special Scientific Interest (SSSIs) for the habitats site.

Nutrient Neutrality Principles. These set out the key principles which must be met for nutrient neutrality to be an effective mitigation measure which can be relied upon to enable development to proceed that would otherwise adversely affect the integrity of habitats sites.

2.0 Where a Habitats Site is Currently Unfavourable Due to Nutrients

Where a site is considered unfavourable due to exceeded nutrient levels and there is the possibility of further nutrient loading from a new plan or project, Natural England advises that Competent Authorities need to carefully consider the circumstances where plans or projects can be authorised. In many cases, an Appropriate Assessment (AA) is likely to be the appropriate stage to consider these matters more thoroughly.

Where the plan or project will (or it cannot be ascertained that it will not) contribute additional significant nutrients, alone or in-combination directly to, or upstream of, any unfavourable location which is important for maintaining or restoring the sensitive designated interest features, then Natural England advises that either there is a Likely Significant Effect (LSE) or an LSE cannot be ruled out and therefore, an Appropriate Assessment should be undertaken. We advise that as the Competent Authority you should consider the implications of relevant case law in any HRA. Annex F identifies "Thresholds for Insignificant Effects" for phosphorus discharges to ground.

3.0 Use of Permitted Wastewater Treatment Works (WwTW) Headroom

Headroom (flow or quality) in WwTW discharge permits has largely come about due to decisions being made by the Competent Authority based on taking a 'fair share' approach that relies on proportionality (i.e. relying on action by each sector to achieve favourable conservation status) and/or through water companies significantly over-performing on their permits. In many situations, headroom has been eroded as the habitats site water quality objectives have become more stringent, or there is new available information since the last AA of the permit.

Competent Authorities who wish to rely on the reasoning or conclusions in previous AA should consider the age of the AA, its robustness and whether evidence or circumstances have changed and therefore whether additional consideration is needed. Careful consideration will be needed where the habitats site feature is unfavourable due to elevated nutrient levels and plans or projects contribute further loading. Competent Authorities should consider:

- Any changes to the habitats site nutrient objectives or related ecological objectives since the AA was undertaken.
- Any new relevant information since the AA e.g. change to site condition, information on how measures relied on in the AA have performed.
- Whether the previous AA complies with current legal requirements as a result of any changes to Case Law.

Whether any measures taken into account in the AA can still be safely relied on to deliver the anticipated effects so that no reasonable scientific doubt remains as to their efficacy and delivery. For example, if a decision on a permit was based on another sector (such as agriculture) also delivering reductions to enable the site to achieve the water quality objectives, those measures to be taken on other sectors should be sufficiently certain so that they can lawfully be considered in an AA.

The preferred approach is to have a strategic plan which considers what is required from all sources (e.g. Diffuse Water Pollution Plan /Nutrient Management Plan) based on the latest evidence, is sufficiently certain and can therefore be used to identify and enable the development of WwTW headroom that can be used for growth, which competent authorities can then rely on to inform their AA. However due to the difficulties with providing sufficient certainty in these plans this may not be possible in the short to medium term for some habitats sites and may remain a longer-term aim.

4.0 Updated Nutrient Neutrality Methodology

This new methodology incorporates updated information as detailed below. For those authorities which are currently implementing nutrient neutrality Natural England recommends that they move to applying the updated methodology (attached) and the catchment calculators (attached) in preference to any existing methodologies whether produced by Natural England or your own authority.

The Generic Methodology includes the latest version of Farmscoper (version 5) which includes more up-to-date values for the various variables. The updated approach also uses the actual outputs rather than averaged values from Farmscoper for detailed farm types broken down by rainfall, drainage and Nitrate Vulnerable Zones. The benefit of taking the detailed farm types approach is that it offers a more specific budget calculation for the actual nutrient losses from the development or mitigation land to be taken into account.

The Generic Methodology covers all potential different situations on water usage that might occur across the full range of catchments.

It provides a more consistent approach for dealing with onsite wastewater treatment systems.

Pet waste is not considered in the greenspace export coefficient as this type of waste is taken into account in the urban surface water run off element of the calculator.

The new methodology uses a different approach for calculating the urban export co-efficient so that it is applicable across the country. The values take into account the type of urban land and development site specific rainfall. This results in export values that will be specific to the rainfall at the location within the catchment.

5.0 Status of the National Nutrient Methodology and Calculators

Natural England is issuing the National Generic Methodology (and the associated catchment calculators) to provide Local Planning Authorities with the tools to progress nutrient neutrality as a potential mitigation solution to enable development that would otherwise adversely affect the integrity of habitats sites to proceed. However, at present this guidance **should be considered as provisional** due to the outstanding appeal to the Court of Appeal in **Wyatt v Fareham BC** [2021] EWHC 1434 (Admin), which although not concerned with the National Generic Nutrient Neutrality Methodology, could impact on certain elements contained within the Methodology because that case considers a similar (but not identical) earlier methodology for the Solent region. The Court of Appeal has granted permission for the appeal to be heard. The dates of the hearing are 5th and 6th April 2022.The outcome of the appeal hearing is not known. Nevertheless, Natural England is encouraged that the Judge in the High Court upheld Natural England's nutrient neutrality approach in principle and has responded to the Judge's comments in the Methodology. Natural England

intends to review this Methodology following judgement in the appeal in ***Wyatt*** which may require amendments to be made to the Methodology.

6.0. Mitigation Options

Mitigation to enable development to proceed within the affected catchments of the designated sites listed in Annex C can include nutrient neutrality as an option to avoid either permanent, or temporary increases in nutrients on the affected sites. Suitable mitigation measures might include constructed wetlands, land use change or retrofitting of Sustainable Urban Drainage systems (SUDs). Such measures must be effective for the duration of the impacts. In the case of new housing the duration of the impact is typically taken as in perpetuity, with the costs of maintaining, monitoring and enforcing mitigation calculated for a minimum of 80 – 125 years. It does not, however, follow that mitigation is not needed after that period, but rather the expectation is the mitigation will continue indefinitely (e.g. through securing appropriate permanent land use change).

There may be circumstances in which it is possible to define the 'lifetime of the development' more precisely, for example where consent is sought for the construction and use of a temporary structure that will be removed after a fixed period. In those circumstances, a Competent Authority may require mitigation to be maintained for a shorter period providing the Competent Authority is certain that adverse impacts on the integrity of a habitats site will not occur after the mitigation is removed. In those circumstances, a bespoke nutrient budget will be required, and early discussions with Natural England via our chargeable DAS are recommended Natural England Discretionary Advice Service.

Natural England has identified that nutrient neutrality is an option which can be used to mitigate the impacts of excess nutrients from development for the majority of sites listed in Annex C. However, there may be instances where due to the nature of the habitats site and/ or the location and scale of development it may not be appropriate to apply nutrient neutrality, as doing so would compromise the ability to restore the site to favourable conservation status in the long term, or it may not be possible to identify mitigation which will enable the development to be nutrient neutral. Situations where this is more likely to apply are explained in Annex C.

The extent of these nutrient neutrality constraints will be site and often development specific so will need to be considered on a case-by-case basis. Natural England recommends that Competent Authorities should carefully consider whether it is possible to allocate development in catchments or parts of catchments of sites which are likely to have significant constraints in being able to apply nutrient neutrality. Where nutrient neutrality cannot effectively mitigate the nutrient impacts of new developments, then consent should only be granted where other mitigation can effectively prevent an adverse effect on the integrity of site.

When consulting Natural England on proposals with the potential to affect water quality resulting in nutrient impacts on habitats sites, please ensure that a Habitats Regulations Assessment is included which has been informed by the Nutrient Neutrality Methodology (attached). Further guidance on the process is provided by the Decision Tree (Annex D) and HRA flow Diagram (Annex E) Without this information Natural England will not be in a position to comment on the significance of the impacts or the scope of any mitigation which may be required. For large scale developments, Natural England may provide advice on a cost recovery basis through our Discretionary Advice Service

All queries in relation to the application of this methodology to specific applications or development of strategic solutions will be treated as pre-application advice and therefore subject to chargeable services.

7.0 Forthcoming Tools and Guidance

Natural England's SSSI Impact Risk Zones will also be updated to include the affected catchments.

Annex B: National Map of Catchments

European protected sites requiring nutrient neutrality strategic solutions

Nutrient neutrality SSSI catchments

SSSI subject to nutrient neutrality strategy

Nutrient neutrality SSSI catchment

Produced by Defra Spatial Data Science

Annex C: Habitats sites in unfavourable condition and where nutrient neutrality has been identified as a potential mitigation solution to enable development to proceed.

Table 1: Existing sites in unfavourable condition due to excessive nutrients which require a Habitats Regulations Assessment (HRA) and where nutrient neutrality is being deployed as mitigation.

Habitats Site & Catchment	LPA Affected	Nutrient	Summary of Development Types Affected	Nutrient Neutrality Methodology and Calculator produced by Natural England or LPA*.
Poole Harbour SPA/Ramsar	Dorset Council Bournemouth, Christchurch and Poole Council	Nitrogen and Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation	Nitrogen Reduction in Poole Harbour Supplementary Planning Document (SPD)
The Solent	Basingstoke and Deane Borough Council Chichester District Council East Hampshire District Council Eastleigh Borough Council Fareham Borough Council Gosport Borough Council Havant Borough Council Isle of Wight Council New Forest District Council New Forest National Park Authority Portsmouth City Council South Downs National Park Authority Southampton City Council Test Valley Borough Council Wiltshire Council Winchester City Council	Nitrogen for existing catchment (River Itchen includes Phosphorus and Nitrogen. See River Itchen in Table 2 for further details)	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation	Methodology and Calculator developed and provided by Natural England.
River Avon SAC	Bournemouth, Christchurch and Poole Council Dorset Council New Forest District Council	Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation	Interim Phosphate Calculator

Habitats Site & Catchment	LPA Affected	Nutrient	Summary of Development Types Affected	Nutrient Neutrality Methodology and Calculator produced by Natural England or LPA*.
	New Forest National Park Authority Test Valley Borough Council Wiltshire Council			
River Camel SAC	Cornwall Council	Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including newhomes, student and tourist accommodation. Additional locally specific advice	Phosphate Calculator developed by consultants on behalf of Local Planning Authority
Stodmarsh SAC/Ramsar	Ashford Borough Council Canterbury City Council Dover District Council Folkestone and Hythe District Council Maidstone Borough Council Swale Borough Council	Nitrogen and Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation.	Methodology and Calculator developed and provided by Natural England.
River Wye SAC (only applies to the River Lugg component)	Herefordshire Council Malvern Hills District Council	Phosphorus	Additional development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation.	Phosphate Calculator developed by consultants on behalf of Local Planning Authority
Somerset Levels and Moors Ramsar	Dorset Council Exmoor National Park Mendip District Council Mid Devon District Council Sedgemoor District Council Somerset West and Taunton District Council South Somerset District Wiltshire Council	Phosphorus	Additional residential and commercial development that will result in a net increase in population served by a wastewater system, including new homes, student and tourist accommodation. Additional locally specific advice	Methodology and calculator developed by consultants on behalf of Local Planning Authority

*Note: Nutrient neutrality calculators have been provided for all the catchments listed above, even where there is an existing nutrient neutrality calculator .

Table 2: Additional habitats sites in unfavourable condition due to excessive nutrients which require a Habitats Regulations Assessment (HRA) and where nutrient neutrality is a potential solution to enable development to proceed.

Habitats site & Catchment	LPA Affected	Nutrient
Chesil and the Fleet SAC/SPA	Dorset Council	Nitrogen and Phosphorus
Esthwaite Water Ramsar	South Lakeland Council	Phosphorus
Hornsea Mere SPA	East Riding of Yorkshire Council	Nitrogen and Phosphorus
Lindisfarne SPA/Ramsar	Northumberland County Council	Nitrogen
Oak Mere SAC	Cheshire West and Chester Council	Phosphorus
Peak District Dales SAC	Derbyshire Dales District Council High Peak Borough Council Peak District National Park Authority	Phosphorus
River Axe SAC	Dorset Council East Devon District Council Somerset West & Taunton Council South Somerset District Council	Phosphorus
River Clun SAC	Herefordshire Council Shropshire Council	Nitrogen and Phosphorus
River Derwent & Bassenthwaite Lake SAC (only applies to catchments of Bassenthwaite Lake (River Derwent and Tributaries SSSI unit 1) and River Marron (unit 124 of River Derwent and Tributaries SSSI)).	Allerdale Borough Council Copeland Borough Council Eden District Council Lake District National Park	Phosphorus
River Eden SAC	Allerdale Borough Council Carlisle City Council Durham County Council Eden District Council Lake District National Park Northumberland County Council Northumberland National Park Richmondshire District Council South Lakeland Council	Phosphorus
River Itchen SAC (part of Solent Catchment)	Basingstoke and Deane BoroughCouncil East Hampshire District Council Eastleigh Borough Council Winchester City Council	Nitrogen and Phosphorus
River Kent SAC (only applies to catchments of units 104 and 111 ofRiver Kent SSSI)	Eden District Council Lake District National Park South Lakeland Council	Phosphorus
River Lambourn SAC	Swindon Borough Council Vale of White Horse District	Phosphorus

Habitats site & Catchment	LPA Affected	Nutrient
	Council West Berkshire Council Wiltshire Council	
River Mease SAC	East Staffordshire Borough Council Hinckley and Bosworth Borough Council Lichfield District Council North Warwickshire Borough Council	Phosphorus
River Wensum SAC	Borough Council of King's Lynn and West Norfolk Breckland Council Broadland & South Norfolk Council North Norfolk District Council Norwich City Council	Phosphorus
Roman Walls Loughs SAC	Northumberland County Council Northumberland National Park Authority	Phosphorus
Rostherne Mere Ramsar	Cheshire East Council	Nitrogen and Phosphorus
Teesmouth & Cleveland Coast SPA/Ramsar	Darlington Borough Council Durham County Council Eden District Council Hambleton District Council Hartlepool Borough Council Middlesbrough Council North York Moors National Park Redcar and Cleveland Borough Council Richmondshire District Council Stockton-on-Tees Borough Council	Nitrogen
The Broads SAC/Ramsar (only the following are included): Bure Broads and Marshes SSSI Trinity Broads SSSI Yare Broads and Marshes SSSI Ant Broads and Marshes SSSI Upper Thurne Broads and Marshes SSSI	Borough Council of King's Lynn and West Norfolk Breckland Council Broadland & South Norfolk Council Great Yarmouth Borough Council North Norfolk District Council Norwich City Council The Broads Authority	Nitrogen and Phosphorus
West Midlands Mosses SAC (only catchments of Abbotts Moss SSSI and Wynbunbury Moss SSSI are included)	Cheshire East Council (Wynbunbury) Cheshire West and Chester Council (Abbotts)	Nitrogen and Phosphorus

Situations where NN may not be an appropriate Mitigation Measure

Lake or wetland sites and particularly those with long residence times or which have

a limited or no outflow. For these types of sites nutrients will accumulate over time and therefore they are particularly vulnerable to even small increases in nutrients which will further hinder restoration. Where one of these sites is already unfavourable due to nutrient enrichment it is also likely that current sources of nutrients will need to be reduced to restore the site and therefore using these measures for nutrient neutrality would undermine the ability to restore the site.

Where the development impact is direct to a habitats site terrestrial wetland habitat rather than to surface water. In these circumstances the mitigation would need to beat the exact same location where the development is having its effect on the site, as reductions in nutrients in other locations of the wetland would not neutralise the effect of the development. Therefore, potential mitigation options will likely be very limited.

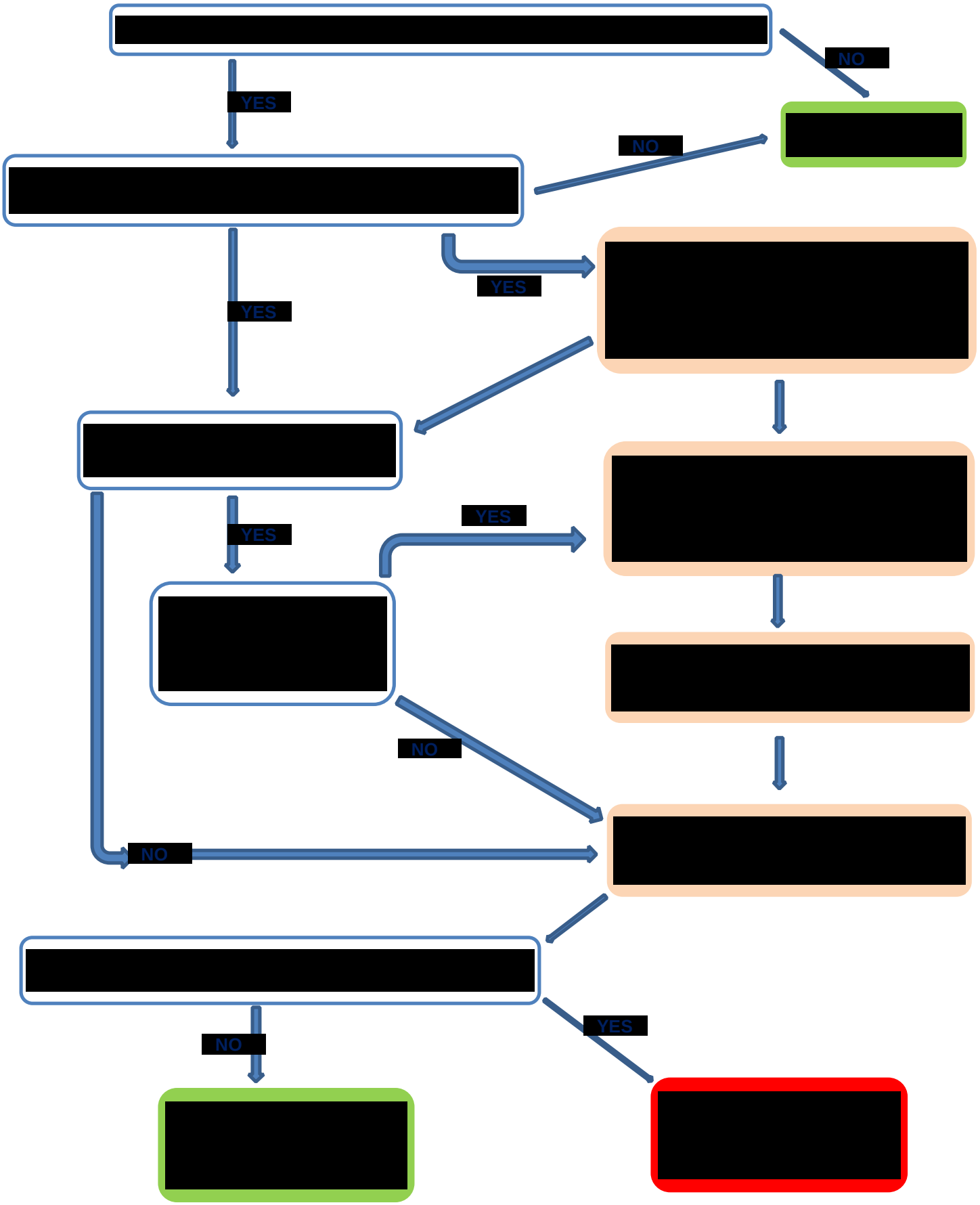
Where the development impact is via groundwater discharging direct to a habitats site terrestrial wetland habitat rather than to groundwater discharging to surface water. In these circumstances there will be variation in the effectiveness of measures depending on their location within the groundwater catchment compared to development. This means measures may need to be located in the same part of the groundwater catchment to ensure that it would neutralise the nutrient increase from the development before it reaches the site, thereby constraining the area where mitigation could be targeted to a smaller area.

Development (particularly larger developments) in the headwaters of a catchment. In these circumstances the area upstream of the development where nutrient neutrality mitigation can be located will be restricted to a small area, providing much more limited and perhaps in some cases no feasible opportunities for mitigation through nutrient neutrality, although other mitigation measures may be possible.

Habitats sites with small catchments. Again, there will be a much more limited area where mitigation can be targeted thereby limiting potential nutrient neutrality mitigation opportunities.

Where widespread and/or large-scale uptake of measures are needed to restore the habitats site or part of the site (e.g. identified in the DWPP or NMP) thereby significantly constraining the measures available for counterbalancing additional nutrient inputs in a way which will not undermine site restoration.

Annex D: Nutrient Assessment Methodology for Development which Generates Wastewater Decision Tree



Annex D Nutrient Assessment Methodology for Development which Generates Wastewater Decision Tree (text only)

Question 1: Does the development generate wastewater from overnight use?

- Yes, Question 2: Is wastewater likely to be discharged into the habitats site catchment?
- No, Methodology not applicable

Question 2: Is wastewater likely to be discharged into the habitats site catchment?

- Yes, STAGE 1 (Calculate the developments' total nutrients that would be discharged (via treatment works) into the habitats sites' catchment. Use appropriate methodology)
- Yes, Question 3: Is there a change to the land use or drainage area?
- No, Methodology not applicable

Question 3: Is there a change to the land use or drainage area?

- Yes, Question 4: Does any part of the existing land use drain into the habitats site?
- No, STAGE 4 (Calculate the change in nutrients as a result of the proposed development)

Question 4: Does any part of the existing land use drain into the habitats site?

- Yes, STAGE 2 (Calculate existing land (pre-development) nutrients from the current land use of the development site). STAGE 3 (Calculate nutrients for the future land uses proposed for the development). STAGE 4 (Calculate the change in nutrients as a result of the proposed development).
- No, STAGE 4 (Calculate the change in nutrients as a result of the proposed development)

Question 5: Does the development result in net increase in nutrients (a positive figure) to the habitats catchment?

- Yes, Development will generate additional nutrients – mitigation is required
- No, Development will not generate additional nutrients – mitigation is not required.

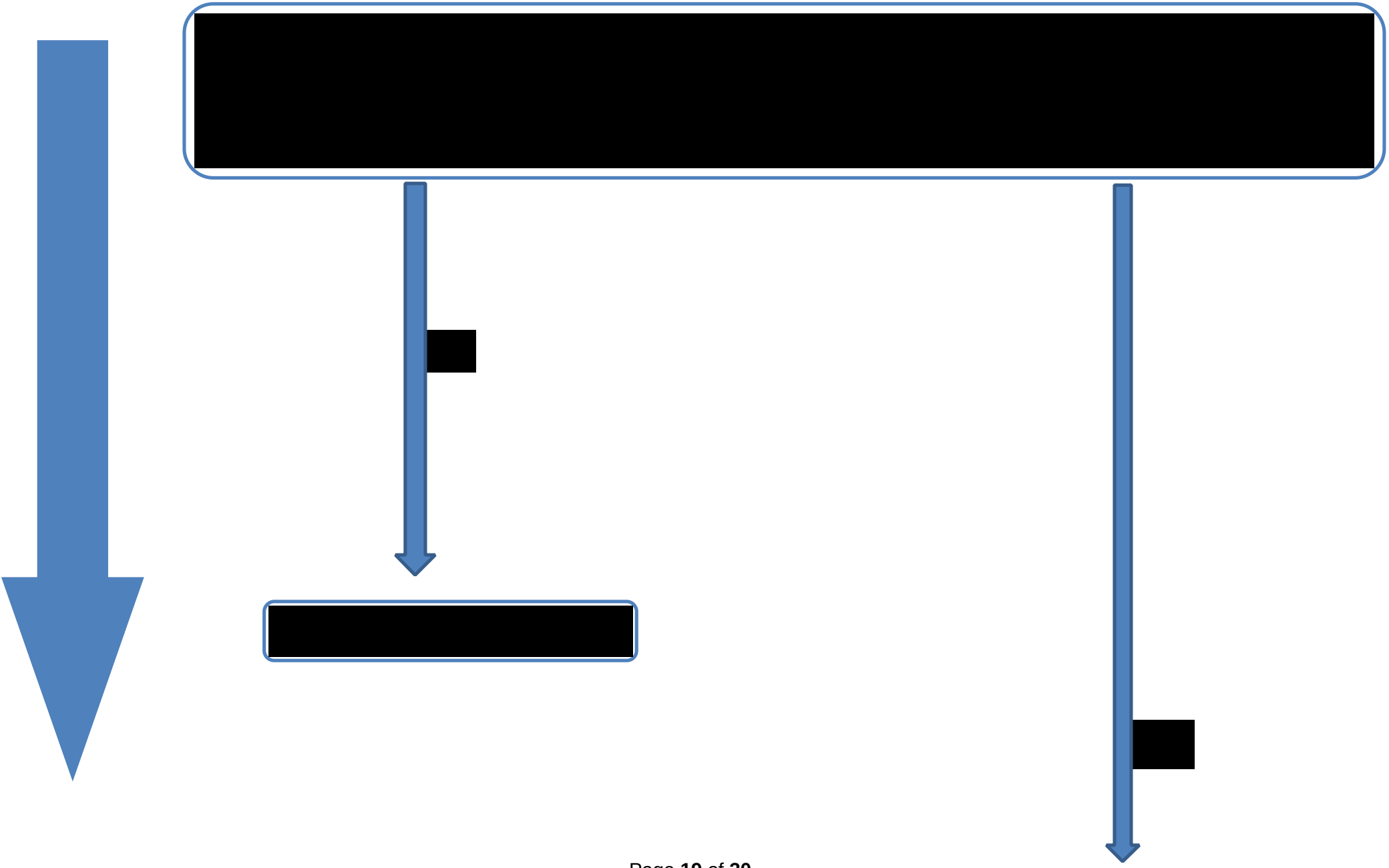
STAGE 1: Calculate the developments' total nutrients that would be discharged (via treatment works) into the habitats sites' catchment. Use appropriate methodology.

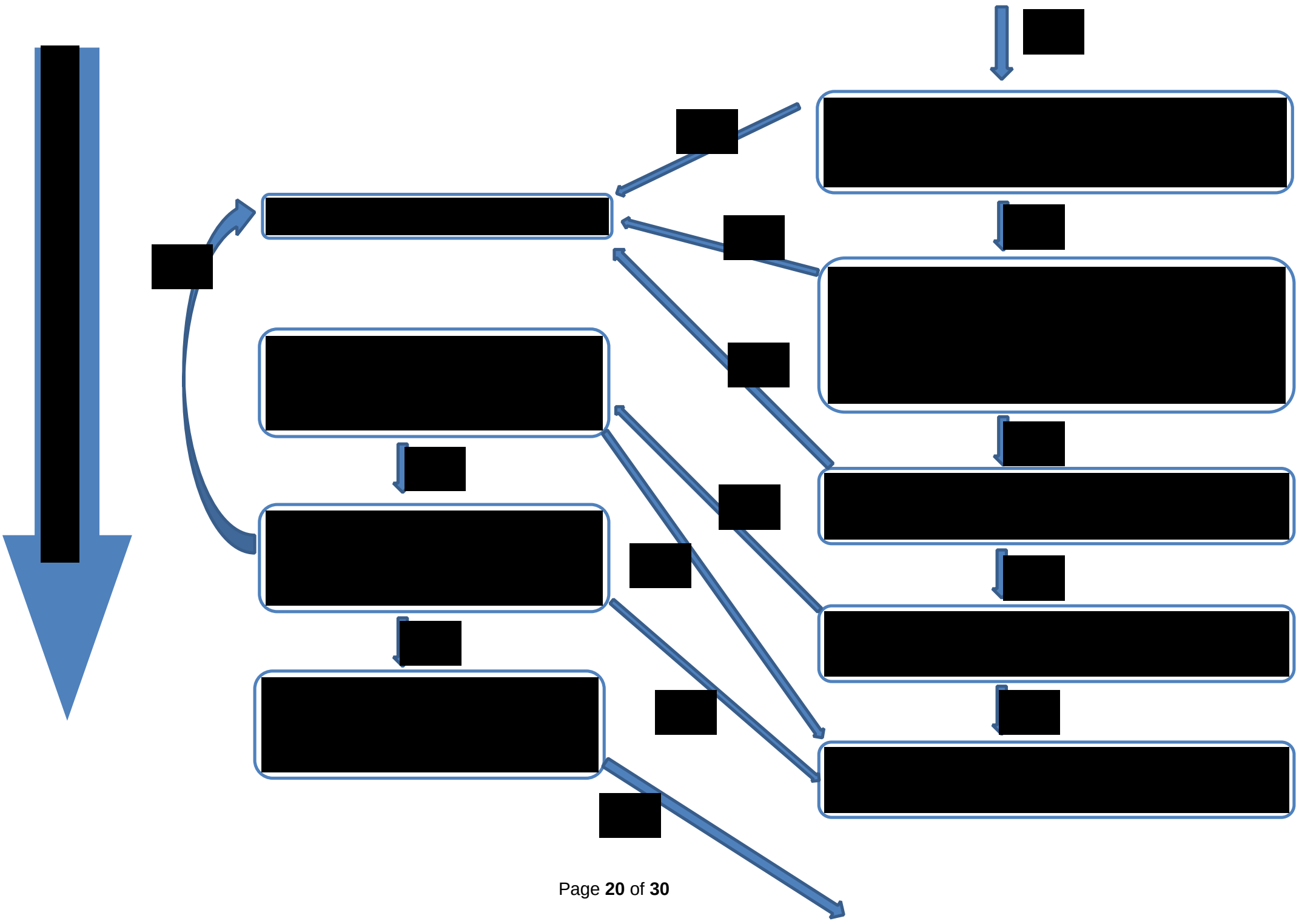
STAGE 2 Calculate existing land (pre-development) nutrients from the current land use of the development site.

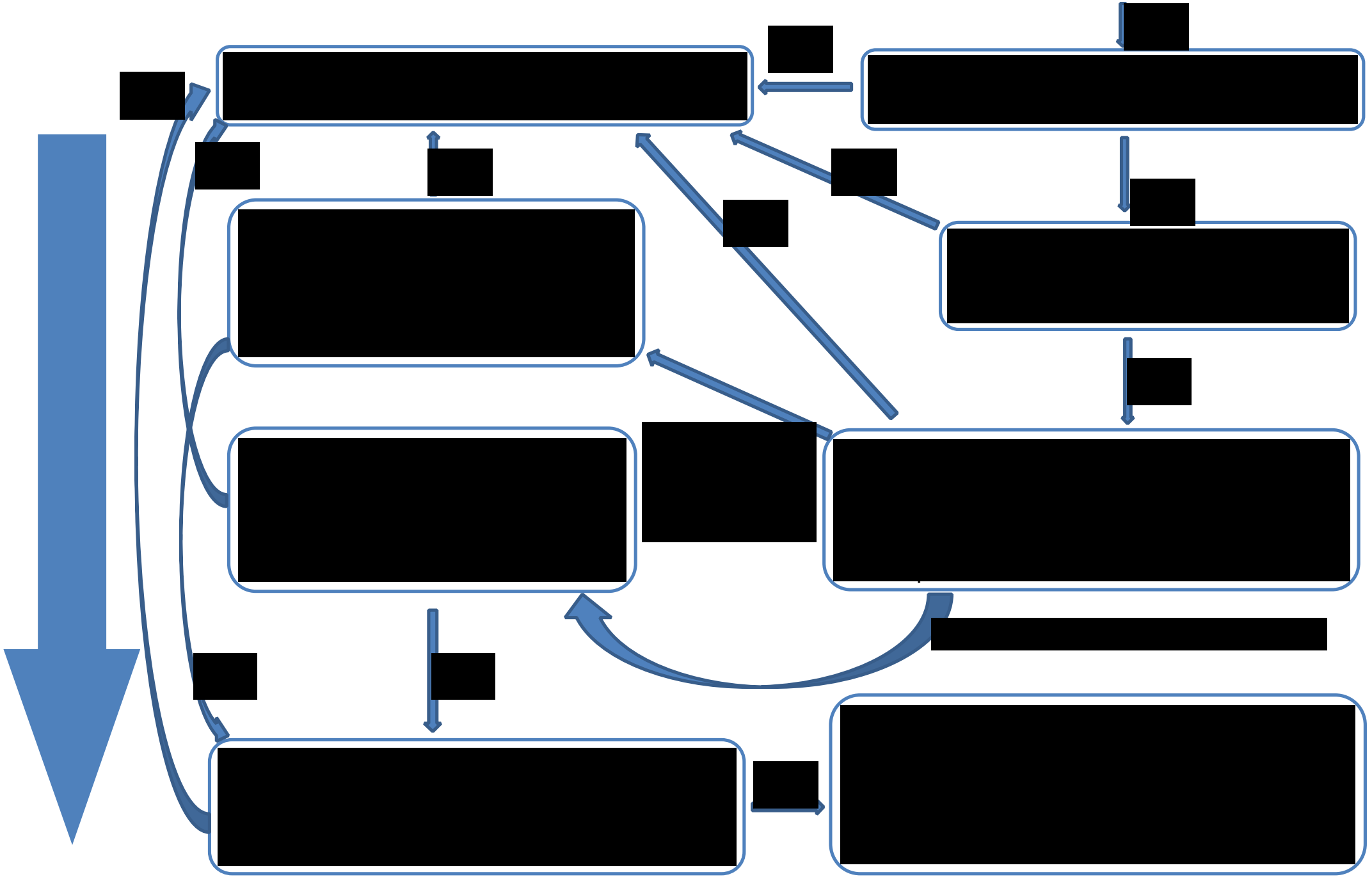
STAGE 3 Calculate nutrients for the future land uses proposed for the development.

STAGE 4: Calculate the change in nutrients as a result of the proposed development.

Annex E: Flow Diagram of HRA Process for Consultations Contributing Nutrients







Annex E: Flow Diagram of HRA Process for Consultations Contributing Nutrients (text only)

RELEVANCE

- Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?
  - No, No need to undertake an HRA
  - Yes, Is there a pathway/hydrological connectivity for the plan or project to impact water quality within the habitats site?

LIKELY SIGNIFICANT EFFECT

- Is there a pathway/hydrological connectivity for the plan or project to impact water quality within the habitats site?
  - No, No LSE alone or in combination
  - Yes, Nutrient levels would be maintained or reduced from the exiting situation, and maintaining the current or reduced nutrient levels would not undermine the objective of restoring the site
- Nutrient levels would be maintained or reduced from the exiting situation, and maintaining the current or reduced nutrient levels would not undermine the objective of restoring the site
  - No, Can the plan or project be considered to be insignificant alone or in combination?
  - Yes, No LSE alone or in combination
- Can the plan or project be considered to be insignificant alone or in combination?
  - No, Is the habitats site unfavourable due to nutrients?
  - Yes, No LSE alone or in combination
- Is the habitats site unfavourable due to nutrients?
  - No, Would the habitats site become unfavourable due to the plan or project alone?
  - Yes, Can't conclude no LSE alone – Undertake an Appropriate Assessment
- Would the habitats site become unfavourable due to the plan or project alone?
  - No, Would the habitats site become unfavourable due to the plan or project in combination?
  - Yes, Can't conclude no LSE alone – Undertaken an Appropriate Assessment
- Would the habitats site become unfavourable due to the plan or project in combination?
  - No, No LSE alone or in combination
  - Yes, Can't conclude no LSE in combination – Undertake an Appropriate Assessment

APPROPRIATE ASSESSMENT

- Can't conclude no LSE alone – Undertake an Appropriate Assessment / Can't conclude no LSE in combination – Undertake an Appropriate Assessment, Is there certain mitigation that will ensure there is no hydrological connectivity?
- Is there certain mitigation that will ensure there is no hydrological connectivity?
  - No, Is there certain mitigation that would make the plan or project insignificant alone or in combination?
  - Yes, Can conclude no adverse effect on site integrity alone or in combination
- Is there certain mitigation that would make the plan or project insignificant alone or in combination?
  - No, Is there a strategic plan which creates capacity for the plan or project that is certain or enables a conclusion of no adverse effect alone or in combination for the lifetime of the developments effects?
  - Yes, Can conclude no adverse effect on site integrity alone or in combination
- Is there a strategic plan which creates capacity for the plan or project that is certain or enables a conclusion of no adverse effect alone or in combination for the lifetime of the developments effects?
  - Yes, Can conclude no adverse effect on site integrity alone or in combination
  - Certain strategic plan but a delay before benefits of measures affects the site, Is there any additional certain mitigation which will bridge the gap until the benefits of strategic plan measures are felt at the site or conditions which could be applied?
  - No certain strategic plan, Is there certain mitigation or conditions that would make the plan or project nutrient neutral for the lifetime of the development's effects?

- Is there any additional certain mitigation which will bridge the gap until the benefits of strategic plan measures are felt at the site or conditions which could be applied?
    - Yes, Can conclude no adverse effect on site integrity alone or in combination
    - No, Is there any other evidence which provides certainty that the plan or project will not have an adverse effect on site integrity alone or in combination?
- Is there certain mitigation or conditions that would the plan or project nutrient neutral for the lifetime of the development's effects?
    - Yes, Can conclude no adverse effect on site integrity alone or in combination
    - No, Is there any other evidence which provides certainty that the plan or project will not have an adverse effect on site integrity alone or in combination?
- Is there any other evidence which provides certainty that the plan or project will not have an adverse effect on site integrity alone or in combination?
    - Yes, Can conclude no adverse effect on site integrity alone or in combination
    - No, Can't conclude no adverse effect on site integrity – Competent Authority to decide whether to refuse permission or to move onto next stages of HRA process – consideration of alternatives, IROPI and compensation

Annex F: Thresholds for Insignificant Effects – Phosphorus Discharges to Ground

Waddenzee established that an Appropriate Assessment (AA) is required where there is a "probability or a risk" of a significant effect on the site concerned. In light of the precautionary principle, a plan or project is likely to have a significant effect if the risk cannot be excluded on the basis of objective evidence. Any site-specific rationale or thresholds to demonstrate the insignificance of effects would need to ensure that the risk of Likely Significant Effect (LSE) (alone or in combination) can be excluded. Where evidence is not currently available or it is uncertain, it would be more appropriate to take the plan or project through to AA for further consideration. It may still be possible to conclude no adverse effect on site integrity (alone or in combination) in the AA through further consideration as to the specific facts of the case in question and/or through consideration of appropriate mitigation.

Natural England currently considers that it is difficult to make robust arguments around generic standardised thresholds for levels of water quality impacts that exclude the risk of likely significant effects (alone or in combination) for all sites and situations. There are a number of different factors that are variable between sites which can influence the risk of cumulative effects and the sensitivity and vulnerability of the site and therefore what might be significant.

Thresholds for insignificant levels of phosphorus discharges to ground

Natural England considers that there is an exception to this position on generic thresholds in relation to discharges of phosphorus to ground.

Any plan or project which requires planning permission, Building Regulations approval or an environmental permit from the Environment Agency must comply with the requirements of those regulatory regimes as well as what is needed to meet the Habitat Regulations. For example, all of these regimes require that developments should be connected to the public foul sewerage network wherever this is reasonable. This includes areas where the Habitats Regulations apply and any need to reduce nutrient inputs in those areas should not lead to the installation of non-mains foul drainage systems in circumstances where connection to the public foul sewer would otherwise be considered reasonable. Any plan or project then connecting to mains would still need to also be compliant with Habitat Regulations.

Summary of evidence

Septic tank systems or package treatment plants that discharge to ground via a drainage field should pose little threat to the environment, because much of the P discharged is removed from the effluent as it percolates through the soil in the drainage field[11]. The risk of water pollution by these types of discharges to ground depends on a range of factors that affect their success or failure and can be summarised by three key factors[12]:

1. improper location
2. poor design
3. incorrect management

[11] ROBERTSON WD, VAN STEMPVOORT ER & SCHIFF SL. 2019. Review of Phosphorus attenuation in groundwaterplumes from 24 septic systems.

[12] MAY, L., PLACE, C., O'MALLEY, M. & SPEARS, B. 2015. *The impact of phosphorus inputs from small discharges on designated freshwater sites*. Natural England Commissioned Reports, NECR 170.

Phosphorus is removed from the effluent within the drainage field through retention in the soil through sorption within the aerated soil zone and mineral precipitation. How much phosphorus is removed will depend on the soil type and phosphorus characteristics, mineral content, pH, texture, and the hydraulic loading rate. P sorption can be reversed and P desorption can occur in certain conditions e.g. change in redox conditions[13]. For the drainage field to work effectively the drainage field needs to have acceptable year round percolation rates which will be influenced by the soil type, as if they drain too quickly or to slowly effective phosphorus removal will not take place. In addition if infiltration rates are lower than the loading rate of the effluent into the drainage field then hydraulic failure can occur which results in the effluent being discharged over the soil surface. Therefore correct design of the system is important. The Building Regulations[14] set out design and construction standards for septic tanks, package treatment plants and drainage fields. In relation to drainage fields they include the need for a percolation test, a method for how this should be undertaken and the minimum and maximum percolation values (V_p) which ensure that the drainage field effectively removes pollutants. This is then used to calculate the size of the drainage field required for the size of the household it will be serving.

Robertson et al (2019)[8] found that the carbonate mineral content of the drainage field sediments can also affect the P retention within the drainage fields and therefore the distance any P plume extends. Calcareous sediments having very high P retention (average 97%), with plumes not extending beyond 10m and non-calcareous sediments showing greater variability and having a lower P retention (average 69%) with some of the P plumes extending beyond 15m up to 100m in one case.

The evidence has shown that it is the aerated drainage field sediments which provides a key function in terms of removing the phosphorus from the effluent before it enters a receiving water body (surface or groundwater). Any enhanced connectivity to a water body, which short circuits this process, is probably one of the main factors that causes pollution of habitats sites (and other water dependent sites) by these systems[15] [16]. Therefore it will be important that the drainage field is sited far enough away from any watercourse, ditch, drain etc. as well as that it is not in a location where the groundwater is high enough that comes into connection with this aerated zone. Fractured rock or fissured geology could also short circuit this process. In addition seasonal flooding can wash out the contents of the tanks. Slope also affects the way the drainage field functions, with steeper slopes having a higher risk of run off.

[13] MARY G. LUSK, GURPAL S. TOOR, YUN-YA YANG, SARA MECHTENSIMER, MRIGANKA DE & THOMAS A. OBREZA. 2017. *A review of the fate and transport of nitrogen, phosphorus, pathogens,and trace organic chemicals in septic systems*, Critical Reviews in Environmental Science and Technology, 47:7, 455-541,

[14] Building Regulations, Drainage and Waste disposal (2015), Document H, Section H2.

[15] MAY, L., WITHERS, P.J., STRATFORD, C., BOWES, M., ROBINSON, D. & GOZZARD, E. 2015. *Development of a risk assessment tool to assess the significance of septic tanks around freshwater SSSIs: Phase 1 – Understanding better the retention of phosphorus in the drainage field*. Natural England Commissioned Reports, NECR171

[16] MAY, L., DUDLEY, B.J., WOODS, H. & MILES, S. 2016. *Development of a Risk Assessment Tool to Evaluate the Significance of Septic Tanks Around Freshwater SSSIs.* NECR 222

There is also some evidence that density (i.e. number) of these types of systems in an area also has a bearing on the risk of pollution. In general, lower densities of tanks tend to cause less contamination of downstream water bodies than higher densities of tanks.

Proposed thresholds

Small discharges to ground i.e. less than $2m^3$/day[17] that are within the surface or groundwater catchment of a designated site will present a low risk that the phosphorus will have a significant effect on the designated site where certain conditions are met:

a) The drainage field is more than 50m from the designated site boundary (or sensitive interest feature) [18] **and**;

b) The drainage field is more than 40m from any surface water feature e.g. ditch, drain, watercourse[19], **and**;

c) The drainage field in an area with a slope no greater than 15%[20], **and**;

d) The drainage field is in an area where the high water table groundwater depth is at least 2m below the surface at all times[21] **and**;

e) The drainage field will not be subject to significant flooding, e.g. it is not in flood zone 2 or 3 **and**;

f) There are no other known factors which would expedite the transport of phosphorus[9] for example fissured geology, insufficient soil below the drainage pipes, known sewer flooding, soil/geology type and its ability for P sorption/mineralisation or presence of conditions would cause remobilisation phosphorus, presence of mineshafts, etc **and**;

g) To ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground[22].

[17] A limit of 2m3/day is used based on this being the size used for discharges to ground in the General Binding Rules and is representative of the size of the majority of the septic tanks investigated within NECR171, from which most of the criteria are based.

[18] 50m is the distance as which no measurable phosphorus signal was detected at this distance (NECR171 and NECR222). Robertson *et al* (2019) also found that the majority (although not all) of plumes did not extend further than this distance

[19] 40m is the distance that represents a low risk, based on there was a weak phosphorus signal this distance for some of the small discharges (NECR171 and NECR222) This is a slightly less precautionary value than the 50m distance to the Habitats site as there will be the capacity for further attenuation and dilution before the site.

[20] 15% is the slope that represents a low risk based on the methodology outlined in NECR222.

[21] 2m is the groundwater depth that represents a low risk, based on very low levels being detected in soil at depth below this (NECR171 and NECR222)

[22] The 200m is based on the 50m distance where no measurable phosphorus signal was detected (NECR171) for each septic tank. So for two drainage field areas not to overlap they need to be at least 100m apart. A safety factor of two is then applied to ensure that in the long term there will be the certainty that the effective drainage field phosphorus retention areas don't overlap. This then also takes account of the greatest distance that Robertson et al (2019) found a plume to extend which was 100m to ensure there would be no overlap. It also ensures that the maximum density of these systems is no more than one for every 4ha (or 25 per km2), as identified in NECR170.

A GIS layer is available from NE[23] which looks at conditions b, c and d above only, for the whole of England. Where this layer indicates that there is a low risk, then the three conditions (b, c & d) above can be considered to be met. Where there is a high or medium risk identified, then one or more of the three conditions (b, c & d) will not be met. This GIS layer can be shared with the EA and Local Authorities with the relevant data licence via our GI team, but not with developers due to the terms in the data licence. If site specific monitoring/modelled data is presented for conditions b, c or d which provides greater certainty than the national dataset used to produce the risk map, then this can override the risk map. It may be time consuming and/or costly to undertake site-specific monitoring that provides certainty for some of the conditions such as groundwater depth, due to the inherent variability over time and therefore the need for any monitoring to cover a long enough time period (several years) and to a sufficient frequency to determine the highest groundwater depth. So it is acceptable to rely on modelled or national dataset where these are the best available data and scientifically robust.

To consider the other three conditions (a, e and f) other data sources will need to be considered. Condition a can be looked at through using the designated site data layer[24] and calculating the distance from the site boundary. Condition e can use the EA flood risk maps Flood map for planning - GOV.UK). Condition f should make use of any sewer flood data, information on local geology and soils, groundwater phosphorus concentration monitoring within the catchment or other local information which it is readily available.
Elevated concentrations of phosphorus in groundwater would indicate phosphorus transport being short circuited e.g. through fissures, that it is not being effectively retained within the drainage field or it is being remobilised. It can be assumed that phosphorus is being effectively retained and not remobilised unless there is existing evidence at the discharge location or within the wider catchment which suggest that this may be occurring in the same conditions to those present at the location of the proposed discharge. Such evidence could include investigations, known soil or geological conditions or groundwater water quality (P) data from similar soil/geological conditions.

As not all of the phosphorus will be retained by the soil, condition g is to ensure that there is no in combination or cumulative effect from a number of these discharges in an area which together could add up to have a significant effect.

If conditions a to g are all met this represents a low risk that phosphate will reach the site, and not zero risk (i.e. not that no phosphorus from the discharge will ever reach the site in all cases). There will be further processes of dilution and attenuation between the drainage field and the site, which will provide further reduction and the current evidence would suggest that the scale of any inputs from these sources would not be significant.

Where best available evidence indicates that these conditions are met, Natural England advice is a conclusion of no LSE alone or in combination for phosphorus can be reached in these circumstances. Where uncertainty remains so LSE cannot be ruled out or evidence exists that there is a risk of phosphate from small discharges to ground causing a significant effect to a designated site (e.g. from SAGIS modelling or monitoring investigations), then Natural England advice is that there is a LSE or LSE cannot be ruled out and an AA should

[23]. The dataset LPAs can request the GIS layer for the England sewage discharge risk map from Natural England. The dataset is called - Small_Sewage_Discharge_Risk_Zone_Map_For_England (Dissolved).

[24] The Special Protection Area (England), Potential Special Protection Area (England), Special Areas of Conservation (England), Possible Special Areas of Conservation (England), Ramsar (England) and Proposed Ramsar (England) data layers can be download from Natural England Open Geodata portal

be undertaken. Where evidence is presented which provides certainty that there will be no LSE even though these conditions are not met e.g. better local information, then Natural England's advice may be no LSE, but would be determined on a case-by-case basis.

The Competent Authority, as the decision maker, will need to determine whether it agrees with NEs advice.

For developments which allow for increases in the number of people that will be served by an existing discharge to a drainage field, it will be important to consider whether the existing system has sufficient capacity in its design to accommodate the increase, without increasing the risk of pollution.

The evidence underpinning these thresholds will be periodically reviewed and the thresholds will be amended as necessary to take account of any new evidence.

This approach does not apply to nitrogen as it does not get taken up by the soil like phosphorus.

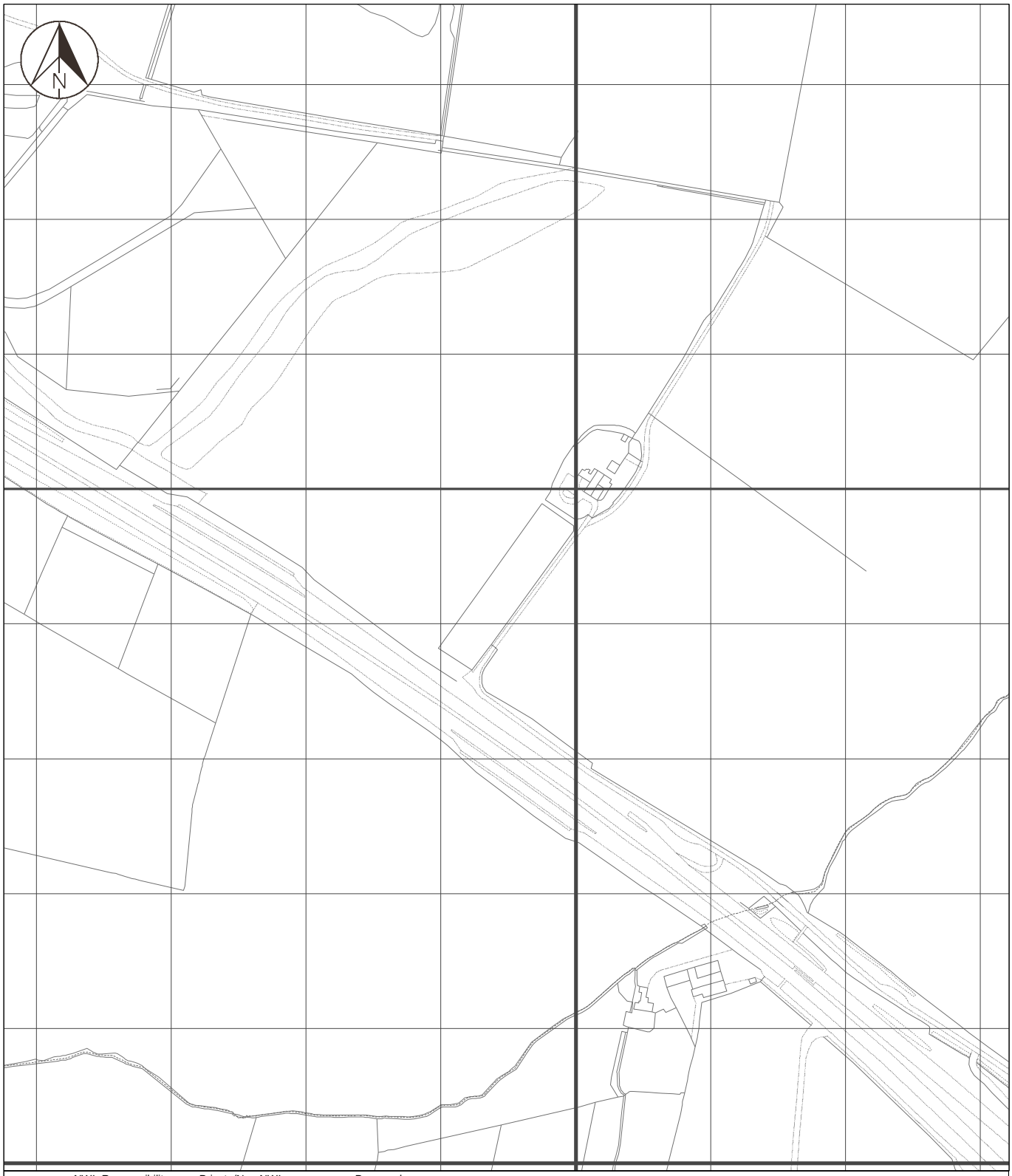
Further work is necessary to review the evidence and determine if it is possible to establish any other generic insignificance thresholds for other development or discharge types. It may also be possible to develop site specific insignificance thresholds.

Annex G: Natural England Area Team Contacts

Habitat Site	Area Team	Area Team Manager	Additional Area Team contact
Oak Mere SAC	Cheshire and Lancashire	Ginny Hinton	Petula Neilson Bond
Rostherne Mere RAMSAR			
West Midlands Mosses SAC			
Esthwaite Water Ramsar	Cumbria	Helen Kirkby	Helen Smith
River Derwent & Bassenthwaite Lake SAC			
River Eden SAC			
River Kent SAC			
River Axe SAC	Devon, Cornwall and Isles of Scilly	Wesley Smyth	Denise Ramsay for LPAs in Devon and Simon Stonehouse for LPAs in Somerset
River Camel SAC			Denise Ramsay
Peak District Dales SAC	East Midlands	Vicky Manton	Ian Butterfield
River Mease SAC			
River Wensum SAC	Norfolk and Suffolk	Helen Dixon	Jack Haynes
The Broads SAC/Ramsar			
Lindisfarne SPA/Ramsar	Northumbria	Christine Venus	Lewis Pemberton Andrew Whitehead
Roman Walls Loughs SAC			

Habitat Site	Area Team	Area Team Manager	Additional Area Team contact
Teesmouth & Cleveland Coast SPA/Ramsar			
Stodmarsh SAC/Ramsar	Sussex and Kent	James Seymour	Sue Beale
Solent	Thames Solent	Allison Potts Please contact the Thames Solent Team for developments in Hampshire and Isle of Wight and the Kent and Sussex Team for developments in Chichester and Wessex Team for developments in Wiltshire.	Becky Aziz
River Itchen SAC			Becky Aziz
River Lambourn SAC			Amy Kitching
River Avon SAC	Wessex	Rachel Williams	Tom Lord
Somerset Levels & Moors Ramsar			
Chesil and the Fleet SAC/SPA			
Poole Harbour SPA Ramsar			
River Clun SAC	West Midlands	Emma Johnson	Hayley Fleming
River Lugg (part of River Wye SAC)			
West Midland Mosses SAC			
Hornsea Mere SPA	Yorkshire and Lincolnshire	Paul Duncan	Hannah Gooch

Appendix B Sewer Records



NWL Responsibility

Combined
Foul
Surface
Treated Eff
Untreated Eff
Overflow

Private/Non NWL

Combined
Foul
Surface
Treated Eff
Trade Eff
Watercourse

Proposed

Combined
Foul
Surface

Annotations

Direction of flow
Backdrop
Abandoned
Rising Main

Symbols

Chambers
Inlet/Outlet
Treatment Works
Pumping Station
Capped End
Balancing Pond
Termination Node
Rodding Eye
Unknown End
Attribute Change
Air Valve
Property Connection
Lamp Hole
Hatchbox
Dual Usage Chamber

NORTHUMBRIAN WATER living water

User : COLEB

Date : 23/11/2023 12:10:05

Title :

Map Sheet : NZ0912

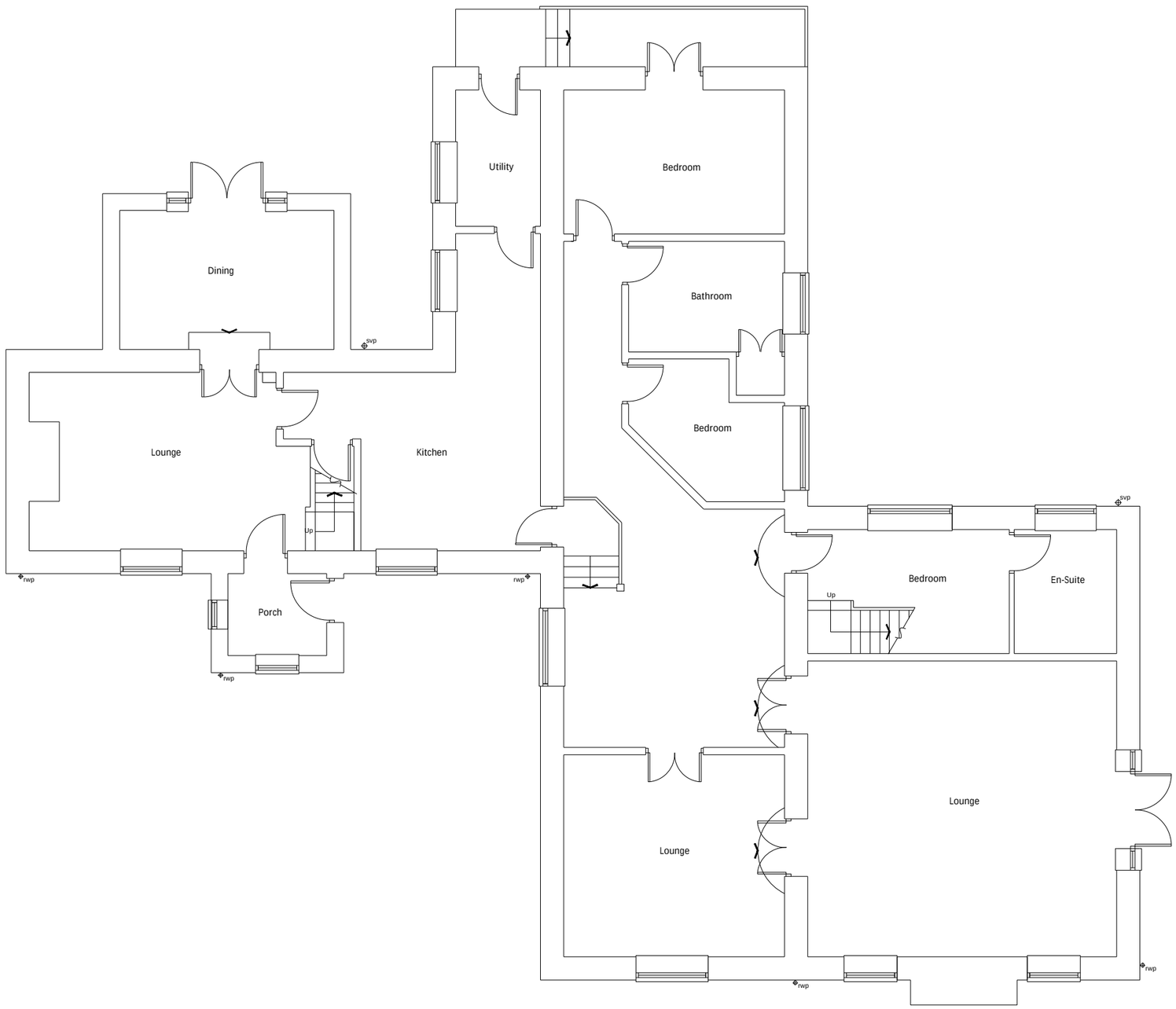
Centre Point : 409949,512427

Paper / Scale : A4@1:4141

25 m

Appendix C Existing and Proposed Site Plans

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

Project:	Sloper House Greta Bridge
Drawing:	Existing Ground Floor Plan
Project Ref: 23/011	Drawing No: 01
Scale: 1:100	
Drawn: IG	Revision: /
Date: March 2023	

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED

Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

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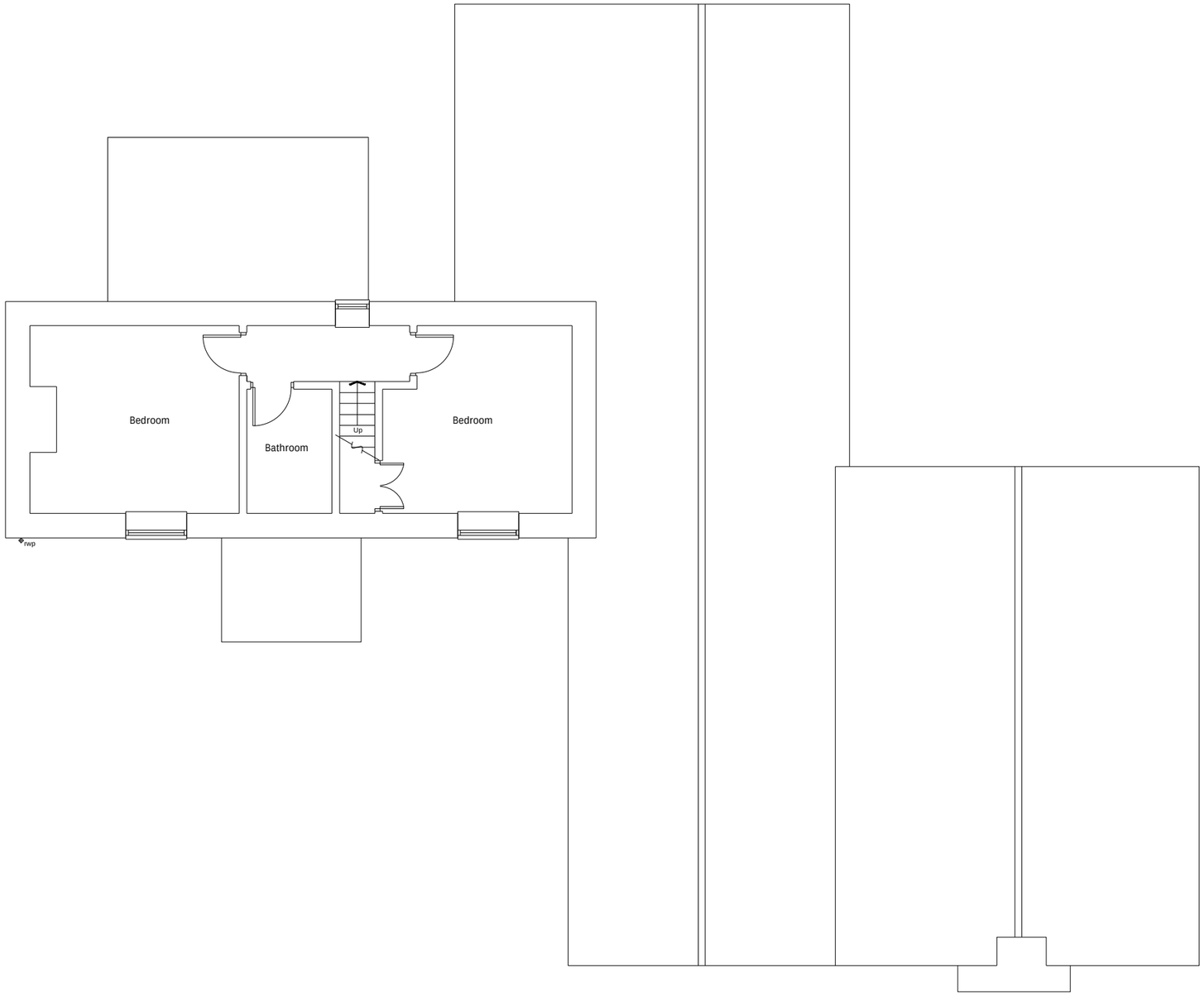
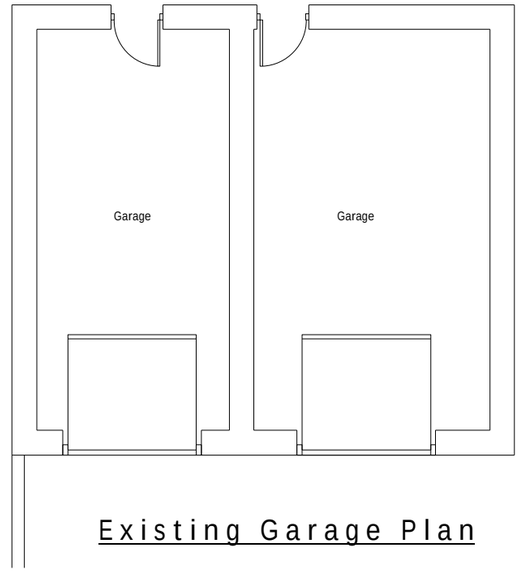


Existing First Floor Plan



Existing Garage Plan

blu room architecture

Project:	Sloper House Greta Bridge
Drawing:	Existing Floor Plans
Project Ref: 23/011	Drawing No: 02
Scale: 1:100	
Drawn: IG	Revision: /
Date: March 2023	

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED

Existing Front Elevation

Existing Side Elevation

Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported immed to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

Project: Sloper House Greta Bridge

Drawing: Existing Elevations

Project Ref: 23/011

Drawing No: 03

Scale: 1:100

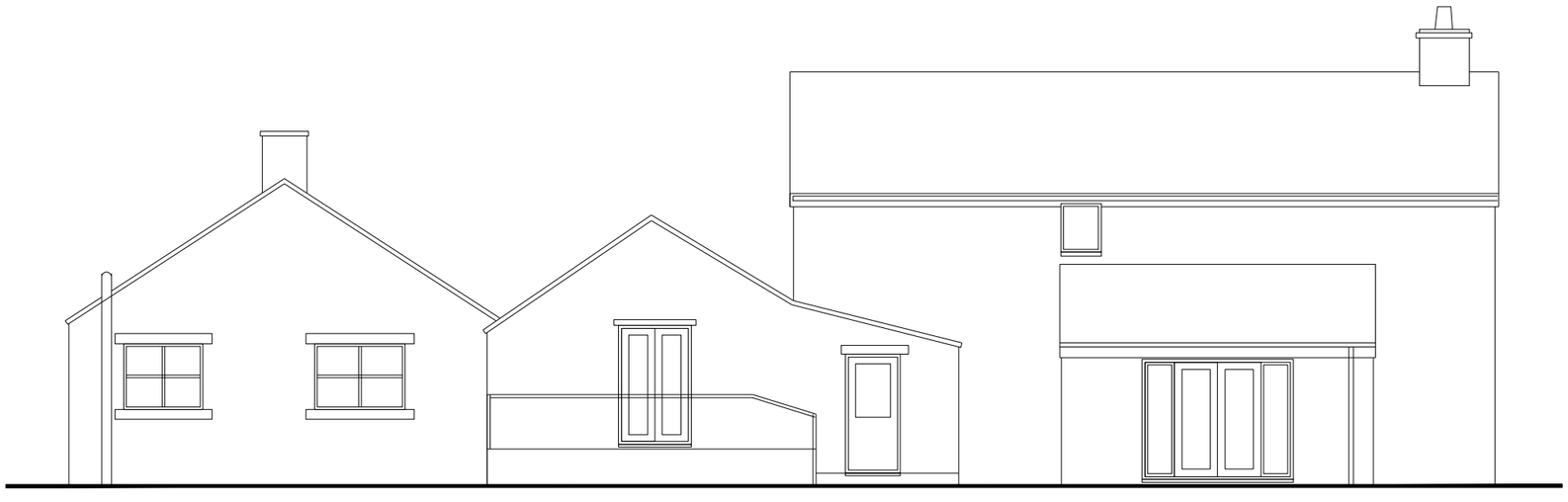
Drawn: IG

Revision: /

Date: March 2023

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED

Existing Side Elevation



Existing Rear Elevation

Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

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t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

Project: Sloper House Greta Bridge

Drawing: Existing Elevations

Project Ref: 23/011

Drawing No: 04

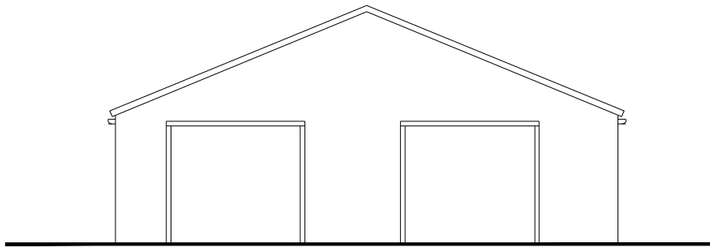
Scale: 1:100

Drawn: IG

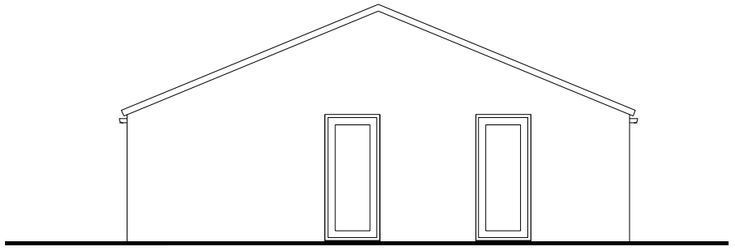
Revision: /

Date: March 2023

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



Existing Rear Elevation



Existing Front Elevation

Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

Project: Sloper House
Greta Bridge

Drawing: Existing Elevations

Project Ref: 23/011

Drawing No: 05

Scale: 1:100

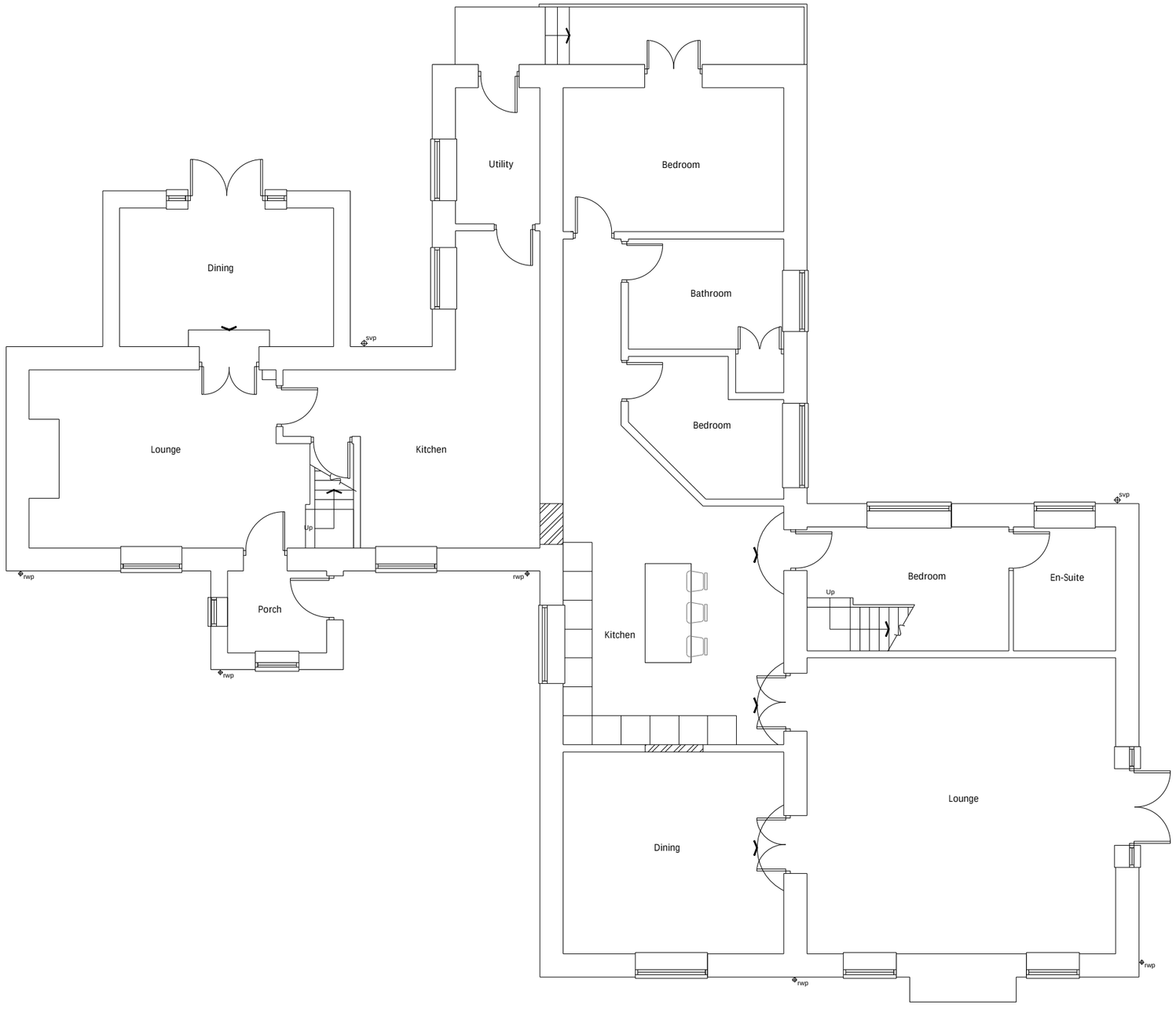
Drawn: IG

Revision: /

Date: March 2023

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

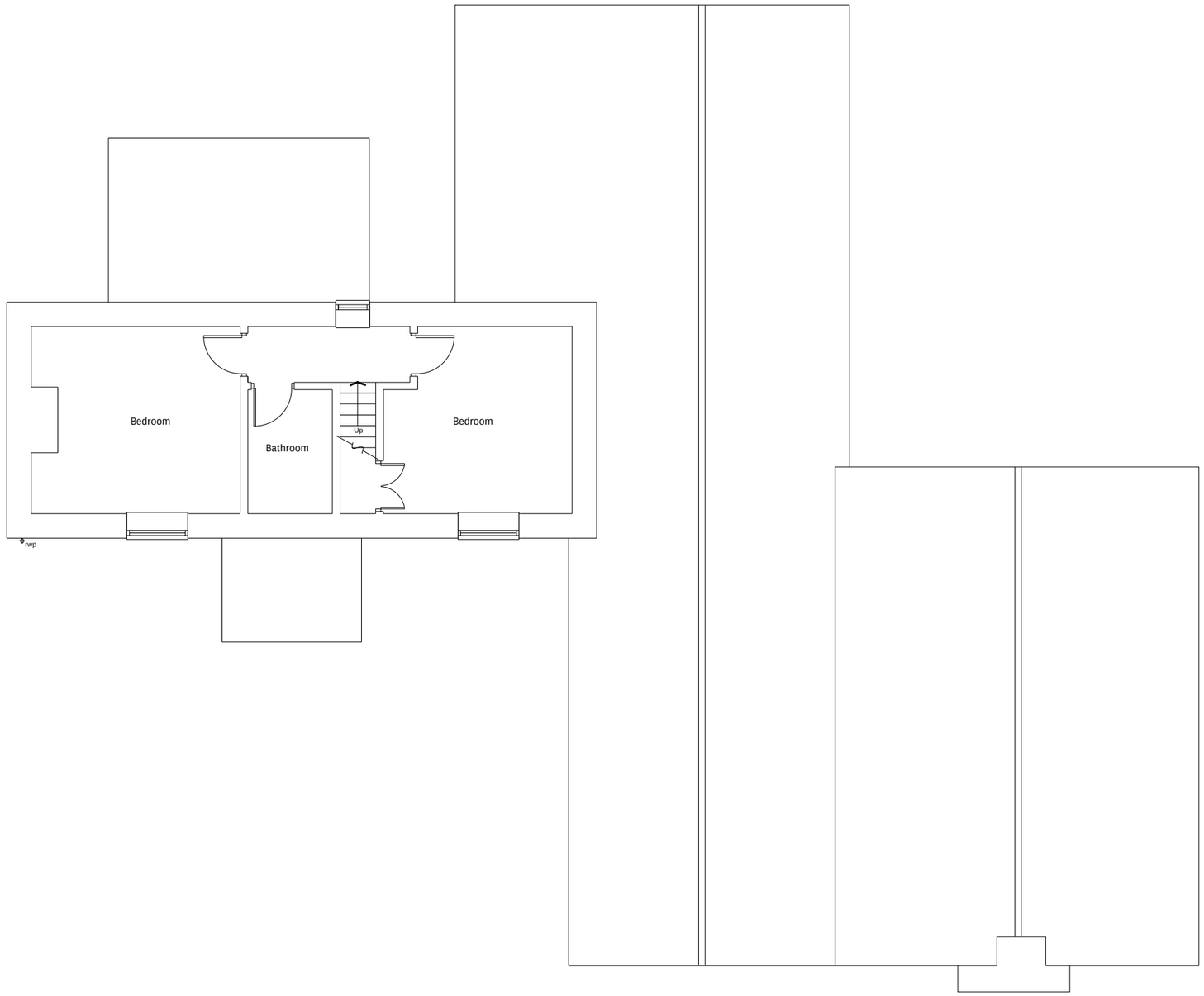
All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

Project:	Sloper House Greta Bridge
Drawing:	Proposed Ground Floor Plan
Project Ref: 23/011	Drawing No: 06
Scale: 1:100	
Drawn: IG	Revision: /
Date: March 2023	

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

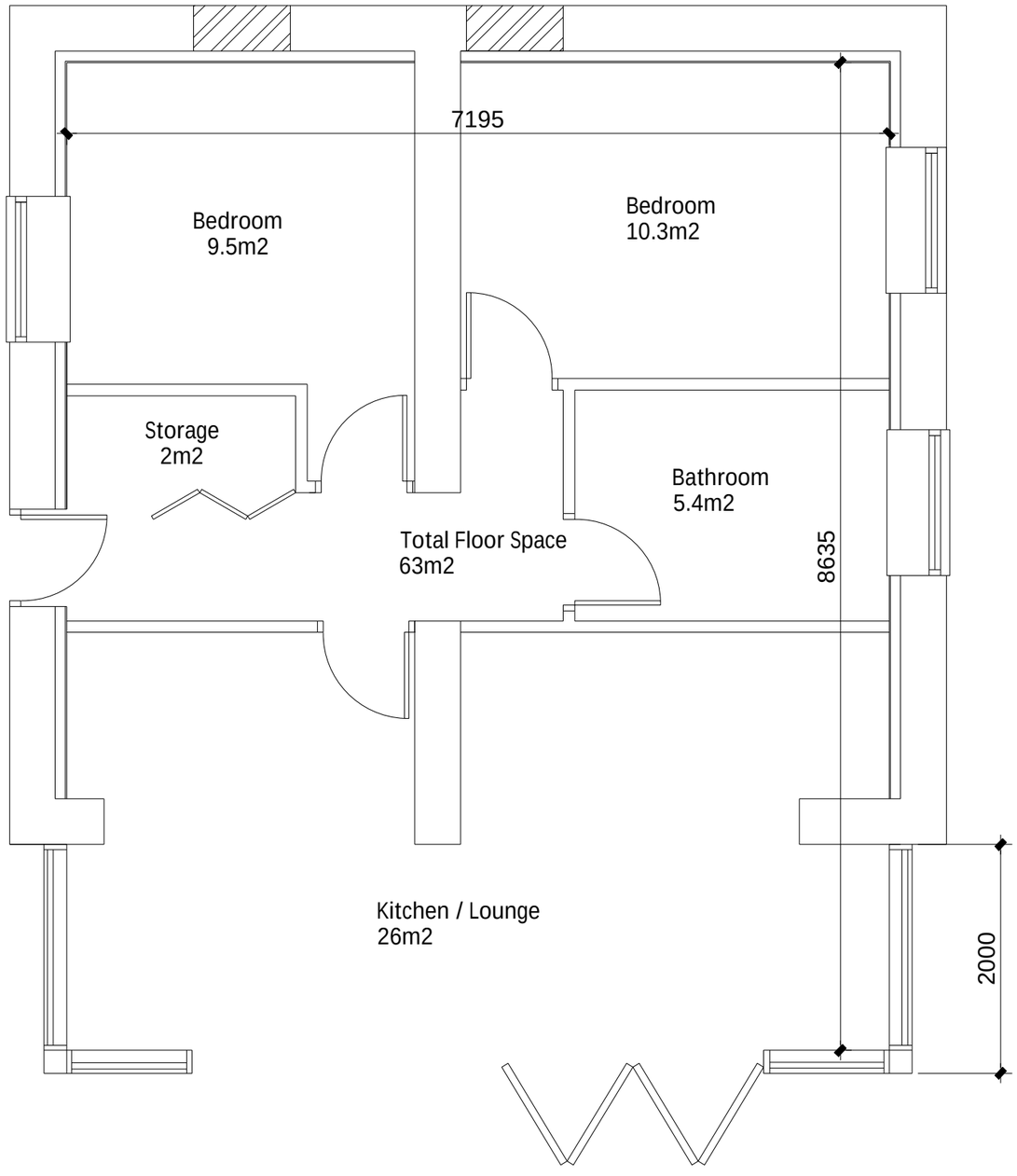
Project: Sloper House
Greta Bridge

Drawing: Proposed First Floor Plan

Project Ref: 23/011	Drawing No: 07
Scale: 1:100	
Drawn: IG	Revision: /
Date: March 2023	

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

Project:	Sloper House Greta Bridge
Drawing:	Proposed Garage Floor Plan
Project Ref: 23/011	Drawing No: 08
Scale: 1:50	
Drawn: IG	Revision: /
Date: March 2023	

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED

Proposed Front Elevation

Proposed Side Elevation

Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

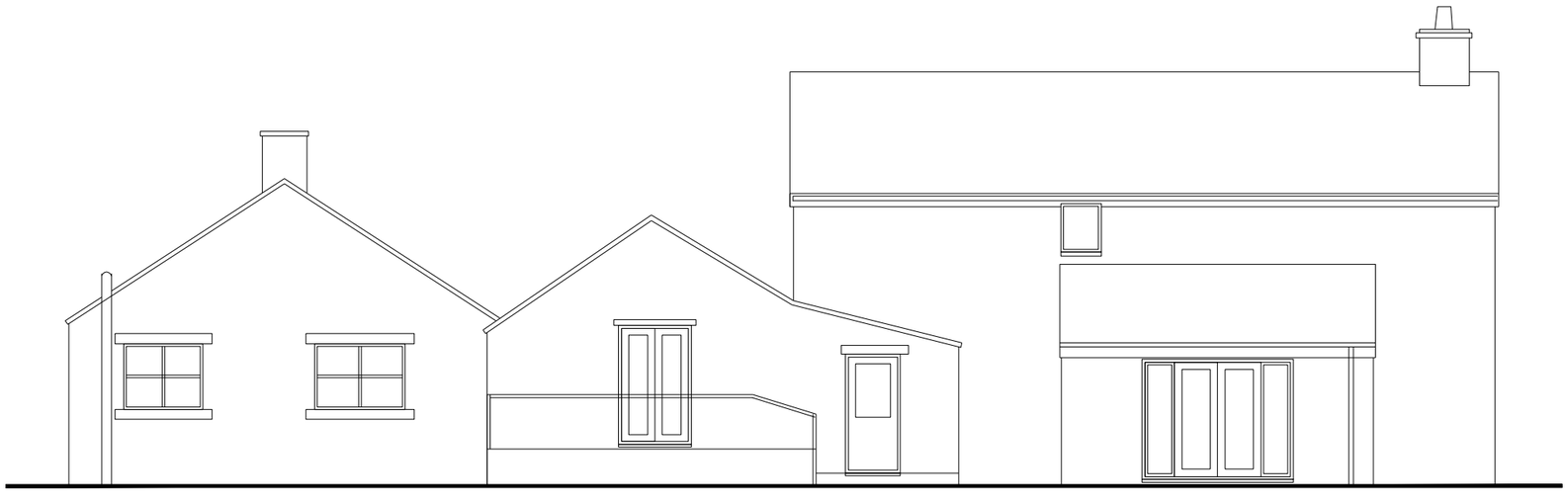
blu room architecture

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

Project:	Sloper House Greta Bridge
Drawing:	Proposed Elevations
Project Ref: 23/011	Drawing No: 09
Scale: 1:100	
Drawn: IG	Revision: /
Date: March 2023	

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED

Proposed Side Elevation



Proposed Rear Elevation

Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

Project: Sloper House
Greta Bridge

Drawing: Proposed Elevations

Project Ref: 23/011

Drawing No: 10

Scale: 1:100

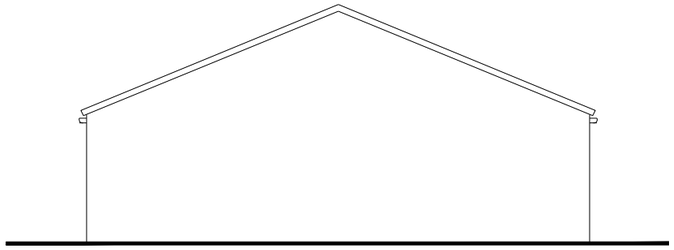
Drawn: IG

Revision: /

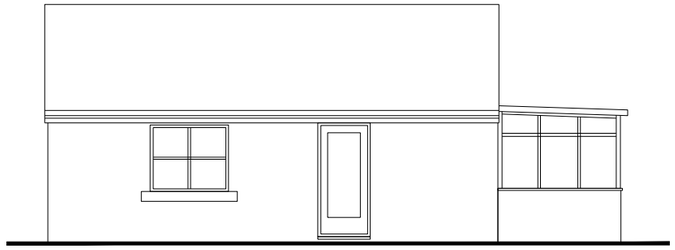
Date: March 2023

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

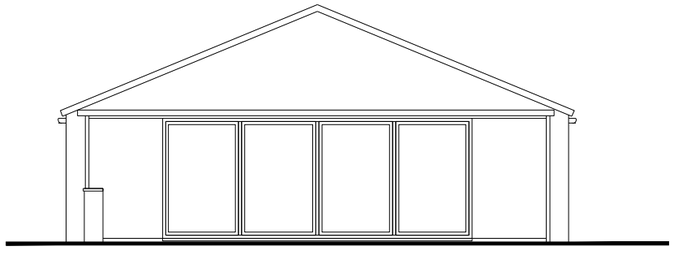
DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



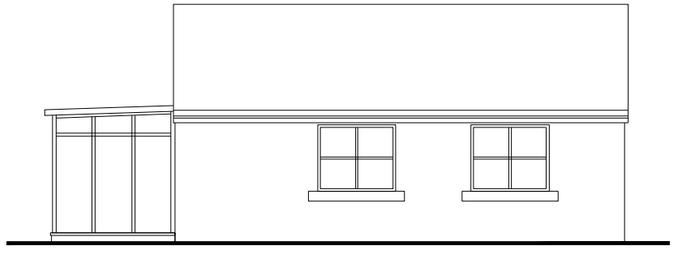
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation

Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

blu room architecture

Project: Sloper House
Greta Bridge

Drawing: Proposed Elevations

Project Ref: 23/011

Drawing No: 11

Scale: 1:100

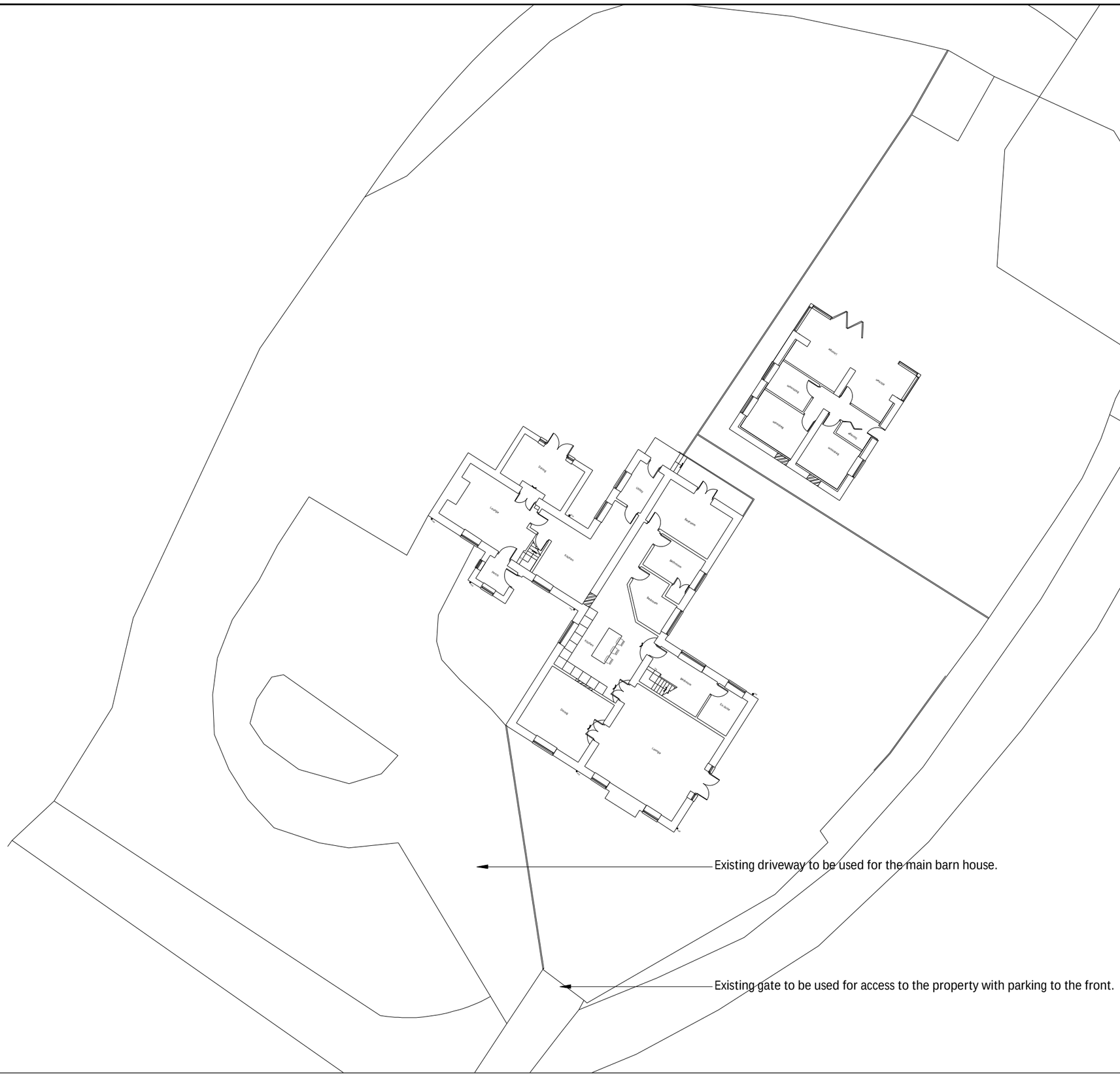
Drawn: IG

Revision: /

Date: March 2023

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



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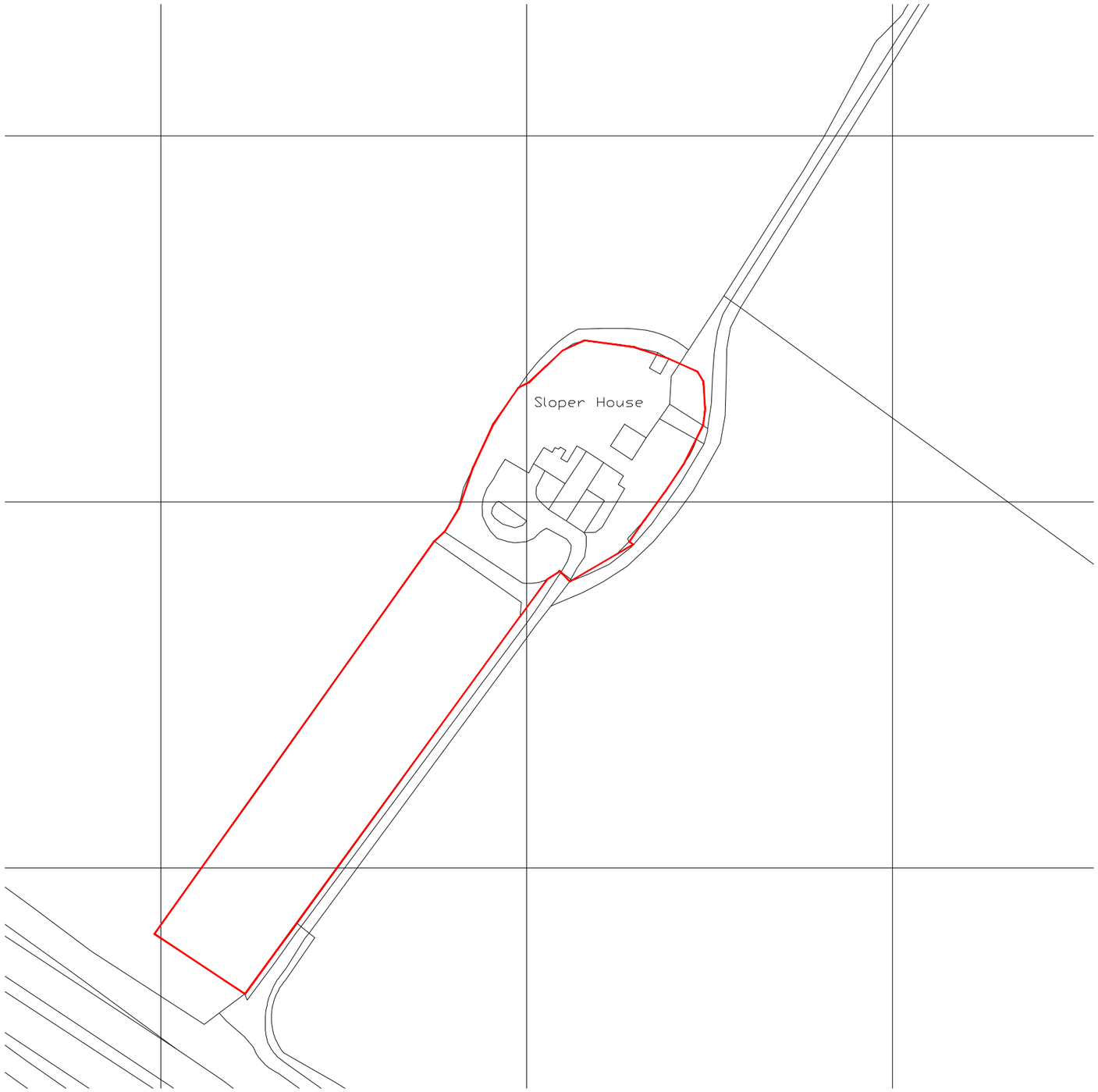
t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

blu room architecture

Project:	Sloper House Greta Bridge
Drawing:	Proposed Site Plan
Project Ref: 23/011	Drawing No: 12
Scale: 1:200	
Drawn: IG	Revision: /
Date: March 2023	

DRAWINGS NOT TO BE SCALED FROM - ONLY USE DIMENSIONS INDICATED



Existing drainage to be checked before construction commences and Architect infor of discrepancies from plans.

Contractors must check all dimensions on s and discrepancies to be reported imme to the Architect before proceeding.

Assumed direction of joists marked on p Contractor must inspect the building prio site start and inform Architect of any discrepancies prior to site start.

All new timber sizes to be checked and approved by building control prior to site start.

N

blu room architecture

Project: Sloper House Greta Bridge	
Drawing: Location Plan	
Project Ref: 23/011	Drawing No: 13
Scale: 1:1250	
Drawn: IG	Revision: /
Date: March 2023	

t : 07760 364 894 - e : info@bluroomarchitecture.co.uk - w : www.bluroomarchitecture.co.uk - a : 2 Victoria Court Didsbury M20 1FR

Appendix D Nutrient Calculations

Stage 1

User Inputs

Date of first occupancy:	01/02/2024
Average occupancy rate:	1.38
Water usage (litres/ person/ day)**:**	120
Development Proposal (dwellings/ units)**:**	3
Wastewater treatment works:	Septic Tank default
Wastewater treatment works N permit (mg TN/ litre)**:**	96.3

Stage 1 Calculated I

Stage 1 Nutrient Loading

Additional population	4.14	people
Wastewater by development	496.8	litres/ day
Annual wastewater TN load	**17.47**	**kg TN/ yr**

Stage 2

User Inputs

Catchment:	Tees Middle
Soil drainage type:	Impeded drainage
Annual average rainfall (mm)**:**	700.1 - 750
Within Nitrate Vulnerable Zone (NVZ):	Yes

Existing land use type(s)	**Area** (ha)	**Annual nitrogen nutrient export** (kg TN)
Residential urban land	0.65	8.78
Total:	**0.65**	**8.78**

Stage 3

User Inputs

New land use type(s)	**Area** (ha)	**Annual nitrogen nutrient export** (kg TN)
Residential urban land	0.65	8.78
Total:	**0.65**	**8.78**

Stage 4

Calculated Outpu

Annual Nutrient Budget

The total annual nitrogen load to mitigate is:	**20.97 kg TN/year**

Stage 1

User inputs

Date of first occupancy:	01/06/2023
Average occupancy rate	1.38
Water usage (litres/person/day)‡	110
Development Proposal (dwellings/units)‡	2
Wastewater treatment works:	Package Treatment Plant default
Wastewater treatment works N permit (mg TN/litre)‡	72.9

Stage 1 Calculated

Stage 1 Nutrient Loading

Additional population	2.76	people
Wastewater by dev.elopment	303.8	litres/day
Annual wastewater TN load	**8.09**	**kg TN/yr**

Stage 2

User Inputs

Catchment:	Tees Middle
Soil drainage type:	Impeded drainage
Annual average rainfall (mm)**:**	700.1 - 750
Within Nitrate Vulnerable Zone (NVZ):	Yes

Existing land use type(s)	**Area** (ha)	**Annual nitrogen nutrient export** (kg TN)
Residential urban land	0.65	8.78
Total:	**0.65**	**8.78**

Stage 3

User Inputs

New land use type(s)	Area (ha)	Annual nitrogen nutrient export (kg TN)
Residential urban land	0.65	8.78
Total:	0.65	8.78

Stage 4

Calculated Outpu

Annual Nutrient Budget

The total annual nitrogen load to mitigate is:	9.7 kg TN/year

Stage 1

User Inputs

Date of first occupancy:	01/06/2023	
Average occupancy rate:	1.38	
Water usage (litres/person/day)**:**	110	
Development Proposal (dwellings/units)**:**	2	
Wastewater treatment works:	Package Treatment Plant user defined	
Wastewater treatment works N permit (mg TN/litre)**:**	Please enter value in cell to the right:	2

Stage 1 Calculated Loading

Additional population	2.76	people
Wastewater by development	303.6	litres/day
Annual wastewater TN load	**0.22**	**kg TN/yr**

Stage 2

User Inputs

Catchment:	Tees Middle
Soil drainage type:	Impeded drainage
Annual average rainfall (mm)**:**	700.1 - 750
Within Nitrate Vulnerable Zone (NVZ):	Yes

Existing land use type(s)	**Area** (ha)	**Annual nitrogen nutrient export** (kg TN)
Residential urban land	0.65	8.78
Total:	**0.65**	**8.78**

Stage 3

User Inputs

New land use type(s)	Area (ha)	Annual nitrogen nutrient export (kg TN)
Residential urban land	0.65	8.78
Total:	0.65	8.78

Stage 4

Calculated Outpu

The total annual nitrogen load to mitigate is:	**0.27 kg TN/year**

Appendix E Correspondence with Durham County Council

Contact: George Spurgeon
Direct Tel: [redacted]
email: [redacted]
Your ref:
Our ref: DM/23/00915/FPA

Durham County Council

Blu Room Architecture
Mr Ian Grainger
5 Uplands Road
Darlington
DL3 7SZ

12th April 2023

Dear Sir/Madam

Town and Country Planning Act 1990

Proposed	To subdivide existing dwelling into two dwellings, and to extend and convert the existing garage to the rear into a third dwelling
At	Sloper House Sloper House Road Greta Bridge Barnard Castle DL12 9TY
For	Mr John Oddy

I am in receipt of your recent application relating to the above which is at present being treated as invalid. In order to rectify the situation I would be grateful if you could supply me with the following:

1. The application site lies within an area where nutrient pollution is a problem and a Habitats Regulations Appropriate Assessment is required as part of your application. This comprises:

o Completed Natural England nutrient neutrality budget calculator for the relevant catchment; and
o Nutrient neutrality mitigation strategy; and
o Shadow habitats regulations assessment

Where developments would fail the requirements of the Habitats Regulations appropriate assessment, developers may be asked to take action to mitigate impacts through nutrient neutrality such as:
o building additional mitigation into their plans onsite
o working with the LPA to arrange for mitigation offsite
o purchasing nutrient credits via a nutrient trading scheme (where other landowners in the catchment have taken action to reduce their nutrient load), or buying credits through the Natural England-led Nutrient Mitigation Scheme.

Nutrient neutrality provides a mechanism by which development that would otherwise be prohibited on the grounds of nutrient pollution may be given consent if mitigation is put in place. Using nutrient neutrality, developers only pay for mitigation required to counteract nutrients generated by their development.

The Tees Catchment Area Planning Authorities recently commissioned a report to investigate the likely occupancy rate of new dwellings in the affected area. The conclusions of the report in relation to the area affected in County Durham suggested a lower figure than the national figure used in the Natural England published Nutrient Budget Calculator. The figure for County Durham is 1.38 rather than the 2.4 national figure.

Attached is the Nutrient Budget Calculator which has been amended to reflect the lower figure for County Durham. This calculator should only be used for applications within the Durham County Council area.

You may also wish to look at ways in which your development could reduce the water usage lower than the 120 litres per person per day which is used in the Calculator. Lower water usage rates should be evidenced appropriately and submitted with your completed budget calculator.

You will be required to submit a copy of your completed Budget Calculator to support an application for residential development. You will also be required to submit a report providing evidence on how your development will achieve no increase in nitrogen discharge into the water courses.

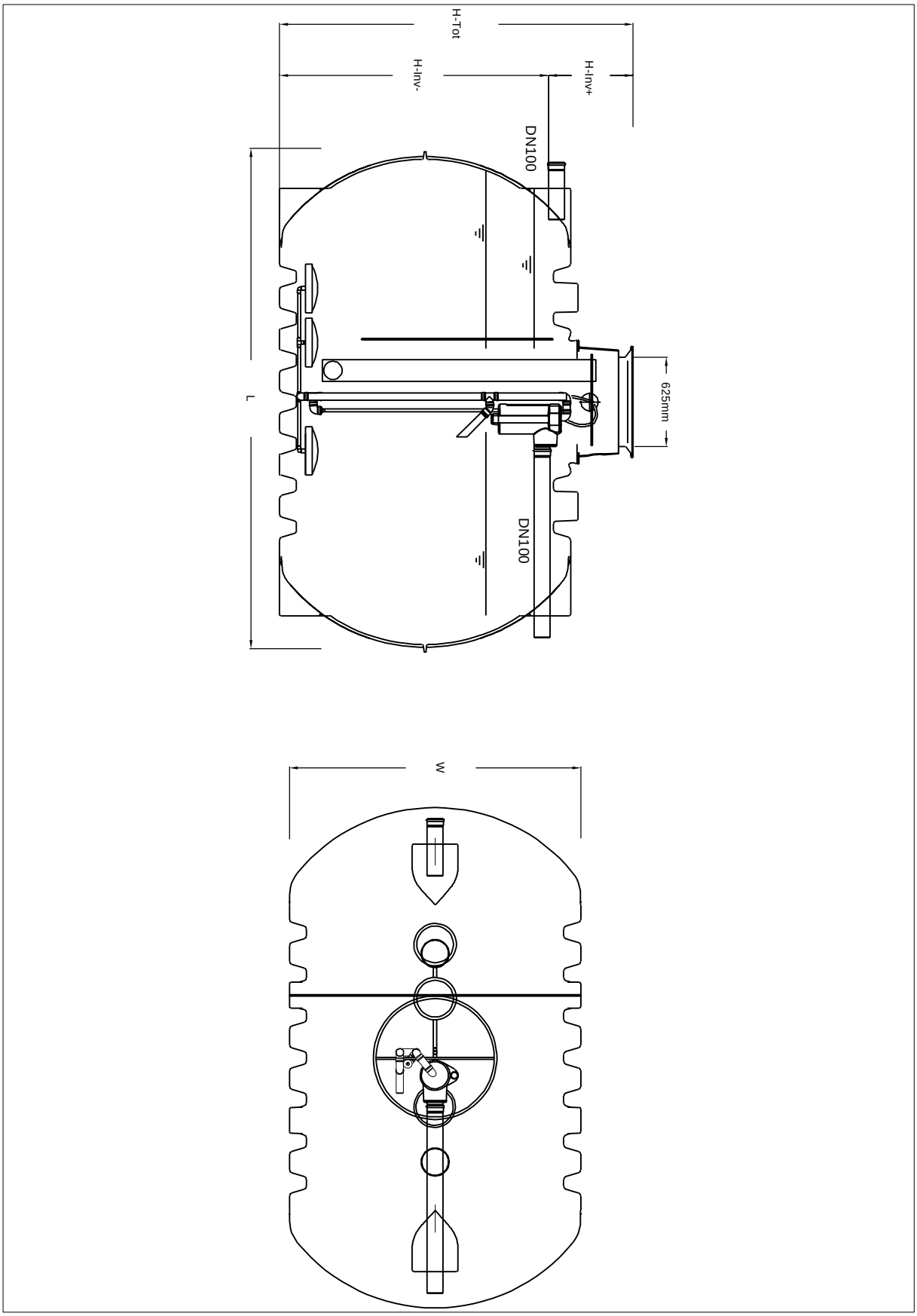
2. An Internal Space Standards Assessment is required. The assessment will need to demonstrate how the development meets the Nationally Described Space Standards (NDSS). If preferred this can be detailed within, and annotated on, the submitted floor plans for the development.

Upon receipt of the above your application will be given full consideration. If, however, I do not hear from you within the course of the next four weeks, it is my intention to dispose of your documentation and return your fee, where applicable, without prejudice to the submission of a further application.

Yours faithfully

George Spurgeon
Senior Planning Officer

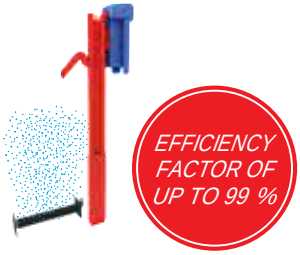
Appendix F Package Treatment Plant Details


H-Tot
H-Inv-
H-Inv+
DN100
L
625mm
DN100
W

The one2clean system

The only wastewater underground tank of it's kind!

- Only one tank with just one chamber required
- Less energy consumption and less wear
- No mechanical elements in the wastewater
- No pumps in the wastewater
- No electrical components in the wastewater
- Incredibly low volume of sewage sludge



one*2clean* set-up kit

- Conventional wastewater treatment systems require up to three pumping processes. one2clean only requires one pumping process, which saves energy and extends the lifetime of the air compressor –the core part of the system
- Rugged clear water lifter manufactured in one seamless piece. No connectors or screws necessary
- Simple maintenance via an integrated, self-cleaning sampling container

one*2clean* system control

- The one2clean has a compact controller
- The microprocessor control system ensures simple operation and maintenance

Wastewater tank

- Telescopic cover
- State-of-the-art manufacturing for maximum stability
- Suitable for vehicle loading in conjunction with telescopic vehicle dome shaft
- 100% watertight and corrosion-resistant
- Can be installed in groundwater up to the middle of the tank

Technical data

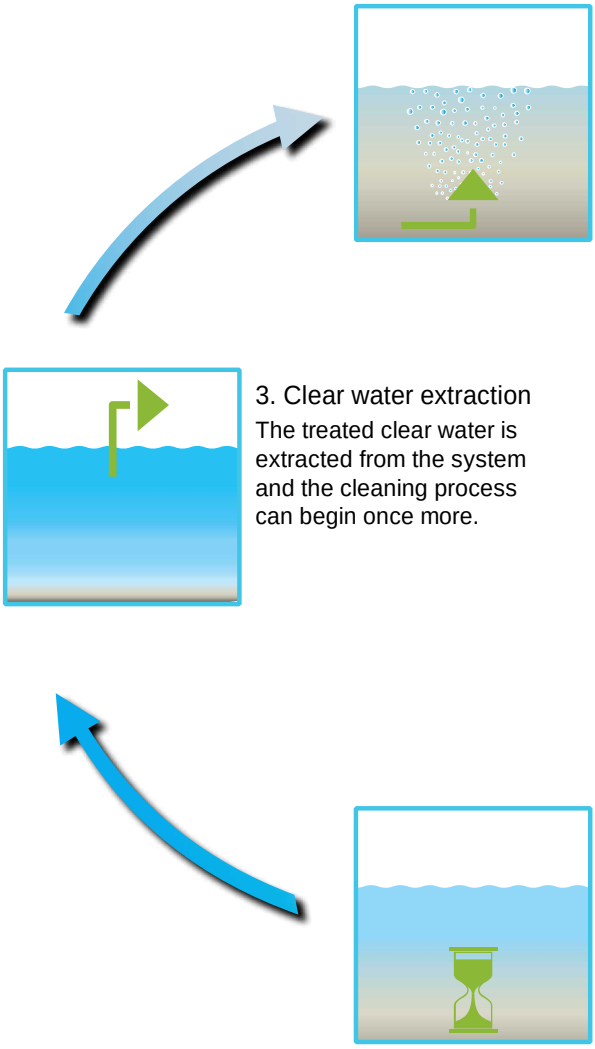
System	one *2clean*
System conformity	EN 12566-3
Purifying technology	fully biological SBR lifting technology
One-tank systems available up to	9 inhabitants | 1,350 l/d
Two-tank systems available up to	18 inhabitants | 2,700 l/d
Maintenance interval	1 –2 per year
Warranty for underground tank	10 years
Warranty for purifying technology	1 or 3 years
Cleaning performance	7, 14, 0.5

Control	
Holiday mode	Manual
+D Removal of nitrogen	●
+C Carbon infeed	○
Logbook function	●
Operation	4 keys
External control cabinet for installing control unit outdoors	○
Daily energy usage	From 0.59 KWH

Parameter	%	mg/l
COD (chemical oxygen demand)	94.2%	43
BOD_5 (biochemical oxygen demand)	98.0%	7
SS (suspended solids)	96.3%	14
NH_4-N	98.3%	0.5
N_{total}	87.0%	7.9
P_{total}	80.2%	1.6

Results of practical testing undertaken by the Prüfinstitut für Abwassertechnik (Testing Institute for Wastewater Technology), Aachen

● Standard equipment
○ Available as options
— not available



1. Wastewater treatment

The wastewater arrives directly in the biological zone without the need for pumping processes. Aeration of the entire container leads to immediate wastewater activation. The micro-organisms begin the biological cleaning process without delay.

2. Settling phase

Aeration is interrupted by the control unit, the activated sludge sinks to the bottom. A clear water zone develops in the upper part of the container.

3. Clear water extraction

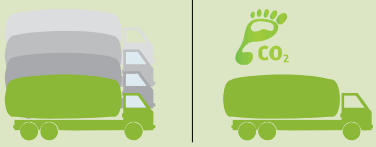
The treated clear water is extracted from the system and the cleaning process can begin once more.

Incredibly low volume of sewage sludge

- Aeration of the entire wastewater tank
- Immediate wastewater activation
- Minimisation of the sludge
- Less sludge removal
- Cost savings

Conventional wastewater treatment systems

one *2clean*



Minimum maintenance costs

- Simple construction
- High-quality components
- As much technology as necessary, as little technology as possible.
- Integrated sampling point

Minimum power consumption

- one2clean has only one pumping process, reducing energy consumption and running costs
- Economical motor valve
- Energy-optimised membrane compressor

one2clean only needs 3 steps to produce clear water

The wastewater treatment is carried out in one chamber in just one tank. This eliminates unnecessary pumping processes and sludge return.

one2clean is odourless

The entire volume of wastewater is immediately activated with oxygen using the unique one2clean technology. The final process of the one2clean produces an odourless, clear treated water for extraction to soakaway or waterway.

one2clean already meets the needs of tomorrow

one2clean achieves sustainable discharge values with an efficiency factor of up to 99%! This offers high investment security –even if legal requirements become stricter.

One-tank system

Inhabitants [max.]	Max. daily flow [l/d]	Max. organic load [kg BOD5/d]	Total volume [l]	Volume [l]	Length [mm]	Width [mm]	Height [mm]	Weight [kg]
5	750	0.3	3,750	3,750	2280	1755	1880	150
7	1,050	0.42	4,800	4,800	2280	1985	2110	185
9	1,350	0.54	6,500	6,500	2390	2190	2390	220
12	1,800	0.66	8,500	8,500	3500	2040	2515	380

Two-tank system

Inhabitants [max.]	Max. daily flow [l/d]	Max. organic load [kg BOD5/d]	Total volume [l]	Volume [l]	Length [mm]	Width [mm]	Height [mm]	Weight [kg]
10	1,500	0.6	7,500	2 x 3,750	5160	1755	1880	300
14	2,100	0.84	9,600	2 x 4,800	5160	1985	2110	370
18	2,700	1.08	13,000	2 x 6,500	5380	2190	2390	440

Wastewater Treatment

One2Clean system

Benefits of the Graf system

- Extremely strong & robust injection moulded underground tank
- No concrete required, just gravel base and backfill
- Completely groundwater stable up to the centre line
- CE Certified system to EN 12566-3
- Market leading effluent quality of 7, 14, 0.5 guaranteed on a 95 percentile basis. SBR Technology
- Integrated sampling chamber at no extra cost
- No moving parts inside the tank, easy to install, easy to maintain.
- Plug in and play system, no wiring required
- 10 year warranty on the tank, 2 years on compressor and parts, German engineered
- Low energy consumption of just 46 kWh per person, per year
- Quiet operation

Graf UK Ltd
Regen House
Beaumont Road
Banbury
OX16 1RH

T: 01608 661500
F: 01295 211333
E: info@grafuk.co.uk
www.grafuk.co.uk

Please contact:

Prüfinstitut für Abwassertechnik GmbH

PERFORMANCE RESULTS

Otto Graf GmbH
Carl-Zeiss-Str. 2 - 6, 79331 Teningen, Germany

EN 12566-3
Small wastewater treatment systems for up to 50 PT

Small wastewater treatment system one2clean
SBR plant in one two-zone polypropylene tank

Test report PIA2014-216B14.01.e

Nominal organic daily load*	0.27	kg/d	
Nominal hydraulic daily load	0.75	m³/d	
Material	polypropylene		
Treatment efficiency (nominal sequences)		Efficiency	Effluent
	COD	94.2 %	43 mg/l
	BOD_5	98.0 %	7 mg/l
	SS	96.3 %	14 mg/l
	NH_4-N**	98.3 %	0.5 mg/l
	N_{tot}**	87.0 %	7.9 mg/l
	P_{tot}	80.2 %	1.6 mg/l
Electrical consumption	0.63	kWh/d	

**at a test influent of ≥ 300 mg/l BOD_5 (mean)*
***determined for temperatures ≥ 12°C in the bioreactor*

Performance tested by:

PIA – Prüfinstitut für Abwassertechnik GmbH
(PIA GmbH)
Hergenrather Weg 30
52074 Aachen, Germany

This document replaces neither the declaration of performance nor the CE marking.

Notified Body No.: 1739

Certified according to ISO 9001:2008

DAkkS Deutsche Akkreditierungsstelle D-PL-17712-01-00

Prüfinstitut für Abwassertechnik GmbH
geprüft - tested - testé

Elmar Lancé November 2014

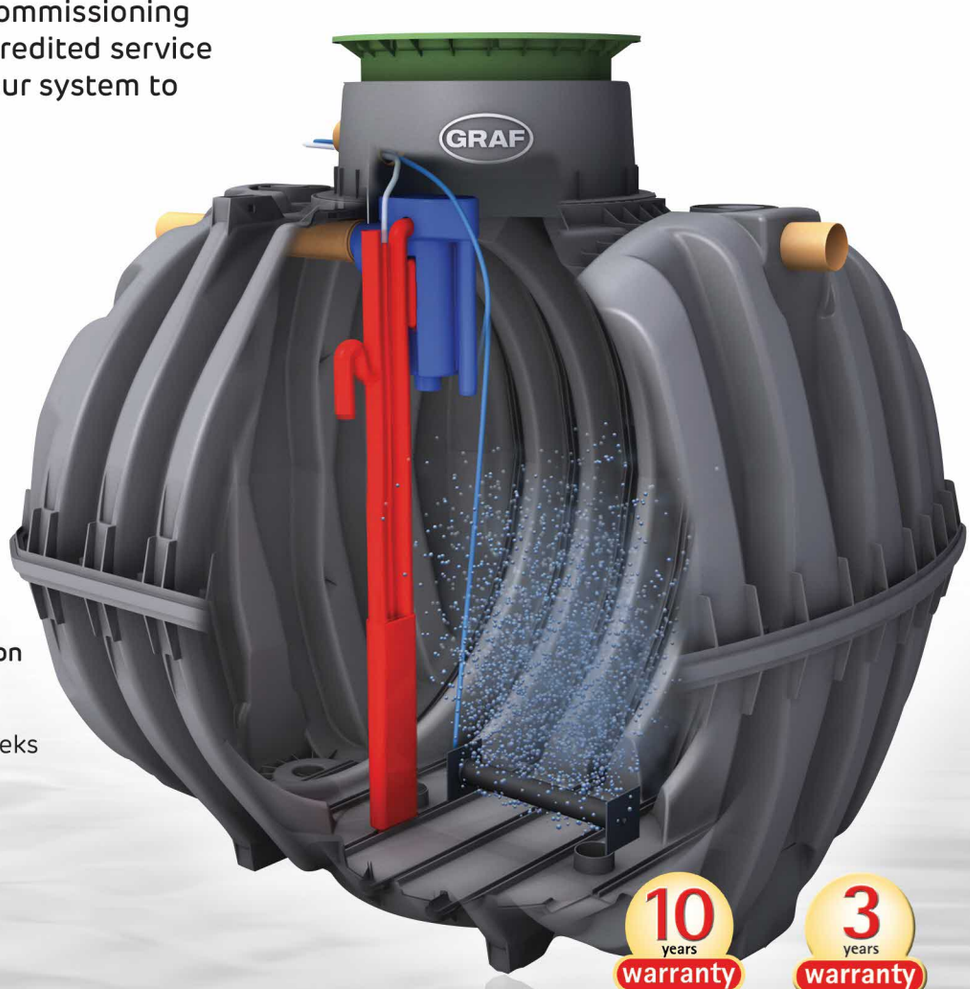
Protect your investment
Protect the environment...

with **FREE** professional commissioning of your wastewater treatment system

It's so important not only to have your wastewater treatment system professionally installed but also commissioned, giving you peace of mind that your investment will operate cost-effectively and correctly, both for yourself and the environment.

Graf UK will arrange **FREE** commissioning of your system by a Graf accredited service provider who will register your system to activate your warranty.

FREE COMMISSIONING



For more information go to
https://bit.ly/GRAFFreeCommission

Book for your free commissioning early as we generally need 2-3 weeks to plan in a commissioning date.

10 years warranty

3 years warranty

On technology if serviced & commissioned by a Graf UK accredited service provider

WASTEWATER TREATMENT WITH GERMAN ENGINEERING

For quality, efficiency and reliability, put your trust in a Graf UK system.

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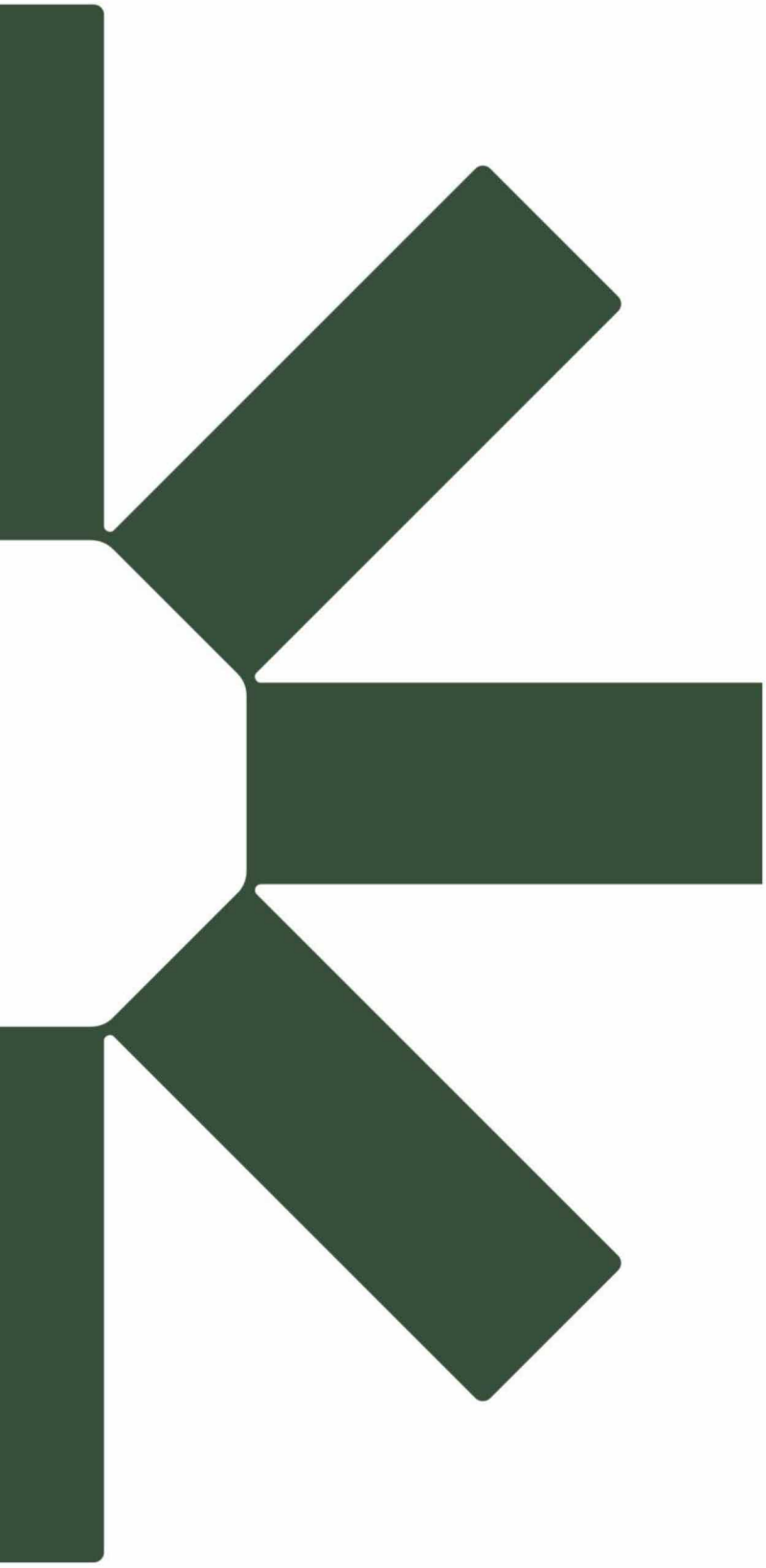
Wastewater Treatment



Making Sustainability Happen