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BY EMAIL ONLY

Dear Mr Garrity

You may have seen an announcement by the Government today (Wednesday 20 July) setting out plans to help safeguard England's precious protected sites by driving down nutrient pollution and allowing for the construction of sustainable new homes for families across the country [Government sets out plan to reduce water pollution - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/sets-out-plan-to-reduce-water-pollution). The Chief Planner will also be writing to LPAs on this matter and a copy of this letter will be published here:

<https://www.gov.uk/guidance/planning-guidance-letters-to-chief-planning-officers#section>).

Included in this announcement is a nutrient mitigation scheme that Defra will fund and Natural England will implement, it is intended to enable Local Planning Authorities (LPAs) to grant planning permission in areas subject to nutrient neutrality advice. We are writing to you here with further information and details of the scheme.

The aim of the new scheme is to facilitate the delivery of nutrient mitigation and assist LPAs to grant planning permissions for relevant developments. As you will be aware from our previous dialogue, we are keen to work closely with you and other partners to identify the best approach to furthering the delivery of nutrient mitigation in your area.

We are mindful that there are a number of mitigation schemes already operating; the scheme being announced today will focus on the creation of additional mitigation options where they are needed and the provision of support for strategic solutions under development that need help to reach implementation stage.

The scheme operating details are currently in development. To help demonstrate the expected approach, outlined below are the initial details for your information and reference.

What is the nutrient mitigation scheme and how will it work?

Defra and DLUHC will fund Natural England to deliver strategic mitigation in any, or all the areas subject to nutrient neutrality. The scheme is designed to help deliver mitigation measures that will enable LPAs to grant planning permissions in the localities that will benefit.

In the case of *new* schemes, we expect that the process will involve the following steps:

- With funding from Defra and DLUHC, Natural England will enable creation of nutrient mitigation habitat which will be valued as nutrient credits;
- Natural England will issue nutrient certificates to eligible developers to inform planning applications in areas subject to NN advice;

- A certificate will give certainty to you as an LPA that the nutrient pollution from that development can be mitigated through purchase of nutrient credits;
- A planning condition will be attached to any subsequent planning permission requiring the purchase of sufficient nutrient credits to mitigate for the development's nutrient pollution prior to first habitation;
- Funds from the sale of credits will be recycled to provide more mitigation, as well as ongoing monitoring and maintenance over the required timeframe.

As noted above, in catchments where LPAs have already started developing mitigation approaches, Natural England will work with that LPA to identify opportunities to facilitate and expedite that approach, for example by funding mitigation on the ground.

Further details will be announced in the Autumn, and mitigation will begin to be rolled out from that point.

How these measures will be complemented by other initiatives

1. Government have launched the Sustainable Farming Incentive's soil standards which will incentivise the use of cover crops and other techniques to reduce run off. Next year we will add to this with payments for nutrient management.
2. Government have also proposed legislation to strengthen requirements to reduce nutrients at source, by requiring upgrades to Wastewater Treatment Works in nutrient neutrality catchments. This requirement would significantly reduce nutrient pollution from wastewater treatment works and reduce the mitigation requirements for new development connecting to them. In turn that will significantly reduce the amount of mitigation required by new developments over time.
3. Currently available funding of £100K by DLUHC for LPA recruitment of catchment officers in affected areas will help support delivery of the nutrient mitigation schemes. The intention is to join up with other strategic schemes such as Local Nature Recovery Strategies where circumstances allow.

Why now?

Nutrient pollution is a significant problem for our freshwater habitats and estuaries, adversely affecting water quality. Ensuring that our rivers and protected sites are clean, healthy and resilient is critical to meeting the Government's ground-breaking 25 Year Environment Plan which underpins the shared ambition to leave the environment in a better state for future generations.

Natural England and Government are responding to the feedback provided by LPAs that financial pump-priming is required in order to get mitigation projects delivered on the ground.

What next?

We would like to work with you to develop an appropriate scheme in your area and will be in contact in due course. In the meantime, please contact us at nutrientmitigation@naturalengland.org.uk with any questions.

With best wishes,

Yours sincerely

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