



Leader's Office

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The Rt Hon Michael Gove MP
Secretary of State for Levelling Up,
Housing and Communities
Department for Levelling Up, Housing &
Communities
2 Marsham Street
London
SW1P 4DF

Date: 13 December 2023

Ref:

Officer:



sent via email: michael.gove.mp@parliament.uk

Dear Secretary of State

Nutrient Neutrality in the Poole Harbour catchment

I wrote to you on the 1 February 2023 in respect of nutrient neutrality in Poole Harbour. Since my last letter the Levelling Up and Regeneration Bill received Royal Assent becoming an Act of Parliament (hereafter referred to as The Act).

Dorset Council welcomes the inclusion of the 'nutrient pollution standards' for nutrient 'sensitive catchments areas' within The Act. The standards will significantly reduce nutrient concentrations in wastewater reducing the burden on developers across the nutrient sensitive catchments and therefore enabling development to take place.

In accordance with the nutrient neutrality advice issued by Natural England, Dorset Council is of the opinion that those catchments¹ that are affected by the advice, should be designated as nutrient sensitive catchment areas. I trust that you agree with me on this point.

This letter focuses on the Poole Harbour catchment, that covers the largest part of Dorset and where the nutrient burden can be significantly reduced through the measures contained within the Act.

It is essential that all non-exempt wastewater treatment works within the Poole Harbour catchment are upgraded to achieve the 'nutrient pollution standard' set out in Section 96F of the Water Industries Act 1991 as amended by The Act. This will help in meeting a range of ecological objectives mentioned in my earlier letter, and not just prevent the condition of Poole Harbour becoming worse as a result of nutrient levels associated with development in the catchment. This equally applies to the four other nutrient sensitive catchments that affect Dorset.

The upgrade of the larger wastewater treatment works, those serving 2,000+ population equivalents, is important as these works serve the larger centres of population and therefore will be the focus of future housing growth. This distribution of development will aid in delivering the sustainable patterns of growth that are essential for reducing the distance people travel to fulfil their everyday needs. This pattern of growth also brings about efficiencies in the way the council delivers its services through the expansion and modernisation of existing facilities.

Within the Poole Harbour catchment, there is a specific request relating to phosphorus pollution that was highlighted in my earlier letter. If levels of phosphorus pollution from wastewater treatment works within the Poole Harbour catchment were to be reduced below a threshold level, the future need for phosphorus mitigation within the catchment would be removed. This requires additional wastewater treatment works,

¹ There are five catchments that affect Dorset: Poole Harbour, Somerset Levels and Moors, River Axe, River Avon, and Chesil & The Fleet.

those serving 1,000 population equivalents or more and totals an additional 5 works, to be upgraded to achieve the relevant phosphorus nutrient pollution standard.

Natural England have confirmed that, as long as this requirement is secured through the necessary legislative arrangements, certainty can be given to the upgrade and therefore the need for phosphorus mitigation within the catchment would be removed immediately. Although this would place an additional financial burden on the water company, Natural England have also indicated that the upgrade of these additional wastewater treatment works could take place over a 10-year period rather than by 2030 as required through The Act thereby lessening the burden on the water company.

There is concern about the provisions within The Act for a catchment-based permitting to be deployed to reduce nutrient flows into the protected habitats. This is not considered appropriate for the Poole Harbour catchment for two main reasons.

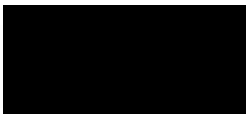
Firstly, the upgrade of the larger wastewater treatment works will reduce the nutrient mitigation burden for the majority of future development as this will be where the Councils development strategy will focus, as outlined above. Secondly, and for phosphorus in particular, upgrading the wastewater treatment works that serve 1,000 population equivalents alongside the larger wastewater treatment works, will deliver additional benefits for two chalk river Sites of Special Scientific Interest (SSSI) that are currently in unfavourable condition. This will aid in achieving the government's targets² under the Environment Act earlier than programmed. If a catchment-based approach is followed, the improvements to these SSSI will be put at risk making it significantly more difficult to bring them back into a more favourable condition.

Aside from the benefits to the ecological status of the protected habitats sites, the upgrade to wastewater treatment works would bring significant investment into the Dorset Council area. This would create much needed employment opportunities and free up the development sector that has been hit hard by the nutrient neutrality requirements. There is also a pressing need for more affordable homes within Dorset which can only be delivered if the nutrient burden is minimised.

Dorset Council therefore request that you use the powers within The Act, to specifically designate those additional 5 wastewater treatment works within the Poole Harbour catchment that serve between 1,000 and 2,000 population equivalents for upgrade to meet the phosphorus nutrient pollution standard. The standard could be met within 10 years from the date the provisions in The Act come into force but must reduce phosphorus levels in treated effluent to 0.25 mg/l. I believe there is a justification for your intervention in this specific location due to the benefits this would have in both unlocking significant amounts of housing development³ and delivering against other environmental priorities. These significant benefits can be realised with a targeted and proportionate intervention.

I trust you will give this matter your consideration, and I look forward to your response in due course. In the meantime, please do not hesitate to contact me if you require any further information.

Yours sincerely



Cllr Spencer Flower
Leader of Council

² To reduce phosphorus loadings from treated wastewater by 80% by 2037 against a 2020 baseline.

³ The councils in the catchment estimate that around 5,900 new homes within the catchment would not be able to be consented over the next 10 years.