



# Department for Environment Food & Rural Affairs

**Robbie Moore MP**  
**Minister for Environmental Quality and Resilience**

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Cllr. Bill Revans  
Somerset Council  
County Hall,  
Taunton,  
TA1 4DY

24 May 2024

Dear Councillor Revans,

## **Nutrient Neutrality and wastewater treatment work upgrades in Somerset Levels and Moors catchment**

As you are aware, the Water Industry Act 1991 (as amended by the Levelling-up and Regeneration Act 2023) sets a new duty on water companies to ensure relevant wastewater treatment works (WwTW) meet specified nutrient removal standards by an upgrade date in designated catchments. Competent authorities (including local planning authorities) considering planning proposals for development draining via a sewer to a WwTW subject to the upgrade duty are required to consider that the nutrient pollution standard will be met by the upgrade date for the purposes of Habitats Regulations Assessments. The higher nutrient removal standards mean a lower level of nutrient mitigation is required from developers to demonstrate nutrient neutrality.

On 25 January 2024, the Government announced designated sensitive catchment areas, including Somerset Levels and Moors Ramsar as a phosphorus sensitive catchment area. Unfortunately, Water Industry Act powers do not permit catchment areas to be designated as nutrient sensitive catchment areas with reference to Ramsar sites and so the designation is invalid. The catchment has now, however, been designated as a phosphorus sensitive catchment in reference to Somerset Levels and Moors SPA, which covers the same geographical area as for the Ramsar site. The [designation notice and map](#) have been updated along with a list of all WwTW to which the upgrade duty applies.

Due to the timing of this designation, the WwTW in the Somerset Levels and Moors catchment have a statutory upgrade date of 16 May 2031 under the Levelling-up and Regeneration Act. Despite this, I want to reassure you that Wessex Water has committed to the delivery of all upgrades in this catchment by 1 April 2030, in line with the other designations. The Environment Agency has also committed to changing Environmental Permits for the relevant WwTW (listed at Annex A) so that the permits will require compliance with the nutrient pollution standard by 1 April 2030.

On this basis, and following engagement with Natural England on this issue, I can confirm that the 1 April 2030 date should still be considered as sufficiently certain for any Habitats Regulations Assessment, including for the Ramsar site, and used for the purpose of nutrient budget calculations for relevant wastewater treatment works in this catchment. Natural England's advice on planning consultations and updated nutrient neutrality calculator will reflect this. **This means that developers in this catchment will not be adversely impacted by this later designation.**

Officials would be happy to arrange a meeting with you to discuss any questions you may have. Please let me know if this would be helpful.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Robbie Moore', with a horizontal line underneath the name.

**ROBBIE MOORE MP**

**Annex A – Nutrient significant plants for the Somerset Levels and Moors catchment area**

<b>Wastewater treatment work</b>	<b>Nutrient pollution standard (mg/l)</b>
Bishops Lydeard	0.25
Bruton	0.25
Butleigh	0.25
Castle Cary	0.25
Chard	0.25
Crewkerne East	0.25
East Coker	0.25
Evercreech	0.25
Glastonbury	0.25
Ilchester	0.25
Iminster	0.25
Langport	0.25
Martock	0.25
Merriott	0.25
Milborne Port	0.25
Shepton Mallet	0.25
Sherborne	0.25
Somerton	0.25
South Petherton	0.25
Taunton	0.25
Thornford	0.25
Wellington	0.25
Wells	0.25
Yeovil (Pen Mill)	0.25