

# Public Agenda Pack



Notice of Meeting of

## **SCRUTINY COMMITTEE - CLIMATE AND PLACE**

**Wednesday, 17 May 2023 at 10.00 am**

### **Luttrell Room - County Hall**

To: The members of the Scrutiny Committee - Climate and Place

Chair: Councillor Martin Dimery

Vice-chair: Councillor Adam Boyden

Councillor Alan Bradford

Councillor Edric Hobbs

Councillor Marcus Kravis

Councillor Matthew Martin

Councillor Connor Payne

Councillor Alex Wiltshire

Councillor Bente Height

Councillor Henry Hobhouse

Councillor Dave Mansell

Councillor Harry Munt

Councillor Tom Power

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For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk).

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk) by **5pm on Thursday, 11 May 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Tuesday, 9 May 2023

## **AGENDA**

**Scrutiny Committee - Climate and Place - 10.00 am Wednesday, 17 May 2023**

**5 Economy, Employment and Planning: Phosphates update (Pages 5 - 18)**

Members are asked to consider and comment on the update report from the Service Director, Economy, Employment and Planning.

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# Nutrient Neutrality

- Natural England letter August 2020.
- Court judgment (Dutch N Case) - new development phosphate neutral.
- Types of Development Affected:
  - New residential units.
  - Commercial developments – where overnight accommodation is provided.
  - Agricultural Development – additional barns, slurry stores etc. where it is likely to lead to an increase in herd size.
  - Some tourism attractions.

# Somerset wide progress to date

August 2020

Natural England  
Advice Note  
issued to  
Somerset  
Authorities

February 2021

Awarded Homes  
England funding.  
Somerset  
Phosphorus  
Budget  
Calculator (V1) is  
released

May 2021

Commissioned  
consultants to  
prepare the  
Somerset Levels  
and Moors  
Phosphate  
Mitigation  
Solutions Report

February 2022

The Somerset  
Solutions Report  
is published:  
Revised affected  
area for River  
Tone, Parrett and  
Brue

September 2022

Somerset  
Package  
Treatment Plant  
advice is  
published

# Somerset wide progress to date

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Regular Meetings with Key Stakeholders (eg EA, NE, and Wessex Water officials).

Lobbying Central Government. April 2022 awarded £100k Nutrient Capacity funding.

Provide regular updates on various matters (eg Levelling up and Regeneration Bill).

Monthly Planning Advisory Service (PAS) meetings for those LPA's caught by Nutrient neutrality.

# Nutrient Neutrality

- Levelling Up & Regeneration Bill proposes all treatment works serving + 2,000 people should be upgraded to 0.25 mg/l (Technically Achievable Limit) by 2030. (Cannot be relied upon until bill is enacted.)
- Natural England has £30m to spend over 3 years to bring forward a solution in each catchment but cannot compete with existing solutions
- DLUHC is consulting on an Expression of Interest in bids for £10m per catchment to accelerate solutions allowing early housing delivery.



# Government Nutrient Mitigation Fund

- Nutrient Mitigation Fund: call for evidence and expression of interest (12<sup>th</sup> April 2023)
- Deadline for EOI 24<sup>th</sup> May 2023
- Future funding rounds Autumn 2023 and Spring 2024
- Funding up to £10m per catchment – mitigation to be delivered within 6 months
- Full cost recovery basis with receipts recycled for further mitigation schemes
- Recovered funds invested in measures to help restore Habitat Sites
- Both interim and in-perpetuity measures
- Grey and blue/green infrastructure

# Nutrient Mitigation Fund Proposals

## Emerging opportunities

- Sourcing water cleaning plant to co-locate at WWTW's to reduce the levels prior to 2030
- Retro-fitting Registered Provider housing stock – water efficiency & septic tanks
- Sourcing productive agricultural land use without phosphate inputs
- Programmes of septic tank upgrades to PTP
- Land use change including wetlands, both single site and brokered solutions

# Phosphate update

- The Council continues to support applicants proposing their own phosphate mitigation solutions. (i.e. Proposals not reliant on River Tone P-credits )
- Hurston Farm Wellington, appeal (August 2022). Decision appeal dismissed, “national test case” on the extent to which HRA’s apply to post-permission approvals and specifically the discharge of conditions.
- Appeal decision has been challenged. The High Court has granted leave for a 2-day hearing to discuss the matter which will take place in June 2023.

# Progress in River Tone Catchment Area

October 2021

Full Council agrees £2m funding to progress the Interim Phosphates Mitigation Strategy

February 2022

Phosphates Planning Sub-Committee agrees the criteria for the allocation of SWT P-credits

July 2022

Phosphates Planning Sub-Committee agrees the costs of SWT Phosphate Credits at c. £55,000 per credit\*

December 2022

Letters sent out to applicants eligible for the first round of SWT P credits

February 2023

Started determining planning applications linked to SWT P-credits.

# River Tone Phosphate Credit Scheme

- Round 1 of River Tone P-credit scheme began offering credits in December 2022.
- First planning application decided at Committee 23 February 2023.
- First planning application granted planning permission 10 March 2023.
- 53 no. planning applications offered River Tone P-credits as part of Round 1.
- 26 no. applications for River Tone P-credits have been received.
- 8.2 no. P-credits have been allocated, equating to 36 no. dwellings.
- 12 no. applications have not responded to our offer of River Tone P-credits.
- 9 no. applications have withdrawn their interest in River Tone P-credits in Round 1.

# River Brue Catchment

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- This catchment includes Somerset East and parts of Somerset South
- Somerset East area – 4 out of 5 main towns impacted
- 70 housing applications held including 12 majors
- Equates to 1,250 dwellings
- Small number of site specific solutions (wetland/ woodland)

# River Brue Catchment

Somerset East have signed off two private phosphate credit schemes.

- Yew Tree Farm (pig farm closure) 48kg/year credits/ c 460 dwellings
- Allocations have released 356 dwellings in 3 major schemes.
- Manor Farm, Prestleigh (closure/fallowing) 143kg/year c1400 dwellings
- Credits available from mid-May 2023
- Additional credit scheme in Somerset south (13kgs/year) in progress
- Credit sales/allocations are agreed between promoter and applicant  
Promoter then provides an allocation certificate to Council

# River Parrett Catchment Area

- Somerset South has resolutions to approve 3 no. schemes that use the retrofitting of water efficiency measures to enable 120 dwellings.
- 3 no. schemes using Albion / Severn Trent management to enable 210 dwellings
- Agreed terms for EnTrade to open its first market round in the River Parrett catchment.



# River Parrett Catchment Area

- Somerset South have 360 applications / 4,500 houses needing phosphate solutions
- 50 are major applications.
- Applications for 2,500 houses are at the post committee / S.106 stage.
- 5 applications for 320 dwellings awaiting S.106 with phosphate solutions, comprising managed PTP's, retro-fitting of water efficiencies & 4 housing applications (230 dwellings) awaiting committee decision with managed PTP's, septic tank replacement and woodland planting solutions.

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