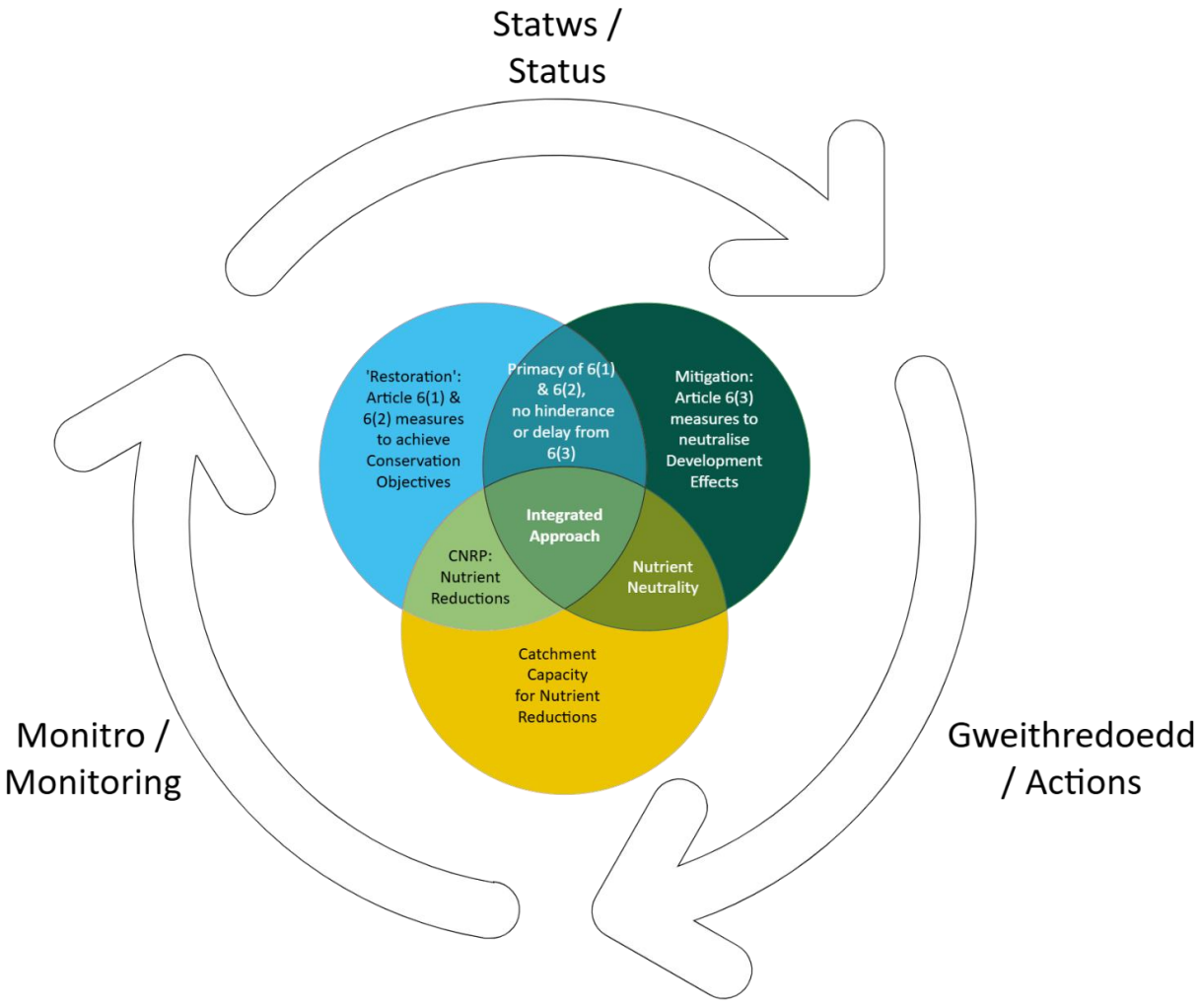
Catchment Nutrient Recovery Plan Summary Note

Integrated Approach

The Welsh Government have published practical advice to support development in rivers and marine Special Areas of Conservation (SACs) affected by nutrient enrichment; advising the use of an integrated approach as an alternative to the nutrient neutrality approach to mitigation for phosphorus and / or nitrogen.

The integrated approach brings together and allows alignment of the delivery of mitigation under Article 6(3) of the Habitats Directive with delivery of restoration under Articles 6(1) and (2) (see figure below).

The integrated approach is considered to represent a balanced and proportionate interpretation of case law.



Key requirements for implementation of the Integrated Approach

1. A plan setting out measures or actions that aim to reduce the nutrient load to a Special Area of Conservation (SAC) preventing further deterioration and supporting recovery of a SAC. NRW have been tasked with developing these which we are calling **Catchment Nutrient Recovery Plans (CNRPs).**

2. The CNRP is one component of the Integrated Approach and is not predicated on any specific quantum of development growth. A **Habitat Regulation Assessment** is also required to consider any relevant plan or project, e.g. RLDP, in an 'integrated' / in-combination manner with the CNRP. This is the responsibility of the competent authority, e.g. LPA.

Catchment Nutrient Recovery Plan

The actions within the CNRP will be produced through a framework of steps and phases, which assesses opportunities and limitations. This framework enables the selection of measures that can deliver the calculated amount of nutrient reductions required for SAC recovery. Depending on the capacity of the catchment to deliver nutrient reduction action, the CNRP may also illustrate any additionality of measures present in a SAC catchment to secure improving status beyond the recovery target.

This framework sets a standard from which potential Article 6(3) mitigation (or even 6(4) compensation) measures, which do not conflict with Article 6(1) & 6(2) may more easily be understood and planned for delivery. This is an inherent benefit of a CNRP being produced, but which still needs considering in a HRA.

CNRP Components

To restore water quality in river and marine SACs, and meet conservation objectives, the overall CNRP will need the following main components:

- **A 'restoration' trajectory** - The quantified nutrient reduction required, from current 'failing' status to a 'restored' condition of nutrient loads.

- **Catchment capacity assessment** - The quantified land and water management and/or regulatory actions available in a SAC catchment / sub-catchment (as relevant).

- **Scenarios of 'restoration' measures** - Those actions' magnitude of effect, and the time to their achievement, from those available, and therefore a quantity of each type required to achieve the require trajectory, and maintain that restoration against foreseeable future impacts (e.g. climate change effects).

- **Action priorities** - The quantified nutrient reduction magnitude alongside reasonable time-scales, for a scenario of certain selected measures (by any desirable criteria, such as easiest first etc.).

- **Actions considered** - By the above, the ability (feasibility and viability) to deliver a specific selection of measures and actions would need to be considered, and the parameters of their 'achievement' can then be defined (magnitude of type at scale, in a certain time-frame).

- **Actions planned** – A single defined plan, made up of feasible and viable actions, with details on delivery timing, and the expected in-combination nutrient effects to achieve restoration from them.

To be useful for an Integrated Approach, the actions in the CNRP must be **secure** – this means they will include timed, costed, quantified, allocated and approved measures. They will also have clearly related implementation milestones (by other 'proxy' measures) which will provide a measure of a plan being on-track, periodically. These are the qualities development plans or projects and the associated HRA would require to rely on the certainty and security of a CNRP, within an Integrated Approach.

Depending on the degree and type of nutrient reductions planned, and subject to further assessment in a HRA, the CNRP may:

a) allow planning application decisions to be made based on threshold *de minimis* (subject to establishment of those thresholds separately);

b) unlock / make easier a larger quantum of development through the integrated approach (subject to larger or faster 'opportunities' for nutrient reductions being possible as mitigation); or

c) Help allow the timing of plan or project impacts to be prior to any mitigation required (subject to being able to 'borrow' restoration actions, without hindering or delaying the achievement of milestones).

The full potential for these beneficial outcomes will be understood only after the following aspects are developed:

- catchment capacity has been identified;

- the nutrient reduction quantified; and

- security of feasible restoration actions can be ensured.

Other components of the CNRP then only produce greater certainty and security of that potential being achieved / accessible for plans or projects.

CNRP Delivery

In the short-term (within 6 Months), NRW will:

- Develop in more detail work required towards delivering CNRP for the catchments flowing into the **Milford Haven Inner** (N and P) and the **Burry Inlet Inner** (N only) in the first instance.

- Roughly calculate nutrient capacity within the catchment area, based on nutrient reductions possible by a selection of actions, and opportunity/constraint mapping available (or easily produced / obtained).

- Consider how CNRP would integrate with other delivery and management plans e.g. Nutrient Management Plans and any implementation mechanisms / approaches developed by LPAs to use these plans in their assessment of plans and projects under the Habitats Regulations and decision-making processes.

In the medium term (within 1 year) 3 main Phases are planned for delivery:

Phase 1:

- Calculate the nutrient reduction capacity in the catchment – based on potentially available land and current land use/cover changes by a reasonable variety of feasible and viable measures.

- Collate NRW delivered secure actions, project outcomes and planned actions, and compliance (e.g. Control of Agricultural Pollution Regulations (CoAPR) and Wastewater Treatment works inspections, etc.).

Timescales: Phase 1 will result in rough calculations being produced in an interim plan by **October 2026**. This will be a less detailed catchment capacity plan, which may provide some security of feasible restoration actions, and the scales (timing and spatially) at which they will be needed. GIS mapping and estimated diffuse pollution figures can be used in the short term.

Phase 2:

- Adding secure actions and project outcomes from LPAs and other stakeholders, including the Nutrient Management Plan and project work from partnership groups. Whilst a range of other potential action may be identified by others, they need to be secure (see above definition) to be included in the CNRP.

Timescales: We are currently working with LPAs and the Nutrient Management Board who can potentially deliver Phase 2 during the same time period simultaneously. The precise contribution simultaneously to Phases 1 is to be agreed.

Phase 3:

- Quantifying the nutrient reductions which can be achieved;

- Identifying the gaps as well as proposing the future action;
- Develop a trajectory timeline to reach the ‘target’, within a reasonable period;
- Working with LPAs on milestones, which are achievable to record, and useful in their ability to smooth plan peaks and troughs, while still ensuring its certainty and security; and
- Explore the feasibility of consideration of CNRPs in decision making at a sub catchment level.

Timescales: The delivery of Phase 3 to produce a final detailed plan is expected to be completed in 12 months (**April 2027**).

After Phase 3 is complete there will be a fourth ongoing phase including:

- CNRP delivery (although this will commence sooner, as soon as actions are live). Overall plan delivery timelines are ongoing for the planned delivery timescale of all actions within the plan
- Further action added to the plan as and when it becomes available and quantification of nutrient reduction and target trajectories adjusted accordingly – the plans will therefore be live and iterative
- Monitoring of plan delivery
- Evaluation of the approach
- Assessment of further catchments to apply the CNRP approach to on a rolling forward programme, informed by the evaluation of the first two plans

Roles and Responsibilities

The development and implementation of the CNRP will require other organisations to be involved, including LPAs, WG and stakeholders.

It has been agreed at the Ministerial Taskforce (March 2026) that NRW would develop and own the CNRP plan, for restoration.

Further discussions are ongoing on the delivery, governance and mechanisms required to implement the plan and ensure security of measures for use in an Integrated Approach.

High level indication of integrated approach roles and responsibilities for key organisations:

NRW

- Planning and partial execution of Article 6(2) nutrient reduction measures, in a manner that makes clear the opportunities and limitations for other plans and

projects to not delay or hinder all ‘6(2)’ measures (or Article 6(1) measures) required.

- The formation of a defined (but ‘live’) Plan regarding the above required measures, to align with, and better enable others use of, an Integrated Approach.

LA’s (and other LPA’s)

- Partial execution of Article 6(2) nutrient reduction measures required, especially should relevant statutory powers be required.

- Consideration and planning of strategic opportunities to deliver Article 6(3) nutrient reduction measures, to enable other plans or projects that align with their duties.

- As a Competent Authority, the consideration of the above within Habitat Regulation Assessments, as needed.

WG

- Enabling of execution of Article 6(2) measures required, through specific funding, guidance on use of statutory powers, or other support.

- Enabling of execution of Article 6(3) (or potentially 6(4)) measures required, through specific tools or other support.

- Specifically, the funding for an organisation, potentially the Nutrient Management Boards (where present), to manage the components of an Integrated Approach for development.

Further details

For further details please contact the NRW SAC Nutrients Project at:

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NRW SAC Nutrients Project

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