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Cumberland Council,  
Westmorland and Furness Council,  
Lake District National Park Authority

By email only

5 February 2026

Dear Sir / Madam,

**Revised advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites – River Eden Special Area of Conservation**

I am writing to you regarding Natural England’s advice for development proposals that have the potential to affect water quality in such a way that adverse nutrient impacts on designated habitats sites cannot be ruled out. This is commonly referred to as nutrient neutrality advice<sup>1</sup>.

Following the confirmation of upgrades to Wastewater Treatment Works (WwTWs) as part of both: the statutory duty to upgrade in nutrient sensitive catchment areas (under the Water Industry Act 1991) and additional improvements as part of the wider PR24 Water Industry National Environment Programme (WINEP), there will be improvements to water quality in the River Eden.

This letter relates to the River Eden Special Area of Conservation, in Cumbria and the catchment area where mitigation may need to be secured. As a result of forthcoming upgrades to water infrastructure, securing improvements to water quality, this updated advice reduces the area covered by nutrient neutrality advice.

**Context**

Under the Water Industry Act 1991 (as amended by the Levelling-up and Regeneration Act 2023 (LURA)), water companies are under a statutory duty to upgrade relevant WwTWs, to specific standards by 1 April 2030 in designated nutrient sensitive catchment areas. Local planning authorities, as competent authorities, must take these specific upgrades (under the LURA obligation), into account when undertaking Habitats Regulations Assessments (HRAs) for development proposals draining to WwTWs subject to the upgrade duty.

In addition to these specific statutory obligations, as part of wider investments in water infrastructure under the WINEP, there will be further improvements as a result of other regulatory drivers (such as European Site or SSSIs).

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<sup>1</sup> [Natural England Water Quality and Nutrient Neutrality Advice \(16 March 2022\) - NE785](#) & [Nutrient Neutrality Principles - TIN186](#)

Following the confirmation and finalisation of details under the WINEP, Natural England have worked with the Environment Agency to undertake updated assessment of nutrient neutrality catchments, based on the forthcoming improvements to wastewater treatment works. This assessment has used the best scientific evidence available.

Natural England's assessment is that upgrades made under WINEP will deliver the reductions in phosphorus levels needed, to achieve the target nutrient levels in specific sub-catchments and create headroom for housing growth. It is therefore Natural England's view that the legally secured upgrades provide sufficient certainty to restore sustainable phosphorus levels in specific sub-catchments of the River Eden and will not adversely affect site integrity.

This advice letter does not change the need for wider environmental considerations under the Habitats Regulations and including appropriate assessment for development (or environmental permits) which may have a likely significant effect; in-turn this may still necessitate mitigation for projects determined by the project level assessment undertaken and your considerations as the competent authority.

### **Changes to advice for the River Eden**

Natural England is updating catchment boundaries for the River Eden SAC, reducing the area of the catchment including for Carlisle; the advice remains unchanged for 3 sub-catchments of the River Eden SAC. A catchment map, showing the revised area is included at Annex B.

Our assessment has shown that the planned development assessed connecting to 47 WwTWs (listed in Annex A) and new private discharges<sup>2</sup> will not trigger the need for nutrient neutrality. However, the impact of new discharges of significant volume (including new or variations to environmental permits) should be assessed to ensure they won't cause failure in meeting the phosphorus target.

At the earliest opportunity, Natural England will:

- Publish updated nutrient calculators on Gov.UK<sup>3</sup>
- Publish supporting evidence on Natural England's Access to Evidence portal.
- Ensure the new digital boundaries will be made available via the Defra Data Services Platform and MAGIC maps.

We will continue to work closely with Cumbria's Local Planning Authorities and provide support as required. For any questions or clarification, please email: [nutrientmitigation@naturalengland.org.uk](mailto:nutrientmitigation@naturalengland.org.uk)

I am copying this letter to the Natural England – Deputy Director for the area and the Environment Agency.

Yours sincerely,

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Mike Burke

Director Sustainable Development

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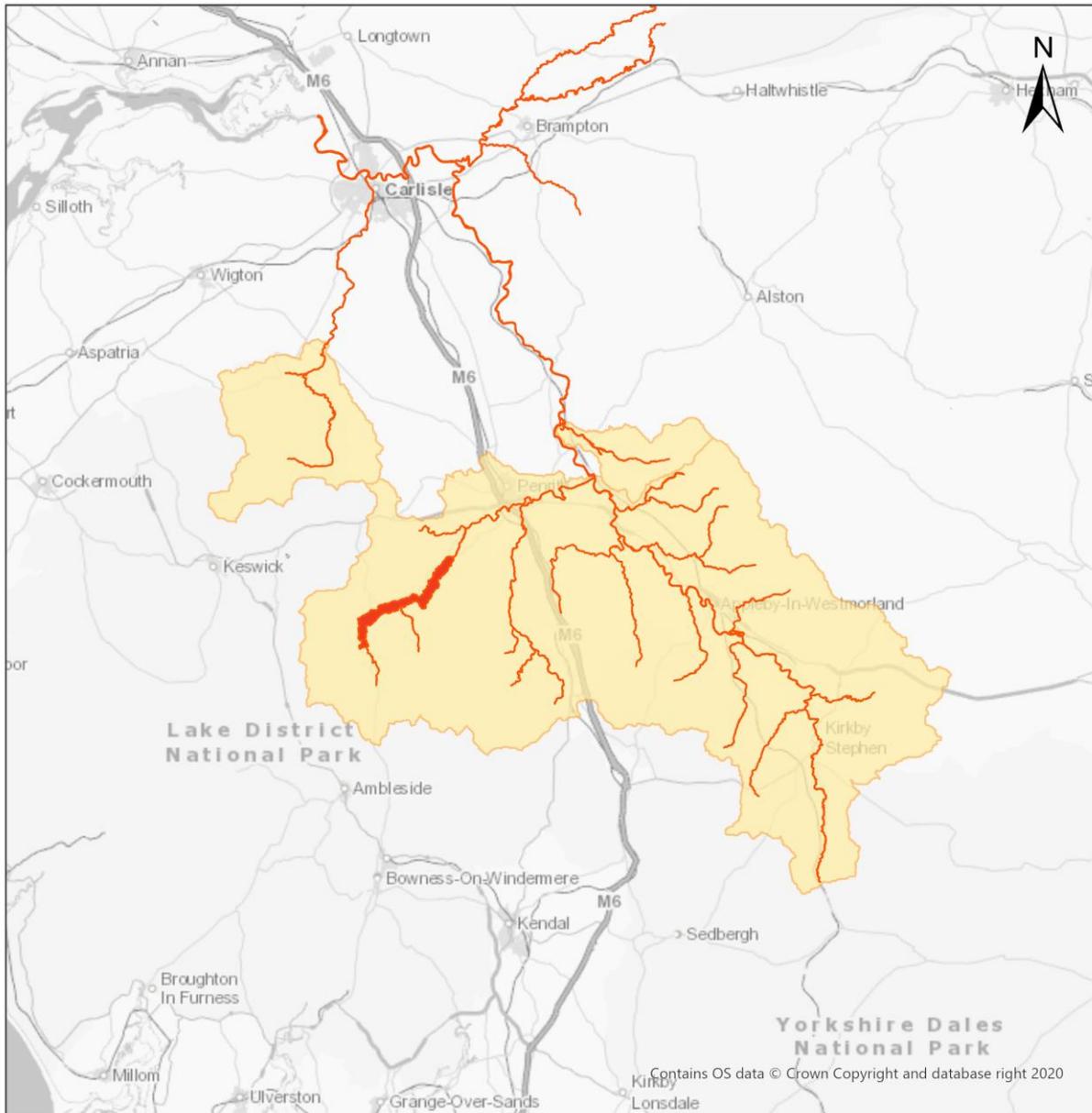
<sup>2</sup> outside of the revised area, where the discharge is less than 5m<sup>3</sup> per day and unless there are a large number clustered in a small area

<sup>3</sup> [Using the nutrient neutrality calculators - GOV.UK](#)

## **Annex A – River Eden Catchment WwTW no longer subject to Nutrient Neutrality**

Aglionby WwTW  
Ainstable WwTW  
Armathwaite WwTW  
Brampton Carlise WwTW  
Busk WwTW  
Calthwaite WwTW  
Cargo WwTW  
Carlise WwTW  
Castle Carrock WwTW  
Cocklakes WwTW  
Cote Hill WwTW  
Croglin WwTW  
Cumwhitton WwTW  
Dalston WwTW  
Edenhall WwTW  
Faugh WwTW  
Gilsland WwTW  
Glassonby Village WwTW  
Great Salkeld WwTW  
Greystoke WwTW  
Heads Nook WwTW  
Hunsonby WwTW  
Hutton-In-The-Forest STW  
Kirkoswald WwTW  
Laites WwTW  
Langwathby WwTW  
Laversdale WwTW  
Little Blencow WwTW  
Little Salkeld WwTW  
Low Hesketh WwTW  
Low Row WwTW  
Melmerby WwTW  
Motherby WwTW  
Plumpton North WwTW  
Plumpton South WwTW  
Renwick WwTW  
Rockcliffe WwTW  
Skelton WwTW  
Southwaite WwTW  
Talkin WwTW  
The How WwTW  
Walton WwTW  
Warwick Bridge WwTW  
West Hall WwTW  
Wetheral & Great Corby WwTW  
Wetheral Pastures WwTW  
Wreay WwTW

**Annex B – Map showing the revised catchment area for River Eden.**



**Area Where Natural England's Nutrient Neutrality Advice Applies for River Eden SAC**

- Sites of Special Scientific Interest (England) © Natural England
- Surface water catchment area of relevant designated site due to nutrient pollution

