

# KENT COUNTY COUNCIL – RECORD OF OFFICER DECISION

## Executive

### DECISION TAKEN BY:

Simon Jones, Corporate Director, Growth Environment  
and Transport

### DECISION NO:

OD/25/00029

For publication

### Subject matter:

Stodmarsh Nutrient Mitigation Strategy update

### Cabinet Member decision to which this action relates:

**24/00122 - Awarding of Local Nutrient Mitigation Funding to Local Planning Authorities for the delivery of mitigation schemes for Nutrient Neutrality in the Stour catchment**

[\*Issue details - 24/00122 - Awarding of Local Nutrient Mitigation Funding to Local Planning Authorities for the delivery of mitigation schemes for Nutrient Neutrality in the Stour catchment\*](#)

### Decision:

**As Corporate Director for Growth, Environment and Transport, I agree:**

The Stodmarsh Nutrient Mitigation Strategy has been updated to reflect the Local Planning Authorities role in Nutrient Neutrality. It was agreed at the GEDCCC the strategy would remain a live document and would be subject to updates as the learning about delivery of the Local Nutrient Mitigation Fund developed. This updates reflects the information and learning from the LPA partners in how they wish to ensure sustainable development is achieved within the catchment and sets out the process for both mitigation providers and developers seeking to purchase credits.

The delivery of the Local Nutrient Mitigation Fund, investment in mitigation and the KCC governance for administering the funding remains unchanged.

### Reason(s) for decision:

In 2020 Natural England issued advice to LPAs that excess Nitrogen and Phosphorus within the River Stour was negatively impacting the protected Stodmarsh NNR. For any new overnight accommodation to be built, the additional nutrient load added to the catchment would require mitigation to offset the increase and achieve nutrient neutrality. Approximately 30,000 homes are expected to be impacted up to 2040.

In December 2024 Kent County Council received £9.8 million of Local Nutrient Mitigation Funding from MHCLG to invest in mitigation measures which could offset the nutrients and generate credits. The Nutrient Neutrality credits generated from the mitigation are sold to the development to offset their Phosphorus and Nitrogen input to the catchment.

In January 2025 a Key Decision Paper was taken to GEDCCC to agree the awarding of Local Nutrient Mitigation funding to mitigation delivery and the adoption of the Stodmarsh Nutrient Mitigation Strategy to support the award of that funding. At the time of writing, the strategy set out what was known about available mitigation and the mechanism for delivering it. At the committee it was highlighted that the strategy was a live document and would be subject to updates as further information and learning about the delivery of Nutrient Neutrality became known.

Since January KCC has worked with the Nutrient Neutrality working group, formed of LPA officers, to review the strategy and provide updates on the process for applying for mitigation investment including monitoring of awarded funding, and the role of the LPAs in overseeing and prioritising planning applications for the sale of credits.

The key updates include;

1. The application process for award of LNMF. At the time of the Key Decision the application process had not been determined, however, the governance for the awarding of the funding remains unchanged from the original strategy and the agreement made in the Key Decision.
2. How LPAs will undertake appropriate assessments, as the competent authority, for mitigation delivered by the LNMF
3. How planning applications, which are currently awaiting NN credits will be prioritised. Ensuring that credits are sold to development which only require a resolution to grant and therefore can build out at pace
4. Ensure that new housing and planning applications are supporting sustainable development and meeting the Local Plan.

The updates have strengthened the strategy to ensure that it can be used by LPAs to support planning decisions which may be taken to appeal and determined by the inspectorate. This will ensure that house building within the catchment is expediated whilst maintaining a sustainable approach.

**Financial Implications:**

The financial implications remain unchanged from the Key Decision paper

**Legal implications:**

The Legal Implications remain unchanged from the Key Decision paper

**Equality Implications:**

There are no negative changes as a result of this update to the strategy.

**Comments received from any Members or Officers consulted:**

**Any alternatives considered and rejected:**

**Any conflict of interest declared by any executive member consulted by the decision maker and any dispensation granted by the Proper Officer:**

None

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signed

05/09/2025

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date