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## Rebuttal to Government Lords briefing

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**The Government said:** *'The Government estimates that around 16,500 homes per year are currently affected by nutrient neutrality rules, which amounts to over 100,000 homes by the end of the decade.'*

**The Truth:** The Government is throwing numbers about with no consistency. They previously cited that the total amount stalled now is 140,000 with another 41,000 every year. (as per the HBF.)

James Stevens of the HBF has told us that 18 months ago there were actually only 40,000 of the 145,000 homes at advanced (Reserved Matters or beyond) stages of planning. This does not account for any homes that will have got mitigation and thus progressed to full planning permission. If nutrient neutrality was removed tomorrow, there would be far fewer than 145,000 homes to move forward through planning.

The Government is now saying that a total of 100,000 are to be impacted by nutrient neutrality between now and 2030, therefore suggesting that only 17,500 are currently stalled.

Which of these estimates is close to the truth?

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**The Government said:** We estimate that this will lead to significant improvements – around a 69% reduction in phosphorus loads and around a 57% reduction in nitrogen loads in total from wastewater treatment works, although this will vary between individual catchments.

**The Truth:** It is not clear how these numbers have been derived. To work out the actual impact on nitrogen and phosphorus loads from wastewater treatment works upgrades requires an extensive analysis using monitoring data from water companies that is not always available. The reduction in phosphorus inputs from wastewater are also required as part of targets in the Environment Act which are aimed at tackling the already impacted water quality baseline. There has also been no analysis of whether the wastewater treatment works upgrades required through the LURB will actually result in a significant improvement to this baseline and thus remove the need for nutrient mitigation in the future. The government is intentionally muddying the waters between these two requirements.

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**The Government said:** *'Is the Government backtracking on its commitments to protect the environment? No. The changes we are making through this package will not lead to regression in environmental outcomes and will in fact improve the condition of the affected Habitats Sites. '*

**The Truth:** Every environmental charity, The Office for Environmental Protection and even government insiders have come out to confirm that this will have a negative impact on the environment and does amount to a regression in environmental protection.

The total £280m pledged by the Government will pay for < 15% of the mitigation required for the expected housing development between now and 2030. £140m of this is money unfunded (the HBF have still not worked out how housebuilders will contribute to a voluntary scheme to cover this). Therefore it is impossible to see how there will not be a deterioration in environmental outcomes as a consequence of the Government's proposal.

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**The Government said:** *It is however clear from listening to the concerns of local communities, local authorities and housebuilders that while a positive development, mitigation schemes are moving too slowly, with no guarantee that demand can be met imminently. The existing approach also does not take account of the fact that new homes will not contribute any additional nutrient outflow until they are not just built but occupied.*

**The Truth:** The Government has never done a survey of mitigation providers to assess the supply pipeline. The mitigation sector has identified a pipeline of at least 70,000 homes worth of mitigation. The Government has options on the table to move the mitigation requirement to being a pre-occupancy planning condition, thereby allowing lots of housing to progress and allowing more time for mitigation to be secured. The government is killing the only national Natural Capital market we have.

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