

Wildlife and  
Countryside

LINK



The Rt Hon Dr Thérèse Coffey, Secretary of State for Environment, Food and Rural Affairs  
The Rt Hon Michael Gove, Secretary of State for Levelling Up, Housing and Communities  
2 Marsham Street,  
London SW1P 4DF

1 September 2023

### Nutrient Neutrality

Dear Secretaries of State,

Thank you for meeting us yesterday to discuss your proposals to disapply nutrient neutrality rules, which protect rivers and sensitive ecosystems. We remain in disagreement on the following principles:

- **Weakening the Habitats Regulations is a dangerous and unnecessary regression in environmental protection.** New housing can be delivered alongside environmental protection, without resorting to the dangerous precedent of disapplying laws that protect England's rivers and most vulnerable wildlife habitats.
- **The polluter should pay for environmental harm.** Your proposals would shift costs to the public purse and to the natural world—a price that is both unnecessary and unacceptable.

We remain at odds on the following points of fact:

- **We do not think there is a choice between housing and nature-protection.** We do not recognise the Government's assertion that 100,000 homes have been stopped by nutrient neutrality; many successful projects have already been completed and many more are under development. More could be achieved quickly with better funding for Natural England.
- **We do not think the Government's approach will succeed.** Swapping the certainty of legal protection for limited public funding or voluntary developer contributions poses an unacceptable risk to the environment.

We are dismayed by the lack of consultation and engagement:

- **Meeting to consult on a decision that has already been made is no consultation at all.** Basing decisions on the advice of corporate lobbyists alone will inevitably lead to poor decision-making.
- **Introducing these substantive amendments in the final stages of the Levelling Up and Regeneration Bill is an affront to democracy.** It will be impossible for Parliamentarians to consider your proposals with any seriousness at this late stage, without consultation, evidence or impact assessments.

We were grateful that you agreed to provide further information ahead of the next stages of consideration in Parliament. Please would you be able to provide:

- **Evidence to support your assumption that 100,000 houses are being delayed.**
- **Any advice provided to DLUHC, DEFRA or No 10 on this matter by Natural England.**

You have both played a central role in Government's promises to clean up England's rivers and halt the decline of nature. Proceeding to jettison nutrient neutrality rules would be utterly at odds with those commitments. We urge Government to withdraw the proposed amendments and work quickly with us to find better ways to deliver important infrastructure while improving the environment.

Yours sincerely,

Hilary McGrady, Director General, The National Trust

Craig Bennett, CEO, The Wildlife Trusts

Mark Lloyd, CEO, The Rivers Trust

Toni Pearce, Director of Advocacy, WWF

Jeff Knott, Director of Policy and Advocacy, RSPB

Tim McGrath, Director of Conservation, WWT

Shaun Spiers, Director, Green Alliance

Richard Benwell, CEO, Wildlife & Countryside Link