

Nutrient neutrality – What’s the issue and has the Government found a solution? Insight report

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Date: 5 September 2023

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In the last week of August 2023 the Government proposed new measures to tackle nutrient pollution whilst removing the barriers that were holding up the construction of over 100,000 much-needed new homes.

What’s the issue?

Nutrients (nitrogen and phosphorus) pollute water systems, killing fish and damaging fragile ecosystems. Housebuilding itself does not create nutrient pollution – it comes mainly from farming via fertilisers and manure, but also from the sewage system. If new housing means that more people move into a specific water system, that can potentially increase the amount of nutrient pollution in that area. For this reason, the EU Habitats Directive requires authorities not to allow new development in fragile water systems, unless it can be shown that they will have no net impact on nutrient pollution. However, systems to offset the impact of new housing have been piecemeal and often non-existent.



What’s the impact on housebuilding?

New housing is only a very small contributor to increased pollution (and even then, only in a local level – looking at the nation as a whole, new housing does not create new people so there is no increase in pollution from building housing). But it was housebuilding, not farming or other activities, that has had to halt across 74 different local authorities because of these rules.

This has affected all types of new housing, including social and affordable housing built by local councils and housing associations, with knock-on implications throughout the whole of the housing sector and supply chains.

How is the Government proposing to fix the issue?

The Government’s proposed solution – to be included in the Levelling Up Bill this autumn – is to require local authorities not to consider the nutrient impact of new housing, because it is small. Instead, the Government has doubled investment in the Nutrient Mitigation Scheme to £280m, to be used to create new wetlands and tackle pollution at source. In the longer term, there is requirement on water companies to upgrade wastewater treatment works by 2030, which should provide a lasting solution. The Government’s letter to Chief Planning Officers and proposed legislative amendments give more details.

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Will this work?

The reforms have been widely welcomed by the housing sector, including local Government. Direct funding is a much more flexible and targeted solution to nutrient pollution. There are, however, likely to be some concerns within local authorities that they are being asked to ignore any advice they may receive (such as from Natural England) that allowing new housing will increase pollution. Local concerns about water quality and declarations of a climate emergency are likely to make it politically difficult for authorities to ignore advice, even if they are aware it is no longer legally binding.

The only real way forward here is to address the nutrient pollution so that Natural England no longer sees a need to be cautioning local authorities about the small impact that new housing will make on fragile ecosystems. The extra cash will help here, but regulation, monitoring of farming practices and enforcement also play a role. The Housing Forum is, nevertheless pleased to see the Government recognising that blocking new housing is not a sensible or acceptable way to address water pollution and the need to increase housing supply is vital.



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