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By Email to:

**The Rt Hon Robert Jenrick MP**  
(Secretary of State for Housing,  
Communities and Local Government)

Date: 3<sup>rd</sup> December 2020

**The Rt Hon George Eustice MP**  
(Secretary of State for the Department  
of Environment, Food and Rural Affairs)

Dear Secretary of State

**Natural England advice in relation to phosphates in the Somerset Levels and Moors Ramsar site**

We write to you regarding the Natural England advice, received by all district planning authorities in Somerset, concerning the unacceptable levels of phosphates in the Somerset Levels and Moors Ramsar site. We recognise the importance of protecting the integrity of the Somerset Levels and Moors Ramsar site. However, this requirement will adversely impact housing delivery in Somerset and our ability to meet national housing targets, particularly within Mendip, Somerset West and Taunton and South Somerset where the majority of the planned growth is within the affected area. It will also have significant economic consequences for SME local house builders and supply-chain businesses that employ many local people in the county.

Already this has resulted in the need to halt the determination of 778 live planning applications in Somerset (including developments that would deliver over 11,000 new homes) where the only reason for the application not progressing is the need to demonstrate the proposed development will be phosphate neutral. This comes at a time when we are trying to support the recovery of our economy in the wake of the Covid-19 pandemic.

Construction is a major economic driver in the UK and a key focus of the Government's Covid recovery plans. If a solution isn't found soon, the compounding issues of Covid-19, the EU transition and the phosphates issue is going to be devastating to large parts of the local economy and economic recovery plans.

Anticipated impacts in the affected areas are:

- **Inability to contribute to the national housing growth agenda** – large parts of Somerset cannot now meaningfully contribute to Government's target of providing 300,000 new homes a year;

- **Loss of committed Government capital funding** – funding programmes to deliver over 400 affordable homes and infrastructure projects with a spend programme of March 2023 are at risk;
- **Affordable housing delivery stalled, including community led rural affordable housing schemes**
- **Impossible to demonstrate a 5 year housing land supply and meet planning determination targets** – Mendip, Somerset West and Taunton and South Somerset are unlikely to be able to demonstrate a 5 year housing land supply and meet nationally set planning determination targets. This will create pressure for housing on potentially unsuitable and unsustainable sites that are not caught by the phosphates issue. Housing will then not be delivered through a plan-led system nor with the support of local communities;
- **Slowdown in the supply of small development sites for small and medium sized builders** – such builders often with a strong local focus, knowledge and connections cannot simply move location. A shortage of suitable sites could put their future at jeopardy.
- **Economic growth plans stalled** - Town centre regeneration, infrastructure development and business expansions will stall and impact survival and recovery from the pandemic. Rural enterprises often rely on securing permission for modest residential development to fund expansion.
- **Climate change ambitions stalled** - Ambitions around climate change and investment in low carbon housing will stall;
- **Supply Chain, SMEs and subcontractors impacted** - The supply chain economy will be impacted and the loss of employment exacerbated;
- **Potential loss of confidence from investors** - Resulting in a shortfall of land being brought forward. High Streets would suffer significantly from the lack of investment;
- **Major public institutional investment halted** - Musgrove Park Hospital has a planned portfolio of £450m of investment until 2030. Planning for this and any future educational developments would be impacted affecting education, training and healthcare services;
- **Core Somerset bedrock sectors impacted (leisure, hospitality and tourism and food and drink)** - If these key sectors cannot grow their longer term viability will be at risk.

All the Somerset authorities are working in partnership to develop a Somerset wide nutrient strategy to identify both short term solutions, to help clear the current backlog of planning permissions and longer-term solutions, to address the existing and future growth commitments. Additional ecology staff have also been recruited to handle the additional case load of Habitats Regulations Assessment that this change has necessitated. It should also be noted that these cannot be completed unless, or until, appropriate mitigation is proposed (and secured) to deal with the nutrient issues.

At a time when Local Authority budgets are under extreme pressure, we are seeking Government support to assist with this issue, including:

1. Government commitment that current infrastructure and affordable housing funding programmes will not be placed at risk by the phosphates issue and that extensions to spend programmes will be permitted where necessary.
2. Additional revenue funding of £140,000 to support the delivery of a Somerset wide nutrient strategy and to cover the cost of recruiting additional ecology to handle the additional case load of Habitats Regulations Assessment.
3. Capital funding be made available to implement the identified measures in the Somerset Nutrient Strategy and unlock the delivery of 11,000 new homes in Somerset
4. Government commitment that relevant Government regulators (OFWAT, Environment Agency and Natural England) will be addressing the major contributory polluters responsible for the discharge of nutrients into the water courses that feed into the protected sites in England.

We welcome the Government's environment pledge and all the Somerset authorities are committed to working with the Government to address the climate and ecological issues. It is critical that we work together to find a national solution to the nutrient issue that is affecting many areas in the country, not just Somerset.

We hope that you give this urgent attention and look forward to hearing shortly how the Government plans to work with the Somerset authorities to address this matter.

Yours sincerely



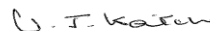
Councillor Duncan McGinty  
Leader of Sedgemoor District Council



Councillor Federica Smith-Roberts  
Leader of Somerset West and Taunton Council



Councillor Ros Wyke  
Leader of Mendip District Council



Councillor Val Keitch  
Leader of South Somerset District Council

cc: Marcus Fysh MP, James Heapey MP, Ian Liddell-Grainger MP, Rebecca Pow MP,  
David Warburton MP  
Nick Walkley, CEO, Homes England  
David Ralph, CEO, Heart of SW LEP