# Norwich landlord criticises nutrient neutrality rules for stalling four housing projects



Dan Trivedi, a Norwich-based landlord, has vocally criticised the local council's handling of nutrient neutrality regulations, claiming this bureaucratic entanglement has led him to abandon four development projects. Trivedi described the current system as a "cowboy system" that has hindered housing growth while wasting public funds. He specifically pointed out the impact on multiple projects, including plans for new flats at Heath House on Gertrude Road and two homes on Earlham Road. According to his experience, the extended delays caused by nutrient neutrality compliance have rendered properties like Garsett House on Princes Street, which has remained vacant for three years, utterly unproductive.

Nutrient neutrality, introduced by the UK government in July 2022, aims to curb nutrient pollution that threatens protected areas, such as Special Areas of Conservation. These regulations require developers to ensure that new housing projects do not contribute to increased nutrient levels, which has created a bottleneck in the planning process. Developers must demonstrate compliance during planning applications, often requiring them to implement offset measures like creating or enhancing wetlands. While there are provisions to purchase "mitigation credits" for these efforts, the uncertain outcomes leave many developers in limbo, as planning approvals are not guaranteed even after these investments.

The wider context surrounding nutrient neutrality reveals a persistent struggle within England's housing sector. Government efforts to revise these environmental regulations have been thwarted, particularly after the House of Lords blocked proposed amendments aimed at easing these restrictions. The changes were expected to allow developers to begin construction while arrangements for mitigation were facilitated, thereby alleviating the immediate housing shortage. Such initiatives had garnered support from the Home Builders Federation, highlighting a collective push to expedite housing delivery. While there is an acknowledgment of the importance of environmental protections, concerns regarding the potential for unmitigated pollution persist, leading to a stalemate that leaves many developments stalled.

The government has attempted to navigate this complex issue by launching the £30 million Nutrient Mitigation Scheme, aimed at offering practical support to developers struggling with compliance. However, ongoing delays and uncertainties have not abated the frustrations of developers like Trivedi. The discrepancy between local and national responses to these regulations becomes evident, with some councils successfully devising workarounds while Norwich's efforts remain static.

Critically, nutrient neutrality regulations are predicated on existing EU norms, which remain in effect post-Brexit. This means any shifts in regulatory frameworks need to strike a balance between fulfilling environmental obligations and addressing the urgent demand for housing. Despite governmental reassurances, the apprehension surrounding the adequacy of these measures continues to loom large. The upshot of these developments is evident: an urgent need for both a robust strategy to manage housing growth and a pragmatic approach to environmental stewardship that facilitates a sustainable path forward.

Amidst this turmoil, Trivedi is seeking to recover costs incurred from the prolonged delays, positioning himself against what he views as bureaucratic incompetence. The irony remains that while the council expresses a desire to support sustainable housing solutions, the current framework appears to be failing both developers and the communities in need of housing. How far the city council can navigate these troubled waters remains to be seen, especially as pressure mounts to deliver on housing commitments despite environmental challenges.

Ultimately, as discussions about the future of housing in England continue, the resolution to the nutrient neutrality dilemma will be critical in shaping the landscape of development for years to come, impacting not only the housing market but also the ecological integrity of some of the UK's most prized natural areas.

### Reference Map

1. Paragraph 1: 1
2. Paragraph 2: 1, 4
3. Paragraph 3: 2, 5, 6
4. Paragraph 4: 3, 7
5. Paragraph 5: 1, 6
6. Paragraph 6: 1, 3, 4
7. Paragraph 7: 1, 6

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.edp24.co.uk/news/25164688.landlord-slams-councils-handling-nutrient-neutrality/?ref=rss> - Please view link - unable to able to access data
2. <https://www.ft.com/content/e34aaaf8-451f-4210-9d77-0d479e9de219> - UK ministers are planning to alter environmental regulations to enable housebuilders in England to commence projects that might pollute rivers, provided they undertake mitigation efforts before selling the homes. The current nutrient neutrality rules, derived from EU laws, have required developers to counteract potential pollution, leading to significant delays in housing projects and contributing to a long-term housing shortage. The Labour party aims to construct 1.5 million new homes by the end of the current parliament and proposed changes to these regulations as noted in the King's Speech. The plan involves allowing development to proceed while agreements on mitigation measures, such as creating new wetlands, are finalized. This proposal aims to expedite housing projects while ensuring environmental protection measures are adhered to before residents move in. Although this approach has been welcomed by the Home Builders Federation, concerns remain about potential delays in finding and setting up mitigation schemes.
3. <https://www.gov.uk/guidance/nutrient-neutrality-update> - The UK government announced reforms to nutrient neutrality regulations to facilitate housing development while protecting the environment. However, these reforms were blocked by the House of Lords in September 2023, leading to continued uncertainty and delays in housing projects. The government recognizes the need for certainty among developers and local planning authorities and plans to focus on unlocking housing by exploring alternative solutions. Natural England will continue to deliver the £30 million Nutrient Mitigation Scheme to support developers in meeting nutrient neutrality obligations.
4. <https://commonslibrary.parliament.uk/research-briefings/cbp-9850/> - Nutrient neutrality requires that new housing developments in certain areas should not add more nutrient pollution to the water catchment. It applies only to new housing developments in areas with protected habitats sites that are already in 'unfavourable condition' due to nutrient pollution. The Habitats Regulations establish protections for sites in England that are important for nature or for protecting threatened habitats and species. The regulations require public bodies, including local planning authorities, to assess the environmental impact of plans and projects on these sites. Local planning authorities should only consent to developments that will not adversely affect a protected site or ensure any adverse effects are mitigated. They have to seek advice from Natural England, the government body which is responsible for protecting England’s natural environment.
5. <https://www.theplanner.co.uk/2023/09/14/lords-reject-government-plans-scrap-nutrient-neutrality-rules> - The House of Lords voted to reject the government's amendment to the Levelling Up and Regeneration Bill, which aimed to scrap nutrient neutrality rules. The amendment was introduced at a late stage in the bill’s progress and now means it cannot be reintroduced in the House of Commons. Ministers believed that removing these rules could unlock up to 100,000 homes by 2030, but the Lords' decision has led to continued uncertainty and delays in housing projects.
6. <https://www.theguardian.com/society/2023/oct/20/ministers-abandon-plan-to-end-pollution-rules-for-england-housebuilders> - Plans to scrap pollution rules for housebuilders in England have been abandoned by the government. The Levelling Up Secretary, Michael Gove, had been planning to remove EU-derived laws on nutrient neutrality that force developers to pay to offset pollution from new developments. However, following opposition and concerns over environmental impacts, the government has decided to find alternative solutions to unblock homes currently in breach of nutrient neutrality rules.
7. <https://www.savills.com/research_articles/255800/319723-0> - Nutrient neutrality has significantly impacted housing development in the UK, particularly in areas with protected habitats sites. Following a European Court of Justice ruling, any new development must comply with EU legislation that sets the recommended limits for nutrient levels in the water. This has effectively created a moratorium on all new housing development in affected locations that would discharge into a protected water system. The shortage of land supply is leading to increased competition for sites, and in some cases, this is translating to upward pressure on values. To unlock more supply, housebuilders will also have to begin to factor the cost of offsetting nutrients associated with development.