



Ministry of Housing,
Communities &
Local Government

Matthew Pennycook MP

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Hampshire & Isle of Wight Wildlife Trust
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17 March 2025

Dear all,

Thank you for your joint letter of 17 February to the Deputy Prime Minister, regarding chalk stream protections.

I note your concerns, and I appreciate fully that this is an important matter to you all. The government is committed to the protection and restoration of our cherished chalk streams. We recognise that these unique rivers, including those in Hampshire, are not just vital ecosystems; they are a symbol of our national heritage.

The Chalk Stream Recovery Pack was announced by the previous government, but delivery was paused due to the General Election. We are currently exploring the best approach to deliver on our commitment to restore our chalk streams to better ecological health as part of our programme of reforms for the water sector.

The government has taken immediate action to restore our water environment. In his first week in office, the Secretary of State of the Department for the Environment, Food and Rural Affairs (DEFRA), announced a series of initial steps towards ending the crisis in the water sector, which will improve environmental management and protections, including for chalk streams. In addition, the Water (Special Measures) Act will deliver on the government's commitment to put water companies under special measures. The Act will drive meaningful improvements in the performance and culture of the water industry as a first important step in enabling wider, transformative change across the water sector.

The Water (Special Measures) Act is just one part of our wider plans to bring about transformative change for the water sector. As you will be aware, on 23 October 2024, we launched an independent commission into the water sector and its regulation, in what is expected to form the largest review of the industry since privatisation. The commission will consider our targets for water, and the adoption of a catchment-based approach to water management. A set of recommendations will be delivered that will form the basis of further legislation to attract long-term investment and clean up our waters for good. Fixing the strategic framework for how all water bodies are managed is essential to address the multiple pressures facing chalk streams in a holistic way at the local catchment level.

You may also be interested to know that the Independent Commission published an eight week Call for Evidence on 27 February and all interested parties, including members of the public have been invited to share their views until midnight on 23 April. We welcome your participation.

Alongside this, we are investing in catchment level initiatives, such as the Water Environment Improvement Fund which is funding over 45 projects this financial year that improve chalk streams. We are also contributing with partners £900,000 for 28 chalk stream projects through the Water Resources Chalk Partnership Fund, aimed at safeguarding these rare and irreplaceable habitats. Finally, we are developing new regulations for Protected Landscapes, where many chalk streams are found, to boost nature's recovery and access to nature in these special landscapes.

As set out in the recent Written Ministerial Statement (UIN HCWS317) we will, in due course, replace the current systems of environmental assessment with Environmental Outcomes Reports which will deliver a more effective and outcome-focused tool for managing the effects of development on the natural environment.

As you will be aware, Section 152 of the Levelling-up and Regeneration Act makes specific reference to chalk streams in the definitions of 'Environmental Protection' and 'Natural Environment'. This will enable the consideration of the protection of chalk streams when setting the outcomes which will drive the new regime.

It may be helpful for you to know that the revised National Planning Policy Framework (NPPF) was published on 12 December. Paragraph 193 (c) of the NPPF is clear that development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

The NPPF sets out the irreplaceable habitat definition as: *'Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.'* This list in the last sentence of the definition is not exhaustive. The government plans in due course to review and ensure the robustness of the definition of irreplaceable habitats.

In addition, local planning authorities are required to consider the potential impacts of development on Special Areas of Conservation as designated under the Conservation of Habitats and Species Regulations (2017).

The Planning and Infrastructure Bill that was introduced in Parliament last week provides an opportunity to use development to fund nature recovery, creating a win-win outcome for both nature and the economy. The Bill establishes the Nature Restoration Fund (NRF), an alternative approach for developers to meet certain environmental obligations relating to protected sites and species. It allows Natural England (or another designated delivery body) to bring forward Environmental Delivery Plans (EDPs), that will set out the strategic action to be taken to address the impact that development has on a protected site or species and, crucially, how these actions go further than the current approach and support nature recovery. Where an EDP is in place and a developer utilises it, the developer would no longer be required to undertake their own assessments, or deliver project-specific interventions, for issues addressed by the EDP. The government believes this approach will facilitate a more strategic approach to the discharge of environmental obligations and result in improved environmental outcomes being delivered more efficiently. By reducing delays to development, this new approach may also facilitate faster delivery of housing across England.

I note your invitation to meet with Ministers to discuss this important matter further. Unfortunately, due to diary pressures, Ministers are unable to accept this invitation at this time. However, if you would like further engagement regarding this matter, I would encourage you to write to the Department for Environment, Food and Rural Affairs who will be happy to assist.

Thank you for taking the time to write.

Best wishes,

A handwritten signature in black ink, appearing to read 'Matthew Pennycook', with a large, stylized initial 'M'.

MATTHEW PENNYCOOK MP
Minister of State for Housing and Planning