



Ministry of Housing,
Communities &
Local Government

Baroness Taylor of Stevenage
*Parliamentary Under-Secretary of State for
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Lord Ravensdale
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31 October 2025

Dear Daniel,

I would like to thank you for all your proactive engagement and advice across Part 3 of the Planning and Infrastructure Bill – The Nature Restoration Fund. One area that we have discussed on numerous occasions including both committee and report stage was the importance of the Habitats Regulations. I'm conscious that I was not able to cover all of the points I had wished to during the debate due to time constraints, so I wanted to write to you to provide a full response to the matters raised by your amendments.

Your amendments raise several important points regarding the operation of the Habitats Regulations and I hope that we can agree that the Habitats Regulations Assessment process should be applied appropriately and proportionately, with decisions based on the best available scientific evidence.

This is already the intention and, in the majority of cases, the practical outcome of the Regulations. However, I acknowledge that there remain further opportunities to improve the user experience in complying with and engaging with environmental regulations.

I would like to make clear that the Government is already taking action. The Government is working closely with stakeholders to improve the functioning of the Habitats Regulations. This includes acting on the recommendations of the Corry review and the Post-Implementation Review of the Habitats Regulations.

Additionally, the government is working to publish updated guidance next year on the Habitats Regulations Assessment process. Precise information and evidence requirements will need to be determined on a case-by-case basis depending on the specific project, its impacts, and the site in question. There are several points raised by your amendments which we would seek to address through guidance, with a view to encouraging a proportionate application of the Habitats Regulations.

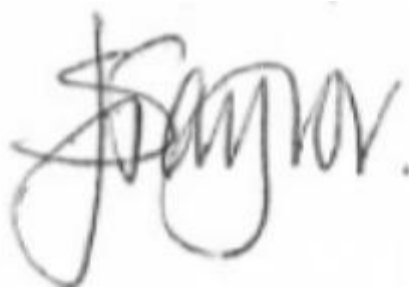
To take some specific examples you have raised previously, updated guidance will make clear that the finding that there is a risk of an adverse effect on the integrity of a protected site must be based on scientific evidence, not merely hypothetical.

We will also make clear in guidance that only relevant information needs to be considered in reaching conclusions on the risks to a protected site - we have all heard of cases where quantity has replaced quality in carrying out Habitats Regulations Assessments, but this is not what the regulations demand.

The updated guidance will also make clear that small effects which do not have any prospect of risking harm to a protected site can, and should, be screened out. As highlighted during report we will utilise guidance to set out more clearly where there is already flexibility in the law in considering appropriate compensatory measures under Regulation 68 of the Habitats Regulations.

We will continue to consider ways in which the operation of the Habitats Regulations can be improved so that they provide the certainty and efficiency that developers quite rightly demand, while protecting our most valuable habitats and species. Should the updated guidance not be sufficient to provide clarity, the government may consider whether legislative changes are required, in careful consultation with developers, planners, ecologists and other relevant stakeholders. I hope this has sufficiently addressed all your concerns and we look forward to continuing to engage with you on this subject following the passage of the Bill.

Yours ever,

A handwritten signature in dark ink, appearing to read 'J. Taylor', is centered below the text 'Yours ever,'.

BARONESS TAYLOR OF STEVENAGE

Parliamentary Under-Secretary of State for Housing and Local Government