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Our Ref/Ein Cyf: RLDP Examination
Your Ref:/Eich Cyf:
Date/Dyddiad: 27th May 2026

Dear Ms de-Courcey and Ms MacFarlane,

Monmouthshire Replacement Local Development Plan (RLDP) – Initial Questions

This letter sets out the Council's response to the matters raised by the inspectors in their letter of 11th May 2026.

In response to Matter 1, the Council confirm that an officer(s) with delegated authority to make changes to the structure and/or content of the RLDP and agree the preparation of additional evidence will be present at all examination hearing sessions.

The Council's response to Matter 2 regarding The Environment (Principles, Governance and Biodiversity Targets) (Wales) Act 2026 is appended to this letter.

Please let us know if you have any further questions on the above.

Yours sincerely,

Andrew Jones
Head of Planning/Pennaeth Cynllunio

Appendix 1

Matter 2 - The Environment (Principles, Governance and Biodiversity Targets) (Wales) Act 2026 defines statutory 'environmental principles' to which regard must be had when carrying out functions in connection with the assessment of plans and programmes. We request that the Council provides an explanation of how these principles are taken account of in the RLDP and Integrated Sustainability Appraisal.

Introduction

Part 1 of the Act provides that at Section 5 certain public authorities are required to, for the purpose of contributing to the environmental objective, have regard to the environmental principles and integrate environmental protection when carrying out any functions in connection with the assessment of plans and programmes relating to Wales under the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 or any corresponding provision replacing those Regulations. These are commonly referred to as Strategic Environmental Assessment(s) or "SEA".

The Council considers that the environmental principles set out in the Environment (Principles, Governance and Biodiversity Targets) (Wales) Act 2026 are embedded throughout the RLDP policy framework, and while not explicitly listed within the ISA are embedded in the methodology.

The Act identifies four key environmental principles:

- The precautionary principle so far as relating to the environment
- The principle that preventative action should be taken to avoid environmental damage
- The principle that environmental damage should as a priority be rectified at source
- The polluter pays principle

Integration through the Integrated Sustainability Appraisal (ISA)

The environmental principles are fully embedded as part of a best practice approach to ISA preparation. The assessment methodologies are defined in each iterative ISA Report and used consistently throughout the process. The methodology for the ISA is shaped by the requirements of the SEA Regulations, the primary purpose of which are to:

- Provide a high level of protection to the environment
- Promote sustainable development
- Integrate environmental considerations into the preparation and adoption of a plan or programme

In this respect the ISA, through meeting the provisions of the SEA Regulations, aligns with the environmental principles set out by the Act.

The ISA methodology identifies that:

"Given uncertainties there is a need to make assumptions, e.g. in relation to plan implementation and aspects of the baseline that might be impacted. Assumptions are made cautiously and explained within the text". (SD28, para 8.2.2)

Following this approach the precautionary principle applies.

In line with the provisions of the SEA Regulations, due regard is given to preventative actions (predominantly policy directions) proposed by the Local Plan or being implemented through other plans and policies. The ISA also seeks to identify where sensitive receptors may be affected by the proposals of the plan (e.g., through specific site allocations made in the plan), the alternatives considered, and any measures foreseen as likely to mitigate the impacts of development. Mitigation is explored with an 'environment first' approach, free from (where reasonable to do so) limitations such as viability considerations (which become a consideration for the Council/ plan-makers), with the intention of showing the full extent of preventative measures that might be taken or opportunities that may exist.

Also, of note, is one of the primary intentions of ISA, which is to explore the spatial strategy (and sites), including via alternatives, and present this information to statutory consultees and stakeholders in a clear and effective way, providing a forum for comment and progression. A notable example of this in the Monmouthshire ISA, is the consideration given to growth at one of the main settlements, Monmouth, where nutrient neutrality solutions have had significant bearing on its direction for growth.

Integration through the RLDP Policy Framework

The RLDP takes the Environmental Principles into account through policies relating to Climate Change (Strategic Policy S4), Green Infrastructure & Nature Recovery (Strategic Policy S5, Development Management Policies for Natural Heritage e.g. Green Infrastructure and Nature Recovery), Sustainable Placemaking (Strategic Policy S3) and the Sustainable Transport policies (Strategic Policy S13 and Development Management Policies ST1).

The Environmental Principle *Precaution* is embedded through protective policies and risk-aware spatial planning. There is a strong policy framework on climate change and nature recovery (S4, S5). Precautionary policies that provide protection include those for Landscape (Development Management policies LC1-LC5), the water environment (Development Management Policy NR3), and policies with reference to protected and priority sites and species e.g. Section 7 (NR1). Taken together these policies provide an assumption of risk to biodiversity, water, and climate where development is not adequately managed, even where evidence may be incomplete, and seeks to embed protective policies across site allocations (S8 principles) and development management (e.g. GI1, NR1). Notably, the inclusion of the policy that considers Severn Estuary recreational pressures (NR2), shows precaution toward cumulative/uncertain impacts through the provision of a Severn Estuary Mitigation Strategy.

The *Prevention* principle is in place to avoid environmental harm before it happens. The Spatial strategy (S1 & S2) directs development to existing sustainable settlements reducing pressure on rural and sensitive areas, whilst the Green Wedge policy (GW1) alongside other countryside protection policies (LC1- LC5) restrict inappropriate development. Placemaking Policy (S3) requires considering environmental effects at design stage and embedding elements such as Green Infrastructure and Sustainable Transport into schemes from the outset. Specifically, the Sustainable Transport Policy (S13) promotes sustainable modes, reducing emissions at source.

Through the development of the RLDP vision, Growth and Spatial strategies of the plan, location-based avoidance is demonstrated to deliver the right development in right place. Placemaking policies emphasise design-stage mitigation to prevent harm to landscapes and biodiversity. Housing allocation policies include these placemaking principles (S8) and provide site specific parameters to prevent harm to the natural environment and deliver Green Infrastructure, Landscape protection and Nature Recovery.

The *Rectification at Source* principle is demonstrated through Development Management Policies that cover sustainable drainage systems (CC1) which manage water impacts on-site by managing runoff where it is created, Green Infrastructure policy (GI1) which requires integrated site-level GI led design, Pollution and water protection (NR3) which controls impacts and site allocation policies include specific placemaking/infrastructure requirements for each site. Policy NR1 embeds the 'step-wise' approach which seeks to address ecological impacts on-site in the first instance.

The *Polluter Pays* principle is consistent with standard Welsh planning practice and is clearly embedded in the plan. The Infrastructure Policy (S6) requires development to provide or fund necessary infrastructure. The requirement for affordable housing, green infrastructure, nature recovery (Severn Estuary), and sustainable transport contributions are embedded across policies alongside other requirements that have wider socio-economic and environmental benefits such as recreation and education.

The policies that support the four Environmental Principles provide an integration of environmental protection across the Replacement Local Development Plan. Dedicated chapters for Climate Change and Green Infrastructure, Landscape and Nature Recovery set the foundation for these however, they are embedded across the plan through the work of the spatial strategy, site allocations and wider development management policies.

Biodiversity Targets

Originally the Bill placed the duty on Welsh Ministers to set and deliver targets with public bodies supporting their delivery. However, following recommendations from the Climate Change, Environment and Infrastructure Committee and multiple reviews which have found that public bodies continue to fail with their Section 6 duty, and biodiversity decline continues. Whilst not confirmed at this time it is possible that certain public bodies (to include councils) will be expected to deliver against the primary and secondary biodiversity targets. In doing so, the targets will:

- Set concrete targets rather than vague obligations
- A mechanism for monitoring progress
- A legal basis for assessing whether public bodies fulfil their biodiversity duty

Welsh Government has established a working group to design the first set of overarching biodiversity targets which will be established in regulations made under the biodiversity targets framework to be inserted into the Environment (Wales) Act 2016 by Part 3 of the Bill. Targets must be set under the four priority areas set out in section 6C of the Environment (Wales) Act 2016; reducing the risk of the extinction of native species; the effective

management of ecosystems; reducing pollution; and the quality of evidence to inform decisions relating to biodiversity.

Once the second tier of targets for public bodies has been developed, Monmouthshire County Council (MCC) will input/support as required in the event it is determined there is a requirement to deliver these. It is recognised that liaison with the Welsh Local Government Association (WLGA) during this process would be appropriate for all local authorities.

Overall Approach

Taken together, the ISA and RLDP demonstrate a comprehensive and integrated application of the environmental principles. The ISA provides the analytical framework to identify, assess, and mitigate environmental effects, while the RLDP embeds these principles within its policies and spatial strategy to ensure they are delivered through decision-making. The environmental principles are therefore incorporated holistically across the Plan-making and assessment process, consistent with national policy and legislative expectations.