



Dear Ms de-Courcey and Ms MacFarlane,

Monmouthshire Replacement Local Development Plan (RLDP) – Initial Questions

Further to previous correspondence regarding the Inspectors' initial questions, additional information has been prepared to address the issue of the effect of proposed development in the RLDP on riverine Special Areas of Conservation (SACs) in relation to the discharge of phosphorus and is attached for your information.

To address the matters raised, the updated Phosphates Position Paper (April 2026) sets out the following:

- The significant environmental challenge posed by water quality issues in the River Wye and River Usk SAC catchments and an overview of the approach and work undertaken to date by Monmouthshire County Council (MCC) and its partners in addressing the issues, including an overview of the current and future strategies and actions of MCC and relevant Nutrient Management Boards.
- Information on the potential increase in nutrient loading in the Usk and Wye SAC catchments from the implementation of the RLDP.
- Further investigation of whether phosphorus contributions from the developments proposed within the RLDP via foul wastewater treated at Monmouth Wastewater Treatment Works (WwTW) could cause deterioration of the Lower River Wye back to a failing condition, and the implications of this on nutrient neutrality restrictions and the need for any mitigation. While this work was not requested by the inspectors, the Council were advised by NRW to consider the impact of the RLDP proposals on the condition of the SAC.
- Consideration of the recent judgement of *CG Fry & Sons Ltd v SSHCLG* [2025] UKSC 35 (in relation to the requirement for HRA on the discharge of planning conditions) on the delivery of committed sites and identify any assumptions made in relation to windfall allowances.
- Consideration of whether nutrient contributions from non-residential development need to be considered.
- A Strategic Mitigation Options Report which investigates strategic mitigation solutions for RLDP development proposals in the Usk and Wye catchments.
- A Nutrient Mitigation Action Plan which sets out the mitigation pathways and associated requirements that ensure nutrient mitigation can be implemented and secured when needed, demonstrating that the RLDP is deliverable in line with its milestones.
- A high-level overview of the viability implications of potential mitigation measures.
- A review of the Deposit RLDP policies, identifying any amendments required in light of the matters raised. Updates to the Infrastructure Delivery Plan are also set out. These updates are set out in a schedule of proposed changes to the RLDP.
- An updated Habitats Regulations Assessment (HRA) Addendum. Following positive discussions with NRW, the HRA Addendum has been sent to NRW for review. It has been agreed that NRW will provide feedback to the Council by Friday 15th May 2026. MCC will forward NRW's response to PEDW as soon as this is received.

Please let us know if you have any questions on the above and/or attached Phosphate Position Paper.

Yours sincerely,

Andrew Jones
Head of Planning/Pennaeth Cynllunio