

Archwiliad Cynllun Datblygu Lleol Newydd Sir Fynwy 2018-2033 Monmouthshire Replacement Local Development Plan 2018-2033 Examination

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Andrew Jones
Head of Planning
Monmouthshire County Council

17 June 2026

Dear Mr Jones

Monmouthshire Replacement Local Development Plan (LDP) – Further information

Thank you for the submission of the Phosphate Position Paper, and supporting documents, in response to our request regarding the effects of nutrients on riverine Special Areas of Conservation (SACs), and the accompanying response from Natural Resources Wales (NRW) dated 4 June 2026.

In our letter of 1 December 2025, we considered that *‘the information provided in respect of other measures to be insufficient to meet the requirements of Welsh Government’s ‘Interim Planning Policy Statement on Development in SAC Rivers’ (5 August 2025), particularly the need to demonstrate that appropriate steps to avoid deterioration have been secured’*. Having reviewed the Council’s further information, we do not consider that this has been adequately addressed, and further information is required in order to inform discussions at the forthcoming hearing sessions and our assessment of the soundness of the LDP.

We note the Council’s statements that, following NRW’s Review of Permits, potential capacity exists within wastewater treatment works to facilitate proposed development within the SAC catchments. Under the ‘fair share’ principle, such an approach is reliant on effective co-operation taking place across sectors, and paragraph 6.6.33 of the Interim Planning Policy Statement requires demonstration that appropriate steps to avoid deterioration of the SAC have been secured. We also note the Council’s latest position, set out in its Hearing Statement M1/1, states in paragraph 11.2 that *‘The HRA Addendum, together with the Phosphate Position Paper (ED15c), reflects an evolving integrated approach to nutrient management, consistent with Welsh Government’s position’*.

To this end, we request that the Council identifies, where possible, the other measures being relied upon across the lifetime of the LDP to avoid deterioration and achieve restoration of the SACs, and whether these can be regarded as 'secure' in line with the requirements of paragraph 6.6.33 of the Interim Planning Policy Statement. Interdependence between the delivery of these measures and development in the LDP should be clearly identified, which will enable new development to take place where delivery milestones are achieved (as per paragraph 6.6.34). Where measures are identified, opportunities for integrated mitigation, including through developer contributions, which increase the scale, magnitude or scope of restoration measures, or speed up the delivery of such measures, should be considered (in line with paragraph 6.6.35).

The Council should also consider, and provide a response on, the role of Catchment Nutrient Reduction Plans (CNRPs), as referred to within Welsh Government's 'Position Statement – Nutrients' [ED21], and whether these represent sufficiently 'secure' measures given their emerging nature. We have written to NRW requesting an update on CNRPs and would encourage the Council to liaise to ensure complementary responses are provided.

The integrated approach to restoration and mitigation should be reflected in a 'policy caveat' approach which renders the granting of planning permission conditional upon the delivery milestones for on-going and future improvement measures being achieved, with a recognition that developer-led mitigation to achieve nutrient neutrality will be required where milestones are not being met. The Council is therefore requested to consider the need for further amended wording for Policy NR3 and its supporting text to incorporate this approach. If further changes are proposed, these should be reflected in an updated HRA, which should be consulted upon with NRW, and schedule of proposed changes to the LDP. The Council should also consider whether consequential updates are required to the mitigation action plan (noting the requirements of paragraph 30 of Welsh Government's 'Clarification Note on applying the Tests of Soundness to LDPs where additional nutrients may impact on SACs' (March 2026)), Infrastructure Delivery Plan and viability evidence base.

We would appreciate the Council's response to the above by **15 July 2026**.

If any of the matters we have set out above are unclear, please contact the Programme Officer as soon as possible.

This letter will be published on the examination website. We are not inviting any comments or responses from interested parties.

Yours sincerely,

J de-Courcey and C MacFarlane

INSPECTORS