



Monmouthshire Replacement Local Development Plan

2018-2033

Proposed Update to Policy NR3 – Protection of Water Sources and the Water Environment

August 2026



monmouthshire
sir fynwy

Proposed Update to RLDP Policy NR3 – Protection of Water Sources and the Water Environment (August 2026)

Policy NR3: Protection of Water Sources and the Water Environment has been further amended following discussions between the Council and Natural Resources Wales (NRW) in response to NRW's comments on the HRA Addendum – Nutrients (July 2026). Whilst NRW supported the overall intent and approach of the policy as previously worded¹, it recommended a number of amendments to improve clarity, streamline the drafting and ensure closer alignment with the Habitats Regulations Assessment process. As a result of this collaborative work, the Council and NRW have jointly agreed the revised policy wording set out below, which is proposed as an update to Policy NR3.

Revised Policy NR3 – Protection of Water Sources and the Water Environment

Development, which may impact upon the water environment and associated land, will only be permitted where it:

- a) Would not harm or pose an unacceptable risk to the capacity or flow of groundwater, surface water or coastal water systems;
- b) Would not harm or pose an unacceptable risk to the quality and quantity of ground waters, surface waters, wetlands or coastal water systems including, where appropriate, their ecological and amenity value; and
- c) Where practicable and reasonable, improves water quality.

Notwithstanding the above, development likely to have a significant effect on a European Site, either alone or in combination with other plans or projects, will only be permitted where the competent authority is satisfied, through a Habitats Regulations Assessment, that there will be no adverse effect on site integrity and that the conservation objectives of the designated site can be met. This may be achieved through avoidance measures, wider restoration measures, strategic and/or project-specific mitigation, or a combination of such measures, where these are demonstrated to be effective, deliverable and sufficiently certain.

Within the hydrological catchment of the riverine SACs, development proposals will only be permitted where it can be demonstrated through a Habitats Regulations Assessment that:

- a) They are not a source of additional phosphorus; or
- b) Where they are a source of additional phosphorus, but there is no pathway by which it can enter the SAC water body environment; or

¹ The previous version of Policy NR3 can be viewed in the updated Deposit RLDP Schedule of Proposed Changes (August 2026) (ED29).

- c) The proposal will not give rise to a likely significant effect, either alone or in combination with other plans or projects, including through the application of an evidence-based threshold approach or, where it can be demonstrated, taking account of fair-share principles, that sufficient capacity exists within the environmental permit limits of the Wastewater Treatment Works serving the development. Where a development is seeking to rely on capacity at the Wastewater Treatment Works, this should not result in any deterioration to a SAC failing to meet phosphorus targets or delay the achievement of a SAC meeting its conservation objectives. Where necessary, the phasing of development will be required to align with the delivery of wastewater infrastructure improvements.
- d) A conclusion of no adverse effect on site integrity can be reached through a mitigation-based pathway, following the hierarchy established in national policy, whereby an Integrated Approach is preferred, and Nutrient Neutrality is applied where necessary. Where mitigation measures are required, applications must be accompanied by a Nutrients Mitigation Assessment, which demonstrates with sufficient certainty that there will be no adverse effect on site integrity.