



Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG

QUESTIONS AT ANY TIME TO CABINET PORTFOLIO HOLDERS

Response by the Portfolio Holder:

Thank you for your question. Natural Resources Wales updated its planning advice on phosphorous and riverine SACs for Local Planning Authorities at the end of May 2021. The latest advice can be read here:

<https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/advice-to-planning-authorities-for-planning-applications-affecting-phosphorus-sensitive-river-special-areas-of-conservation/?lang=en>

The updated advice from NRW introduced additional requirements in relation to the density of private treatment plants, and states that, “to ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground. The density of discharges to ground should also not be greater than 1 for every 4ha (or 25 per km²).”

The advice has consequences for all planning applications within the river SAC catchments in Powys and elsewhere in Wales where development proposals would generate additional waste water or organic matter containing phosphate. The advice impacts on proposals for dwellings, tourism accommodation, agricultural and commercial development as well as other forms of development. The impacts will vary across the SAC catchments from location to location and from settlement to settlement. Applications which generate additional phosphate will only be acceptable where they can demonstrate that they can comply with NRW’s advice and have been screened (and an appropriate assessment undertaken if necessary) by the Local Planning Authority under the Habitats Regulations and found not to have a likely significant effect on the river SAC.

In my role as Cabinet member for Housing, Planning and Economic Regeneration, I wrote to Ruth Jenkins, Natural Resources Wales’s Head of Natural Resource Management in May, seeking clarity on the rationale behind lower nutrient targets, phosphate sources and, any work being undertaken by NRW to achieve future compliance across all sectors. No response has been received to date.

Given the impacts and consequences of NRW’s advice on the planning system across Wales, the authority has been working jointly with other local authorities, NRW, Welsh Government, Dwr Cymru Welsh Water, the Planning Inspectorate Wales, through a River SACs Planning Group to identify and work towards potential solutions. Members will be provided further information on the actions being taken at a future Member training event. A higher tier oversight group led by Welsh Government has also been established to ensure wider cross-sector action is taken to improve the water quality of Wales’ river SACs.