

## **RUGBY BOROUGH COUNCIL**

### **QUESTION PURSUANT TO STANDING ORDER 10**

**COUNCIL – 20 SEPTEMBER 2023**

#### **QUESTION E**

**Councillor Sandison to ask the Leader of the Council, Councillor Poole:**

“The RSPB and Wildlife Trust are incredibly worried that Michael Gove MP is relaxing pollution legislation regarding new development as it pertains to English rivers. Currently 14% of English rivers meet the good ecological condition standard and this figure could fall to as low as 6% by 2027 according to the Environment Agency.

Will the Council be involved in any consultation or new planning guidance regarding this important matter which could impact upon our blue and green infrastructure and any policy considerations affecting future local plans?”

**Councillor Poole, Leader of the Council, to reply as follows:**

“At present, before granting a planning permission which might have a significant effect of a European site (a protected, valuable habitat which is designated as either a Special Protection Area or a Special Area of Conservation) a local planning authority must consider the project’s implications on the site’s conservation objectives. This is called ‘appropriate assessment’. Permission can then only be granted if the appropriate assessment determines that the development will not adversely affect the integrity of the European site.

Across many parts of the country, but not Warwickshire, there is an issue with excessive nitrates leading to eutrophication (algal blooms) undermining the integrity of rivers that are designated as European sites. This led Natural England to advise that planning permissions for new houses in the catchment areas of those rivers should not be granted unless it can be demonstrated that the development is ‘nutrient neutral’. In other words, that it wouldn’t release nutrient pollution into the river catchments through sewage.

This has caused housebuilding to stop in some parts of the country because nutrient neutrality is difficult to achieve. In response, the government’s amendment to the Bill would remove consideration of the impacts of nutrient pollution from the appropriate assessment process for most planning applications. Alongside this amendment, the government has tabled other amendments seeking to tighten the rules for permitted levels of nutrients in waste water by 2030 and tackle nutrients in agricultural run-off.

As the Government’s amendments are to a proposed act of parliament, Rugby Borough Council will not be consulted on them. As noted above, Rugby Borough does not lie within the catchment area of any of the protected rivers which are subject to nutrient pollution issues. Therefore, the proposed amendment, if enacted would not alter our consideration of planning applications.

Notwithstanding that, the ecological health of our rivers is being considered through the ongoing Water Cycle Study which has been jointly commissioned with other Warwickshire authorities as local plan evidence.”