

Shropshire Council (Development Plans)  
Forward Planning Team  
Shirehall Abbey Foregate  
Shrewsbury  
Shropshire  
SY2 6ND

**Our ref:** SV/2016/109232/OR-13/PO1-L01  
**Your ref:** Reg 16 Bishops Castle  
**Date:** 29 August 2023

Dear Sir/Madam

**Re: Bishops Castle Neighbourhood Plan Regulation 16 Consultation**

Thank you for referring the Bishops Castle Neighbourhood Plan for our consideration.

We have previously provided comment on the SEA Scoping Report consultation (July 2021).

We note the allocation of a housing site at School House Lane to deliver up to 40 dwellings. The **Policy BC1: Housing allocation and change to the development boundary** acknowledges the need to protect the River Clun SAC and requires appropriate assessment and mitigation of nutrient pollution or inhibits development until after 2030, in line with a potential statutory duty on water and sewerage companies in England to upgrade wastewater treatment works to the highest technically achievable limits in nutrient neutrality areas.

It should be noted that the Levelling Up and Regeneration Bill, on which the 2030 date quoted in Policy BC1 relies, has not passed Royal Assent and there is no guarantee that this statutory duty will become law.

We have concerns on the deliverability of the proposed allocation site and consider its inclusion within the Bishop Castle Neighbourhood Plan premature.

We raised concerns about the inclusion of allocations for Bishop Castle, within the River Clun catchment, in the emerging Shropshire Local Plan due to issues of deliverability as a consequence of nutrient neutrality issues. These concerns remain outstanding.

The River Clun Catchment is an area at risk from nutrient pollution. Part of the River Clun is a Special Area of Conservation (SAC) notified solely for the presence of Freshwater Pearl Mussels. The SAC is within Unit 6 of the River Teme Site of Special Scientific Interest (SSSI), which was assessed at March 2014 as being in unfavourable declining condition for several reasons. These include high levels of silt and nutrients (particularly ortho-phosphate and nitrogen) which affect the health of the pearl mussel population.

The Habitat Regulations Assessment (HRA) for this Plan shows that most development in the River Clun catchment is likely to have an adverse effect on the River Clun SAC.

At present there is not a sufficient level of certainty that nutrient mitigation measures can deliver sufficient reduction in nutrient pollution to enable further development and it is unclear when such would be available.

We refer you to the statement of common ground between the EA and Shropshire Council, dated August 2021 which includes commentary on the issues within the catchment and our soundness concerns, and also our letter dated 7<sup>th</sup> December 2022 to Shropshire Council Planning Policy regarding matters relating to Clun catchment growth and nutrient neutrality.

Environment Agency  
Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

You should seek consultation with Natural England on this matter.

Yours faithfully

**Emma Millband**  
**Planning Officer**

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