



HEREFORDSHIRE COUNCIL MINERALS AND WASTE LOCAL PLAN EXAMINATION IN PUBLIC NOVEMBER 2022

Historic England Statement:

Main Matter 1 Legal Compliance: Duty to Co-operate

Q5 *What is the latest position regarding discussions with Historic England regarding heritage assets? Are there any outstanding unresolved issues?*

1.0 Overview and recommendation

- 1.1 Historic England welcomes the heritage impact assessment work that has been undertaken in relation to sites where concerns were previously highlighted. These matters are dealt with separately in separate statements for other MIQ. The only outstanding unresolved issues relates to policy criteria wording for heritage assets.
- 1.2 The February 2022 Schedule of Main Modifications and Minor Changes proposed pre-Examination proposes revised text for heritage assets in:
- MM9.d.5 Hereford Enterprise Zone (Rotherwas Industrial Estate) Policy W5(2);
 - MM9.d.8 Land between Little Marcle Road and Ross Road Policy W5(2);
 - MM9.d.9 Leinthall Quarry Policy M4(2a);
 - MM9.d.10 Leominster Enterprise Park Policy W5(2);
 - MM9.d.24 Leominster Household Waste Site and Household Waste Recovery Centre Policy W5(3);
 - MM9.d.12 Model Farm Policy W5(2);
 - MM9.2.13 Moreton Business Park Policy W5(2);
 - MM9.d.15 Perton Quarry Policy M4(2a);
 - MM9.d.17 Southern Avenue Policy W5(2);
 - MM9.d.19 Three Elms Trading Estate Policy W5(2);
 - MM9.d.21 Wellington Quarry Policy M3(2a) and Policy W6(2);
 - MM9.d.22 Westfields Trading Estate Policy W5(2); and,
 - MM9.d.23 Westonhill Wood Delves Policy M5(1a and b).
- 1.3 The proposed text requires a 'Need to demonstrate less than substantial harm' in relation to heritage assets and setting. Our response to the Council on 15 September 2022 set out our concerns in respect of this matter as follows:

In respect of the main modifications, some proposals are in line with advice we have provided at the earlier consultation stages but we continue to have concern about



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the wording used for heritage assets in the site criteria sections: 'Need to demonstrate less than substantial harm on heritage asset(s) and their setting(s)...'. In terms of impact on heritage assets and settings, in respect of a site allocation in a Plan, the Plan should be able to demonstrate that a site is developable and deliverable in relation to the historic environment.

At present, the wording suggests that the Plan cannot demonstrate that the site it is putting forward for possible development is compatible with the Council's own policies for the protection of the historic environment or the requirements set out in the NPPF.

- 1.4 Historic England recommends that the Heritage Assets criteria text for all the sites set out in 1.2 above be revised to read '*Any planning application and accompanying site working scheme should include a satisfactory site layout (including screening and stand-offs where necessary) and management scheme that clearly demonstrates it can adequately minimise and mitigate the impacts of the proposed development on heritage assets and/or their setting*' or similar alternative wording.