

Minerals and Waste Local Plan

Response to Aymestrey Parish Council

**Main Matter 3 - Strategic Policies
Question 28**

**Main Matter 4 - Provision for Aggregates Supply
Policy M4**

**Main Matter 7 - Strategy for Waste
Questions 102 to 106**

1. Introduction

- 1.1 This document is prepared by Herefordshire Council (HC) to provide written response to the *Statements submitted by Aymestrey Parish Council* (Examination Library refs. [D4.17](#), [D4.18](#), [D4.19](#), [D4.20](#), [D4.21](#) & [D4.22](#)) to the *Inspectors' Matters, Issues and Questions* (Examination Library ref. [D4.3](#)).
- 1.2 It is set out in the following order:
- Section 2 – Main Matter 3, question 28
 - Section 3 - Main Matter 4, policy M4
 - Section 4 - Main Matter 7, questions 102 to 106

2. Main Matter 3 – Strategic Policies

Question 28

- 2.1 HC fully considered Aymestrey Parish Council's representation to the Publication Draft MWLP when it was submitted in 2021.
- 2.2 Policy SP1 is proposed to be modified in the *Schedule of Main Modifications and Minor Changes Proposed Pre-Examination* (Examination Library ref. [D3.75](#)) at references MM5.d and MM5.e.
- 2.3 These modifications are believed to address the concerns raised by Aymestrey Parish Council.

3. Main Matter 4 – Provision for Aggregate Supply

Policy M4

- 3.1 Aymestrey Parish Council does not specify which question its statement is focussed upon, but presents concerns in relation to the proposed allocation of Leinthall Quarry.
- 3.2 The proposed allocation of Leinthall Quarry has been carefully considered and is concluded to be appropriate to identify as a Specific Site in the Plan. The allocation is accompanied by site specific key development criteria, which include heritage assets and recognition of the site's proximity to sensitive properties. HC is pleased to note that Historic England has no objection in principle to the allocation of Leinthall Quarry.
- 3.3 Recognising Aymestrey Parish Council's concerns, an amendment to the 'phased working' criterion is proposed:
*'Phased working: Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. **A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.***
- 3.4 Paragraph 210¹ of the *National Planning Policy Framework (NPPF)*, July 2021, Examination Library ref. [D1.25](#)) advises (at the second bullet) that planning policies should:

¹ Paragraph 204 in NPPF, February 2019

'so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;'

- 3.5 The Plan incorporates other policies to promote the use of alternative materials to raw minerals, delivering the policy expectations of the *NPPF*. Policy SP1 promotes the use of alternative materials through the Resource Audit. Developing a stronger local market for these materials will encourage new facilities to be developed. Policy M1,a promotes alternative materials to primary mineral resources. Policies W1, W2, W5 and W6 all allow for the development of facilities to process alternative materials to primary minerals.
- 3.6 Policy M4 has been drafted to address the requirement for mineral planning authorities to plan for maintaining a landbank of at least 10 years for crushed rock (*NPPF*, paragraph 213,f²) (Examination Library ref. [D1.25](#)).

4. Main Matter 7 – Strategy for Waste

Questions 102 to 106

- 4.1 As explained at section 2.1 of the Plan (Examination Library ref. [D3.37](#)), the MWLP forms one element of the Herefordshire Local Plan. Paragraphs 2.2.3 and 2.2.4 of the Plan make clear that it must be read alongside the Core Strategy and that the statutory development plan must be read as a whole.
- 4.2 Consequently, policies W2 and W3 do not offer unqualified support for anaerobic digestion or livestock units. They are policies that form a part of the development plan, providing a framework within which to bring forward appropriate waste management facilities.
- 4.3 Policy wording such as that presented in policy W3 is not normally seen within a development plan document. Policy W3 has been specifically drafted in the Plan in direct response to the evidence that identifies diffuse phosphate pollution from agriculture to be one of the main pressures (alongside sewage treatment works discharges) on the River Wye SAC.
- 4.4 HC is pleased to note that Natural England supports policy W3.
- 4.5 The requirement to demonstrate nutrient neutrality in policy W3,3 is for the development proposed. However, policy W3,1 enables Herefordshire Council to seek a waste management method statement across the whole agricultural unit where that development constitutes development that should be accompanied by Environmental Impact Assessment.

² Paragraph 207,f in *NPPF*, February 2019

Table APC1 Modification to the phased working criterion for Leinthall as proposed

The modification reference follows those set out at Table 2 of the Schedule of Main Modifications and Minor Changes Proposed Pre-Examination (Examination Library ref. 3.75)

Dashed underlining [example] indicates the revised modification, as proposed

Table APC1 Modification to the phased working criterion for Leinthall as proposed

Mod. Ref.	Site Name and Policy	Key Development Criteria
MM9.d.9 (amended)	Leinthall Quarry Policy M4(2,a)	Phased working: Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. <u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u>