



# Herefordshire Minerals and Waste Local Plan

Schedule of Main Modifications and  
Minor Changes

As proposed pre-Examination and as  
through responding to the MIQ

**February 2022 and updated October 2022**

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## 1. Introduction

### 1.1 Context

- 1.1.1 The Herefordshire Minerals and Waste Local Plan, Publication Draft (Publication Draft MWLP, or the Plan) was finalised in January 2021 and made available for consultation during the period 12 April 2021 to 24 May 2021.
- 1.1.2 Responses were received from 26 organisations, some of which have led to proposed modifications to the Publication Draft MLWP.
- 1.1.3 In July 2021, the revised National Planning Policy Framework was published, which prompted the need for some modifications to the Publication Draft MLWP.
- 1.1.4 During the latter half of 2021, and in response to representations received to those documents, some updates were made to the Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessments. These also prompted some modifications to the Publication Draft MWLP.
- 1.1.5 There have also been some minor typos and grammar uses that have been corrected.
- 1.1.6 These are set out in this document.

#### **Update, October 2022**

- 1.1.7 Matters, Issues and Questions were issued from the Examination Inspectors dated 22 August 2022, with Hearing Statements submitted in October from both Herefordshire Council and third parties. Subsequently, the council prepared written responses to the statements submitted by the third parties.
- 1.1.8 Some further modifications to the Publication Draft MWLP have been proposed in the Herefordshire Council submissions and these are also set out in this document. In some cases they update those presented previously; these changes have been shown in this document.
- 1.1.9 Finally, some other inconsistencies have been noticed through undertaking these updates, and these are also addressed in this Schedule.

### 1.2 Main Modifications and Minor Changes

- 1.2.1 Suggested changes to policy text arising from the Regulation 19 responses and other updates that are unlikely to change fundamentally the aims or outcomes of the Plan can be proposed as either Main Modifications or Minor Changes and submitted with the consultation version of the Plan to the Planning Inspectorate for Examination.
- 1.2.2 Main Modifications go to soundness and are for consideration in the Examination. Minor Changes (such as typos, simple updates and corrections) are entirely for the clarity of the Plan and should be kept separate.
- 1.2.3 None of the edits proposed within this document are considered fundamentally to change the aims or objectives of the Plan overall; they are simply clarifications either to update the Plan and/or to ensure that the meaning of policy is clear to all using the Plan.

- 1.2.4 However, the council has taken an approach of erring in favour of defining a change as a Main Modification where there is any change to policy, such that it can be tested through the Examination.
- 1.2.5 Some formatting edits have been made to the Publication Draft MWLP, changes such as making text bold, or deleting unnecessary spaces between words or paragraphs. These are not noted as they make no effect on the Plan other than to tidy it up.
- 1.2.6 Tables 1, 2 and 3 present the schedules of proposed edits to the Plan. The following approach has been used:
- All policy references, paragraph numbers, figure numbers etc are taken from the Herefordshire Minerals and Waste Local Plan, Publication Draft, January 2021.
  - The edits are presented in the order they appear in this version of the Plan.
  - For each edit, information on the proposed change and the reason for that change is given.
  - The amended text is shown in bold text, with new text underlined (**for example**) and deleted text crossed through (~~for example~~).
  - The schedules provide only those whole sentences within which an edit has been made. There may be additional text either side of the sentence, but if it is not reported it has not been changed.

## **Update, October 2022**

- 1.2.7 In Tables 1, 2 and 3 the following approach has been used to indicate the changes made originally or as updated:
- Single strike through of text [~~example~~] or underlining [example] indicates the original modification.
  - Double strike through of text [~~example~~] or underlining [example] indicates the recent modification.
- 1.2.8 In addition, a new section 4 has been prepared to cover the proposed modifications to Figures 3, 4, 6 and 7 and the interactive web mapping.
- 1.2.9 Finally, it is noted that the changes proposed in Table 2 below will need to be made in the Minerals and Waste Plan Publication Draft\_Allocated Sites Appendix.

## 2. Main Modifications Proposed pre-Examination, updated October 2022

2.1.1 Table 1 presents the schedule of Main Modifications proposed to be considered through the MWLP Examination.

2.1.2 Each proposed edit is referenced MMnumber.letter (eg MM4.b) in which:

- MM stands for Main Modification;
- number is the section of the Plan that is being edited; and
- letter is used to identify the order of the Main Modifications within that section eg MM4.a; MM4.b; etc.  
This letter may be updated at the end of the Examination, when all of the Main Modifications have been identified. A letter has been used in this schedule to aid referencing to the Main Modification throughout the Examination. Letters 'i', 'l', and 'o' have not been used as they could be confused for numerals.

2.1.3 Table 2 presents the schedule of Main Modifications to the Key Development Criteria proposed to be considered through the MWLP Examination. These Main Modifications are presented in a separate table for clarity only; they are an integral part of the MWLP.

2.1.4 The edits to the Key Development Criteria have been proposed to:

- incorporate latest advice from a statutory consultee or from the evidence base; or
- to clarify the text.

**Table 1 Schedule of Main Modifications to the Publication Draft MWLP, updated October 2022**

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
<b>Section 3. Vision, Objectives and Spatial Strategy</b>			
MM3.a	3.3.8	The MWLP can enable a steady and sustainable supply of construction minerals to be delivered through a positive policy approach, identifying <b>specific sites for quarry working</b> and preferred areas <b>of search for mineral working</b> .	For clarity.
<b>Section 4. Vision, Objectives and Spatial Strategy</b>			
MM4.a	Vision	Over the period to 2041, Herefordshire will deliver sustainable provision of minerals supply and waste management, balancing development needs whilst supporting the county's communities, <b>protecting conserving</b> and enhancing environmental, heritage and cultural assets and strengthening the local economy.	To bring text up to date and provide a more forward looking approach.
Table 1 MWLP Objectives			
MM4.b	Objective 2	To prioritise the long-term conservation of primary minerals through enabling provision of sustainable alternatives, effective use of mineral <b>reserves-resources</b> , and promoting efficient use of minerals in new development.	To replace text with the correct terminology and to ensure the principle is applied more widely than just permitted reserves.
MM4.c	Objective 3 (new)	To safeguard appropriate mineral and waste resources, and associated transport infrastructure, within Herefordshire.	To replace the missing objective.
MM4.d	Objective 11	To address the causes and impacts of climate change relating to minerals and waste development activity, including using opportunities arising from minerals and waste operations and reclamation activity to <b>decarbonise, to</b> mitigate and adapt to climate change and to leave a positive legacy.	To incorporate a request made in representation and to explicitly recognise the objective to achieve decarbonisation.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM4.e	4.3.6	No preferred areas <del>of search</del> are identified for sandstone, clay, coal or gas. Sandstone is worked as low-key development in small delves; the potential for harm is limited. There is little evidence to suggest that clay, coal or gas will be exploited over the plan period.	For consistency.
<b>Section 5. Strategic Policy and General Principles</b>			
MM5.a	5.1.8 (new)	<b><u>Each of the site allocations made in policy of the MWLP is accompanied by key development criteria. To avoid repetition and for clarity in the MWLP, these criteria are provided in the Site Allocation appendix and set out at section 9 of the MWLP; however, they are referenced within and form a part of each policy within which they are referenced.</u></b>	To address comment raised in representation and to clarify the policy status of the key development criteria.
MM5.b	5.3.1 (new sentence)	<b><u>In addition, the railheads at Moreton-on-Lugg (operational) and at Moreton Business Park (not-operational) provide the opportunity to increase non-road based transport.</u></b>	To address comment raised in representation that railheads in Herefordshire were not appropriately recognised.
MM5.c	5.5.14	New development requires significant volumes of construction materials, and the facilities provided on site can affect <del>how it performs</del> <b><u>the sustainability of that development</u></b> through its operational lifetime.	To improve clarity in the text.
MM5.d	Policy SP1 (new text at start of policy)	<b><u>Development proposals will be supported where they adopt sustainable design principles, construction methods and procurement policies. This includes using the minimal amount of primary materials, reusing or facilitating the recycling of wastes and materials generated on site and using alternative construction materials sourced from secondary and recycled aggregates.</u></b>	To ensure the policy is explicit about the intended outcome.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM5.e	Policy SP1,2	requiring <b>all applicants to submit</b> <del>submission of</del> a Resource Audit that identifies the quantum required and approach to sourcing construction materials, the amount and type of waste that is expected to be produced by the development and end of life considerations for the development materials.	To ensure the policy is explicit about who is expected to submit the Resource Audit.
MM5.f	Policy SP2,1	Planning permission will be <b>granted supported</b> for <del>mineral</del> development proposals that optimise opportunities to improve public access to open spaces, <b><u>including provision of new open spaces</u></b> , integrating historic context and green infrastructure as appropriate.	To make the policy text consistent throughout the MWLP and to clarify the role of new open spaces. (MIQ: 30) A modification is also proposed to apply the policy consistently to minerals and waste developments
MM5.g	Policy SP3	Planning permission will be <b>granted supported</b> for minerals or waste development where it is demonstrated that the arrangements for the transport of mineral, waste or other materials ... Electric powered vehicles would be considered an appropriate alternative to fossil fuel powered vehicles, <b><u>particularly where conveyors or pipelines are not appropriate</u></b> .	To make the policy text consistent throughout the MWLP and to clarify the role of electric powered vehicles. (MIQ: 34)
MM5.h	5.11.9	As a starting point, developers should refer to the particular issues identified in the key development criteria <del>(section 9)</del> established for <del>the</del> <b><u>each</u></b> allocated sites and the Green Infrastructure Strategy already in place.	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM5.j	5.10.7 (new)	<b><u>Policy SP3 seeks proposals that will minimise the potential for adverse effects. This test does not support an impact that is demonstrated to be minimised, but which remains unacceptable. The test is a proactive and positive one, seeking to deliver a level of effect that is acceptable and, where possible reduced further, such that the potential for adverse effects is minimised.</u></b>	To clarify the policy expectation. (MIQ: 33)



Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM5.k	5.4.23	As recognised in the Core Strategy, green infrastructure is a practical way to consider sustainable development. The preferred areas <del>of search</del> for minerals development and the spatial strategy for waste development reflect the priority areas of the green infrastructure concept map (Green Infrastructure Strategy, Figure 4-3 <sup>1</sup> ). This overlap means that minerals and waste development have a good reference and potential to deliver integrated benefits on site and at a landscape scale.	For consistency.
<b>SECTION 6. Minerals</b>			
MM6.a	Policy M2(1,a)	the development would not sterilise or prejudice the future extraction of the mineral resource because it can be demonstrated that the resource: is not of economic value; occurs at depth and can be extracted in an <b>economically viable</b> alternative way; does not exist; or has been sufficiently depleted by previous extraction; or	To reflect request made in representation and to explicitly recognise that mineral extraction needs to be economically viable, and to correct the grammar.
MM6.b	Policy M2,2	Where the operation of an existing mineral working, <b>including associated infrastructure</b> , could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant shall be required to provide suitable mitigation before the new development is completed.	To ensure the policy is explicit that the agent of change principle applies to infrastructure as well as working.
MM6.c	6.2.3	<b><u>To this end, policy M3 has been drafted on the assumption that reserve in Herefordshire supplies 100% of the forecast sand and gravel demand.</u></b>	To clarify this position.
MM6.d	6.2.9	<del>In addition to</del> <b>As part of</b> this policy framework, the allocated sites are accompanied by key development criteria that present particular issues to be comprehensively addressed in association with any development proposal. There is no key development criteria for the preferred areas <del>of search</del> ; they are	To ensure that the KDC are recognised as an element of policy under which each site is allocated. For clarification.

<sup>1</sup> [https://www.herefordshire.gov.uk/download/downloads/id/2063/herefordshire\\_green\\_infrastructure\\_strategy.pdf](https://www.herefordshire.gov.uk/download/downloads/id/2063/herefordshire_green_infrastructure_strategy.pdf)

Mod. Ref.	Paragraph/policy/figure reference	Proposed Modification	Reason for Change
		too extensive. However, this does not mean that development proposals within these areas will not be subject to the same level of scrutiny.	
MM6.e	Policy M3(2,a & b)	a. Specific Sites (presented in alphabetical order) subject to the key development criteria <del>set out at section 9:</del> ... b. Preferred Areas <del>of Search:</del> ...	To ensure that the KDC are recognised as an element of policy under which each site is allocated and for clarity.
MM6.f	Policy M3,3	Only where it is demonstrated to be necessary to maintain an adequate landbank or there is a shortfall in production capacity available at the Specific Sites or Preferred Areas <del>of Search</del> , will sand and gravel extraction <del>will</del> be supported in any other area of <del>reserve resource</del> .	To replace text with the correct terminology and for clarification.
MM6.g	6.2.12	<b><u>To this end, policy M4 has been drafted on the assumption that reserve in Herefordshire supplies 100% of the forecast crushed rock demand.</u></b>	To clarify this position.
MM6.h	6.2.18	<b><u>In addition to As part of</u></b> this policy framework, the allocated sites are accompanied by key development criteria that present particular issues to be comprehensively addressed in association with any development proposal.	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM6.j	Policy M4(2,a & b)	a. Specific Sites (presented in alphabetical order) subject to the key development criteria <del>set out at section 9:</del> ... b. Preferred Areas <del>of Search:</del>	To ensure that the KDC are recognised as an element of policy under which each site is allocated and for clarity.
MM6.k	Policy M4,3	Only where it is demonstrated to be necessary in order to maintain an adequate landbank or there is a shortfall in production capacity available at the Specific Sites or Preferred Areas <del>of Search</del> , will limestone extraction be supported in any other area of <del>reserve resource</del> .	To replace text with the correct terminology and clarity.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM6.m	6.3.6	<b>In addition to As part of</b> this policy framework, the allocated sites are accompanied by key development criteria that present particular issues to be comprehensively addressed in association with any development proposal.	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM6.n	Policy M5(1,b)	the lateral extension and/or deepening of workings at the following consented sandstone extraction sites, subject to the key development criteria <del>set out at section 9:</del>	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM6.p	Policy M1,c	<del>allocating preferred areas and sites</del> <b>allocation of the Specific Sites and Preferred Areas of Search</b> that are considered appropriate in principle for construction minerals development;	For consistency. (MIQ: 41)
MM6.q (incorrectly referenced MM6.p in HC Matter 5 Statement)	Policy M5(1,a)	the extension of time for completion of extraction at <b>the following</b> consented sandstone extraction sites, <del>subject to the key development criteria set out at section 9:</del> <b><u>Black Hill Delve;</u></b> <b><u>Callow Delve;</u></b> <b><u>Llandraw Delve;</u></b> <b><u>Pennsylvani Delves;</u></b> <b><u>Sunnybank Delve; and</u></b> <b><u>Westonhill Wood Delves.</u></b>	For clarification. (MIQ: 78)  A further modification is made to remove text referring to section 9.
MM6.r (incorrectly referenced MM6.q in HC Matter 5 Statement)	6.3.3	Within Herefordshire, sandstone is worked in small quarries called delves, generally by hand, with just one or a few workers on site. They are backfilled with the soils, overburden and mineral wastes such that their impact should be minimised. This <b>small scale</b> approach should be continued, ensuring a sustainable supply of local building stone remains available throughout the plan period.	For clarification. (MIQ: 80)

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM6.s (incorrectly referenced MM6.r in HC Matter 5 Statement)	6.3.5	New sites might be appropriate where the building stone is important to ensure the preservation of local distinctiveness, the workings are <del>small-scale</del> <b>small scale</b> (reflecting the historic pattern of sandstone extraction) and the proposal is limited to the production of non-aggregate materials (principally building stone, dimension stone and roof tiles).	For clarification. (MIQ: 80)
MM6.t (incorrectly referenced MM6.s in HC Matter 5 Statement)	6.3.7 (new)	<b><u>Micro-scale extraction is expected to be very limited in physical size and duration and to be inextricably linked to the building for which the stone is being worked.</u></b>	For clarification. (MIQ: 80)
<b>SECTION 7. Waste</b>			
MM7.a	7.2.15	<del>In November 2018, judgement was handed down from the Court of Justice of the European Union in the case of Cooperatie Mobilisation (Joined Cases C-293/17 and C-294/17, the 'Dutch Case'). The Dutch Case concluded that where a site is failing in its water quality objectives, and is therefore classed as being in an unfavourable condition, there is limited scope for the approval of additional damaging effects and that the future benefit of mitigation measures cannot be relied upon at Appropriate Assessment, where those benefits are uncertain at the time of the assessment.</del>	To delete text that repeats the content of paragraph 3.3.36.
MM7.b	7.2.16	<del>Herefordshire Council subsequently prepared a Position Statement titled 'Current Development in the River Lugg catchment Area' dated 15 October 2019 (the 'Herefordshire Council Position Statement'. The Herefordshire Council Position Statement advises (on page 2) that:</del>	To update the text recognising that this was no longer the most recent document on the matter.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM7.c	7.2.17	<del>'There remains potential for a positive Appropriate Assessment to enable development to proceed, on Natural England's advice, where it can be demonstrated that any impacts would be neutral (where avoidance / mitigation measures included in the plan or project, counterbalance any nutrient (phosphate) increase from the plan or project), or would lead to 'betterment.'</del>	To update the text.
MM7.d	7.2.25 As modified: 7.2.22	The waste management practices available to the agricultural sector are wide-ranging and varied, and can be expected to change over the plan period, <del>for example Defra is due to publish the Farm Emissions Reduction Plan in 2020, which will also provide a framework of actions.</del>	To update the text.
MM7.e	7.2.26 (new)  FN50 (new)	<b><u>The Agriculture and Horticulture Development Board (AHDB) purpose is 'to inspire our farmers, growers and industry to succeed in a rapidly changing world. We equip the industry with easy to use, practical know-how, which they can apply straight away to make better decisions and improve their performance.' It is operated as a statutory levy board and is funded by farmers, growers and others in the supply chain.</u></b>  <a href="https://ahdb.org.uk/">https://ahdb.org.uk/</a>	To incorporate guidance as advised by Herefordshire Ecology & Arboriculture Officer (Planning).
MM7.f	7.2.27 (new)	<b><u>The AHDB provides a wide range of advice to farmers and has prepared a Nutrient Management Guide (RB209 ) to explain the value of nutrients, soil and why good nutrient management is about more than just fertiliser application. Updates are also available on the website. This advice (as may be amended over time) should be referenced in any development proposal.</u></b>  <a href="https://ahdb.org.uk/RB209">https://ahdb.org.uk/RB209</a>	To incorporate guidance as advised by Herefordshire Ecology & Arboriculture Officer (Planning).

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
	FN51 (new)		
MM7.g	7.2.28 (new)  FN 52 (new)	<p><b><u>The River Wye SAC NMP River Lugg Catchment Position Statement (April 2021) provides advice on new thresholds relevant to discharges made within the surface or groundwater catchment of a designated site. This advice (as may be amended over time) should be referenced in any development proposal.</u></b></p> <p><b><u>Advice regarding nutrient neutrality is likely to change throughout the plan period. Up to date guidance available on Herefordshire Council’s website should be consulted in understanding the current approach to nutrient neutrality.</u></b></p>	To update the text.
MM7.h	7.2.29 (new)	<b><u>Any development proposal located within the catchment of the River Wye SAC can bring a risk of increased phosphate entering the designated site. It is likely that an appropriate assessment will be required to consider the likely significant effect of that project, along with any measures that may be implemented to address the risk.</u></b>	To reflect the latest advice from NE.
MM7.j	Policy W3,3	All development proposals <b><u>on agricultural holdings</u></b> will be required to demonstrate <del>delivery of a net reduction in nutrient discharges contributing to at least</del> nutrient neutrality, <del>or betterment</del> , within the River Wye SAC.	To address comment raised in representation and to clarify the policy and for clarification. (MIQ:104)
MM7.k	Policy W4	Planning permission will be <del>granted to supported for</del> the statutory water and sewerage undertaker to extend, upgrade, or make provision for new infrastructure necessary to ensure the statutory undertaker can continue to undertake its duty to supply potable water and treat foul flows.	To make the policy text consistent throughout the MWLP.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
		Works undertaken <del>should contribute to achieving</del> <b>will be required to demonstrate at least</b> nutrient neutrality, <del>or betterment,</del> within the River Wye SAC.	To address comment raised in representation and to clarify the policy.
MM7.m	Policy W5,3	at the following locations (presented in alphabetical order) subject to the key development criteria <b>set out at section 9</b> :	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM7.n	Policy W6(1,a)	Former Lugg Bridge Quarry, subject to the key development criteria <b>set out at section 9</b> ;	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM7.p	Policy W6(1,b)	strategic employment areas and industrial estates, subject to the key development criteria <b>set out at section 9</b> ;	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM7.q	Policy W6,2	The sustainable disposal of inert wastes will be delivered at the following locations (presented in alphabetical order) subject to the key development criteria <b>set out at section 9</b> :	To ensure that the KDC are recognised as an element of policy under which each site is allocated.
MM7.r	Policy W7,1	Facilities for the reuse, recycling or recovery of materials <b>shall will</b> be supported where it is demonstrated that the proposed development will enable delivery of the waste hierarchy and/or make a positive contribution to achieving the circular economy in Herefordshire.	To make the policy text consistent throughout the MWLP.
MM7.s	Policy W7,2	Facilities for the recovery of energy <b>shall will</b> only be supported where it is demonstrated: a. that the proposed development will enable delivery of the waste hierarchy and/or make a positive contribution to achieving the circular economy in Herefordshire; and b. that phosphorus in the fly ash will be separately recovered and put to beneficial use; <b>and</b>	To make the policy text consistent throughout the MWLP and for clarification. (MIQ: 127)

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
		c. that both the resultant heat and power will be utilised where viable.	
MM7.t	Policy W7,3	Proposals for new landfill or landraising facilities or extensions to existing facilities <del>shall will</del> be supported where it is demonstrated that: <ul style="list-style-type: none"> <li><b>a.</b> the proposed development will enable delivery of the waste hierarchy; <del>and</del></li> <li><b>b.</b> the proposed <del>development</del> <b>development</b> incorporates measures for safe working and satisfactory reclamation, particularly in accordance with policy SP4.</li> </ul>	To make the policy text consistent throughout the MWLP. Amended formatting and tidying up the terminology to clarify the text of the policy.
MM7.u	Policy W7,4	<del>4.</del> Planning permission may be <del>granted-supported</del> if these expectations are demonstrated to be unachievable but that a material level of benefit is otherwise gained and no unacceptable adverse impact results from the proposed development.	Amended formatting to clarify the text of the policy.
MM7.v	Policy W2	Development for the following waste management priorities will be supported: <ol style="list-style-type: none"> <li><b>1.</b> biological treatment of household waste of at least 10,000 tonnes <del>per annum;</del> <b><u>per annum;</u></b></li> <li><b>2.</b> recycling capacity of municipal, commercial and industrial and non-natural agricultural wastes of at least 50,000 tonnes <del>per annum;</del> <b><u>per annum;</u></b></li> <li><b>3.</b> recovery of materials and energy from municipal, commercial and industrial, non-natural agricultural and hazardous wastes of at least 110,000 tonnes <del>per annum;</del> <b><u>per annum;</u></b></li> <li><b>4.</b> recovery of materials from construction and demolition waste of at least 250,000 tonnes <del>per annum;</del> <b><u>per annum;</u></b> and</li> <li><b>5.</b> disposal of inert wastes providing a cumulative void of 30,000 tonnes per <del>year</del> <b><u>per annum.</u></b></li> </ol>	For clarification. (MIQ: 99)



Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM7.w	7.3.2	Herefordshire has a number of well-established industrial estates and extensive strategic employment areas <b><u>(see policy E1 of the Core Strategy)</u></b> distributed within the market towns that lie within the spatial strategy. ...	For clarification. (MIQ: 112)
MM7.x	7.3.7	The CD&E waste recovery facility operating at Former Lugg Bridge Quarry has the potential for a substantial increase capacity; this is the preferred location for additional CD&E waste recovery capacity. CD&E waste recovery facilities are often appropriately located on industrial estates and strategic employment areas <b><u>(see policy E1 of the Core Strategy)</u></b> , where they may be close to substantial demolition and refurbishment projects. In addition, they can be located at minerals workings, where the same processing equipment can be shared.	For clarification. (MIQ: 112)
MM7.y	7.4.4	In order to assist both the developer and the council to determine that a proposed facility is for energy recovery and not for waste disposal, policy W7 seeks information on the level of energy recovery expected to be achieved and the market(s) for that energy (e.g. identifying an electricity connection or heat/power recipient). <b><u>The application should demonstrate that the proposed development has secured/will secure an appropriate recovery classification in the Environmental Permit.</u></b>	For clarification. (MIQ: 127)
MM7.z	7.2.32	Dwr Cymru/Welsh Water and Severn Trent Water provide wastewater treatment services within Herefordshire, with both companies operating wastewater treatment works. These facilities and the associated pipelines need to be upgraded and extended periodically in order to meet improved standards, cope with increased flows from new developments in their catchment area and to replace out of date equipment. <b><u>The requirement within policy W4, to achieve at least nutrient neutrality, is applicable to the proposed development.</u></b>	As agreed with NE - see Table 1 of the SoCG between HC and NE.
<b>Section 9. Key Development Criteria</b>			

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
MM9.a	9.1.1	Each allocated site is subject to a number of key development criteria, <b>which form part of the policy</b> . These criteria <del>simply</del> identify <del>the</del> key matters that will be required to be carefully and comprehensively considered in preparing any development project at an allocated site.	To clarify the purpose of the KDC.
MM9.b	9.1.2	The key development criteria do not replace development management policy; they are <b>a part of the policy within which they are referenced and are</b> additive to the requirements of all other policies within the development plan relevant to the project being proposed.	To clarify the purpose of the KDC.
MM9.c	9.1.4	<del>In addition,</del> <b>The</b> key development criteria are <b>also</b> presented, along with site mapping, in the Allocated Sites Appendix. The Allocated Sites Appendix is unlikely to be suitable for users of assisted technology, <b>whilst Table 9 has been prepared to be easier to read.</b>	To clarify the purpose of the KDC.
MM9.d	Table 9 Key Development Criteria	These changes are shown in Table 2	
<b>Section 10. Glossary</b>			
MM10.a	Appropriate assessment	Process for assessing impacts on <del>European sites</del> <b>National Network Sites</b> habitats or species. It is a decision making tool.	To update the terminology.
MM10.b	<b><u>Conservation of Habitats and Species Regulations 2017 (as amended).</u></b>	<b><u>The abbreviated term used for the Conservation of Habitats and Species Regulations (England and Wales) 2017; as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018; and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.</u></b>	To update the terminology and reflect recent legislative changes.
MM10.c	Green Infrastructure	<del>A planned and delivered network of green spaces and other environmental features designed and managed as a multifunctional resource providing a</del>	To update the Plan reflecting the new NPPF.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
		<del>range of environmental and quality of life benefits for local communities. Green infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.</del>	
		<b><u>A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.</u></b>	
MM10.d	Habitats Regulation Assessment	A Habitats Regulations Assessment is the assessment of the impacts of implementing a plan or policy on a <del>Natura 2000</del> <b><u>National Network Site</u></b> .	To update the terminology.
MM10.e	<b><u>National Network Site(s)</u></b>	<b><u>The group terminology given to SAC, SPA and Ramsar Sites under the Conservation of Habitats and Species Regulations 2017 (as amended).</u></b>	To update the terminology.
MM10.f	<b><u>Nutrient</u></b>	<b><u>The ecology of the River Wye SAC including the River Lugg and its catchment are sensitive to nitrate and phosphate concentration. Nitrate and phosphate are nutrients that promote algal growth, affecting the conservation objectives of the SAC.</u></b>	To address comment raised in representation and to clarify the text of the MWLP.
MM10.g	<b><u>Nutrient neutrality</u></b>	<b><u>The means of ensuring that development does not add to existing nutrient burdens and provides certainty that the whole of the scheme is deliverable in line with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).</u></b> <b><u>Advice regarding nutrient neutrality is likely to change throughout the plan period. Up to date guidance available on Herefordshire Council's website should be consulted in understanding the current approach to nutrient neutrality.</u></b>	To address comment raised in representation and to clarify the text of the MWLP.
MM10.h	SAC	A Special Area of Conservation (SAC) <del>is one given greater protection under</del> <b><u>Conservation of Habitats and Species Regulations 2017 (as amended). They</u></b>	To update the terminology and reflect recent legislative changes.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification	Reason for Change
		<b><u>have been designated because of a possible threat to the special habitats or species which they contain and to provide increased protection to a variety of animals, plants and habitats of importance to biodiversity both on a national and international scale. is defined in the European Union's Habitat Directive (92/43/EEC), also known as the Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora.</u></b>	
MM10.j	SPA	<b><u>A Special Protection Area (SPA) is designated under Conservation of Habitats and Species Regulations 2017 (as amended). Post transition the UK is still required to identify internationally important areas for breeding, over-wintering and migrating birds and designate them as SPA. is a designation under the European Union Directive on the Conservation of Wild Birds. Under the Directive, Member States of the European Union (EU) have a duty to safeguard the habitats of migratory birds and certain particularly threatened birds.</u></b>	To update the terminology and reflect recent legislative changes.
MM10.k	Area of search	<b><u>Area of search An area identified as having minerals resources potentially suitable for extraction and where working may be acceptable subject to more detailed assessment at project stage.</u></b>	For clarity.
MM10.l	Preferred area of search	Preferred <del>a</del> <b>Area of search</b>	For consistency.
<b>On-line interactive mapping</b>			
Webpage mapping		<b>To include Minerals Safeguarded Areas including railheads</b>	To correct an omission found in the on-line resource

**Table 2 Schedule of Main Modifications to the Key Development Criteria, updated October 2022**

Mod. Ref	Site Name and Policy	Key Development Criteria
MM9.d.1	<b>Black Hill Delve</b> Policy M5(1,a&b)	<p><b>Archaeology and geodiversity:</b> Need to demonstrate the potential for archaeological remains or geological features to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Black Mountains SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 8. Site design should deliver a net gain in biodiversity, linking priority habitats, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located in the St. Maughans sandstone bedrock formation, classified a secondary aquifer. Need to demonstrate <del>the</del> potential risks <del>to</del> the water environment, <b><u>including abstractions (public and private supply) wells and springs.</u></b></p> <p><b>MOD Low Fly Zone:</b> Need to demonstrate the level of effect on the current and likely future operations within the MOD Low Fly Zone.</p> <p><b>River Monnow:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Monnow.</p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
MM9.d.2	<p><b>Callow Delve</b> Policy M5(1,a)</p>	<p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located within the Brownstones formation, classified a secondary aquifer and adjacent to a groundwater spring source protection zone for public drinking water supply. Need to demonstrate <del>the</del> potential risks to the water environment, including <del>private drinking water supply abstractions (public and private supply) wells and springs.</del></p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> <b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment.</del></p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p> <p><b>Woodland at Welsh Newton &amp; Callow Hill LWS:</b> Need to demonstrate the likely effect on the key features of the designated site.</p> <p><b>Wye Valley Woodlands SAC and Wye Valley &amp; Forest of Dean Bat Sites SAC:</b> An Appropriate Assessment is required to demonstrate <del>the no</del> likely significant effect(s) on the SAC. Need to demonstrate how habitat severance for horseshoe bats will be prevented, which may require the periphery woodland to be retained.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
MM9.d.3	<p><b>Former City Spares Site</b> Policy W5(3)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Contaminated land:</b> Recognising the site as a former car breakers' yard, there is a high potential for contaminated land. The site is located within a drinking water protected area. Need to demonstrate how any contamination on site will be identified and remediated, particularly with reference to protection of drinking water.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Hereford. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del><b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Veteran tree:</b> Need to demonstrate level of effect on ancient black poplar located to the north of the site.</p>
MM9.d.4	<p><b>Former Lugg Bridge Quarry</b> Policy W6(1,a)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 2, District Enhancement Zone 2 and Hereford Fringe Zone 1. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Little Lugg River:</b> Need to demonstrate the level of effect on water quality and hydrology of the Little Lugg River.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del><b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Site reclamation:</b> Due to the site having a mineral working history and rural location it is required to be reclaimed at the earliest opportunity should current operations cease (as consented under references: 131870/N, dated 22.07.2013; 151184, dated 10.11.2015; and 162032, dated 02.12.2016.</p> <p><b>Utilities:</b> Utility infrastructure (gas) that cross the site may require diversion or a non-working buffer to enable the site to be worked.</p>
<p><b>MM9.d.5</b>  (Updated as agreed with HE)</p>	<p><b>Hereford Enterprise Zone (Rotherwas Industrial Estate)</b>  Policy W5(2)</p>	<p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Contaminated land:</b> Recognising the site as a former munitions factory, there is a high potential for contaminated land. The site is located within a drinking water protected area. Need to demonstrate how any contamination on site will be identified and remediated, particularly with reference to protection of drinking water.</p> <p><b>Flood Risk:</b> Site-specific flood risk assessment required to demonstrate compliance with Local Development Order. Reference should be made to the Drainage and Flood Management Strategy (2009 and as amended).</p> <p><b>Hampton Grange medical facility:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of this medical facility.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <u>that the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings and the scheduled monuments Rotherwas House and Rotherwas Chapel.</p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, linking priority habitat, and providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Pool at Rotherwas LWS:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Wye.</p>



Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del><b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p> <p><b>River Wye SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>Veteran tree:</b> Need to demonstrate level of effect on ancient black poplars located within the site, with a priority given to avoidance.</p>
<p><b>MM9.d.6</b>  (MIQ: 119 and updated as agreed with HE)</p>	<p><b>Holmer Road</b> Policy W5(2)</p>	<p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Hereford AQMA:</b> Need to demonstrate the level of effect on air quality, particularly within the Hereford AQMA.</p> <p><b>Heritage assets:</b> <u>Need to demonstrate that the proposed development will appropriately minimise and mitigate impacts on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</u></p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del><b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Road network:</b> Need to demonstrate the level of effect on the local road network in the vicinity of the site.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing and schools).</p>
<p><b>MM9.d.7</b></p>	<p><b>Kington Household Waste and Recycling Centre</b> Policy W5(3)</p>	<p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Kington. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del><b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
<p><b>MM9.d.8</b></p> <p>(Updated as agreed with HE)</p>	<p><b>Land between Little Marcle Road and Ross Road</b></p> <p>Policy W5(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <b><u>that the proposed development will appropriately minimise and mitigate impacts</u></b> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the south western boundary of Ledbury. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Leadon:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Leadon.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing, hotel and picnic site).</p>
<p><b>MM9.d.9</b></p> <p>(MIQ:77 and HC response to Aymestry PC and as agreed with HE)</p>	<p><b>Leinthall Quarry</b></p> <p>Policy M4(2,a)</p>	<p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Downton Gorge SAC:</b> An Appropriate Assessment is required to demonstrate the likely significant effect(s) on the SAC.</p> <p><b>Geodiversity:</b> Need to demonstrate the level of effect on geodiversity and incorporate mitigation measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 9. Site design should deliver a net gain in biodiversity, linking priority habitats, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located within the hard rock of the Silurian Aymestry Limestone Formation, classified as a secondary aquifer. Need to demonstrate <del>the</del> potential risks to the water environment, <b><u>including abstractions (public and private supply) wells and springs.</u></b></p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <u>that the proposed development will appropriately minimise and mitigate impacts</u> on heritage assets and their settings, particularly of Croft Ambrey Hill Fort and Croft Castle Park.</p> <p><b>Phased working:</b> 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></p> <p><b>River Teme SSSI and River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of these designations.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing)</p> <p><b>Veteran tree:</b> Need to demonstrate level of effect on ancient yew tree located to the south of the site.</p>
<p><b>MM9.d.10</b>  (Updated as agreed with HE)</p>	<p><b>Leominster Enterprise Park</b>  Policy W5(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <u>that the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Leominster. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Lugg.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del><b>the</b> likely significant effect(s) on the SAC. Development <del>should</del><b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (schools, cemetery and associated place of worship).</p> <p><b>Source Protection Zone 3:</b> Need to demonstrate how any pathways for contamination will be identified and avoided.</p>
<p><b>MM9.d.24</b> (reference missed pre-Cabinet) (Updated as agreed with HE)</p>	<p><b>Leominster Household Waste Site and Household Waste Recovery Centre</b> Policy W5(3)</p>	<p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm that the proposed development will appropriately minimise and mitigate impacts</del> on heritage asset(s) and their setting(s).</p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Lugg.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del><b>the</b> likely significant effect(s) on the SAC. Development <del>should</del><b>will be required to</b> demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p>
<p><b>MM9.d.11</b></p>	<p><b>Llandraw Delve</b> Policy M5(1,a&amp;b)</p>	<p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 8. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located in the St. Maughans sandstone bedrock formation, classified a secondary aquifer and proximate to the side of the Black Mountains where many springs and watercourses issue off the slopes. Need to demonstrate <del>the</del> potential risks <del>for</del><b>to</b> the water environment, <b>including abstractions (public and private supply) wells and springs.</b></p> <p><b>MOD Danger Area and Low Fly Zone:</b> Need to demonstrate the level of effect on the current and likely future operations within the MOD Danger Area and Low Fly Zone.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>River Monnow:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Monnow.</p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p>
<p><b>MM9.d.12</b>  (Updated as agreed with HE)</p>	<p><b>Model Farm</b> Policy W5(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <b>that the proposed development will appropriately minimise and mitigate impacts</b> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the eastern side of Ross-on-Wye. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Wye Valley AONB:</b> Need to demonstrate the level of effect on the AONB.</p> <p><b>Source Protection Zone 2:</b> Need to demonstrate how any pathways for contamination will be identified and avoided.</p>
<p><b>MM9.d.13</b>  (Updated as agreed with HE)</p>	<p><b>Moreton Business Park</b> Policy W5(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm that the proposed development will appropriately minimise and mitigate impacts</del> on heritage asset(s) and their setting(s), particularly <del>listed buildings</del> <b>and Sutton Walls Hillfort, St Mary's Church and the historic core of Malden and other listed buildings.</b></p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a rural position. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Rail:</b> Need to demonstrate the potential to use the rail network for the transport of materials or that the proposal does not prevent future use of the rail infrastructure available within the site.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <b>at least</b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Wellington Brook and Moreton Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of these watercourses.</p> <p><b>Wellington Marsh LWS:</b> Need to demonstrate the level of effect on the key features of this designation.</p>
<p><b>MM9.d.15</b></p> <p>(Updated as agreed with HE)</p>	<p><b>Perton Quarry</b></p> <p>Policy M4(2,a)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Geodiversity, Perton Roadside Section and Quarry SSSI:</b> Need to demonstrate the level of effect on geodiversity and incorporate mitigation measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 3. Site design should deliver a net</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p>gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located within the Silurian Limestones and shales of the Woolhope Dome structure, classified as a secondary aquifer. Need to demonstrate <del>the</del> potential risks to the water environment, <b><u>including abstractions (public and private supply) wells and springs.</u></b></p> <p><b><u>Heritage assets: Need to demonstrate less than substantial harm that the proposed development will appropriately minimise and mitigate impacts on Registered Park and Garden Stoke Edith</u></b></p> <p><b>Peregrine Falcons:</b> This is a species protected under Schedule 1 of the Wildlife and Countryside Act 1981.</p> <p><b>Phased working:</b> 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. <b><u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></b></p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <b><u>at least</u></b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing).</p>
MM9.d.16	<p><b>Shobdon Quarry</b></p> <p>Policy M3(2,a)</p> <p>Policy W6(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Geodiversity:</b> Need to demonstrate the level of effect on geodiversity and incorporate mitigation measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure and reclamation:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Enhancement Zone 2. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate <del>the</del> potential risks to the water environment, <b><u>including abstractions (public and private supply) wells and springs.</u></b></p> <p><b>Housing:</b> Need to demonstrate the level of effect on residential amenity at nearby properties.</p> <p><b>Pinsley Brook:</b> Need to demonstrate the level of effect on water quality and hydrology in Pinsley Brook.</p> <p><b>Phased working:</b> 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. <b><u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></b></p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <b><u>at least</u></b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Shobdon Airfield:</b> Need to demonstrate the level of effect on the current and likely future operations of Shobdon Airfield.</p>
MM9.d.17  (Updated as agreed with HE)	<b>Southern Avenue</b>  Policy W5(2)	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p>



Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <u>that the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Leominster. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Lugg.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (schools, cemetery and associated place of worship).</p> <p><b>Source Protection Zones 1 and 2:</b> Need to demonstrate how any pathways for contamination will be identified and avoided.</p>
MM9.d.18	<b>Sunnybank Delve</b> Policy M5(1,a)	<p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 8. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Housing:</b> Need to demonstrate the level of effect on residential amenity at nearby properties.</p> <p><b>MOD Danger Area and Low Fly Zone:</b> Need to demonstrate the level of effect on the current and likely future operations within the MOD Danger Area and Low Fly Zone.</p> <p><b>Pikes Farm Meadows SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
<p><b>MM9.d.19</b></p> <p>(Updated as agreed with HE)</p>	<p><b>Three Elms Trading Estate</b></p> <p>Policy W5(2)</p>	<p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <u>that the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing and schools).</p> <p><b>Yazor Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of the Yazor Brook.</p>
<p><b>MM9.d.20</b></p>	<p><b>Upper Lyde Quarry</b></p> <p>Policy M3 (2,a)</p> <p>Policy W6(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Geodiversity:</b> Need to demonstrate the level of effect on geodiversity and incorporate avoidance, mitigation and monitoring measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure and reclamation:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 2 and Hereford Fringe Zone 4. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate <del>the</del> potential risks to the water environment, <u>including abstractions (public and private supply) wells and springs</u>.</p> <p><b>Housing:</b> Need to demonstrate the level of effect on residential amenity at nearby properties.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Phased working:</b> 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. <b><u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></b></p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of these watercourses.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <b>no</b> likely significant effect(s) on the SAC. Development <b>should</b> will be required to demonstrate <b>at least</b> nutrient neutrality <b>or betterment</b>.</p> <p><b>Road network:</b> Highways England identifies the site as located near to the strategic road network. Need to demonstrate the level of effect on the local road network in the vicinity of the site.</p>
<p><b>MM9.d.21</b>  (Updated as agreed with HE)</p>	<p><b>Wellington Quarry</b>  Policy M3(2,a)  Policy W6(2)</p>	<p><b>Archaeology and geodiversity:</b> Need to demonstrate the potential for archaeological remains or geological features to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere (<b>including Leystone Bridge</b>); and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p> <p><b>Footpath:</b> Wellington footpaths 23, 23A and 34 cross the site and may require diversion or a non-working buffer such that the amenity value and connectivity of the footpaths are maintained.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 1 and District Enhancement Zone 3. Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Ground water:</b> Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate <del>the</del> potential risks to the water environment, <b><u>including abstractions (public and private supply) wells and springs.</u></b></p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm that the proposed development</del> <b><u>will appropriately minimise and mitigate impacts</u></b> on heritage asset(s) and their setting(s) particularly <b><u>Sutton Walls Hillfort, St Mary’s Church and the historic core of Malden and other</u></b> listed buildings <del>and Sutton Walls Fort.</del></p> <p><b>Marches Line:</b> A non-working buffer may be required such that railway safety is maintained.</p> <p><b>Otter:</b> Detail protected species survey required to determine any site-specific mitigation and protection measures.</p> <p><b>Phased working:</b> 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. <b><u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></b></p> <p><b>River Lugg and Wellington Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of these watercourses.</p> <p><b>River Lugg LWS and SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <b><u>at least</u></b> nutrient neutrality <del>or betterment.</del></p> <p><b>Road network:</b> Highways England identifies this site as located near to the strategic road network. Need to demonstrate the level of effect on the A49 and that vehicles can access and leave the site, to and from the public highway, safely.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (school and housing).</p> <p><b>Utilities:</b> Utility infrastructure (high pressure gas, water mains and foul sewer) that cross the site may require diversion or a non-working buffer to enable the site to be worked.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
<p><b>MM9.d.22</b></p> <p>(Updated as agreed with HE)</p>	<p><b>Westfields Trading Estate</b></p> <p>Policy W5(2)</p>	<p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Hereford AQMA:</b> Need to demonstrate the level of effect on air quality, particularly within the Hereford AQMA.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <b><u>that the proposed development will appropriately minimise and mitigate impacts</u></b> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Plough Lane LWS, Widemarsh Brook LWS and Yazor Brook LWS:</b> Need to demonstrate the level of effect on the key features of these designations.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (schools).</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <b><u>at least</u></b> nutrient neutrality <del>or betterment</del>.</p> <p><b>Widemarsh Brook and Yazor Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of the Yazor Brook.</p>
<p><b>MM9.d.23</b></p> <p>(Updated as agreed with HE)</p>	<p><b>Westonhill Wood Delves</b></p> <p>Policy M5(1,a&amp;b)</p>	<p><b>Airfield:</b> Need to demonstrate the level of effect on the current and likely future operations of the nearby airfield.</p> <p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Archaeology and geodiversity:</b> Need to demonstrate the potential for archaeological remains or geological features to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p>

Mod. Ref	Site Name and Policy	Key Development Criteria
		<p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 7. Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located on secondary aquifer of the Devonian. Need to demonstrate <del>the</del> potential risks to the water environment, <b>including abstractions (public and private supply) wells and springs including drinking water.</b></p> <p><b>Housing:</b> Need to demonstrate the level of effect on residential amenity at nearby properties.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect less than substantial harm</del> <b>that the proposed development will appropriately minimise and mitigate impacts</b> on heritage asset(s) and their setting(s).</p> <p><b>Merbach Hill LWS, Benfield Park LWS and Westonhill Wood LWS:</b> Need to demonstrate the level of effect on the key features of these designations.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <b>at least</b> nutrient neutrality <del>or betterment.</del></p> <p><b>River Wye SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p>

### 3. Minor Changes Proposed pre-Examination, updated October 2022

3.1.1 Table 3 presents the schedule of Minor Changes proposed for the MWLP.

3.1.2 Each proposed edit is referenced MCnumber.letter (eg MC2.a) in which:

- MC stands for Minor Change;
- number is the section of the Plan that is being edited; and
- letter is used to identify the order of the Minor Changes within that section eg MC2.a; MC2.b; etc.

This letter may be updated at the end of the Examination, when all of the Minor Changes have been identified. A letter has been used in this schedule to aid referencing to the Minor Changes throughout the Examination. Letters 'i', 'l', and 'o' have not been used as they could be confused for numerals.

**Table 3 Schedule of Minor Changes to the Publication Draft MWLP, updated October 2022**

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
<b>Section 1. The Publication Draft Minerals and Waste Local Plan for Herefordshire</b>			
MC1.a		To be deleted in its entirety	Text is not necessary in final Plan.
<b>Section 2. Introduction and Background</b>			
MC2.a	2.1.6	Habitats Regulation Assessment, which has assessed any impacts on <b>National Network Sites European sites</b> ; and	To update the terminology.
MC2.b	2.3.7	For example, there is a network of household waste recycling centres across Herefordshire, which enables householders to deposit items no longer required at a location where they can be <b>reused</b> , recycled or disposed of safely.	To incorporate a request made in representation and expand the recognised benefits of HWRC.
MC2.c	2.4.2	British Geological Survey was commissioned to prepare comprehensive mapping of the geology and mineral <b>reserves resource</b> across Herefordshire. This information became available in early 2017 and has been used in the sites analysis.	To replace text with the correct terminology.
MC2.d	2.4.18	Habitats Regulations Assessment (HRA) has been used to assess the emerging MWLP to assess whether there would be likely significant effects on sites of international importance for wildlife ( <b>European sitesNational Network Sites</b> ).	To update the terminology.
<b>Section 3. Context</b>			
MC3.a	3.2.2 to 3.2.4	<b><del>3.2.2 A detailed review and republication of the Waste Strategy was completed in 2011. This set a suite of principles, policies and targets for the management of municipal waste across both counties. As part of this work, and in line with Government guidance, the authorities committed to review the Strategy at least every 5 years.</del></b> <b><del>3.2.3 An Addendum to the Waste Strategy was prepared in September 2017, to provide a summary of the 2016 review of the Waste</del></b>	To update the Plan reflecting the new Integrated Waste Management Strategy.



Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
		<p><del>Strategy. The Addendum confirms that the authorities continue to invest in the existing processing and collection capabilities, with the example of EnviroSort, the material reclamation facility having been refurbished to include the provision of a glass breaker and improved fire protection system. However, the Addendum also makes clear the challenges that lie ahead in delivering the Strategy, recognising financial constraints and budget cuts.</del></p> <p><del>3.2.4 In 2020/21 the Waste Strategy was reviewed again, to incorporate current national municipal waste management targets. It is to be expected that the Waste Strategy will continue to be updated throughout the lifetime of the MWLP.</del></p>	
	3.2.2 and 3.2.3 (new)	<p><b><u>3.2.2 In July 2021, Herefordshire Council adopted a new Integrated Waste Management Strategy, which identified 6 targets:</u></b></p> <ol style="list-style-type: none"> <li><b><u>1. Net zero carbon by 2030;</u></b></li> <li><b><u>2. Reduce residual household waste arisings to less than 330kg/household/year by 2035</u></b></li> <li><b><u>3. Achieve national municipal reuse and recycling rate targets of 55% by 2025, 60% by 2030 and 65% by 2035;</u></b></li> <li><b><u>4. To meet the requirements of the Environment Bill</u></b></li> <li><b><u>5. No more than 1% of municipal waste to be sent to landfill from 2025 and zero waste to landfill by 2035;</u></b></li> <li><b><u>6. Improve reuse and recycling at all HWRC sites to achieve a reuse and recycling target of 85% by 2035.</u></b></li> </ol> <p><b><u>3.2.3 The new Waste Strategy and the MWLP are aligned and policy of the MWLP will help to deliver these new strategic targets.</u></b></p>	

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
MC3.b	3.3.1	At the time of <b>finalising the MWLP, whilst the UK had exited the EU it remained time of writing (March 2020) the UK is</b> in a transition period of negotiation with the EU, <del>expected to last until the end of 2020</del> . During this transition period, existing legislation remains in place and applicable across the UK.	To update the text and to correct a spelling error.
MC3.c	3.3.4	The National Planning Policy Framework (the 'NPPF', <del>February 2019-July 2021</del> ) contains the Government's overarching policies on minerals planning.	To update the Plan reflecting the new NPPF.
MC3.d	3.3.7	The NPPF seeks to conserve important landscape and heritage assets by requiring that, <b>as far as is practicable</b> , landbanks for non-energy minerals are provided outside National Parks, Areas of Outstanding Natural Beauty, Scheduled Monuments and World Heritage Sites. <del>In National Parks and Areas of Outstanding Natural Beauty, many minerals and waste developments would be classed as 'major development' and should not be granted consent except in exceptional circumstances, as defined by a series of considerations known as the 'major development test'.</del>	To clarify the text.
MC3.e	3.3.9	<del>The NPPF was published (in February 2019) advising mineral planning authorities to recognise the benefits of on-shore oil and gas development, including for unconventional hydrocarbons (at paragraph 209a). Ministerial Written Statement made on 23 May 2019 confirms that 'paragraph 209(a) of the National Planning Policy Framework has been quashed.' In November 2019, the Government issued a moratorium on the hydraulic fracturing of hydrocarbons.</del>	To update the Plan reflecting the new NPPF.
MC3.f	3.3.24 (new)	<b>The National Model Design Code (NMDC, January 2021) presents a framework for creating healthy, greener, environmentally responsive, sustainable and distinctive places, with a consistent and high-quality</b>	To update the Plan to incorporate the new NPPF and NMDC.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
		<b><u>standard of design. It is primarily focussed on built forms of development, but the underlying principles can be applied to minerals and waste projects.</u></b>	
MC3.g	3.3.27 As modified: 3.3.28	There are two Areas of Outstanding Natural Beauty (AONB) in Herefordshire: the Malvern Hills; and the Wye Valley. The Malvern Hills AONB Management Plan <del>2014-2019</del> <sup>20</sup> <del>2019-2024</del> <sup>20</sup> recognises that the striking scenery in the AONB is ultimately dependent on the rocks that lie beneath the ground surface and has a consequent aim to preserve, promote and wisely use the geodiversity of the AONB. The Wye Valley AONB Management Plan <del>2015-2020</del> <sup>21</sup> <del>2021-2026</del> <sup>21</sup> recognises the variety of geological outcrops and rich wildlife habitats, not least as reflected in the presence of separate Special Areas of Conservation. Conserving and, where necessary, enhancing the natural beauty of this unique landscape is a primary theme. These will be revised throughout the lifetime of the MWLP.	To update the text.
MC3.h	Footnote 20	<del><a href="http://www.malvernhillsaonb.org.uk/managing-the-aonb/management-plan/">http://www.malvernhillsaonb.org.uk/managing-the-aonb/management-plan/</a></del> <del><a href="http://www.malvernhillsaonb.org.uk/wp-content/uploads/2019/04/64217-Malvern-Hills-AONB-Management-Plan-2019-24-v06.pdf">http://www.malvernhillsaonb.org.uk/wp-content/uploads/2019/04/64217-Malvern-Hills-AONB-Management-Plan-2019-24-v06.pdf</a></del>	To update the weblink.
MC3.j	Footnote 21	<del><a href="http://www.wyevalleyaonb.org.uk/index.php/about-us/management-and-guidance/management-plan-2015-2020/">http://www.wyevalleyaonb.org.uk/index.php/about-us/management-and-guidance/management-plan-2015-2020/</a></del> <del><a href="https://www.wyevalleyaonb.org.uk/wp-content/uploads/dlm_uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf">https://www.wyevalleyaonb.org.uk/wp-content/uploads/dlm_uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf</a></del>	To update the weblink.
MC3.k	3.3.37	In response to this judgement, and discussion with Natural England, the council concluded that the measures set out in the River Wye SAC NMP could no longer be relied upon and <b>in March 2020</b> issued three <b>new</b> documents relevant to development that could affect the River Wye SAC. <del>At the time of writing the</del>	To update the text recognising that these were no longer the most recent documents on the matter.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
		<del>MWLP, the most recent versions of these documents were published in March 2020 and</del> titled:	
MC3.m	3.3.38 (new) This edit also introduced a new footnote (27)	<b><u>In April 2021, the council issued 'Position Statement - Development in the River Lugg Catchment Area, April 2021 An Update'<sup>27</sup> (River Lugg Catchment Position Statement (April 2021)) that confirmed the River Wye SAC NMP is under review with the intention to provide an increased level of certainty around phosphate reduction and timescales. The River Lugg Catchment Position Statement (April 2021) reports on the Interim Phosphate Delivery Plan that is being development in consultation with Natural England and provides a revised position in relation to discharges to drainage fields.</u></b>	To update the text.
MC3.n	3.3.39 (new)	<b><u>The River Lugg Catchment Position Statement (April 2021) (under title 'In the Interim')</u> reiterates previous advice that: <i>'On Natural England's advice, there remains potential for a positive appropriate assessment, where it can be demonstrated that development is nutrient neutral or would lead to betterment to enable development to proceed. Proposals will need to provide appropriate evidence of avoidance/mitigation measures. (Refer to Stage 2 of the Interim Plan for guidance).'</i></b>	To update the text.
MC3.p	3.3.40 (new)	<b><u>It is clear that the details around phosphate reduction and the protection of the River Wye SAC will change over the plan period; however, the fundamental aim remains to be that any new development with a connection to the River Wye SAC will need to demonstrate at least nutrient neutrality in order to gain planning permission.</u></b>	To update the text.
MC3.q	3.4.1 (first bullet under minerals)	Ensuring a continuity of minerals supply to meet the social and economic needs of the county to <del>2031</del> <b>2041</b> , taking account of cross-boundary supply challenges.	To update the text.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
<b>Section 4. Vision, Objectives and Spatial Strategy</b>			
MC4.a	Table 1, MWLP Objectives	There are two objectives numbered 11. The second has been amended to number 12 and the objective formerly number 12 has been renumbered to 13.	To ensure the numbers run correctly.
MC4.b	4.3.3	Sand and gravel working is to be focussed within the large expanse of <b>reserve resource</b> that wraps around the northern and eastern sides of Hereford and at Shobdon, to the north-west of Hereford. These <b>reserves-resources</b> are well located to supply aggregate for the growth proposed in Hereford and having two areas brings resilience to supply.	To replace text with the correct terminology.
MC4.c	4.3.4	Focusing future sand and gravel workings within these areas provides the industry with access to a large area of <b>reserves-resource</b> , but means that a proliferation of minerals development across the county can be avoided. Optimal extraction can be promoted at these areas before new reserves are opened.	To replace text with the correct terminology.
MC4.d	4.3.5	Limestone working will be preferred within the <b>reserves-resources</b> located to the north of the county and to the east of Hereford. The two areas provide resilience to supply and provide more local supply potential to the main settlements of Herefordshire.	To replace text with the correct terminology.
<b>Section 5. Strategic Policy and General Principles</b>			
MC5.a	5.4.1 As modified: 5.4.5	To relocate this paragraph under the sub heading Landscape and Townscape – Core Strategy policy LD1.	To improve the flow of text in MWLP.
MC5.b	5.4.10	The Ecological Mitigation Plan should specify working methods, timings and buffers within the development site to protect vulnerable features, including <b>European sites-National Network Sites</b> . The size and shape of the buffer will be defined on a site-by-site basis dependent on the attributes of the feature.	To update the terminology.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
MC5.c	5.4.21	The sand and gravel sites at Shobdon and Upper Lyde are Local Geological Sites designated for their glacial and glacial-fluvial features respectively, whilst sub-alluvial gravels have been extracted at Wellington that may hold clues to the changing drainage patterns in Herefordshire in glacial times.	To correct a typo
MC5.d	5.7.13	Coal has historically been worked in Herefordshire, in the far south of the county with the <b>reserve resource</b> largely contained within the Forest of Dean.	To replace text with the correct terminology.
<b>SECTION 6. Minerals</b>			
MC6.a	6.1.8	Because mineral resources may be substantial, it is possible for more than one quarry to operate within a single <b>reserve area of resource</b> , either through extensions or new quarries opening up in the vicinity of an existing site.	To replace text with the correct terminology.
MC6.b	6.1.9	Figure 7 sets out the mineral <b>reserve resource</b> and key elements of infrastructure safeguarded by policy M1. Policy M2 provides further detail.	To replace text with the correct terminology.
MC6.c	6.1.12	Figure 7 presents the Minerals Safeguarding Areas for Herefordshire, incorporating: areas of <b>reserve resource</b> indicated by the British Geological Survey data; surface coal resource areas from the Coal Authority; currently consented quarries and their associated infrastructure; the operating <b>rail head</b> <b>railhead</b> at Moreton-on-Lugg; and the disused railhead at Moreton Business Park. Figure 7 is available in its original A3 format at Annex A, with key policy details included in the interactive mapping available on the Herefordshire Council website.	To replace text with the correct terminology. To ensure the term is presented consistently throughout the MWLP.
MC6.d	Figure 7 (within Plan and Figure)	Plan Figure 7 Minerals Safeguarding Areas <b><u>including Rail Heads</u></b> Figure <b><u>Fogire Figure 7</u></b> Mineral <b><u>Reserves-Resources</u></b>	For clarification and correct a spelling error.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
MC6.e	6.1.15	Policy M2 applies to all minerals resources, regardless of whether they have gained the necessary planning permission to be worked. Identification of these areas does not imply that any application for the working of minerals within them will be granted planning permission. Policy M2 also applies to the infrastructure associated with the mineral resource, including <del>rail heads</del> <b><u>railheads</u></b> .	To ensure the term is presented consistently throughout the MWLP.
MC6.f	6.2.4	Therefore, regardless of which forecast most closely represents the real outcome for sand and gravel over the lifetime of the <del>Draft</del> MWLP, there will be a need for additional reserves of sand and gravel to be consented to meet demand from 2027 onwards.	To update the text.
MC6.g	6.2.7	In addition, policy M3 identifies preferred areas for sand and gravel working; new operations in these areas <del>of search</del> would add to the robustness of sand and gravel supply within Herefordshire. Sand and gravel working is to be focussed within the large expanse of <del>reserve resource</del> that wraps around the northern and eastern sides of Hereford and at Shobdon, to the north-west of Hereford.	To replace text with the correct terminology and for clarity.
MC6.h	6.2.16	In addition, policy M4 identifies preferred areas for limestone working, new operations in these areas <del>of search</del> would add to the robustness of crushed rock supply within Herefordshire. Limestone working will be preferred within the <del>reserve resource</del> located to the north of the county and to the east of Hereford. <b><u>Mineral working should not take place within the Wye Valley Area of Outstanding Natural Beauty.</u></b>	To replace text with the correct terminology and for clarity. (MIQ: 74)
<b>SECTION 7. Waste</b>			
MC7.a	7.1.8	Consequently, the policy priority is <del>to</del> provide a positive framework within which to deliver additional waste management capacity, addressing all levels of the waste hierarchy, except non-hazardous disposal, but making development opportunities for residual waste treatment facilities particularly attractive.	To add in a missing word.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change	Reason for Change
MC7.b	7.2.18 As modified: 7.2.15	The River Wye SAC <del>Nutrient Management Plan</del> <b>NMP</b> makes clear that the farming community plays a crucial role in the River Wye SAC catchment.	To keep the terminology consistent
MC7.c	7.2.19 As modified: 7.2.16	<b><u>Whilst the River Wye SAC NMP is being reviewed, the</u></b> 'Top 5' recommendations for agriculture directly addressing <u>waste management</u> practices, <b><u>remain relevant</u></b> including:	To update the text.
MC7.d		Paragraphs formerly numbered 7.2.29 and 7.2.30 are changed to 7.2.28 and 7.2.29.	Formatting.
<b>Section 8. Delivery, Implementation and Monitoring</b>			
MC8.a	8.3.5	It should be remembered that not all the information will be readily available annually. For example, the Environment Agency is responsible for <del>collecting</del> <b><u>collating</u></b> information on C&I, CD&E and hazardous waste and recording this it within the Waste Data Interrogator, with an annual update being made available.	To address comment made in representation and clarify the role of the EA.
MC8.b	Table 3 (header row)	<del>Draft</del> MWLP Policy	To update the text.
MC8.c	Table 3 (indicator, policies M3 and M4)	Record of consented reserve worked annually and destination of mineral, <del>the</del> <b><u>Local Aggregate Assessment.</u></b>	To address comment raised in representation and to make clear the role of the LAA in monitoring the MWLP.



## 4. Figures of the Plan and Interactive Mapping, as at October 2022

### 4.1 Figures

4.1.1 In updating Figures 6 and 7, new and improved, base mapping was realised to be available.

4.1.2 The opportunity has been taken to also improve the base mapping for **Figures 3 and 4**, and consequently to revise them with updated information relevant to both mineral sites and waste facilities.

4.1.3 The modifications to **Figure 6** are proposed to:

- ensure Preferred Area of Search A remains within the plan area;
- exclude the Wye Valley Area of Outstanding Natural Beauty from Preferred Area of Search D;
- change the words 'General Search Areas' to 'Safeguarded Resource' for clarity ; and
- include the rail heads that are safeguarded.

4.1.4 The modifications to **Figure 7** are proposed to:

- correct a spelling mistake;
- change 'reserves' to 'resources'; and
- provide greater clarity in relation to the safeguarded rail heads.

4.1.5 Together, these revised figures create a proposed, modified Annex A to the Plan, dated October 2022.

### 4.2 Interactive mapping

4.2.1 The interactive mapping on the Herefordshire Council website is proposed to be updated to ensure the details are consistent with the Plan.