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Herefordshire Minerals and Waste Local Plan

Schedule of Main Modifications and Minor Changes

November 2022

Contents

1. Introduction

1.1.1 These Proposed Main Modifications are changes to the submitted Plan that the Inspectors have indicated are considered necessary to make the submitted Plan 'sound'.

1.1.2 Main Modifications are proposed without prejudice to the Inspectors' final conclusions on the Minerals and Waste Local Plan (MWLP) which will take account of the representations submitted in response to the consultation. Each modification has a unique reference number shown in the left-hand column of the schedule which should be quoted in any response.

1.1.3 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.
- 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.

1.1.4 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 to the Minerals and Waste Local Plan

2.1.1 Table 1 presents the schedule of Main Modifications proposed to the MWLP.

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

Table 1 Schedule of Main Modifications to the Publication Draft MWLP, November 2022

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Modification
Section 2. Introduction and Background		
MM2.a	2.4.2	British Geological Survey was commissioned to prepare comprehensive mapping of the geology and mineral ~~**reserves**~~ **resource** across Herefordshire. This information became available in early 2017 and has been used in the sites analysis.
Section 3. Context		
MM3.a	3.2.2 to 3.2.4	~~**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.**~~ ~~**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 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.**~~ ~~**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.**~~
	3.2.2 and 3.2.3 (new)	**3.2.2 In July 2021, Herefordshire Council adopted a new Integrated Waste Management Strategy, which identified 6 targets:** **1. Net zero carbon by 2030;** **2. Reduce residual household waste arisings to less than 330kg/household/year by 2035**

		3. Achieve national municipal reuse and recycling rate targets of 55% by 2025, 60% by 2030 and 65% by 2035; **4. To meet the requirements of the Environment Bill** **5. No more than 1% of municipal waste to be sent to landfill from 2025 and zero waste to landfill by 2035;** **6. Improve reuse and recycling at all HWRC sites to achieve a reuse and recycling target of 85% by 2035.** **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.**
MM3.b	3.3.8	The MWLP can enable a steady**, adequate** and sustainable supply of construction minerals to be delivered through a positive policy approach, identifying **specific** sites ~~**for quarry working**~~ and preferred areas ~~**of search**~~ **for mineral working.**
MM3.c	3.3.38 (new) This edit also introduced a new footnote (27)	**In April 2021, the council issued 'Position Statement - Development in the River Lugg Catchment Area, April 2021 An Update[27] (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.**
MM3.d	3.3.39 (new)	**The River Lugg Catchment Position Statement (April 2021) (under title 'In the Interim') reiterates previous advice that:** '*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).*'
MM3.e	3.3.40 (new)	**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.**

Section 4. Vision, Objectives and Spatial Strategy		
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, protecting**,** **conserving** and enhancing environmental, heritage and cultural assets and strengthening the local economy.
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 ~~reserves~~ **resources**, and promoting efficient use of minerals in new development.
MM4.c	Objective 3 (new)	To safeguard appropriate mineral and waste resources, and associated transport infrastructure, within Herefordshire.
MM4.d	Objective 6	To plan for the steady**, adequate** and sustainable supply of minerals present within Herefordshire, to contribute to the county's economic growth, development and local distinctiveness and to make a reasonable contribution to the MASS.
MM4.e	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 **decarbonise, to** mitigate and adapt to climate change and to leave a positive legacy.
MM4.f	4.3.3	Sand and gravel working is to be focussed within the large expanse of ~~reserve~~ **resource** that wraps around the northern and eastern sides of Hereford and at Shobdon, to the north-west of Hereford. These ~~reserves~~ **resources** are well located to supply aggregate for the growth proposed in Hereford and having two areas brings resilience to supply.
MM4.g	4.3.4	Focusing future sand and gravel workings within these areas provides the industry with access to a large area of ~~reserves~~ **resource**, 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.
MM4.h	4.3.5	Limestone working will be preferred within the ~~reserves~~ **resources** 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.

MM4.i	4.3.6	No preferred areas ~~**of search**~~ 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.
Section 5. Strategic Policy and General Principles		
MM5.a	5.1.8 (new)	**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.**
MM5.b	5.3.1 (new sentence)	**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.**
MM5.c	5.4.6	Due to their potential size, and location, minerals and waste sites have the potential to make landscape scale change; a term commonly used to refer to ~~**action that covers**~~ a large spatial scale, usually addressing a range of ecosystem processes, conservation objectives and land uses.
MM5.d	5.4.23	As recognised in the Core Strategy, green infrastructure is a practical way to consider sustainable development. The preferred areas ~~**of search**~~ 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[1]). 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.
MM5.e	5.5.14	New development requires significant volumes of construction materials~~**;, and the facilities provided on site can affect how it performs**~~ **how it is designed will affect waste generation and management options** through its operational lifetime. The planning system has a role to play encouraging the use of secondary or recycled construction materials, ~~**and preventing**~~ **reducing waste** generated ~~**in construction and redevelopment projects**~~ **and in ensuring appropriate waste management solutions are provided**.
MM5.f	5.5.15 (new)	**Herefordshire Council will encourage waste prevention by:**

[1] https://www.herefordshire.gov.uk/download/downloads/id/2063/herefordshire_green_infrastructure_strategy.pdf

		a. promoting a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest value for as long as possible; **b. maintaining engagement with businesses, community groups, and the general public to raise levels of awareness and understanding of waste issues; and** **working in partnership with other public bodies to ensure that waste prevention and the circular economy is addressed in all contracts for works and services; and leading by example in its activities.**
MM5.g	5.5.15	Any application for major development, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as may be amended) **that includes built development,** will be required to be accompanied by a **comprehensive** Resource Audit **addressing all the matters set out in policy SP1**. **A proportionate approach will be applied to all other development proposals that include built development, which should at least provide commentary on waste prevention and management measures to be implemented. All submitted applications should make reference to the national and local zero-carbon plans in place at the time in order to inform best practice measures that can be incorporated into the proposed development.**
MM5.h	5.5.17	Such documents are expected to have an increasing role demonstrating how new development is delivered and managed in a sustainable manner, explicitly setting out: how the use of raw materials will be minimised; how waste created can be reused, with priority given to the reuse of materials on site; how the development will contribute to achieving local and national carbon reduction targets; and how the long term management of the development will contribute to delivering the circular economy. ~~**Smaller applications, accompanied by Design and Access Statements, should include commentary on waste prevention and management measures. All submitted applications should make reference to the national and local zero-carbon plans in place at the time in order to inform best practice measures that can be incorporated into the proposed development.**~~
MM5.i	Policy SP1	**1. Development proposals will be supported that contribute positively to addressing climate change and delivering the circular economy ~~where they adopt~~ though adopting sustainable design principles, construction methods and procurement policies. This includes using the ~~minimal amount~~ minimum quantity 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. The level of contribution made will be demonstrated through submission of a **~~The use of minerals and waste resources will be directed to contribute positively to addressing climate change through:~~** **~~1. Herefordshire Council encouraging waste prevention by:~~** **~~c. promoting a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest value for as long as possible;~~** **~~d. maintaining engagement with businesses, community groups, and the general public to raise levels of awareness and understanding of waste issues;~~** **~~e. working in partnership with other public bodies to ensure that waste prevention and the circular economy is addressed in all contracts for works and services; and leading by example in its activities.~~** **~~2. requiring submission of 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**; and** **~~The Resource Audit will set out~~** ▪ how waste will be minimised and how it will be managed, both during the construction phase and once it is in use, in order to meet the strategic objective of driving waste management up the waste hierarchy. **~~Information appropriate to the planning application shall be provided on the following matters:~~** **2. The Resource Audit, to be submitted with the planning application, should address the following matters using an approach proportionate to the development proposed:** a. the amount and type of construction aggregates required and their likely source;

		b. the steps to be taken to minimise the use of raw materials (including hazardous materials) in the construction phase, through sustainable design and the use of recycled or reprocessed materials; c. the steps to be taken to reduce, re-use and recycle waste (including hazardous wastes) that is produced through the construction phase; d. the type and volume of waste that the development will generate (both through the construction and operational phases); e. on-site waste recycling facilities to be provided (both through the construction and operational phases); f. the steps to be taken to ensure the maximum diversion of waste from landfill (through recycling, composting and recovery) once the development is operational; g. end of life considerations for the materials used in the development; and h. embodied carbon and lifecycle carbon costs for the materials used in the development.
MM5.j	5.6.7 and 5.6.8	Paragraph 5.6.7 Footpaths are rooted in **their local context** ~~**an historical and landscape context**~~. A permanent diversion may sever important cultural links, but also brings the opportunity to improve a route that has been adversely affected, for example by flooding or a changed view. Permanent diversions should be well designed, reflecting the local cultural, historic and landscape context, to result in an enhancement to the rights of way network within Herefordshire. Enhancement can be achieved through improvements to the view from, surface of and/or route of the right of way, including making provision for disabled people. **Improving access to open spaces includes the enhancement to existing facilities and provision of new routes and open spaces.** Paragraph 5.6.8 Any ~~**closure of**~~ **permanent impact on** the right of way network, or existing open space, should be avoided. Where it is necessary, the council will expect compensatory provision to be made proportionate to the ~~**scale**~~

		~~of the closure~~ **level of impact**. This can include the provision of new or improved access or recreation facilities located off site. The council is clear that development should have the smallest impact as practicable and enhancement will be sought at every reasonable opportunity.
MM5.k	Policy SP2	1. Planning permission will be **~~granted~~** **supported** for mineral **and waste** development proposals that optimise opportunities to improve public access to open spaces, **~~integrating historic context~~** **taking account of the local** context and **integrating** green infrastructure as appropriate. 2. Development that affects a right of way **~~or existing open space~~** will only be supported where it is demonstrated that: a. any temporary diversion is designed to be for as short a distance and duration as practicable; **and** b. any permanent diversion is designed to achieve an enhanced route over that which was previously available**~~; and~~** **~~c. any closure occurs only in exceptional circumstances and compensatory provision is made.~~** 3. **Development that affects an area of open space will only be supported where it is demonstrated that:** **a. any temporary impact is over the smallest area and for the shortest duration as practicable; and** b. **any permanent impact occurs only in exceptional circumstances and compensatory provision is made.**
MM5.l	5.7.13	Coal has historically been worked in Herefordshire, in the far south of the county with the **~~reserve~~** **resource** largely contained within the Forest of Dean.
MM5.m	5.10.6	Each site will have different spatial influences on transport design, requirements for the material to be moved, and receptors. An assessment should be undertaken to demonstrate that all relevant factors have been considered, with the level of detail within that assessment proportionate to the scale of development proposed. Development proposals should consider which transport mode (i.e. vehicular, conveyor, or pipeline) and route is most appropriate, **minimising adverse impacts and** finding the balance between practicability, energy and carbon efficiency, **~~reduced~~** **~~impacts~~**, integrated design and safety.
MM5.n	Policy SP3	Planning permission will be **~~granted~~** **supported** for minerals or waste development where it is demonstrated that the arrangements for the transport of mineral, waste or other materials within the site

		minimises the potential for adverse impacts, including greenhouse gas emissions, and optimises the opportunities for green infrastructure, **particularly through the** ~~**The**~~ use of conveyors, ~~**and/or**~~ pipelines **and/or** ~~**is required where they would be appropriate to the circumstances of the site and the nature of the material to be moved. E**~~e**lectric powered vehicles. ~~**would be considered an appropriate alternative to fossil fuel powered vehicles.**~~
MM5.o	5.11.5	All new mineral workings are only likely to receive planning permission where they provide for the restoration and aftercare of the site to a beneficial use, in a phased manner. The Town and Country Planning Act (as amended) gives the council, as the mineral planning authority, the ability to apply a restoration condition requiring such steps to be taken as may be necessary to bring the land to the required standard for use for agriculture, forestry or amenity. However, reclamation provides the opportunity for delivering a range of benefits to the environment and/or amenity and the council will welcome well-considered schemes that will deliver green infrastructure priorities on a landscape scale. **The term 'landscape scale benefits' in policy SP4 is not focussed on the size of the benefits to be derived from the proposed reclamation scheme, but to the extent of the impact to be gained; i.e. that the proposals will incorporate the local cultural, historic and landscape context to deliver benefits beyond the site area.** A number of examples have been provided throughout the MWLP.
MM5.p	5.11.10	In all cases a high standard of reclamation will be expected, that ~~**integrates historic context**~~ **reflects the local cultural, historic and landscape context** and **integrates** green infrastructure**,** ~~**and leaves**~~ **leaving** a positive legacy. Defra's Guidance for Successful Reclamation of Mineral and Waste Sites[2] is a useful reference document for designing reclamation schemes. Long-term management beyond the statutory five-year aftercare period will be required where appropriate, for example to establish a new habitat or to bring community benefit. Commitment for such provision will be gained through a planning obligation, as set out in Core Strategy policy ID1.
MM5.q	Policy SP4,a	proposals that take account of the geography of the site, its surroundings, and any **significant permitted or proposed** development and development plan policies relevant to the area
MM5.r	Policy SP4,b	proposals that deliver landscape scale benefits ~~**and/or integrated historic context**~~ **taking account of the local context** and **integrating** green infrastructure appropriate to its location;

SECTION 6. Minerals		
MM6.a	6.1.8	Because mineral resources may be substantial, it is possible for more than one quarry to operate within a single ~~**reserve**~~ area **of resource**, either through extensions or new quarries opening up in the vicinity of an existing site.
MM6.b	6.1.9	Figure 7 ~~**sets out**~~ (**at Annex A, with key policy details included in the interactive mapping available on the Herefordshire Council website) presents** the mineral ~~**reserve**~~ **resource** and key elements of infrastructure safeguarded by ~~**policy**~~ **policies** M1 **and M2**. ~~**Policy M2 provides further detail.**~~
MM6.c	Policy M1,c	~~**allocating preferred areas and sites**~~ **allocation of the Specific Sites and Preferred Areas** that are considered appropriate in principle for construction minerals development;
MM6.d	6.1.12	Figure 7 presents the Minerals Safeguarding Areas for Herefordshire, incorporating: areas of ~~**reserve**~~ **resource** indicated by the British Geological Survey data; surface coal resource areas from the Coal Authority; currently ~~**consented**~~ **permitted** quarries and their associated infrastructure; the operating ~~**rail head**~~ **railhead** 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.**~~ **In addition, a 100m buffer is drawn around this data, to provide effective safeguarding for the resource and associated infrastructure. Policy M2 applies across the totality of the Minerals Safeguarding Area as shown. Sandstone resource is not shown on Figure 7 as this is not indicated on the available British Geological Data.**
MM6.e	Figure 7	Mineral ~~**Reserves**~~ **Resources**
MM6.f	6.1.14 and 6.1.15 (new)	Paragraph 6.1.14 **The National Planning Policy Framework makes clear that local policy should also safeguard sites for infrastructure associated with mineral working. Within Herefordshire, these facilities are substantially located within operational mineral workings, and this is an approach that is expected to continue at appropriate sites. The two railheads are identified and safeguarded by policy M2 as they provide existing and potential alternatives to road movements.** Paragraph 6.1.15 **Strategic development (policy M2(1,e)) is that which is either allocated in the local development plan or would constitute major development as defined in the Town and Country Planning (Development**

		Management Procedure) (England) Order 2015 (as may be amended). Exempt developments (policy M2(1,f) are: **a. applications for householder development;** **b. applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site;** **c. applications for advertisement consent, for works to trees and for prior notifications (telecoms, forestry, agriculture, demolition);** **d. any other development specified in the local development plan as exempt from the need for consideration on safeguarding grounds.** Paragraphs 6.1.14 and 6.1.15 would be renumbered accordingly (6.1.16 and 6.1.17 respectively).
MM6.g	Policy M2	1. Within the minerals safeguarding areas, non-minerals development will only be supported in the following circumstances: 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 **economically viable** alternative way; does not exist; or has been sufficiently depleted by previous extraction; or b. the mineral can be extracted satisfactorily prior to non–minerals development without materially affecting the timing and viability of the non-minerals development; or **c. the development would not prejudice the operation of associated infrastructure, principally the identified railheads; or** d. the non-minerals development is of a temporary nature that can be completed and the site returned to a condition that does not prevent mineral extraction or operation of the associated infrastructure within the timescale that the mineral is likely to be needed; or **e.** the need for the non-mineral development is strategic and can be demonstrated to outweigh the need for the mineral resource and associated infrastructure; **or** **f. it constitutes exempt development (see paragraph 6.1.15).**

		2. Where the operation of an existing mineral working**, including associated infrastructure,** 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.
MM6.h	6.2.2 to 6.2.6	6.2.2 The MNA ~~**2019**~~ **2021** forecasts a range of future sand and gravel demand, indicating that the landbank at 2041 could be less than 7 years~~**, particularly if a level of self-sufficiency is to be achieved**~~. ~~**Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 40% to 50% self-sufficient in sand and gravel provision. This data is not verified, but provides the most comprehensive indication of mineral movements currently available**~~. **In addition, at the time of preparing the MWLP, the two operational quarries Wellington and Upper Lyde are subject to planning conditions requiring that the winning and working of minerals must cease by 31 December 2026 and 30 September 2029 respectively.** 6.2.3 ~~**It would be advantageous for Herefordshire to increase its level of self-sufficiency (not least to reduce the environmental burdens from transport) and to make a reasonable contribution to the Managed Aggregate Supply System.**~~ **Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 40% to 50% self-sufficient in sand and gravel provision. This data is not verified, but provides the most comprehensive indication of mineral movements currently available. It would be advantageous for Herefordshire to increase its level of self-sufficiency (not least to reduce the environmental burdens from transport) and to make a reasonable contribution to the Managed Aggregate Supply System ('MASS').** ~~**6.2.4 In addition, at the time of preparing the MWLP, the two operational quarries Wellington and Upper Lyde are subject to planning conditions requiring that the winning and working of minerals must cease by 31 December 2026 and 30 September 2029 respectively. Therefore, regardless of which forecast most closely represents the real outcome for sand and gravel over the lifetime of the Draft MWLP, there will be a need for additional reserves of sand and gravel to be consented to meet demand from 2027 onwards.**~~ **6.2.4 The MNA 2021 considered a range of forecasts, addressing economic, population and housing growth and infrastructure demands, which resulted in a very wide range of future demand of 4**

		to 13 million tonnes when assuming 100% self-sufficiency. These forecasts were further tested through the MNA Sensitivity Paper, which resulted in very much less future demand. The provision of 5 million tonnes, as sought through policy M3, is considered to reflect a higher level of forecast that will increase self-sufficiency and enable Herefordshire to make a reasonable contribution to the MASS. 6.2.5 ~~**To ensure that an adequate supply (i.e. to maintain a landbank of at least 7 years) is available at the end of 2041 additional resource may be needed, depending on the actual scale of demand that arises.**~~ Recognising the level of uncertainty in forecasts, it can be reasonably expected that the demand forecast for sand and gravel may change over the plan period. Therefore, it is not considered appropriate to specify the precise level of further provision that may be needed in order to maintain a minimum 7-year landbank at 31 December 2041. This is a matter that is effectively and appropriately addressed by monitoring the MWLP, through annual reviews of the Local Aggregates Assessment and the five-year MWLP reviews, at which time the level of additional provision can be considered, with additional site allocations brought forward if necessary. 6.2.6 Recognising the advantages of working an area efficiently, specific sites for future sand and gravel extraction are allocated adjacent or near to existing sites with planning permission to be worked. Sand and gravel reserves at Upper Lyde **(c.700,000 tonnes)**, Shobdon and Wellington **(2.25 million tonnes)** are allocated in the MWLP. ~~**The MWLP evidence base indicates that these allocations would provide a minimum of nearly 3 million tonnes of sand and gravel resource.**~~
MM6.i	6.2.7 and 6.2.8	6.2.7 In addition, policy M3 identifies preferred areas for sand and gravel working; new operations in these areas ~~**of search**~~ 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 ~~**reserve**~~ **resource** that wraps around the northern and eastern sides of Hereford and at Shobdon, to the north-west of Hereford. 6.2.8 Only where the ~~**preferred locations**~~ **Specific Sites or Preferred Areas** cannot be demonstrated to fulfil a reasonable level of demand, will proposals for sand and gravel extraction outside of these areas be permitted. Policy ~~**M3/2**~~ **M3(2c)** is deliberately worded to refer only to extraction. **Mineral**

		working in these areas is intended to be limited in its operation and consequently, in ~~In~~ order to reduce the potential for adverse impacts, **~~it is intended that~~** mineral **~~would~~ will be expected to** be transported off-site for processing**~~.~~.**
MM6.j	6.2.9	**~~In addition to~~ As part of** 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 **~~of search~~**; they are too extensive. However, this does not mean that development proposals within these areas will not be subject to the same level of scrutiny.
MM6.k	6.2.10 (new)	**Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the River Wye SAC or River Clun SAC catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations.**
MM6.l	6.2.10	The order of preference set out at policy **~~M3/2~~ M3(2&b)** is for the Specific Sites to be **~~preferred over~~ worked prior to** the Preferred Areas; there is no order of preference within the locations identified under each of those categories. **Planning permission will be refused for proposals that do not respect the order of preference.**
MM6.m	Policy M3,2 and M3,3	**2.** In order of preference, sand and gravel extraction shall be supported at the following locations: **~~a.~~** Specific Sites (presented in alphabetical order) subject to the key development criteria set out at section 9: ▪ Shobdon Quarry; ▪ Upper Lyde Quarry; ▪ Wellington Quarry. **b.** Preferred Areas **~~of Search~~:**

		▪ Area B of the Key Diagram; ▪ Area C of the Key Diagram. **~~3.~~** **c.** 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 **~~of Search,~~** will sand and gravel extraction **~~will~~** be supported in any other area of **~~reserve~~** **resource.**
MM6.n	6.2.11 to 6.2.15	6.2.11 The MNA **~~2019~~** **2021** makes two forecasts of future crushed rock demand, indicating that the landbank at 2041 could be less than 10 years**~~, particularly if a level of self-sufficiency is to be achieved~~**. **~~Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 20% to 30% self-sufficient in crushed rock provision. This data is not verified, but provides the most comprehensive indication of mineral movements currently available.~~** In addition, at the time of preparing the MWLP, the two **~~active~~** **operational** crushed rock quarries in Herefordshire, with the planning conditions for Leinthall Quarry requiring that the winning and working of minerals at that site must cease by 31 August 2027. 6.2.12 **~~It would be advantageous for Herefordshire to increase its level of self-sufficiency (not least to reduce the environmental burdens from transport) and to make a reasonable contribution to the Managed Aggregate Supply System.~~** **Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 20% to 30% self-sufficient in sand and gravel provision. This data is not verified, but provides the most comprehensive indication of mineral movements currently available.** It would be advantageous for Herefordshire to increase its level of self-sufficiency (not least to reduce the environmental burdens from transport) and to make a reasonable contribution to the **~~Managed Aggregate Supply System~~** **MASS**. **~~6.2.13 In addition, at the time of preparing the MWLP, there were two active crushed rock quarries in Herefordshire, with the planning conditions for Leinthall Quarry requiring that the winning and working of minerals at that site must cease by 31 August 2027. There may remain a need for additional reserves of crushed rock to be consented to meet demand from 2027 onwards.~~** **6.2.13 The MNA 2021 considered two forecasts, addressing population and housing growth, which resulted in a very wide range of future demand of 9.5 to 19 million tonnes when assuming 100% self-sufficiency. These forecasts were further tested through the MNA Sensitivity Paper,**

		which resulted in very much less future demand. The provision of 9 million tonnes, as sought through policy M4, is considered to reflect a higher level of forecast that will increase self-sufficiency and enable Herefordshire to make a reasonable contribution to the MASS. 6.2.14 ~~**To ensure that an adequate supply (i.e. to maintain a landbank of at least 7 years) is available at the end of 2041 additional resource may be needed, depending on the actual scale of demand that arises.**~~ Recognising the level of uncertainty in forecasts, it can be reasonably expected that the demand forecast for crushed rock may change over the plan period. Therefore, it is not considered appropriate to specify the precise level of further provision that may be needed in order to maintain a minimum 10 year landbank at 31 December 2041. This is a matter that is effectively and appropriately addressed by monitoring the MWLP, through annual reviews of the Local Aggregates Assessment and the five-year MWLP reviews, at which time the level of additional provision can be considered, with additional site allocations brought forward if necessary. 6.2.15 Recognising the advantages of working an area efficiently, specific sites for future crushed rock extraction are allocated adjacent or near to existing sites with planning permission to be worked. Crushed rock reserves at Leinthall **Quarry (7 million tonnes)** and Perton **Quarry** are allocated in the MWLP. ~~**The MWLP evidence base indicates that these allocations would provide around 9 million tonnes of crushed rock.**~~
MM6.o	6.2.16 and 6.2.17	6.2.16 In addition, policy M4 identifies preferred areas for limestone working, new operations in these areas ~~**of search**~~ would add to the robustness of crushed rock supply within Herefordshire. Limestone working will be preferred within the ~~**reserve**~~ **resource** located to the north of the county and to the east of Hereford. **Mineral working should not take place within the Wye Valley Area of Outstanding Natural Beauty.** 6.2.17 Only where the ~~**preferred locations**~~ **Specific Sites or Preferred Areas** cannot be demonstrated to fulfil a reasonable level of demand, will proposals for sand and gravel extraction outside of these areas be permitted. Policy ~~**M4/2**~~ **M4(2c)** is deliberately worded to refer only to extraction. **Mineral working in these areas is intended to be limited in its operation and consequently, in ~~In~~** order

		to reduce the potential for adverse impacts, ~~**it is intended that**~~ mineral ~~**would**~~ **will** be **expected to be** transported off-site for processing~~.~~**.**
MM6.p	6.2.18	~~**In addition to**~~ **As part of** 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.
MM6.q	6.2.19 (new)	**Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the River Wye SAC or River Clun SAC catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations.**
MM6.r	6.2.19	The order of preference set out at policy M4/2 is for the Specific Sites to be ~~**preferred over**~~ **worked prior to** the Preferred Areas; there is no order of preference within the locations identified under each of those categories. **Planning permission will be refused for proposals that do not respect the order of preference.**
MM6.s	Policy M4,2 and M4,3	**2.** In order of preference, crushed rock extraction shall be supported at the following locations: **d.** Specific Sites (presented in alphabetical order) subject to the key development criteria set out at section 9**:** ▪ Leinthall Quarry; ▪ Perton Quarry; **e.** Preferred Areas ~~**of Search:**~~ ▪ Area A of the Key Diagram; ▪ Area D of the Key Diagram.

		~~3.~~ **c.** 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 **~~of Search~~,** will limestone extraction **~~will~~** be supported in any other area of **~~reserve~~** **resource.**
MM6.t	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 **small scale** approach should be continued, ensuring a sustainable supply of local building stone remains available throughout the plan period.
MM6.u	6.3.5	New sites **~~might~~** **may** be appropriate where **~~the building stone is important to ensure the preservation of local distinctiveness,~~** the **proposed** workings are **~~small-scale~~** **small scale** (reflecting the historic pattern of sandstone extraction **in Herefordshire**) and the proposal is limited to the production of non-aggregate materials (principally building stone, dimension stone and roof tiles). **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.** Any overburden (the soil and rock layers overlying the sandstone) and spoil (the offcuts and residues remaining from working the building stone) shall be retained on site and used for its reclamation.
MM6.v	6.3.6 (new)	**Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the River Wye SAC or River Clun SAC catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations.**
MM6.x	6.3.6	**~~In addition to~~** **As part of** 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.
MM6.y	Policy M5(1,a&b)	a. the extension of time for completion of extraction at **~~consented~~** **the following permitted** sandstone extraction sites, **subject to the key development criteria set out at section 9:** **Black Hill Delve;** **Callow Delve;**

		Llandraw Delve; **Pennsylvani Delves;** **Sunnybank Delve; and** **Westonhill Wood Delves.** b. the lateral extension and/or deepening of workings at the following ~~**consented**~~ **permitted** sandstone extraction sites, subject to the key development criteria set out at section 9:
MM6.z	Policy M5,2	**2.** The working of sandstone at the above locations will be supported where: a. the need for the material for the preservation of local distinctiveness, particularly features of local historic or architectural interest, listed and vernacular buildings or archaeological sites, outweighs any material harm extraction might cause to matters of acknowledged importance; **and** ~~**b. the proposed workings are small scale; and**~~ ~~**c.**~~ **b.** the proposal is limited to the production of non-aggregate materials, with any overburden and spoils retained on–site and used for its reclamation.
SECTION 7. Waste		
MM7.a	7.2.3	A flexible approach to the provision of waste management infrastructure is set out within the MWLP. This is deliberate, recognising both the lack of certainty that exists around forecasting future wastes and infrastructure demand, and that the provision of waste management infrastructure is market led and unlikely to result in the provision of too much capacity. Table 2 presents the maximum forecast capacity demand for each waste stream **(as calculated in the WNA 2021)**. **If food waste collection is provided across Herefordshire, this is considered likely to require additional capacity of some 10,000 tonnes. There does appear to be available capacity at recycling facilities particularly for LACW, consequently an additional 50,000 tonnes of capacity (as a minimum) is sought through policy W2, focussing on moving C&I wastes up the hierarchy. The largest need for new capacity is in the recovery of residual wastes (c.110,000 tonnes) and CD&E wastes (c.250,000 tonnes).** ~~**This number is referenced in policy W4 (generally rounded up) to provide**~~ **Policy W4 presents** a framework for delivery over the plan period~~;~~

		for all management routes except disposal~~,~~**;** this is a one-off requirement. A waste treatment facility providing 25,000tpa of capacity will be able to do this year on year, under standard operating procedures. However, a landfill void will be filled up every time a deposit is made, consequently an annual, or cumulative, tonnage is required.
MM7.b	7.2.6	For CD&E wastes it has been assumed that a recovery rate of 90% will be achieved, which exceeds current policy expectations and would deliver management that aligns to the best practice currently found across England. Whilst higher rates of recovery are to be welcomed, it is also important to make provision for a reasonable level of disposal capacity, recognising that some wastes may not be recoverable and former mineral workings can be beneficially reclaimed. **Recovery of CD&E wastes is used to refer collectively to re-use, recycling and other recovery operations.**
MM7.c	Policy W2	Development for the following waste management priorities will be supported: **1.** biological treatment of household waste of at least 10,000 tonnes **per annum**; **2.** recycling capacity of municipal, commercial and industrial and non-natural agricultural wastes of at least 50,000 tonnes **per annum**; **3.** recovery of materials and energy from municipal, commercial and industrial, non-natural agricultural and hazardous wastes of at least 110,000 tonnes **per annum**; **4.** recovery of materials from construction and demolition waste of at least 250,000 tonnes **per annum**; and **5.** ~~**disposal of inert wastes providing a cumulative void**~~ **inert waste disposal capacity in the order** of 30,000 tonnes per ~~**year**~~ **annum**.
MM7.d	7.2.16	~~**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:**~~

MM7.e	7.2.17	~~**'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.'**~~
MM7.f	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~~**, for example Defra is due to publish the Farm Emissions Reduction Plan in 2020, which will also provide a framework of actions**~~.
MM7.g	7.2.26 (new) FN50 (new)	**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.** **https://ahdb.org.uk/**
MM7.h	7.2.27 (new) FN51 (new)	**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.** **https://ahdb.org.uk/RB209**
MM7.i	7.2.28 (new)	**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.**

	FN 52 (new)	**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.**
MM7.j	7.2.29 (new)	**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.**
MM7.k	7.2.32 (new)	**The forthcoming Agricultural Development Supplementary Planning Document (SPD) will provide additional guidance of the planning policy issues that can be associated with proposals for agricultural development, setting out in more detail the requirements such proposals will be expected to address.**
MM7.l	Policy W3	1. **~~Planning permission~~ Proposals** for livestock unit**(**s**)** on agricultural holdings **~~will~~ should** be **~~supported where it is demonstrated through~~ accompanied by** a waste management method statement **~~that~~ which**: a. for non-EIA development, **demonstrates that** both natural and non-natural wastes generated by the proposed development will be appropriately managed both on and off-site; or b. for EIA development, **demonstrates that** both natural and non-natural wastes generated by the whole agricultural unit will be appropriately managed both on and off-site. 2. Anaerobic digestion will be supported where its use is to manage only natural wastes generated primarily on the agricultural unit within which it is located. 3. All development proposals **on agricultural holdings within the River Wye SAC or the River Clun SAC** will be required to demonstrate **~~delivery of a net reduction in nutrient discharges contributing to~~ at least** nutrient neutrality**~~, or betterment, within the River Wye SAC~~**.
MM7.m	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. **The requirement within policy W4, to achieve at least nutrient neutrality, is applicable to the proposed development.**
MM7.n	Policy W4	Planning permission will be ~~**granted to**~~ **supported for** 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. Works undertaken ~~**should contribute to achieving**~~ **will be required to demonstrate at least** nutrient neutrality~~**, or betterment,**~~ within the River Wye SAC.
MM7.o	7.3.2	Herefordshire has a number of well-established industrial estates and extensive strategic employment areas **(see policy E1 of the Core Strategy)** distributed within the market towns that lie within the spatial strategy. …
MM7.p	7.3.4	Whilst it would not be appropriate to set an absolute threshold, as the development of land is site specific, the following guidelines are intended to apply: ▪ Small-scale facility is one of around or less than 50,000 tonnes per annum throughput and would be focussed on delivering a more local service, for example a household waste recycling centre, open windrow composting, or construction and demolition waste recycling facility. ▪ Large-scale facility is one providing more than 50,000 tonnes per annum throughput and would be focussed on providing a more strategic service, for example a materials recycling facility or energy recovery facility (either biological or incineration) accepting waste from across Herefordshire and potentially beyond. **An industrial estate is a site with local plan allocation or planning permission for use under planning use classes, B2 general industrial and B8 storage and distribution.**
MM7.q	7.3.6	There is an identified need for new waste management (recovery and disposal) capacity for CD&E wastes. **Recovery of CD&E wastes is used to refer collectively to re-use, recycling and other recovery operations.**

MM7.r	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 **(see policy E1 of the Core Strategy),** 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.
MM7.s	Policy W6,1	**1.** ~~**In order of preference, sustainable**~~ **Sustainable** recovery of construction, demolition and excavation wastes will be delivered at the following locations: a. Former Lugg Bridge Quarry, subject to the key development criteria set out at section 9; b. strategic employment areas and industrial estates, subject to the key development criteria set out at section 9; c. active mineral workings, recognising that the lifetime of the waste treatment facility may be limited to the lifetime of the quarry~~;~~**.**
MM7.t	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). **The application should demonstrate that the proposed development has secured/will secure an appropriate recovery classification in the Environmental Permit.**
MM7.u	Policy W7	1. Facilities for the reuse, recycling or recovery of materials ~~**shall**~~ **will** 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. 2. Facilities for the recovery of energy ~~**shall**~~ **will** 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; **and** c. that both the resultant heat and power will be utilised where viable.

		3. Proposals for new landfill or landraising facilities or extensions to existing facilities **~~shall~~ will** be supported where it is demonstrated that**:** **a.** the proposed development will enable delivery of the waste hierarchy**; and** **b.** the **~~proposal~~ proposed development** incorporates measures for safe working and satisfactory reclamation, particularly in accordance with policy SP4. 4. Planning permission may be **~~granted~~ supported** 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.
Section 9. Key Development Criteria		
MM9.a	9.1.1	Each allocated site is subject to a number of key development criteria**, which form part of the policy**. These criteria **~~simply~~** identify **~~the~~** key matters that will be required to be carefully and comprehensively considered in preparing any development project at an allocated site.
MM9.b	9.1.2	The key development criteria do not replace development management policy; they are **a part of the policy within which they are referenced and are** additive to the requirements of all other policies within the development plan relevant to the project being proposed.
MM9.c	Table 9 Key Development Criteria	These changes are shown in Table 2
Section 10. Glossary		
MM10.a	Appropriate assessment	Process for assessing impacts on **~~European sites~~National Network Sites**, habitats or species. It is a decision making tool.
MM10.b	Area of Search	To be deleted in its entirety.
MM10.c	**Conservation of Habitats and Species Regulations 2017 (as amended).**	**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.**

MM10.d	Green Infrastructure	~~**A planned and delivered network of green spaces and other environmental features designed and managed as a multifunctional resource providing a range of environmental and quality of life benefits for local communities. Green infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.**~~
		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.
MM10.e	Habitats Regulation Assessment	A Habitats Regulations Assessment is the assessment of the impacts of implementing a plan or policy on a ~~**Natura 2000**~~ **National Network Site**.
MM10.f	**National Network Site(s)**	**The group terminology given to SAC, SPA and Ramsar Sites under the Conservation of Habitats and Species Regulations 2017 (as amended).**
MM10.g	**Nutrient**	**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.**
MM10.h	**Nutrient neutrality**	**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).** **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.**
MM1o.i	Preferred area of search	Preferred ~~**area of search**~~ **Area**
MM10.j	SAC	A Special Area of Conservation (SAC) **is one given greater protection under Conservation of Habitats and Species Regulations 2017 (as amended). They 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.**~~

MM10.k	SPA	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.**~~
On-line interactive mapping		
Webpage mapping		To be updated to reflect the policy updates noted here

Table 2 Schedule of Main Modifications to the Key Development Criteria, November 2022

Mod. Ref	Site Name and Policy	Key Development Criteria
MM9.d.1	**Black Hill Delve** Policy M5(1,a&b)	**Archaeology and geodiversity:** 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. **Ancient Woodland:** Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation. **Black Mountains SSSI:** Need to demonstrate the level of effect on the key features of this designation. **Dark Skies:** Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site. **Green infrastructure:** 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. **Ground water:** Located in the St. Maughans sandstone bedrock formation, classified a secondary aquifer. Need to demonstrate ~~**the**~~ potential risks ~~**for**~~**to** the water environment**, including abstractions (public and private supply) wells and springs.** **MOD Low Fly Zone:** Need to demonstrate the level of effect on the current and likely future operations within the MOD Low Fly Zone. **River Monnow:** Need to demonstrate the level of effect on water quality and hydrology of the River Monnow. **Site Access:** Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.
MM9.d.2	**Callow Delve**	**Ancient Woodland:** Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.

Mod. Ref	Site Name and Policy	Key Development Criteria
	Policy M5(1,a)	**Dark Skies:** Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site. **Flood Risk:** 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. **Green infrastructure:** 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. **Ground water:** 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 ~~**the**~~ potential risks to the water environment, including ~~**private drinking water supply**~~ **abstractions (public and private supply) wells and springs.** **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~**will be required to** demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **Site Access:** Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely. **Woodland at Welsh Newton & Callow Hill LWS:** Need to demonstrate the likely effect on the key features of the designated site. **Wye Valley Woodlands SAC and Wye Valley & Forest of Dean Bat Sites SAC:** An Appropriate Assessment is required to demonstrate ~~**the**~~ **no** 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) **and how noise and light impacts on this species will be avoided**.
MM9.d.3	**Former City Spares Site** Policy W5(3)	**Archaeology:** 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.

Mod. Ref	Site Name and Policy	Key Development Criteria
		Contaminated land: 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. **Landscape:** 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. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~will be required to** demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Veteran tree:** Need to demonstrate level of effect on ancient black poplar located to the north of the site.
MM9.d.4	**Former Lugg Bridge Quarry** Policy W6(1,a)	**Archaeology:** 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. **Flood Risk:** 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. **Green infrastructure:** 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. **Little Lugg River:** Need to demonstrate the level of effect on water quality and hydrology of the Little Lugg River. **River Lugg SSSI:** Need to demonstrate the level of effect on the key features of this designation. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~will be required to** demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Site reclamation:** 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.

Mod. Ref	Site Name and Policy	Key Development Criteria
		Utilities: Utility infrastructure (gas) that cross the site may require diversion or a non-working buffer to enable the site to be worked.
MM9.d.5	**Hereford Enterprise Zone (Rotherwas Industrial Estate)** Policy W5(2)	**Ancient Woodland:** Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation. **Archaeology:** 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. **Contaminated land:** 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. **Flood Risk:** 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). **Hampton Grange medical facility:** Need to demonstrate the level of effect on the amenity, health & safety and environment of this medical facility. **Heritage assets:** Need to demonstrate ~~**the level of effect**~~ **that the proposed development will appropriately minimise and mitigate impacts** on heritage asset(s) and their setting(s), particularly listed buildings and the scheduled monuments Rotherwas House and Rotherwas Chapel. **Landscaping:** 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. **Pool at Rotherwas LWS:** Need to demonstrate the level of effect on the key features of this designation. **River Wye:** Need to demonstrate the level of effect on water quality and hydrology of the River Wye. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~**will be required to** demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **River Wye SSSI:** Need to demonstrate the level of effect on the key features of this designation.

Mod. Ref	Site Name and Policy	Key Development Criteria
		Veteran tree: Need to demonstrate level of effect on ancient black poplars located within the site, with a priority given to avoidance.
MM9.d.6	**Holmer Road** Policy W5(2)	**Flood Risk:** 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. **Hereford AQMA:** Need to demonstrate the level of effect on air quality, particularly within the Hereford AQMA. **Heritage assets: 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.** **Landscaping:** Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~will be required to** demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Road network:** Need to demonstrate the level of effect on the local road network in the vicinity of the site. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (housing and schools).
MM9.d.7	**Kington Household Waste and Recycling Centre** Policy W5(3)	**Landscape:** 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. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~will be required to** demonstrate **at least** nutrient neutrality **~~or betterment~~**.
MM9.d.8	**Land between Little Marcle Road and Ross Road** Policy W5(2)	**Archaeology:** 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. **Flood Risk:** 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.

Mod. Ref	Site Name and Policy	Key Development Criteria
		Heritage assets: Need to demonstrate ~~**the level of effect**~~ **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. **Landscape:** 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. **River Leadon:** Need to demonstrate the level of effect on water quality and hydrology of the River Leadon. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (housing, hotel and picnic site).
MM9.d.9	**Leinthall Quarry** Policy M4(2,a)	**Dark Skies:** Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site. **Downton Gorge SAC:** An Appropriate Assessment is required to demonstrate the likely significant effect(s) on the SAC. **Geodiversity:** 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. **Green infrastructure:** 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. **Ground water:** Located within the hard rock of the Silurian Aymestry Limestone Formation, classified as a secondary aquifer. Need to demonstrate ~~**the**~~ potential risks to the water environment**, including abstractions (public and private supply) wells and springs.** **Heritage assets:** Need to demonstrate ~~**the level of effect**~~ **that the proposed development will appropriately minimise and mitigate impacts** on heritage assets and their settings, particularly ~~**of**~~ Croft Ambrey Hill Fort and Croft Castle Park. **Phased working:** Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A

Mod. Ref	Site Name and Policy	Key Development Criteria
		proliferation of ancillary infrastructure will not be permitted. **A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.** **River Teme SSSI and River Lugg SSSI:** Need to demonstrate the level of effect on the key features of these designations. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (housing) **Veteran tree:** Need to demonstrate level of effect on ancient yew tree located to the south of the site.
MM9.d.10	**Leominster Enterprise Park** Policy W5(2)	**Archaeology:** 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. **Flood Risk:** 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. **Heritage assets:** Need to demonstrate ~~**the level of effect**~~ **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. **Landscape:** 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. **River Lugg:** Need to demonstrate the level of effect on water quality and hydrology of the River Lugg. **River Lugg SSSI:** Need to demonstrate the level of effect on the key features of this designation. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~**will be required to** demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (schools, cemetery and associated place of worship). **Source Protection Zone 3:** Need to demonstrate how any pathways for contamination will be identified and avoided.

Mod. Ref	Site Name and Policy	Key Development Criteria
MM9.d.11	**Leominster Household Waste Site and Household Waste Recovery Centre** Policy W5(3)	**Heritage assets:** Need to demonstrate ~~**the level of effect**~~ **that the proposed development will appropriately minimise and mitigate impacts** on heritage asset(s) and their setting(s). **Landscaping:** Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character. **River Lugg:** Need to demonstrate the level of effect on water quality and hydrology of the River Lugg. **River Lugg SSSI:** Need to demonstrate the level of effect on the key features of this designation. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~**will be required to** demonstrate **at least** nutrient neutrality ~~**or betterment**~~.
MM9.d.12	**Llandraw Delve** Policy M5(1,a&b)	**Dark Skies:** Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site. **Green infrastructure:** 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. **Ground water:** 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 ~~**the**~~ potential risks ~~**for**~~**to** the water environment**, including abstractions (public and private supply) wells and springs.** **MOD Danger Area and Low Fly Zone:** Need to demonstrate the level of effect on the current and likely future operations within the MOD Danger Area and Low Fly Zone. **River Monnow:** Need to demonstrate the level of effect on water quality and hydrology of the River Monnow. **Site Access:** Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.

Mod. Ref	Site Name and Policy	Key Development Criteria
MM9.d.13	**Model Farm** Policy W5(2**)**	**Archaeology:** 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. **Heritage assets:** Need to demonstrate **~~the level of effect~~ 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. **Landscape:** 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. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~** will be required to demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Wye Valley AONB:** Need to demonstrate the level of effect on the AONB. **Source Protection Zone 2:** Need to demonstrate how any pathways for contamination will be identified and avoided.
MM9.d.14	**Moreton Business Park** Policy W5(2)	**Archaeology:** 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. **Ancient Woodland:** Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation. **Flood Risk:** 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. **Heritage assets:** Need to demonstrate **~~the level of effect~~ that the proposed development will appropriately minimise and mitigate impacts** on heritage asset(s) and their setting(s)**~~,~~** particularly **~~listed buildings and~~** Sutton Walls Hillfort**, St Mary's Church and the historic core of Malden and other listed buildings.**

Mod. Ref	Site Name and Policy	Key Development Criteria
		Landscape: 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. **Rail:** 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. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~** will be required to demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Wellington Brook and Moreton Brook:** Need to demonstrate the level of effect on water quality and hydrology of these watercourses. **Wellington Marsh LWS:** Need to demonstrate the level of effect on the key features of this designation.
MM9.d.15	**Perton Quarry** Policy M4(2,a)	**Archaeology:** 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. **Dark Skies:** Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site. **Geodiversity, Perton Roadside Section and Quarry SSSI:** 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. **Green infrastructure:** 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 gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character. **Ground water:** Located within the Silurian Limestones and shales of the Woolhope Dome structure, classified as a secondary aquifer. Need to demonstrate **~~the~~** potential risks to the water environment**, including abstractions (public and private supply) wells and springs.**

Mod. Ref	Site Name and Policy	Key Development Criteria
		Heritage assets: Need to demonstrate that the proposed development will appropriately minimise and mitigate impacts on Registered Park and Garden Stoke Edith **Peregrine Falcons:** This is a species protected under Schedule 1 of the Wildlife and Countryside Act 1981. **Phased working:** Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. **A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.** **River Lugg SSSI:** Need to demonstrate the level of effect on the key features of this designation. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~** will be required to demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (housing).
MM9.d.16	**Shobdon Quarry** Policy M3(2,a) Policy W6(2)	**Archaeology:** 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. **Flood Risk:** 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. **Geodiversity:** 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. **Green infrastructure and reclamation:** 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.

Mod. Ref	Site Name and Policy	Key Development Criteria
		Ground water: Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate ~~**the**~~ potential risks to the water environment**, including abstractions (public and private supply) wells and springs.** **Housing:** Need to demonstrate the level of effect on residential amenity at nearby properties. **Pinsley Brook:** Need to demonstrate the level of effect on water quality and hydrology in Pinsley Brook. **Phased working:** Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. **A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.** **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~ will be required to demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **Shobdon Airfield:** Need to demonstrate the level of effect on the current and likely future operations of Shobdon Airfield.
MM9.d.17	**Southern Avenue** Policy W5(2)	**Archaeology:** 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. **Flood Risk:** 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. **Heritage assets:** Need to demonstrate ~~**the level of effect**~~ ~~**less than substantial harm**~~ **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. **Landscape:** 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. **River Lugg:** Need to demonstrate the level of effect on water quality and hydrology of the River Lugg.

Mod. Ref	Site Name and Policy	Key Development Criteria
		River Lugg SSSI: Need to demonstrate the level of effect on the key features of this designation. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~** will be required to demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (schools, cemetery and associated place of worship). **Source Protection Zones 1 and 2:** Need to demonstrate how any pathways for contamination will be identified and avoided.
MM9.d.18	**Three Elms Trading Estate** Policy W5(2)	**Heritage assets:** Need to demonstrate **~~the level of effect~~ 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. **Landscaping:** Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no~~the~~** likely significant effect(s) on the SAC. Development **~~should~~** will be required to demonstrate **at least** nutrient neutrality **~~or betterment~~**. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (housing and schools). **Yazor Brook:** Need to demonstrate the level of effect on water quality and hydrology of the Yazor Brook.
MM9.d.19	**Upper Lyde Quarry** Policy M3 (2,a) Policy W6(2)	**Archaeology:** 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. **Geodiversity:** 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. **Green infrastructure and reclamation:** 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

Mod. Ref	Site Name and Policy	Key Development Criteria
		4. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character. **Ground water:** Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate ~~**the**~~ potential risks to the water environment**, including abstractions (public and private supply) wells and springs.** **Housing:** Need to demonstrate the level of effect on residential amenity at nearby properties. **Phased working:** Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. **A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.** **River Lugg:** Need to demonstrate the level of effect on water quality and hydrology of these watercourses. **River Lugg SSSI:** Need to demonstrate the level of effect on the key features of this designation. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~ will be required to demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **Road network:** 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.
MM9.d.20	**Wellington Quarry** Policy M3(2,a) Policy W6(2)	**Archaeology and geodiversity:** 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. **Flood Risk:** Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere **(including Leystone Bridge)**; and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation. **Footpath:** 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.

Mod. Ref	Site Name and Policy	Key Development Criteria
		Green infrastructure: 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. **Ground water:** Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate ~~**the**~~ potential risks to the water environment**, including abstractions (public and private supply) wells and springs.** **Heritage assets:** Need to demonstrate ~~**the level of effect**~~ **that the proposed development will appropriately minimise and mitigate impacts** on heritage asset(s) and their setting(s) particularly **Sutton Walls Hillfort, St Mary's Church and the historic core of Malden and other** listed buildings ~~**and Sutton Walls Fort**~~. **Marches Line:** A non-working buffer may be required such that railway safety is maintained. **Otter:** Detail protected species survey required to determine any site-specific mitigation and protection measures. **Phased working:** Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. **A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.** **River Lugg and Wellington Brook:** Need to demonstrate the level of effect on water quality and hydrology of these watercourses. **River Lugg LWS and SSSI:** Need to demonstrate the level of effect on the key features of this designation. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~ will be required to demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **Road network:** 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. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (school and housing).

Mod. Ref	Site Name and Policy	Key Development Criteria
		Utilities: 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.
MM9.d.21	**Westfields Trading Estate** Policy W5(2)	**Flood Risk:** 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. **Hereford AQMA:** Need to demonstrate the level of effect on air quality, particularly within the Hereford AQMA. **Heritage assets:** Need to demonstrate ~~**the level of effect**~~ **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. **Landscaping:** Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character. **Plough Lane LWS, Widemarsh Brook LWS and Yazor Brook LWS:** Need to demonstrate the level of effect on the key features of these designations. **Sensitive properties:** Need to demonstrate the level of effect on the amenity, health & safety and environment of nearby sensitive properties (schools). **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~ will be required to demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **Widemarsh Brook and Yazor Brook:** Need to demonstrate the level of effect on water quality and hydrology of the Yazor Brook.
MM9.d.22	**Westonhill Wood Delves** Policy M5(1,a&b)	**Airfield:** Need to demonstrate the level of effect on the current and likely future operations of the nearby airfield. **Ancient Woodland:** Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.

Mod. Ref	Site Name and Policy	Key Development Criteria
		Archaeology and geodiversity: 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. **Dark Skies:** Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site. **Green infrastructure:** 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. **Ground water:** Located on secondary aquifer of the Devonian. Need to demonstrate ~~**the**~~ potential risks to the water environment**, including abstractions (public and private supply) wells and springs** ~~**including drinking water**~~. **Housing:** Need to demonstrate the level of effect on residential amenity at nearby properties. **Heritage assets:** Need to demonstrate ~~**the level of effect**~~ **that the proposed development will appropriately minimise and mitigate impacts** on heritage asset(s) and their setting(s). **Merbach Hill LWS, Benfield Park LWS and Westonhill Wood LWS:** Need to demonstrate the level of effect on the key features of these designations. **River Wye SAC:** An Appropriate Assessment is required to demonstrate **no**~~**the**~~ likely significant effect(s) on the SAC. Development ~~**should**~~ will be required to demonstrate **at least** nutrient neutrality ~~**or betterment**~~. **River Wye SSSI:** Need to demonstrate the level of effect on the key features of this designation. **Site Access:** Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.

3. Minor Changes to the MWLP

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.

Table 3 Schedule of Minor Changes to the Publication Draft MWLP, November 2022

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change
Section 1. The Publication Draft Minerals and Waste Local Plan for Herefordshire		
MC1.a	Chapter 1	To be deleted in its entirety.
Section 2. Introduction and Background		
MC2.a	2.1.4 and associated FN2	Page 9, paragraph 22, National Planning Policy Framework, ~~**February 2019**~~ **July 2021.**
MC2.b	2.1.6	Habitats Regulation Assessment, which has assessed any impacts on **National Network Sites** ~~**European sites**~~; and
MC2.c	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 **reused,** recycled or disposed of safely.
MC2.d	2.4.11	Both minerals and waste need assessments were undertaken again in late 2019 using the latest available information. These are reported in the: Minerals Need Assessment 2019 ('MNA 2019'); and Waste Need Assessment 2019 ('WNA 2019'). **Additional assessments were published in May 2022, to consider data from years 2019 and 202. These are reported in the: Minerals Need Assessment 2021 ('MNA 2021'); the MNA Sensitivity Paper; and Waste Need Assessment 2021 ('WNA 2021').**
MC2.e	2.4.14	The LAA was updated again in late 2019 **and 2022 ('LAA 2021')**.
MC2.f	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 (~~**European sites**~~ **National Network Sites**).
MC2.g	Section 2.6	To be deleted in its entirety.
Section 3. Context		
MC3.a	Figure 3	To be updated with refreshed background mapping data.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change
MC3.b	3.1.22	The waste facilities consented in Herefordshire in ~~**2019**~~ **2020** are all shown on Figure 4. Again, this Figure is available in its original A3 format at Annex A.
MC3.c	Figure 4	To be updated with refreshed background mapping and waste data.
MC3.d	3.3.1	At the time of **finalising the MWLP, whilst the UK had exited the EU it remained** ~~**time of writing (March 2020) the UK is**~~ in a transition period of negotiation with the EU~~**, expected to last until the end of 2020**~~. During this transition period, exi**s**ting legislation remains in place and applicable across the UK~~.~~
MC3.e	3.3.4	The National Planning Policy Framework (the 'NPPF', ~~**February 2019**~~ **July 2021**) contains the Government's overarching policies on minerals planning.
MC3.f	3.3.7	The NPPF seeks to conserve important landscape and heritage assets by requiring that, **as far as is practicable,** landbanks for non-energy minerals are provided outside National Parks, Areas of Outstanding Natural Beauty, Scheduled Monuments and World Heritage Sites. ~~**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'.**~~
MC3.g	3.3.9	~~**The NPFF 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.**~~
MC.h	3.3.13	In December 2018, Defra published 'Our Waste, Our Resources: A Strategy for England'[15] (the 'Resources and Waste Strategy'). This was the first significant waste policy intervention by the Government in over a decade; delivery of the circular economy is a core focus of the document. Figure 5 is taken from the ~~**RWS**~~ **Resources and Waste Strategy**.
MC3.i	3.3.24 (new)	**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-**

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change
		quality standard of design. It is primarily focussed on built forms of development, but the underlying principles can be applied to minerals and waste projects.
MC3.j	3.3.27	There are two Areas of Outstanding Natural Beauty (AONB) in Herefordshire: the Malvern Hills; and the Wye Valley. The Malvern Hills AONB Management Plan **~~2014-2019~~[20]2019-2024[20]** 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 **~~2015-2020~~[21]2021-2026[21]** 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.
MC3.k	Footnote 20	**~~http://www.malvernhillsaonb.org.uk/managing-the-aonb/management-plan/~~** **http://www.malvernhillsaonb.org.uk/wp-content/uploads/2019/04/64217-Malvern-Hills-AONB-Management-Plan-2019-24-v06.pdf**
MC3.l	Footnote 21	**~~http://www.wyevalleyaonb.org.uk/index.php/about-us/management-and-guidance/management-plan-2015-2020/~~** **https://www.wyevalleyaonb.org.uk/wp-content/uploads/dlm_uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf**
MC3.m	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 **in March 2020** issued three **~~new~~** documents relevant to development that could affect the River Wye SAC**~~. At the time of writing the MWLP, the most recent versions of these documents were published in March 2020 and~~** titled:
MC3.n	3.4.1 (first bullet under minerals)	Ensuring a continuity of minerals supply to meet the social and economic needs of the county to **~~2031~~2041**, taking account of cross-boundary supply challenges.

Section 4. Vision, Objectives and Spatial Strategy		
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.
MC4.b	Figure 6	To be updated with refreshed background mapping and to clarify policy.
Section 5. Strategic Policy and General Principles		
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.
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 ~~**European sites**~~ **National Network Sites**. The size and shape of the buffer will be defined on a site-by-site basis dependent on the attributes of the feature.
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 patter**n**s in Herefordshire in glacial times.
MC5.d	5.11.9	As a starting point, developers should refer to the particular issues identified in the key development criteria (section 9) established for ~~**the**~~ **each** allocated site~~**s**~~ and the Green Infrastructure Strategy already in place.
SECTION 6. Minerals		
MC6.a	6.1.3	The limestone is predominantly crushed for use as a primary aggregate and building stone offcuts from the sandstone delves ~~**areused**~~ **are used** in their restoration.
MC6.b	Figure 7 (within Plan and Figure)	To be updated with refreshed background mapping and to clarify policy. Title updated as shown: Figure 7 Minerals Safeguarding Areas **including Rail Heads** ~~**Fogire**~~ **Figure** 7
MC6.c	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 ~~**rail heads**~~ **railheads**.

SECTION 7. Waste		
MC7.a	7.1.8	Consequently, the policy priority is **to** 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.
MC7.b	7.2.15	~~**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.**~~
MC7.c	7.2.18	The River Wye SAC ~~**Nutrient Management Plan**~~ **NMP** makes clear that the farming community plays a crucial role in the River Wye SAC catchment.
MC7.d	7.2.19	**Whilst the River Wye SAC NMP is being reviewed, the** 'Top 5' recommendations for agriculture directly address**ing** waste management practices, **remain relevant** including:
Section 8. Delivery, Implementation and Monitoring		
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 ~~**collecting**~~ **collating** 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.
MC8.b	Table 3 (header row)	~~**Draft**~~ MWLP Policy
Section 9 Key Development Criteria		
MC9.a	9.1.4	~~**In addition,**~~ **The** key development criteria are **also** presented, along with site mapping, in the Allocated Sites Appendix. The Allocated Sites Appendix is unlikely to be suitable for users of assisted technology**, whilst Table 9 has been prepared to be easier to read.**

4. Figures of the Plan and Interactive Mapping, November 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';
- identify Hereford and the market towns; and
- include the railheads 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 railheads.

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