**Herefordshire Minerals and Waste Local Plan Examination**

**Post-hearings Modifications Consultation**

June 2023

**Proposed Main Modifications Representation Form**

**This consultation will run from 26 June 2023 to 21 August 2023.**

**No comments will be accepted after 21 August.**

Comments on the Main Modifications to the Minerals and Waste Local Plan (MWLP or ‘the Plan’) and/or on the Sustainability Appraisal and Habitats Regulations Assessment reports may be submitted by:

* emailing to: [ldf@herefordshire.gov.uk](mailto:ldf@herefordshire.gov.uk)
* posting or hand delivering to: Strategic & Neighbourhood Planning, Herefordshire Council, Plough Lane, Hereford, HR4 0LE

Additional forms, including hard copies, can be requested by e-mailing [ldf@herefordshire.gov.uk](mailto:ldf@herefordshire.gov.uk).

**Why are you being consulted?**

Following the MWLP examination hearing sessions, a number of changes to the submitted Plan, known as ‘Main Modifications’ have been prepared (as set out in the *Schedule of Main Modifications and Minor Changes*). The Planning Inspectors have indicated that these changes are considered necessary in order to make the submitted Plan ‘sound’.

Representations are now invited on the soundness and legal compliance of the Main Modifications. The MWLP with modifications included as tracked changes can be seen in the Examination Library (document ref. D4.76). However, please note that this is for reference purposes only.

The Main Modifications are proposed without prejudice to the Inspectors’ conclusions on the MWLP, which will take account of the representations submitted in response to this consultation.

**About the Schedule of Main Modifications and Minor Changes**

The *Schedule of Main Modifications and Minor Changes* sets out the Main Modifications to the MWLP, with each proposed edit referenced with an MMnumber.letter (e.g. 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, e.g. MM4.a; MM4.b etc.

The *Schedule of Main Modifications and Minor Changes* also sets out a number of other proposed amendments to the MWLP, known as ‘Minor Changes’. These relate primarily to simple updates and corrections. They are entirely for the clarity of the Plan and are not part of this consultation.

**Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) Reports**

The SA report considers whether the MWLP, as proposed to be modified, will have any significant sustainability effects that were not previously identified. The RHRA report determines whether the MWLP, as proposed through the Main Modifications, will have an adverse effect on the integrity of any European site.

Should you have any comments on either the SA or HRA reports, please complete section C of this questionnaire, including paragraph references as appropriate.

**Filling in the form**

This form has three parts:

* You must complete Part A, which asks for your contact details.
* Part B should be used to comment on the soundness of a modification. Part B continuation forms should be used for each additional modification commented on.
* Part C should be completed if you have comments on the SA or HRA reports.
* Please ensure that you send the Part A form together with all Part B and C forms when submitting your comments.
* Please note that the consultation is about the proposed Main Modifications and **not** other aspects of the MWLP. Please do not repeat any previous comments made on the Plan, as these have already been considered by the Planning Inspectors as part of the examination process.
* The personal information in Part A will only be used for purposes related to the consultation and the MWLP examination. Only your name and/or organisation will be published on the council’s MWLP examination web pages. However, other information may be shared, confidentially, with the Planning Inspectors.
* Information submitted in Parts B and C will be published in full on the Council’s MWLP examination web pages.

If you require any further information, or would like it in another format or language, please contact the Strategic & Neighbourhood Planning Team at:

[ldf@herefordshire.gov.uk](mailto:ldf@herefordshire.gov.uk)

Official use ref:

**Herefordshire Minerals and Waste Local Plan (MWLP)**

**Proposed Main Modifications**

**Part A**

**Personal details**

Title: Initials: Surname:

Job title (where relevant):

Company/Organisation (where relevant):

Address 1:

Address 2:

Address 3:

Address 4:

Postcode: Telephone number:

Email address:

If you are an agent, please indicate the name of the client that you represent:

Would you like to be kept informed about the Minerals and Waste Local Plan?

(You have the right to withdraw this request at any time, should you change your mind).

Yes  No

**Minerals and Waste Local Plan**

**Proposed Main Modifications**

* + 1. **Part B**

**Comments on soundness**

All representations will be considered by the Planning Inspectors as part of the examination of the Plan. The purpose of the examination is to enable the Inspectors to decide whether the Plan is ‘sound’.

For a Plan to be sound, it must be:

* + **Legally compliant**. This means that the Plan meets the legal requirements under Section 20(5) (a) of the 2004 Planning and Compulsory Purchase Act (as amended by the Localism Act 2011) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
  + **Positively prepared**. This means that the Plan should seek to meet objectively assessed needs and infrastructure requirements where it is reasonable to do so and where this is consistent with achieving sustainable development.
  + **Justified**. This means that the Plan should be the most appropriate strategy, considered against reasonable alternatives.
  + **Effective**. This means that the Plan should be deliverable and based on effective joint working on cross-boundary priorities.
  + **Consistent with national policy**. This means that the Plan should enable the delivery of sustainable development in accordance with the National Planning Policy Framework 2021.

**B1. Which of the main modifications does this comment relate to?**

**Main Modification number:**

*(Please complete a Part B continuation form for each additional main modification you wish to make comments on)*

**B2. Do you consider the proposed main modification addresses the following issues in relation to the policy concerned?**

**Yes No**

Legally compliant

Positively prepared

Justified

Effective

Consistent with national policy

**B3. If you have ticked no to any box in question B2, please give your reasons below with reference to the Tests of Soundness?**

Legally compliant:

Positively prepared:

Justified:

Effective:

Consistent with national policy:

**B4. Please set out what change(s) you consider necessary to the main modifications to make the Minerals and Waste Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of the policy or text.**

**Part C**

**Comments on Sustainability Appraisal and/or Habitats Regulations Assessment Reports**

Date: