



Sustainability Appraisal of the Main Modifications to the Herefordshire Minerals and Waste Local Plan

Non-Technical Summary

Herefordshire Council

Final report

Prepared by LUC

June 2023

Version	Status	Prepared	Checked	Approved	Date
1	Final Non-Technical Summary (December 2022 Schedule of Main Modifications)	M. Mc Ginley	K. Nicholls	K. Nicholls	13.12.2022
2	Updated Final Non-Technical Summary (May 2023 Schedule of Main Modifications)	M. Mc Ginley	K. Nicholls	K. Nicholls	16.05.2023
3	Final NTS for consultation	M. Mc Ginley	K. Nicholls	K. Nicholls	14.06.2023



Land Use Consultants Limited

Registered in England. Registered number 2549296. Registered office: 250 Waterloo Road, London SE1 8RD. Printed on 100% recycled paper

Contents

Chapter 1 **4** Non-Technical Summary

Introduction	4
Sustainability Appraisal and Strategic Environmental Assessment	5
SA of the Herefordshire Minerals and Waste Local Plan	6
Sustainability Context for Development in Herefordshire	10
SA Framework	21
Appraisal Methodology	32
Reasonable Alternatives	33
Sustainability Effects of the Main Modifications to the Herefordshire Minerals and Waste Local Plan	33
Mitigation	38
Monitoring	38
Conclusion and Next Steps	38

References **40**

Table of Tables

Table 1.1: Key to symbols and colour coding used in the SA of the final Main Modifications 32

Table 1.2: Summary of changes to the SA findings for the MWLP policies as a result of the final Main Modifications 37

Chapter 1

Non-Technical Summary

Introduction

1.1 LUC was appointed by Herefordshire Council to carry out the Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) of the final Main Modifications to the Herefordshire Minerals and Waste Local Plan (MWLP) (hereafter referred to as ‘the MWLP’).

1.2 The Publication Draft (Regulation 19) Herefordshire MWLP [See reference 1] and its associated SA Report [See reference 2] were finalised in January 2021 and published for consultation for a six-week period from 12th April 2021. Following the consultation period, the representations received on the Publication Draft Herefordshire MWLP and SA Report were reviewed by Herefordshire Council. Herefordshire Council then prepared a Schedule of Proposed Pre-Examination Modifications to the Herefordshire MWLP in September 2021 [See reference 3]. The proposed modifications related primarily to the representations received during the Regulation 19 consultation and to the revision to the National Planning Policy Framework (NPPF) in July 2021. The Schedule of Proposed Pre-Examination Main Modifications to the Herefordshire MWLP was subject to SA in December 2021. The SA Addendum Report (unpublished, December 2021) along with the Schedule of Proposed Pre-Examination Main Modifications, the Herefordshire MWLP and the January 2021 SA Report, were submitted to the Secretary of State for Examination on 22nd March 2022.

1.3 As part of the Examination, the Planning Inspectors considered the proposed pre-examination Main Modifications and sought views during the Examination hearings which were held during November 2022.

1.4 Following the hearings, the Council prepared a final Schedule of Main Modifications in May 2023. This Non-Technical Summary (NTS) relates to the SA of the final Main Modifications to the Herefordshire MWLP (June 2023). It should be noted that the full SA Addendum Report which this NTS relates to is an addendum to the January 2021 SA report (which was also accompanied by a NTS) and that these documents should therefore be read together. The SA Addendum (June 2023) (along with this accompanying NTS) update and supersede the SA Addendum and NTS that were prepared in December 2021 in relation to the Proposed Pre-Examination Main Modifications.

Sustainability Appraisal and Strategic Environmental Assessment

1.5 Sustainability Appraisal (SA) is a statutory requirement of the Planning and Compulsory Purchase Act 2004. It is designed to ensure that the plan preparation process maximises the contribution that a plan makes to sustainable development and minimises any potential adverse impacts. The SA process involves appraising the likely social, environmental and economic effects of the policies and proposals within a plan from the outset of its development.

1.6 Strategic Environmental Assessment (SEA) is also a statutory assessment process, required by the SEA Regulations [[See reference 4](#)]. The SEA Regulations require the formal assessment of plans and programmes which are likely to have significant effects on the environment and which set the framework for future consent of projects requiring Environmental Impact Assessment (EIA). The purpose of SEA is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans with a view to promoting sustainable development.

1.7 The UK left the EU in January 2020, with the transition period ending at the end of 2020. Following the end of the transition period, most EU law continues

to apply as set out in the European Union (Withdrawal) Act 2018 (EUWA) and the 'EU Exit' amendments to English legislation.

1.8 SEA and SA are separate processes but have similar aims and objectives. SEA focuses on the likely environmental effects of a plan whilst SA includes a wider range of considerations, such as social and economic impacts. The Government's Planning Practice Guidance [See reference 5] shows how it is possible to satisfy both requirements by undertaking a joint SA and SEA process, and to present an SA Report that incorporates the requirements of the SEA Regulations. The SA and SEA of the Herefordshire MWLP is being undertaken using this integrated approach and throughout this NTS and the main SA report the abbreviation 'SA' should therefore be taken to refer to 'SA incorporating the requirements of SEA'.

SA of the Herefordshire Minerals and Waste Local Plan

1.9 The stages of the Herefordshire MWLP preparation and the accompanying SA Reports that have been prepared and consulted on are summarised below. There have been six key stages in the SA of the Herefordshire MWLP to date.

1.10 Following each stage of consultation, all representations relating to the SA process were reviewed. Appendix K of the January 2021 SA Report contains a summary of the representations received during the consultations on the Scoping Report and the Draft MWLP SA Report. Appendix A of the June 2023 SA Addendum contains a schedule of SA-related representations that were received during the consultation on the Publication Draft Herefordshire MWLP.

Herefordshire MWLP SA Stages and Consultation Documents

Scoping Stage

Local Plan Consultation Stage and Documents

- Call for sites, evidence gathering, etc.

SA Consultation Stage and Document

- Scoping Report (February 2017)
- Consultation: February – March 2017

Issues and Options Stage

Local Plan Consultation Stage and Documents

- Issues & Options Paper (August 2017)
- Consultation: 14th August – 6th October 2017

SA Consultation Stage and Document

- SA Report on the Issues & Options Paper
- Consultation: 14th August – 6th October 2017

Draft Stage

Local Plan Consultation Stage and Documents

- Draft Herefordshire Minerals and Waste Local Plan (January 2019)
- Consultation: 21st January – 4th March 2019

SA Consultation Stage and Document

- SA Report of the Draft Herefordshire Minerals and Waste Local Plan (December 2018)
- Consultation: 21st January – 4th March 2019

Publication Draft Stage

Local Plan Consultation Stage and Documents

- Publication Draft Herefordshire Minerals and Waste Local Plan (January 2021)
- Consultation: 12th April – 24th May 2021
- Proposed Pre-Examination Schedule of Main Modifications and Minor Changes (September 2021) (not published for consultation)

SA Consultation Stage and Document

- SA report on Draft Herefordshire Minerals and Waste Local Plan (January 2021)
- Consultation: 12th April – 24th May 2021
- SA Addendum Report of the Proposed Pre-Examination Schedule of Main Modifications and Minor Changes (not published for consultation)

Submission to the Secretary of State

- The Publication Draft Herefordshire MWLP and its associated SA Report (January 2021), and the Proposed Pre-Examination Schedule of Main Modifications and Minor Changes and its associated SA Addendum Report (December 2021) were submitted to Secretary of State on 22nd March 2022.

Examination

Local Plan Consultation Stage and Documents

- Hearing sessions: 8th, 9th and 10th November 2022
- Schedule of Final Main Modifications to the Herefordshire Minerals and Waste Local Plan (May 2023)
- Consultation: Commencing June /July 2023 (six-week consultation period)

SA Consultation Stage and Document

- SA Addendum Report of the Final Main Modifications to the Herefordshire Minerals and Waste Local Plan (June 2023)
- Non-Technical Summary of the SA Addendum Report of the Final Main Modifications to the Herefordshire Minerals and Waste Local Plan (June 2023) (this document)
- Consultation: Commencing June /July 2023 (six-week consultation period)

Adoption

Local Plan Consultation Stage and Documents

- Adoption of Herefordshire Minerals and Waste Local Plan (anticipated autumn/winter 2023)

SA Consultation Stage and Document

- SA/SEA Adoption Statement (to be prepared once the MWLP is adopted) (anticipated autumn/winter 2023)

Sustainability Context for Development in Herefordshire

Policy Context

1.11 It should be noted that the policy context within which the Herefordshire MWLP and its SA are being prepared is inherently uncertain given the following key factors:

- UK economy narrowly avoiding recession – The UK economy narrowly avoided a recession after zero growth in the final quarter of 2022, thus avoiding two quarters of negative growth which mark a technical recession. However, the economy is still expected to shrink by 0.2% in 2023, according to the Office of Budget Responsibility (OBR) [See reference 6]. The OBR, which is the Government's independent forecaster, expects housing incomes to drop by 6% this year and next once rising prices are taken into account – the largest two-year fall in living standards since the 1950s. Despite avoiding a recession, the UK is the only country in the G7 with an economy that is smaller than it was before

the COVID-19 pandemic (-0.8% GDP growth October-December 2022) [\[See reference 7\]](#).

- COVID-19 – The COVID-19 pandemic has led to far-reaching changes to society in the UK and around the world. Which of these changes will continue in the long term is unknown. However, emerging evidence suggests that there has been an increase in remote working; reduced commuting and related congestion and air pollution; and increased prioritisation of walking and cycling over private transport in towns and cities.
- Brexit – Following the United Kingdom's (UK) departure from the European Union (EU) on 31st January 2020, it entered a transition period which ended on 31st December 2020. From 1st January 2021, directly applicable EU law no longer applies to the UK and the UK is free to repeal EU law that has been transposed into UK law. Where EU law has been transposed into UK law and not repealed, the relevant UK legislation is still referred to in this report.
- The Levelling Up and Regeneration Bill [\[See reference 8\]](#), published on 11th May 2022, introduces a number of reforms to the planning system. It sets out the Government's plans to drive local growth and empower local leaders to regenerate their areas. The Bill introduces a new Infrastructure Levy, new powers for councils to bring vacant properties back into use, a new approach to environmental assessments, and changes to neighbourhood planning including digitisation of the system.

National Planning Policy Framework

1.12 Since the preparation of the Publication Draft Herefordshire MWLP, a number of international, national and local plans, policies and programmes have been updated/published that are relevant to the Herefordshire MWLP.

1.13 Most notable is the publication of the revised National Planning Policy Framework [\[See reference 9\]](#) in July 2021 and replaces the previously published NPPF published in March 2012, revised in July 2018, and updated in

February 2019. The Publication Draft SA Report was published in January 2021 and therefore referred to the 2019 version of the NPPF that was extant at that time. The NPPF does not contain specific waste policies (contained in National Planning Policy for Waste [See reference 10]) however it does contain policies on the sustainable use of minerals.

1.14 Many of the changes to the 2021 NPPF relate to development other than for minerals and waste. However, of relevance to the Herefordshire MWLP, the 2021 revisions to the NPPF reflect the Government's commitment to making beauty and place-making a strategic theme in national planning policy. The changes make clear that development that is not well designed should be refused and that 'good design and beautiful places' should be at the centre of plan making and decision making.

1.15 Both the Herefordshire MWLP and the SA are being prepared in line with the NPPF. The SA framework (the suite of SA objectives against which the MWLP has been assessed throughout its preparation) contains sustainability objectives relating to good design (SA objective 7), the conservation and enhancement of the natural and built environment (SA objectives 6, 12, 13, 14, 15, 16 and 17), and the restoration of sites to create accessible greenspace (SA objective 11).

National Planning Practice Guidance

1.16 National Planning Practice Guidance (NPPG) [See reference 11] provides guidance on the interpretation and implementation of the NPPF. The NPPG is an online resource that is continuously being updated and the following updates have been made since the January 2021 SA Report was prepared:

- 25th August 2022 – 'Flood risk and coastal change'.
- 7th August 2022 – 'Healthy and safe communities'.

1.17 Both the Herefordshire MWLP and the SA are being prepared in accordance with the guidance outlined in the NPPG.

Other Relevant Plans and Programmes

1.18 Other relevant plans and programmes that have been published/updated of relevance to the Herefordshire MWLP and SA include:

Environmental Improvement Plan 2023

1.19 The Environmental Improvement Plan 2023 [See reference 12] is the first revision of the 25 Year Environmental Plan. It details ten-goals identifying how the Government will work with communities and businesses to leave the environment in a better state than it is presently. Of most relevance is Goal 5: Maximise our resources, minimise our waste:

- Eliminate avoidable waste by 2050 and double resource productivity;
- Eliminate avoidable plastic waste by 2042;
- Eliminate waste crime by 2042; and
- Halve 'residual' waste (excluding major mineral waste) produced per person by 2042. For the purposes of the target, 'residual' waste is defined as waste that is sent to landfill, put through incineration or used in energy recovery in the UK, or that is sent overseas to be used in energy recovery.

1.20 The Herefordshire MWLP will help to deliver these new national targets.

Draft Agricultural Development Supplementary Planning Guidance

1.21 The Agricultural Development Supplementary Planning Guidance (SPG) (November 2022) seeks to provide clarity on the impact of farming on protected sites, most notably the River Wye and River Clun Special Areas of Conservation (SACs) which have significantly declined in quality over recent

years. The River Lugg sub-catchment of the River Wye SAC is also exceeding its limits of phosphates. The SPG requires all planning applications for agricultural development in the River Wye catchment to complete the Farmscoper tool to demonstrate the phosphorous loading of their development. The Draft SPG also requires applicants to detail the level of impact on biodiversity, geodiversity, the landscape, visual amenity, air quality, highway safety and access, public rights of way, flood risk, the historic environment, residential amenity, etc. The Draft SPG was published for consultation from 24th November 2022 to 19th January 2023.

Advice for Development Proposals with the Potential to Affect Water Quality Resulting in Adverse Nutrient Impacts on Habitat Sites

1.22 On 16th March 2022, during the Examination process, Natural England issued advice to relevant planning authorities, including Herefordshire Council, relating to plans and projects which have the potential to affect water quality resulting in adverse nutrient impacts on designated habitat sites **[See reference 13]**. It also provided an update to advice previously issued to Herefordshire Council on how to address the impacts of development which have the potential to increase nutrient emissions and adversely affect the integrity of the River Wye SAC (River Lugg component), for which Natural England and Herefordshire Council had agreed that nutrient neutrality would be applied as a mitigation measure. Natural England recommended that Herefordshire Council applies the updated nutrient neutrality methodology and the updated catchment calculator when assessing the nutrient impacts of the Herefordshire MWLP on the integrity of the River Lugg as part of the River Wye SAC. Natural England also advised Herefordshire Council that the conservation status of the River Clun SAC is in unfavourable condition due to elevated nutrient levels (both phosphorus and nitrogen).

The River Lugg Catchment Position Statement

1.23 In April 2021 Herefordshire Council issued a Position Statement on the River Lugg Catchment [See reference 14] which confirmed that the River Wye SAC Nutrient Management Plan (NMP) is under review with the intention to provide an increased level of certainty around phosphate reduction and timescales. The Position Statement 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.

1.24 The River Lugg Catchment Position Statement (April 2021) (in the section titled '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)".

1.25 It is clear that the details around phosphate reduction and the protection of the River Wye SAC will change over the MWLP 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. The final Main Modifications to the Herefordshire MWLP (May 2023) are in line with the advice from Natural England.

Heritage Impact Assessments

1.26 In line with advice received from Historic England, Herefordshire Archaeology, commissioned by Herefordshire Council, undertook Heritage Impact Assessments (HIAs) in August 2021 for the following sites:

- Wellington Quarry [See reference 15];
- Upper Lyde Quarry [See reference 16];

- Shobdon Quarry [See reference 17]; and
- Leinthall Quarry [See reference 18].

1.27 The HIAs describe the known heritage assets within the locality (both designated and undesignated), explore the impact and setting concerns of these sites in relation to the proposed extension and discuss the potential for survival of archaeological features and artefacts within the proposed extension area. They conclude that the proposals for further extraction at these sites (through extensions of the existing sites) will not directly affect any known archaeological heritage assets or other heritage assets.

Herefordshire Integrated Waste Management Strategy

1.28 In July 2021, Herefordshire Council adopted a new Integrated Waste Management Strategy [See reference 19], which identifies six 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.

1.29 The new Waste Strategy and the MWLP are aligned and policy of the MWLP will help to deliver these new strategic targets.

Wye Valley AONB Management Plan 2021-2026

1.30 The Wye Valley AONB Management Plan 2021-2026 [See reference 20] is intended to provide guidance and strategic objectives to support and steer positive landscape change. Aims include the conservation and enhancement of landscape, biodiversity and heritage assets, as well as guiding sustainable land management and development.

Natural Resources Wales' (NRW's) Planning Position Statement [See reference 21]

1.31 In January 2021, NRW published a Planning Position Statement regarding the phosphate levels from development in the riverine SAC catchments in Wales. It identifies that the River Wye SAC fails in terms of achieving the phosphate standards and presents evidence of 'widespread or severe' phosphate levels (67%). In waterbodies which already fail to satisfy the phosphate standards set for a SAC, there is no headroom within these waterbodies to accommodate increased levels of phosphate and further increases in phosphate will further worsen the condition of the SAC. Therefore, any proposed development within the catchment or waterbody that might increase the amount of phosphate within the catchment or waterbody could lead to additional damaging effects to the SAC therefore such proposals should be screened through a HRA to determine whether they are likely to have a significant effect on the site's qualifying features.

National Design Guide

1.32 The National Model Design Code [See reference 22] presents a framework for creating healthy, greener, environmentally responsive, sustainable and distinctive places, with a consistent and high-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.

Herefordshire County Archaeology and Minerals Resource Assessment

1.33 The Herefordshire County Archaeology and Minerals Resource Assessment [See reference 23] was omitted in error from the review of relevant plans in the January 2021 SA Report. It sets out an archaeological and minerals resource assessment for the county of Herefordshire. The data outputs from the Assessment have informed the assessment of proposed sites to be allocated in the MWLP.

Baseline Information

1.34 Since the preparation of the SA Report and NTS for the Publication Draft Herefordshire MWLP in January 2021, the following baseline information of relevance to the SA of the Herefordshire MWLP has been updated/published:

- According to NRW's Compliance Assessment of Welsh River SACs against Phosphorous Targets [See reference 24], the comparison of phosphorus concentrations in the River Wye SAC against NRW's phosphate targets indicates widespread failures, some of them large in magnitude. Fourteen waterbodies in the Wye SAC passed their targets however, 28 failed and three were unknown. Both consistent and episodic failures were identified.

- The mining and quarrying sector was significantly impacted by the COVID-19 pandemic, with construction sites closed for several months in 2020, reducing demand for minerals. According to the latest Index of Production bulletin released in January 2023, mining and quarrying outputs were at -2.2% which is 19% below the recorded level in February 2020, the last month of “normal” trading conditions prior to COVID-19. In contrast, waste management (included in the same category as water supply and sewerage) grew by 0.6% in January 2023 which is 13.9% above its February 2020 level.
- In 2020/2021, Herefordshire Council collected 86,632 tonnes of local authority collected-waste (LACW), of which 72,949 tonnes was household waste [See reference 25]. Of the total amount of LACW, 32,825 tonnes were sent for recycling, composting or reuse with 48,807 tonnes not sent for recycling. There was a 3.9% decrease in household waste per person since 2019/2020 (from 391.9kg to 376.5kg). Of the total household waste collected, 28,202 tonnes were sent for recycling, composting or reuse (38.7%). There was a decrease in the percentage of household waste recycled from 41% in 2019/2020 to 38.7% in 2020/2021. Approximately 8,683 tonnes of non-household waste were collected of which 4,624 tonnes were sent for recycling, composting or reuse.
- The Office for National Statistics released the first results from the Census 2021 in June 2022. This showed that the population of Herefordshire in 2021 was 187,100 people - 3,600 more than in 2011 (up by 2.0%), which is a slower rate of growth than England and Wales (6.6%). With 86 people per square kilometre, Herefordshire had the fourth lowest population density out of all county level authorities in England in 2021 [See reference 26]. The latest population projections for Herefordshire predict that the population will increase to 219,891 by 2043, a percentage change of 14.9% compared to the 2021 population of 187,100 people. There are approximately 13,200 people in Herefordshire with diverse needs (physical, cognitive) [See reference 27] who may encounter particular challenges when visiting a HWRC or understanding how to recycle properly.
- The latest labour market statistics [See reference 28] from October 2021 to September 2022 show that 94,100 people in Herefordshire were

employed, accounting for 76.8% of the population, which is above the national average of 75.5%. The proportion of people who are unemployed is 3.1% which is lower than the regional average (4.9%) and the national average (3.7%). In February 2023, 2.4% of the population of Herefordshire claimed out-of-work benefits which is lower than both the West Midlands average (4.8%) and national average (3.7%).

- Commuting patterns result in a daily 3,062 population decrease in Herefordshire [See reference 29]. Around 13,876 people commute out of Herefordshire to other areas each day, most notably to Malvern Hills, Shropshire and Forest of Dean. However, these commuting patterns are expected to have significantly changed due to the increase in working from home as a response to the COVID-19 pandemic (Census 2021 data is not available yet in relation to commuting patterns).

1.35 The baseline information presented in the January 2021 SA Report relating to the 'landscape' omitted reference to the Brecon Beacons National Park. Therefore, the following section is updated:

- The Wye Valley Area of Outstanding Natural Beauty (AONB) and the Malvern Hills AONB lie partially within Herefordshire. The Wye Valley AONB broadly follows the River Wye, ending just south-east of Hereford and the Malvern Hills AONB incorporating an area east and north-east of Ledbury. The Shropshire Hills AONB lies almost adjacent to the north-western part of Herefordshire, near Leintwardine. There are no national parks or Green Belt designations in the county; however the Brecon Beacons National Park borders the western boundary of Herefordshire.

Key Sustainability Issues

1.36 Chapter 3 of the January 2021 SA Report and NTS describes the key sustainability issues facing the county. Following the review of relevant plans and updates to the baseline, the following additional key sustainability issue is identified:

- COVID-19 impacts – The COVID-19 pandemic has had a dramatic effect on the mineral sector, with production levels still below pre-pandemic levels. Industrial and commercial waste production significantly reduced due to the closure of businesses and industries during the lockdowns. During the COVID-19 restrictions, many household recycling centres and civic amenity sites were closed, while at the same time people took advantage of getting rid of old furniture, clothes, electronics, leading to an increase in illegal dumping in the UK.

SA Framework

1.37 This NTS and the full SA Addendum Report are prepared within the context of the previous SA work that was undertaken for the Herefordshire MWLP in January 2021. Having updated the policy review, baseline information and key sustainability issues facing Herefordshire, it was concluded that the framework of sustainability objectives used to guide the previous stages of SA work (as set out in Chapter 2 of the January 2021 SA Report) remains valid.

1.38 The assessment reported in the SA Addendum Report and this NTS therefore continues to use this same ‘SA Framework’, with one minor amendment to address a representation made during the Regulation 19 consultation on the January 2021 SA Report. SA objective 8: Waste is reworded from ‘Move treatment of waste up the waste hierarchy’ to ‘Move waste up the waste hierarchy’, to reflect that all waste should move up the waste hierarchy and not just waste treatment. This minor change to the wording of the SA objective does not in itself alter the earlier SA conclusions relating to that objective as the fundamental meaning of the SA objective is unchanged.

1.39 The ‘SEA Topics Covered by Objective’ sections below identifies which of the topics specified in the SEA Regulations is addressed by each objective. The final Main Modifications were appraised in relation to their likely effects in relation to the sustainability objectives set out in this SA framework, compared to the present baseline situation and likely evolution of key issues in the absence of the Plan.

Employment

SA Objective 1: Support, maintain or enhance the provision of employment opportunities in the minerals and waste sectors

Appraisal Question

- 1.1: Support the development and growth of the minerals and waste economy in Herefordshire and generate employment opportunities for local people.

SEA Topics Covered by Objective

- Material assets [See reference 30]
- Population

SA Objective 2: Maintain or enhance conditions that enable a sustainable economy and continued investment

Appraisal Question

- 2.1: Encourage long-term investment in Herefordshire's minerals and waste sectors.
- 2.2: Ensure a steady and adequate supply of minerals to meet the needs of society in accordance with national policy.

SEA Topic Covered by Objective

- Material assets
- Population

Healthy and Prosperous Communities

SA Objective 3: Protect and improve the health of the people of Herefordshire and reduce disparities in health geographically and demographically

Appraisal Question

- 3.1: Avoid or minimise adverse effects on human health and safety to acceptable levels from minerals and waste operations.
- 3.2: Provide opportunities to improve health and amenity through delivery of green infrastructure, enhanced public rights of way and improved access to recreation as part of the development and restoration of sites.
- 3.3: Avoid or minimise adverse effects on the quality and extent of existing recreational assets.

SEA Topic Covered by Objective

- Population
- Human health

SA Objective 4: Reduce poverty and social inclusion by closing the gap between the most deprived areas in the county and the rest of the county

Appraisal Question

- 4.1: Provide opportunities for local people to access employment and skills in the minerals and waste sectors.

SEA Topic Covered by Objective

- Population
- Human health

Transport and Access

SA Objective 5: Reduce road traffic, congestion and pollution, and promote sustainable modes of transport and efficient movement patterns in the county

Appraisal Question

- 5.1: Reduce the vehicle kilometres travelled for the transportation of minerals and waste.
- 5.2: Promote the use of sustainable modes of transport.

- 5.3: Encourage the use of low emission vehicles for the transportation of waste and minerals.

SEA Topic Covered by Objective

- Material assets

Built and Historic Environment

SA Objective 6: Value, protect and enhance the county's historic environment and cultural heritage

Appraisal Question

- 6.1: Conserve, protect and enhance designated and undesignated heritage assets in a manner appropriate to their significance, including the Hereford Area of Archaeological Importance, Conservation Areas, Scheduled Monuments, Registered Historic Parks and Gardens, Listed Buildings, archaeological remains and areas of historical heritage and cultural value e.g. locally listed buildings.

SEA Topic Covered by Objective

- Cultural heritage, including architectural and archaeological heritage

SA Objective 7: Value, protect and enhance the character and built quality of settlements and neighbourhoods

Appraisal Question

- 7.1: Prevent development which is inappropriate in scale, form or design to its setting or to its function or local area.

SEA Topic Covered by Objective

- Material assets
- Soil

Resource Consumption and Climate Change

SA Objective 8: Move waste up the waste hierarchy

Appraisal Question

- 8.1: Minimise disposal of waste to landfill from households, businesses etc. including hazardous waste.
- 8.2: Promote re-use, recovery and recycling of waste.
- 8.3: Deal with waste locally and/or through the best Practical Environmental Option.
- 8.4: Promote sustainable waste management principles.

SEA Topic Covered by Objective

- Material assets

SA Objective 9: Promote sustainable use of mineral resources

Appraisal Question

- 9.1: Safeguard mineral resources from loss by permanent sterilisation.
- 9.2: Promote the most efficient use of mineral resources.

SEA Topic Covered by Objective

- Material assets

SA Objective 10: Reduce Herefordshire's vulnerability to the impacts of climate change as well as its contribution to the problem

Appraisal Question

- 10.1: Reduce the county's contribution to climate change by reducing greenhouse gas emissions from waste and mineral transportation and management activities.
- 10.2: Promote energy efficiency by encouraging the use of energy efficient buildings and plant, and the use of appropriate renewable or lower carbon energy sources on site.

SEA Topic Covered by Objective

- Climatic factors

SA Objective 11: Promote effective restoration and appropriate after use of sites

Appraisal Question

- Provide for the restoration of land to an appropriate after-use including the creation of accessible greenspace at former waste and mineral sites.

SEA Topic Covered by Objective

- Water
- Air
- Soil

Environmental

SA Objective 12: Value, maintain, restore and expand county biodiversity and geodiversity

Appraisal Question

- 12.1: Protect and enhance habitats of international, national, regional or local importance.
- 12.2: Protect international, national, regional or locally important terrestrial or aquatic species.

- 12.3: Maintain wildlife corridors and minimise fragmentation of ecological areas and green spaces.
- 12.4: Provide opportunities for enhancing biodiversity and achieve net gains in biodiversity, where possible as part of the development and restoration of a site.
- 12.5: Maintain and improve geodiversity, avoid irreversible losses and create, extent or enhance Local Geological Sites.

SEA Topic Covered by Objective

- Biodiversity
- Fauna
- Flora

SA Objective 13: Value, protect, enhance and restore the landscape quality of Herefordshire, including its rural areas and open spaces

Appraisal Question

- 13.1: Value, enhance and protect natural environmental assets including AONBs, open spaces, parks and gardens and their settings.
- 13.2: Minimise the landscape and visual intrusion of waste and mineral facilities on sensitive and/or distinct landscapes.

SEA Topic Covered by Objective

- Landscape
- Fauna

- Flora

SA Objective 14; Value, protect and enhance the quality of watercourses and maximise the efficient use of water

Appraisal Question

- 14.1: Protect and enhance the quality of watercourses.
- 14.2: Maximise the efficient use of water and protect the quality and quantity of ground and surface water from over abstraction.

SEA Topic Covered by Objective

- Water

SA Objective 15: Reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment

Appraisal Question

- 15.1: Ensure minerals and waste development are not at risk of flooding both presently and taking into account climate change and do not increase the risk of flooding elsewhere.
- 15.2: Ensure flood risk reduction/improvements to the flood regime.

SEA Topic Covered by Objective

- Water

SA Objective 16: Minimise noise, light and air pollution

Appraisal Question

- 16.1: Minimise air, noise and light pollution from activities associated with mineral and waste developments and the potential for such pollution.
- 16.2: Help achieve the objectives of Air Quality Management Plans.

SEA Topic Covered by Objective

- Air

SA Objective 17: Value, protect and enhance soil quality and resources

Appraisal Question

- 17.1: Provide opportunities to improve soil quality and minimise contamination of soils.
- 17.2: Avoid the loss of the best and most versatile agricultural land by prioritising the location of waste and mineral developments to previously developed sites in preference to greenfield locations.

SEA Topic Covered by Objective

- Soil

Appraisal Methodology

1.40 The SA uses colour-coded symbols attributed to each policy and site allocation to indicate its likely sustainability effects and performance against the 17 SA objectives in the SA Framework. Table 1.1 shows how these symbols are applied during the appraisal.

Table 1.1: Key to symbols and colour coding used in the SA of the final Main Modifications

Symbol and Colour Coding	Description
++	The policy/site allocation is likely to have a significant positive effect on the SA objective(s).
+	The policy/site allocation is likely to have a minor positive effect on the SA objective(s).
0	The policy/site allocation is likely to have a negligible or no effect on the SA objective(s).
+/-	The policy/site allocation is likely to have a mixture of both minor positive and negative effects on the SA objective(s).
-	The policy/site allocation is likely to have a minor negative effect on the SA objective(s).
--	The policy/site allocation is likely to have a significant negative effect on the SA objective(s).
?	It is uncertain what effect the policy/site allocation will have on the SA objective(s).

Symbol and Colour Coding	Description
++/-	The policy/site allocation is likely to have a mixture of both significant positive and minor negative effects on the SA objective(s).
--/+	The policy/site allocation is likely to have a significant negative and minor positive effects on the SA objective(s).
++/--	The policy/site allocation is likely to have a mixture of both significant positive and negative effects on the SA objective(s).

Reasonable Alternatives

1.41 The SEA Regulations require the consideration of reasonable alternatives to the Herefordshire MWLP. Most of the Main Modifications to the MWLP address minor details in the Plan, for example text clarifications and corrections. Such changes are not considered to have reasonable alternatives.

1.42 The 2021 SA Report which accompanied the Publication Draft Herefordshire MWLP sets out how reasonable alternatives were considered and selected as part of the SA and plan-making processes up until Submission, as required by the SEA Regulations. No reasonable alternatives to the final Main Modifications have been identified.

Sustainability Effects of the Main Modifications to the Herefordshire Minerals and Waste Local Plan

1.43 Table 1.2 overleaf summarises the changes to the SA findings previously reported as a result of the Main Modifications to the Herefordshire MWLP.

Appendix B of the full SA Addendum Report presents the Schedule of Main Modifications with a final column added to record the implications of each Main Modification for the SA conclusions reported previously. Chapter 4 of the full SA Addendum presents the full summary of effects as a result of the Main Modifications.

1.44 The majority of the Main Modifications do not affect the SA findings presented in the January 2021 SA Report for the Publication Draft Herefordshire MWLP, generally because they are updates or clarifications to text within the MWLP and not fundamental changes to the policies or site allocations. Some policy updates do not change the overall SA effects recorded but reinforce or strengthen the effect previously recorded in the 2021 SA Report. Therefore, Table 1.2 only highlights where the SA effects are identified as being different to those set out in the 2021 SA Report and NTS.

1.45 A representation received during the Regulation 19 consultation highlighted that the baseline information presented in the 2021 SA Report erroneously omitted reference to the Brecon Beacons National Park. The site assessment for SA objective 13: Landscape for site M13 (Black Hill Delve) is updated to acknowledge that it is within 500m of the National Park. This results in the previously identified negligible effect being revised to an uncertain minor negative effect, to recognise the potential for adverse effects on the character and special qualities of the National Park (see Assumptions in Appendix F of the January 2021 SA Report). However, as the site comprises a small delve and due its topography in relation to the National Park, the likelihood for adverse effects on the National Park are limited and the effect is considered to be minor rather than significant.

1.46 The Main Modifications resulted in the revision of SA effects for three policies:

- Policy M2: Safeguarding of minerals resources and associated infrastructure from sterilisation or significant adverse effect;
- Policy W5: Preferred locations for solid waste treatment facilities; and

- Policy W6: Preferred locations for construction, demolition and excavation waste management facilities.

1.47 The Main Modification to Policy M2 safeguards mineral resources and only permits non minerals development under certain circumstances, including where it occurs at depth and can be extracted in an economically viable alternative way and where it would not prejudice the operation of associated infrastructure. The previously identified minor positive effects for SA objectives 1: Employment and 2: Economy remain valid, however, the previously identified minor negative effect for SA objective 5: Sustainable Transport is revised to a minor positive effect as the policy will only support non-mineral development where it will not prejudice the operation of mineral infrastructure, principally the railheads used for the transportation of minerals.

1.48 The Main Modifications to the KDC for policies W5 and W6 relating to Former Lugg Bridge Quarry (W13), Rotherwas Industrial Estate (W58), Holmer Road (W61), Land between Little Marcle Road and Ross Road (W64), Leominster Enterprise Park (W62), Leominster HWS and HWRC (W05), Model Farm (W65), Moreton Business Park (W66), Shobdon Quarry (W44), Southern Avenue (W63), Three Elms Trading Estate (W60), Upper Lyde Quarry (W43), Wellington Quarry (W45) and Westfields Trading Estate (W59) require desk-based assessments and field evaluation of archaeological remains, and demonstration that proposed developments will appropriately minimise and mitigate impacts on heritage assets and their settings. Therefore, the previously identified minor negative effects for policies W5 and W6 in relation to SA objective 6: Historic Environment are now combined with minor positive effects to form mixed (minor positive / minor negative) effects, as the KDC support the conservation and protection of heritage assets.

1.49 The Main Modification to the KDC for Policy W5 provides clarification regarding the need for development proposals at the Former City Spares Site (W19), Rotherwas Industrial Estate (W58), Holmer Road (W61), Kington Household Waste and Recycling Centre (W10), Leominster Enterprise Park (W62), Leominster HWS and HWRC (W05), Model Farm (W65), Moreton Business Park (W66), Southern Avenue (W63), Three Elms Trading Estate

(W60), and Westfields Trading Estate (W59) to demonstrate no likely significant effects on the River Wye SAC. Development proposals must also demonstrate at least nutrient neutrality to avoid any adverse effects on the River Wye SAC. This will help mitigate likely adverse effects arising from changes in water quality. It also supports the HRA Addendum Report conclusion of no adverse effect on the integrity on the River Wye SAC from sites W05, W63, and W66 or Policy W5 which has informed the SA findings. Therefore, the previously identified minor negative effect for Policy W5 in relation to SA objective 14: Water is now combined with a minor positive effect to form a mixed (minor positive / minor negative) effect.

1.50 Chapter 5 of the full SA Addendum presents the updated assessment of the secondary, synergistic and cumulative effects. These effects remain broadly the same as those identified in the January 2021 SA Report due to the small number of changes made to the SA conclusions as a result of the Main Modifications.

Table 1.2: Summary of changes to the SA findings for the MWLP policies as a result of the final Main Modifications

SA Objective	Site/Policy	Previous SA Effect	Revised SA Effect
SA Objective 13: Value, protect, enhance and restore the landscape quality of Herefordshire, including its rural areas and open spaces	Site M13: Black Hill Delve	0	-?
SA Objective 5: Reduce road traffic, congestion and pollution, and promote sustainable modes of transport and efficient movement patterns in the county	Policy M2: Safeguarding of minerals resources and associated infrastructure from sterilisation or significant adverse effect	-?	+
SA Objective 6: Value, protect and enhance the county's historic environment and cultural heritage	Policy W5: Preferred locations for solid waste treatment facilities	-?	+?/-?
SA Objective 14: Value, protect and enhance the quality of watercourses and maximise the efficient use of water	Policy W6: Preferred locations for construction, demolition and excavation waste management facilities	-?	+?/-?
SA Objective 14: Value, protect and enhance the quality of watercourses and maximise the efficient use of water	Policy W5: Preferred locations for solid waste treatment facilities	-?	+?/-?

Mitigation

1.51 Chapter 6 of the full SA Addendum presents an updated overview of the mitigation provided by the policies in the MWLP as a result of the Main Modifications. The revised policies provide additional mitigation to avoid, prevent and offset significant adverse effects on the environment from implementing the Herefordshire MWLP.

Monitoring

1.52 Chapter 8 of the January 2021 SA Report sets out a number of indicators for monitoring the potential significant sustainability effects of implementing the Herefordshire MWLP. In light of the updated SA findings taking into account the Main Modifications to the Herefordshire MWLP, a review of the indicators presented in the Monitoring Framework has been undertaken. It was concluded that the Monitoring Framework presented in Chapter 8 of the January 2021 SA Report remains valid.

Conclusion and Next Steps

1.53 This NTS and the full SA Addendum Report present an assessment of the final Schedule of Main Modifications to the Herefordshire MWLP (May 2023). The majority of the modifications in the Schedule of Main Modifications do not affect the SA findings presented in the January 2021 SA Report for the Publication Draft MWLP, either because they are updates or clarifications to text within the MWLP or are not fundamental changes to the policies or site allocations.

1.54 The Main Modifications have provided the clarity requested by Natural England, Historic England, the Environment Agency and Natural Resources Wales, particularly relating to the need for mineral and waste proposals to demonstrate at least nutrient neutrality within the River Wye SAC and to demonstrate that proposed developments will appropriately minimise and mitigate impacts on heritage asset(s) and their setting(s). The Main Modifications resulted in the revision of SA effects for three policies (policies M2, W5 and W6), all of which resulted in more positive effects.

Next Steps

1.55 This NTS and the full SA Addendum Report will be published for consultation alongside the final Main Modifications to the Herefordshire MWLP in June / July 2023 for a six-week consultation period.

1.56 Following the formal Main Modifications consultation, the Inspector will consider the representations made and recommend any final changes necessary to make the MWLP meet the test of soundness. If the Herefordshire MWLP is found to be 'sound', it can be formally adopted by the Herefordshire Council. Once the Herefordshire MWLP has been adopted, a SA Adoption Statement will be published to report the full plan-making and SA process and the framework for monitoring future effects.

LUC

June 2023

References

- 1 Herefordshire Council (2021) Herefordshire Minerals and Waste Local Plan Publication Draft [pdf]. Available at: <https://www.herefordshire.gov.uk/downloads/file/22074/1-publication-draft-herefordshire-minerals-and-waste-local-plan-jan-2021->
- 2 LUC (2021) Sustainability Appraisal of the Publication Draft Herefordshire Minerals and Waste Local Plan [pdf]. Available at: <https://www.herefordshire.gov.uk/downloads/file/22090/25-sustainability-appraisal-2021-publication-draft-stage>
- 3 Hendeca (2021) Herefordshire Minerals and Waste Local Plan – Schedule of Main Modifications and Minor Changes Proposed Pre-Examination
- 4 Statutory Instrument 2004, No 1633, as amended by Statutory Instrument 2018 No 1232 and by Statutory Instrument 2020 No 1531.
- 5 HM Government (2016, updated 2021) Planning practice guidance: The National Planning Policy Framework and relevant planning practice guidance [online]. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance>
- 6 Office for Budget Responsibility (2023) Economic and fiscal outlook – March 2023 [online]. Available at: <https://obr.uk/economic-and-fiscal-outlooks/>
- 7 UK Parliament – House of Commons Library (2023) GDP – International Comparisons: Key Economic Indicators [online]. Available at: <https://commonslibrary.parliament.uk/research-briefings/sn02784/>
- 8 Department for Levelling Up, Housing and Communities (2022) The Levelling Up and Regeneration Bill [online]. Available at: <https://www.gov.uk/government/collections/levelling-up-and-regeneration-bill>
- 9 Department for Levelling Up, Housing and Communities (2012) National Planning Policy Framework [online]. Available at: <https://www.gov.uk/guidance/national-planning-policy-framework>

References

- 10** Ministry of Housing, Communities and Local Government (2014) National planning policy for waste [online]. Available at:
<https://www.gov.uk/government/publications/national-planning-policy-for-waste>
- 11** Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government (2016, updated 2021) Planning practice guidance: The National Planning Policy Framework and relevant planning practice guidance [online]. Available at:
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 12** Department for Environment, Food and Rural Affairs (2023) Environmental Improvement Plan 2023 [online]. Available at:
<https://www.gov.uk/government/publications/environmental-improvement-plan>
- 13** The advice relates to:
- Special Protection Areas (SPA) designated under the Habitat Regulations 2017.
 - Special Areas of Conservation (SAC) designated under the Habitat Regulations 2017.
 - Sites designated under the Ramsar Convention, which as a matter of national policy are afforded the same protection as if they were designated under the Habitat Regulations 2017.
 - Sites identified or required as compensatory measures for adverse effects on SPAs, SACs and Ramsar sites.
- 14** Herefordshire Council (2021) Position Statement – Development in the River Lugg Catchment Area – April 2021 An Update [pdf]. Available at:
<https://www.herefordshire.gov.uk/downloads/file/22149/position-statement-update-april-2021>
- 15** Herefordshire Archaeology (2021) A Heritage Impact Assessment for Wellington Quarry Extension, Wellington, Herefordshire
- 16** Herefordshire Archaeology (2021) A Heritage Impact Assessment for Upper Lyde Quarry Extension, Pipe and Lyde, Herefordshire

References

- 17 Herefordshire Archaeology (2021) A Heritage Impact Assessment for Shobdon Quarry Extension, Herefordshire
- 18 Herefordshire Archaeology (2021) A Heritage Impact Assessment for Leinthall Earls Quarry Extension, Aymestrey, Herefordshire
- 19 Herefordshire Council (2021) Draft Integrated Waste Management Strategy [pdf]. Available at: <https://councillors.herefordshire.gov.uk/documents/s50092270/Appendix%20A%20-%20Waste%20Strategy.pdf>
- 20 Wye Valley AONB Office (2021) Wye Valley Area of Outstanding Natural Beauty (AONB) Management Plan 2021-2026 [pdf]. Available at: https://www.wyevalleyaonb.org.uk/wp-content/uploads/dlm_uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf
- 21 Natural Resources Wales (2021) Planning Position Statement [pdf]. Available at: <https://cdn.cyfoethnaturiol.cymru/media/693023/planning-position-statement-river-sac-compliance.pdf?mode=pad&rnd=132557132170000000>
- 22 Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government (2019, updated 2021) National design guide [online]. Available at: <https://www.gov.uk/government/publications/national-design-guide>
- 23 Herefordshire Council (2014) Herefordshire County Archaeology and Minerals Resource Assessment [pdf]. Available at: https://archaeologydataservice.ac.uk/archiveDS/archiveDownload?t=arch-1459-1/dissemination/pdf/hereford2-273877_1.pdf
- 24 Natural Resources Wales (2021) Compliance Assessment of Welsh River SACs against Phosphorous Targets [pdf]. Available at: <https://cdn.cyfoethnaturiol.cymru/media/693025/compliance-assessment-of-welsh-sacs-against-phosphorus-targets-final-v10.pdf?mode=pad&rnd=132557227300000000>
- 25 DEFRA (2022) Local authority collected waste: annual results tables [online]. Available at: <https://www.gov.uk/government/statistical-data-sets/env18-local-authority-collected-waste-annual-results-tables>

References

- 26** Understanding Herefordshire (2022) 2021 Census population and household estimates for Herefordshire [online]. Available at: <https://understanding.herefordshire.gov.uk/latest-news/2022/june/2021-census-population-and-household-estimates-for-herefordshire/>
- 27** Herefordshire Council (2007) Needs Analysis: Adults with Physical Disabilities [pdf]. Available at: <https://councillors.herefordshire.gov.uk/documents/s14249/Append%20%20Needs%20Analysis%20-%20Adults%20with%20Physical%20Disabilities%20V4%203-final-appendix.pdf>
- 28** Nomis (2021) Labour Market Profile – Herefordshire, County of [online]. Available at: <https://www.nomisweb.co.uk/reports/lmp/la/1946157169/report.aspx>
- 29** Nomis (undated) Location of usual residence and place of work by sex [online]. Available at: <https://www.nomisweb.co.uk/census/2011/wu01uk/chart>
- 30** ‘Material assets’ is listed as one of the topics to be considered in the SEA, but there is no clear definition of what this topic should cover in the SEA Directive or Regulations, and it has been variously defined in different SEA reports as relating to natural resources, e.g. minerals, or built infrastructure, e.g. transport infrastructure. For the purposes of this SEA, the material assets topic is assumed to include resources such as water, minerals and waste, as well as built infrastructure, including transport and waste infrastructure, but also economic and employment infrastructure and interests.

Report produced by LUC

Report produced by LUC

Bristol

12th Floor, Colston Tower, Colston Street, Bristol BS1 4XE
0117 929 1997
bristol@landuse.co.uk

Cardiff

16A, 15th Floor, Brunel House, 2 Fitzalan Rd, Cardiff CF24 0EB
0292 032 9006
cardiff@landuse.co.uk

Edinburgh

Atholl Exchange, 6 Canning Street, Edinburgh EH3 8EG
0131 202 1616
edinburgh@landuse.co.uk

Glasgow

37 Otago Street, Glasgow G12 8JJ
0141 334 9595
glasgow@landuse.co.uk

London

250 Waterloo Road, London SE1 8RD
020 7383 5784
london@landuse.co.uk

Manchester

6th Floor, 55 King Street, Manchester M2 4LQ
0161 537 5960
manchester@landuse.co.uk

landuse.co.uk

Landscape Design / Strategic Planning & Assessment
Development Planning / Urban Design & Masterplanning
Environmental Impact Assessment / Landscape Planning & Assessment
Landscape Management / Ecology / Historic Environment / GIS & Visualisation