

## **Herefordshire Local Plan Core Strategy 2011-2031 (the CS) Minerals and Waste (M&W) Preliminary Note**

1. Having considered the M&W elements of the Plan and its supporting evidence, I have a number of fundamental concerns which, in the interests of the efficient running of the examination, I shall raise at this stage as preliminary matters.
2. I have indicated in blue the actions/information that Herefordshire Council (HC) might wish to consider in addressing these matters. It may be that a suspension of the M&W part of the examination would prove necessary whilst additional supportive evidence is obtained. However, I am concerned that, if adequate evidence of the Duty to Co-operate (DtC) is not forthcoming, this will be fatal to the M&W part of the CS, as this is not a matter which can be rectified by main modifications.
3. Furthermore, because there appear to be a number of fundamental flaws with the M&W section, there may be a need to recommend so many main modifications that, cumulatively, this part of the CS would result in a very different document to that which has been submitted. This could compromise community involvement and sustainability appraisal considerations.
4. On this basis, it may be appropriate for HC to consider whether the best course of action would be to remove the M&W section from the CS and to prepare a separate local plan for M&W matters.

### **Main areas of concern.**

5. There are many references in the evidence base to out of date policies, as well as an indication that the National Planning Policy Framework does not apply to waste. Therefore, for the avoidance of doubt, the following legislation and policy is relevant to the M&W section of the CS:
  - a. The Planning and Compulsory Purchase Act 2004 (the Act)
  - b. The Town and Country Planning (Local Planning)(England) Regulations 2012 (LP Regs)
  - c. The Waste (England and Wales) Regulations 2011 (W Regs)
  - d. The National Planning Policy Framework (NPPF)
  - e. The National Planning Policy for Waste (NPPW)
  - f. The Planning Practice Guidance (PPG)
6. S19(2) of the Act states that in preparing a local plan, the local planning authority must have regard to (a) national policies and advice contained in guidance issued by the Secretary of State. In this regard, particular consideration should be given to the NPPF, March 2012; the NPPW, October 2014; and the PPG, first published in March 2014, with chapter 3 on waste being added in October 2014. The NPPF and NPPW provide the policy basis for plan making and the PPG provides detailed guidance on how to apply that policy.

7. Local Plans must also have regard to the Waste Management Plan for England of December 2013 which, along with the NPPW, forms the National Waste Management Plan (LP Reg 10(1)(d)), and is a prescribed matter for the purposes of sections 19(2)(j) of the Act.
8. I have set out my main concerns below under the following headings:
  - a. The Duty to Co-operate
  - b. The relative functions of the CS and the Natural Resources Development Plan Document (NRDPD)
  - c. The evidence base
  - d. Unclear vision, objectives and spatial strategy for M&W
  - e. Inadequate strategy for the supply of minerals supply and the provision of waste management facilities
9. This is not an exhaustive list of concerns but is intended to highlight my initial observations and to give HC an early opportunity to consider how it wishes to proceed. Alpha-numeric references in brackets in the text below relate to the Plan's library of evidence.

**a. Duty to Co-operate (DtC)**

10. In accordance with s33A of the Act, HC is under a duty to co-operate with other waste planning authorities (WPAs)/mineral planning authorities (MPAs)/local planning authorities (LPAs), county councils and prescribed bodies<sup>1</sup> in the preparation of its local plan as far as it relates to strategic matters impacting on at least two planning areas. Minerals and waste core strategies, in providing strategic frameworks, fall into this category and, therefore, HC is under a duty to engage constructively, actively and on an ongoing basis with other authorities and organisations.
11. HC has set out how it believes it has complied with the DtC in its "Duty to Co-operate Report" of September 2014 (A12), although the sections on M&W are brief and provide little detail. For minerals, the report simply indicates that HC liaised closely with Worcestershire on the manner in which the methodology for the Local Aggregates Assessment (LAA) was considered, and contemplated joint LAAs, albeit this option was dismissed.
12. For waste it deals with co-operation between HC and Worcestershire, stating HC is a member of the West Midland Resource Technical Advisory Body (WMRTAB) and referring to HC's work with neighbouring authorities outside the WMRTAB. However, I note that Gloucestershire has raised concerns about the DtC.
13. The breadth and depth of information provided on the DtC for M&W is insufficient and does not adequately demonstrate how HC has properly co-operated on M&W matters throughout the preparation of the Plan.

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<sup>1</sup> As set out in Reg 4 of the Town and Country Planning (Local Planning)(England) Regulations 2012.

14. In a "Request for documents", I asked for minutes of meetings and correspondence with other relevant MPAs/WPAs/LPAs on M&W matters. Minutes for only one set of meetings, which took place on 17 June 2013 between HC, Worcestershire CC, Gloucestershire CC and Warwick CC were submitted (PS8). Similarly, with respect to correspondence, only one short e-mail exchange between HC and Worcestershire CC on minerals was submitted (PS9). This does not demonstrate constructive and ongoing co-operation with other local authorities.
15. I also asked for the minutes of the WMRTAB for the past three years. Whilst the former Regional Technical Advisory Body appears to have been disbanded with the demise of regional government, the 8<sup>th</sup> revision of the Local Development Scheme (LDS) (PS5 Paragraph 1.6), published in January 2015, refers to its reconstitution as the "West Midlands Resource Technical Advisory Body" (WMRTAB) which provides "larger than local" advice and monitoring for waste policies. The DtC report (A12 paragraph 5.35) indicates that HC is a member of the WMRTAB.
16. Upon perusing the minutes of the WMRTAB (PS7) it appears that most of its member WPAs have signed up to its protocol on the DtC, and "Progress on Plans and Developments" seems to have been a recurring item for discussion at its meetings. However, there is no evidence before me that HC has signed up to the protocol and, furthermore, it would appear from the WMRTAB's minutes that HC has not attended its meetings.
17. Whilst the WMRTAB is not a prescribed body under the LP Regs, it is the chosen forum through which other West Midlands WPAs appear to be co-operating on waste matters including Plan making. Therefore, although attendance at the WMRTAB does not necessarily indicate that the DtC has been met, participation at its meetings can contribute to fulfilling the DtC with neighbouring WPAs.
18. Turning to minerals, the 8<sup>th</sup> revision of the LDS (PS5 Paragraph 1.6) indicates that a reconstituted West Midlands Aggregates Working Party (WMAWP) has now been formed after a two year hiatus, and is providing "larger than local" advice and monitoring on minerals matters. Although HC and most neighbouring WPAs appear to be members of the WMAWP, the latter does not seem to have been fully functional over the past few years. There have been few meetings<sup>2</sup>, and little apparent discussion on forthcoming local plans, and scrutiny of its member authorities' LAAs, as intended by national policy<sup>3</sup>, does not seem to have occurred. Overall, it would appear that only limited co-operation of WPAs has been possible through the WMAWP.
19. HC has a duty to co-operate on planning issues that cross administrative boundaries, particularly those that relate to strategic priorities, and it

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<sup>2</sup> I was only provided with minutes of meetings from 18/10/2013 and 24/6/2014 after requesting minutes of all meetings over the past 3 years

<sup>3</sup> NPPF paragraph 145

should work collaboratively to co-ordinate these priorities and provide evidence that this has been done (NPPF paragraphs 178, 179 and 181). I am concerned that proper co-operation on cross-boundary M&W issues may not have taken place throughout the Plan making period. In the Cross Boundary Issues Report, dated December 2009, (paragraph 4.1 B17c) it refers generally to cross boundary issues between Herefordshire and neighbouring authorities not having been dealt with in a co-ordinated manner, partly because of the lack of formal mechanisms for identifying and resolving such issues.

20. The CS (paragraph 5.3.78) states that “[The NRDPD] will demonstrate the interaction with neighbouring counties in accordance with the duty to co-operate, and will ensure consistency with the National Planning Policy Framework...”. However, regardless of whether the NRDPD might satisfy the DtC, it is essential that this CS also meets that duty. In this respect, the evidence on the DtC over M&W issues is insufficient and, if the M&W part of the Plan is to be progressed further, additional evidence will need to be provided.
21. **Action: Provide additional evidence of ongoing, constructive interaction and engagement with other authorities, prescribed bodies and industry throughout the period of Plan preparation. Specifically this might include evidence of co-operation on cross boundary movements of M&W and whether Herefordshire is expected to meet the needs of other authorities (eg aggregates to Worcestershire), and vice versa (eg Worcestershire taking HC’s waste – Hartlebury energy from waste facility). Any issues relating to shared sites that cross administrative boundaries or other issues requiring collaborative working, should be addressed, possibly evidenced by memoranda of understanding. Any interaction with non-prescribed bodies, such as the British Geological Survey, should be noted.**

#### **b. Relative functions of the CS and NRDPD**

22. HC proposes to provide its M&W local plan via two documents, namely, the CS, which seeks to provide the M&W policy framework, and the *Natural Resources Development Plan Document (NRDPD)*, through which I understand the detailed provisions are intended to be delivered.
23. However, the NPPF (paragraph 153) states that “*Each local planning authority should produce a Local Plan for its area..... Any additional development plan documents should only be used where clearly justified.*” Therefore, if the M&W provisions are not to be contained in one local plan, the CS should provide clear justification for dividing the M&W provisions into the two plans as proposed.
24. The content of each of the CS and the NRDPD should be clear, and there must be consistency between the two documents (LP reg 8(4)<sup>4</sup>). In this regard I would expect the CS to clearly set out, for the entire Plan period, the strategic priorities for waste management and the provision

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<sup>4</sup> Subject to NRDPD policies superseding CS policies (LP reg 8(5))

of minerals (NPPF paragraph 156 3<sup>rd</sup> bullet point), and to form the basis from which delivery of NRDPD allocations of Specific Sites, Preferred Areas and Areas of Search could flow. Although the LDS of January 2015 (PS5)<sup>5</sup> states that the NRDPD *“Sets out detailed proposals for meeting the council’s minerals apportionments and for managing waste”*, references within the CS seem to suggest that its function is also intended to be strategic.

25. The CS’s evidence base for M&W is out of date, and in apparent recognition of this lack of up-to-date evidence, the minerals section of the CS states at paragraph 5.3.78 that the NRDPD will provide updated information, as well as site specific details *“while also re-evaluating targets and standards previously set out”*. The waste section states that *“Details of future waste installations, including site specific allocations, or “areas of search” and the on-going review of targets, will be dealt with in a subsequent Development Plan Document for Natural Resources, at which time the requirements and capacity will be reassessed.”*
26. Targets, standards, capacity and the overall scale of required development are all strategic matters, which should be contained within the CS. I am not convinced that leaving these matters to the NRDPD is a justified approach.
27. **Action: Provide clear reasoning for the split of the M&W part of the local plan into the CS and the NRDPD. Be clear as to what the strategic framework of the CS is intended to cover and set out how this will provide the basis and direction for the NRDPD. Clarity should be provided on what exactly the NRDPD is intended to cover and the reasons behind this.**

### **c. Minerals and Waste Evidence Base**

28. The strategic framework, which the CS seeks to provide, should be based on adequate, up-to-date, and relevant evidence (NPPF paragraph 158), which is appropriate and proportionate (PPG ID 12-014-20140306). For waste, planned provision of new capacity and its spatial distribution should be based on robust analysis of best available data and information and an appraisal of options, with authorities working jointly and collaboratively with each other to collect and share data and information on waste arisings (NPPW paragraph 2, 1<sup>st</sup> and 2<sup>nd</sup> bullet points).
29. The evidence base for M&W is pre-NPPF/NPPW and is contained in a report dated May 2009<sup>6</sup>, which pulls together available data in the public domain and does not carry out any new survey work. It has not been updated since then, and uses figures that are considerably out of date, only making projections to 2026, rather than covering the whole of the Plan period to 2031.

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<sup>5</sup> In accordance with which the local plan must be prepared (S19(1) of the Act)

<sup>6</sup> Herefordshire Minerals and Waste Planning Assessment May 2009

30. Moreover, apart from interaction with Worcestershire CC, there is little evidence to demonstrate how HC has worked collaboratively with other authorities in sharing waste data and information. Examining each of the waste and minerals sections of the 2009 report further, I have the following observation to make.

*Waste*

31. The most recent data used to show current waste arisings in Herefordshire are for 2007/8 for municipal solid waste (MSW), 2006/7 for commercial and industrial (C&I) waste, 2004 for construction, demolition and excavation (CD&E) waste, 2007 for hazardous waste, and 2003 for agricultural waste. These are not the most up-to-date figures available in the public domain. Of particular concern is the lack of recent data on agricultural waste which, given the agricultural nature of Herefordshire, is likely to be produced in large quantities.
32. The waste growth assumptions used to forecast waste arisings seem to reflect approaches taken in the now revoked Regional Spatial Strategy for the West Midlands, which uses out-of-date housing figures, as well as the 2007 National Waste Strategy, which has been superseded by the 2013 Waste Management Plan for England.
33. Planned strategic development for the Plan area, as set out in the submitted CS, such as housing, employment facilities and infrastructure projects, does not appear to have been properly taken into account. This does not sit well with the NPPW (paragraph 2, 3<sup>rd</sup> bullet point), which requires the need for waste management facilities to be considered alongside other spatial concerns.
34. Also, the waste arisings projections assume that 1998/99 imports and exports, as shown in the Environment Agency's "Strategic Waste Management Assessment", remain unchanged. In a fast moving area, such as waste management, this is unlikely to reflect the current situation.
35. Moving onto the report's waste management capacity and need assessment, this considers capacity in 2007, and analyses how waste was managed up to then. However, there have been significant advances made in waste technology in the intervening 8 years since then, and it is likely that things will have moved on.
36. The report notes that in 2007 there was no waste sent to operational landfill facilities in Herefordshire, as there was no permitted landfill capacity in the Plan area. Most MSW was, therefore, disposed of outside the Plan area. It also states that most of Herefordshire's waste management capacity comes from a single biological waste treatment facility (capacity 234,000 tonnes), which predominately takes non-hazardous wastes including landfill leachates, waste water from wash down, and waste water from food processing.

37. However, in 2007 it appears that only 49,000 tonnes of waste were handled at Herefordshire's facilities, suggesting that waste management facilities, including the biological treatment facility, were not running to capacity. Eight years on, things might be different. Nonetheless, the evidence suggests that only a relatively small proportion of waste generated within Herefordshire is treated in Herefordshire, with the report estimating for example that over 90% of C&I waste is exported. Given such a heavy reliance on waste exports, the report is short on detail with respect to cross boundary movements.
38. There are other gaps in the report. For instance, information on deposits of agricultural waste within the Plan area was not apparently available for inclusion, despite the large quantities of agricultural waste being generated.
39. The need assessment part of the report shows that the Plan area has a deficit of disposal and management capacity and states that further sites will need to be brought on-stream. However, whilst the report draws "*some very broad conclusions*" on the site areas required for additional capacity, it does so only for MSW and C&I waste. No assessment of site requirements is made for other waste streams, save as to say that capacity is required for CD&E, and no capacity is required for hazardous waste as this is exported. All waste streams should be properly covered and, therefore, the report does not provide a sufficient analysis of need.

#### *Minerals*

40. The 2009 report states that detailed geological surveys cover less than 50% of Herefordshire's land area and that information gaps are not expected to be filled within the Plan period. Minerals of economic value in the Plan area seem to comprise sands and gravels, crushed rock, building stones and clay. Energy minerals, consisting of oil, gas and coal, also exist in the area.
41. The most recent data on aggregates sales (sands and gravels, and crushed rock) is from 2006, and goes back each year to 2001. These figures are too out-of-date to be of any real use as a basis for assessing the CS annual supply figures for aggregates, as market conditions have changed significantly since then.
42. The section on "Future Mineral Requirements" only deals with aggregates in any detail. It sets out how future production should meet the sub-regional apportionment for Herefordshire as identified in the Regional Spatial Strategy for the West Midlands, which has now been revoked. This is no longer the basis upon which annual supply figures are derived, but rather the starting point should be the rolling average of 10 years' sales data (NPPF (paragraph 145 1<sup>st</sup> bullet point)).
43. The section then goes on to consider permitted aggregates reserves in 2005 from which landbanks are calculated, using the sub-regional apportionment figure, thereby purporting to ascertain how long the

reserves will last. However, in the 10 year intervening period between now and then, reserve figures will have changed and, in any event, for the reasons already given, the sub-regional apportionment figure is not the figure to use. Additionally, the sub-regional apportionment figure only extends to 2016, and thereafter, draft-revised sub-regional apportionment figures have been considered. For the same reasons as above, this is contrary to the NPPF.

44. When deriving annual production figures, it is important to consider other relevant local information along with the rolling average 10 years sales data (NPPF paragraph 145, first bullet). In this regard, consideration should be given to planned development both within and outside Herefordshire, which could impact on the quantity and type of minerals required. Given the age of the 2009 report, it does not reflect the proposed growth in Herefordshire as set out in the submitted CS, and it is unclear whether any impacting schemes in other areas have been considered.
45. Moreover, there has been no separate assessment of soft (building) sand and sharp (concreting) sand, which have different markets and which I would, therefore, expect to be considered separately (PPG ID 27-066-20140306).
46. For the reasons given, the report's conclusions that crushed rock reserves are likely to be sufficient throughout the Plan period, and sand and gravel reserves are not, must be treated with caution.
47. Whilst HC has also produced LAAs for 2013 and 2014, these two documents are only in draft format. Moreover, it appears that they have not influenced the CS but, instead, have been produced as background papers for the forthcoming NRDPD.
48. For building stone, there is no detailed information or figures on permitted reserves, sales or landbanks, and whilst some clay has been worked, little information is given on likely demand. Nonetheless, the report states that appropriate provision will need to be made for sandstone building stone to meet demand. However, without figures this is difficult to assess.

#### *Conclusion*

49. The 2009 report is out of date and does not provide the best available data and appraisal of options. Consequently, it does not form an adequate evidence base to support the M&W part of the CS.
50. **Action:** Commission up-to-date evidence to support the M&W sections of the CS. This should take account of the above mentioned legislation and national policy and in particular the NPPF, NPPW and the PPG. Provide information on whether any more than the 50% of Herefordshire's land area previously surveyed has been subjected to any more recent survey work, and if so, what the findings are.

#### **d. Vision, objectives, Spatial Strategy**

51. In examining the CS, I would expect to see a clear vision, objectives and spatial strategy for M&W from which the Plan's M&W policies could flow. However, in section 3.0, which sets out the Plan's vision, objectives and spatial strategy, there seems to be a lack of direction as to what the Plan seeks to achieve for M&W.
52. Whilst the Plan's vision includes addressing the wider impacts of climate change by, amongst other things, providing appropriate waste management and recycling facilities (paragraph 3.14), the emphasis is on climate change. The only objective that seems to mention waste is objective 11 on page 26 which seeks *"To address the causes and impacts of climate change by ensuring new development: .....minimises waste....."* With respect to minerals, there does not appear to be any definite vision or objectives.
53. As for the Spatial Strategy, whilst it states at page 27 that *"It provides a broad indication of the overall scale of development in the county up to 2031 and the infrastructure needed to support it"*, it is not clear what scale of development is proposed for M&W. This is despite the Plan stating at page 27 that *"The policies set out in this and the following sections seek to deliver the entire spatial strategy and provide the context for the preparation of other Development Plan Documents...."*
54. **Action:** Set out a clear vision, objectives and spatial strategy for M&W.

#### **e. M&W provision**

##### *Waste*

55. Paragraph 5.3.94 of the CS states that the Herefordshire Minerals and Waste Planning Assessment (May 2009) signposts key areas for development of waste policies. However, by relying on this out-of-date report for strategic direction, the CS fails to comply with the NPPW (paragraph 2, 1st bullet point), which requires WPAs to ensure that the planned provision of new capacity and its spatial distribution is based on robust analysis of best available data and information.
56. The NPPW (paragraph 3) states that WPAs should prepare local plans which identify sufficient opportunities to meet the identified needs of their area for the management of waste. It then sets out a list of bullet points of things to do including identifying the tonnages and percentages of municipal, and C&I, waste requiring different types of management in the Plan area over the Plan period.
57. Whilst the CS includes landfill diversion targets, there is no identification of tonnages or percentages of waste requiring different types of management, contrary to national policy. In fact there are no forecasts at all of total waste arisings for any of the main waste streams, nor is there any proper analysis of current capacity. Therefore, it is impossible

to tell from the CS the extent of any capacity gaps that exist, and how, when and where such gaps might be met.

58. Also, the NPPF (paragraph 162) requires authorities to work with others to assess the quality and capacity of infrastructure, including waste, and its ability to meet forecast demands. Whilst there has been work done with Worcestershire, it is unclear what work has taken place with other WPAs.
59. The 2009 report states that, in terms of municipal waste, Herefordshire should not be considered separately from Worcestershire, but the two together should be considered as one authority area for the purposes of Policy W1, due to a joint municipal waste management contract. Paragraph 5.3.95 of the CS refers to this joint contract for the management of all aspects of municipal waste disposal and suggests that Herefordshire and Worcestershire should be treated as one unit in terms of self-sufficiency for this waste stream, albeit the contract is stated to run to only 2026, whilst the CS runs to 2031. Also, no memorandum of understanding has been submitted in evidence and, in any event, the CS is not a joint plan with Worcestershire.
60. Whilst it is important to consider Herefordshire's exported municipal waste to Worcestershire, all other significant cross boundary movements should also be taken into account to properly assess Herefordshire's net self sufficiency in accordance with the NPPW (paragraph 1), which embraces the principles of self sufficiency and proximity. The CS, however, does not adequately address this.
61. Policy W1 also refers to the joint contract and a proposed energy from waste plant potentially serving the two counties, which I presume is the proposed Hartlebury plant in Worcestershire. However, there is no detailed consideration of how municipal waste might be handled throughout the Plan period, should this plant fail to come forward. This demonstrates a lack of flexibility.
62. In summary, the CS does not adequately assess the quality and capacity of waste infrastructure, nor its ability to meet forecast demands, and its failure to properly address potential capacity gaps for any of the waste streams means that the need for strategic infrastructure cannot be properly ascertained, contrary to national policy.

### *Minerals*

63. MPAs should plan for a steady and adequate supply of aggregates by preparing LAAs based on a rolling average of 10 years sales data and other relevant local information (NPPF paragraph 45, 1st bullet point). From this assessment, a baseline figure for the annual supply of aggregates should be established, which along with an estimate of existing reserves, should enable the extent of existing landbanks to be calculated.

64. This is crucial because, to be compliant with the NPPF (paragraph 145 6th bullet point) landbanks of a least 7 years for sand and gravel and at least 10 years for crushed rock should be maintained on a rolling basis throughout the Plan period. Furthermore, where there are distinct markets for variants of minerals such as soft and sharp sand, separate landbanks for each should be considered (PPG ID 27-085-20140306).
65. Besides producing different types of sand, the Herefordshire Minerals and Waste Planning Assessment at page 53 refers to crushed rock being produced from several geological sources including sedimentary rocks from sediments (eg gritstones) or organic matter (eg limestones); igneous rocks (eg basalt and granite); and metamorphic rocks (eg quartzite). There is no indication in the CS as to whether these different types of sand and crushed rock have their own markets that would warrant separate landbanks.
66. The CS does not draw on any LAAs to support its supply figures. Instead, it relies on the 2009 report, which suggests apportionment figures based on the Regional Spatial Strategy for the West Midlands. Whilst these apportionment figures may be used as an indicator of how much should be planned for, they cannot be used as a substitute for LAAs (PPG ID 27-071-20140306). Therefore, the basis upon which the CS makes provision for aggregates (Policy M2) is contrary to national policy.
67. Even then, aggregate provision is only made for the period up to 2016. Thereafter, Policy M2 states that revised apportionments for the period beyond 2016 will be established through the NRDPD. However, this is a strategic matter and the CS should make provision for the entire Plan period.
68. Other known minerals of economic significance are present in Herefordshire's administrative area, such as clay, and sandstone used for building stone. The extent and location of known mineral resources should be set out in the CS and projections made of demand for their use (NPPF paragraph 163). Whilst Policy M1 states that areas of known minerals resources are shown on the Policies Map, the latter does not reflect the British Geological Survey's summary of mineral resource information for Herefordshire. Furthermore, there is no estimate in the CS of likely demand for these minerals throughout the Plan period, or whether existing reserves are likely to meet demand.
69. Broad locations for strategic M&W development should be shown on a key diagram (NPPF paragraph 157 4th bullet point). However, it seems that no strategic development for minerals is planned because no proper assessment of demand has been made. In fact the CS states at paragraph 5.3.83 that "During the plan period no requirements are anticipated for new large scale extraction sites to be developed in Herefordshire for a number of reasons, including the absence of.....a realistic assessment of demand..."

70. The CS should set out a strategy for the steady and adequate supply of all economically significant minerals in the Plan area in accordance with the PPG (ID 27-008-20140306). This requires a framework for the designation of (in order of priority) Specific Sites, Preferred Areas, or Areas of Search, with criteria based policies only being used in exceptional circumstances. The CS does not provide designations but indicates that allocations will follow in the NRDPD. However, no site selection criteria are provided to direct these forthcoming allocations and, in this regard, the CS fails to provide an adequate strategic framework from which the NRDPD may flow.
71. Moreover, whilst the CS contains a policy on safeguarding, it refers to the detailed safeguarding boundaries being defined in the NRDPD. Safeguarding is a strategic matter and minerals safeguarding areas should be defined in the CS in accordance with the British Geological Survey good practice advice (PPG ID 27-003-20140306), and not left to the NRDPD.
72. Also, there is very little in the CS on conventional and unconventional hydrocarbons, despite there being coal deposits in the Plan area, and evidence which indicates potential deposits of shale gas around the Eastnor, Fownhope and Much Marcle areas. Any Petroleum Exploration and Development Licences in Herefordshire should be shown on the Policies Map, and the CS should consider whether to include a policy on hydrocarbon extraction in accordance with the PPG (ID 27-106-20140306).

*Conclusion*

73. Neither the minerals nor the waste section of the CS provides properly assessed projected figures on the quantities of M&W to be planned for throughout the Plan period.
74. **Action:** Based on up-to-date evidence, the approach to minerals supply and waste management provision should be re-considered in line with the NPPF, the NPPW and the PPG.

*Elizabeth C Ord*

Inspector

24 January 2015