

N Palmer and R Bust

Dear Planning Inspectors

### **Ref: Examination of Herefordshire Minerals and Waste Local Plan**

The preliminary letter dated 22 November 2022 presents three outstanding matters that you, the Inspectors examining the Herefordshire Minerals and Waste Local Plan - Publication Draft (the Plan), have requested to be addressed prior to, and without prejudice to, your final conclusions on the Plan.

The preliminary letter seeks clarification in regard the following matters:

- Policy M1(d)
- Policy M2, Safeguarding, principally the extent of the buffer zone to be applied to the Minerals Safeguarding Area and the list of development type that would be exempt from safeguarding requirements of Policy M2.

#### **Policy M1(d)**

As requested in the preliminary letter, policy M1d has been amended as set out below:

- d. restricting the extraction of hydrocarbons to within either the Surface Coal Resource areas or PEDL block SO51a (as appropriate to the mineral) and requiring compelling reasons to demonstrate that the use of any hydrocarbon is necessary, acceptable and provides national, local or community benefits which clearly outweigh the likely impacts, including to protected areas and local communities ~~and the greenhouse gas emissions associated with both the extraction and use of hydrocarbons;~~

This change is proposed in the Schedule of Main Modifications and Minor Changes (November 2022) at MM6.c.

#### **Policy M2**

##### **Minerals Safeguarding Area and buffer zone**

Herefordshire Council has read again the British Geological Survey *Mineral Safeguarding Good Practice Advice 2011* (the BGS Advice) and discussed the matter further with the Development Management Team.

It is noted that the BGS Advice generally identifies a buffer of 250m around a safeguarded resource, with a large area generally used where blasting might occur. Within Herefordshire, blasting is only undertaken at Leinthall Quarry. The closest residential properties not associated with the quarry are within Leinthall Earls; substantially within a distance of 250m from the quarry. Other residential properties are located more than a kilometre distant from the quarry; which is

substantially surrounded by open farmland and woodland. There would be little practical benefit in applying a 500m buffer to the resource in this area.

Consequently, it is proposed to use a 250m buffer around the BGS data set for all construction mineral in Herefordshire. This will align with the guidance set out in the BGS Advice and be relevant to the Plan area.

Further, an additional sentence is proposed to be added to the Plan to direct readers to the BGS Geology Viewer, such that they can benefit from the level of detail provided there.

### **Policy M2 exemptions**

The list of exemptions proposed to be presented in a new paragraph 6.1.15 (see MM6.f) has been drafted by reference to the BGS Advice.

The Inspectors preliminary letter requested that additional research is undertaken of the type of applications submitted to Herefordshire over the past five years. This was started but due both to resource and technical difficulties (the Civica software is not set up appropriately to enable the relevant data to be extracted) it has not been possible to undertake this research to date; it is unlikely to be available until the new year, if at all.

In preparing for this research, the Plan making team had a comprehensive discussion with the relevant officer of the Development Management Team in Herefordshire Council. In short, the officer advised that the list of exemptions set out was appropriate for safeguarding purposes and to be relevant to the development types proposed in Herefordshire.

Please contact me, via the Programme Officer, if any additional information is required in order to conclude these matters.

Yours sincerely,

**Victoria Eaton**  
**Senior Planning Officer**