



---

Ms Victoria Eaton,  
Senior Planning Officer  
Herefordshire Council

6 April 2023

---

## By email via the Programme Officer

Dear Ms Eaton

### Examination of Herefordshire Minerals and Waste Local Plan

We write further to the schedule of main modifications and minor changes (March 2023) and to the planning application information provided with respect to the list of proposed exemptions to Policy M2.

We have outstanding concerns regarding the approach to mineral safeguarding and consider that the most effective way of dealing with those concerns would be to discuss these at a further hearing session. We envisage that this could be held virtually.

The points set out below are intended to give a general indication of the matters that we wish to discuss further. Essentially, the justification for the approach to mineral safeguarding in Policy M2 and its supporting text needs to be explained more fully by reference to available data. Where data is not available, then other evidence can be provided. We need to have a clear understanding of the rationale for the approach proposed to be taken.

1. The planning application information that has been provided relates to the Mineral Safeguarding Areas (MSAs) in the Unitary Development Plan, which exclude urban areas and have little relevance to the proposed MSAs. Any evidence on the numbers of the different application types within the proposed MSAs, as far as it is possible to obtain that evidence, should be provided.
2. We need to understand the reasoning for selection of the particular types of development given in the list of exemptions.
3. Part (d) of Policy M2 would exclude strategic development where the development can be demonstrated to outweigh the need for the mineral resource. How would this be demonstrated? Would Mineral Resource Assessments be required?

Please would you give thought to these matters prior to the hearing session. It would be helpful if the Council provides a note on these questions two weeks prior to the hearing session.

Our only other comment on the schedule of main modifications at this stage is that, in MM65 (Policy W3), the heading to the policy should state "Agricultural waste management including for livestock units".

We would be grateful if the Council would place a copy of this letter on the Examination website. However, we need to be clear that we are not inviting or proposing to accept any comments on this letter from any Examination participants. The consultation on the proposed Main Modifications which is the next part of the Examination process will provide the opportunity for any further representations on whether they adequately address any outstanding issues of soundness and legal compliance with the Plan.

We ask that the Council responds, via the Programme Officer with suggestions of a date for the further hearing session.

Yours sincerely

*Nick Palmer*

*Rachael A Bust*

INSPECTORS