

# Title of report: Adoption of the Herefordshire Minerals & Waste Local Plan

**Meeting:** Council

**Meeting date:** Friday 8 March 2024

**Report by:** Cabinet Member Environment

## Classification

Open

## Decision type

Budget and policy framework

## Wards affected

All wards

## Purpose

To approve the adoption of the Herefordshire Minerals and Waste Local Plan (MWLP) - a development plan document.

## Recommendation(s)

That:

- a) The Herefordshire Minerals and Waste Local Plan Inspectors' Report<sup>1</sup> (at appendix 1) be noted;
- b) The [Herefordshire Minerals and Waste Local Plan](https://www.herefordshire.gov.uk/downloads/file/22074/1-publication-draft-herefordshire-minerals-and-waste-local-plan-jan-2021-)<sup>2</sup>, incorporating the main modifications<sup>3</sup> (at appendix 2), is adopted; and
- c) The Head of Planning and Building Control be delegated the authority to make any minor technical changes (e.g. typographical) to ensure that this development plan document is up to date at the time of adoption.

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<sup>1</sup> <https://www.herefordshire.gov.uk/downloads/file/25957/inspectors-report-october-2023>

<sup>2</sup> a) <https://www.herefordshire.gov.uk/downloads/file/22074/1-publication-draft-herefordshire-minerals-and-waste-local-plan-jan-2021->

b) <https://www.herefordshire.gov.uk/downloads/file/22076/3-herefordshire-minerals-and-waste-local-plan-publication-draft-allocated-sites-appendix-jan-2021->

c) <https://www.herefordshire.gov.uk/downloads/file/22075/2-herefordshire-minerals-and-waste-local-plan-publication-draft-annex-a-jan-2021->

<sup>3</sup> <https://www.herefordshire.gov.uk/downloads/file/25956/appendix-of-main-modifications-october-2023>

## Alternative options

1. There is an alternative option; for Council not to adopt the MWLP. However, there would be little, if any, merit in doing so given that the Inspectors concluded that the Plan is sound. Such a decision would leave the council with considerably out of date saved minerals and waste policies from the Herefordshire Unitary Development Plan, which was adopted a number of years ago in 2007. In addition, this would be contrary to the Core Strategy, which includes a commitment that the council will produce a MWLP.
2. To reiterate what is set out in government advice<sup>4</sup>: whilst a local planning authority is not required to adopt a local plan following examination, it will have been through a significant and lengthy process locally to engage communities and other interests in discussions about the future of the area and it is therefore expected that the authority will proceed quickly with adopting a local plan that has been found sound.
3. If the council were to decide to make changes to the MWLP, there would be considerable delay in progressing a revised plan, given the statutory requirements for further consultation and examination, which would need to be met in order to progress any amended development plan document. There would also be additional financial costs associated with this. As stated above, there would be little merit in doing so, given that the Inspectors have concluded that the MWLP, with modifications, is sound.
4. There is no option to adopt the MWLP with only some of the proposed main modifications that came out of the examination process. By definition, the MWLP is now considered to be sound on the basis of its full content. If some (or all) of the main modifications were not included in the MWLP, it would not be sound and therefore it could not be recommended for adoption.
5. Minor changes (appendix 3) are considered to be necessary by officers to: correct typographical errors; ensure clarity of meaning; and to ensure that the MWLP is up to date. These will not affect the soundness of the MWLP or materially affect its policies or proposals and, as such, an alternative option could be to recommend adoption without such minor changes. However, as these are important in creating a clear, unambiguous policy document, this option is not recommended.

## Key considerations

### 6. Preparation of the MWLP

The adopted Herefordshire Core Strategy includes a commitment for the council to produce a Minerals and Waste Local Plan (MWLP or 'the Plan'). The MWLP has been prepared in accordance with the Core Strategy and government guidance.

7. The MWLP has been in preparation since 2017. It has been developed in accordance with National Planning Policy Guidance, including undergoing three stages of stakeholder and public consultation. Following approval by Council in December 2021, it was submitted to the Secretary of State for examination in March 2022 and publicly open hearing sessions were held by two independently appointed Planning Inspectors in November 2022.
8. Following the examination hearing sessions, the Inspectors wrote to the council with reference to a small number of outstanding points. Questions posed were answered to the satisfaction of the Inspectors, who consequently determined that no further hearing sessions would be required.
9. The next regulatory step was to undertake an eight-week period of public consultation on the proposed main modifications, which commenced in June 2023. This provided consultees with

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<sup>4</sup> <https://www.gov.uk/guidance/plan-making#plan-examinations>

the opportunity to make representations on whether the main modifications adequately addressed issues of soundness and legal compliance. Comments received were sent directly to the Inspectors, as part of the examination, for their consideration ahead of the preparation of their report.

10. The Inspectors Report was received on 31 October 2023. It concluded that the MWLP provides an appropriate basis for the planning of minerals and waste developments in Herefordshire up to 2041 and, with the main modifications (appendix 2), it satisfies statutory requirements of section 20(5) of the Planning and Compulsory Purchase Act 2004, and meets the criteria for soundness as set out in the National Planning Policy Framework. It is therefore capable of adoption.

11. **Content and purpose of the MWLP**

The MWLP sets out the council's preferred strategy for meeting Herefordshire's minerals and waste needs up to 2041. It establishes targets and planning policies relating to minerals and waste activities and associated development in Herefordshire. It has been produced taking account of the National Planning Policy Framework (2021)<sup>5</sup>, up to date evidence base studies, collaborative working with statutory undertakers and ensuring close cooperation with neighbouring local authorities on cross-boundary issues. Regard has also been given to other plans and strategies produced by the council and other organisations (particularly the Core Strategy, including its emerging replacement, and the Integrated Waste Management Strategy). When adopted, the MWLP will be another element of the Herefordshire Local Plan, which also includes the adopted Core Strategy, that sets out the overall strategic planning framework for the county.

12. A key role for the MWLP is to set out planning policies that promote appropriate development that meets the recognised market needs for both minerals and waste, whilst ensuring that detrimental impacts are minimized and opportunities for betterment are optimised.
13. Being a landlocked county, Herefordshire does not exist in isolation from its neighbours. Both minerals and waste are materials driven by market demand that, consequently, readily cross administrative boundaries. The MWLP takes account of these movements and the wider challenges, issues and opportunities presented by them. Herefordshire Council has sought to provide a positive policy framework to bring forward deliverable development to meet its own needs and to provide for those needs identified through collaborative working with regional working groups and other minerals and waste planning authorities.

14. **Inspectors' Report and main modifications**

Receipt of the Inspectors' Report on 31 October 2023 marked the end of the examination. It is attached at appendix 1 and is also published on the council's website<sup>6</sup>, as required. The Inspectors' Report concludes that, with the inclusion of a series of proposed main modifications<sup>7</sup>, the MWLP meets the tests of soundness. None of the main modifications are considered to go to the heart of the MWLP's strategy or its policies and proposals. Many have been proposed to provide clarity or to move text between policy wording and its explanatory text. Below is a list of some of the alterations proposed.

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<sup>5</sup> Page 9, paragraph 22, National Planning Policy Framework, July 2021

<sup>6</sup> <https://www.herefordshire.gov.uk/downloads/file/25957/inspectors-report-october-2023>

<sup>7</sup> <https://www.herefordshire.gov.uk/downloads/file/25956/appendix-of-main-modifications-october-2023>

Main modification	Comments
Ensuring the policy on transport of minerals and waste within sites is justified and effective.	Clarification of policy text in relation to methods used to minimise adverse impacts, including in relation to greenhouse gas emissions (e.g. use of conveyors, pipelines and electric powered vehicles). No change to overall policy approach.
Amendments to the strategic policy on site reclamation to ensure that it is effective.	e.g. reclamation proposals to take account of any significant permitted or proposed development and development plan policies; (as opposed to 'any' development). e.g. reclamation proposals that deliver landscape scale benefits to take into account the local context and integration of green infrastructure appropriate to its location (as opposed to previous wording which referred to proposals 'integrating historic context').
Amendments to ensure that the position with respect to achieving nutrient neutrality is up to date, that the requirements in respect of minerals and waste development are clear, and to provide glossary definitions of 'nutrient' and 'nutrient neutrality'.	Supporting text added: <i>"Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the Rivers Wye or Clun Special Areas of Conservation catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations."</i>
Extension of the Mineral Safeguarding Area to cover all known mineral resources of local and national importance within Herefordshire, including across urban areas and without applying any viability, environmental or amenity screening criteria. Clarification of exempt development types in relation to minerals safeguarding areas.	Mineral Safeguarding Areas amended to include 250m buffers to provide effective safeguarding for the resource and associated infrastructure and the two railheads (Moreton and Wellington Quarry). Policy includes exemptions for householder development, alterations and extensions to existing buildings and changes of use (unless intensification), applications for advertisement consent, works to trees and prior notifications and any other development specified in the Local Plan as exempt from safeguarding.
A statement that mineral working should not take place within the Wye Valley Area of Outstanding Natural Beauty (AONB) other than in exceptional circumstances.	For clarity. Note: recent renaming of AONBs as National Landscapes will be updated through minor changes.
Identification of the permitted sandstone extraction sites where extensions of time would be permitted, and deletion of the requirement for workings to be small scale.	Deletion of the requirement for sandstone workings to be small scale was discussed at the hearings. Sandstone resources are found predominantly in the rural and sensitive landscapes of the south west of the county, far from major roads. However, Inspectors concluded that it would be contrary to national policy to limit such developments in terms of their scale. Other policies of the MWLP will apply, which address landscape and highways matters.

Main modification	Comments
Clarifying the requirement for waste management method statements for agricultural waste facilities including livestock units, and requirements in respect of achieving nutrient neutrality.	No alteration in thrust of policy i.e. all development proposals (which require planning permission) on agricultural holdings within the River Wye or Clun Special Areas of Conservation will be required to demonstrate at least nutrient neutrality.
Clarification of requirements for wastewater developments, including that nutrient neutrality applies to the proposed development only, rather than to the discharge from the infrastructure.	For clarity on approach. Revised wording: <i>“Policy W4: Wastewater management Planning permission will be supported for the statutory water and sewerage undertaker to extend, upgrade, or make provision for new infrastructure necessary to ensure the statutory undertaker can continue to undertake its duty to supply potable water and treat foul flows. Works undertaken will be required to demonstrate at least nutrient neutrality within the River Wye and Clun SACs. Wherever practical and economical, biogas should be recovered for use as an energy source and phosphorus should be recovered for beneficial uses.”</i>

## 15. Minor changes

In addition to the main modifications, a series of proposed minor changes are listed in appendix 3. These clarify aspects of the MWLP, correct typographical errors and provide updates, but they do not change the MWLP’s strategic approach or its policies and proposals. These minor alterations were proposed by the council during the examination process and delegated powers have been sought for officers to make any further minor changes ahead of the Plan’s adoption. For example, the recent change of name of Areas of Outstanding Natural Beauty to National Landscapes<sup>8</sup> will need to be addressed as a minor change. This proposed delegation provides the most efficient way of producing a clear and correct development plan document.

## Community impact

16. Minerals and waste management infrastructure is essential to support a modern economy.
17. As previously mentioned in paragraph 11 above, the MWLP has been prepared having regard to all relevant local plans and strategies, including the priorities of the County Plan, with particular reference to protecting and enhancing the environment, and supporting the local economy by building on the county’s strengths and resources.
18. Minerals are important as they provide many of the raw materials necessary for construction, energy and industry. They are therefore essential in helping to sustain economic growth. For these reasons, government attaches importance to planning for their supply, whilst at the same time requiring that the impacts of extracting them are kept within acceptable limits. Mineral extraction can also provide good opportunities for geological and archaeological research and net benefits following reclamation.

<sup>8</sup> <https://www.national-landscapes.org.uk/>

19. Dealing with waste is a major challenge for society and needs to be addressed alongside other initiatives to improve the sustainability of our environment and economy. Many items discarded as waste have the potential to be re-used, recycled or used as a resource. Managing waste in these ways has benefits in reducing the amount of natural resources that are consumed. For example, re-using or recycling materials generated during demolition activity can reduce the need for extraction of new minerals. At the same time, this can reduce the need for landfilling of waste. Treating waste as a resource can also lead to new opportunities for the economy, with the outputs of modern waste management processes acting as inputs to businesses that can use them. The circular economy encapsulates this approach, seeking to keep materials at their highest value for the longest period of time.
20. The MWLP seeks to ensure that sites and locations are identified for mineral and waste development, according to forecasted demand, until 2041. It also provides a modern policy framework detailing the strategic direction and development management policies necessary to enable sustainable mineral and waste development in Herefordshire. This is relevant to the whole population of Herefordshire and is as pertinent to those residing in the rural parishes as it is to those in Hereford and the county's market towns.

## Environmental impact

21. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
22. The MWLP has had due regard to the council's environmental policy commitments. Many of them underpin its policies and proposals:
  - a. *Natural resources are used efficiently.* The National Planning Policy Framework identifies the need to ensure that mineral resources should be used sustainably. The MWLP, in assessing future need, only identifies sites for future minerals extraction which are necessary over the plan period (to 2041) and encourages the use of secondary and recycled materials in preference to the extraction of primary materials. It also safeguards mineral resources and infrastructure for future uses.
  - b. *Minimise waste.* The MWLP seeks to deliver the circular economy and promotes the concepts of waste hierarchy. The MWLP's sustainable waste strategy will deliver a reduction in the amount of waste re-used, recycled or used to recover energy and a decrease in the amount of waste disposed to landfill.
    - i. Waste management facilities are also an element of the circular economy, so long as the materials and/or energy recovered are put to beneficial uses.
  - c. *Reduce greenhouse gas emissions.* The built form of waste management facilities may more obviously align with the expectations of this policy commitment, but minerals working can also make a significant impact. Minerals are to be extracted efficiently and proposals should ensure that a high quality of reclamation and after use can be achieved.
    - i. The winning and working of minerals, and some waste processing operations, is resource intensive. Reduced energy usage can be achieved through good site design to reduce transport movements, for example. Buildings and plant can be designed to reduce resource requirements and consequent carbon emissions, for example, through the use of ultra-low emission vehicles and renewable

energy supply (including solar panels, open-loop ground source or surface waste source heating and cooling systems).

- ii. The MWLP will expect increased resource efficiency measures in plant, buildings and operation in order to achieve climate change priorities.
- d. *Raise awareness of and mitigate against and adapt to climate change impacts.* The strategy of the MWLP is centred on sustainability, from its vision and objectives through to its specific policies and proposals. An example of how it addresses climate change is; through the reclamation of sites, which provides opportunities to assist ecological networks in becoming more resilient and enabling the movement of wildlife as it adapts to a changing climate. The after-use of a site can also deliver objectives to address climate change, for example, creating new habitats that also provides flood storage to alleviate flood risks elsewhere.
  - e. *Prevent and reduce pollution.* The waste strategy set out in the MWLP seeks to deliver sustainable management of waste in the county. Both the Plan's minerals and waste policies will prevent and reduce pollution from developments, to assist in the minimisation of nutrient levels in the River's Wye and Clun Special Areas of Conservation.
  - f. *Conserve the natural and historic environment of Herefordshire.* Good design requires full consideration of the surrounding environment, its constraints and the opportunities for enhancement, including change for the better. The MWLP sets out a comprehensive approach, addressing exploration, construction, operation, buildings and machinery and people and place across the lifetime of the site and through its aftercare. This will enable sustainable development to be realised.
    - i. All minerals and waste development will be expected to incorporate robust measures to ensure that proposed development does not cause unacceptable adverse impacts on either the environment or local communities, many of which can be overcome by implementing standard measures, which are set out in the Plan. Protection of the landscape, townscape, biodiversity, geodiversity, historic environment and heritage assets (whether above or below ground) are all addressed through the MWLP's policies.
  - g. *Promote links between environmental sustainability and economic growth and well-being.* Minerals provide many of the raw materials necessary for construction, energy and industry and they are essential in helping to sustain economic growth. Therefore the MWLP plans for their supply, whilst also requiring that the impacts of extracting them are kept within acceptable limits.
    - i. The MWLP provides for a network of waste management facilities and appropriate infrastructure to maximise waste as a resource and to avoid significant adverse impacts on the environment and communities.

## Equality duty

23. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
24. Herefordshire Council undertook an Equality Impact Assessment<sup>9</sup> of the MWLP. This concluded that the Plan and its policies are unlikely to have any specific impacts on any of the nine protected characteristics, to any lesser or greater extent than the general population.
25. In their report the Inspectors stated: “We find no reason to question these conclusions, having discovered no aspect of the Plan that would affect any person who shared any of the nine protected characteristics any more than a person who does not share them.”
26. In addition, at paragraph 13 of the Inspectors’ Report, it is stated that due regard has been had by the Inspectors in relation to the aims expressed in s149(1) of the Equality Duty Act 2010 regarding eliminating discrimination, advancing equality of opportunity and fostering good relations with respect to the nine characteristics protected by the Equality Act.

## Resource implications

27. The production of the MWLP and its examination has been funded through the local plan budget and reserves.
28. There will be a need to fund the production of a final Strategic Environmental Assessment Adoption Statement report by consultants LUC, which is a statutory requirement<sup>10</sup>, to be made available to the public on adoption of the MWLP. The estimated cost will be £1,500, to be funded from local plan budget and reserves. No further need is anticipated for input on this project from the consultants Hendeca (minerals and waste planning specialists), who produced the MWLP, and much of its evidence base. Therefore no further additional external consultancy fees or other costs are expected to be incurred prior to the adoption of the MWLP.

## Legal implications

29. Once adopted, the MWLP will form part of the statutory development plan for the area and be used as such for the purpose of determining minerals and waste applications in the county. Its preparation has involved ensuring compliance with statutory procedural requirements including: duty to cooperate, sustainability appraisal and habitats regulations assessments being undertaken at key stages during the preparation of the Plan, and consultation statements summarising how the council has engaged with communities and other stakeholders during the process.
30. The options open to the council at this stage in the process are set out in the Planning and Compulsory Purchase Act 2004 (notably sections 23 and 27) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Namely, where the Inspectors recommend that a local plan is adopted, as here, with modifications (“the main modifications”), the council may adopt the documents (a) with the main modifications, or (b) with the main modifications and additional modifications (minor changes) if, taken together, they do not materially affect the policies as recommended by the Inspectors.



31. If the council rejects one or more of the Inspectors' recommended modifications, it cannot then proceed to adopt the MWLP. If the recommendation in this report is approved, the MWLP must be formally adopted, by resolution of Council, in accordance with the provisions of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Subsequently an 'adoption statement' would need to be published on the council's website, giving notice that Herefordshire Council has adopted the MWLP in accordance with all relevant regulations, and advertising the availability of the adopted Plan, as well as the final sustainability appraisal report.
32. Adoption of the MWLP by the council will trigger a six-week period from its adoption, within which any person aggrieved by the Plan may make an application to the High Court to challenge the MWLP, under section 113 of the said 2004 Act on limited grounds, namely that either: (a) the document is not within the appropriate power; or (b) a procedural requirement has not been complied with. Therefore, the adoption of the MWLP can only be challenged on the above basis and not simply because of a lack of agreement with the Inspectors' recommendations.
33. Through the public examination process, the Inspectors' Report confirms that the MWLP has met the legal compliance and soundness requirements. If a legal challenge is made, the council would robustly defend the Plan and its validity. Officers consider that the risk of a successful legal challenge is low.

## Risk management

Risk	Mitigation
<p>Risk (procedural, financial and reputational): not adopting the MWLP with main modifications and minor changes.</p> <p>Not to adopt would leave the council without an up to date minerals and waste planning policy framework and would effectively create a policy vacuum. This would be contrary to the requirements set out by the Assistant Planning Inspector during the Core Strategy examination, who stated that a MWLP was to be produced.</p> <p>The council would also risk criticism given the lengthy and costly process, including extensive community and stakeholder engagement, that has been undertaken to reach this point of having a sound development plan document which is capable of adoption.</p>	<p>Adopt the MWLP, together with its main modifications and minor changes, as soon as practicable.</p>
<p>Risk (reputational): to adopt the MWLP with only main modifications and not include minor changes.</p>	<p>Adopt the MWLP with main modifications and minor changes.</p>

<p>Not to include minor alterations which will correct typographical errors, aid clarity and keep references up to date would result in a poor quality document. This would leave the council open to public criticism over the length of time that this planning policy document will be in use (potentially several years).</p>	
<p>Risk (reputational and procedural): delay in adopting the MWLP.</p> <p>A local plan is expected to be adopted without delay once it has been through a public examination and found to be sound by Planning Inspectors . Not to do so would only delay a modern and sustainable planning policy framework being put in place.</p>	<p>Adopt the MWLP with main modifications and minor changes.</p>
<p>Risk: allocated minerals sites not coming forward or waste management facilities not being delivered in accordance with strategy.</p>	<p>A robust approach is set out in the MWLP to ensure that delivery of policies and proposals is achievable.</p> <p>A comprehensive assessment of the allocated minerals and waste sites and their associated strategies was carried out during the MWLP's preparation and their deliverability was considered by the Inspectors as part of the examination process.</p> <p>The delivery of aggregate production and waste management requirements will be monitored on a regular basis as part of the council's standard monitoring processes. If sites do not come forward, then this will be identified and addressed through 5-yearly (or earlier) Plan reviews.</p>

## Consultees

34. All public consultations undertaken as part of the process of producing the MWLP have been pursuant to the Town and Country Planning (Local Development) (England) Regulations 2012 and following the approach set out in the council's Statement of Community Involvement 2017<sup>11</sup>, as updated in 2022<sup>12</sup>.
35. Public consultations took place during standard stages of the MWLP's production in 2017, 2019 and 2021 and Consultation Statements were produced in relation to each, the latest

<sup>11</sup> <https://www.herefordshire.gov.uk/downloads/file/23505/statement-of-community-involvement-2017>

<sup>12</sup> <https://www.herefordshire.gov.uk/downloads/file/1566/statement-of-community-involvement-january-2022>

being the 2022 Consultation Statement<sup>13</sup>. These documents detail how consultations took place, which bodies and persons were invited to comment and a summary of the main issues raised and how those issues were addressed in the MWLP.

36. In addition, a public consultation took place more recently, in the summer of 2023, on the proposed main modifications to the MWLP. This was part of the examination process and representations received were sent directly to the Planning Inspectors for their consideration ahead of preparing the Inspectors' Report; with the council simply acting as host for this final consultation.
37. Officers met with the Chair of the Environment and Sustainability Scrutiny Committee on 11 January 2024. An update provided on the MWLP Inspectors' Report and main modifications, as well as regarding the next steps towards adoption, was welcomed. The Chair sought clarification and confirmation on a number of points and subsequently confirmed that the Scrutiny Committee would not be calling in the MWLP adoption item for further consideration.
38. An all members briefing took place on 26 February 2024, where the opportunity was given to members to discuss: any aspects of the MWLP; the purpose of the report to Cabinet; and the decision options open to Council regarding the Plan's adoption.

## Appendices

- Appendix 1: Inspectors' Report on the Herefordshire Minerals and Waste Local Plan
- Appendix 2: Main Modifications to the MWLP (the appendix to the Inspectors' Report)
- Appendix 3: Schedule of Minor Changes to the MWLP

## Background papers

None identified.

## Glossary

Agricultural waste	Includes a variety of substances such as pesticides containers, oil and silage wrap, as well as slurry which result from activities including horticulture, fruit growing, dairy farming, livestock breeding, seed growing, grazing and nurseries.
Biodiversity	The variety of plants and animal life on earth, encompassing the diversity of habitats, species and genetic variation. Biodiversity provides our life support system as well as having social and economic value.
Circular Economy	An approach to resource management, seeking to keep materials at their highest value for the longest period of time.
Evidence base	The information and data gathered by local authorities to justify the 'soundness' of the policy approach set out in development plan documents, including physical, economic and social aspects of the area.
Green infrastructure	A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental,

<sup>13</sup> <https://www.herefordshire.gov.uk/downloads/file/23512/mwlp-consultation-statement-january-2022>

	economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.
Habitats Regulation Assessment	A Habitats Regulations Assessment is the assessment of the impacts of implementing a plan or policy on a National Network Site. Its purpose is to consider the impacts of a land use plan against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated assets and assets identified by the local planning authority. 10
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Infrastructure	A collective term for services such as roads, electricity, sewerage, water, social services, health facilities and recycling and refuse facilities. For minerals development this also includes the plant necessary to work the mineral before it leaves the site.
Landscape	An area, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors.
Mineral safeguarding areas (MSA)	Areas defined by mineral planning authorities to protect potentially economic resources of minerals from other forms of development which may prevent future extraction of the mineral.
Mitigation	Measures taken to reduce adverse impacts; for example, changing the way development is carried out to minimise adverse effects through appropriate methods or timing.
Monitoring	Process where outcomes of policies and proposals are checked on a continuous or periodic basis, in order to assess their effectiveness and impact.
National Planning Policy Framework	This sets out the Government's planning policies for England and is the framework within which Herefordshire Council has produced the Local Plan – Core Strategy.
Nutrient	The ecology of the River Wye SAC including the River Lugg and its catchment are sensitive to nitrate and phosphate concentration. Nitrate and phosphate are nutrients that promote algal growth, affecting the conservation objectives of the SAC.
Nutrient neutrality	The means of ensuring that development does not add to existing nutrient burdens and provides certainty that the whole of the scheme is deliverable in line with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). Advice regarding nutrient neutrality is likely to change throughout the plan period. Up to date guidance available on Herefordshire Council's website should be consulted in understanding the current approach to nutrient neutrality.
Reclamation	Restoring land that was once used for mineral extraction or as a landfill, in order to return it to a condition suitable for some other beneficial use.
Renewable energy	Power derived from a source that is continually replenished, such as wind, wave, solar, hydroelectric and energy from plant material, but not fossil fuels or nuclear energy. The biogenic content of waste is important in terms of considering energy from waste as renewable. Energy from residual waste is therefore a partially renewable energy source, sometimes referred to as a low carbon energy. In a

	typical household waste bag, somewhere between one half and two thirds will contain biogenic materials.
Residual waste	Waste which cannot be recycled or otherwise dealt with further up the waste hierarchy.
Special Area of Conservation (SAC)	A Special Area of Conservation (SAC) is one given greater protection under Conservation of Habitats and Species Regulations 2017 (as amended). They have been designated because of a possible threat to the special habitats or species which they contain and to provide increased protection to a variety of animals, plants and habitats of importance to biodiversity both on a national and international scale.
Safeguarding	Protection of specific resource or site from being adversely impacted by alternative or encroaching development.
Sustainable development	In broad terms, this means development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
Waste hierarchy	A guiding theme for waste policy at all levels. Seeks the sustainable management of waste by giving preference to waste management methods towards the top of the hierarchy (such as prevention, re-use and recycling) over methods lower down the hierarchy (such as recovery and disposal).
Waste management facilities	These include facilities for waste treatment and disposal.
Wastewater	Water that is disposed of at domestic properties or through commercial and industrial activities.

### Report reviewers used for appraising this report:

Governance	John Coleman	Date 20/12/2023
Finance	Karen Morris, Wendy Pickering, Judith Tranmer	Date 30/12/2023
Legal	Sean O'Connor	Date 28/12/2023
Communications	Luenne Featherstone	Date 19/12/2023
Equality Duty	Harriet Yellin	Date 02/01/2024
Procurement	Lee Robertson	Date 20/12/2023
Risk	Kevin Lloyd	Date 29/12/2023
Approved by		
Cllr Swinglehurst (Cabinet Member Environment) Date 12/02/2024		
Ross Cook (Corporate Director Economy & Environment)		
Date 13/02/24		