

# Minerals & Waste Safeguarding in Hampshire

## Supplementary Planning Document



***Making the most of mineral resources and protecting strategic minerals and waste infrastructure***

**A guide for local planning authorities, developers and other interested parties**

**For adoption (February 2016)**

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## Foreword

Safeguarding is vital as it helps to protect important viable mineral resources, avoiding the needless sterilisation of resources. It also protects the sites which are essential to the sustainable supply of minerals and waste management requirements within Hampshire, both now and in the future by ensuring that their operations are not prejudiced by other non-minerals-or-waste developments.

The adopted Hampshire Minerals & Waste Plan (HMWP) (2013) contains policies on the safeguarding of mineral resources, mineral infrastructure, waste infrastructure and potential wharf and rail depot infrastructure. However, it is only by working together that the Minerals and Waste Planning Authorities, other Local Authorities and developers can ensure that minerals and waste safeguarding is suitably considered.

This Supplementary Planning Document (SPD) provides guidance on the implementation of policies in the HMWP in relation to minerals and waste safeguarding.

The guidance has been prepared in partnership by Hampshire County Council, Southampton City Council, Portsmouth City Council and the New Forest National Park Authority (here after referred to as the 'Hampshire Authorities'). The SPD therefore covers the administrative areas of the Hampshire Authorities, but does not cover the part of the South Downs National Park which is in Hampshire.

Upon adoption, the document will then sit alongside the adopted HMWP, providing further guidance on the implementation of the plans safeguarding policies, It should be taken into consideration during any decision-making in relation to safeguarding minerals and waste in Hampshire.

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## 1. Introduction and purpose of the Supplementary Planning Document

- 1.1 A large part of Hampshire is underlain by mineral deposits, such as sand and gravel and brick-making clay, which may be required to meet the future needs for construction materials. Allowing new building and other development to take place on top of these mineral deposits could mean they are lost permanently, limiting their supply.
- 1.2 Furthermore, meeting the needs for minerals, as well as for waste management, depends on having the right sites in the right places.
- 1.3 Non-minerals-or-waste development can 'sterilise' mineral resources (make them inaccessible for potential extraction) or prejudice the operation of existing or proposed minerals or waste management sites ('infrastructure'). This can be either:
- directly, for example by building over land that contains minerals; or
  - indirectly, through the introduction of sensitive land uses in close proximity to these resources or sites.
- 1.4 Minerals and waste safeguarding is the process through which these various potential issues are avoided.
- 1.5 In Hampshire, minerals and waste safeguarding is a very important issue.

**Minerals safeguarding helps to protect Hampshire's viable mineral resources. Minerals are non-renewable resource that can only be worked where they are found.<sup>1</sup>**

**Minerals and waste safeguarding also helps to protect important infrastructure which is essential to Hampshire's supply of minerals and waste management requirements both now and in the future. The introduction of other new activities (such as housing) may be incompatible in an area where existing minerals and waste sites are located.**

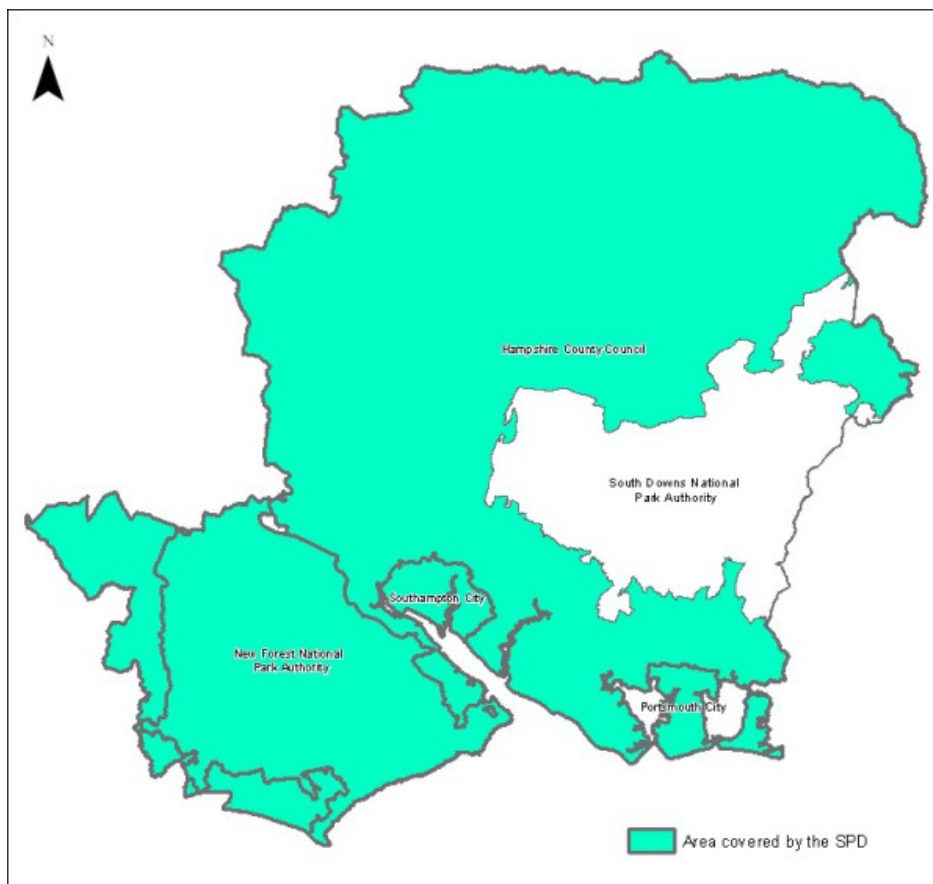
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<sup>1</sup>Key information in this document is drawn out through the use of highlight boxes.

**Minerals and waste safeguarding is not intended to prevent development. It allows for the effective consideration of potential impacts and helps to ensure that non-minerals-or-waste developments are appropriately located and designed.**

- 1.6 The adopted Hampshire Minerals & Waste Plan (hereafter referred to as the HMWP or 'the Plan') (2013)<sup>2</sup> contains policies on the safeguarding of mineral resources, mineral infrastructure, waste infrastructure and potential minerals and waste wharf or rail depot infrastructure. The HMWP was prepared by Hampshire County Council (HCC) in partnership with Portsmouth City Council (PCC), Southampton City Council (SCC), the New Forest National Park Authority (NFNPA) and the South Downs National Park Authority (SDNPA) as the Minerals and Waste Planning Authorities (MWPA)<sup>3</sup>.
- 1.7 The plan-making partnership came to an end upon the adoption of the HMWP and a new partnership has been formed between HCC, PCC, SCC and the NFNPA (hereafter referred to as the 'Hampshire Authorities') to implement and monitor the HMWP in their administrative areas. It does not cover the SDNPA area. The area covered by this SPD is highlighted in the map below.

Figure 1: The area covered by this Supplementary Planning Document



2. Hampshire Minerals & Waste Plan (2013): [www3.hants.gov.uk/planning-policy-home.htm](http://www3.hants.gov.uk/planning-policy-home.htm)

3. The HMWP covers the whole of the New Forest National Park administrative area, but only the part of the SDNP that lies in Hampshire

## Why is this Supplementary Planning Document required?

- 1.8 Since the adoption of the HMWP, the Hampshire Authorities have received a large number of requests for information or views on minerals and waste safeguarding issues. Some of these requests have arrived at an advanced stage of the planning process for non minerals or waste developments, making any opportunities to sustainably address safeguarding issues more difficult.
- 1.9 This has shown that there is a need to provide more guidance to those that work with non-minerals-or-waste developments, such as District and Borough Councils, Unitary Councils and National Park Authorities (hereafter referred to as 'Local Planning Authorities' (LPAs)) as well as developers, to ensure the issue of minerals and waste safeguarding is appropriately addressed, particularly during the early planning application stages.
- 1.10 The National Planning Policy Framework sets out the use of Supplementary Planning Documents to provide further guidance, and what weight they would carry.<sup>4</sup>

## Purpose of the Supplementary Planning Document

- 1.11 This guidance has been produced to identify where particular care is needed to prevent the unnecessary sterilisation of sand and gravel resources or encroachment of existing minerals or waste sites by non-minerals-or-waste development.
- 1.12 It is the responsibility of the MWPAs to determine minerals and waste planning applications, as well as preparing minerals and waste policy (including minerals and waste safeguarding). Developers submit non-minerals-or-waste planning applications to Hampshire's LPAs (the relevant District and Borough Councils or to Unitary and National Park Authorities) who will determine such proposals. This guidance suggests ways in which the MWPAs, developers and LPAs can work together to protect the resources and sites in safeguarded areas and ensure that development is compatible with meeting the reasons for the safeguarding.

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4. National Planning Policy Framework (2012), pg 56: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)



The purpose of this SPD is to provide guidance on the implementation of the safeguarding policies in the HMWP. It sets out the following:

- how the Hampshire Authorities and Hampshire's LPAs can work constructively to ensure minerals and waste issues are taken into account as appropriate during the preparation of Local Plans and in the determination of planning applications for non-minerals-or-waste developments;
- guidance on what issues LPAs should consult the MWPA in relation to mineral resources and minerals and waste infrastructure safeguarding;
- the information used to determine Hampshire's Mineral Safeguarding Area (MSA) and allocated mineral development and waste management sites, as set out in the HMWP (see also [Background to minerals and waste safeguarding in Hampshire \[See page 13\]](#) and [Minerals and Waste Consultation Area \(MWCA\) \(including the Mineral Consultation Area \(MCA\)\) \[See page 18\]](#) );
- the agreed process for consultation with the MWPA by LPAs with regard to minerals and waste issues (see [Minerals and waste safeguarding procedures in Hampshire \[See page 32\]](#)); and
- guidance to developers of non-minerals-or-waste developments on how the issues of safeguarding can best be addressed (see [Safeguarding and the preparation of planning applications for non-mineral-or-waste uses \[See page 21\]](#) ).

### How does this guidance link to the adopted Hampshire Minerals and Waste Plan (HMWP)?

- 1.13 This guidance has been prepared following the adoption of the HMWP.
- 1.14 Once adopted, this guidance will sit alongside the adopted HMWP. The HMWP contains the relevant policies on minerals and waste safeguarding:

- Policy 15 (Safeguarding - mineral resources);
- Policy 16 (Safeguarding - minerals infrastructure);
- Policy 26 (Safeguarding - waste infrastructure); and
- Policy 34 (Safeguarding potential minerals and waste wharf and rail depot infrastructure).

- 1.15 This document provides further guidance on the implementation of the HMWP policies. It does not contain any new policy. As a guidance document, legally it cannot be given the same weight in decision-making as the adopted HMWP.

## How was this Supplementary Planning Document prepared?

### Meeting legal requirements

- 1.16 A supplementary planning document (“SPD”) is defined in Regulation 2(1) of the Town and Country Planning (Local Planning) (England) Regulations 2012<sup>5</sup> as: *‘any document of a description referred to in regulation 5 (except an adopted policies map or a statement of community involvement) which is not a local plan’*<sup>6</sup>
- 1.17 A SPD will also *‘add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan’*<sup>7</sup>.
- 1.18 The form and content of SPDs is set out in Regulation 8 the Local Planning Regulations. This SPD does not conflict with the provisions of the adopted HMWP. It provides guidance on the implementation of its policies.
- 1.19 The SPD has also been prepared in accordance with Part 5 of the Local Planning Regulations.
- 1.20 Regulation 5 of the Local Planning Regulations prescribes, for the purposes of section 17(7)(za) of the Planning and Compulsory Purchase Act 2004 (“PCPA 2004”)<sup>8</sup> the descriptions of documents which are to be local development documents. This SPD relates to 1 (a) iii which relates to *‘any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land’*.
- 1.21 In preparing this SPD, the Hampshire Authorities had regard to the matters set out in section 19(2) of the PCPA 2004 and Regulation 10 of the Local Planning Regulations.
- 1.22 The document's preparation has also complied with all of the Hampshire Authorities relevant Statement of Community Involvement<sup>9</sup> documents.
- 1.23 The SPD was subject to a public consultation which ran from 29 June - 7 August 2015<sup>10</sup>.
- 1.24 To support the preparation of this SPD, a number of other documents were also prepared (see [Relevant assessment and appraisal \[See page 11\]](#)).
- 1.25 Following the consultation, the SPD was revised, as appropriate, then taken forward for adoption by each of the Hampshire Authorities. An Adoption Statement and a community engagement statement sit alongside this guidance document.

5. Town and Country Planning (Local Planning) (England) Regulations 2012: [www.legislation.gov.uk/ukksi/2012/767/pdfs/ukxi\\_20120767\\_en.pdf](http://www.legislation.gov.uk/ukksi/2012/767/pdfs/ukxi_20120767_en.pdf)

6. *Local plan* is defined in regulation 2(1) of the Local Planning Regulations as: “local plan” means any document of the description referred to in regulation 5(1)(a)(i), (ii) or (iv) or 5(2)(a) or (b), and for the purposes of section 17(7)(a) of the Act these documents are prescribed as development plan documents (NPPF (Glossary): [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf))

7. National Planning Policy Framework (“NPPF”), glossary (2012): [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

8. Planning and Compulsory Purchase Act 2004: [www.legislation.gov.uk/ukpga/2004/5/contents](http://www.legislation.gov.uk/ukpga/2004/5/contents)

9. Statement of Community Involvement: [www3.hants.gov.uk/sci-2.htm](http://www3.hants.gov.uk/sci-2.htm)

10. Public consultation on the SPD: [www3.hants.gov.uk/spd-consultation-2015.htm](http://www3.hants.gov.uk/spd-consultation-2015.htm)

## Meeting the duty to co-operate

- 1.26 The National Planning Policy Framework (NPPF) requires local authorities and other public bodies to co-operate on planning issues<sup>11</sup>. The duty applies to the production of the SPD. This is imposed through the Planning and Compulsory Purchase Act 2004<sup>12</sup>. In response to this, as part of the preparation of this guidance, the Hampshire Authorities have liaised with the following organisations and parties who are considered to have an interest in minerals and waste safeguarding issues in Hampshire:
- Hampshire's LPAs;
  - regulators and statutory consultees (including the Environment Agency, Natural England, Historic England and the Department for Communities and Local Government);
  - other Minerals and Waste Planning Authorities with an interest in minerals and waste safeguarding in Hampshire, including adjoining authorities; and
  - other interested parties (including the minerals-and-waste industry and other non-minerals and waste developers).
- 1.27 This engagement is documented in a Duty to Co-operate statement which has been prepared by the Hampshire Authorities to sit alongside the SPD<sup>13</sup>.
- 1.28 This engagement will continue following the adoption of this guidance document by the Hampshire Authorities.
- 1.29 The Hampshire Authorities have committed to work collaboratively with other bodies to ensure that the strategic priorities set out in the HMWP will continue to be properly coordinated and clearly reflected in any subsequent review of the Plan, supplementary guidance and other individual Local Plans.

## Relevant assessment and appraisal

- 1.30 The preparation of this SPD has been subject to an Integrated Sustainability Appraisal (ISA)<sup>14</sup> as well as Habitats Regulation Assessment (HRA)<sup>15</sup>. An Equality Impact Assessment (EqIA)<sup>16</sup> has also been prepared.
- 1.31 As the SPD does not introduce any new policy but provides guidance on how the policies contained within the HMWP will be implemented, the assessments outlined above have included a review of the assessments undertaken for the HMWP.

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11.National Planning Policy Framework (DCLG, 2012), paragraph 178-181: [www.gov.uk/government/publications/national-planning-policy-framework--2](http://www.gov.uk/government/publications/national-planning-policy-framework--2)

12.Planning and Compulsory Purchase Act 2004, section 33 (A) (1): [www.legislation.gov.uk/ukpga/2004/5/contents](http://www.legislation.gov.uk/ukpga/2004/5/contents)

13.Hampshire Minerals and Waste Plan Supplementary Planning Documents Duty to Co-operate Statement (August 2015): [www3.hants.gov.uk/planning-policy-home.htm](http://www3.hants.gov.uk/planning-policy-home.htm)

14.Integrated Sustainability Appraisal Report (FINAL)- Supplementary Planning Documents (Hampshire Authorities, 2015): [www3.hants.gov.uk/spd-consultation-2015.htm](http://www3.hants.gov.uk/spd-consultation-2015.htm)

15.Habitats Regulation Assessment Screening (Hampshire Authorities, 2015): [www3.hants.gov.uk/spd-consultation-2015.htm](http://www3.hants.gov.uk/spd-consultation-2015.htm)

16.Equality Impact Assessment for the Supplementary Planning Documents (Hampshire Authorities, 2015) v1: [www3.hants.gov.uk/spd-consultation-2015.htm](http://www3.hants.gov.uk/spd-consultation-2015.htm)

1.32 A Strategic Flood Risk Assessment (SFRA) has not been prepared as the SPD does not include any policies or site allocations. This means the SFRA prepared for the adopted HMWP can still be applied.

1.33 The following documents are also relevant to the SPD:

- Adopted Hampshire Minerals & Waste Plan<sup>17</sup>;
- Hampshire Statement of Community Involvement<sup>18</sup>;
- Portsmouth Statement of Community Involvement<sup>19</sup>;
- Southampton Statement of Community Involvement<sup>20</sup>;
- New Forest National Park Statement of Community Involvement<sup>21</sup>
- National Planning Policy Framework<sup>22</sup>;
- National Planning Practice Guidance<sup>23</sup>

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17. Hampshire Minerals and Waste Plan (2013): [www3.hants.gov.uk/planning-policy-home.htm](http://www3.hants.gov.uk/planning-policy-home.htm)

18. Hampshire Statement of Community Involvement: <http://documents.hants.gov.uk/HampshireSCIAdoptedFinalMay2014.pdf>

19. Portsmouth City Council Statement of Community Involvement: [www.portsmouth.gov.uk/ext/development-and-planning/planning/statement-of-community-involvement.aspx](http://www.portsmouth.gov.uk/ext/development-and-planning/planning/statement-of-community-involvement.aspx)

20. Southampton City Council Statement of Community Involvement: [www.southampton.gov.uk/policies/Statement%20of%20Community%20Involvement.pdf](http://www.southampton.gov.uk/policies/Statement%20of%20Community%20Involvement.pdf)

21. New Forest National Park Statement of Community Involvement: [www.newforestnpa.gov.uk/info/20040/planning\\_policy/106/community\\_involvement](http://www.newforestnpa.gov.uk/info/20040/planning_policy/106/community_involvement);

22. National Planning Policy Framework: [www.gov.uk/government/publications/national-planning-policy-framework--2](http://www.gov.uk/government/publications/national-planning-policy-framework--2)

23. National Planning Practice Guidance: <http://planningguidance.planningportal.gov.uk/>.

## 2. Background to minerals and waste safeguarding in Hampshire

2.1 Minerals and waste safeguarding is the process for protecting the following:

- the future availability of known mineral resources of local and national importance (see [Safeguarding Mineral Resources \[See page 13\]](#)); and
- the effective operation of important minerals and waste land uses (see [Safeguarding Minerals and Waste Infrastructure \[See page 14\]](#)).

2.2 The tools that the Hampshire Authorities use in minerals and waste safeguarding are:

- the Mineral Safeguarding Area (MSA), which defines the safeguarded mineral resources (see [Mineral Safeguarding Area \(MSA\) \[See page 16\]](#)); and
- the Mineral and Waste Consultation Area (MWCA), which is based on the MSA, but also includes minerals and waste sites and infrastructure (see [Minerals and Waste Consultation Area \(MWCA\) \(including the Mineral Consultation Area \(MCA\)\) \[See page 18\]](#)).

### Safeguarding Mineral Resources

2.3 As minerals can only be worked where they are found, it is important that viable mineral resources are 'safeguarded' (protected) from needless sterilisation by other development to help to secure a long-term future supply of minerals.

2.4 *Policy 15 (Safeguarding - mineral resources)* of the HMWP<sup>24</sup> provides the policy framework for mineral resource safeguarding in Hampshire. However it is important to note that safeguarding relates to the long term conservation of resources and infrastructure, necessary to secure steady and adequate supply of minerals for future generations, and is likely to remain relevant beyond the Plan period (2013 - 2030).

**As detailed in the HMWP, in Hampshire safeguarding of mineral resources only applies to the following types of mineral resource:**

- sharp sand and gravel;
- soft sand;
- silica sand; and
- brick-making clay.

2.5 The HMWP has a shortfall in site allocations to meet the apportionment for sharp sand and gravel. Therefore, unplanned opportunities are an important element of meeting demand. Safeguarding mineral resources and raising awareness of the location of potentially viable resources can help ensure such opportunities are spotted and maximised.

24. Hampshire Minerals and Waste Plan (2013): [www3.hants.gov.uk/planning-policy-home.htm](http://www3.hants.gov.uk/planning-policy-home.htm)

- 2.6 Soft sand and silica sand resources are more scarce in Hampshire compared to sharp sand and gravel and this may be reflected in the approach the Hampshire Authorities take to proposals that may sterilise these resources.
- 2.7 The HMWP identifies the known economically viable resources of soft sand and potentially silica sand at Whitehill & Bordon in East Hampshire for specific safeguarding. These resources have been specifically safeguarded as they are subject to a known development pressure.
- 2.8 Brick-making clay is important to maintain the productivity of Hampshire's brickworks. Consideration should be given to the proximity to the brickworks of a site which contains suitable and viable deposits of brick-making clay. The HMWP contains criteria to determine the suitability of viable brick-making clay deposits for extraction.

**Where non-minerals-or-waste development is proposed, the suitability and viability of extraction of known mineral resources in that location needs to be considered in any planning applications.**

- 2.9 Hampshire also has deposits of chalk, other non brick-making clay, oil, gas, malmstone and clunch. These mineral resources are not safeguarded in Hampshire for the reasons outlined in paragraphs 6.16 and 6.17 of the HMWP, mainly related to their demand, scarcity or uncertainty over the location of deposits.
- 2.10 Any proposal for other forms of development (non-minerals) affecting safeguarded mineral resources should be subject to consultation with the relevant MWPA in accordance with the defined MWCA (see [Minerals and Waste Consultation Area \(MWCA\) \(including the Mineral Consultation Area \(MCA\)\) \[See page 18\]](#)). While this guidance outlines consultation procedures between the LPAs and the MWPA for when planning applications are submitted (as set out in [Development Proposals \[See page 35\]](#)), the Hampshire Authorities encourage developers to approach the relevant MWPA as early as possible regarding any potential minerals and waste safeguarding issues.

## Safeguarding Minerals and Waste Infrastructure

- 2.11 The identification of land as a safeguarded minerals or waste site is not an absolute bar on alternative development that might impact that site, in line with provisions that have been set out in the HMWP. The circumstances of each individual development proposal will need to be considered on a case-by-case basis. However, the general presumption will be, in accordance with the HMWP, that minerals and waste uses will be protected, unless there are genuine and exceptional planning reasons why this protection should not apply.

## Minerals infrastructure

- 2.12 Safeguarding the infrastructure (different types of sites) that supports the supply of minerals for Hampshire is just as important as safeguarding the mineral resources themselves. Existing and planned minerals sites are essential as they contribute to meeting Hampshire's demand for aggregates and for some types of waste management. Safeguarding allows the MWPA to recommend refusal and resist other types of future non-minerals development which could be incompatible with existing or planned mineral infrastructure and uses.
- 2.13 *Policy 16 (Safeguarding - mineral infrastructure)* of the HMWP provides the policy framework for the safeguarding of mineral infrastructure in Hampshire.

**Safeguarded mineral infrastructure, as set out in the HMWP, includes the following types of site in Hampshire:**

- aggregate wharves, including ancillary plant;
- aggregate rail depots, including ancillary plant;
- aggregate recycling sites;
- sand and gravel quarries (sharp sand and gravel, soft sand, silica sand);
- clay quarries;
- chalk quarries;
- oil and gas development sites;
- concrete batching;
- manufacture of coated materials; and
- sites allocated in the HMWP for the above functions.

## Waste infrastructure

- 2.14 Safeguarding waste infrastructure that supports waste management provisions in Hampshire is important to allow Hampshire to sustainably manage its waste arisings. Non-waste developments can impact the operation of existing sites or viability of planned sites.
- 2.15 *Policy 26 (Safeguarding - waste infrastructure)* of the HMWP provides the policy framework for waste infrastructure safeguarding in Hampshire.



**Safeguarded waste infrastructure, as set out in the HMWP, includes the following types of waste sites in Hampshire:**

- household waste recycling centres (HWRC);
- composting sites;
- material recovery facilities (MRF);
- waste transfer stations (WTS);
- metal recycling sites;
- energy recovery facilities (ERF);
- waste water treatment sites;
- other specialist waste management uses (such as hazardous waste and waste water treatment);
- landfill sites; and
- sites allocated in the HMWP for the above functions.

## **Safeguarding potential minerals and waste wharf and rail depot infrastructure**

- 2.16 Safeguarding potential minerals and waste wharf and rail depot infrastructure allows consideration of potential minerals and waste interests on these sites when any relevant future planning decisions are made.
- 2.17 *Policy 34 (Safeguarding potential minerals and waste wharf and rail depot infrastructure)* of the HMWP safeguards areas, so that their appropriateness for use as a minerals or waste wharf or rail depot can be considered, if they become available or are released from their current uses.

## **Mineral Safeguarding Area (MSA)**

- 2.18 National planning policy requires MWPA's to 'define Mineral Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked'<sup>25</sup>.
- 2.19 In Hampshire, the MSA is defined by the Hampshire Authorities on the adopted Policies Map. It includes those deposits of minerals that are safeguarded from unnecessary sterilisation by non-mineral development. The MSA is based on information published by the British Geological Survey (BGS) as well as other local knowledge, data and information available to the Hampshire Authorities at the time of the HMWP preparation.

25. National Planning Policy Framework, paragraph 143 (DCLG, 2012): [www.gov.uk/government/publications/national-planning-policy-framework--2](http://www.gov.uk/government/publications/national-planning-policy-framework--2)



- 2.20 While the MSA is based on the best available knowledge, the extent or availability of mineral resources cannot be known for certain. For example, the BGS data is provided with certain limitations<sup>26</sup>. Therefore the MSA is a guide as to where the MWPA expects that issues of sterilisation of mineral resources are likely to arise. However, it does not guarantee either that the extent it covers will contain mineral resources or that the other areas will not contain mineral resources. This is one of the reasons why a mineral assessment may be necessary in order for sufficient information on the specific circumstances to be gathered. This is also why the Hampshire Authorities will decide each case on its own merits, based on the best information available at the time any development proposal is being considered <sup>27</sup>.
- 2.21 The MSA excludes areas which are already developed e.g. for housing, other major developments or for highway uses, as it is likely that the mineral resource in these areas is already sterilised. As the boundaries of the viable mineral resource are not absolute, sites adjacent or nearby may need to be assessed in terms of impact on mineral resources. To account for this, a buffer is added to the MSA.
- 2.22 The MSA is included within the Minerals and Waste Consultation Area (MWCA). More information can be found in the section on the [Minerals and Waste Consultation Area \(MWCA\) \(including the Mineral Consultation Area \(MCA\)\) \[See page 18\]](#).
- 2.23 The safeguarding of land for minerals resources and the inclusion of this land within the MSA and thereafter the MWCA does not give any presumption that mineral working will be permitted. However, in line with national policy<sup>28</sup>, there will be an expectation that LPAs will not normally permit other types of development (non-minerals) within the MWCA in order to avoid needless sterilisation of the mineral resources, unless the safeguarding issue has been appropriately addressed. Safeguarding issues can be addressed through prior extraction or by fulfilling the criteria in *Policy 15 (Safeguarding – mineral resources)* of the HMWP. The Hampshire Authorities acknowledge that safeguarding is not a bar to non-mineral developments. Whether planning permission should be granted or not for non-minerals-or-waste development will depend on the circumstances of each individual proposal and the decision lies with the LPA.
- 2.24 There is an acknowledged need for new homes and employment development in Hampshire. The most appropriate locations for this development will depend on a wide range of planning factors. Where such locations fall within the identified MSA the starting presumption is that the developer will address the safeguarding issue prior to the development commencing. That is not to say that the MSA will prevent or seriously delay the development, though it will be an important consideration. Rather, a pragmatic approach will be taken that maximises opportunities for prior extraction wherever possible whilst still ensuring the timely delivery of the development. Early discussions between the developer, the LPA and the MWPA are key to ensuring this is achieved.

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26. DiGMapGB-50 Additional Information Note (BGS): [www.bgs.ac.uk/mineralsuk/maps/digmap.html](http://www.bgs.ac.uk/mineralsuk/maps/digmap.html)

27. see [Safeguarding and the preparation of planning applications for non-mineral-or-waste uses \[See page 21\]](#)

28. National Planning Policy Framework (2012), para144: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

2.25 *Policy 15 (Safeguarding - mineral resources)* sets out criteria where development without the prior extraction of the mineral resources in the MWCA may be permitted. In situations where a LPA is minded to approve a non-minerals development in the Hampshire MWCA that would lead to the sterilisation of a resource, the Hampshire Authorities will encourage and support the prior extraction of the resource, either before or as part of the development, wherever this is practicable. The consideration of prior extraction in a sequential approach that maximises the quantities of minerals recovered is set out in [Avoiding sterilisation of mineral resources.](#) [See page 21]

## Minerals and Waste Consultation Area (MWCA) (including the Mineral Consultation Area (MCA))

- 2.26 National planning policy requires MWPA's to set out a Minerals Consultation Area (MCA) based on the defined MSA<sup>29</sup>. The purpose of the MCA is for LPAs to consult the mineral planning authority and take account of the local minerals plan before determining a planning application on any proposal for non-minerals development within the MCA. In Hampshire, besides mineral resources and mineral infrastructure, the HMWP also safeguards waste infrastructure. The Hampshire Authorities have set out a combined Minerals and Waste Consultation Area (MWCA) that includes both the MCA and the safeguarded waste infrastructure.
- 2.27 The MWCA is defined and published (separately to the HMWP) by HCC (on behalf of the Hampshire Authorities). It is used as a basis for LPAs to consult the relevant MWPA.
- 2.28 The MWCA covers the HCC and the NFNPA administrative areas as well as small adjacent parts of the cities of Southampton and Portsmouth and the wharves.

### In Hampshire, the MWCA covers the:

- mineral resources in the MSA that are considered to be economically viable<sup>30</sup>;
- minerals and waste sites allocated in the HMWP;
- minerals infrastructure identified for safeguarding (through *Policy 16 (Safeguarding - mineral infrastructure)* and as set out in *Appendix B - List of safeguarded minerals and waste sites of the HMWP*<sup>31</sup>;
- waste infrastructure identified for safeguarding (through *Policy 26 (Safeguarding - waste infrastructure)* and as set out in *Appendix B - List of safeguarded minerals and waste sites of the HMWP*<sup>32</sup>; and
- potential sites and areas identified for safeguarding for wharf and rail depots safeguarding (through *Policy 34 (Safeguarding potential minerals and waste wharf and rail depot infrastructure)*).

29. National Planning Policy Framework, paragraph 143 (DCLG, 2012): [www.gov.uk/government/publications/national-planning-policy-framework--2](http://www.gov.uk/government/publications/national-planning-policy-framework--2)

30. and thereafter any updates based on newly available information

31. and thereafter any updates to this list: [www3.hants.gov.uk/pd-facts-and-figures.htm](http://www3.hants.gov.uk/pd-facts-and-figures.htm)

32. and thereafter any updates to this list: [www3.hants.gov.uk/pd-facts-and-figures.htm](http://www3.hants.gov.uk/pd-facts-and-figures.htm)

- 2.29 If areas subject to redevelopment are located within the MWCA, depending on the scale of the redevelopment, the MWPA may request an assessment of the potential mineral resource as part of the proposed redevelopment (as further discussed in [Redevelopment proposals \[See page 31\]](#)).
- 2.30 The purpose of safeguarding minerals and waste infrastructure is to ensure Hampshire can meet current and future demands for minerals and waste management. As the available and planned infrastructure and the demand for minerals and waste management change, so will the need to safeguard specific sites. The minerals and waste infrastructure safeguarded at the time of the adoption of the HMWP is set out in *Appendix B - List of safeguarded minerals and waste sites* of the Plan. This includes sites allocated in the HWMP.
- 2.31 All further minerals infrastructure granted planning permission following the adoption of the HMWP which meet the criteria for safeguarding outlined in paragraphs 6.23 and 6.156 of the HMWP will also be safeguarded. The safeguarding status of minerals and waste infrastructure sites will be reviewed by the relevant MWPA and will be considered through the monitoring of the HMWP in the annual Monitoring Report. The current list of safeguarded minerals and waste sites is available online<sup>33</sup> and reflected in updates to the MWCA. This list is regularly updated.
- 2.32 The supporting text for policies *16 (Safeguarding - mineral infrastructure)*, *26 (Safeguarding - waste infrastructure)* and *34 (Safeguarding potential minerals and waste wharf and rail depot infrastructure)* of the HMWP provides more information and guidance on issues associated with the safeguarding of minerals and waste infrastructure. In particular the HMWP details:
- potential issues of encroachment which may impact the operation of minerals or waste infrastructure (see paragraph 6.26 of the HMWP);
  - reasons why minerals or waste infrastructure may have been safeguarded (see paragraphs 6.23 and 6.151 - 6.53);
  - what happens if alternative uses of wharf and rail depots are proposed (see paragraph 6.26);
  - potential for regeneration and how this may impact minerals or waste sites e.g. wharves and rail depots (see paragraph 6.29);
  - circumstances where it may be undesirable to continue safeguarding a minerals or waste site (see paragraphs 6.30 and 6.158); and
  - safeguarding of further waste sites that are permitted following the adoption of the HMWP (see paragraph 6.156).
- 2.33 The Town and Country Planning Act 1990<sup>34</sup> places a requirement on a LPA to consult with the MWPA on development in an area (such as MWCA) that could affect, or be affected by mineral working, or prejudice the proposed use of land for waste disposal. The application of this guidance is considered in [Consultation with the Minerals Planning Authority by Hampshire's LPAs \[See page 32\]](#).

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33. Minerals & Waste Site List: [www.hants.gov.uk/pd-facts-and-figures.htm](http://www.hants.gov.uk/pd-facts-and-figures.htm)

34. Town and County Planning Act 1990, Schedule 1, paragraph 7: [www.legislation.gov.uk/ukpga/1990/8/schedule/1](http://www.legislation.gov.uk/ukpga/1990/8/schedule/1)

**The MWCA includes the following buffers:**

- **250 metres around safeguarded mineral resources;**
- **250 metres around minerals and waste infrastructure in rural areas; and**
- **100 metres around minerals and waste infrastructure in urban areas (and including areas directly opposite sites where the sites are adjacent to a water body<sup>35</sup>).**

- 2.34** The buffers are applied in order to account for the indicative nature of the mineral resource mapping and for impacts that may arise from developments that are near (but not immediately adjacent to) minerals or waste infrastructure. They are based on existing guidance<sup>36</sup>, officer experience and consultation with stakeholders<sup>37</sup>. They will be kept under review.
- 2.35** The mineral resources identified in the MWCA excludes areas which are already developed e.g. for housing, other major developments or for highway uses, as it is likely that the mineral resource in these areas is already sterilised. However, if areas subject to redevelopment are located within the MWCA, depending on the scale of the redevelopment the MWPA may request an assessment of the potential mineral resource as part of the proposed redevelopment (as further discussed in [Redevelopment proposals \[See page 31\]](#)).

**The Hampshire Authorities currently have the following administrative arrangements:**

- **The MWCA will be sent to Hampshire's LPAs by HCC. It requires LPAs to consult the relevant MWPA when any development proposal comes forward within the MWCA. The MWCA should also be reflected in all LPA's Local Plans in accordance with the provisions of this SPD and the NPPF;**
- **The MWCA will be updated annually (anticipated publication will be December of each year) or as required. LPAs will be informed of any updates and data will be distributed accordingly by HCC;**
- **The MWCA will be produced in an electronic format, as Geographic Information System (GIS) layers that can be used by the LPAs. The MWCA will consist of two GIS layers, one for minerals resources and one for mineral and waste infrastructure, in order to assist the application of consultation criteria regarding these elements (see [Development Proposals \[See page 35\]](#)).**
- **The MWCA will be accompanied by a PDF version of the current minerals and waste site safeguarding list; and**
- **The MWCA will be made available to view on the HCC website as part of the live Policies Map (see [Policies Map \[See page 37\]](#)).**

**35.** These areas are selected using officer judgement as to where there may be additional potential impacts beyond 100m due to the open nature of water bodies, while also considering local circumstances and the scale of the safeguarded facility.

**36.** BGS, Mineral Safeguarding in England: good practice advice: [www.bgs.ac.uk/downloads/start.cfm?id=2069](http://www.bgs.ac.uk/downloads/start.cfm?id=2069)

**37.** Safeguarding SPD Consultation Report: <http://documents.hants.gov.uk/mineralsandwaste/consultation-2015/OilGasSPDConsultationReport.pdf>

### 3. Safeguarding and the preparation of planning applications for non-mineral-or-waste uses

- 3.1 The Hampshire Authorities support the full utilisation of mineral resources, subject to environmental and other constraints, wherever they are found, within or outside the MSA.

**The Hampshire Authorities welcome engagement with developers at any stage of the planning process to further discuss opportunities for mineral extraction, and particularly encourage early discussions, before planning applications are submitted.**

#### Developer considerations

##### Avoiding sterilisation of mineral resources

- 3.2 Avoiding the sterilisation of mineral resources is an important sustainability issue in Hampshire, both in terms of:
- self-sufficiency regarding its mineral needs; and
  - preserving these mineral resources for future generations.
- 3.3 Additionally, it also represents an opportunity to increase the sustainability of development proposals by considering the minerals as a resource through the on-site use of local minerals, including any material that is extracted through incidental activities (such as excavating for footings or landscaping).
- 3.4 The aim of *Policy 15 (Safeguarding - mineral resources)* is to avoid the needless sterilisation of viable mineral resources. Therefore, in order to minimise the sterilisation of resources, the Hampshire Authorities encourage the maximum viable level of prior extraction. To help achieve this, the Hampshire Authorities promote the use of the following framework for consideration of prior extraction (using a sequential approach).
- 3.5 The starting assumption is that large scale extraction should take place. However, it will be up to the developer to justify why this is not practicable or why a lower level of extraction (medium to smaller scale or incidental) should be accepted by the MWPA.

- ***Larger scale extraction:*** There may be an opportunity to extract the full mineral resource or a significant proportion. This will be the option most favoured by the MWPA as it will maximise the extraction of the resource and avoid its sterilisation. However, there will be no presumption that the mineral will be worked in full. Extraction would likely be a separate activity to the non-minerals-or-waste development and may include restoration of the land to make it suitable for future non-minerals-or-waste development.
- ***Medium to smaller scale extraction:*** Where there is no opportunity for a more comprehensive extraction of the mineral resources present, it may be possible to conduct prior extraction as an integral part of the development (such as during the preparation of the land for the development). The material could then either be processed and used on site or exported to a suitable site.
- ***Incidental extraction:*** Any preparation of the site for the development may result in the extraction of suitable mineral that could be processed and used on site. This is the minimum level of prior extraction that the MWPA would seek as part of any non-minerals-or-waste development in the MWCA, as these activities are likely to occur with any relevant proposed development. This may include excavating the foundations and footings or landscaping works associated with the development.

**The Hampshire Authorities also promote this approach for sites outside the MWCA whenever suitable mineral resources are found, subject to amenity issues.**

- 3.6 Any proposals for non-minerals development falling within the MWCA and likely to impact mineral resources must be accompanied by a proportionate assessment of the nature and extent of the mineral resource that may be present and the potential for its extraction. This work should include input from mineral operators in order to determine the need for the mineral, the viability of its extraction and options for avoiding impacts on the viability of the development itself.
- 3.7 The viability of proposals for the extraction of mineral resources will be impacted by any constraints affecting the proposed development. It is likely that many of the same constraints that apply to the non-minerals-or-waste aspect of the development will also apply to proposals for mineral extraction. Therefore similar avoidance or mitigation measures could be applied.
- 3.8 Early discussions with the LPA and the MWPA will help explore how this can be best achieved and whether a separate planning permission is required from the MWPA. It is expected that prior extraction would form part of the planning application for non-minerals-or-waste uses where this relates to the overall development of the site. This would be determined by the relevant LPA. However, if larger scale mineral extraction is considered viable, it is expected that this would be subject to a separate planning application which would be determined by the relevant MWPA (e.g. if the site is extracted, then restored).



- 3.9 Maximising the opportunity for large scale extraction may require consideration of additional issues such as restoration that would be compatible with future non-minerals-or-waste development and that longer timescales may apply. As large scale extraction is likely to be the preferred option for the MWPA, the Hampshire Authorities are particularly keen to work with LPAs, developers and mineral operators on such proposals in order to resolve any relevant issues.
- 3.10 The Hampshire Authorities also welcome any new information on the potential availability of minerals and discussions about sites that may be affected by this information.

### Recycled aggregates

- 3.11 In addition to prior extraction considerations, the Hampshire Authorities encourage developers to maximise the use of recycled aggregates. This will improve the sustainability of both the development and mineral provision in Hampshire.
- 3.12 This is discussed in policies 18 (*Recycled and secondary aggregates development*) and 30 (*Construction, demolition and excavation development*) of the HMWP, where the Plan highlights the need to reduce reliance on primary aggregates (those that have been directly extracted from the ground or sea) and to reuse and recycle as much waste as possible.
- 3.13 Discussions with the MWPA and minerals operators relating to minerals and waste safeguarding are a good opportunity to explore the potential for use of recycled aggregate in the proposed development and the Hampshire Authorities welcome such approaches.

### Consideration of existing or future minerals and waste infrastructure

- 3.14 It is important to consider current and potential mineral and waste uses or infrastructure in proximity to a proposed development site. This is in order to avoid prejudicing the operation of these sites.
- 3.15 The operation of minerals or waste management sites can potentially impact sensitive receptors (such as housing or schools, but also certain types of business uses) in the proximity of sites. New, non-minerals-or-waste development in the vicinity of such sites could prejudice the continued operation, or potential future operation, of minerals or waste activity. Hence, the key concern is the possible location of new sensitive land uses near sites that may affect the viability of operations at that site due to the new impacts that may arise.
- 3.16 Where development is close to a safeguarded minerals or waste site, careful assessment and consideration will be required to establish whether or not the development can proceed without inappropriately constraining the safeguarded site. This will ensure that non-minerals-or-waste development sites can be developed whilst maintaining the ability of the minerals or waste safeguarded site to operate effectively. The MWPA is likely to recommend refusal for development that is incompatible with existing or proposed minerals and waste sites, unless the relevant criteria in the safeguarding policies of the HMWP are met and effective consideration of safeguarding issues has been demonstrated.

- 3.17 Further information on safeguarding minerals and waste infrastructure and the relevant safeguarding considerations to be considered can be found in [Safeguarding Minerals and Waste Infrastructure \[See page 14\]](#).

### Safeguarding and the design of development

- 3.18 Considering the relevant safeguarding issues at the design stage is likely to offer the greatest opportunity to eliminate or reduce potential impacts. Adaptations could be made to:
- the **design** of the non-minerals-or-waste development itself e.g. the orientation, building materials or type of window glazing; or
  - its **surroundings** e.g. through the use of a specifically landscaped buffer zone; or
  - the way the development is **used** e.g. by changing the proposed traffic movements.

### Pre-application discussions

- 3.19 Developers should identify whether their proposed development site is located within the MWCA at the earliest stage possible, as this is an indication that there may be minerals and waste issues which need to be addressed. The Hampshire Authorities encourage discussions with both the relevant LPA and MWPA at the earliest opportunity to facilitate this process.
- 3.20 Pre-application discussions allow the developer, the LPA and the MWPA to discuss:
- any **safeguarding issues** (e.g. will the proposal result in the sterilisation of viable mineral resources or have an impact on the operation of an existing minerals or waste site);
  - whether further information may be required and the **level of detail needed**;
  - potential **opportunities to eliminate, reduce or mitigate any safeguarding issues** (e.g. changes to ground levels or use of landscaping to facilitate extraction); and
  - potential **opportunities for the prior extraction of minerals**, including sustainable use of the mineral within the development itself (thus reducing the need to import aggregates and export waste).
- 3.21 Pre-application discussions present the best opportunity to plan the timing of any workings, incorporate sustainable mineral use in the design of a development and/or adapt the design of the development in order to mitigate effects on safeguarded sites.
- 3.22 The Hampshire Authorities would welcome LPAs making developers aware that their site is located within the MWCA and advising them to discuss their proposals with the relevant MWPA.
- 3.23 Consideration of safeguarding issues at the pre-application stage helps speed up the planning application process and reduces the likelihood of the MWPA recommending to the LPA that the planning application is refused.



### Early engagement with the MWPA will help to avoid:

- **delays at the planning application stage, as the developer will have already gathered the necessary information and the MWPA will have already considered the proposal;**
- **recommendations of refusal to the planning application, as opportunities for mineral extraction and protecting safeguarded sites will have been appropriately considered and maximised where possible; and**
- **delays during development, as any prior extraction or mitigation measures will have been integrated into the general phasing of the development.**

### Information developers may need to provide

3.24 Where a development proposal is located within a MWCA the MWPA will need certain information in order to assess:

- the **current planning use** and extent of prior development;
- whether and **to what extent mineral resources are likely to be sterilised**;
- the **level of prior extraction** that could take place;
- whether any existing or proposed minerals or waste **infrastructure is likely to be affected**; and/or
- whether any of the **relevant criteria** in the safeguarding policies of the HMWP apply to a particular non-minerals-or-waste development.

3.25 The relevant information should be provided to the MWPA and the LPA by the developer. If this information is not provided, the MWPA will request it in order that an evidence-based judgement can be made.

### Generally relevant information includes:

- site setting (such as nature conservation designations, landscape character, proximity to local communities, highways infrastructure, utilities etc);
- the planning status of the site; and
- whether the merits of the development (for example its ability to deliver strong regeneration benefits) clearly outweigh any impacts on mineral resources or mineral or waste infrastructure.

### 3.26 If the development may impact mineral resources, required information includes:

- the mineral potential e.g. quality and quantity (see [Mineral exploratory data \[See page 26\]](#));
- any likely opportunities for the prior extraction of mineral resources and how these can be maximised;
- any constraints to the prior extraction of mineral resources;
- any opportunities for incidental extraction as part of the development of the site (e.g. foundations and footings);
- mineral resources outside of the MWCA / MSA in proximity to the site; and
- evidence of discussions with local operators to confirm the viability of prior extraction, where relevant.

### 3.27 If the development may impact current or proposed minerals or waste infrastructure, required information includes:

- the overall compatibility of the development with the minerals or waste use;
- the distance of the development from the safeguarded site;
- the presence of any buildings to screen the development;
- the ability of the development to introduce layout, design and other mitigation measures to mitigate potential effect on and from the safeguarded site;
- existing planning conditions on the minerals and waste infrastructure;
- pre-existing conditions, such as background noise and lighting; and
- capacity of the minerals and waste site and whether this capacity is proposed to be provided elsewhere in Hampshire.

## Mineral exploratory data

3.28 In order to assess the quality and quantity of the mineral resource that is potentially impacted by a development proposal, it is likely that a developer will need to undertake mineral exploratory work. This could be undertaken as part of the initial ground investigation works and should include boreholes and/or trial pits.

3.29 The MSA and MWCA layers are based on BGS data, most of which can be found on their website, including scans of borehole information that the BGS holds<sup>38</sup>. This data is meant to be used at a 1:50,000 scale which means it can only give an indication that mineral is likely to be present. Therefore, the developer will need to undertake exploratory work to locally test the extent of the mineral. This work should be undertaken by appropriately qualified experts.

3.30 There are a number of different ways that borehole sampling can take place. In Hampshire, sampling techniques have been integrated into two preferred approaches - non stratified and stratified. The following diagrams highlight what the preferred borehole sampling techniques in Hampshire look like. Please note that stratified sampling can refer to either sampling only within the MWCA or only outside the MWCA.

Figure 2: Stratified systematic borehole sampling (samples only outside the MWCA)

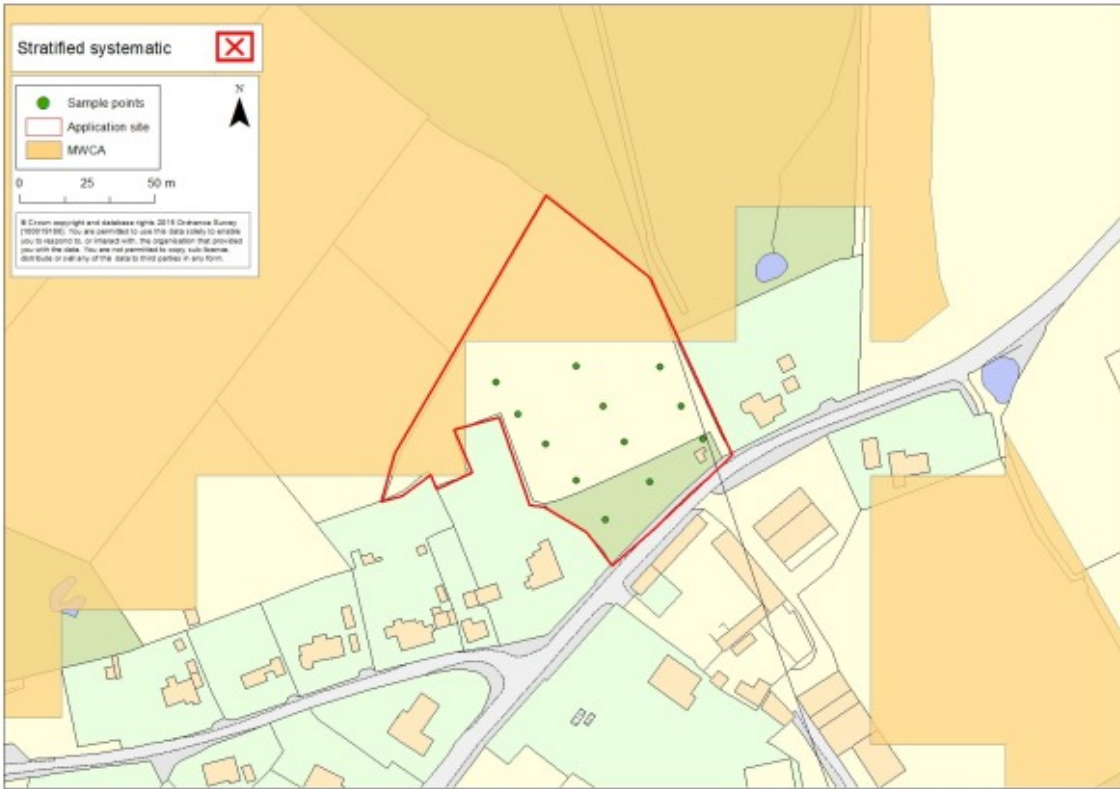


Figure 3: Stratified random borehole sampling (samples only within the MWCA)

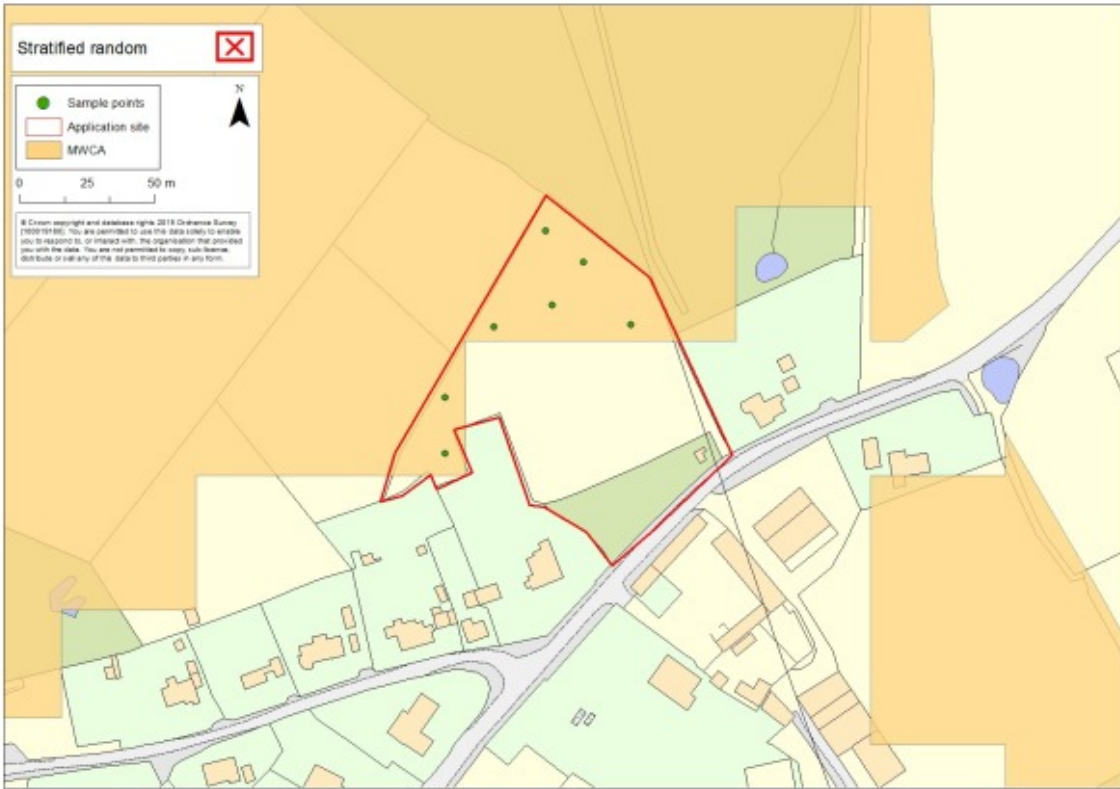


Figure 4: Non-stratified systematic borehole sampling (samples from whole development proposal area)

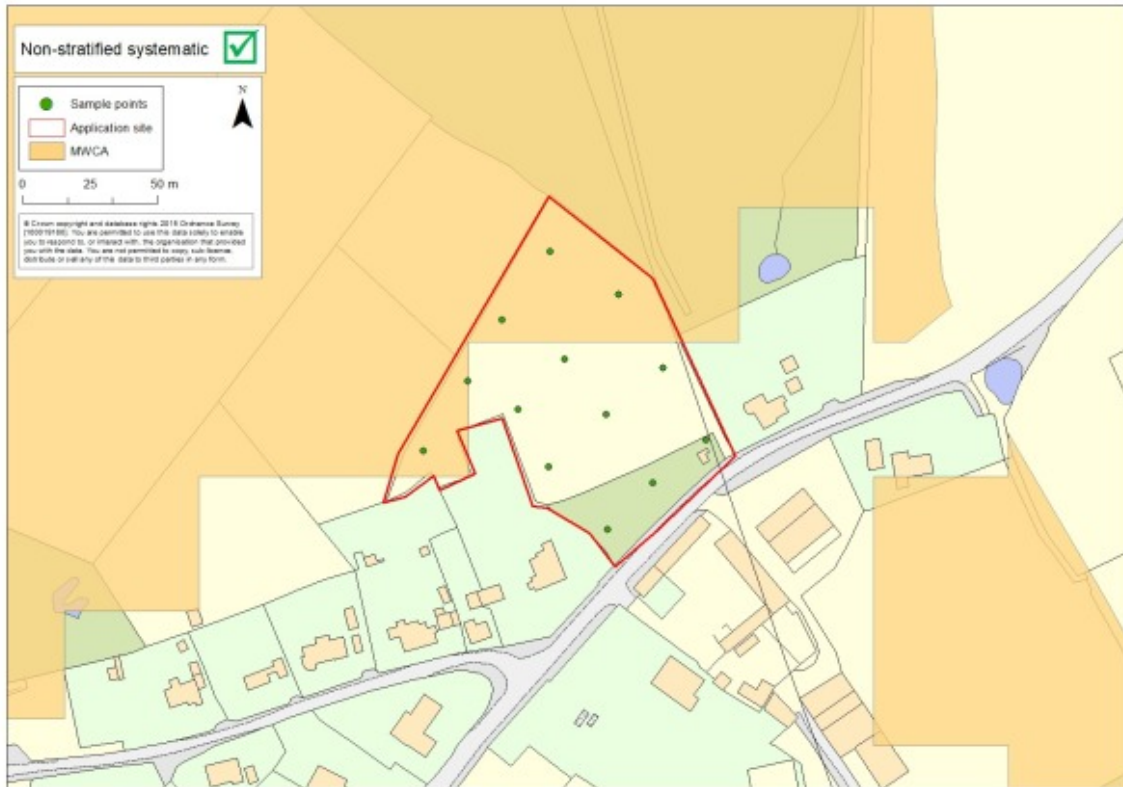
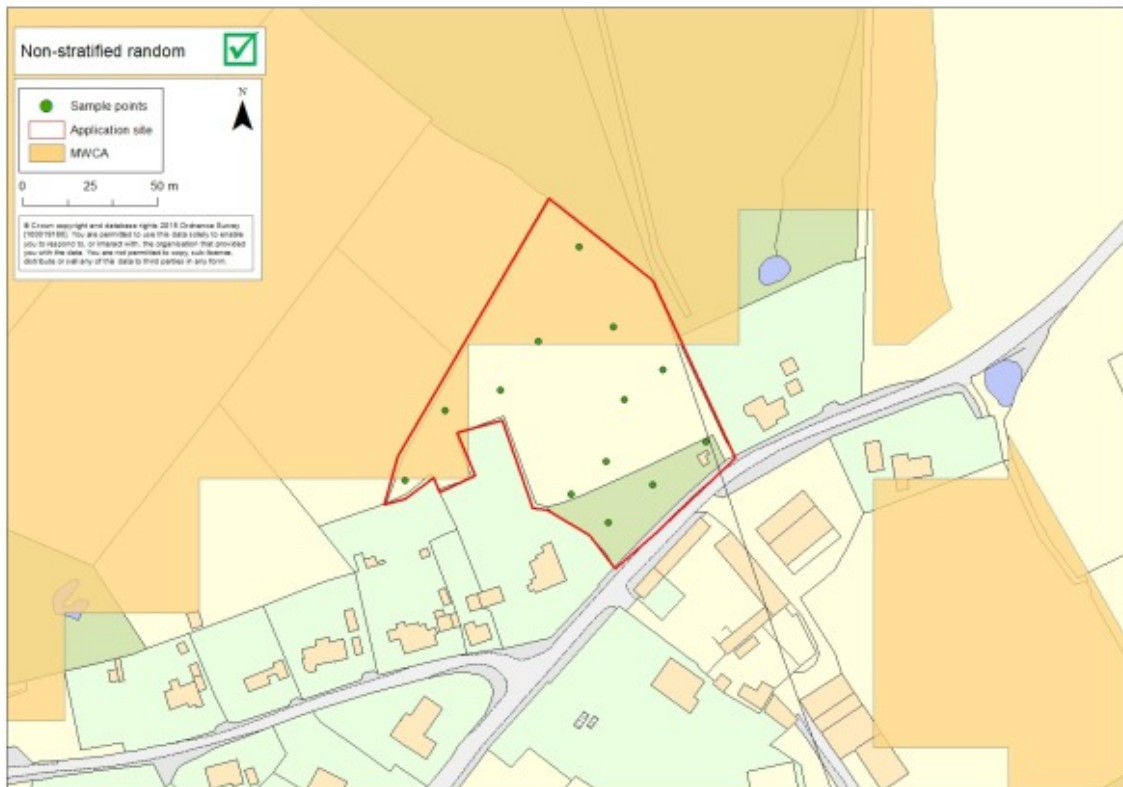


Figure 5: Non-stratified random borehole sampling (samples from whole development proposal area)



Source: Hampshire Authorities, 2015

3.31 The following table provides more information on the characteristics of the different sampling techniques.

Table 1: Mineral resource sampling techniques

	Non stratified systematic	Non stratified random	Stratified systematic	Stratified random
A pattern of sample points can be identified and taken using a map of the study area, for example every 10 meters. Patterns of sample points may vary, but to be systematic they must be regular	✓	✓	✓	
The area can be divided into known sections based on physical characters			✓	✓
Random number of sample points can be identified and taken within the study area at any location, at any number of times		✓		✓

3.32 The non-stratified sampling is preferred in Hampshire for the following reasons:

- the mineral resources included in the MWCA will only be indicative and the exact location of the resources may differ; and
- non-stratified sampling will ensure that a more thorough assessment is undertaken.

**To ensure that a comprehensive assessment is undertaken on a site, the Hampshire Authorities recommend that:**

- a combination of borehole and trial pits are used;
- the borehole depths are to at least 5 metres<sup>39</sup>;
- limitations on depth should be noted in any assessment e.g. water strike; and
- a non-stratified sampling technique is applied.

3.33 The Hampshire Authorities also recommend that the information should be prepared by a geologist experienced in mineral developments and that laboratory analysis of the site investigation results is conducted, including testing the material to accepted aggregate specifications.

3.34 Additional information (e.g. drilling or environmental information) may also be available from the mineral industry and it is recommended that the developer contacts relevant organisations directly or through a mineral operator.

<sup>39</sup>This depth is considered sufficient to give information on mineral resources potentially suited to small and medium scale extraction and indication of resources suitable for large scale extraction.



## Redevelopment proposals

- 3.35 In some instances, previously developed land may come forward for redevelopment. This may include land released from Ministry of Defence uses. All such areas are likely to be outside of the MSA and MWCA as they have previously been considered as urban (see [Mineral Safeguarding Area \(MSA\) \[See page 16\]](#)). However, this land may also lie in areas where the MWPA has knowledge of the geology in the area or there are known mineral resources. The redevelopment may provide an opportunity to examine whether prior extraction of the mineral resources can take place, before the land is redeveloped (i.e. to avoid needless sterilisation). If the land lies outside the MSA, it is not safeguarded. However, the Hampshire Authorities encourage the sustainable use of minerals wherever they are found as part of any relevant re-development proposal.
- 3.36 Use of minerals found under a development site will have the same benefits as identified in the section on [Avoiding sterilisation of mineral resources, \[See page 21\]](#) as discussed for new development sites.
- 3.37 The Hampshire Authorities promote the sequential approach to the consideration of prior extraction, as outlined in the section on [Avoiding sterilisation of mineral resources \[See page 21\]](#), but also recognise that previously developed land may have additional amenity or other constraints on development and on the potential for prior extraction.

## 4. Minerals and waste safeguarding procedures in Hampshire

### Existing consultation procedures

4.1 Hampshire's LPAs are already consulted by the Hampshire Authorities on:

- **minerals and waste plan-making;**
- **all minerals and waste applications within their administrative area (or if their administrative area is impacted by a proposed development).**

4.2 In addition, Hampshire's LPAs consult the Hampshire Authorities on:

- local plan-making; and
- certain planning applications within their administrative area.

4.3 This guidance does not involve any changes to these current arrangements.

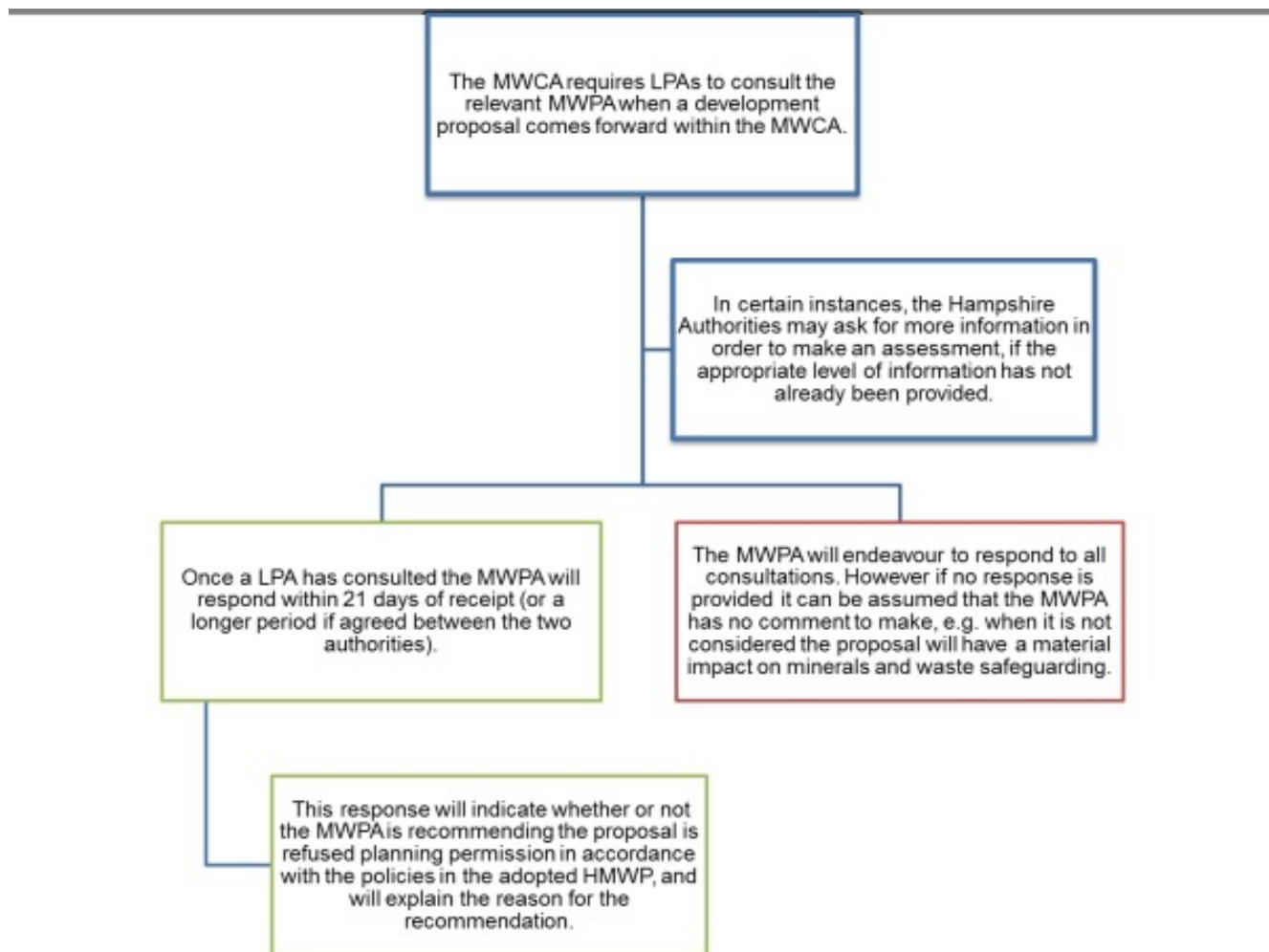
### General consultation arrangements

4.4 As set out in [Minerals and Waste Consultation Area \(MWCA\) \(including the Mineral Consultation Area \(MCA\)\) \[See page 18\]](#), Hampshire has a MWCA which is defined and published by HCC (on behalf of the Hampshire Authorities). This is published separately to the HMWP and is distributed to all of Hampshire's LPAs.

4.5 The following figure illustrates the proposed consultation arrangements regarding minerals and waste safeguarding.



Figure 6: Proposed general consultation arrangements



Source: Hampshire Authorities, 2015

4.6 Hampshire's LPAs will be expected to consult the relevant MWPA when considering Local Plan site allocations or determining non-mineral or waste planning applications, in line with the following principles:

- the development proposed has the **potential to prejudice the effective operation** of minerals or waste sites that are currently in use or permitted for such use;
- the development proposed would, by virtue of its nature or scale, have the **potential to sterilise mineral resources** within the MWCA (including site allocations);
- there is a **potential impact on the future operation of a safeguarded minerals site**, either allocated or existing as listed in *Appendix B* of the HMWP (and any updates to that list);
- there is a **potential impact on the future operation of a safeguarded waste site**, either allocated or existing (including waste water and sewage treatment works) as listed in *Appendix B* of the HMWP (and any updates to that list); or
- there is a **potential impact on the sites or areas identified for wharf or rail depot safeguarding**. These sites are safeguarded so that they can be considered for their suitability for minerals or waste uses.

4.7 The relevant LPA will need to come to a view regarding the need for consultation based on the above broad criteria and depending on the type, scale and location of development. To assist in this, specific criteria have been developed and are discussed in the sections on:

- Local Plan work ([Local Plan preparation \[See page 34\]](#)); and
- proposals for non-minerals-or-waste development ([Development Proposals \[See page 35\]](#)).

**If the LPA has any doubt on whether to consult the MWPA, consultation should take place.**

4.8 As the MWCA already incorporates appropriate buffers, Hampshire's LPAs **do not need to apply additional buffering** when deciding when to consult the MWPA unless they are aware of particular circumstances that may warrant this (e.g. elements of a planning application, such as a haul road, that may extend the impact of the development beyond its site boundaries).

## Local Plan preparation

4.9 Consultation as part of Local Plan preparation is important for a number of reasons. Most notably, to ensure that the MWCA is included as part of the Local Plan and that any allocated sites that might have an impact on mineral resources or minerals and waste infrastructure have considered these potential impacts.

**The LPA should consult the MWPA on all development allocations or policy proposals that may have the potential to impact minerals or waste safeguarding. This includes where the proposal:**

- fully or partially overlies potential mineral resources, as indicated by the MWCA;
- is within or adjacent to an existing mineral or waste site, as indicated by the MWCA;
- is within or adjacent to a safeguarded mineral or waste site, as indicated by the MWCA; or
- is a new designation of land fully or partially within the MWCA<sup>40</sup>.

4.10 The reasons for consultation are set out in more detail in [Appendix 1: Consultation with the MWPA on LPA Local Plan work \[See page 47\]](#).

<sup>40</sup>including Conservation Area, Green Belt, Air Quality Management Area or Site of Importance for Nature Conservation

- 4.11 In order for a proposed Local Plan to be consistent with the adopted HMWP, any site allocations that meet one or more of the above criteria will need to address the relevant safeguarding policies in the HWMP. This can be achieved if the LPA shows how it has considered the specific impact that allocation could have on the relevant minerals or waste safeguarding and includes any appropriate development considerations and / or mitigation.

## Neighbourhood Plans

- 4.12 While Neighbourhood Plans can differ from Local Plans in their scale and preparation procedures, they may still need to consider minerals and waste safeguarding issues if sites are being proposed within the MWCA. Therefore the Hampshire Authorities recommend that LPAs and others involved in the preparation of Neighbourhood Plans follow the same consultation procedures as for Local Plans. Parish and Town Councils and other groups can view the MWCA on the online Policies Map (see [Policies Maps \[See page 37\]](#)). Hampshire County Council (on behalf of the Hampshire Authorities) can also provide electronic GIS files to Councils and groups upon request.

## Development Proposals

- 4.13 When a planning application is received by a LPA for a non-minerals-or-waste development and the site is located within the MWCA, the LPA should apply the following tests to decide whether consultation with the MWPA is required.

**The LPA should consult on all relevant development proposals within the MWCA with the exception of developments that have no implications for mineral or waste safeguarding. A simple definition of what development requires consultation is where the proposal:**

- **overlies mineral resource (as indicated by the MWCA) and has a total proposal area of over 3 hectares (ha); OR**
- **is within or adjacent to an existing mineral or waste site (as indicated by the MWCA)<sup>41</sup> OR**
- **is within or adjacent to a safeguarded or allocated mineral or waste site (as indicated by the MWCA)<sup>42</sup> .**

- 4.14 By applying the above criteria, LPAs can reduce the number of planning applications which require consultation with the relevant MWPA.
- 4.15 Consultation with the MWPA is important for a number of reasons. In order to clarify the above guidance, [Appendix 2: Consultation with the MWPA on non minerals or waste planning applications \[See page 48\]](#) includes examples of different proposals that are and are not of relevance to the MWPA in terms of consultation on minerals and waste safeguarding issues.

41. In order to capture adjacent proposals, appropriate buffers have been added to the existing safeguarded sites. The buffers are discussed in the section on the [MWCA \[See page 18\]](#).

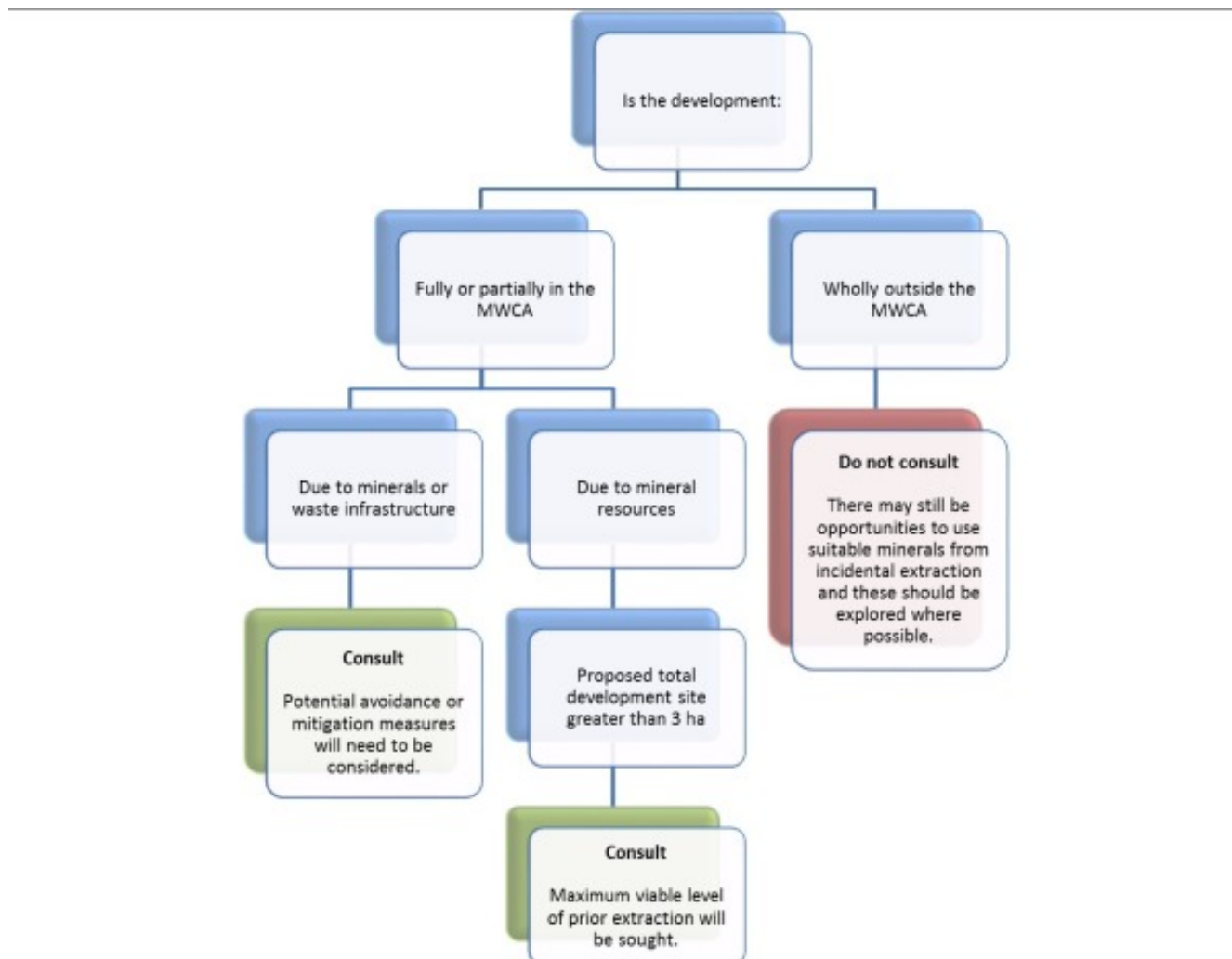
42. In order to capture adjacent proposals, appropriate buffers have been added to the safeguarded and allocated sites. The buffers are discussed in the section on the [MWCA \[See page 18\]](#).

4.16 A threshold of 3 ha is advised by the Hampshire Authorities. This is based on consultation with interested parties, analysis of past planning applications and estimates of viable mineral resources. It particularly considers that most prior extraction from proposed development sites will be of a medium to small scale, therefore a greater area will be required for a viable quantity of minerals to be available for extraction. It also balances the need to safeguard mineral resources and the viability of smaller non-minerals developments. The threshold will be kept under review and updated as necessary, in consultation with the LPAs. It has the following implications:

- **A certain size of site is required in order to make mineral extraction viable. In contrast, even smaller developments may affect the viability of safeguarded minerals or waste sites. Therefore, the 3 ha threshold is only applied when a non-mineral development may have an impact on potential mineral resources (as indicated by the MWCA) and no threshold is set for consulting if the impact relates to a safeguarded minerals or waste site.**
- **Proposals with a site area of less than 3 ha are unlikely to be recommended for refusal by the relevant Hampshire Authority on the grounds of minerals or waste safeguarding. However, consideration should be made if a proposal sits alongside other piecemeal development (i.e. other small proposal clusters within the MWCA) or there are known future plans for development (i.e. site is located within a wider development area). The LPAs should advise the relevant MWPA where they are aware of this kind of situation.**
- **Proposals with a site area of less than 3 ha, or even outside the MWCA, may still provide suitable mineral material (e.g. from digging footings, excavations or landscaping work) that could be processed and, ideally, used on site. The Hampshire Authorities strongly support every effort to make use of such material (see [Safeguarding Mineral Resources \[See page 13\]](#) and [Avoiding sterilisation of mineral resources \[See page 21\]](#)).**
- **Proposals with a site area of more than 3 ha will require further information on mineral potential and whether the proposal can accommodate prior extraction. However, this issue should be considered on balance with the type of proposal and the importance of the mineral resource.**

4.17 The above guidance is also summarised in the following figure.

Figure 7: Decision chart for consulting the MWPA on development proposals



Source: Hampshire Authorities, 2015

4.18 There is no need to consult the MWPA on developments that have no implications for mineral or waste safeguarding. Examples of these are given in [Appendix 2: Consultation with the MWPA on non minerals or waste planning applications \[See page 48\]](#). However if in doubt, or to simplify the consultation procedure, the LPA should apply the broad criteria described above and the MWPA will decide on the relevance of individual proposals when consulted.

## Policies Maps

4.19 The Hampshire Authorities have published a live and interactive online Policies Map<sup>43</sup>. This map includes the most up-to-date information on safeguarded mineral resources as well as minerals and waste infrastructure. It also includes the sites allocated in the HMWP.

43. Hampshire County Council website (Online Policies Map): [www3.hants.gov.uk/mwsafeguarding.htm](http://www3.hants.gov.uk/mwsafeguarding.htm)

- 4.20 The Hampshire Authorities will seek to keep the Online Policies Map up-to-date and available on the HCC website for LPAs to refer to and cross-reference with their own information. The Hampshire Authorities will aim to update it at least once a year as part of the monitoring of the HMWP.
- 4.21 LPAs should keep their electronic policy information up-to-date and revise printed copies when cost effective to do so.
- 4.22 The LPAs Policies Map should include the following information:
- the Mineral Safeguarding Area (MSA);
  - the mineral site allocations (in the HMWP or any reviews of the HMWP);
  - the waste site allocations (in the HMWP or any reviews of the HMWP); and
  - cross reference to the most up-to-date list of safeguarded minerals and waste sites.
- 4.23 Developers should give full regard to the LPA Policies Map, however due to the time that it takes to develop and adopt plans, there may be cases where the LPA Policies Map does not include all the most up-to-date information. Therefore developers should continue to have regard to the most up-to-date information provided directly by the MWPA.
- 4.24 The Hampshire Authorities are monitoring the implementation of the HMWP following its adoption. A Monitoring Report is produced annually and is a useful reference for up-to-date information on minerals and waste and is accompanied by an updated list of safeguarded minerals and waste sites. Both can be found on the HCC website<sup>44</sup>.

### Consideration of comments received from the Minerals and Waste Planning Authority (MWPA)

- 4.25 Any comments received from the MWPA will be considered by the LPA in determining the planning application, alongside all other material considerations.
- 4.26 In its response, the MWPA will make it clear whether the issue of safeguarding has been addressed adequately through the planning process and what comments the authority has on the proposal in this respect.
- 4.27 If there is insufficient information accompanying the planning application for the MWPA to come to a view on the associated minerals and waste safeguarding issues, further information is likely to be requested. As this may introduce delays to the process of assessing and determining development proposals it is recommended that LPAs work with developers and the MWPA as early as possible to ensure this information is obtained and provided at the early stages of the proposed development. The information the MWPA may need is discussed in the section on [Information developers may need to provide \[See page 25\]](#).

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44. Hampshire County Council website (policy information): [www3.hants.gov.uk/pd-facts-and-figures.htm](http://www3.hants.gov.uk/pd-facts-and-figures.htm)

4.28 Where the LPA is minded to approve a planning application which has been recommended for refusal by the MWPA on mineral or waste safeguarding grounds, they will inform the MWPA of this intention and will not determine the application until either the MWPA has confirmed that it does not wish to refer the application to the Secretary of State, or a period of 21 days has passed, whichever is the shorter. This period will allow the MWPA to request the Secretary of State to call in the planning application where this is considered necessary. It is expected that such requests will only be made in exceptional cases. Wherever possible, in order to avoid delays in the process, the MWPA's initial response to the LPA will include a statement indicating whether or not a request to the Secretary of State will be made in the event that the LPA is minded to approve the planning application.

### Monitoring of the Supplementary Planning Document

4.29 The SPD will sit alongside the adopted HMWP and will be monitored through the same process, that is through an annually prepared Monitoring Report.

4.30 Particular consideration will be paid to the effectiveness of:

- the SPD as a tool for developers;
- the SPD as a tool for LPAs;
- the buffer distances around the mineral resource and mineral and waste infrastructure;
- the 3ha limit on consultation requirements regarding non-minerals-or-waste-development that affects mineral resources; and
- the SPD as an awareness raising tool.

4.31 If issues are identified, a view will be taken on the need to revise local procedures or the SPD itself.



## Glossary and acronyms

**Aggregate recycling site:** Facilities where hard, inert materials are crushed and screened (filtered) to produce recycled/secondary aggregate of various grades. Aggregates may be produced from construction, demolition and excavation (CDE) waste, or incinerator bottom ash (IBA) from energy recovery facilities.

**Brick-making clay:** Clay which is specifically used for brick or tile making. Brick-making clay is associated with Hampshire's brickworks.

**British Geological Survey (BGS):** The BGS provides earth science information, expertise, services and impartial advice in all areas of geoscience.

**Chalk:** A soft white rock primarily formed from the mineral calcite. One of the uses of this mineral is in agriculture.

**Clay:** A fine-grained, firm earthy material that is plastic when wet and hardens when heated, consisting primarily of hydrated silicates of aluminium and widely used in making bricks, tiles, and pottery.

**Certificate of Lawfulness for an Existing Use or Development (CLEUD):** A method to establish formally that an existing use or development is lawful at the time the application is made.

**Certificate of Lawfulness for a Proposed Use or Development (CLUDP):** A method to establish whether a use or development (which has not yet occurred) needs planning permission.

**Composting:** Aerobic decomposition of organic matter to produce compost for use as a fertiliser or soil conditioner.

**Construction, Demolition & Excavation Waste (CDE):** Waste generated by the construction, repair, maintenance and demolition of buildings and structures. It mostly comprises brick, concrete, hardcore, subsoil and topsoil but can also include timber, metals and plastics.

**Curtilage:** The curtilage is the enclosed plot of land on which a building sits, including any of its associated outbuildings, and is demarcated by the boundaries of the land, though what may be the curtilage of a particular building is variable depending on a number of relevant matters of fact and degree.

**Department of Communities and Local Government (DCLG):** The UK Government department for communities and local government in England.

**Energy Recovery Facility (ERF):** A facility at which waste material is burned to generate heat and/or electricity.



**Environment Agency (EA):** A public organisation with the responsibility for protecting and improving the environment in England and Wales. Its functions include the regulation of industrial processes, the maintenance of flood defences and water resources, water quality and the improvement of wildlife habitats.

**Existing mineral site:** A site which has planning permission for minerals uses. The majority of existing mineral sites are also safeguarded through 'Appendix B - List of safeguarded minerals and waste sites of the Hampshire Minerals & Waste Plan'. This list will be updated through the annual monitoring of the Plan.

**Existing waste management site:** A site which has planning permission for waste uses. The majority of existing waste sites are also safeguarded through Appendix B - List of safeguarded minerals and waste sites' of the Hampshire Minerals & Waste Plan. This list will be updated through the annual monitoring of the Plan.

**Gas:** A hydrocarbon and a non-renewable resource.

**Hampshire Authorities:** The Hampshire Authorities comprise Hampshire County Council, Southampton City Council, Portsmouth City Council and the New Forest National Park Authority who have worked in partnership to produce this supplementary document.

**Hampshire County Council (HCC):** The county council that governs the county of Hampshire in England. The authority is one of the partners in the Hampshire Minerals & Waste Plan and the preparation of this SPD.

**Hampshire Minerals & Waste Plan (HMWP):** A policy document which facilitates the delivery of the right minerals and waste development in the right place at the right time up to 2030. The HMWP was produced in partnership by Hampshire County Council, Southampton City Council, Portsmouth City Council, New Forest National Park Authority and the South Downs National Park Authority.

**Historic England (HE):** This is a non-departmental public body which acts to preserve and protect England's historic environment. This body was formerly a constituent part of English Heritage, which is now a charitable organisation that cares for historic buildings, monuments and sites.

**Household waste:** Waste arising from domestic property which has been produced solely from the purposes of living, plus waste collected as litter from roads and other public places.

**Household Waste Recycling Centre (HWRC):** A facility provided by the Local Authority which is accessible to the general public to deposit waste which cannot be collected with the normal household waste, such as bulky items, garden waste and engine oil (formerly known as civic amenity sites).

**Incidental extraction:** Extraction or digging up of soils and mineral material as part of other work relating to the proposed development, e.g. excavating foundations or footings or as part of landscaping schemes.

**Landfill:** The deposit of waste (e.g. municipal, inert, hazardous) into voids in the ground.

**Local Planning Authority (LPA):** The local authority or council that is empowered by law to exercise statutory development planning functions for a particular area of the UK. Where this document refers to 'local planning authority' this relates to Hampshire's Districts and Borough Councils.

**Major development (except for Policy 4 of the HMWP - Protection of the designated landscape):** All mineral extractions, landfill and hazardous/low level radioactive facilities, as well as developments that occupy at least a hectare of land and/or have a throughput of 50,000 tonnes per annum.

**Metal recycling site:** A facility where metals removed from the waste stream are sorted. Different types of metals will then be re-used, recovered or recycled into secondary materials.

**Material considerations:** A material consideration is a matter that should be taken into account in deciding a planning application or on appeal against a planning decision. Material considerations can include (but are not limited to); overlooking/loss of privacy, loss of light or overshadowing, parking and highway safety. Issues such as loss of view, or negative effect on the value of properties are not material considerations.

**Ministry of Defence (MoD):** The Government department responsible for implementation of the government defence policy.

**Mineral:** Limited and finite natural resources which can only be extracted where they are found geologically.

**Mineral Consultation Area (MCA):** An area identified to ensure consultation between the relevant Local Planning Authority, the minerals industry and the relevant Minerals and Waste Planning Authority before certain non-mineral planning applications made within the area are determined. The Hampshire Mineral Consultation Area incorporates the Mineral Safeguarding Area and is encompassed in the Minerals and Waste Consultation Area (see *Minerals and Waste Consultation Area*).

**Mineral and Waste Consultation Area (MWCA):** An area identified to ensure consultation between the relevant Local Planning Authority, the minerals and waste industry and the relevant Minerals and Waste Planning Authority before certain non-mineral planning applications made within the area are determined which may impact safeguarded mineral resources or safeguarded minerals and waste infrastructure. In Hampshire the MWCA incorporates the Minerals Consultation Area (which incorporates the Mineral Safeguarding Area) as well as safeguarded minerals and waste sites.

**Mineral resources:** Mineral aggregates and hydrocarbons, which occur naturally within geological deposits in the earth.

**Mineral Safeguarding Area (MSA):** The MSA is defined by Minerals and Waste Planning Authorities. It includes viable resources of aggregates and is defined to prevent proven resources of aggregates from being sterilised by non-mineral development. The MSA does not provide a presumption for these resources to be worked.

**Minerals and Waste Planning Authorities (MWPA):** The local planning authorities (County and Unitary Councils) responsible for minerals and waste planning. In Hampshire, Hampshire County Council, Portsmouth and Southampton City Councils, the New Forest National Park Authority and South Downs National Park Authority are Minerals and Waste Planning Authorities.

**Monitoring:** Minerals and waste developments are monitored to ensure that they comply with the policies of the plan and planning conditions attached to their permissions. The HMWP will also be subject to monitoring.

**Monitoring Report (MR):** The HMWP is monitored by HCC on behalf of the Hampshire Authorities and the SDNPA to assess the effectiveness of the policies and site allocations. The results are published in a Monitoring Report which is intended to be published annually.

**National Planning Policy Framework (NPPF):** The NPPF sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance (NPPG):** The NPPG sits alongside the NPPF, providing guidance on its application. It is a live document and is subject to updates as required.

**Natural England:** Public body tasked with the conservation and improvement of the natural environment. Natural England designates Areas of Outstanding Natural Beauty and National Parks, manages National Nature Reserves and notifies Sites of Special Scientific Interest.

**New Forest National Park:** The New Forest National Park was created in March 2005. The National Park lies mainly in south-west Hampshire - from east of the Avon Valley to Southampton Water and from the Solent coast to the edge of the Wiltshire chalk downs.

**New Forest National Park Authority (NFNPA):** The New Forest National Park Authority took up its full powers in April 2006. Its purposes are to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park, to promote opportunity for understanding and enjoyment of its special qualities and to seek to foster the social and economic well-being of local communities within the Park. The authority is one of the partners in the Hampshire Minerals & Waste Plan and the preparation of this SPD.

**Non-minerals-or-waste proposal/development:** Development which is not minerals or waste related e.g. housing, retail, education etc.

**Non stratified systematic:** Random number of sample points can be identified and taken within the study area at any location, at any number of times using a systematic approach.

**Non stratified random:** Random number of sample points can be identified and taken within the study area at any location, at any number of times.

**Oil:** A hydrocarbon and a non renewable resource.

**Planning application:** Operators proposing a new minerals or waste development need to apply for permission from the relevant planning authority in order to be allowed to carry out their operations.

**Planning permission:** Once planning applications have been reviewed by the relevant local planning authority, permission may be granted - i.e. consent for the proposed development is given. Permissions may have certain conditions or legal agreements attached which allow development as long as the operator adheres to these.

**Portsmouth City Council (PCC):** The city of Portsmouth is administered by Portsmouth City Council, a unitary authority. The authority is one of the partners in the Hampshire Minerals & Waste Plan and the preparation of this SPD.

**Pre-application discussions:** Engagement / discussions between applicants (and their agents) with the relevant minerals and waste planning authority prior to any application being submitted.

**Rail depot:** A railway facility where trains regularly stop to load or unload passengers or freight (goods). It generally consists of a platform and building next to the tracks providing related services.

**Random:** Random number of sample points can be identified and taken within the study area at any location, at any number of times.

**Recovery:** Any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in a facility or in the wider economy.

**Regeneration:** Investment in an urban area by improving what is there.

**Recycling:** The series of activities by which discarded materials are collected, sorted, processed and converted into raw materials and used in the production of new products. Any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery or reprocessing into materials that are to be used as fuels or for backfilling operations.

**Rural areas:** Areas that are not urban in nature (see Urban areas).

**Safeguarding:** The method of protecting needed facilities or mineral resources and of preventing inappropriate development from affecting these.

**Safeguarded site:** Safeguarding protects minerals and waste sites from development pressures and inappropriate encroachment from nearby developments, preventing the unnecessary sterilisation of their associated resources and infrastructure. Usually, where sites are threatened, the course of action would be to recommend refusal to the proposal or negotiate an acceptable resolution.

**Sensitive Receptors:** The aspects of the environment likely to be significantly affected by the development, particularly population, fauna, flora, soil, water, air, climatic factors, material assets (including the architectural and archaeological heritage), landscape and the inter-relationship between these factors. These include Sensitive Human Receptors (locations where people live, sleep, work or visit that may be sensitive to the impact of minerals and waste activity on health, well-being and quality of life, such as houses, hospitals and schools).

**Silica sand:** Also known as industrial sand, contains a high proportion of silica in the form of quartz. It is produced from unconsolidated sands and crushed sandstones and is used for applications other than as construction aggregates (e.g. the production of glass).

**Site allocations:** Specific sites are identified for minerals and waste activities in the development plan that are viable opportunities, have the support of landowners and are likely to be acceptable in planning terms.

**Southampton City Council (SCC):** The city of Southampton is administered by Southampton City Council, a unitary authority. The authority is one of the partners in the Hampshire Minerals & Waste Plan and the preparation of this SPD.

**South Downs National Park:** The National Park was formally established on 1 April 2011 and includes areas in the Hampshire County Council boundary.

**South Downs National Park Authority (SDNPA):** The South Downs National Park Authority took up its full powers in April 2011 and is responsible for all planning in the South Downs National Park. The authority was one of the partners in the Hampshire Minerals & Waste Plan.

**Statutory consultee:** These are organisations and public bodies who are required to be consulted concerning specific issues relating to planning applications. They also help inform any decision made by the planning authority.

**Sterilisation:** Land-use or other change on or near land that contains minerals that prevents potential future extraction of the mineral resources.

**Stratified borehole sampling:** The area can be divided into known sections based on physical characters.

**Stratified random borehole sampling:** Random number of sample points can be identified and taken within the study area at any location, at any number of times.

**Stratified systematic borehole sampling:** The area can be divided into known sections (e.g. area known to contain minerals) and each sectional sampled using a systematic approach.

**Supplementary Planning Document (SPD):** Any document of a description referred to in regulation 5 (except an adopted policies map or a statement of community involvement) which is not a local plan. SPD also 'add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

**Systematic:** A pattern of sample points can be identified and taken using a map of the study area, for example every 10 meters. Patterns of sample points may vary, but to be systematic they must be regular.

**Urban areas:** An area characterised by higher population density and significant built development in comparison to areas surrounding it. Urban areas may be cities, towns or conurbations.

**Waste:** The Waste Framework Directive 75/442 (as amended) defines waste as 'any substance that the holder discards or intends or is required to discard'.

**Waste arisings:** Waste generated within a specified area.

**Waste Transfer Station (WTS):** A location where waste can be temporarily stored, separated and bulked after being dropped off by domestic waste collection lorries before being carried off by larger vehicles for subsequent treatment or ultimate disposal.

## Appendices

### Appendix 1: Consultation with the MWPA on Local Plan work

A LPA **should consult** the MWPA where a Local Plan includes a proposed or adopted site allocation which meets the following criteria:

Criteria for consulting the MWPA	Reason
A site allocation which includes an existing mineral quarry or processing site	<p>Existing and allocated mineral and waste sites are essential for meeting Hampshire's demands for minerals and sustainable waste management. Non-minerals-or-waste development can impact the operation of existing sites and/or compromise the development of allocated sites.</p> <p><b>**Please note that if the safeguarded site includes a wharf or rail depot site, the LPA should also consult Hampshire County Council if the proposal is not within its administrative area.**</b></p>
A site allocation which includes an existing waste management site	
The site allocation lies within 250 metres of a site safeguarded for minerals and waste within a RURAL area	
The site allocation lies within 100 metres (or directly opposite where the site is adjacent to a water body) of a site safeguarded for minerals or waste within an URBAN area	
A site allocation is within a safeguarded minerals or waste site	
A site allocation lies within or partially within the MWCA	

A LPA **should consult** the MWPA where a Local Plan includes a proposed designation which meets the following criteria:

Criteria for consulting the MWPA	Reason
A proposal for a Conservation Area designation	A proposed designation may be a consideration for existing minerals and waste development or for allocated minerals and waste sites as the designation would need to be taken into account as part of any future planning decision-making.
A proposal for a Green Belt designation	
A proposal for an Air Quality Management Area (AQMA) designation	Minerals and waste developments may lead to an increase in HGV movements. The location of an AQMA is therefore an important consideration for any future planning decision-making.
A proposal for a Site of Importance for Nature Conservation (SINC) designation	Minerals can only be worked where they are found. In many instances, viable mineral resources are located in the rural landscape. This may mean there are mineral resources located within or close to areas of designation.



## Appendix 2: Consultation with the MWPA on non-minerals-or-waste planning applications

A LPA **should consult** the MWPA where a non-minerals-and-waste proposal meets the following criteria:

Criteria for consulting the MWPA	Reason
The proposal includes an existing mineral quarry or processing site	Existing and allocated minerals and waste sites are essential for meeting Hampshire's demands for minerals and waste management. Non-minerals-or-waste development can impact the operation of existing sites and/or compromise the development of allocated sites.  <b>**Please note that if the safeguarded site includes a wharf or rail depot site, the LPA should also consult Hampshire County Council if the proposal is not within its administrative area.**</b>
The proposal includes an existing waste site	
The proposal lies within 250 metres of a site safeguarded for minerals and waste in a RURAL area	
The proposal lies within 100 metres (or directly opposite where the site is adjacent to a water body) of a site safeguarded for minerals and waste in an URBAN area	
The proposal is within a safeguarded minerals or waste site	
The proposal lies within or partially within the MWCA and has a development boundary greater than 3 hectares	

In order to clarify specific scenarios that may arise, the following table gives some specific examples of proposals that the MWPA **does** want to be consulted on:

Type of non-minerals & waste proposal	Should the MWPA be consulted?
A proposal with a development boundary greater than 3 hectares and involving the redevelopment of previously developed land	YES
Reserved matters for any proposal which has been granted permission (related to minerals and waste issues)	YES
Installation of a wind turbine on land with a development boundary greater than 3 hectares	YES
Installation of solar panels	YES

The following table outlines the types of non-minerals-and-waste proposals that the MWPA **does not** want to be consulted on (these are based on consultations previously received by the MWPA's):

Type of non-minerals & waste proposal	Should the MWPA be consulted?
<b>Dwellings</b>	
One-for-one replacement of dwellings	NO
Loft conversion with an existing dwelling	NO
Internal waterproof roof membrane for dwelling	NO
Single-storey house extension	NO
First floor side house extension	NO
Cladding for a dwelling	NO
Changes to a porch of a dwelling	NO
Changes to a roof of a dwelling	NO
Amendment, replacement or addition of a conservatory to a dwelling	NO
Amendment, replacement or addition of a chimney stack	NO
Installation of a wind turbine on a dwelling	NO
Installation of a wind turbine on land (with a development boundary less than 3 ha)	NO
Amendment, replacement or addition of a driveway to a dwelling	NO
Amendment, replacement or addition of fencing or a wall to a dwelling	NO
New or relocation of an out-building for home/office/hobby use within the curtilage of an existing use	NO
Development of a porch as an addition to a dwelling	NO
Development of a tennis court (associated with a dwelling)	NO
Use of a garage as ancillary living accommodation	NO
Installation of a garage at or close to an existing dwelling	NO
Use of land as garden curtilage	NO
Demolition of dwellings or buildings where there are no plans for development of the land	NO
Permission for establishing a business from home	NO
Details submitted as reserve matters for residential or commercial developments (if not within the MWCA)	NO
<b>Recreation</b>	
Provision of open or recreational space as part of a development (not located in proximity to existing minerals or waste use)	NO
Development of an enclosure	NO
<b>Other developments</b>	
Erection of security lighting	NO
Advertisement consent	NO
Prior notifications	NO
Installation of illuminated wall signs	NO
Installation of a kickwall (for sports)	NO
Applications for Listed Building Consent	NO
Demolition of cartsheds	NO
Placement of a mobile home within an existing caravan park	NO
Siting of portable cabins or containers	NO
Change of use	NO
Tree Preservation Orders	NO

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**This document can be made available in large print, on audio media, in Braille or in some other languages.**

**For further information, please contact Minerals and Waste Planning Policy in the Strategic Planning group:**

**Telephone: 0300 555 1389 or 01962 846591**

**Email: [planning.policy@hants.gov.uk](mailto:planning.policy@hants.gov.uk)**

Write to:

Minerals and Waste Planning Policy  
Strategic Planning  
Economy, Transport & Environment Department  
Hampshire County Council  
Floor 1 Elizabeth II Court West  
Winchester SO23 8UD

Internet: [www.hants.gov.uk/county-planning](http://www.hants.gov.uk/county-planning)

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