

# 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**

Draft (June 2015)

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## Foreword

Safeguarding is vital as it helps to protect important viable mineral resources and sites which are essential to the sustainable supply of minerals and waste management requirements within Hampshire, both now and in the future. It helps to ensure that non-minerals-or-waste developments are not inappropriately located. It also helps to avoid the sterilisation of mineral resources and the prejudicing of the operation of existing or proposed minerals or waste management sites by non-minerals-or-waste development.

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

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.

This document is subject to a public consultation from **Monday 29th June 2015 to Friday 7th August 2015**.

Following the consultation and any consequent modifications to the SPD, the guidance will then be adopted, subject to agreement, by the Hampshire Authorities. It will then sit alongside the adopted HMWP and will need to be taken into consideration during any decision-making in relation to safeguarding minerals and waste in Hampshire.

**Councillor Seán Woodward - Executive Member for Economy, Transport and Environment (Hampshire County Council)**



**Councillor Luke Stubbs - Executive Member for Planning, Regeneration and Economic Development (Portsmouth City Council)**



**Councillor Simon Letts - Leader (Southampton City Council)**

**Oliver Crosthwaite-Eyre - Chairman (New Forest National Park Authority)**

## Have Your Say on this draft Supplementary Planning Document

This draft Supplementary Planning Document (SPD) has been produced to provide guidance for local planning authorities, developers and other interested parties on the implementation of the safeguarding policies set out in the adopted Hampshire Minerals & Waste Plan (2013). These policies help to ensure that an adequate and steady supply of minerals and sustainable management of waste is available in Hampshire and protect existing minerals and waste infrastructure.

In order to ensure that this SPD is effective, the Hampshire Authorities welcome comments on the guidance contained. The consultation on this SPD starts on **Monday 22nd June 2015** and closes on **Friday 31st July 2015**.

Comments are welcomed from all interested parties and on any part of this guidance, however the following questions can be used as a guide:

- 1. Does this SPD provide clear guidance to Local Planning Authorities on how and when to engage the relevant Minerals & Waste Planning Authority?**
- 2. Does this SPD provide clear guidance to developers on when to engage the relevant Minerals & Waste Planning Authority?**
- 3. Does this SPD provide clear guidance on what minerals assessment information is needed and when?**
- 4. Does this SPD provide clear guidance on how safeguarding issues can be addressed as part of a non-minerals-or-waste development proposal?**
- 5. Can you suggest any improvements for how the guidance outlined in this SPD can be applied by Local Planning Authorities?**
- 6. Do you agree with the assumptions made in this SPD in relation to size of development and buffer distances?**
- 7. Do you have any suggestions on how the Hampshire Authorities could liaise more effectively with Local Planning Authorities and developers on safeguarding issues?**

Comments are also welcomed on the following assessment reports which accompany this SPD:

- Interim Integrated Sustainability Appraisal Report (June 2015) [CHECK DATE]
- Habitats Regulation Assessment Screening Report (June 2015) [CHECK DATE]
- Interim Equalities Impact Assessment Report (June 2015) [CHECK DATE]

Comments should be sent to Minerals and Waste Planning Policy at Hampshire County Council using the following details:

**Address: Strategic Planning (Minerals and Waste Planning Policy), Department for Economy, Transport and Environment, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UD**

**Tel: 0300 555 1389 (Hantsdirect)**

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

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

## 1. Introduction and purpose

- 1.1 Non-minerals-or-waste development can 'sterilise' mineral resources (make them inaccessible for extraction) or prejudice the operation of existing or proposed minerals or waste management sites. 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.**

- 1.2 Minerals and waste safeguarding is the process through which these various potential issues are avoided.
- 1.3 In Hampshire, minerals and waste safeguarding is a very important issue. Minerals are a non-renewable resource and can only be worked where they are found. A large part of Hampshire is underlain by mineral deposits, such as sand and gravel, which may be required to meet the future needs of the local community for construction materials. Allowing new building and other development to take place on top of these mineral deposits could mean that they are lost, which would limit their supply. In addition, the introduction of other new activities (such as housing) may be incompatible in an area where existing minerals and waste sites are located. Safeguarding helps to protect Hampshire's viable mineral resources.
- 1.4 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. 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.
- 1.5 The adopted Hampshire Minerals & Waste Plan (HMWP) (2013)<sup>1</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) which cover Hampshire and the full area of the New Forest National Park. This 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.

### Why is this Supplementary Planning Document required?

- 1.6 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 in advanced stages of planning for future development, making any solutions to safeguarding issues more difficult.

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

- 1.7 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 individuals and organisations (hereafter referred to as 'developers'), to ensure the issue of minerals and waste safeguarding is appropriately addressed, particularly during the early planning application stages.

## Purpose of the Supplementary Planning Document

- 1.8 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.
- 1.9 It is the responsibility of the MWPA to determine minerals and waste planning applications, as well as write minerals and waste policy (including minerals and waste safeguarding). Developers can submit non-minerals-or-waste planning applications and it is LPAs that make decisions on these developments. This guidance suggests ways in which the MWPA, developers and LPAs can work together to protect the resources and sites in safeguarded areas.

**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 [Minerals and waste safeguarding in Hampshire \[See page 6\]](#) and [What is the Mineral Consultation Area? \[See page 7\]](#));**
- **the agreed process for consultation with the MWPA by LPAs with regard to minerals and waste issues (see [Consultation with the Minerals Planning Authority by Hampshire's LPAs \[See page 20\]](#)); and**
- **guidance to developers of non-minerals-or-waste developments on how the issues of safeguarding can best be addressed.**

## How was this Supplementary Planning Document prepared?

- 1.10 Hampshire's LPAs were asked to comment on a draft Safeguarding Protocol produced by the Hampshire Authorities in December 2013. This Protocol only considered matters relating to the MWPA and LPAs interaction on the issue of minerals and waste safeguarding. At that time, responses were received from the following authorities as part of this process:
- Eastleigh Borough Council;



- East Hampshire District Council;
- Southampton City Council; and
- Test Valley Borough Council.

- 1.11 These responses were taken into account in the drafting of this SPD and a number of changes have been introduced as a result, such as clarifying the existing consultation procedures and simplifying the consultation criteria.
- 1.12 Further reflection on safeguarding issues since the development of the draft Safeguarding Protocol highlighted that there was also a need to produce guidance for developers of non-minerals-or-waste developments that are located within the Mineral Consultation Area (MCA).
- 1.13 As a result, this consultation is seeking comments both from the authorities (MWPAs and LPAs) that may have already considered the draft Safeguarding Protocol and more broadly from developers or other interested parties.

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

- 1.14 This guidance has been prepared following the adoption of the HMWP.
- 1.15 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).**

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

### Relevant assessment and appraisal

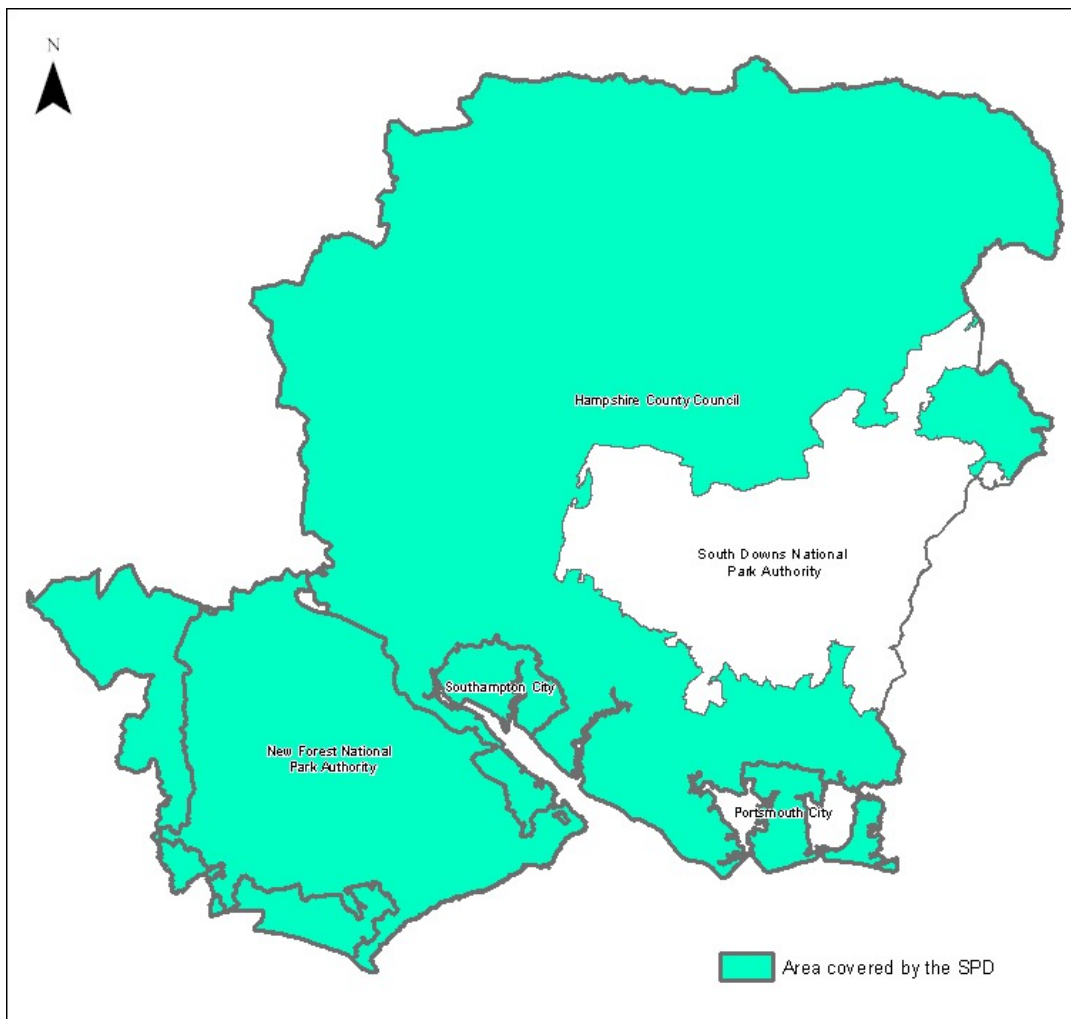
- 1.17 This guidance document has been the subject of:
- Integrated Sustainability Appraisal (ISA);
  - Habitats Regulations Assessment (HRA); and
  - Equalities Impact Assessment (EqIA).
- 1.18 ISA, HRA and EqIA reports have been compiled which outline the findings of these assessments and accompany this guidance document.
- 1.19 [Add summary of findings]

- 1.20 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.
- 1.21 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.

### Which area does the Supplementary Planning Document cover?

- 1.22 This SPD covers the administrative areas of the Hampshire Authorities only. This means this SPD does not cover the administrative areas of the SDNPA which falls within Hampshire. The area covered by this SPD is highlighted in the map below.

Figure 1: The area covered by this SPD



## Meeting the duty to co-operate

- 1.23 The National Planning Policy Framework (NPPF)<sup>2</sup> sets out a 'duty to co-operate' on planning issues between public bodies. 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 Local Government and Communities)
  - 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).
- 1.24 This engagement will continue once this guidance has been adopted by the Hampshire Authorities.
- 1.25 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.

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

## 2. 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 [Mineral resources \[See page 8\]](#)); and
- the effective operation of important minerals and waste land uses (see [Minerals infrastructure](#) and [Waste infrastructure](#)).

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 \(MSA\) \[See page 6\]](#)); and
- the Mineral Consultation Area (MCA), which is based on the MSA, but also includes minerals and waste sites and infrastructure (see [Mineral Consultation Area \(MCA\) \[See page 7\]](#)).

### Mineral Safeguarding Area (MSA)

2.3 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>3</sup>.

2.4 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 covers the mineral resources discussed in [Mineral resources \[See page 8\]](#) and 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.

2.5 While the MSA is based on the best available knowledge, the extent or availability of mineral resources cannot be known for certain in advance. For example, the BGS data is provided with certain limitations<sup>4</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.

3. 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)

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

- 2.6 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. However, if areas subject to redevelopment are located within the MCA, 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 \[See page 19\]](#)).
- 2.7 The MSA is applied to the Mineral Consultation Area (MCA). More information can be found in [Mineral Consultation Area \(MCA\) \[See page 7\]](#).

## Mineral Consultation Area (MCA)

- 2.8 National planning policy requires MWPA's to set out a MCA based on the defined MSA<sup>5</sup>.
- 2.9 The MCA is defined and published (separately to the HMWP) by HCC (on behalf of the Hampshire Authorities). In addition to the MSA, the MCA contains all the currently safeguarded minerals and waste sites, a list that is regularly updated on the HCC website<sup>6</sup>. It is used as a basis for LPAs to consult the relevant MWPA.
- 2.10 The MCA covers the HCC and the NFNPA administrative areas as well as small adjacent parts of the cities of Southampton and Portsmouth.
- 2.11 In Hampshire, the MCA covers the:

- mineral resources in the MSA that are considered to be economically viable (and thereafter any updates based on newly available information);
- 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 (and thereafter any updates to this list);
- 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 (and thereafter any updates to this list); 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)*.

- 2.12 The Town and Country Planning Act 1990<sup>7</sup> places a requirement on a LPA to consult with the MWPA (the relevant Hampshire Authority) on development in an area (such as an MCA) 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 \[See page 20\]](#).

5. 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)

6. Minerals and Waste Site List: [www3.hants.gov.uk/mineralsandwaste/pd-facts-and-figures.htm](http://www3.hants.gov.uk/mineralsandwaste/pd-facts-and-figures.htm)

7. 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)

- 2.13 The MWPA notifies the LPAs of the MCA in writing and provides electronic mapping information.
- 2.14 The MCA includes the following buffers:
- 250m around safeguarded mineral resources; [tbc]
  - 250m around minerals and waste infrastructure in rural areas; and [tbc]
  - 50m around minerals and waste infrastructure in urban areas (and including address points directly opposite sites where the site is adjacent to a water body). [tbc]
- 2.15 The Hampshire Authorities currently have the following administrative arrangements:
- The MCA 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 MCA. The MCA should also be reflected in all LPA's Local Plans in accordance with the provisions of this SPD.
  - The MCA 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 MCA will be **produced in an electronic format**, as Geographic Information System (GIS) layers that can be used by the LPAs. The MCA 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 \[See page 23\]](#)).
  - The MCA will be **made available to view** on the HCC website as part of the live Policies Map (see [Policies Map \[See page 25\]](#)).

## Mineral resources

- 2.16 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.
- 2.17 *Policy 15 (Safeguarding - mineral resources)* of the HMWP provides the policy framework for mineral resource safeguarding in Hampshire.

### 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.

- 2.18 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 this apportionment. Safeguarding can help ensure such opportunities are spotted and maximised.

- 2.19 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.
- 2.20 The HMWP also 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.
- 2.21 Brick-making clay is important to maintain the productivity of Hampshire's brickworks. Consideration should be given to the proximity to the brickworks if a site 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 other 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.
- 2.22 Hampshire also has mineral 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.
- 2.23 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 MCA. While this guidance outlines consultation procedures between the LPAs and the MWPA for when planning applications are submitted (as set out in [Development Proposals \[See page 23\]](#)), the Hampshire Authorities encourage developers to approach the relevant MWPA as early as possible regarding any potential minerals and waste safeguarding issues.
- 2.24 The safeguarding of land for minerals resources and the inclusion of this land within the MSA and thereafter the MCA does not give any presumption that mineral working will be permitted. However, there will be an expectation that LPAs will not normally permit other types of development (non-minerals) within the MCA in order to avoid needless sterilisation of the mineral resources, unless the safeguarding issue has been appropriately addressed. The Hampshire Authorities acknowledge that safeguarding is not a bar on 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.
- 2.25 *Policy 15 (Safeguarding - mineral resources)* sets out criteria where development without the prior extraction of the mineral resources in the MCA may be permitted. In situations where a LPA is minded to approve a non-minerals development in the Hampshire MCA 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. \[See page 14\]](#)

## Minerals and waste infrastructure

## Mineral Infrastructure

- 2.26 Safeguarding the infrastructure that supports the supply of minerals for Hampshire is just as important as safeguarding mineral resources. 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.
- 2.27 *Policy 16 (Safeguarding - mineral infrastructure)* of the HMWP provides the policy framework for the safeguarding of mineral infrastructure in Hampshire.

### **Safeguarding of mineral infrastructure applies to the following types of sites 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; and**
- **sites allocated in the HMWP for the above functions.**

## Waste Infrastructure

- 2.28 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.
- 2.29 *Policy 26 (Safeguarding - waste infrastructure)* of the HMWP provides the policy framework for waste infrastructure safeguarding in Hampshire.



**Safeguarding of waste infrastructure applies to 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.**

### Potential minerals and waste wharf and rail depot infrastructure

- 2.30 Safeguarding potential minerals and waste wharf and rail depot infrastructure allows consideration of potential minerals and waste interests on these sites when any future planning decisions are made.
- 2.31 *Policy 34 (Safeguarding potential minerals and waste wharf and rail depot infrastructure)* of the HMWP identifies sites and areas which, if they become available or are released from present uses, are safeguarded so they can be considered for their suitability for minerals and waste wharf or rail depot uses.

### Safeguarding considerations for minerals and waste infrastructure

- 2.32 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. All minerals and waste infrastructure required to meet current and future demands for minerals and waste management is safeguarded. This includes sites allocated in the HMWP.
- 2.33 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. The updated list of safeguarded minerals and waste sites will be made available online<sup>8</sup> and reflected in updates to the MCA ([Mineral Consultation Area \(MCA\) \[See page 7\]](#)).
- 2.34 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:

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

- potential issues of encroachment which may impact the operation of mineral 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 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).

2.35 Minerals processing, waste management or waste disposal can bring potential impacts on sensitive receptors (such as housing or schools) 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 the sites.

2.36 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 case will need to be considered, however the general presumption will be that minerals and waste uses will be protected, unless outweighed by the merits of the development, in accordance with the HMWP.

2.37 Where development is close to a safeguarded 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. These developments should consider issues such as:

- 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 its potential effect on the safeguarded site;
- **existing** planning conditions on the minerals and waste infrastructure;
- pre-existing **conditions**, such as background noise and lighting; and
- whether the **merits** of the development (for example its ability to deliver strong regeneration benefits) clearly outweigh any remaining impact on the site.

2.38 Considering the relevant issues at the design stage is likely to offer the greatest opportunities 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 or building materials; 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.

**The Hampshire Authorities encourage discussions regarding minerals and waste safeguarding issues with the relevant MWPA as soon as possible and particularly prior to the submission of a planning application.**

### 3. 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 in terms of preserving these resources for future generations. Additionally, it also represents an opportunity to increase the sustainability of development proposals by considering the minerals as a resource through on-site use of local minerals, including any material that is extracted through incidental activities (such as excavating for footings or landscaping).

In line with the safeguarding policies set out in the HMWP, the Hampshire Authorities promote the consideration of prior extraction in a sequential approach.

- ***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 MCA, as these activities are likely to occur with any relevant proposed development.

The Hampshire Authorities also promote this approach for sites outside the MCA whenever suitable mineral resources are found.

- 3.3 The aim of *Policy 15 (Safeguarding - mineral resources)* is to avoid the needless sterilisation of proven mineral resources. Therefore, in order to minimise the sterilisation of resources, the Hampshire Authorities encourage the maximum possible level of prior extraction, depending on the viability of mineral extraction.
- 3.4 Any non-minerals proposal falling within the MCA and likely to impact mineral resources will require exploratory work, such as boreholes, prior to its development in order to investigate the mineral resource that may be present and the potential for its extraction.
- 3.5 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.
- 3.6 If necessary, early discussions with the LPA and the MWPA will help explore potential planning conditions and whether separate planning permission is required from the MWPA. It is expected that prior extraction would form part of the planning application and this would be determined by the LPA. However, if larger scale 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.

### Recycled aggregates

- 3.7 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.
- 3.8 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.
- 3.9 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

- 3.10 It is important to consider current and potential mineral and waste uses in proximity to a proposed development site. This is in order to avoid prejudicing the operation of these sites. New uses in the proximity of a minerals and waste site may affect the viability of operations at that site due to the new impacts that may arise. 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.

- 3.11 Further information on the safeguarded sites, safeguarding minerals and waste infrastructure policies and the relevant safeguarding considerations to be considered can be found in [Minerals and waste infrastructure \[See page 9\]](#).

### Pre-application

- 3.12 Developers should identify whether their proposed development site is located within the MCA at the earliest stage possible, as this is an indication that there may be minerals and waste issues. The Hampshire Authorities encourage discussions with the relevant MWPA at the earliest opportunity.
- 3.13 Pre-application discussions allow the developer 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**; and
  - potential **opportunities for the prior extraction of minerals**, including sustainable use of the mineral in the development scheme.
- 3.14 Early consideration of the location of mineral resources will allow design schemes to take prior extraction into account and plan for a change in ground levels or use of landscaping. Where mineral resources are extracted, they could be used on-site, reducing the need to import or export the material.
- 3.15 Pre-application discussions present the best opportunity to plan the timing of any workings and incorporate sustainable mineral use in the design of a development.
- 3.16 Consideration at the pre-application stage also means that safeguarding issues are taken into account in advance of any planning application, thereby reducing any impacts on the duration and decision making of the planning application itself and reducing the likelihood of the MWPA recommending 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

- 3.17 Where a development proposal is located within a MCA the MWPA will need certain information in order to assess:
- 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.
- 3.18 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.

### This should include information on:

- **site setting (such as nature conservation designations, landscape character, proximity to local communities, highways infrastructure, utilities etc);**
- **the planning status of the site;**
- **the mineral potential e.g. quality and quantity (see mineral exploratory data);**
- **any likely opportunities for the prior extraction of mineral resources;**
- **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 MCA / MSA in proximity to the site;**
- **evidence of discussions with local operators to confirm the viability of prior extraction, where relevant; and**
- **information on current throughput and like for like capacity availability within the county, where it is proposed to remove the safeguarding status from an existing operational site.**

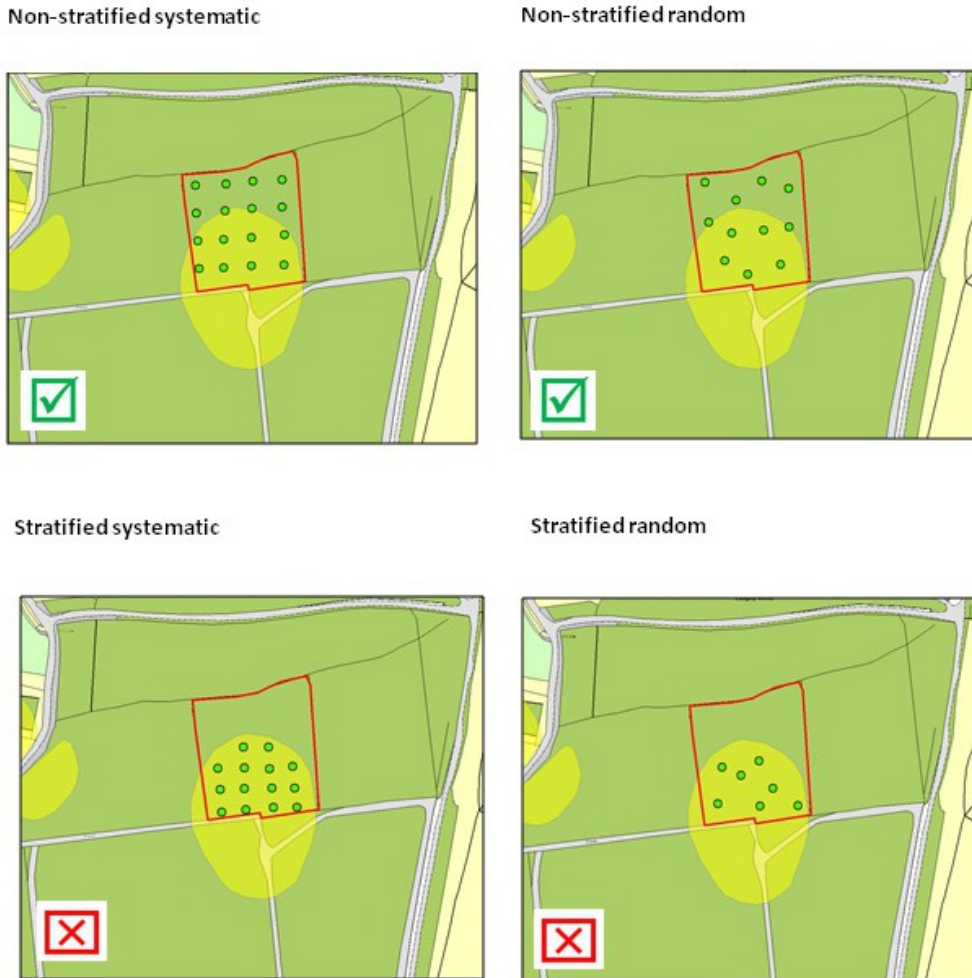
## Mineral exploratory data

- 3.19 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 should include boreholes and/or trial pits.
- 3.20 The MSA and MCA 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>9</sup>. This data is meant to be used at a 1:50,000 scale. This 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.
- 3.21 To ensure that a comprehensive assessment is undertaken on a site, the Hampshire Authorities recommend that:

9. BGS Geology for Britain Viewer: [mapapps.bgs.ac.uk/geologyofbritain/home.html](http://mapapps.bgs.ac.uk/geologyofbritain/home.html)

- a combination of borehole and trial pits are undertaken;
- the borehole depths are to at least 5 metres;
- limitations on depth should be noted in any assessment e.g. water strike; and
- a non-stratified sampling technique is applied (see figure below).

Figure 2: Preferred borehole sampling technique (red line represents proposed development boundary, light green area represents MCA)



Source: Hampshire Authorities, 2015



## Redevelopment proposals

- 3.22 In some instances, previously developed land may come forward for redevelopment. This may include areas of Hampshire which are released from Ministry of Defence uses. All such areas are likely to be outside of the MSA and MCA as they have previously been considered as urban (see [Mineral Safeguarding Area \(MSA\) \[See page 6\]](#)). However, these sites may also lie in areas where the MWPA has knowledge of the geology in the area or there are known mineral resources in proximity to the proposed development site. If they lie outside the MSA, these sites are not safeguarded. However, the Hampshire Authorities encourage the sustainable use of minerals wherever they are found as part of the re-development of the site.
- 3.23 Their release for redevelopment may provide an opportunity to examine whether prior extraction of the mineral resources can take place in these locations, before the site is redeveloped (i.e. to avoid needless sterilisation). The Hampshire Authorities promote the sequential approach to the consideration of prior extraction, as outlined in the section on [Avoiding sterilisation of mineral resources \[See page 14\]](#), but also recognise that previously developed land may have additional constraints on development and the potential for prior extraction.

## 4. Minerals and waste safeguarding procedures

### 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.

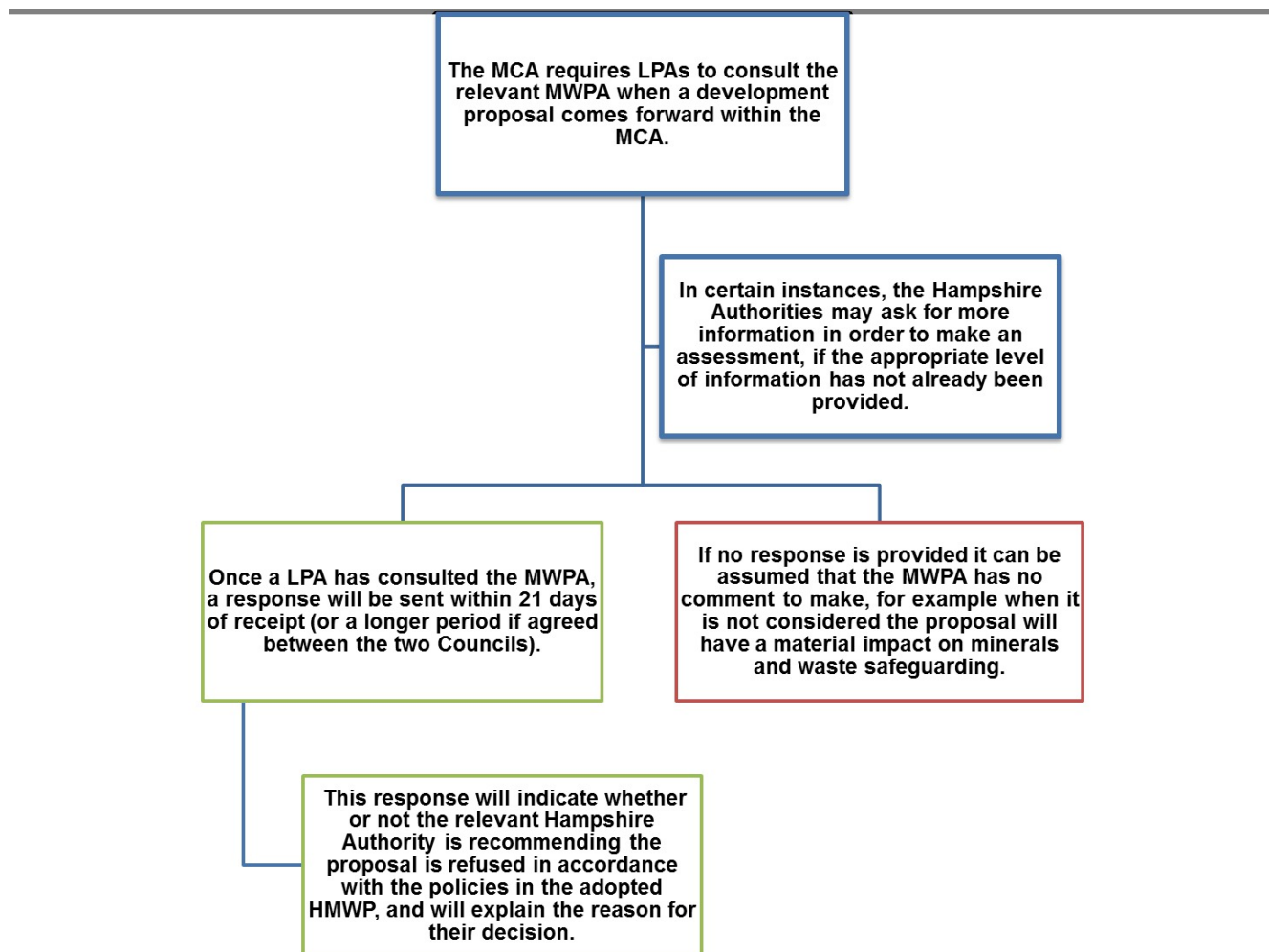
4.3 This guidance does not involve any changes to these current arrangements.

### General consultation arrangements

4.4 As set out in [Mineral Consultation Area \(MCA\) \[See page 7\]](#), Hampshire has a MCA 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 3: 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 MCA (including site allocations);
- there is a potential impact on the future operations 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 operations 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 safeguarding so that they can be considered for their suitability for a minerals or waste wharf or rail depot.

- 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 \[See page 22\]](#)); and
  - proposals for non-minerals-or-waste development ([Development Proposals \[See page 23\]](#)).
- 4.8 **If the LPA is any doubt on whether to consult the MWPA, consultation should take place.**
- 4.9 As the MCA 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

- 4.10 Consultation as part of Local Plan preparation is important for a number of reasons. Most notably, to ensure that the MCA is 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 on all relevant allocated sites within the MCA and policy proposals that may impact minerals or waste safeguarding. This includes where the proposal:**

- **fully or partially overlies potential mineral resources, as indicated by the MCA;**
- **is within or adjacent to an existing mineral or waste site, as indicated by the MCA;**
- **is within or adjacent to a safeguarded mineral or waste site, as indicated by the MCA; or**
- **is a new designation of land fully or partially within the MCA (e.g. Conservation Area, Green Belt, Air Quality Management Area or Site of Importance for Nature Conservation).**

- 4.11 The reasons for consultation are set out in more detail in [Appendix 1: Consultation with the MWPA on LPA Local Plan work \[See page 33\]](#).
- 4.12 Any site allocations that meet one or more of the above criteria will need to show how the LPA has considered the specific impact that allocation could have on the relevant minerals or waste safeguarding and may need to include appropriate development considerations.

- 4.13 While Neighbourhood Plans can differ from Local Plans in their scale and preparation procedures, they may still need to consider minerals and waste safeguarding. 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.

## Development Proposals

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

**The LPA should consult on all relevant development proposals within the MCA 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:**

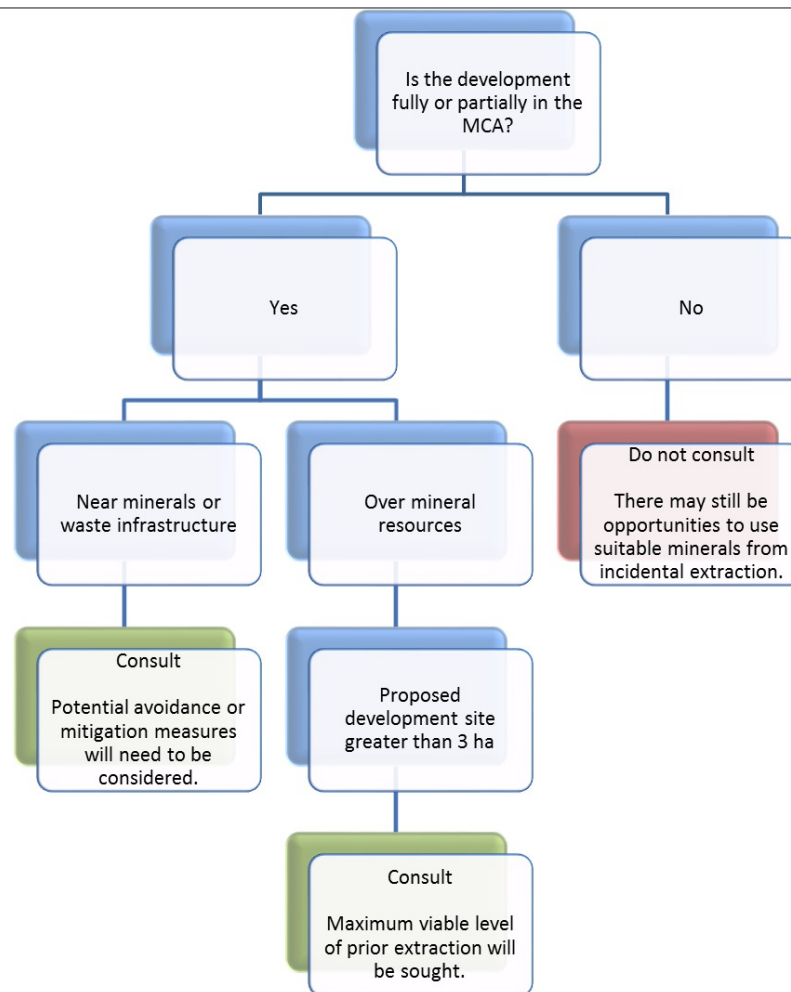
- involves an area which is over 3 hectares (ha); or
- is within or adjacent to an existing mineral or waste site; or
- is within or adjacent to a safeguarded or allocated mineral or waste site.

- 4.15 Consultation with the MWPA is important for a number of reasons which are set out in more detail in [Appendix 2: Consultation with the MWPA on non minerals or waste planning applications \[See page 34\]](#). In order to clarify the above guidance, this Appendix also includes examples of different proposals that are and are not of relevance to the MWPA.
- 4.16 A threshold of 3 ha has been set by the Hampshire Authorities. This is based on consultation with interested parties, analysis of past planning applications and estimates of viable mineral resources. The threshold will be kept under review and updated as necessary, in consultation with the LPAs. It has the following implications:

- The 3 ha threshold relates to the impact a non-mineral development may have on potential mineral resources, as indicated by the MCA. Smaller developments may still impact the viability of safeguarded minerals or waste sites, which is why there is no threshold 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. However, consideration should be made if a proposal sits alongside other piecemeal development (i.e. other small proposal clusters within the MCA) 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 MCA, 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 [Mineral resources \[See page 8\]](#) and [Avoiding sterilisation of mineral resources \[See page 14\]](#)).
- 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 4: Decision chart for consulting the MWPA on development proposals



4.18 *Source: Hampshire Authorities, 2015*

4.19 There is no need to consult the MWPA on developments that have no implications for mineral or waste safeguarding and examples of these are given in [Appendix 2: Consultation with the MWPA on non minerals or waste planning applications \[See page 34\]](#). 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.

## Policies Maps

- 4.20 The Hampshire Authorities have published a live and interactive Online Policy Map [INSERT LINK]. This map includes the most up-to-date information on safeguarded mineral resources and minerals and waste infrastructure. It also includes the sites allocated in the HMWP.
- 4.21 The Hampshire Authorities will seek to keep the Online Policy Map up-to-date and available on the HCC website<sup>10</sup> 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.

10.Hampshire County Council website (planning section): [www.hants.gov.uk/county-planning](http://www.hants.gov.uk/county-planning)

- 4.22 LPAs should keep their electronic policy information up-to-date and revise printed copies when cost effective to do so.
- 4.23 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.
- 4.24 The Hampshire Authorities are monitoring the implementation of the HMWP following its adoption. A MR is produced annually, 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>11</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 application, alongside all other material considerations.
- 4.26 Where the LPA is minded to approve a planning application which has been recommended for refusal by the MWPA on mineral sterilisation 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 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 application.

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



## Glossary and abbreviations

**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 (CLOPUD):** 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 comprises 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. when digging for footings or during landscaping work.

**Landfill:** The deposit of waste 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.

**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 Minerals and Waste Planning Authorities before certain non-mineral planning applications made within the area are determined. The Hampshire Mineral Consultation Area incorporates the Mineral Safeguarding Area.

**Mineral resources:** Mineral aggregates and hydrocarbons, which naturally occur in 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 are 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):** Originally published in March 2012, the NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is subject to revisions occasionally and the most recent version should be referred to<sup>12</sup>.

**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.

**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 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.

**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 fulfill a particular function, or waste being prepared to fulfill that function, in a facility or in the wider economy.

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12. 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)

**Regeneration:** Investment in an urban area by improving what is there or clearing it away and restoring.

**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.

**Safeguarding:** The method of protecting needed facilities or mineral resources and of preventing inappropriate development from affecting these. Usually, where sites are threatened, the course of action would be to object to the proposal or negotiate an acceptable resolution.

**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.

**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.

**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 working	<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, 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 50 metres 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 MCA	

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 working	<p>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.</p> <p><b>**Please note that if the safeguarded site includes a wharf, the LPA should also consult Hampshire County Council if the proposal is not within its administrative area.**</b></p>
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 50 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 MCA 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 on land with a development boundary greater than 3 hectares	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 MWPAs):



Type of non-minerals & waste proposal	Should the MWPA be consulted?
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
Installation of solar panels on a dwelling	NO
Installation of solar panels 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
Placement of a mobile home within an existing caravan park	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
Development of a tennis court	NO
Provision of open or recreational space as part of a development (not located in proximity to existing minerals or waste use)	NO
Demolition of dwellings or buildings where there are no plans for development of the land	NO
Siting of portable cabins or containers	NO
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
Details submitted as reserve matters for residential or commercial developments (if not within the MCA)	NO
Development of an enclosure	NO
Development of a ménage / school	NO
Demolition of cartsheds	NO
Permission for establishing a business from home	NO
Tree Preservation Orders	NO
Change of use	NO
Reserved matters for any proposal which has been granted planning permission (non-minerals and waste issues)	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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