

Title of meeting: Cabinet Member for Planning, Regeneration and Economic Development

Date of meeting: 2 February 2016

Subject: Minerals & Waste Safeguarding in Hampshire Supplementary Planning Document

Report by: Assistant Director of Culture & City Development

Wards affected: all

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 To seek approval for the adoption of the Minerals & Waste Safeguarding Supplementary Planning Document (SPD)

2. Recommendation

2.1 It is recommended that the Cabinet Member for Planning, Regeneration and Economic Development

- a) **approves the Minerals & Waste Safeguarding SPD for adoption**
- b) **authorises the City Development Manager to make editorial amendments to the SPD prior to adoption, provided that the amendments do not alter the meaning of the SPD or do not affect Portsmouth.**

3. Background

- 3.1 As Minerals and Waste Planning Authority, the city council was a partner authority in the production of the Hampshire Minerals and Waste Plan (together with Hampshire County Council, Southampton City Council and the New Forest and South Downs National Park Authorities) and adopted it in 2013 as part of the development plan for Portsmouth. The Minerals & Waste Plan seeks to ensure that we have enough minerals for Hampshire's needs up to 2030 as well as ensuring there are enough facilities to effectively deal with our waste management requirements. It includes robust policies which are designed to balance the needs of the economy, the

environment and communities in considering the need for and the location of minerals and waste development.

- 3.2 The Minerals and Waste Plan includes a number of policies relating to minerals and waste safeguarding. Particularly relevant in Portsmouth are:
- safeguarded minerals and waste infrastructure (Policies 16 and 26) and
 - safeguarded potential minerals and waste wharves and rail depots (Policy 34).
- These relate to important minerals and waste sites such as the Incinerator, Kendalls Wharf on the Eastern Road, land in the Port / Dockyard and on a number of industrial estates across the city. In addition, there is safeguarding for areas of known minerals resources (Policy 15), which mainly affects the non-urban areas in Hampshire.
- 3.3 The safeguarding policies seek to protect important viable mineral resources and sites by helping to avoid the sterilisation of mineral resources and the prejudicing of the operation of existing or proposed minerals and waste sites. This entails, for example, extracting minerals from the ground on greenfield sites before development occurs; avoiding introducing new 'sensitive receptors' such as housing or schools in proximity to potentially noisy waste or minerals sites; or considering safeguarded land for minerals and waste use before other uses are allowed.
- 3.4 A 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 Plan. As an SPD the document does not introduce any new policies with regard to the matters above, but is a process document which sets out guidance to ensure that:
- District and Borough Councils consult effectively with the County (or in the case of the Unitary Authorities when minerals and waste issues should be particularly considered)
 - Developers for non-minerals and non-waste developments consider safeguarding issues at the earliest stages of preparation of planning applications
- 3.5 PRED approved the draft for consultation in June 2015.

4. The consultation

- 4.1 The draft SPD was then subject to a 6 week public consultation which ran from 29 June – 7 August 2015. The consultation consisted of emails and letters to interested parties and a county-wide workshop event in Winchester.

- 4.2 In addition to the results of the workshop, 30 responses were received. The majority of responses were received from local planning authorities, minerals and waste industry representatives, and parish and town councils from across Hampshire.
- 4.3 The responses largely sought clarification of the SPD. There was also a feeling that it was too heavily weighted towards use by district councils, and further guidance for developers was sought. A full report on the consultation results can be found at: <http://documents.hants.gov.uk/mineralsandwaste/consultation-2015/OilGasSPDConsultationReport.pdf>
- 4.4 Amendments have been made to the SPD taking into account the consultation responses received. The final SPD proposed for adoption is attached as an appendix.

5. Reasons for recommendations

- 5.1 The SPD supports the effective implementation of the Minerals and Waste Plan. Officers at the partner authorities (Hampshire County Council, Southampton City Council, Portsmouth City Council and the New Forest National Park Authority) consider that it is helpful to set out further detail for communities, local authorities and potential applicants to explain the planning process with regard to safeguarding.
- 5.2 If adopted the SPD will sit alongside the adopted HMWP, providing guidance on the implementation of specific policies within the Plan.

6. Equality impact assessment (EIA)

- 6.1 As the SPD is a Partnership document, Hampshire County Council has prepared an Equalities Impact Assessment for the SPD, which is published at: <http://documents.hants.gov.uk/mineralsandwaste/consultation-2015/EqualitiesImpactAssessmentEqIASafeguarding-OilandGasSPD.pdf>
- 6.2 The SPD provides guidance on the implementation of the policies of the adopted Minerals & Waste Plan and does not contain any additional policies over and above those in the plan. As a result, it is considered that the documents have a low if not no impact on all groups.

7. Legal Implications

- 7.1 No additional legal comments.

8. Director of Finance's Comments

8.1 The adoption of the recommendations in this report will not result in any additional costs being incurred by the Planning Service. The policies will be applied and managed within the existing budget resources.

.....
Signed by:

Appendix: Minerals & Waste Safeguarding in Hampshire Supplementary Planning Document

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by: