

Hampshire Minerals and Waste Plan



Development Scheme

2013

Prepared in compliance with the Planning & Compulsory Act 2004 as amended

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I Introduction

What is a Minerals & Waste Development Scheme?

This Hampshire Minerals and Waste Development Scheme provides a timetable for the preparation of the Hampshire Minerals and Waste Plan (HMWP). The Scheme sets out what planning policy documents the Council is preparing with its partners, and the various stages that each will go through, including opportunities for public participation.

Under the Planning & Compulsory Purchase Act 2004 as amended, all local planning authorities must prepare a Local Development Scheme. Similarly, a Minerals and Waste Development Scheme is prepared by a Minerals and Waste Planning Authority (such as Hampshire County Council), and sets out the programme for preparing planning documents (known as Minerals & Waste Development Documents)⁽¹⁾.

This amended Hampshire Minerals and Waste Development Scheme updates a revised Scheme which was originally submitted and approved by Government Office for the South East (GOSE) in 2009.

This Amended Minerals and Waste Development Scheme (2013) came into effect on 6 March 2013.

The Development Scheme will be reviewed and rolled forward on a regular basis to take account of progress and monitoring. The latest updates to it can always be viewed on our website (<http://www3.hants.gov.uk/mineralsandwaste.htm>) or by contacting us at <mailto:planning.policy@hants.gov.uk>.

Why are we preparing the HMWP?

It is important to keep plans up to date and make sure they are working to achieve our vision. As part of this we are preparing the Hampshire Minerals and Waste Plan (HMWP).

This new Plan will entirely replace the Hampshire Minerals and Waste Core Strategy adopted in 2007. It will comprise overarching strategic policies and, in addition provide details of strategic sites that we propose will deliver the vision. This is important because an out of date Core Strategy allows us less control over getting the right developments for Hampshire. The HMWP aims to protect Hampshire's environment, maintain it's communities and support the local economy through the provision of sustainable minerals and waste development.

Previously the County Council had intended to revise the Core Strategy adopted in 2007, and prepare separate Minerals Sites and Waste Sites plans. Now there will be one comprehensive document - **The HMWP**.

It is important that the project plan for preparation of the HMWP is realistic, 'fit for purpose', and that the timescales are justified based on the County's circumstances (including its available resources). The timetables set out in this document therefore reflect:

- The available resources (see below).
- The need to build upon previous public participation (which started with the Material Resources Strategy project in March 2005).
- The implications of elections for public consultation events.
- The need to produce a robust and up-to-date evidence base.
- The need to undertake Sustainability Appraisal and a detailed Habitats Regulations Assessment on our plans.
- New guidance and emerging best practice.
- The need to undergo democratic processes at the various plan preparation stages for each of the five authorities involved (see 'Why are we preparing joint minerals and waste documents?').

¹ Prepared under Part 3 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Resources for plan preparation

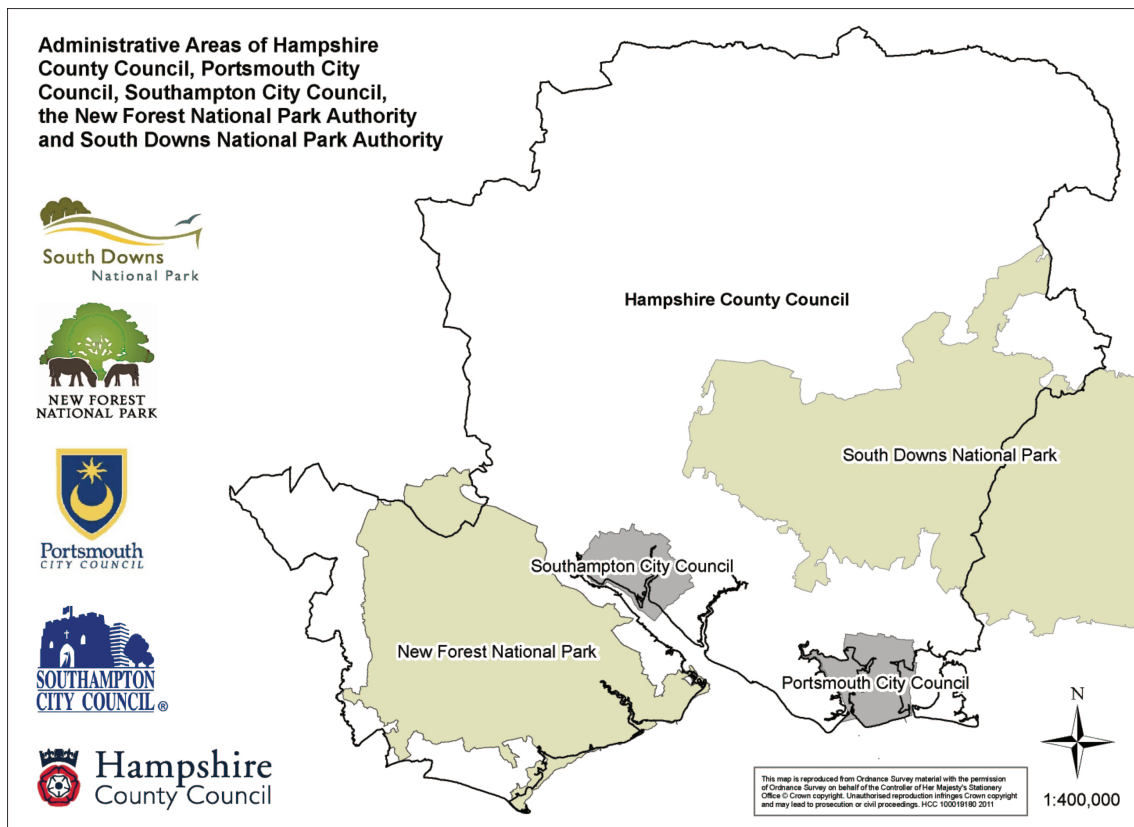
In order to prepare the Plan, Hampshire County Council will contribute planning, specialist and managerial staff resources sufficient to prepare a sound plan. Portsmouth City Council, Southampton City Council, the New Forest National Park Authority, and the South Downs National Park Authority will also provide support and contribute some staff time where required.

External consultants have been engaged where necessary, however the majority of the work is completed in-house.

The County Council has committed significant financial support to the preparation of the HMWP through the provision of professional staff, communications, and public engagement opportunities.

The area covered by the HMWP

Mineral and waste planning issues are most appropriately addressed jointly so that strategic issues can be satisfactorily resolved. The Plan will cover the administrative areas of Hampshire, Portsmouth, and Southampton, together with the New Forest National Park and the South Downs National Park, all of which are minerals and waste planning authorities. There is a small area of the New Forest National Park which was formerly within the administrative planning area of Wiltshire County Council. This is now included within the Hampshire Mineral & Waste Plan area. The Plan only covers the part of the South Downs National Park that falls within the county boundary of Hampshire. The map below indicates the administrative areas of each partner authority.



Why are we preparing joint minerals and waste documents?

Minerals and waste planning authorities are allowed to work together to prepare minerals and waste development documents⁽²⁾, and the minerals and waste development plan document in this Scheme will be prepared, submitted and adopted by the five authorities as a joint document.

² Under section 28 of the Planning and Compulsory Purchase Act 2004,

Since 31st March 2012, Hampshire County Council provides a delegated planning service on behalf of the South Downs National Park.

Each of the Development Schemes prepared by the County, City Councils and National Park Authorities will include details of the preparation of the joint mineral and waste development document.⁽³⁾ In addition, each mineral and waste planning authority is required to prepare its own Statement of Community Involvement⁽⁴⁾.

In order to facilitate the production of the joint minerals and waste development document the five mineral and waste planning authorities have formed a joint elected Member 'steering panel'. This comprises one representative Member from each authority. This acts as an advisory body, rather than a 'joint committee', on the preparation of the joint minerals and waste development document. Each mineral and waste planning authority will 'adopt' the joint minerals and waste development document individually.

Hampshire County Council has a duty to co-operate⁽⁵⁾ with Hampshire's district and borough councils and surrounding minerals and waste planning authorities as well as those that have a related mineral or waste interest. Along side Hampshire's duty to co-operate, consideration has also been given to issues raised in relevant plans and programmes in the preparation of the HMWP and supporting documents. In addition, statutory consultees (such as the Environment Agency, Natural England and English heritage), other infrastructure producers and regional working parties related to minerals and waste have been involved in the preparation of the HMWP.

3 As required under Section 15 of the Planning and Compulsory Purchase Act 2004

4 As required under Section 18 of the Planning and Compulsory Purchase Act 2004

5 Under the National Planning Policy Framework (paragraph 178) (DCLG, 2012).

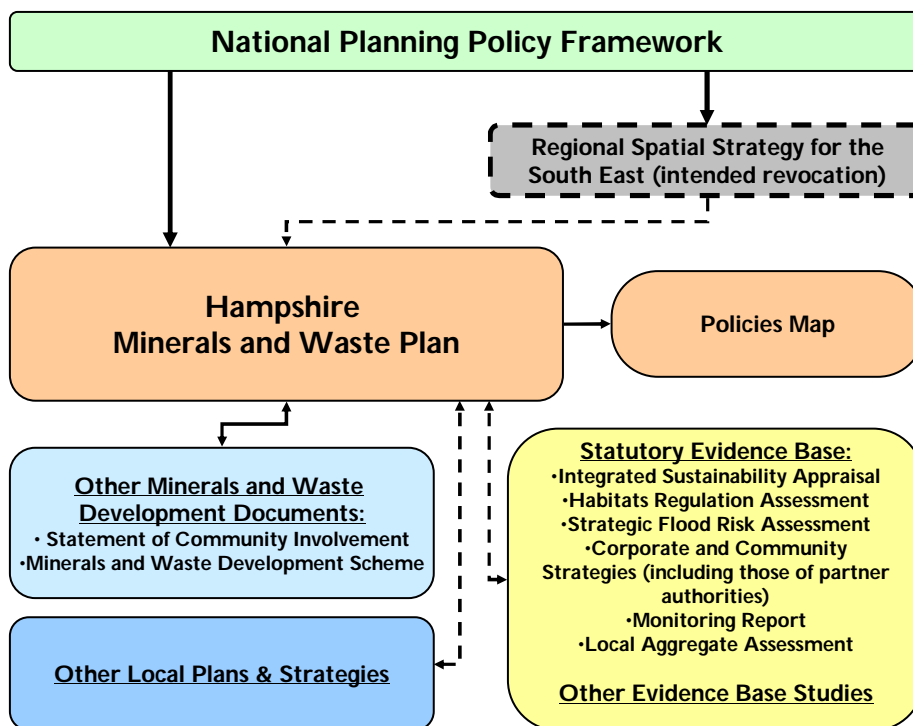
2 Hampshire Minerals & Waste Development Plan

What is the Minerals & Waste Plan?

The HMWP will be a development plan document (DPD), supported by other development documents such as the Statement of Community Involvement. The HMWP covers the period 2011-2030 and will replace the adopted Hampshire Minerals and Waste Core Strategy (2007). This is explained further in Section 4 of this document.

The DPD was submitted to government on 29 February 2012 and is now in the middle of an independent examination conducted by a Planning Inspector. Other development documents do not undergo an examination.

The figure below shows the documents that make up the HMWP and the linkages to other strategies.



How does the Minerals & Waste Plan relate to other plans and strategies?

National Planning Policy

The National Planning Policy Framework (NPPF) was published on 27 March 2012. A draft version had previously been made available and the submission version of the HMWP took into account the draft requirements. HMWP elements which are effected by differences between the draft and final versions of the NPPF have been addressed as part of the examination process.

The Regional Plan

The south east region is covered by a spatial strategy called the 'South East Plan'. This is a Regional Spatial Strategy (RSS) which was adopted by the Secretary of State on 6 May 2009.

The Localism Act⁽⁶⁾ outlines the abolition of regional strategies and states that the secretary of state will revoke the whole or parts of the RSS. However, there is no timetable given of when the South East Plan is likely to be revoked. In the mean time the HMWP will be in general conformity with the RSS except where local issues justify departure.

The Environmental Report of the intended revocation of the South East Plan was published in October 2012. The consultation closed in December 2012.

What documents have been adopted?

Core Strategy

The Hampshire Minerals and Waste Core Strategy was adopted in 2007 and sets out the general approach to using resources (including minerals and waste) in the most effective and efficient way, and reducing as far as possible the amount of waste requiring final disposal. It replaced many of the policies from the Minerals and Waste Local Plan (1998) and County Structure Plan (1996-2001).

The Core Strategy contains policies and proposals for mineral extraction or processing and waste management up to the year 2020. The Core Strategy sets out a long-term spatial vision for minerals and waste planning in Hampshire and contains the primary policies and proposals to deliver that vision.

The Core Strategy was submitted to Government in May 2006 and underwent a Public Examination between January and March 2007. The Core Strategy was subsequently judged to be a 'sound' plan and each planning authority approved and adopted the Core Strategy on the following dates:

- New Forest National Park Authority - 28 June 2007
- Hampshire County Council - 12 July 2007
- Portsmouth City Council - 17 July 2007
- Southampton City Council - 18 July 2007

Following adoption, Associated British Ports (ABP) successfully applied to the High Court to have part of the Core Strategy 'quashed'. Subsequently in September 2008 an Order was made to quash policies S13, S14 and DC18 – Wharves and Rail Depots – and consequential references have been deleted⁽⁷⁾. An amended version of the adopted Core Strategy is now in place.

The HMWP will entirely replace the adopted Core Strategy following public examination, if found to be sound, and the approval of each planning authority to adopt it.

6 Localism Act 2011 (section 109)

7 For information on the adopted Core Strategy see <http://www3.hants.gov.uk/planning/mineralsandwaste/planning-policy/documents-2/core-strategy.htm>

Statement of Community Involvement

The Statement of Community Involvement (SCI) sets out the approach for involving the community in the preparation, alteration and continuing review of all minerals and waste development documents, and in publicising and dealing with planning applications. The SCI was adopted by the County Council in September 2006 after it was subject to an examination by an Inspector from the Planning Inspectorate.

Since the SCI was adopted the process for preparing planning policy documents has changed through new planning guidance and regulations. In order to take these changes into account, Hampshire County Council has produced an addendum to its SCI which was approved in 2010.⁽⁸⁾ This will ensure that Hampshire County Council works in accordance with the guidance and that further plan consultation is carried out correctly

The SCI can be viewed on our website: <http://www3.hants.gov.uk/sci-2.htm>

What are the key stages in document preparation?

All Development Plan Documents (DPDs) have to go through prescribed procedures and are subject to wide public consultation and ultimately, to an independent examination before they can be adopted. DPDs are examined to assess their 'soundness' (i.e. whether they are fit for purpose and have been prepared in accordance with national regulations).

Key stages in Development Plan Document preparation are:

- 1. Evidence collection, preparation and pre-publication participation**
 - a. Evidence gathering
 - b. Preparation of policy options
- 2. Publication and representations period**
- 3. Submission of DPD for examination**
- 4. Independent examination**
- 5. Inspectors report and adoption**

Hampshire Minerals & Waste Plan

The adopted Core Strategy (and remaining 'saved' site policies in the 1998 Local Plan) will be replaced by the emerging Hampshire Minerals and Waste Plan. This approach comes in light of policy changes and the intended revocation of the South East Plan. The new approach provides for the preparation of one comprehensive DPD (the Plan). This will incorporate the necessary policy review to update and strengthen the current core strategy policies in relation to climate change and sustainable development, resolve the outstanding issues following recent legal judgements, and revise policies relating to aggregate supply in particular.

The Hampshire Minerals and Waste Plan was submitted to the Secretary of State on 29 February 2012.

What has happened so far

Key Milestones passed	Date	Description
Cabinet and Council	October - November 2010	Formal decisions were made by Cabinet and Council on the proposed approach to the HMWP.
Stakeholder Engagement	December 2010	Provided information to key stakeholders to the new approach to the HMWP
Public participation on options and SA Interim report (under Regulation 25 ⁽⁹⁾).	February - March 2011 June - July 2011	This consultation and engagement allowed for comment on the approach to the HMWP. The consultation also discussed the options on geographical location of facilities/development related to minerals and waste
HMWP drafting	Summer 2011	The results of the consultation were processed and used to inform the HMWP. Updates to our evidence base were carried out and the Plan revised.
Cabinet and Council + Partners	September - October 2011	The prepared draft plan went to Cabinet and Council for agreement.
Publication of the draft plan for Statutory Consultation (under Regulation 27 ⁽¹⁰⁾).	November - December 2011	The draft prepared plan was published for a 6 week consultation for its 'soundness'.
Submission to the Secretary of State	29 February 2012	The plan (and any comments received during the Statutory Consultation) was submitted to the Secretary of State.

9 *Town & Country Planning (Local Development) (England) Regulations (as amended).*

10 *Town & Country Planning (Local Development) (England) Regulations (as amended)*

Hampshire Minerals & Waste Plan: Timetable

Minerals & Waste Plan: Key Milestones	Timescale	Description
Public Examination	April 2012 - ongoing	Independent consideration of Plan by Planning Inspectorate representative (Mr Andrew Freeman). The public hearings commenced on 8-15 June 2012 and were adjourned while further consultation was undertaken ⁽¹¹⁾ . Further public hearings are due to take place on 13-14 March 2013. The outcome will be set out in the inspectors report.
Adoption by Hampshire County Council and Partners	Summer 2013	The Hampshire Minerals and Waste Plan adopted and replaces the Core Strategy and Local Plan (1998) as policy.

Real time updates can be seen on our website at <http://www3.hants.gov.uk/development-scheme-3.htm>

Other documents being prepared

The County Council is concentrating resources on preparing the Plan. The need for further policy documents (such as Supplementary Planning Documents) may be identified as work progresses. These might include a document setting out more detailed guidance on locating and designing minerals and waste facilities on industrial estates in Hampshire. If these are required in the future, the County Council will identify them on the website and in subsequent versions of the Minerals & Waste Development Scheme.

Policies Map

A Proposals Map formed part of the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan 1998. A replacement Policies Map is being prepared simultaneously with the Plan⁽¹²⁾. The Policies Map illustrates geographically how the policies of the development plan documents are to be applied.

This new Policies Map is not a 'static' and unchanging map; it will be amended and up-dated as required whenever new development plan documents with spatial allocation policies are produced.

Moreover, the minerals and waste matters on the Policies Map should be included on Policies Maps prepared by the other Hampshire local planning authorities.

11 Town & Country Planning (Local Planning) (England) Regulations 2012

12 In accordance with Section 9 of the Town & Country Planning (Local Planning) (England) Regulations 2012

Plan assessment and appraisal

The policies and proposals in the mineral and waste plan have been assessed to ensure that they contribute to the aims of sustainable development at each stage of the plan preparation process. The results of these assessments are set out in documents called Integrated Sustainability Appraisals (ISA)(which incorporate assessment as required under the Strategic Environmental Assessment (SEA) Directive).

In preparing these ISAs, a sustainability 'Scoping Report' has been adopted by the Council. This report, along side the Joint Baseline Reports, describe the existing key environmental, social and economic issues for Hampshire and includes a set of sustainability objectives which were used to assess the policies in documents. The first Scoping Report was produced in December 2004, and was used to form the basis of the appraisal of the adopted Core Strategy. An updated sustainability 'Scoping Report' was prepared to underpin the ISA of the HMWP. This built on a previous draft Scoping Report prepared for the then emerging Minerals Plan and Waste Plan in 2007.

All mineral and waste development documents are also subject to Habitats Regulations Assessment ⁽¹³⁾ and the HMWP has been assessed accordingly.

A Strategic Flood Risk Assessment has also been produced to provide an evidence base for the plan preparation most notably in relation to site allocations.

Potential risks to the timetables

The plan preparation process had a number of risk elements including:

- Staffing
- Funding, and
- Democratic timetables.

The County Council had a variety of procedures in place to mitigate these risks however, should there be a significant change in the Plan.

13 Under Schedule 1 to the Habitats Regulations (The Conservation (Natural Habitats, & C.) (Amendment) Regulations 2007).

3 Hampshire Minerals & Waste Plan - Evidence Base

Preparing a robust evidence base

Planning authorities are urged to ensure that effective programme management techniques are employed in progressing their DPD's and orchestrating the production of the evidence base. A number of studies have been completed prior to each stage of public participation on our minerals and waste planning documents, in order to ensure that all the key issues have been identified and can be tested at an early stage.

It was also important to ensure that a complete and robust evidence base was available prior to the publication of the HMWP. This helped demonstrate that the proposed policies and allocations are the most appropriate considering all the options and based on the available evidence. The robustness of our evidence base will be reviewed annually and further studies produced or commissioned as appropriate.

Evidence base prepared so far

A full list of the evidence base is available on our consultation portal - <http://consult.hants.gov.uk/portal>.

Key studies include:

- Integrated Sustainability Report (2012) *Hampshire Authorities*
- Hampshire Minerals and Waste Plan Joint Baseline Report (2012) *Hampshire Authorities*
- Planning for Waste Management Uses in Hampshire: A Review of Air Quality Trends & Planning Considerations (2010) *Open University / Environs*
- Strategic Flood Risk Assessment (2012) *Hampshire Authorities*
- Strategic Landscape & Visual Assessment (2012) *Hampshire Authorities*
- Strategic Traffic & Transport Assessment (2012) *Hampshire Authorities*
- Minerals in Hampshire: Background Study (2012) *Hampshire Authorities*
- Minerals Proposals Study (2012) *Hampshire Authorities*
- Soft Sand Topic Paper (2012) *Hampshire Authorities*
- Restoration Study (2011) *Hampshire Authorities*
- Needs Assessment for Wharves and Rail Depots in Hampshire (Update) (2011) *Land & Mineral Management Limited*
- Wharves and Rail Depots Study (2012) *Hampshire Authorities*
- Safeguarding Study (2012) *Hampshire Authorities*
- Assessment of Need for Waste Management Facilities in Hampshire - Waste Data Summary Report (2012) *Hampshire Authorities*
- Assessment of Need for Waste Management Facilities in Hampshire - Landfill and Surcharging Report (2012) *Hampshire Authorities*
- Assessment of Need for Waste Management Facilities in Hampshire - Specialist Waste Facilities Report (2012) *Hampshire Authorities*
- Assessment of Sites and Areas for Waste Management Facilities in Hampshire (2012) *Hampshire Authorities*
- The Suitability of Industrial Areas for Waste Management in Hampshire (2012) *Hampshire Authorities*
- Assessment Under the Habitats Regulation - Methodology and Baseline Report (2011) *Hampshire Authorities*
- Assessment Under the Habitats Regulation - Screening Report (2011) *Hampshire Authorities*
- Assessment Under the Habitats Regulation - Assessment Record (2012) *Hampshire Authorities*

- Hazardous and radioactive waste management in Hampshire (2012) *Hampshire Authorities*
- Local Aggregate Assessment (2012) *Hampshire Authorities*

Evidence base being prepared

Gathering of evidence is an ongoing process and must be continued throughout the plan preparation process. Some studies, such as Flood Risk Assessment, are 'living documents'. To inform the evidence base, the council makes use of a substantial amount of secondary data and collected data. Examples include data on:

- Municipal waste arisings, transfer, treatment and disposal.
- Other waste streams and movements.
- Capacity of waste operations.
- Site appraisals.
- Site operations (any noise or air quality issues)
- Minerals resources.
- Demand for minerals.
- Public opinion.

As the evidence base is prepared any completed or draft supporting documents will be available to view online at <http://consult.hants.gov.uk/portal/>.

4 Existing Minerals & Waste Planning Policy

Current policies (Core Strategy)

The following policies are included in the adopted Core Strategy (Revised September 2008):

Spatial Strategy Policies

- S1 - Sustainable Design, Construction and Demolition
- S2 - Waste growth and demand for natural resources
- S3 - Net Self-Sufficiency
- S4 - Recycling and Composting
- S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment
- S6 - Landfill
- S7 - Specialist Facilities
- S8 - Sand and Gravel
- S9 - Recycled and Secondary Aggregates
- S10 - Chalk
- S11 - Brick-making and Other Clay
- S12 - Oil and Gas
- S15 - Sterilisation of Mineral Deposits
- S16 - Location of Waste Management
- S17 - Co-location, Systems and Infrastructure
- S18 - Site Selection

Development Control Policies

- DC1 - Sustainable Minerals and Waste Development
- DC2 - Sites with International and National Designations
- DC3 - Impact on Landscape and Townscape
- DC4 - Historic Heritage
- DC5 - Green Belt
- DC6 - Highways
- DC7 - Biodiversity
- DC8 - Pollution, health, quality of life and amenity
- DC9 - Public Safety
- DC10 - Water Resources
- DC11 - Flooding
- DC12 - Restoration and Aftercare
- DC13 - Waste Management and Recycling (including Aggregate Recycling Facilities)
- DC14 - Landfill
- DC15 - Sand and Gravel
- DC16 - Chalk
- DC17 - Clay
- DC19 - Oil and Gas
- DC20 - Borrow Pits and Spoil Sites
- DC21 - Prior Extraction of Minerals
- DC22 - Additional Plant, Buildings and Minor Development
- DC23 - Local Development Orders

Quashed Policies

S13 - Wharves and Rail Depots

S14 - Safeguarding of Existing Development

DC18 - Wharves and Rail Depots

What are 'saved' policies?

The Hampshire's Minerals and Waste Local Plan (1998) policies were reviewed in 2007, and subsequently a number of policies have not been saved and no longer make up part of the Local Plan. Details of how policies in the adopted Core Strategy (see above) have superseded these unsaved policies can be found in Appendix 1 of the Core Strategy (as amended in September 2008).

The 'saved' Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan 1998 policies (saved in June/ July 2007) are set out in the table below.

Table 4.1

Policy in Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan	Current status
19 (preferred areas for sand and gravel extraction)	Saved, to be replaced by policy and proposals in the Hampshire Minerals and Waste Plan
21 (aggregates wharves and depots)	Saved, to be replaced by policy and proposals in the Hampshire Minerals and Waste Plan
38 (landfilling and landraising)	Saved, to be replaced by policy and proposals in the Hampshire Minerals and Waste Plan
43 (waste processing)	Saved, to be replaced by policy and proposals in the Hampshire Minerals and Waste Plan

The adopted Core Planning Strategy superseded most 'saved' minerals and waste policies which formed part of the *Hampshire County Structure Plan 1996-2011 (Review)*. Relevant superseded policies are:

- MW1-MW3
- MW5-MW9

Other planning guidance

Ringwood Forest Development Brief (2000)

This brief associated with paragraph 5.41 and Policy 19 of the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan (1998) will remain as supplementary planning guidance. It will be used in determining planning applications in the Ringwood Forest area of Hampshire.

Once Policy 19 is superseded by the Plan, this SPG will no longer be used as planning guidance. The Minerals and Waste Development Scheme will be kept under review and amended if it is decided that a supplementary planning document covering this area is required.

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

For further information, please contact **Planning Policy** in the County Planning group:

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