

Report to Hampshire, Portsmouth, Southampton, New Forest National Park & South Downs National Park Planning Authorities

by L Fleming BSc (Hons) MRTPI IHBC

An Inspector appointed by the Secretary of State

Date 16th April 2026

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Hampshire, Portsmouth, Southampton, New Forest National Park & South Downs National Park Minerals and Waste Plan: Partial Update – Submission Plan

The Plan was submitted for examination on 29 July 2024

The Examination hearings were held between 4-6 February, 11-13 February and 9 September 2025

File Ref: PINS/Q1770/429/8

Contents

Abbreviations used in this report	4
Non-Technical Summary	5
Introduction	6
Main Modifications.....	6
Policies Map.....	6
Context and Scope of the Plan.....	7
Public Sector Equality Duty	8
Assessment of Other Aspects of Legal Compliance	8
Assessment of Soundness.....	11
Main Issues	11
Issue 1 - Whether the Plan's scope, vision, objectives, plan period, key diagram and the approach to cooperation are justified, effective, consistent with national policy and positively prepared?	11
Issue 2 - Whether the Plan would facilitate an adequate supply of aggregates?	13
Issue 3 - Whether the Plan would facilitate an overall steady and adequate supply of other minerals?	20
Issue 4 – Would the Plan make adequate provision for the management of waste in a manner consistent with national policies, and is the Plan positively prepared in this respect?	22
Issue 5 – Are the Plan's other environment, communities and economy policies justified, effective and consistent with national policy?	26
Issue 6 – Are the Plan's site allocations for land-won aggregate working legally compliant, justified, effective and consistent with national policy?	33
Issue 7 – Does the Plan provide a justified and effective monitoring and implementation framework and is the glossary effective?	40
Overall Conclusion and Recommendation	40

Abbreviations used in this report

AONB	Area of Outstanding Natural Beauty
DtC	Duty to Co-operate
HRA	Habitats Regulations Assessment
Ktpa	Thousand tonnes per annum
LAA	Local Aggregates Assessment
MM	Main Modification
Mt	Million tonnes
Mtpa	Million tonnes per annum
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SPA	Special Protection Area

Non-Technical Summary

This report concludes that the Hampshire, Portsmouth, Southampton, New Forest National Park & South Downs National Park Minerals and Waste Plan: Partial Update – Submission Plan July 2024 (the Plan) provides an appropriate basis for the planning of minerals and waste in the Plan area, provided that a number of main modifications (MMs) are made to it. Hampshire County Council, Portsmouth City Council, Southampton City Council, New Forest National Park Authority and South Downs National Park Authority (the Authorities) have specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Authorities prepared a schedule of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a ten-week period. Following the consultation, it has been necessary to amend the detailed wording of a number of MMs. I have recommended the MMs in the Plan after considering the SA, the HRA and all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- Adjustments to ensure that the Plan's allocations for minerals extraction and infrastructure are sound and legally compliant;
- Changes to ensure that the Plan's policies are justified, effective and consistent with national policy;
- A number of other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) (the 2004 Act). It then considers whether the Plan is compliant with other legal requirements and whether it is sound.
2. In December 2024, the revised National Planning Policy Framework (NPPF) alongside other revisions to national policy were published. Paragraph 235 of that document indicates that the Plan should be examined against the version of the NPPF published on 5 September 2023. Therefore, when I refer to the NPPF in my report, I am referring to that published on the 5 September 2023.
3. The NPPF (paragraph 35) explains that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy. The starting point for the Examination is the assumption that the Authorities have submitted what they consider to be a sound plan. The Plan was submitted in July 2024. It is the same document that was published for consultation in January 2024.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Authorities requested that I should recommend any MMs necessary to rectify matters that make the Plan unsound and/or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
5. Following the Examination hearings, the Authorities prepared a schedule of proposed MMs and carried out a SA and HRA of them. The MM schedule was subject to public consultation for ten weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light, I have amended the detailed wording of a number of MMs¹ from that consulted upon. The reasons for the post consultation amendments are explained under the relevant sections of my report below. None of these amendments significantly alter the content of the modifications as published for consultation and they do not collectively or individually, materially prejudice any parties’ interests in any way.

Policies Map

6. The Authorities must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan.

¹ **MM7, MM8, MM11, MM13, MM15, MM16, MM23, MM24, MM35, MM39, MM41 and MM43**

When submitting a plan for Examination, the Authorities are required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map is the document identified as the Policies Map (Submission Version) (SD02).

7. The policies map is not defined in statute as a development plan document. Therefore, I do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and consequential changes are needed to ensure that the Plan is effective in these terms. These further changes to the policies map were published for consultation alongside the MMs in the document titled Schedule of Proposed Policies Map Modifications (MD07).
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Authorities will need to update the adopted policies map to include all the changes proposed in the Policies Map (Submission Version) (SD02) and the further changes published alongside the MMs (MD07).

Context and Scope of the Plan

9. The Plan and all policies within it are strategic. It is a new Minerals and Waste Plan which updates and extends the plan period of all the policies within the adopted Hampshire, Portsmouth, Southampton, New Forest National Park & South Downs National Park Minerals and Waste Plan Adopted October 2013 (the adopted Plan). Although the Plan is based on the adopted Plan and described as a partial update, it is not a partial update. It is a new plan because all the policies in the Plan will supersede all of the policies of the adopted Plan. Therefore, **MM1** is necessary to make this explicitly clear in the Plan for effectiveness and to ensure legal compliance.
10. The Plan sets out minerals and waste planning requirements for Hampshire County Council, Portsmouth City Council, Southampton City Council, the New Forest National Park Authority and South Downs National Park Authority, as the Minerals and Waste Planning Authorities in Hampshire. It includes policies and allocations for the extraction of minerals and an aggregate rail depot as well as policies to safeguard minerals and waste management infrastructure up to 2040. It updates the policies of the adopted Plan so that they accord with national planning policy and legislation ensuring an adequate supply of aggregates. It specifically seeks to enhance policies relating to climate change and the application of the waste hierarchy.

11. Hampshire, including the cities of Portsmouth and Southampton, is in the south east of England surrounded by Dorset, Wiltshire, West Berkshire, Surrey, West Sussex and the south coast. It has important sand and gravel resources particularly in the Avon Valley in the west of the plan area but has no reserves of crushed rock.
12. With the Chichester Harbour, Cranborne Chase & West Wiltshire Downs and the North Wessex Downs National Landscapes, the New Forest and the South Downs National Parks, and a small area of Green Belt, the plan area has a varied but high-quality landscape. Furthermore, with coastal, riverside, forest, chalk downland and heathland areas, there are a number of sites within or adjacent to the plan area which are internationally recognised for their biodiversity/geodiversity interest. These include, but are not limited to, Dorset Heaths Special Area of Conservation (SAC), River Avon SAC, Solent Maritime SAC, Avon Valley Special Protection Area (SPA)/Ramsar site, Dorset Heathlands SPA/Ramsar site, the New Forest SAC/SPA/Ramsar site, Solent and Dorset Coast SPA, and the Solent and Southampton Water SPA/Ramsar site.
13. The Plan seeks to achieve an appropriate balance between meeting mineral and waste needs and protecting and managing the Hampshire environment.

Public Sector Equality Duty

14. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the Examination including in relation to health impacts of dust, air quality and vibration. The Equality Impact Assessment (HA59) demonstrates that the Plan would be unlikely to lead to any adverse impacts or cause discrimination to any particular groups with protected characteristics within the plan area or beyond and I find no reason to disagree with its findings.

Assessment of Other Aspects of Legal Compliance

Local Development Scheme

15. The Plan has been prepared in accordance with the Authorities’ Local Development Schemes (LD11-LD15).

Public Consultation and Engagement

16. The Authorities’ Consultation Statement (SD03) summarises the consultation and engagement undertaken and explains how the response has informed the Plan. Consultation on the Plan and the MMs was carried out in compliance with the Hampshire Authorities’ various Statements of Community Involvement

(LD16-LD20) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations).

Sustainability Appraisal

17. The Authorities have carried out a SA of the Plan (SD05). They have prepared a report and published it along with the Plan and other submission documents under Regulation 19. The SA report was updated to assess the MMs (the Sustainability Appraisal Main Modifications Addendum) (MD10). Overall, I am satisfied that the SA is proportionate, objective, underpinned by relevant and up to date evidence, and is compliant with legal requirements and national guidance.

Habitats Regulations Assessment

18. The Authorities’ HRA screening report (SD06) identifies land take, removal of supporting habitats, noise, vibration, lighting, dust, water pollution, hydrology, traffic and recreational displacement as potential impacts of mineral extraction which could have an adverse effect on the relevant internationally designated sites.
19. All policies of the Plan were screened out except for Policy 20: Local land-won aggregates. This is because Policy 20 allocates four sites for land-won minerals extraction known as Hamble Airfield, Ashley Manor Farm, Purple Haze and Midgham Farm (the allocated quarry sites). Policy 20 is supplemented by and cross references additional detailed requirements provided in the form of “development considerations” which are detailed in Appendix A of the Plan. The allocated sites and associated development considerations are considered in detail under Issue 6 below.
20. The Plan was therefore subject to a full HRA during its preparation (SD07) as required by the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitat Regulations). As advised by Natural England, the Authorities also prepared an addendum to the HRA which assessed in more detail air quality impacts associated with the allocated sites (SD08). Furthermore, during the Examination, the Authorities also commissioned specialist advice on hydrology impacts associated with the Purple Haze allocation (EX38).
21. Documents SD08 and EX38 informed an updated Statement of Common Ground between the Authorities and Natural England (EX40). This, in turn, informed a further addendum to the HRA (MD11) which considered the HRA impact of the proposed MMs to the Plan. A final Statement of Common Ground (EX41) concludes that Natural England does not have outstanding concerns and consequently does not object to the Plan subject to MMs, particularly MMs to the development considerations for the allocated sites included as Appendix

A of the Plan. Those MMs are discussed in detail under Issue 6 below. Effectively those MMs to the development considerations ensure the allocated sites cannot be developed unless it is demonstrated to the level of detail necessary at the planning application stage, that there is no adverse impact on the integrity of the internationally designated sites.

22. Thus, subject to the MMs appended to this report, Natural England and the Authorities agree there would be no adverse effect on the integrity of internationally designated nature conservation sites arising from the adoption of the Plan and I agree.

Superseded Policies

23. Regulation 8(5) of the 2012 Regulations sets out that where plans contain policies that are intended to supersede other policies in the adopted development plan, this fact should be stated, and the superseded policies must be identified. The Plan does not clearly do this and is therefore not legally compliant in this respect. **MM45** addresses this by adding an appendix to the Plan which makes it explicitly clear which policies of the adopted Plan are to be replaced by each of the policies in the Plan upon its adoption.

Climate Change

24. The development plan, taken as a whole, includes policies designed to secure that the development and use of land in the plan area contributes to the mitigation of, and adaptation to, climate change.
25. Climate change is specifically addressed in the Plan’s vision. It seeks “*Carbon neutral and resilient minerals and waste development*” which will “*Facilitate a reduction in minerals and waste-related carbon emissions to support the transition to net zero (neutrality) by 2050*”. Furthermore, Policy 2 of the Plan is concerned specifically with climate change and Policies 12, 13 and 14 require flood risk mitigation and adaptation, sustainable travel and seek to ensure high quality design which can all ensure mitigation and adaptation responses to climate change. The legal requirement is therefore met.

National Landscapes and National Parks

26. As required by the National Parks and Access to the Countryside Act (1949) and the Countryside and Rights of Way Act (2000), as amended by Section 245 of the Levelling-up and Regeneration Act (2023), in Examining the Plan I have sought to further the purposes of conserving and enhancing the natural beauty of the Chichester Harbour, Cranborne Chase & West Wiltshire Downs, and the North Wessex Downs National Landscapes, and the New Forest and the South Downs National Parks.

27. The Plan makes no allocations for minerals or waste development within either a National Landscape or National Park. However, it contains a suite of policies which would protect and further the purposes of conserving and enhancing the natural beauty of National Landscapes and National Parks should proposals come forward over the plan period which are not identified in the Plan.
28. Furthermore, the site allocations are relatively close to the boundaries of National Parks and National Landscapes and as such the implications for mineral extraction and subsequent restoration have been considered with this in mind, particularly in considering the development considerations for those sites included in Appendix A of the Plan. Consequently, and to ensure consistency with national planning policy and relevant guidance, I have recommended a number of MMs to the Plan. These include **MM7** which is considered in detail under Issue 5 and has been adjusted from that consulted upon so that it accurately references and reflects the law, specifically making reference to the Countryside and Rights of Way Act (2000) and its implications for National Landscapes.

Conclusion

29. The Plan complies with all relevant legal requirements. I therefore conclude that all relevant legal requirements have been complied with during the preparation of the Plan.

Assessment of Soundness

Main Issues

30. Taking account of all the representations, the written evidence and the discussions that took place at the Examination hearings, I have identified seven main issues upon which the soundness of the Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors or every policy criterion in the Plan.

Issue 1 - Whether the Plan’s scope, vision, objectives, plan period, key diagram and the approach to cooperation are justified, effective, consistent with national policy and positively prepared?

31. Details of how the Authorities have cooperated are set out in the Duty to Cooperate Statement (DtC) (HA60) and the Authorities’ hearing statements. These documents set out where, when, with whom and on what basis co-operation has taken place over all relevant strategic matters.
32. The evidence (HA60) demonstrates that throughout the plan-making process the Authorities have worked closely and cooperated on relevant strategic

matters with relevant bodies, including neighbouring Mineral Planning Authorities, as well as some further afield where strategic relationships have been identified. It also shows that the Authorities have worked closely with others in the South East Waste Planning Advisory Group and the South East England Aggregate Working Party. The Authorities have clearly maintained effective cooperation through on-going joint working in a way that accords with the expectations of the NPPF.

33. The Plan is in a similar format to the adopted Plan which covers the period up to 2030. However, whilst the Plan is described as a partial update its plan period is up to 2040 and all the policies within it would replace all of the policies within the adopted Plan. Accordingly, all the policies in the Plan are therefore being Examined. Therefore, the Plan is not a partial update; it is a new stand-alone Plan. However, this is not clear in the introductory sections of the Plan and thus it is not entirely clear how a decision maker should react to the Plan. **MM1**, would add additional text to clarify this position for effectiveness.
34. It is expected that the Plan would be adopted mid-2026 and thus its strategic policies will not look ahead 15 years from adoption. However, extending the plan period through MMs would have limited benefit and delay adoption of the Plan because components of evidence would require updates. The Plan will also need to be monitored and reviewed accordingly. Overall, for the reasons that follow, I am satisfied that the Plan provides a sufficient long-term framework for the management and supply of minerals and waste in the plan area which will be kept under regular review. On balance, this inconsistency with the NPPF should not prevent an otherwise sound plan from being adopted. The Authorities’ approach with regard to the plan period is sound.
35. The Plan’s vision loosely refers to a 20-year period and some of its underpinning objectives are not clear. **MM2** rectifies this by clarifying that the vision will be achieved by 2040. It also adds wording to the objectives which explains how the Plan will contribute to the circular economy, recognises the relationship with the strategic ecology network in achieving biodiversity net gain and makes clear that the objective to improve health and well-being will be achieved through development proposals generally and not just site restoration. **MM2** also makes clear that the policies of the Plan are intended to deliver the vision and objectives, all of which are subject to a detailed monitoring framework. **MM2** is therefore necessary for effectiveness.
36. The spatial strategy as illustrated by a key diagram, illustrates a number of policies. However, the diagram does not include allocated sites, refers to Areas of Outstanding Natural Beauty (AONB) rather than ‘National Landscapes’ and does not reference all relevant policies such as Oil and Gas sites. **MM3** is therefore necessary to address this for effectiveness.

Conclusion

37. Subject to the MMs explained above the Plan’s scope, vision, objectives, plan period, key diagram and approach to cooperation are justified, effective, consistent with national policy and positively prepared.

Issue 2 - Whether the Plan would facilitate an adequate supply of aggregates?

Overall aggregate supply strategy

38. The Plan’s vision seeks to achieve resilient minerals developments that enable the creation of thriving places. This is underpinned by an objective to provide a steady and adequate supply of minerals delivered through a mix of land-won allocations, imports, infrastructure delivery and safeguarding as well as the recognition of the strategic role of marine-won aggregates. This is consistent with paragraph 213 of the NPPF which requires mineral planning authorities to plan for a steady and adequate supply of aggregates based on a Local Aggregates Assessment (LAA).
39. Hampshire’s principal aggregate geological deposits are sharp sand and gravel with much more scarce soft sand deposits. Because there are no hard rock or specialist aggregate deposits, these (particularly limestone) are imported into the plan area through Hampshire’s road, rail, and sea infrastructure network. Hampshire’s aggregate supply strategy (historically and going forwards) therefore depends on a diverse mix of supply routes, including land-won, marine-won, recycled and secondary materials and imports.
40. The need for aggregates and the existing sources of supply in Hampshire are explained in the Minerals Background Study (HA42). This shows demand is influenced by baseline development needs, strategic infrastructure schemes, and regeneration projects within and beyond Hampshire’s boundaries. It shows declining output from permitted soft sand sites and pressure on the operational capacity of aggregate wharves, justifying a multi-source supply approach.
41. The Hampshire Authorities’ LAA 2022 (HA64) was the latest assessment available when the Plan was submitted. Although the most recent LAA 2024 (EX43) has now been published, the updated monitoring it contains does not affect the robustness of the provision rates derived from the LAA 2022. In particular, the LAA 2024 retains the same sharp sand and gravel annual provision rate and does not therefore indicate that the Plan’s overall supply strategy requires adjustment.
42. The LAA 2022 informs the aggregate requirements and provision rates used in Policy 17: Aggregate supply – capacity and source drawing on regional datasets

and incorporating market information regarding capacity and historic sales. It uses the 10 years' sales data and a modified three-year sales approach to calculate aggregate demand in the plan area. It also considers other relevant information including planned housing, regeneration schemes, and major infrastructure projects and assesses all supply options. It distinguishes between soft sand and sharp sand/gravel because each has a distinct geological source and end user, therefore requiring separate landbanks to be maintained, monitored, and managed. The LAA 2022 methodology accords with the NPPF, particularly, paragraph 213 and has been endorsed by the South East England Aggregates Working Party as a robust assessment of aggregate resources within the plan area.

43. Thus, based on a reasonable and robust assessment of likely future demand, Policy 17 makes provision for a total supply of 5.7 Mtpa of aggregates over the plan period. This is made up of 1.8 Mt of recycled/secondary aggregate, 2.0 Mt of marine-won aggregate, 0.9 Mt of land-won sand and gravel with the balance met through imported crushed rock and other sources.

Recycled and Secondary aggregates

44. Before considering extracting aggregates from the ground, the NPPF (paragraph 210 b)) requires the contribution that secondary and recycled materials would make to supply to be considered. This also accords with the waste hierarchy and general principles of resource efficiency as discussed under Issue 4 below.
45. The LAA 2022 estimates the capacity for processing to be 2.8 Mt based on 2022 sales return data. However, it also shows there has been a general annual reduction in sales of recycled and secondary aggregates from 2014 onwards peaking at 1.1 Mt. Thus, reflecting this trend, the Plan considers that recycled and secondary aggregates could contribute a minimum of 1.8 Mtpa to the aggregate supply as set out in Policy 17.
46. All sources of recycled and secondary aggregates have been appropriately considered and 1.8 Mtpa is presented as a minimum to allow for potential technological improvements, market changes or waste processing efficiencies that could increase output over time. Thus, the approach facilitates more contributions to be made from this source should further opportunities emerge over the plan period. Therefore, the estimate of 1.8 Mtpa is reasonable without being overly optimistic.
47. Policy 18: Recycled and secondary aggregates development therefore, sets out a positive framework which aims to encourage investment in infrastructure to maximise recycled and secondary aggregate production as an alternative to land or marine-won resources or imports. This approach adds further resilience to the overall supply.

48. However, a MM to Policy 18 and its supporting text is necessary to clarify that where construction waste is the source of recycled/secondary aggregate, primarily it will be expected that waste is minimised in line with the waste management hierarchy. Furthermore, it is necessary to clarify that at least 1.8 Mtpa of recycled and secondary aggregate capacity must be maintained, and that recycled aggregate production is expected to make a minimum contribution to the overall provision required by Policy 17. **MM21** achieves all this for effectiveness, and subject to it, the Authorities’ overall approach to recycled/secondary aggregate supply and Policy 18 are soundly based.

Soft sand, sharp sand and gravel

49. The LAA 2022 notes soft sand is the most constrained element of Hampshire’s aggregate supply and highlights the importance of safeguarding remaining reserves and resources. The separate identification of soft sand is necessary because it has specialist end uses, limited geological availability and limited viable substitutes. In accordance with NPPF paragraph 213(f), this requires a separate landbank to be maintained, monitored and managed. Informed by the LAA 2022, Policy 17 requires 0.9 Mtpa of sand and gravel, of which 0.16 Mtpa is soft sand.
50. The LAA 2022 identifies an Aggregate Provision Rate (APR) of 1.4 Mtpa for marine-won sand and gravel, based on 10-year sales, relevant growth factors and operational constraints at wharves. This reflects the increasingly important contribution that marine-won supply is expected to make to Hampshire’s aggregate supply. The Plan therefore provides for a marine-won APR significantly higher than past sales. While LAA 2024 subsequently reports stronger marine-won performance, this does not alter the robustness of the provision rates derived from the LAA 2022.
51. Policy 20: Local land-won aggregates identifies the existing permitted sites and allocates four new sites because the existing permitted land-won supply would naturally deplete and not be sufficient to maintain the seven-year landbank for sand and gravel required by NPPF 213(f) over the plan period. As discussed under Issue 6, the allocated quarry sites represent the only suitable and deliverable options.
52. The Plan seeks to provide a supply of soft sand of 0.16 Mtpa. This includes remaining reserves at existing quarries and an allocation for soft sand extraction at Purple Haze. Purple Haze is already allocated for soft sand extraction in the adopted Plan and is discussed under Issue 6. The allocation as modified by **MM43** can be reasonably expected to deliver 2.6 Mt of soft sand within the Plan period.
53. At the time of submission, the allocated quarry sites were anticipated to provide for an additional 7.2 Mt of sand and gravel at a rate of production of up to 0.74

Mtpa over the plan period. However, as detailed under Issue 6 below, the aggregate yield expected from all four allocated quarry sites require adjustment to reflect constraint avoidance/mitigation and the best available evidence on deliverability for each site provided by the operators during the course of the Examination. As modified the four allocated quarry sites would collectively provide around 11.5 Mt in total, of which around 9 Mt are expected to be provided within the plan period.

54. Other sites with permitted reserves of sand and gravel are identified in paragraph 1 of Policy 20. Even though operational output varies on these sites and in some cases has ceased, there is no compelling reason which leads me to believe all those sites, given the permitted reserves, cannot extract aggregates as anticipated over the plan period subject to the will of site operators.
55. Policy 20 also allows for non-allocated sites (unplanned or windfalls) to be brought forward should they be required. The Authorities’ unplanned opportunities calculation note (EX34) shows that between 2013 and 2023 such sites contributed 2.552 Mt (about 255,200 tonnes per year) to the land-won sand and gravel supply. It also shows unplanned sites usually came forward at least five years after adoption of the adopted Plan. Thus, roughly applying the annual average to the period 2030–2040 a proportionate, reasonable and justified allowance of at least 2.75 Mt from windfalls is made.
56. However, **MM23** is necessary to Policy 20 for effectiveness to incorporate the information presented in the footnote into the policy text. **MM23** also necessarily adjusts the estimated yield from the allocated quarry sites to reflect the best available information as discussed under Issue 6. It also confirms that at least 2.75 Mt of land-won aggregate is expected to come from unallocated opportunities or in other words, windfalls. **MM23** is therefore necessary to ensure effectiveness, consistency with national policy and to ensure the aggregate supply strategy is justified. **MM23** has been amended post consultation to clarify the relationship between allocations made in the Plan and applications for planning permission, this is a factual clarification and there is no prejudice to anyone.
57. Given that no additional deliverable soft sand sites were identified through the site-selection process and that Purple Haze, the only soft sand allocation, is now expected to provide only 2.8 Mt of soft sand during the plan period, there would be a shortfall of around 0.24 Mt of soft sand over the plan period. Planning Practice Guidance² states that where specific sites cannot be allocated, mineral plans should identify Preferred Areas as locations where planning permission might reasonably be anticipated.

² PPG ID: 27-008-20140306

58. The Authorities have therefore mapped soft sand resources and areas of major constraint including National Parks, National Landscapes, nature conservation designations, Ancient Woodland, built-up areas, heritage assets and historic landfills, to define Preferred Areas of realistic future potential. MMs are therefore necessary to reference and identify these Preferred Areas within the Plan through amendments to Policy 20 and the reasoned justification text for effectiveness and to ensure consistency with national policy. It will ensure the Authorities have done everything they can at this time to maintain soft sand provision over the plan period and subject to the monitor and manage approach it will ensure a steady and adequate supply of soft sand (**MM23**).

Crushed Rock

59. Historically some crushed rock has been imported into the plan area from Leicestershire. However, the evidence highlights that limestone has predominantly been sourced from quarries in Somerset and imported via rail depots in the south of Hampshire at Bevois Valley, Botley, Eastleigh and Fareham which are all safeguarded in the Plan. This reinforces the importance of safeguarding associated infrastructure to ensure a steady supply and the need to monitor closely permitted sites outside the Plan area.
60. In 2022, Somerset had a 24.1-year landbank of crushed rock at the most recent sub-regional apportionment rate. However, planning permission for quarries in Somerset with rail connections are due to expire during the plan period. Whilst the evidence indicates, new permissions are likely, the LAA 2022 highlights the need to monitor permissions and new applications closely. It also highlights the need to maintain flexibility in Hampshire’s import infrastructure to respond to any changes in Somerset’s production or handling capacity. I am satisfied that subject to the following sections of my report which deal with infrastructure the Plan does all it reasonably can to maintain a steady and adequate supply of crushed rock.

Safeguarding mineral resources

61. In line with national policy, Policy 15: Safeguarding - mineral resources, seeks to avoid mineral sterilisation by non-mineral development unless prior extraction can take place or alternatives have been properly considered.
62. This justifiably includes resources of soft sand (with potential for silica sand) at Whitehill & Bordon Green Town as identified on the submission policies map and in Appendix A of the Plan. The Whitehill & Bordon mineral safeguarding area boundary is aligned to reflect the best available geological information and land extent which is being proposed for future development in the adopted and emerging local plan for East Hampshire District. The Whitehill & Bordon Green Town mineral safeguarding area boundary is soundly based.

63. However, there may be a variety of reasons why prior extraction cannot always take place. Policy 15 does not explain what evidence a developer should provide to justify development without prior extraction or demonstrate that if prior extraction is not possible, sterilisation has been avoided as far as possible and alternative sites considered. To address this, so that decision makers or developers know how to react, Policy 15 should be amended to clarify that a Mineral Resource Assessment is required to provide the necessary information. The need to prepare a Mineral Resource Assessment is consistent with NPPF, paragraph 210 c). **MM18** addresses these points, by amending the policy wording and justification text and is therefore necessary to ensure Policy 15 is effective.

Minerals Infrastructure including Aggregate Wharves and Rail Depots

64. Policy 16: Safeguarding – minerals infrastructure, identifies facilities which are used for handling, processing and transporting minerals. It is essential that such infrastructure is safeguarded to ensure an adequate supply of minerals where they are needed. However, there are instances where redevelopment of such sites would be considered, particularly where a contribution towards wider sustainability objectives of the development plan as a whole can be made. In such instances a planning balance would be required. Whilst Policy 16 justifiably allows for this, a MM is necessary to clarify that replacement provision should be equal to the loss unless a decrease in provision has been agreed with the Mineral Planning Authority and that any re-provision must be delivered in advance of any redevelopment. The arrangements for keeping Appendix B up to date through the “Implementation, Monitoring and Plan Review” chapter of the Plan should also be made clear in the justification text. **MM19** provides this clarity and ensures Policy 16 is effective.
65. Policy 19: Aggregate wharves and rail depots, safeguards existing wharf and rail depot aggregate capacity in Hampshire and allocates Andover Rail Depot as a rail aggregate depot. Furthermore, Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure, provides a strategic safeguarding function for a wider set of sites with future potential for minerals or waste infrastructure by protecting them from sterilisation by incompatible development and preserving long-term flexibility in the network.
66. The LAA 2022 estimates that wharves safeguarded by Policy 19 are estimated to land 1.4 Mt of aggregate each year based on the 10-year average sales figure. The Authorities' approach is justified because, overall, it is reasonable to assume an increase in aggregate demand over the plan period in line with the estimated increase in development expected in the plan area and in line with higher sales figures historically achieved. However, these figures would be kept under review through the LAA review process.

67. It is expected that Andover Rail Depot would continue to be used for non-minerals and waste freight but will be developed subject to planning permission and in accordance with development considerations detailed in Appendix A of the Plan, into a rail depot capable of handling aggregates. This site allocation is being actively promoted by Network Rail as an aggregate rail depot, with a commitment to bringing it forward over the plan period. They initially estimate it could process 300,000 tonnes of aggregate during the plan period (EX18). This additional capacity, once operational would enhance Hampshire’s infrastructure flexibility and capacity where the existing headroom is limited and improve the ability to import materials, particularly in the north of the plan area, to reduce pressure on land-won resources in maintaining supply if any resource is not supplied as anticipated by the Plan. The allocation of Andover Rail Depot as an aggregate rail depot is therefore sound in principle.
68. However, it is necessary to amend Policy 19 in order to strengthen the safeguarding test for minerals infrastructure by requiring alternative capacity to be delivered in advance if re-provision is proposed. Furthermore, Andover Rail Depot is located in a densely populated urban area where processing, loading and transporting aggregate will inevitably have impacts requiring careful management and mitigation. Whilst the development considerations included in Appendix A of the Plan seek to ensure the depot can be sensitively developed to handle aggregates by requiring transport assessments and other impact mitigation measures, the allocation does not adequately recognise its particularly sensitive context. Thus, **MM22** and **MM37** amend Policy 19 and the associated development considerations for effectiveness to address this.

Overall aggregate supply and landbanks

69. Based on the LAA 2022, the permitted sharp sand and gravel landbank was approximately 12–14 years against the 0.74 Mtpa provision rate. The permitted soft sand landbank was around 7 years against the 0.16 Mtpa provision rate. These landbanks exceeded the minimum NPPF requirement of seven years and provided a robust basis for the submitted Plan. The LAA 2024 has been published during the Examination. It includes updated reserve data and corrects earlier reporting of soft sand by separating silica sand from aggregate reserves. However, it does not materially alter the robustness of the provision rates in Policy 17. Reliance on the LAA 2022 therefore remains appropriate for assessing soundness.
70. If the allocations are permitted as anticipated, sharp sand and gravel reserves would increase significantly and extend the landbanks well beyond the seven-year requirement. For soft sand, the Purple Haze allocation would make the single most important contribution, but only when permitted. Without Purple Haze, the permitted soft-sand reserves amount to 1.167 Mt based on the provision rate of 0.16 Mtpa, this provides a landbank of around 7 years. If

Purple Haze is permitted as modified, it would significantly boost the soft sand supply land bank to in excess of 30 years.

71. Nevertheless, the introduction of Soft Sand Preferred Areas provides an appropriate mechanism to build resilience into the future soft sand supply should the allocated quarry sites not come forward as anticipated.

Conclusion

72. Subject to the MMs explained above, the Plan would facilitate an adequate supply of aggregates.

Issue 3 - Whether the Plan would facilitate an overall steady and adequate supply of other minerals?

73. Paragraph 214 c) of the NPPF requires a steady and adequate supply of industrial materials. The supply of industrial minerals including brick making clay, silica sand for industrial processes, chalk, oil and gas are addressed by Policies 21 to 24 of the Plan.

Silica Sand

74. Silica sand has a number of uses including as an industrial abrasive, glassmaking, construction (such as mortar, asphalt, and flooring), in water filtration, and also in sports pitches and golf courses. The NPPF (paragraph 214 c)) requires a stock to be maintained of permitted reserves of at least 10 years for individual silica sand sites.
75. Policy 21: Silica sand development seeks to meet this requirement. It identifies two permitted silica sand quarries in the plan area, Frith End Sand Quarry and Kingsley Quarry. However, whilst the evidence indicates Kingsley Quarry is not being actively worked by the operator, this could easily change over the plan period. This will be a matter for the Authorities' ongoing monitoring and is not a reason for not accounting for the reserve.
76. In addition, Badminton (Fawley) Quarry in the New Forest, has been extracting permitted reserves of aggregate. In doing so it has identified significant reserves of silica sand underneath sharp sand and gravel permitted reserves (EX35). **MM23** is necessary for effectiveness to recognise this in the justification text of Policy 20. **MM24** is also necessary to amend Policy 21 and its justification text for effectiveness to identify Badminton (Fawley) Quarry as having a permitted reserve of silica sand. **MM24** also necessarily amends the detailed policy wording for effectiveness to recognise the impact of extraction on local communities and the environment, and to ensure that any new proposals for silica sand extraction are informed by an understanding of a specific local

market demand. **MM24** is adjusted from that consulted on to make absolutely clear all criteria 2. a.-d. need to be demonstrated. There is no prejudice arising from this change because it does not significantly alter how the policy is applied.

77. Policy 21 as modified by **MM24** identifies permitted sites which exceed the 10-year requirement. Overall, the Authorities' approach as modified with regard to silica sand is sound.

Brick-making clay

78. Paragraph 214 c) of the NPPF indicates permitted reserves for brick clay should be at least 25 years. However, Policy 22: Brick Making Clay, identifies Michelmersh Brickworks as the only operational brickworks in the plan area where it is estimated permitted brick making clay reserves will be exhausted by 2037. However, despite the Authorities' efforts to gather information, the operator returns are limited, making it difficult to determine the true extent of the remaining permitted reserve. Thus, the actual reserve could in fact be much more or much less than the estimate. Nevertheless, there are no alternative sites available, and Policy 22 also allows for unplanned opportunities to come forward. Furthermore, the Plan will be subject to review where further sites could be allocated. In my view, the Authorities have done all they reasonably can to secure and maintain a brick making clay supply at this time.
79. However, **MM25** is necessary to amend Policy 22 to make clear it seeks to maintain at least 25 years permitted reserves in line with national policy. It also updates the policy wording to ensure criteria for assessing alternative sites or additional extraction at Michelmersh are effective and consistent with national policy should that be required.

Chalk

80. Chalk is prevalent in Hampshire. However, its use in agriculture and industry has historically declined with returns showing chalk extraction rarely exceeds 25,000 tonnes per annum. Hampshire's chalk reserves are now only used in agriculture and not cement provision and there are a small number of active sites which can meet the limited demand for chalk over the plan period. There is no need to maintain a permitted 15-year land bank as per paragraph 214 c) of the NPPF. Policy 23: Chalk development makes this clear and overall is sound without modification.

Oil and Gas

81. There are no unconventional oil or gas operations in the plan area, but there are three conventional productive oil and gas fields. Associated production centres, satellite wells and underground gas storage facilities are therefore safeguarded by Policy 16. Paragraph 215 a) of the NPPF requires Mineral Planning

Authorities to plan positively for the exploration, appraisal and production of oil and gas – the three phases of development.

82. Policy 24: Oil and Gas Development therefore sets out a positive framework for planning for these three phases of development. It updates the adopted policy to reflect national policy and legal requirements with regard to development within National Parks and National Landscapes.
83. However, **MM26** is necessary to ensure effectiveness and consistency with national policy to align Policy 24 with Policy 2: Climate change – mitigation and adaptation as well as Policy 8: Water management. For effectiveness **MM26** also adds policy wording which strengthens protection of Source Protection Zone 1, adds new criteria for assessing carbon storage facilities, and updates the supporting text with regard to the need for downstream greenhouse gas impacts to be considered in Environmental Impact Assessments.
84. Most oil and gas operations require Petroleum Exploration and Development Licences which are issued by the Department for Energy Security and Net Zero. A Climate Change Emergency has been declared in Hampshire which requires greenhouse gas emissions mitigation as far as possible and where there are residual emissions, measures will be necessary to offset these. The Plan should be read as a whole and Policy 2: Climate Change, discussed below under Issue 5, requires a Climate Change Assessment to demonstrate alignment with the transition to net zero. The Plan is not prescriptive on offsetting so as not to prejudice the outcomes of the necessary detailed assessment at the planning application stage. Therefore, the overall approach to oil and gas in the Plan, as modified, is sound.

Conclusion

85. Subject to the MMs identified above, the Plan would facilitate an overall steady and adequate supply of other minerals.

Issue 4 – Would the Plan make adequate provision for the management of waste in a manner consistent with national policies, and is the Plan positively prepared in this respect?

86. The National Planning Policy for Waste 2014 (NPPW) requires, based on evidence of local waste arisings, the identification of suitable opportunities to meet waste management needs. In doing so waste management should be driven up the waste hierarchy and the proximity principle applied, ensuring waste is managed in the most sustainable way and as close as possible to where it arises. Consistent with national policy, the Authorities’ Waste Background Study (HA43) explains that planning for waste must also recognise

cross-boundary flows and plan for net self-sufficiency, while retaining flexibility to respond to market and technological change.

87. Historically, Hampshire's waste has been predominantly disposed of through landfill. Evidence including the Environment Agency Waste Data Interrogator and the Waste Background Study (HA43) shows generally growth in Hampshire's waste has been minimal or negative, depending on the type of waste. Waste arisings are estimated, as at 2021, to be about 5.39 Mt against an estimated treatment capacity of approximately 5.0 Mt, evidencing a treatment capacity gap to be addressed by the Plan.
88. The Study (HA43) sets out alternative growth predictions for each waste source to arrive at a growth rate for local authority collected waste (0.04% per annum), commercial and industrial waste (0.89% per annum), construction, demolition and excavation waste (0% per annum) and hazardous waste (3.93% per annum).
89. On this basis, driven mainly by growth in commercial and industrial waste, arisings are forecast to rise to approximately 5.9 Mtpa by 2040. This when compared with capacity, translates to treatment gaps of roughly 482 thousand tonnes per annum (Ktpa) non-hazardous, 240 Ktpa inert and 157 Ktpa hazardous by the year 2040. Even though the figures are based on 2021 data, they will be monitored closely over the plan period and are estimates. Updating the figures at this time would cause delay to the adoption of the Plan and for the reasons that follow would not lead to any different policy outcome. Therefore, the Authorities' approach is robust and consistent with national policy.

The Waste Management Strategy and Safeguarding Capacity

90. Policy 25: Sustainable Waste Management sets a long-term disposal strategy aiming to achieve 100% diversion from landfill in line with the waste hierarchy. The medium estimate rates of growth were then combined with a 65% recycling rate (as per national targets) to give a waste capacity gap to be planned for over the Plan period as detailed in Policy 27: Capacity for waste management development. The overall strategy set by Policy 25 reflects national policy and is soundly based.
91. Policy 26: Safeguarding – waste infrastructure, safeguards existing permitted waste management facilities to ensure the permitted operational capacity identified is retained and is an essential component of the waste management strategy as the Plan, as modified, does not include any new allocations for landfill or waste infrastructure. However, **MM27** is necessary for effectiveness to make clear that if more up to date monitoring information identifies a different capacity gap, proposals can rely on the latest monitoring evidence. **MM27** is also necessary to clarify that proposals seeking to relocate or re-provide safeguarded infrastructure do so in advance of any proposed redevelopment

and without any reduction in capacity. Because no new waste handling/disposal facilities are being provided by the Plan as modified, subject to **MM27** this approach is reasonable and soundly based.

92. Policy 27: Capacity for waste management development, estimates waste infrastructure capacity requirements for each waste stream and minimum recycling, capped recovery and defined landfill void requirements informed by the Waste Background Study. It also sets out a positive framework for waste management proposals to come forward over the Plan period. However, **MM28** necessarily updates the policy and its supporting text so that the capacity figures align more precisely with the evidence, clarifies that recycling is a minimum and recovery a ceiling in accordance with the waste hierarchy. It also makes clear monitoring should utilise the latest available information. **MM28** also amends the justification text to clarify how the capacity gap has been calculated and explains the relationship between Policies 26 and 27. **MM28** is thus necessary to ensure Policy 27 is effective and consistent with national policy.
93. In this context, Policy 29: Locations and sites for waste management, provides a criteria-based approach to direct the location of proposals for new waste facilities. It prioritises industrial and previously developed land, encourages co-location, supports sites in accessible locations and in line with the proximity principle. However, **MM30** is necessary to make clear proposals being promoted using Policy 29 should deliver the requirements of Policy 27 to ensure it is justified. **MM30** is also necessary for effectiveness to remove the unnecessary reference to sea freight in the policy to ensure the most sustainable options are always considered based on the specific merits of any proposal.
94. Policy 30: Construction, demolition and excavation waste development, provides a framework for the management of construction, demolition and excavation waste, supporting new and expanded recycling facilities and enabling inert recovery where environmentally beneficial. However, **MM31** is necessary for effectiveness to amend the policy and reasoned justification text to prioritise waste minimisation and clarify how the policy is intended to deliver the inert waste requirements identified in Policy 27.
95. As explained under Issue 2 above, Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure, provides a strategic safeguarding function for a range of known sites which may have potential to be used as waste infrastructure in the future. It does this by protecting them from sterilisation by incompatible development, ensuring they are considered for waste infrastructure uses before other uses. This approach adds resilience to the waste management strategy.

Energy Recovery Development

96. Policy 28 provides the decision-making framework for energy recovery development, ensuring that such facilities treat only genuine residual waste and recover both heat and power in accordance with the waste hierarchy and climate objectives. However, **MM29** is necessary to clarify that such development proposals are to deliver the requirements of Policy 27 and make clear that developers must primarily demonstrate other waste treatment options higher up the waste management hierarchy are unfeasible. **MM29** therefore ensures effectiveness and consistency with national policy.

Liquid waste and wastewater management

97. The Waste Background Study confirms that no wastewater sites have been promoted during the plan preparation stages and wastewater undertakers typically rely on the upgrade or expansion of existing treatment works. Policy 31: Liquid waste and wastewater management provides a positive framework to guide the delivery of essential wastewater and liquid waste treatment infrastructure and is very similar to the existing policy in the adopted Plan. As such Policy 31 is sound as submitted.

Non-hazardous waste landfill

98. The Waste Background Study estimates that Hampshire sends around 260,000 tonnes of non-hazardous waste to landfill each year. It notes that ‘Blue Haze’ is the only operational non-hazardous landfill site with limited remaining void space and an expected cessation date likely some time before 2030. Policy 32: Non-hazardous waste landfill provides a criteria-based framework for determining proposals for residual non-hazardous landfill. In line with the waste hierarchy, proposals for new landfill sites must demonstrate need for such a facility and that higher-order waste management options cannot be achieved.
99. **MM32** amends the justification text to recognise the declining void space at Blue Haze, clarify that Policy 32 is seeking to meet the requirements of Policy 27 and that the most up to date monitoring evidence should be used, all in the interests of effectiveness.

Specialist Waste Management

100. The Waste Background Study identifies that hazardous waste forms a small but critical part of Hampshire’s waste profile. It shows that a significant proportion of Hampshire’s hazardous waste is exported to specialist facilities. It recognises a limited number of specialist facilities within the Plan area, but notes that these do not provide the full range of hazardous waste infrastructure needed.

101. Policy 33: Hazardous and low-level radioactive waste development provides a positive framework for determining facilities that manage hazardous and low-level radioactive waste, ensuring that such development comes forward only where needed and will ensure its appropriately located. However, **MM33** is necessary to ensure Policy 33 is effective, justified and consistent with national policy. It achieves this by aligning the policy wording and justification text with the requirements set out in Policy 27.

Conclusion

102. Providing the MMs discussed above are made, the Plan would make adequate provision for the management of waste in a manner consistent with national policies, and the Plan is positively prepared in this regard.

Issue 5 – Are the Plan’s other environment, communities and economy policies justified, effective and consistent with national policy?

103. The “*Protecting Hampshire’s Environment*”, “*Maintaining Hampshire’s Communities*” and the “*Supporting Hampshire’s Economy*” chapters of the Plan include a range of other policies which have not been dealt with above, I deal with the outstanding policies from these chapters below. All these policies would be used to guide decisions on any minerals or waste development proposals in the plan area. This includes the allocated sites as well as any other unplanned opportunities which may come forward over the plan period which are not included in the Plan.

Sustainable Development

104. Policy 1: Sustainable Minerals and Waste Development is an overarching policy which broadly reflects the presumption in favour of sustainable development in the NPPF. It positively supports sustainable minerals and waste development in the plan area. It requires proposals to consider and assess environmental, social and economic impacts which naturally includes considering receptors relevant to each individual development proposal without being too prescriptive.

105. Whilst the approach is proportionate and broadly accords with paragraph 11 of the NPPF, it is not entirely clear how a decision maker should react to it, particularly what evidence would need to be submitted with applications and how that evidence should be assessed. It is also ambiguous as to how it should be applied alongside national policy. **MM4** addresses these matters, ensuring consistency with national policy and effectiveness.

Climate Change

106. In line with the Climate Change Act 2008 and national policy, the Plan seeks to ensure Hampshire is carbon neutral by 2050. This target is reflected in Policy 2: Climate Change – Mitigation and adaptation, which requires minerals and waste development to contribute towards mitigating the causes of climate change. It requires that proposals are supported by a Climate Change Assessment which will assess how any minerals or waste scheme contributes to the transition to carbon neutrality in Hampshire.
107. However, some of the individual Hampshire local authorities are committed to more ambitious carbon neutrality targets than 2050. A MM is therefore needed for effectiveness to make clear that net zero will be met by at least 2050. A MM is also necessary to clarify how a Climate Change Assessment should be carried out and its findings implemented. Furthermore, the relationship between soils and climate change should also be recognised and the justification text should clarify the role of the emerging Local Nature Recovery Strategy. **MM5** would address all these issues in the interests of effectiveness.

Habitats and Species

108. Policy 3: Protection of habitats and species seeks to ensure mineral and waste development contributes to the conservation, restoration and enhancement of biodiversity at international, national and locally designated sites in line with national policy and legislation. It protects all habitats proportionate to their ecological interest and status, including irreplaceable habitats, giving examples of what this could include. There is no need for the policy to specify any particular type of habitat in existence in the plan area. Overall, the overarching approach to habitat and species protection detailed in Policy 3, is proportionate when read alongside all policies of the Plan.
109. However, the way in which Policy 3 deals with internationally designated sites is not consistent with the Habitats Regulations because the policy as written allows for adverse effects to be compensated for. The Habitats Regulations require no significant adverse effect on site integrity and make clear that compensation is only lawfully available after an appropriate assessment has concluded that adverse effects on integrity cannot be ruled out, no alternatives exist, and imperative reasons of overriding public interest have been demonstrated.
110. Clarification is also required in the supporting text to explain the role of the Local Nature Recovery Strategy, to guide the information needed in ecological assessments, and to ensure that the findings of such assessments are appropriately and transparently addressed in decision-making.

111. Subject to **MM6** which addresses all these issues, Policy 3 would be justified, effective and consistent with national policy.

National Landscapes and National Parks

112. Paragraph 176 of the NPPF requires that, great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and National Landscapes. As set out above under legal compliance, all relevant authorities must seek to further the purposes of the National Parks and National Landscapes.

113. As set out under Issue 6, the site allocations are the only realistically deliverable sites available to meet the need for minerals in the plan area. Whilst none of the site allocations are within National Parks or National Landscapes, they are located relatively close to National Parks and National Landscapes boundaries.

114. However, it is acknowledged that minerals can only be extracted where they are found and extraction is a form of temporary development. Furthermore, subject to the detailed development considerations included in Appendix A of the Plan for the allocated sites, I am satisfied that the site allocations close to National Landscapes and National Parks if sensitively developed, appropriately managed during the extraction period, and restored to a high-quality would further the purposes of the relevant national landscapes.

115. Policy 4: Nationally protected landscapes is an overarching policy which recognises the National Parks and National Landscapes in the plan area. It makes clear in line with national policy that major minerals and waste development will only be permitted within nationally protected landscapes in exceptional circumstances and where it can be demonstrated that development is in the public interest.

116. **MM7** necessarily updates Policy 4 to replace references to AONB with National Landscape in line with the legislation and policy explained above. It also makes Policy 4 effective by clarifying the information which will need to be submitted with any proposals and that any impact mitigation identified must be implemented. It also adds further detail which clarifies what a “small and localised waste management facility” is. **MM7** is therefore needed to ensure effectiveness and consistency with national policy.

117. As explained above, I have updated **MM7** from that consulted upon. Whilst the thrust of the policy remains the same, it did not accurately reflect the relevant legal requirements, there is no prejudice arising from this factual change. Subject to **MM7** as amended post consultation, Policy 4 and the Plan read as a whole as modified, furthers the purposes of National Landscapes and National Parks and is soundly based and legally compliant in this regard.

Countryside and valued landscapes

118. Planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value, and soils, in a manner commensurate with their statutory status or identified quality in the development plan and recognising the intrinsic character and beauty of the countryside (NPPF, paragraph 174).
119. Even though Hamble Airfield adjoins the built-up area of Hamble-le-Rice, all four allocated quarry sites are within the countryside. The Authorities do not identify any of the allocated sites as within a valued landscape and evidence before the Examination from other parties does not compel me to conclude that any site allocated in the Plan, as modified, when appropriately mitigated would result in significant adverse landscape impacts. Moreover, any future planning applications would be accompanied by a detailed assessment of the relevant landscape character and would need to be consistent with the development considerations included at Appendix A of the Plan as modified.
120. Policy 5: Protection of the countryside and valued landscapes requires a comprehensive landscape mitigation and enhancement scheme to be submitted in support of schemes located in the countryside or affecting valued landscapes. However, **MM8** is necessary for effectiveness in order to clarify that a developer should instead submit a landscape and visual impact assessment which first assesses impact because landscape mitigation may not always be required. Further changes are also needed for effectiveness to guide the content of such assessments and explain how a decision maker should react to them. **MM8** has been amended post consultation to correctly reference assets on the Hampshire Gardens Trust Register. This is a minor factual change and is therefore not prejudicial in any way.

Green Belt

121. One of the five site allocations, namely Ashley Manor Farm, is located in the South West Hampshire Green Belt. Paragraph 150 of the NPPF makes clear that mineral extraction is not inappropriate development in the Green Belt provided it preserves its openness and does not conflict with the purposes of including land within it. **MM38**, is therefore necessary for consistency, in order to ensure that the development considerations for Ashley Manor Farm recognise its Green Belt location and explicitly make clear that any proposal must ensure Green Belt openness is preserved. Furthermore, **MM9** is necessary to Policy 6: South West Hampshire Green Belt, to ensure it is consistent with national policy by cross referencing the NPPF and removing unnecessary wording.

Historic Environment

122. Policy 7: Conserving the historic environment and heritage assets is not consistent with the NPPF because it does not adequately address the significance of heritage assets. Furthermore, for completeness, given the excavation and restoration required for typical minerals and waste developments, the policy should also recognise that development can impact on non-designated archaeological heritage assets, and the Plan should ensure any impact is appropriately assessed, avoided or mitigated. **MM10** amends Policy 7 to address these issues to ensure effectiveness and consistency with national policy.

Water and Soil Management

123. Policy 8: Water management, seeks to ensure minerals and waste development does not result in adverse impacts on water resources. However, the policy only requires assessments to be undertaken on sites within a groundwater source protection zone. This approach is not consistent with the NPPF, paragraph 174 e) which sets out that development should, wherever possible, help to improve local environmental conditions such as air and water quality. Thus, an appropriate and proportionate assessment should be provided for such proposals in all locations. Soil disturbance can also affect water quality and quantity, and this should also be reflected in Policy 8. These points are addressed by **MM11** in the interests of effectiveness and consistency. However, **MM11** has been amended post consultation to remove any uncertainty that all criteria apply. This is a minor change and is not therefore prejudicial to anyone.

124. Policy 9: Protection of soils sets out positive aspirations to protect soils for their biodiversity, climate change and agricultural value. However, it is unclear how a decision maker or developer should react to this policy. **MM12** is therefore needed for effectiveness to specify what evidence is necessary in support of proposals, what that evidence should consider and to ensure proposals are developed in accordance with any mitigation measures identified. There is no need for any specific types of soils to be identified as this policy applies to any development and its restoration anywhere in the plan area.

Restoration, Amenity and Health

125. Policy 10: Restoration of mineral and waste developments sets out a series of positive statements which should be considered in site restoration. It is not prescriptive of any particular type of restoration sought in the plan area, nor does it prescribe detailed components of restoration schemes for the allocated sites. This approach is justified because restoration should be considered on a case-by-case basis and subject to proportionate assessments which determine the most appropriate scheme of restoration based upon site specific circumstances and the details of any proposal. It also justifiably does not

require sites are restored to their original condition because this may not always be feasible or in some cases the optimum outcome. Instead, it correctly requires that the restoration is suitable and of a high-quality.

126. Policy 11: Protecting public health, safety, amenity and well-being sets out a range of criteria aiming to safeguard the living, working and recreational environment from significant adverse effects associated with minerals and waste proposals. It also includes consideration of the impact of proposals on public infrastructure such as utilities. The policy first seeks to avoid harmful effects and if they cannot be avoided, it seeks to secure appropriate mitigation.
127. However, Policies 10 and 11 are unclear as to whether all the statements or criteria apply to all types of development or how developers or decision makers should react to them. **MM13** and **MM14** address these issues by clarifying all proposals should demonstrate they meet all criteria and add justification text to both policies to make clear what information should be considered in demonstrating compliance. Subject to **MM13** and **MM14**, Policies 10 and 11 are effective. **MM13** has been amended post consultation to add reference to National Landscape Management Plans in the justification text for effectiveness, no prejudice arises from this change because it is a minor evidential clarification.

Flooding

128. The Authorities have carried out a strategic flood risk assessment and sequential test (HA48). That evidence is robust and informed the selection of the allocated sites and their detailed development considerations.
129. Read alongside and consistent with national policy, Policy 12: Flood risk and prevention, seeks to ensure new development does not increase the risk of flooding and reduces flood risk overall. It deals with all types of flooding and requires minerals and waste proposals to be subject to flood risk assessments which take account of climate change and are proportionate to the specific type and scale of the development proposed. However, the wording of Policy 12 requires adjustment to make it explicitly clear that assessments should demonstrate that there is no increase in flood risk off site as well as reducing the risk of flooding overall for effectiveness. Furthermore, also in the interests of effectiveness, Policy 12 should be reordered to make it clear how a developer should demonstrate compliance and what should be included in any flood risk assessment. **MM15** addresses these issues for effectiveness. **MM15** has been amended post consultation to grammatically correct policy criterion 1. c. iii. No prejudice arises from this minor grammatical change.

Transport

130. Policy 13: Managing traffic guides mineral and waste development in a manner which will ensure traffic impacts can be appropriately managed. Each of the five allocated sites are subject to detailed development considerations which require transport impacts to be fully assessed and mitigated where appropriate and feasible.
131. However, in considering safety, all users of the public highway network and not just road and public rights of way users should be considered. Furthermore, the reference to considering “appropriate hours of working” in assessing traffic impact is ambiguous and it should be explained that this requires the consideration of different times of the day, seasonal conditions and levels of daylight. Moreover, a MM is required to set out the circumstances of when a Transport Assessment or Transport Statement will be required and what information should be included within them. **MM16** addresses all these points for effectiveness. **MM16** has been amended post consultation to clarify the relationship with Environmental Assessments and the associated need to consider Air Quality Management Areas and Noise Important Areas. This is a minor clarification from which no prejudice arises.

Design

132. Policy 14: High quality design of minerals and waste development sets out a number of positive statements intended to ensure good design is considered comprehensively in any minerals or waste scheme. However, it somewhat duplicates the aims of other policies using conflicting wording which renders the policy ineffective.
133. However, this can be addressed by cross referencing other policies and adjustments to ensure consistency. Additionally, the justification text should be modified to recognise that the HRA of any proposals where necessary will need to influence detailed design. Furthermore, ecology design considerations should also reference the Local Nature Recovery Strategy and recognise the need for schemes to consider opportunities for renewable energy generation where appropriate. These points are all addressed by **MM17** which is needed to ensure effectiveness.

Conclusion

134. Subject to the MMs explained above the Plan’s other environment, communities and economy policies are justified, effective and consistent with national policy.

Issue 6 – Are the Plan’s site allocations for land-won aggregate working legally compliant, justified, effective and consistent with national policy?

Site Selection and Development Considerations Generally

135. Section 3 of the Minerals and Waste Site Proposal Study (HA53) sets out a clear process for selecting the allocated sites and not selecting others. Section 4.5 of the SA (SD05) assesses all sites that were considered for allocation against the SA framework. The Authorities’ Note on Site Selection (EX30) explains the relationship between HA53 and SD05 and provides further clarity on how the four allocated quarry sites for land-won aggregate extraction were identified.
136. Deliverability of all known candidate sites was assessed against operator intentions, planning history, access constraints, and environmental constraints based on the best evidence available to the Authorities at the relevant assessment stages. Following that assessment, and reasonable cut-off points for information, it was only the allocated quarry sites which were considered to be deliverable over the plan period. Overall, I am satisfied that the approach to site selection is proportionate and robust.
137. Policy 20 allocates four sites for land-won aggregate working. These sites are subject to detailed development considerations, which are cross referenced in Policy 20 and included in the Plan as Appendix A.
138. The four allocated land-won aggregate sites cover substantial geographical areas which would necessarily be worked in phases of extraction alongside a phased process of restoration over many years. All four sites would, through mineral working and traffic movements, impact on residents, businesses and other receptors located close to the site boundaries or transport routes. Impacts such as flood risk, traffic, air quality and noise would all need to be assessed and managed over time and the development considerations for all sites require a number of detailed assessments to be submitted and mitigation agreed prior to operating the sites. Necessary detailed technical assessments would be considered in detail at the planning application stage, including securing any necessary mitigation, restoration and aftercare. Where planning permission has already been granted for schemes in relation to the allocated sites, the development considerations would inform any future proposals should schemes not be implemented as envisaged.
139. As explained above, **MM38**, **MM39**, **MM41** and **MM43** are needed to the development considerations for all four allocated quarry sites to ensure there are no significant adverse effects on the integrity of internationally designated nature conservation sites. This is achieved through making this explicitly clear

for each site and specifying the detailed requirements to be addressed in detailed site specific HRA, which is necessary prior to the grant of planning permission. These MMs ensure compliance with the Habitat Regulations as detailed in the legal compliance section of my report above.

140. Overall, the evidence provided to the Examination, particularly that detailed in the HRA section of my report above, indicates that all four site allocations can all be delivered in compliance with the Habitat Regulations subject to detailed design and mitigation. However, as a further safeguard, the introductory text to Appendix A should be modified to directly reference the need to comply with Policy 3: Protection of habitats and species when preparing detailed assessments necessary for applications for planning permission, in the interests of effectiveness (**MM36**).

Ashley Manor Farm (sharp sand and gravel extraction) Allocation

141. This site comprises mainly agricultural land in the Green Belt close to New Milton and an existing mineral site on the opposite side of Lymington Road. Several nature conservation sites and woodland parcels lie nearby, and the development considerations require these constraints to be addressed.
142. Planning permission was granted in November 2024 for a scheme including extraction of 1.7 Mt of sand and gravel over 12 years (all within the plan period), with processing to take place off-site. Restoration would return the site to original ground levels using imported inert materials, primarily for agriculture. This site is therefore permitted, and the reserve can be included in the permitted landbank.
143. However, **MM23** and **MM38** are necessary for effectiveness to increase the site yield from 1.5 Mt to 1.7 Mt and to clarify that the entirety of the mineral is expected to be extracted within the plan period, reflecting the operator information and the permission. Even though permitted, this does not prevent alternative proposals coming forward, and the development considerations and all other Plan policies would continue to apply.
144. Mineral extraction is not considered inappropriate development within the Green Belt. Any proposal would need to ensure that it responds appropriately, particularly in terms of preserving Green Belt openness as part of site restoration. **MM38** makes this clear for effectiveness and to ensure consistency with national policy. It also recognises that the permitted restoration scheme concept includes off-site processing for effectiveness.
145. There are also listed buildings near the site boundary and whilst recognised in the development considerations a MM is required to ensure the effect on those listed buildings and their settings is considered and addressed. A clarification is

also required to make clear that buffers should be considered from residential areas and the nearby cemetery. Whilst a Transport Assessment is identified as required for effectiveness, the development considerations should make clear the assessment should recognise heavy goods vehicle movements shifting from Downton Manor Farm to Ashley Manor Farm to ensure cumulative and routing impacts are fully addressed. Finally, whilst the footpath network forms part of the development considerations for the site, a MM is needed to ensure opportunities to integrate with the Green Loop project, identified in the New Milton Neighbourhood Plan, are considered and taken up where appropriate (**MM38**).

146. **MM38** would amend the development considerations for this site in Appendix A. Subject to **MM38** this allocation is soundly based and legally compliant.

Hamble Airfield (sharp sand and gravel extraction) Allocation

147. This site is a former airfield, overgrown with scrub, and although privately owned is partly used for informal recreation. It is bordered by residential development on three sides, close to a primary school, a community college, footpaths, a cricket club and other local facilities. However, this site is already allocated in the adopted Plan and planning permission was granted in October 2025 for a scheme including the extraction of 1.7 Mt of sand and gravel over 7 years, with extraction to be completed within the plan period.
148. The site is proposed to be restored to grazing land, with an area of publicly accessible parkland. MMs are therefore necessary for effectiveness to increase the site yield from 1.5 Mt to 1.7 Mt all to be extracted within the plan period to reflect the planning permission (**MM23** and **MM39**).
149. The HRA process identified air quality and hydrological pathways as key issues and whilst the need to undertake detailed hydrological assessment is necessary, it should also be clarified that any mitigation measures identified through such an assessment must be implemented. Part of Hamble Lane is designated as an Air Quality Management Area and there is also a local Noise Important Area nearby. Both should be recognised in the development considerations particularly, the requirement for any proposals to be accompanied by appropriate air quality and noise impact assessments.
150. However, there is no justification for specifying any future use of the site as housing, because this would prejudice either a planning application or any future appropriate allocation in the development plan once the mineral has been extracted. Accordingly, reference to potential future housing use should be removed because it is not justified or effective (**MM39**). **MM39** has been adjusted from that consulted on to specifically refer to the Fawley-Heathrow oil pipeline for completeness, this is without prejudice to any party.

151. Moreover, a MM is also necessary to ensure all underground utilities within the site are appropriately protected. The existence of priority and ancient woodland close to the site boundaries and with impacts mitigated where necessary should also be recognised. **MM39** addresses these points to secure effectiveness.
152. Part of the site boundary, as identified on the submission policies map, is in use as a cricket pitch. The Authorities propose to amend the Policies Map (MM-PM3) upon adoption to remove this area from the allocation with the revised boundary reflecting that of the relevant planning permission. The map included in Appendix A and site area should also be updated in the interests of consistency and effectiveness (**MM39** and **MM40**).
153. **MM39** and **MM40** address all the above issues by modifying the development considerations for this site in Appendix A. Thus, subject to these MMs this allocation is soundly based and legally compliant.

Midgham Farm (sharp sand and gravel)

154. This site mainly consists of agricultural land located near to the villages of Fordingbridge in Hampshire and Alderholt which is in Dorset. However, minerals can only be excavated where they are found, and minerals development is temporary. Policy 9: Protection of soils requires a Soil Management Plan and a suitable restoration scheme that may or may not include agriculture, which will need to be agreed at the detailed design stages.
155. The site is close to and intended to follow an existing operational minerals site known as Hamer Warren. Midgham Farm is currently subject to a planning application from the same operator which seeks to extract up to 3.6 Mt of sand and gravel following on from the mineral working at Hamer Warren.
156. However, **MM23** and **MM41** are necessary for effectiveness to reduce the total site yield from 4.2 Mt to 3.6 Mt, to clarify that the site could be operational after 2026 and that approximately 3.0 Mt is expected to be extracted within the plan period to reflect the best available information from the operator as detailed in the planning application.
157. **MM41** is also necessary for effectiveness and consistency with national policy to clarify that the off-site woodland close to the site boundary includes Ancient Replanted Woodland and Ancient & Semi-Natural Woodland, and that sufficient mitigation such as buffering will be required to avoid significant adverse impacts. Furthermore, a public right of way crosses the site, and **MM41** is necessary for effectiveness to highlight this, identify opportunities, and ensure the public right of way is appropriately addressed through detailed design.

158. Furthermore, although the site lies outside the New Forest National Park, the routing of lorries to and from the site would rely on roads close to or within the National Park. This means associated traffic has the potential to affect the National Park's setting, tranquillity and visitor experience among other things. However, a detailed Transport Assessment and a routing agreement will be necessary, together with likely local junction/road improvements, subject to the outcome of the necessary assessments. **MM41** requires details of relevant traffic mitigation to be agreed in liaison with Dorset Council and the overall proximity of the site to the Council administrative boundary to be recognised for effectiveness.
159. **MM41** also requires a hydrological and hydrogeological assessment to determine the risk to the River Avon SAC/SSSI and Avon Valley SPA/Ramsar. This modification is necessary for effectiveness to clarify that downstream effects on Christchurch Harbour SSSI must also be assessed and any necessary mitigation implemented and to reflect the details in the Authorities' HRA addendum (MD11). **MM41** also requires the assessment and mitigation of impacts on functionally-linked land used by SPA birds as agreed with Natural England. **MM41** is therefore necessary for legal compliance, effectiveness and to ensure consistency with national policy in this regard.
160. The Authorities proposes to amend the Policies Map through MM-PM3 upon adoption to align the site allocation boundary with the planning application site boundary. The inset map included in Appendix A should also be updated in the interests of effectiveness (**MM41** and **MM42**).
161. Accordingly, **MM41** and **MM42** are necessary to address all these issues. Subject to these modifications, the allocation is soundly based and legally compliant. **MM41** has been adjusted post consultation to make a number of non-prejudicial minor grammatical changes.

Purple Haze (soft sand, sharp sand and gravel)

162. This allocation is already included in the adopted Plan for mineral extraction. It comprises some 70 hectares of land currently used as a cyclical coniferous plantation. It has footpaths passing through the site, which although the site is privately owned, are used for informal recreational purposes as part of the Moors Valley Country Park network.
163. As discussed under Issue 2 above, it is the only allocation for soft sand extraction in the plan area. A planning application was made in February 2021 but is still awaiting determination primarily due to concerns with regard to the likely success of the proposed restoration scheme and the ability to mitigate effects on internationally designated sites.

164. The proposed restoration scheme as submitted envisaged the void created following mineral extraction being backfilled with inert fill, if not used for non-hazardous landfill and then managed to fully restore the site as heathland. I have heard and read numerous concerns about the likely success of a heathland restoration at this site. I have also noted the evidence showing limited success in heathland restoration in other locations. Whilst I acknowledge heathland restoration may be difficult, the evidence before me does not indicate that it would be impossible provided that the final detailed scheme is informed by detailed technical studies/method statements undertaken by competent experts. However, in-line with the advice of the Environment Agency and Natural England, using non-hazardous landfill to partly restore this site could pose a number of risks, particularly in terms of the ability to achieve a successful high quality restoration scheme.
165. A MM is therefore needed to remove the reference to non-hazardous landfill at Purple Haze because it is not justified or effective. MM is also necessary for effectiveness to clarify in the development considerations that pre-development hydrological and soil conditions using site-won materials only are necessary which, in the interests of effectiveness, will increase the likelihood of a successful high-quality restoration scheme (**MM23** and **MM43**). **MM23** has been amended post consultation to appropriately reference the Moors River System for completeness, this is a factual change without prejudice to any party.
166. The HRA identifies the key pathways for likely significant effects based upon hydrological, hydrogeological, hydrochemical and ecohydrological pathways affecting Ebblake Bog SSSI and the Moors River system; impacts on functionally-linked land used by SPA bird species and impacts on SINC habitats requiring mitigation. In line with the HRA and the Statement of Common Ground (EX41) between the Authorities and Natural England, **MM43** necessarily addresses concerns about irreplaceable habitat, SPA functional linkage and hydrological uncertainty.
167. This is because **MM43** modifies the development considerations so that comprehensive hydrological, hydrogeological, hydrochemical and ecohydrological assessments are explicitly required before development can take place. **MM43** also makes clear that extraction may need to be limited to avoid sensitive areas if impacts on Ebblake Bog or the Moors River system cannot be ruled out following such detailed technical assessments required at the planning application stage. **MM43** is therefore necessary to ensure legal compliance with the Habitats Regulations and effectiveness.
168. **MM43** explicitly requires that development must ensure no significant adverse impact on the integrity of the relevant internationally designated sites or roosting, foraging or breeding areas used by qualifying SPA/Ramsar species fully recognising functionally linked land and requires such to be recognised in

any future detailed assessments. Based on the evidence before me, I am satisfied this allocation can be delivered without such harm. If more detailed evidence proves this not to be the case, then planning permission for mineral extraction at Purple Haze cannot be granted.

169. The Authorities and the developer/operator have estimated the quantity of the resource. There is no substantive evidence to indicate those estimates are not reasonable and even if they are overestimates, given the limited opportunities to extract soft sand in the plan area, the allocation would still be justified. However, MM is necessary for effectiveness to adjust the estimated yield to reflect the best available information. **MM23** and **MM43** do this by clarifying that the site would have a total yield of 4.4 Mt, with 2.6 Mt expected to be extracted within the plan period. These figures acknowledge that the northern extraction area may be reduced following the further investigations required by the development considerations as modified.
170. An area of coniferous forest would be lost which, irrespective of the formal public footpath network or whether the land is private or not, would negatively affect the experience of people using the Moors Valley Country Park up until the site can be restored. These effects would be for the duration of the extraction and would be lessened as the restoration scheme becomes effective, but, once fully restored as indicated, in my view the effect on recreational amenity would at least be neutral and more likely to be positive.
171. The assessments undertaken to date, shows the additional traffic generated is unlikely to have a significant impact on the B3081 or on the operation of the wider transport network. However, Traffic impacts will need to be fully assessed and managed carefully over the lifetime of the development and its restoration.
172. **MM43** is necessary to make clear that a Transport Assessment and a routeing agreement is required which shows how cumulative impacts will be managed. It is also necessary to specify the need for protection of recreational users travelling to and using the Moors Valley Country Park. It additionally makes the sensitive context explicitly clear which will ensure that the impact of the scheme on local residents, businesses and recreation are adequately taken into account in detailed design. What's more **MM43** makes it clear any scheme should have regard to the Forest Design Plan. **MM43** finally adds explicit reference to the Bronze Age burial mound, requiring archaeological excavation and mitigation. **MM43** is therefore needed for effectiveness in these regards. **MM43** has been adjusted post consultation to make a number of non-prejudicial minor grammatical changes and clarify the existing access and legal requirements.
173. Accordingly, subject to these MMs, this allocation is soundly based and legally compliant.

Conclusion

174. Subject to the MMs discussed above, the Plan’s allocations are legally compliant, justified, effective and consistent with national policy.

Issue 7 – Does the Plan provide a justified and effective monitoring and implementation framework and is the glossary effective?

175. An implementation and monitoring framework is included in Appendix C of the Plan. This is based on the framework in the adopted Plan and will be used to assess whether the Plan’s policies are being delivered or whether action is required to address any issues identified. However, the monitoring framework for Policy 2: Climate Change – mitigation and adaptation, is not effective because it is unclear how information will be gathered and measured. Furthermore, this section of the Plan should explain how the Plan would be reviewed in line with national policy and the relationship between the Plan, the LAA process and the Authorities’ wider monitoring and reporting activities.

176. **MM34** and **MM44** address these issues by amending the requirements and metrics in the monitoring framework to reflect matters which will be covered in a Climate Impact Assessment required by Policy 2 and recognising the broader relationships with other documents in accordance with the wider monitor and manage approach. Thus, subject to **MM34** and **MM44**, the monitoring and implementation framework is effective to support the delivery of the Plan.

177. Finally, as consequence of the MMs discussed above and to ensure effectiveness and consistency with national policy a number of updates are necessary to the glossary appended to the Plan (**MM35**). **MM35** has been adjusted from that consulted upon to accurately reflect the legal requirements associated with National Parks and National Landscapes. I am satisfied no prejudice arises from this change because it is a minor factual change.

Conclusion

178. For the reasons set out above, and subject to the MMs, the Plan would provide a justified and effective monitoring and implementation framework and the glossary is effective.

Overall Conclusion and Recommendation

179. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which means that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained above.

180. The Authorities have requested that I recommend MMs to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended MMs set out in the Appendix, the Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

L Fleming

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.