

# HMWP Partial Update Proposed Modifications Consultation Response

## From the Hamble Peninsular Residents Group

**Main, Additional, and/or Policies Map Modification(s) that you are responding to:**

MD05 Main Modifications: MM2, MM4, MM13, MM14, MM15, MM16, MM20, MM39 (Appendix A Hamble Airfield)

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**1. Do you consider this/these modification(s):**

Legally compliant (prepared in accordance with legislation)  Yes  No  
Sound (fit for purpose)  Yes  No

**2. If you do or do not consider the above modification(s) to be legally compliant and/or sound, please explain your reasons for this:**

The Hamble Peninsular Residents Group maintains its opposition to the continued inclusion of Hamble Airfield in the Hampshire and Minerals Waste Plan Partial Update and supports Hamble Parish Council's legal challenge to the recent appeal decision. The responses below are made where we consider that the plan is otherwise unsound without prejudice to our position on the status of the airfield.

**Response A - MM2 Vision / Para. 2.26, page 3**

Bullet-point 2: the current phrase: '*Secure proposals and their restoration schemes that improve health and well-being*' is ill-defined with no clear criteria set out as to how this will be measured to ensure compliance.

Bullet-point 3: the current phrase: '*Achieve a net gain in biodiversity above the pre-worked baseline, having regard to strategic ecological networks*' is ill-defined. It implies that where sites are stand-alone areas these will not be covered within the 'net gain' criteria. This is wrong and needs to be clarified to state that **all** sites will be required to show **significant** gains for local communities. In addition, the deletion of the 10% BNG requirement is strange and it should be put back into the requirement – in line with para 4,25 which states: '*BNG will requires planning applicants to observe the mitigation hierarchy and, where applicable, deliver at least 10% gain in biodiversity above the current baseline and is which has to be maintained for a period of at least 30 years.*' Not to include the 10% requirement within the Vision creates a lack of clarity and uncertainty and potential contradiction with the aim of national (and therefore, local) policy.

**Response B - MM4 Policy 1, page 6**

Mr Fleming, the Inspector, requested on day 5 of the hearing on 12<sup>th</sup> February 2025 (6:50 hours into recording) that he wanted to see more in the plan to cover the

*'contextual development considerations'* including the quantum and scale of existing local development and number of sensitive receptors surrounding a site that would be impacted. This has not been addressed in Policy 1 or Policy 20.

Paragraph 200 of the December 2024 NPPF supports this: *'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.'*

And NPPF Paragraph 198 *'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.'*

It is imperative therefore that the Plan is revised once again to ensure these issues are adequately identified and addressed. The Plan should not be agreed without this being undertaken and a further consultation undertaken to ensure the adequacy of such requirements.

### **Response C – MM13, Policy 10, page 35**

Page 35: *'f. the appropriate mechanism for securing the implementation of the [restoration] scheme.'*

Page 36: *'Measures to achieve biodiversity net gain in line with national planning policy, in accordance with relevant legislation, policy, and guidance, and which is for the avoidance of doubt over and above those measures designed to mitigate or compensate for negative effects will be required by a planning application, whatever the proposed after-use of the site;'*

Page 39: *'The length of the aftercare period will normally be at least five years and will be negotiated on a case-by-case basis, depending on the restoration and after uses agreed for a site. A longer aftercare period may need to be negotiated depending on the nature of the development. In some instances, restored sites require long-term management to maintain them and to ensure that restoration gains such as nature conservation and amenity are maximised. Long-term management is expected to be a minimum of 30 years to align with BNG requirements and will usually commence post aftercare.'*

*'Appropriate mechanisms will be required to secure restoration and aftercare.'*

It is not clear how these policies can/will be enforced and by whom. What if the developer does not complete the development or becomes insolvent? What if the developer completes the restoration, but the landowner doesn't manage the aftercare or abides by the BNG requirements? What are the respective responsibilities of the landowner and the developer, who will normally be different legal entities? This needs further clarification of responsibilities and enforcement.

It is particularly important that this is made clear and unambiguous in the Plan. The Hamble Airfield appeal has left the long-term restoration requirement under the current HMWP 2013 at risk with the landowner and developer failing to agree a Section 106 with the council and instead adopting a separate Unilateral Undertaking.

This allows the landlord to apply for planning permission for housing at any point of the development/planning agreement period, with no restoration being undertaken if the permission is granted. This undermines the Plan and safeguards must be in place and robust to ensure this cannot happen on any site in future.

#### **Response D - MM14 Policy 11 Para 5.14**

*[5.14] Many of the criteria under Policy 11 (Protecting public health, safety, amenity and well-being) will be fulfilled by minerals and waste operators adopting appropriate management systems such as International Standards Organisation controls and other operational controls. Environmental assessments will identify where adverse impacts may occur and how these should be minimised'. This should include the term '...and mitigated' to have any force.*

#### **Response E – MM15, Policy 12, page 43**

*'ii. ensure the development is safe from flooding for its lifetime, including an assessment of climate change impacts; ' and*

*'v. The Sustainable Drainage Systems to manage surface water drainage, with whole-life management and maintenance arrangements.'*

'Lifetime' and 'whole-life' is ambiguous. Does this mean during the development phase(s), the site restoration phases, and/or subsequent management and maintenance once all work is completed? Who is responsible, the developer and/or landowner?

Whilst the term 'Lifetime' is used in the NPPF paragraph 178b *'the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.'* The term is used in the context of a permanent housing development, rather than the temporary use of land for mineral extraction. However the NPPF paragraph 181 *'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'* makes this clear.

Point ii only refers to *'the development'*. This is also ambiguous and could refer to the site only. This should be clarified to also include adjacent property and infrastructure as indicated in Point i of the Plan and the NPPF paragraphs 178b and 181 referred to above.

It should be noted that in the case of the Hamble Airfield application the: 'Maintenance of SuDS - Technical Note: Hamble Airfield: Updated Drainage Design for Proposed Quarry Published by Stantec UK Limited October 2024 Document reference: 331201108TN3rev2' includes the following requirements:

*Page 2: 'Maintenance schedules must be provided for each drainage feature type regardless of ownership. Confirmation of maintenance responsibilities / adoption will also be required. If features are to be adopted by third parties i.e. Highways Authority, Water Company etc, evidence will be required that they will accept the adoption. If adoption is still to be progressed, a fall back position needs to be identified in case the adoption of the drainage cannot be agreed.'*

*Page13: 'For the restored site, the management and maintenance of the drainage system will be undertaken by the landowner in perpetuity.'*

Regarding this specific application, there is no agreement in place or included in the planning conditions requiring the landowner to manage and maintain the drainage system in perpetuity. This is a risk and conflicts with the NPPF paragraph 181 (see above). Responsibilities and ongoing maintenance once the development is finished and restored needs to be specified and agreed. The Mineral and Waste Planning Authority needs to address this.

**Response F – MM15, Policy 12, page 43**

The NPPF Paragraph 171 states that *‘Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources.’*

And paragraph 172 states that *‘All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.’*

Policy 12 does not adequately cover risks from all sources of flooding. Potential flood risk from ground water changes resulting from the development impacting ground water flows is a concern and needs to be addressed. Hampshire’s Lead Local Flood Authority (30-01-23) raised this for the Hamble airfield application *‘We have concerns that if groundwater flow paths are restricted it could trigger spring flows elsewhere.’*

High groundwater levels are increasingly giving rise to flooding. Assessing the potential risk from all sources of flooding should be made clearer in Policy 12.

**Response G – MM15, Policy 12, page 43**

The Hampshire Lead Local Flood Authority’s checklist advises for sustainable drainage systems *‘Exceedance Flows: this should highlight the overland flow routes post development if the drainage system blocked to ensure that properties and key access / egress points are kept clear.’* Given the frequency and intensity of extreme rainfall events such as experienced in recent weeks in southern England and the potential failure of surface water drainage systems to cope due to either their design or inadequate maintenance, the LLFA acknowledges this risk. This requirement should be included in Policy 12.

**Response H – MM16, Policy 13, page 46**

The proposed new HCC modification sentence *‘It is expected that Environmental Assessments would include details on air quality and noise, where relevant (including the presence of Noise Important Areas).’* adds Noise Important Areas as an afterthought for air quality. This should be clarified and made a separate paragraph – see recommended wording in section 3 below.

**Response I - MM20, Policy 17, para 6.38 page 55**

The current wording fails to adequately address the issue of Marine-won Sand and Gravel and its potential to be increased thus reducing the demand and required for land-won aggregates. The Crown Estate manage applications and permissions for marine-won aggregates. In their *‘Annual Review 2025 Marine Aggregates’* the Crown Estate made it clear that only about half the permitted tonnage of marine-won aggregates were being met, and that there is scope for 1million tonnes more aggregates that could be extracted each year. This is not addressed within the Plan.

This is a serious oversight and calls into question the Plan's reliance on land-won aggregates, especially as they provide no evidence of the need to balance supply in the way envisaged in the Plan, nor why the current balance is either acceptable or desirable. Indeed, it does not appear to have been planned in any way, and appears reliant on the extent of land-won aggregates to determine this mix. This is not a 'plan' that is managed but is instead merely a restatement of current practice.

**Response J – MM39, Policy 20, page 98**

Paragraph 21 '*Protection of existing utilities within the site*'. It is recommended that this be extended to include the Fawley-Heathrow oil pipeline, which runs within the site boundary.

**Response K - MM39 – Appendix A Hamble Airfield, page 96**

*'Development considerations:*

*5. The impact on Badnam Copse and West Wood Site of Importance for Nature Conservation.'*

As it stands this fails to suggest what those considerations may comprise of. Elsewhere the Plan talks of ensuring 'no significant or adverse impact...'. Here, there is no such requirement. As such, it seems to be a pointless inclusion and needs to be strengthened.

3. Please set out the changes you think are needed to make this modification(s) legally compliant and sound, in respect to the issues you have raised in Question 2. It will be helpful if you are able to put forward your suggested revised wording. Please be as precise as possible.

**Response A1 - MM2, Vision / Para. 2.26, page 3**

Bullet-point 2: the current phrase: '*Secure proposals and their restoration schemes that improve health and well-being*' is ill-defined with no clear criteria set out as to how this will be measured to ensure compliance.

**There is a need to completely rethink this section. We therefore cannot provide alternative wording at this stage.**

**Response A2 - MM2, Vision / Para. 2.26, page 3**

Bullet-point 3: suggested wording in bold.

- Achieve a net gain in biodiversity above the pre-worked baseline, **and to deliver at least 10% gain in biodiversity above the current baseline and has to be maintained for a period of at least 30 years.**

**Response B1 – MM4, Policy 1, page 6**

[The new para] Suggested replacement wording in bold.

Planning applications should be submitted in accordance with national and local Validation Guidance which should be used, along with the requirements of the Plan, to determine what assessments will be required. Relevant assessments will be required to determine the economic, social and environmental impacts **on existing development and recreational space including the magnitude, quantity and density of sensitive receptors affected** and to demonstrate how proposals meet the requirements of the Plan. Any impacts and mitigation measures identified will be considered in the determination of planning applications and will inform any necessary planning conditions or planning obligations. Careful consideration will be given to the issues raised by key stakeholders including local communities to ensure that concerns are suitably addressed in decision-making.

**Response B2 – MM39, Policy 1 & 20 , page 98**

Suggested replacement paragraph in bold.

~~14. Phasing programme and working to protect local businesses and the amenity and well-being of local residents and schools, taking into account their proximity and density and the Hamble River.~~

**14. Protection of local businesses, the Hamble River facilities, and the amenity and well-being of local residents and schools, taking into account the atypical nature of the site including the close proximity, density and high number of local residents and pupils impacted, through the detailed design, layout, duration and phasing, and regular monitoring of the operation of mineral extraction.**

**Response C1 – MM13, Policy 10, page 35**

Suggested replacement wording in bold.

f. the appropriate mechanism for securing the implementation of the scheme **and ensuring there are prior agreements establishing the responsibilities for the approved aftercare and ongoing maintenance of the restored site.**

**Response C2 – MM39, Policy 10 & 20, page 98**

Suggested additional paragraph 22 in bold.

**22. A restoration scheme is specified in accordance with Policy 10 and relevant UK legislation, policy, and guidance, whatever the proposed after-use of the site.**

**Response D - MM14, Policy 11, page 41, para 5.14**

Suggested additional wording in bold.

[5.14] Many of the criteria under Policy 11 (Protecting public health, safety, amenity and well-being) will be fulfilled by minerals and waste operators adopting appropriate management systems such as International Standards Organisation controls and other operational controls. Environmental assessments will identify where adverse impacts may occur and how these should be minimised **and mitigated**'.

**Response E – MM15, Policy 12, page 43**

Suggested additional wording in bold.

ii. ensure the development, **adjacent property, and infrastructure** is safe from flooding ~~for its lifetime~~, **during the development and restoration phases and will continue to be protected after completion**, including an assessment of climate change impacts;

v. the Sustainable Drainage Systems to manage ~~control~~ surface water drainage with ~~whole-life~~ management and maintenance ~~arrangements~~ **agreement(s) during the development and restoration phases and in perpetuity after completion.**

**Response F – MM15, Policy 12, page 43**

Suggested new paragraph vi in bold.

vi. **the flood risk assessment will include identifying and addressing risks from all sources including impact on groundwater levels and flows, exposure to coastal flooding, as well as surface water drainage and flows.**

**Response G – Ref. MM15, Policy 12, page 43**

Suggested new paragraph vii in bold.

vii. **Where a sustainable drainage system is specified either in the planning application or in the planning conditions, the overland exceedance flow routes should be identified post development and restoration if the drainage system blocked to ensure that properties, infrastructure, and key access / egress points are kept clear.**

**Responses C, D, E - MM39, Policies 12 & 20, page 98**

Suggested additional wording in bold.

20. Flood Risk Assessment is required. The site must be designed and constructed to remain operational and safe for users, **adjacent property and infrastructure**, in times of flood, result in no net loss of floodplain storage, not impede **surface or ground** water flows and not increase flood risk elsewhere **during development, restoration or after completion**.

**Response H - MM16, Policy 13, page 46**

Suggested replacement wording in bold with new paragraph.

**5.47** ~~It is expected that Environmental Assessments would~~ **will** include details on **both** air quality and noise, (including **recording** the presence of **Air Quality Management Areas** and Noise Important Areas **near sites or along transport routes**).

**Response I - MM20, Policy 17, page 55, para 6.38**

**We cannot provide alternative wording, but this should reflect the points raised in question 2 above in Response I.**

**Response J - MM39, Policy 20, page 98**

Suggested additional wording in bold.

21. Protection of existing utilities **and the Fawley-Heathrow oil pipeline** within the site.

**Response K - MM39, Appendix A Hamble Airfield, page 96**

Suggested revised wording in bold consistent with the wording in point 4.

**5. Ensure no significant adverse impact on Badnam Copse and West Wood Site of Importance for Nature Conservation.'**

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## HMWP Partial Update Proposed Modifications Consultation Response

From the Hamble Peninsular Residents Group:

Addendum to Responses A to K submitted on 6<sup>th</sup> February 2026

**Main, Additional, and/or Policies Map Modification(s) that you are responding to:**

MD05 Main Modifications: MM39 (Appendix A Hamble Airfield)

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**1. Do you consider this/these modification(s):**

Legally compliant (prepared in accordance with legislation)  Yes  No

Sound (fit for purpose)  Yes  No

**2. If you do or do not consider the above modification(s) to be legally compliant and/or sound, please explain your reasons for this:**

**Response L - MM39 – Appendix A Hamble Airfield, page 96**

*'Development considerations:*

- 1. Ensure no significant adverse impact on the integrity of the Solent and Southampton Water SPA and Ramsar, Solent and Dorset Coast SPA and Solent Maritime SAC\*..*
- 2. A hydrological assessment is required to determine the risk and appropriate protection of adjacent National Site Network, Ramsar site and SSSIs, especially with regards to any changes to freshwater flows into the Hythe to Calshot Marshes SSSI and Solent & Southampton Water SPA/SAC/Ramsar and the issue of nutrient enrichment\*.*
- 3. Ensure no significant adverse impact on all roosting, foraging, and breeding areas used by qualifying bird species of nearby SPAs and Ramsar, and on their functional linkage\*. Mitigation and possible compensation are likely to be required.*
- 4. Ensure no significant adverse impact on the Lee-on-Solent to Itchen Valley Estuary Site of Special Scientific Interest\*.*
- 5. The impact on Badnam Copse and West Wood Site of Importance for Nature Conservation.*

It is noted that in clauses 1, and 4 the word '*protection*' and in clause 3 '*impact*' have been replaced by '*Ensure no significant impact*'. This is weaker than the original wording with '*significant*' being left open to interpretation. This is inconsistent with clause 2 which retains '*appropriate protection*'.

The proposed wording is also inconsistent with para 2.30 in the Vision and Spatial Strategy (page 21) of the Mineral and Waste Plan – December 2025.

*‘Accordingly, to safeguard Hampshire’s unique environment, any minerals and waste development and their associated restoration, must fit within a framework comprising the **protection and enhancement of**:*

- *designated environmental assets such as, **but not limited to**, Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites, Sites of Special Scientific Interest (SSSI);’*

Similarly in Section 4 – Protecting Hampshire’s Environment - of the Plan paragraph 4.15 (page 37) states *‘Designated sites that are part of the national sites network and Ramsar sites are given the highest level of statutory **protection**, in accordance with the Habitats Regulations.’*

And paragraph 4.17 (page 38) states *‘SPAs, SACs and Ramsar sites are given the highest level of statutory **protection**, in that generally, development cannot be permitted if it may negatively affect the integrity of the sites, in accordance with the Habitat Regulations<sup>48</sup>. All candidate or potential sites, and sites supporting off-site habitat for nearby SPA/SAC/Ramsar sites, are given the same **protection** as fully designated sites.*

### Policy 3 – Protection of Habitats and Species:

Page 42 *‘4. The following sites, habitats, and species will be **protected** in Hampshire and in neighbouring areas, where there is a potential for impact, in accordance with the level of their relative importance:*

- a) nationally designated sites including Sites of Special Scientific Interest and National Nature Reserves, nationally protected species;*
- b) irreplaceable habitats (such as Ancient Woodland and ancient or veteran trees);*
- c) local interest sites including Sites of Importance for Nature Conservation, County Wildlife Sites and Local Nature Reserves;’*

(Note: the **bold type** is used to highlight the point raised and is not in the original text).

### Response M – MM15, Policy 12, page 43

In addition to what has been previously submitted by HPRG on 6<sup>th</sup> Feb 2026, with regards to page 43 Policy 12.

*Point c (iv) ~~include~~ **the** site drainage systems **are** designed to manage storm events up to and including the 1% Annual Exceedance Probability (1:100 year) storm with an appropriate allowance for climate change; ~~and~~*

The use of the wording *‘an appropriate allowance for climate change’* is vague and open to individual interpretation. There is legal guidance as set out by the **Task Force on Climate-related Financial Disclosures (TCFD)**.

The TCFD is a framework designed to help companies and financial institutions disclose climate-related risks and opportunities. This TCFD framework has now been integrated into the International Sustainability Standards Board (ISSB) and, in many jurisdictions, **including the UK, has moved** from a voluntary guideline to a **mandatory, legally binding policy**.

The assessment of the 1:100 year storm/ flood risk must be calculated to a 2 degree and, even recommended is, a 4 degree warming scenario.

Leaving this current wording so vague, with no actual measurable specification on the climate risk scenario, may result in assessments being undertaken on today's or previous risk measurement which would not adequately account for future current climate risk.

The climate risk assessment should follow Government guidance which is aligned to TCFD (Task Force for Climate Related Financial Disclosures) which includes a base line of 2 degrees, up to climate warming of over 3 degrees and up to 4 degrees.

The Policy 12 therefore needs to be tightened and more specific in its wording to reflect this.

**3. Please set out the changes you think are needed to make this modification(s) legally compliant and sound, in respect to the issues you have raised in Question 2. It will be helpful if you are able to put forward your suggested revised wording. Please be as precise as possible.**

**Response L - MM39, Appendix A Hamble Airfield, page 96**

The following changes in bold should be made to be consistent with the plan's 'Vision and Spatial Strategy' and Policy 3 – Protection of Habitats and species.

Development considerations:

1. **Protection and enhancement** of the integrity of the Solent and Southampton Water SPA and Ramsar, Solent and Dorset Coast SPA and Solent Maritime SAC\*.

2. A hydrological assessment is required to determine the risk and appropriate protection of adjacent National Site Network, Ramsar site and SSSIs, especially with regards to any changes to freshwater flows into the Hythe to Calshot Marshes SSSI and Solent & Southampton Water SPA/SAC/Ramsar and the issue of nutrient enrichment\*.

3. **Protection and enhancement** of all roosting, foraging, and breeding areas used by qualifying bird species of nearby SPAs and Ramsar, and on their functional linkage\*. Mitigation and possible compensation are likely to be required.

4. **Protection and enhancement** of the Lee-on-Solent to Itchen Valley Estuary Site of Special Scientific Interest\*.

5. **Protection and enhancement** of Badnam Copse and West Wood Site of Importance for Nature Conservation.

(note: no change needed for clause 2 which includes '*risk and appropriate protection*').

These suggestions would also apply to the other adopted sites in Policy 20.

This suggested wording supersedes the suggested wording submitted by the Hamble Peninsular Residents Group submission on 6<sup>th</sup> February 2026 in answer to Question 3, Response K.

**Response M – MM15, Policy 12, page 43**

We suggest the following changes in bold, on advice from our climate specialist, in order to keep any development aligned with the progress of TCFD policy. The term 'Climate Change' should be better specific and better qualified.

*Point c (iv) ~~f. include~~ **the** site drainage systems **are** designed to manage storm events up to and including the 1% Annual Exceedance Probability (1:100 year) storm with an appropriate allowance for climate change; ~~and~~ **aligned to The Task Force on Climate-related Financial Disclosures (TCFD) scenario planning of 2 degree and 4 degree warming scenarios.***

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## About You

Is this your own personal response or on behalf of an organisation or group?

- This is a personal response  
 This response is on behalf of an organisation or group

If this is a personal response, your name and postal address must be provided for your comments to be accepted. Please include these below.

**Please note: anonymous or confidential representations cannot be accepted.**

Your full name <b>(required)</b>	
Your full postal address <b>(required)</b>	
Your full postcode <b>(required)</b>	
Contact email address <b>(optional)</b>	

If this response is on behalf of an organisation or group, please tell us a little more about yourself and the organisation you are responding on behalf of:

**Please note: anonymous or confidential representations cannot be accepted.**

The full name of your organisation or group <b>(required)</b>	Hamble Peninsular Residents Group
The full address of your organisation or group <b>(required)</b>	██████████ ████████████████████ ██████████ ████████████████ ██████████
Your full name <b>(required)</b>	██████████████████
Your position in the organisation or group <b>(required)</b>	Chair
Contact email address <b>(optional)</b>	hamblepeninsularresidents@gmail.com

Do you wish to be informed:

- When the examination recommendations are published       Yes       No  
 When the Plan has been adopted       Yes       No  
 Of future minerals and waste policy work       Yes       No