

Hampshire County Council, New Forest National Park Authority, Portsmouth City Council, South Downs National Park Authority & Southampton City Council



## **Hampshire Minerals and Waste Plan: Partial Update - Submission Plan**

### **Proposed Modifications Consultation Response Form**

## HMWP Partial Update Proposed Modifications Consultation Response

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

Policy 15: Safeguarding – Minerals Resources.

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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:**

Paragraph 223 (c) and (d) of the NPPF specify that ‘planning policies should safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not create a presumption that the sources defined will be worked)’ and ‘set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-minerals development to take place’.

Through the proposed changes, Policy 15 requires all non-minerals related development proposed within a Mineral Safeguarding Area to prepare a Mineral Resource Assessment. The updated policy does not provide clear guidance for developers as to what Hampshire County Council expects to be included within this assessment: it does refer to the existing Minerals & Waste Safeguarding in Hampshire SPD but this document does not refer to Mineral Resource Assessment. Further guidance must be provided in the supplementary text to Policy 15 which outlines the approved methodological approach to, and surveys required by, the Minerals Resource Assessment.

Additionally, as currently worded, the blanket requirement for a Minerals Resource Assessment is inconsistent with the intentions of paragraph 223 of the NPPF. It fails to consider non-minerals related development in mineral safeguarding areas where minerals extraction has already taken place. It also fails to consider where the principle of, and pressing need for, non-minerals development has already been addressed either through a planning permission or a development plan allocation for non-mineral related development. Where such sites will deliver new homes to address the 5-year or longer 20-year housing requirement, this should take precedence to boost the supply of homes as per paragraph 61 of the NPPF. The production of a Minerals Resource Assessment in such circumstances is unnecessary and can generate uncertainty and delay.

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.

Following point e. of Policy 15, the wording should be amended to include an additional point, which states

**f. Or, it can be reasonably demonstrated that a Mineral Resource Assessment is not required due to an extant planning permission or development plan allocation for non-minerals development, or lack of viable mineral resources.**

## HMWP Partial Update Proposed Modifications Consultation Response

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

Policy 16: Safeguarding - Minerals Infrastructure.

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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 current wording of Policy 16 sets a broad requirement for 'appropriate mitigation measures' to be delivered where a non-minerals related development is 'within proximity' to a safeguarded site. While it specifies that such mitigation is intended to ensure that non-minerals development does not impose significant adverse effects upon the operation of a safeguarded site, the provided definition of 'mitigation', as well as what constitutes 'proximity', is vague and unrestricted. The scope of what constitutes 'appropriate mitigation' must be given greater specificity, as it is not the responsibility of the non-mineral development to improve the operation of a safeguarded site. As currently worded, the policy is not justified.

**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.**

The current wording within Policy 16 should be adapted as shown below:

**'Where the proximity of a non-minerals development to a safeguarded site will have a significant adverse impact on current or future mineral operations, appropriate mitigation measures must be delivered prior to occupation of the site for any purpose. Appropriate mitigation will be proportionate to the impacts on the safeguarded site arising from the proposed non-mineral development.'**

## 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>	██████████ Associate
Your full postal address <b>(required)</b>	White Peak Planning Ltd., Lynnfield House, 249 Church Street, Altrincham.
Your full postcode <b>(required)</b>	WA14 4DZ
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>	White Peak Planning on behalf of Bloor Homes Southern
The full address of your organisation or group <b>(required)</b>	See table above
Your full name <b>(required)</b>	See table above
Your position in the organisation or group <b>(required)</b>	See table above
Contact email address <b>(optional)</b>	See table above

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