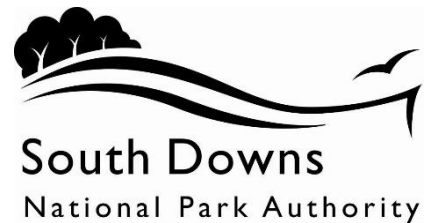


Contact details

Committee Officer on 01730 814810

Email committee.officer@southdowns.gov.uk



**SOUTH DOWNS NATIONAL PARK AUTHORITY
PLANNING COMMITTEE**

A meeting of the Planning Committee will be held at **10.00 am** on **Thursday, 11th February, 2021** at the **Online via Zoom Cloud Meetings**

Trevor Beattie, Chief Executive (National Park Officer)

AGENDA

- 1. Apologies for absence**
- 2. Declaration of interests**
To enable Members to declare to the meeting any disclosable interest they may have in any matter on the agenda for the meeting.
- 3. Minutes of previous meeting held on 21 January 2021** (Pages 3 - 6)
To approve as a correct record the minutes of the Planning Committee meeting held on 21 January 2021.
- 4. Matters arising from the previous meeting minutes**
To enable any matters arising from the 21 January 2021 Planning Committee minutes that are not covered elsewhere on this agenda to be raised.
- 5. Updates on previous Committee decisions**
To receive any updates on previous Committee decisions.
- 6. Urgent matters**
To consider any matters on the agenda which the Chair agrees should be considered as a matter of urgency due to special circumstances.

DEVELOPMENT MANAGEMENT

- 7. Application No: SDNP/20/02390/FUL - Coastguard Cottages** (Pages 7 - 24)
Local Authority: Lewes District Council
Proposal: Repair, reconstruction and extension of existing sea defences.
Address: 1 - 2 Cuckmere Cottages, South Hill, Cuckmere Haven, Seaford. East Sussex. BN25 4AR
To consider a report by the Director of Planning (Report PC20/21-29).
- 8. Application No: SDNP/20/01796/FUL - Smugglers Copse** (Pages 25 - 54)
Local Authority: Chichester District Council
Proposal: Change of use from forestry to mixed use comprising forestry, production of forestry products, education and training courses and associated camping. Erection of barn for use for forestry, production of forestry products, education and training courses. Erection of toilet and shower building. Retention of roundhouse, framing bed, pizza oven, IBC and solar panel.
Address: Smugglers Copse Borden Milland West Sussex.
To consider a report by the Director of Planning (Report PC20/21-30).
- 9. Application No.: SDNP/20/01535/FUL – Butser Hill Lime Works** (Pages 55 - 72)
Local Authority: South Downs National Park Authority (Hampshire)
Proposal: The extraction of 343,670 tonnes of chalk (156,214 cubic metres x 2.2 tonnes per cubic metre) and the importation of 1,149,000 tonnes (633,333 cubic metres x 1.8 tonnes per cubic metre) of clean inert waste/soils and clays and the importation of approximately 31,000 tonnes of top soil (21,000 cubic metres x 1.4 tonnes per cubic metre) with the continuation of ancillary recycling operations until 31st December 2028..
Address: Butser Hill Lime Works Ltd, Butser Hill, Buriton, Petersfield, Hampshire. GU31 5SP
To consider a report by the Director of Planning (Report PC20/21-31).

STRATEGY & POLICY

- 10. Update on the progress of the Review of the Hampshire Minerals and Waste Plan (2013)** (Pages 73 - 292)
To consider a report by the Director of Planning (Report PC20/21-32).
- 11. Enforcement Update** (Pages 293 - 294)
To consider a report by the Director of Planning (Report PC20/21-33).
- 12. Summary of appeal decisions received from 24 September 2020 - 20 January 2021** (Pages 295 - 317)
To consider a report by the Director of Planning (Report PC20/21-34).

Members of the Planning Committee

Alun Alesbury, Heather Baker, Janet Duncton, Thérèse Evans, Barbara Holyome, Diana van der Klugt, Gary Marsh, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Richard Waring
Ex officio Members (may participate on Policy items but not vote): Ian Phillips

Members' Interests

SDNPA Members have a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regard themselves first and foremost as Members of the Authority, and will act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

Members are required to declare any disclosable pecuniary interest that is not already entered in the Authority's register of interests, and any personal interest and/or public service interest (as defined in Paragraph 18 of the Authority's Code of Conduct) they may consider relevant to an item of business being considered at the meeting (such disclosure to be made at the commencement of the meeting, or when the interest becomes apparent).

Access to Information

If you would like a copy of this agenda in large print or an alternative format/language please contact the Committee Officer at committee.officer@southdowns.gov.uk or 01730 814810

Recording of Meetings

The Openness of Local Government Bodies Regulations give a right to members of the public to record (film, photograph and audio-record) and report on proceedings at committee meetings. The Authority has a protocol on 'Filming, Recording and Reporting of South Downs National Park Authority Meetings' which is available [on our website](#).

As part of the Authority's drive to increase accessibility to its public meetings, this meeting will be filmed for live and/ or subsequent broadcast via the internet; at the start of the meeting the Chair will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training or any other purposes by the Authority. By entering the meeting room and using the public seating area you are consenting to being filmed, recorded or photographed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding this, please contact the Governance Officer committee.officer@southdowns.gov.uk

Public Participation

Anyone wishing to speak at the meeting should register their request no later than 12 noon, 3 working days before the meeting by e-mailing public.speaking@southdowns.gov.uk. The public participation protocol is available on our website www.southdowns.gov.uk/

Feedback

If you wish to give us feedback on your experience of the meeting please e-mail committee.officer@southdowns.gov.uk

Unconfirmed Planning Committee Meeting Minutes to be approved at the next meeting

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 21 January 2021

Held: online via Zoom videoconferencing, at 10am.

Present: Alun Alesbury (Chair), Heather Baker, Janet Duncton, Barbara Holyome, Diana van der Klugt, Gary Marsh, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Richard Waring.

Officers: Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by: Rafael Grosso Macpherson (Senior Development Management Officer).

OPENING REMARKS

227. The Chair welcomed Members to the meeting and informed those present that:

- Due to the Coronavirus pandemic full meetings were not able to be held at the Memorial Hall until further notice, hence the meeting of the South Downs National Park Authority was held using the Zoom Cloud Meetings software.
- The meeting was being webcast by the Authority and would be available for subsequent on-line viewing. Anyone entering the meeting was considered to have given consent to be filmed or recorded, and for the possible use of images and sound recordings for webcasting and/or training purposes.

228. The Senior Governance Officer confirmed the Members of the Planning Committee who were present, that the meeting was quorate and reminded Members of the protocol that would be followed during the online meeting.

229. The Chair reminded those present that:

- SDNPA Members had a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regarded themselves first and foremost as Members of the Authority, and would act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

ITEM 1: APOLOGIES FOR ABSENCE

230. Apologies were received from Thérèse Evans.

ITEM 2: DECLARATION OF INTERESTS

231. Robert Mocatta declared a public service interest in item 7. Charles Louisson was a fellow councillor at East Hampshire District Council, and one of the speakers, Mr Lionel Fanshawe, was known to him as a former parish councillor for Stroud, which was in the area served by Robert Mocatta as a District Councillor.

232. Andrew Shaxson declared a personal non-prejudicial interest in item 7 as one of the speakers, Ian Ellis, had acted in a professional manner on his behalf at a past appeal.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 10 DECEMBER 2020

233. The minutes of the previous meeting held on 10 December 2020 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

234. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

235. There were none.

ITEM 6: URGENT ITEMS

236. There were none.

ITEM 7: SDNP/20/03965/FUL - Newton Valence Farm

Unconfirmed Planning Committee Meeting Minutes to be approved at the next meeting

237. The Case Officer presented the application, referred to the update sheet and gave a verbal update that two further comments had been received, one from the Environmental Health Officer at East Hampshire District Council and the other from the Highways Officer at Hampshire County Council. The points raised in their comments were covered in the officer's presentation.
238. The following public speakers addressed the Committee:
- Cllr Charles Louisson spoke against the application as East Hampshire District Councillor for the Ropley, Hawkley & Hangers ward;
 - Cllr Bob Fewings spoke against the application representing Newton Valence Parish Council;
 - Jon Fountain spoke in support of the application representing the applicant;
 - Lionel Fanshawe spoke in support of the application representing the applicant;
 - Ian Ellis spoke in support of the application as the agent representing the applicant.
239. The Committee considered the report by the Director of Planning (Report PC20/21-27), the update sheet and the public speaker comments, and requested clarification as follows:
- Could the Officer confirm the expected number of extra movements of traffic to and from the Upper Yard site over the course of a year?
 - Would there be any potential noise impact to the proposed 10 dwellings which had recently had planning permission approved for the nearby Lower Yard site in Newton Valence (SDNP/19/03160/OUT)?
 - Was it possible to include a condition restricting overnight use of the grain dryer, or to mitigate for low frequency noise?
 - How many vehicular passing places were there on Newton Lane?
 - Would the grain dryer be used only in the weeks following harvest?
 - Was HGV access restricted to the Upper Yard site? The junction of Newton Lane with the A32 displayed a sign prohibiting use for vehicles above 7.5 tonnes in weight.
 - Clarification that the current A32 site could not be expanded into neighbouring fields owned by the farmer?
 - Had there been any discussions between the farm owner and the local community about the proposed development?
240. In response to questions, Officers clarified:
- There would be an expected increase of 34 HGV movements a year to and from the Upper Yard site. However, there would be a reduction in other traffic movements, such as farm traffic, as they would no longer need to take grain to the A32 site.
 - The Noise Report had assessed any impact of noise on the 3 residential properties nearest the Upper Yard site. The recently approved application site of Lower Yard was further away from Upper Yard than the assessed dwellings, therefore officers had concluded that the impact of noise would not be any more significant than that which had been taken into account in the Noise Impact Assessment report, and there was no need for a further assessment.
 - The independent Noise Impact Assessment had also covered all issues raised about noise impact, including low frequency noise and noise at night. This had been reviewed by both SDNPA Officers and the Environmental Health Officer (EHO). The EHO was satisfied that the conditions were sufficiently robust, and there was no need for further conditions to mitigate noise at night, as the noise impact was within levels permitted by British Standards.
 - There were several vehicular passing places on Newton Lane.

Unconfirmed Planning Committee Meeting Minutes to be approved at the next meeting

- Whilst the Noise Report and the Planning Statement stated different timeframes for use of the grain dryer, the Environmental Health Officer was satisfied that the noise levels produced would not have a significant impact on living conditions of local properties. Therefore, longer periods of use of the grain dryer, regardless of the time of year, was acceptable.
 - Paragraph 8.27 of the officer's report explained that the Highways Authority had confirmed that, whilst there was a 7.5 tonne weight Traffic Regulation Order for the area, this restriction did not apply to HGVs used in connection with the transportation of goods to and from premises used for agriculture.
 - Evidence provided in the Whole Estate Plan indicated that land to the east of the A32 site was in the ownership of Newton Valence Farm and that fields to the north and south of the site were not in their ownership. It was the officer's view that there were several constraints that would make it difficult to expand to the east of the site. Officers reminded Members that, whilst planning policy required that the most suitable site should be sought, it was important to determine the application before them on its merits and against any harm it may cause.
 - Officers were not aware whether Newton Valence Farm had carried out any public consultation about the proposed development with the local community.
241. The Committee discussed and debated the application, making the following comments:
- The Committee recognised that modern facilities were essential for farmers, and that good storage facilities were important for ensuring consistent food supply throughout the year.
 - Some members expressed disappointment that the A32 site could not be expanded further, however it was recognised that the only option for that site would be to develop into greenfield land to the east of the current site, and that this would have a significant impact on the landscape compared to using the existing, working farm site at Upper Yard.
 - The Committee expressed further disappointment that there had been little communication with the local community and encouraged farms to keep an open dialogue, as communication with local communities was very important to their understanding of farming needs.
 - The inclusion of solar panels on the roofs was commended. It was further noted that the proposed landscaping scheme for this site would create wildlife corridors, and was not centred around the building itself. This wider planting would ensure an enhanced environmental benefit from this application.
 - Members debated the impact of traffic to and from the site. Whilst there was concern amongst some Members on the impact on the rural lanes, it was agreed that the extra movements were not considered excessive, bearing in mind that 2,000 tonnes of grain were already stored at this site, and that other farm vehicle movements would be reduced on the lanes.
 - On the issue of noise, the Committee was satisfied that the Environmental Health Officer had raised no objections, and that Environmental Health law on noise provided strong protection for local residents if there were any issues with the grain dryer being louder than claimed. Members agreed that an additional condition should be included to require that noise levels from the grain dryer should be reassessed after a reasonable length of time of normal operation, to ensure it was still within the required standards.
242. It was proposed that full permission, in accordance with the recommendation as set out in the Officers report, should be granted subject to the conditions set out in paragraph 10.2 of the officer's report, as amended in the Update Sheet, and subject to an additional condition relating to noise monitoring and assessment after the grain dryer has been in use for a reasonable period of time.

Unconfirmed Planning Committee Meeting Minutes to be approved at the next meeting

243. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.2 of the officer's report, as amended in the Update Sheet, and subject to an additional condition relating to noise monitoring and assessment, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

ITEM 8: SDNP/19/06035/FUL – Land South West of Woodcote Manor Cottages

244. The Chair notified Members that this application had been withdrawn by the Applicant.
245. The Chair closed the meeting at 11:48am.

CHAIR

Signed: _____

Agenda Item 7
Report PC20/21-29

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/20/02390/FUL
Applicant	Mr C Patrick
Application	Repair, reconstruction and extension of existing sea defences
Address	1 - 2 Cuckmere Cottages South Hill Cuckmere Haven Seaford East Sussex BN25 4AR

Recommendation: That planning permission be granted subject to the conditions as set out in paragraph 10.1 of this report.

Executive Summary

The application seeks planning permission for the repair, reconstruction and extension of the existing sea defences located to the west of the Cuckmere Estuary.

Consultation responses have been received from the Environment Agency, Archaeology and drainage who have raised no objection subject to the imposition of appropriate conditions to control the development. A letter of support was received from the Parish Council in addition to 114 letters of support from the public, the majority of which referenced the importance of the cottages locally, nationally and internationally.

Objections have been raised by Natural England, Ecology, West Sussex Wildlife Trust and Landscapes with two objections raised through public representations. These objections have focused upon the proposals impacts upon ecology, biodiversity and geology within the Site of Special Scientific Interest (SSSI) and Marine Conservation Zone (MCZ).

The key consideration in the determination of this application is the balance of the ecological impacts of the development against the cultural value of the cottages. It must also be noted that the Beachy Head to Selsey Bill Shoreline Management Plan (SMP) has identified an approach of 'no active intervention' which is reflected through policy SD18 of the South Downs Local Plan.

The report has identified that the proposed works to the sea defences would, subject to condition, accord with policies SD2, SD4, SD5, SD6, SD7, SD12 and SD16 of the South Downs Local Plan (SDLP).

The view of the Seven Sisters with Coastguard Cottages in the foreground is also identified as a representative view within 'The South Downs National Park: View Characterisation and Analysis' (November 2015). Therefore, the cottages are deemed to make a significant contribution to the Sussex Heritage Coast and the repair, reconstruction and extension of the sea defences to provide certainty as to the timeframe in which to identify a more permanent solution for their retention/protection would conserve the character of the Heritage Coast.

The proposals are also deemed to sit comfortably against the existing built structures on site and as such would appear in keeping with the established character and appearance of the site in accordance with policies SD4, SD5, SD6, SD7, SD12 and SD16 of the SDLP.

It has also been identified by the applicant in their submission that the proposed defences would have a predicted lifespan of 85 years, which would mean that the defences would likely be in situ until 2105. This is in line with the existing timeframe identified within the SMP for natural processes to have been reinstated on this portion of the coastline. Therefore, subject to decommissioning the proposal would be deemed to accord with long-term objectives of the SMP and reflect policy SD18(1)(b) of the South Downs Local plan.

In terms of the ecological impact of the development it has been identified by consultees through their objections that the proposals would result in the loss of irreplaceable habitat. In this case approximately 119 and 238m² of intertidal chalk platform. The applicant has identified measures to uncover approximately 35m² of foreshore through the removal of concrete debris forward of the sea defences to partially offset the loss.

However, there is currently no certainty in terms of the precise nature of the impacts of the development upon the interest features of the SSSI and MCZ or any definitive mitigation strategy. However, the Environment Agency in their consultation response have identified that the use of an appropriately worded condition would be suitable to secure details of this mitigation strategy. It is considered that such a condition would accord with paragraph 175 of the NPPF.

Given that the proposed development would impact upon approximately 0.0576% of the SSSI and a suitably worded condition could be used to secure details of an appropriate mitigation strategy, it is considered on balance that the retention of the cottages by virtue of their cultural and historical value would outweigh the impact of the development upon the SSSI and MCZ (subject to mitigation).

Therefore, it is recommended that on balance planning permission should be granted subject to the proposed conditions.

The application has been put before the committee due to the nature of the development and its significant level of public interest.

1. Site Description

1.1 The application concerns the sea defences at Cuckmere Haven located to the west of the mouth of Cuckmere River. The existing defences consist of three parts:

- a length of steel sheet piled wall and timber breastwork originally constructed in the 1980s;
- a concrete seawall which measures approximately +10m ODN constructed in 1947; and
- a further concrete seawall measuring approximately 70m in length of a height of approximately +6m ODN, constructed in the 1980s. which protect three Georgian Coastguard Cottages and an early 20th century cable hut.

These defences protect this part of the coastline and the Georgian Coastguard Cottages situated on the cliff as well as an early C20th Century cable hut.

1.2 The application site falls within the Seaford to Beachy Head Site of Special Scientific Interest (SSSI) which is an outstanding site of national importance for its biological and geological features. The diverse range of habitats include herb-rich chalk and grassland, chalk heath, maritime grassland, foreshore and chalk cliffs, river meanders and Greensand reef. The application site also falls within the Beachy Head Marine Conservation Zone (MCZ) which protect various habitat types and their associated species.

2. Relevant Planning History

2.1 None.

3. Proposal

3.1 The proposal consists of a timber breastwork wall which will extend approximately 15m at the northernmost point of the proposed works. The wall will consist of several timber planks between steel 'H' piles driven into the chalk which underlies the beach material. The top level of the planking will be set at ground level and extend to a depth of approximately 2m below ground level, with the pile to a depth of approximately 8m.

- 3.2 The second element of the proposals will consist of steel sheet piles in front of the existing sheet piles measuring approximately 11m in length, with the top of the piles set approximately 300mm above the level of the existing steel sheet pile wall and infilled behind.
- 3.3 The final element of the proposals comprises low-level toe piles following the alignment of the existing defences, with the top of the piles aligning approximately with the existing beach, with the gap between the proposed piles and the existing defences filled with mass concrete to prevent the loss of beach material between the old and new works. The piles are intended to be to a depth of approximately 4m with the concrete infill between of a width between 0.5m and 1m.

4. Consultations

4.1 Seaford Town Council – Support

It is acknowledged that this part of the Heritage Coast is of national importance and the natural coastline deserves the maximum level of protection. It is considered however that the Cottages contribute significantly to the character of the coastline and that the need for further works to protect the Cottages is fully made out in the application. Any detriment to the character and appearance of the coastline arising from the repair and extension of the coastal defence works is therefore outweighed by the fact that the works will preserve and protect the cottages.

4.2 Drainage – No Objection

The information provided is satisfactory and enables the Pevensey and Cuckmere Water Level Management Board (PCWLMB) and Lead Local Flood Authority (LLFA) to determine that the proposed development is capable of managing flood risk effectively.

4.3 Archaeology – No objection subject to conditions

The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions which are outlined in this response.

4.4 Environment Agency – No objection subject to conditions

No objection subject to the inclusion of proposed conditions.

Condition 1 – Scheme for compensatory habitat creation

The site is located within the South Downs National Park (SDNP), a Site of Special Scientific Interest (SSSI) and a Marine Conservation Zone (MCZ) which are classified as sensitive areas. There are a considerable number of protected species and habitats present, plus other non-statutory protected sites. Development that encroaches on these areas in and adjacent to the Cuckmere Estuary has the potential to severely affect its ecological value.

Impacts on protected species must be avoided and/or appropriate licences obtained if applicable. If impacts to protected habitats cannot be ruled out then mitigation measures should be included. Compensatory habitat must be provided if habitat destruction cannot be avoided. This should be considered both during the construction and operational phases. Paragraph 175 of the National Planning Policy Framework (NPPF) states that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The plans indicated permanent loss of and damage to sub-tidal chalk reef (section 4.1.3 of the Preliminary Ecological Appraisal), which is an irreplaceable habitat. Whilst the PEA indicates the proposed use of appropriate methods to minimise and mitigate for this, there is currently no specific plan to provide compensatory habitat, albeit there is a statement in the PEA document that an Ecological Mitigation Plan will be prepared (see section 5.4 entitled 'Enhancement' in the PEA). In March 2019 the UK Government announced that, through the new Environment Bill, biodiversity net gain would be made mandatory for all new development in England in order to leave the natural environment in a measurably better

state than beforehand. We advise that this approach is used and compensatory habitat should be provided either on-site as an appropriate coastal habitat, and/or adjacent to the site as estuarine habitat. It has been recognised that there are opportunities to provide compensatory habitat (incorporating artificial habitat as part of the works, installing vertipools as part of the sheet piling and other options such as habitat niches and using a variety of different surfaces to create diversity instead of a uniform plain surface, as well as opportunities adjacent to the site) and as such, the above condition will secure further details about the proposed plans.

Condition 2 – Landscape and ecological management plan

This condition will ensure the protection of wildlife and supporting habitat. It will also secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policy – the South Downs Local Plan, adopted on 2nd July 2019 and the South East River Basin Management Plan.

The Repair, reconstruction and extension of existing sea defences proposed as part of this development could have an unacceptable effect on the ecological value of the coastal habitats at this site; Coastal Vegetated Shingle, Saline Lagoon, Lowland Calcareous Grassland, Intertidal Chalk, Maritime Cliff and Slopes, Intertidal mudflats and Deciduous Woodland. The proposal highlights the considerable heritage and visual importance of the site, therefore avoiding damage to and retaining the natural character is vitally important. An Ecological Mitigation Plan (see Sections 5.1 and 5.4 of the PEA (March 2020)) has been proposed to manage any effects, and this will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment.

In light of the above, the proposed development will only be acceptable if the above planning condition requiring a landscape management scheme is included in any permission granted.

This approach is supported by paragraphs 170 and 175 of the NPPF which recognises that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for, planning permission should be refused.

4.5 Natural England – Objection

The development will:

- damage or destroy the interest features for which Seaford and Beachy Head SSSI has been notified.
- damage or destroy the interest features for which Beachy Head West MCZ has been notified.
- This will occur for the following reasons:
- The proposed development would result in the permanent irreplaceable loss of chalk foreshore/platform for which the site is notified as an SSSI.
- The proposed development would result in the permanent irreplaceable loss of littoral chalk which supports the littoral chalk communities for which the site is notified as an MCZ.

In addition, it is advised that the proposal will:

- have a significant impact on the purposes and objectives of the South Downs National Park Sussex Heritage Coast.

4.6 Natural England – Objection comments dated 08.01.2021

Despite the submission of additional information Natural England maintain their objections for the same reasons as above.

4.7 Ecology – Objection

The application is likely to have significant adverse impacts on biodiversity and cannot be supported from an ecological perspective and as such the application is recommended for refusal.

The proposed development is likely to have significant adverse impacts on the Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Local Nature Reserve (LNR) and Local Geological Site (LGS) and is contrary to national and local policy and the Shoreline Management Plan. It is unclear if the impacts can be mitigated/compensated. As such, the development cannot be supported from an ecological perspective.

4.8 Landscape – Objection

The defence structures seek to protect 2no. Cottages and the Cable Hut, these are valued features within this landscape which contribute significantly to the landscape character of this coastline. However, the proposal defends these structures in a way that generates significant negative effects upon coastal processes/geomorphology, rare coastal habitats and visual amenity. The application has not demonstrated that these effects are unavoidable to deliver the protection needed, or that less harmful options have been explored. Without this information, it is not possible to support the application.

5. **Representations**

5.1 114 letters of Support have been received and these have been summarised below:

- The cottages and cable hut are an integral part of the iconic view at Cuckmere Haven.
- This iconic view is part of our national heritage and is known around the world bringing visitors to Sussex from other parts of the UK and overseas.
- Without the cottages the site will no longer attract film makers, advertisers and artists and ultimately a reduction in the number of visitors which will be detrimental to the local economy.
- The cottages and surrounding view are a major tourist attraction and cultural treasure.
- The cottages are an enhancement to this special landscape.
- Without the cottages and cable hut this iconic view would be completely changed and the landscape altered forever.
- The existing landscape must be preserved for the enjoyment of all.
- This iconic view has provided a visual recognition symbol of Sussex for generations both home and abroad and should be protected for the future.
- The buildings in combination with the cliffs and sea, form a perfect combination of history and nature which should be preserved for future generations.
- The cottages represent heritage that all should feel concerned about preserving.
- The proposals would preserve the homes, cliffs and access for another generation in a professional, sympathetic and unobtrusive way.
- The proposals will remove the unsightly remains of the previous defences which exist at present.
- Were the cottages, Cable Hut and old sea defences to be lost this would leave an unsightly gash on the landscape.
- The cottages are vital to the South Downs National Park and to lose them would be a national disgrace.
- The proposals will enhance the shoreline views and make the beach west of the river much safer.
- The proposals would be in accordance with the Purposes of the National Park and with the objections set out in the local plan.

The Friends of Cuckmere:

The application is strongly supported. This site is a national treasure and of great significance to the National Park and the Cuckmere Estuary. Its preservation will have a significant and wholly beneficial impact on natural beauty, wildlife and cultural heritage and on opportunities for the public understanding and enjoyment of the Special Qualities of the South Downs National Park. The proposed works will be sympathetic and minimally intrusive. Rejection of the application will lead to the loss of one of the UK's most iconic, internationally loved landscape features and would constitute an inexplicable act of vandalism.

- 5.2 1 letter of no objection which has been summarised below:

Sussex Geodiversity Partnership:

The partnership has no objection to the application, as it is replacement of an existing structure. However, the applicant has not, in the opinion of some Partnership members, given sufficient consideration to the geodiversity of the site in question. This is a case where the current lack of evidence for the survival of geological evidence does not mean that the potential impact on geodiversity need not be considered.

- 5.3 2 letters of Objection have been received and these have been summarised below:

- The application contradicts the intention of the Beachy Head to Selsey Bill Shoreline Management Plan 2006, which states for Cuckmere Haven “no active intervention” and “to allow dynamic process to resume”. As stated in the Plan, the current policy should be “no longer maintaining the existing defences and allowing them to fail”.
- The steel sheet piling as proposed will be unsightly and visible from miles away and the long-term effect will be the formation of a peninsula of private housing as the sea outflanks this island of steel from both east and west.
- The proposals would be unsightly and cause problems of erosion elsewhere. The application is clearly contrary to policies of the Local Plan and the Environment Agency's Shoreline Management Plan.
- It is the view of Cuckmere Haven and the Seven Sisters that is iconic. The buildings are merely familiar, because they intrude into the view and so happen to appear in many visitor's photographs.
- The existing cottages are of no historic merit and feature large, flat-roofed, modern extensions. They are incongruous to their setting.
- Creating a concrete sea defences to save the terrace is entirely unjustified. The buildings are an eyesore and the view would be greatly improved by their demolition.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory Development Plan comprises of the South Downs Local Plan 2014-2033 and the Lewes Neighbourhood Plan (LNP) 2015 - 2033 (11th April 2019). The relevant policies are set out in section 7 below.

National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 24 July 2018 and revised in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF) 2019

- 6.4 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:

- Achieving sustainable development
- Requiring good design
- Meeting the challenge of climate change, flooding and coastal change.
- Conserving and enhancing the natural environment

Relationship of the Development Plan to the NPPF and Circular 2010

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

The South Downs National Park Partnership Management Plan 2014-2019

- 6.5 This is a material consideration in the determination of planning applications, as outlined in national planning practice guidance. It outlines a vision and long-term outcomes for the National Park. The following policies are relevant: to be added.

Beachy Head to Selsey Bill - Shoreline Management Plan May 2006

- 6.6 This is a material consideration in the determination of this planning application with the site falling within unit 4d03.

7. Planning Policy

- 7.1 The following policies of the South Downs Local Plan 2014-2033 are relevant:

- SD1: Sustainable Development
- SD2: Ecosystems Services
- SD4: Landscape Character
- SD5: Design
- SD6: Safeguarding views
- SD7: Relative Tranquillity
- SD9: Biodiversity and Geodiversity
- SD12: Historic Environment
- SD16: Archaeology
- SD18: The Open Coast
- SD25: Development Strategy

8. Planning Assessment

Principle of development

- 8.1 In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) this application for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

- 8.2 In the determination of this application the development plan consists of the South Downs Local Plan (2014-33). It will first be necessary to establish the principle of the proposed development.
- 8.3 Policy SD3 of the South Downs Local Plan (SDLP) concerns major development and identifies that the Authority will consider whether development constitutes major development, by reason of its scale, character or nature and its potential to have a significant adverse impact on the natural beauty, wildlife or cultural heritage of the National Park. It is also identified under policy SD3 that planning permission will be refused for major development in the National Park except in exceptional circumstances. In this case the proposals have been considered and are deemed not to constitute major development given the existing condition of the site and extent of the existing sea defences in comparison to the scale and extent of the proposed development. Therefore, in this case the proposed development would not result in a significant impact upon the National Park beyond the current condition of the application site and as such are not deemed to constitute major development.
- 8.4 The application site is situated outside of the settlement boundary as defined by policy SD25. Policy SD25(2) identifies that development outside of settlement boundaries will be permitted in exceptional circumstances where it complies with relevant policies in the Local Plan and responds to the context of the broad area as well as according with one of the additional policy requirements. Paragraph 7.10 of the South Downs Local Plan (SDLP) identifies an example of exceptional circumstances which include particular uses relating to agriculture or countryside recreation where these uses can only function successfully in rural location. In this case as the works relate to the repair and improvement of existing sea defences (for the continued protection of property) there is clearly no other option but for this development to be situated in this location outside of the settlement boundary and as such this is considered to constitute an exceptional circumstance for the purposes of policy SD25(2). The development also relates to 'previously developed land' and therefore the development would accord with SD25(2)(b) and (d) of the South Downs Local Plan subject to the proposals accordance with other relevant development plan policies.
- 8.5 The Development Plan in this case would consist of the South Downs Local Plan. Therefore, the key policy considerations in the determination of the proposal are deemed to be SD1, SD2, SD4, SD5, SD6, SD7, SD9, SD12, SD16 and SD18 of the South Downs Local Plan.
- 8.6 A number of consultees have raised objections to the proposal on the basis of the developments impact upon the Site of Special Scientific Interest (SSSI) and a Marine Conservation Zone (MCZ). Therefore, in this case it will be necessary to consider if the ecological harm of the development can be adequately controlled, through the use of appropriately worded conditions. The harm after mitigation would then need to be balanced against the continued protection of the cottages and Cable Hut both of which are non-designated heritage assets which make a positive contribution to landscape character as well as the wider national park. It will also be necessary to consider the benefits of protecting against uncontrolled collapse of the defences in order to allow for the controlled decommissioning.

Design and Landscape

- 8.7 The proposal consists of a timber breastwork wall which will extend approximately 15m to the east at the northernmost point of the proposed works. The wall will consist of several timber planks between steel 'H' piles driven into the chalk which underlies the beach material. The top level of the planking will be set at ground level and extend to a depth of approximately 2m below ground level, with the pile to a depth of approximately 8m.
- 8.8 The second element of the proposals will consist of steel sheet piles in front of the existing sheet piles measuring approximately 11m in length, with the top of the piles set approximately 300mm above the level of the existing steel sheet pile wall.
- 8.9 The final element of the proposals comprises low-level toe piles following the alignment of the existing defences, with the top of the piles aligning approximately with the existing

beach, with the gap between the proposed piles and the existing defences filled with mass concrete to prevent the loss of beach material between the old and new works. The piles are intended to be to a depth of approximately 4m in depth with the concrete infill between 0.5 and 1m in width.

- 8.10 In this case the proposed sea defences sit below the cottages and as such when viewed from the north and east will not interrupt views. Views of the proposed defences will only be in a direct relationship with the existing sea defences. This relationship means that the proposals will not interrupt views of the rolling downland landscape and will not contribute to a greater sense of clutter than is already present, nor will the proposals impact upon views to or from the cottages.
- 8.11 The application was supported by a Landscape Visual Impact Assessment (LIA) and Visual Impact Assessment (VIA) which concluded that the proposed development would result in 'minor' landscape effects and 'negligible' visual effects. These documents were considered by the Landscape Officer who considers that these documents have underestimated the effects of the development given the design life of the development and the landscape's special qualities and character and the aims and objectives of the national designations which apply.
- 8.12 It has been identified in the consultation response from the Landscape Officer that the development results in unmitigated, negative impacts, particularly on the eastern-facing defences which would be exposed to views from within the Country Park. However, it should be noted that the proposed defences will replace existing sea defences some of which are significantly damaged and as such result in detrimental impacts to the immediate setting of the landscape. The proposed development will extend approximately 1m further to the east and exceed the height of existing defences by approximately 30cm. Therefore, the proposals are not deemed to result in unacceptable adverse impacts upon the landscape character of the site and wider National Park, given the existing condition of the site.
- 8.13 It must also be noted that these works concern the continued protection of this proportion of the coastline and the existing defences to enable the retention of the cottages which are identified as vulnerable to loss from 2055 by virtue of coastal erosion. These measures are not intended to preserve the cottages indefinitely but rather provide certainty that they will not be lost to coastal erosion before measures can be implemented to better preserve or relocated them further inland.
- 8.14 The South Downs National Park: View Characterisation and Analysis (November 2015) sought to provide a foundation of evidence on view types within the National Park and its setting to;
- support development management, including being used for evidence on landscape and visual matters;
 - provide information to assist Neighbourhood Planning teams and other community planning groups, Parish Councils and Landowners with assessing the impacts of proposed land use change;
 - provide evidence to inform the delivery of the SDNP Partnership Management Plan, supporting the SDNP in working to protect and enhance the Special Qualities of the NP;
 - form part of the landscape evidence base for the South Downs National Park Local Plan which is planned for adoption during 2017;
 - provide a snapshot of the National Park as it is today as a baseline against which future landscape change could be monitored for the 'State of the Park' Reporting; and
 - provide evidence about the setting of the park and the range of potential visibility to and from the park.
- 8.15 This document includes a list of representative views which are identified as revealing the special qualities of the South Downs; are noted in the South Downs Integrated Landscape Character Assessment (SDILCA 2011) as being natural observation points from which to appreciate the landscape character of the South Downs; marked as key viewpoints on OS maps; or where facilities for the enjoyment of the landscape and views are provided.

- 8.16 View 20 of this document relates to South Hill/Seaford head which was selected as a representative view for the following reason “Views east towards the cliffs of Seven Sisters with cottages at Cuckmere Haven in the foreground are available from South Hill. This location provides view of some of the most iconic landscape features of the South Downs and is a popular location used for photography and painting.
- 8.17 This view is considered to be one of the best views in England as set out in The Guardian’s ‘50 Best Views in England’, and forms the front cover image for the document.’
- 8.18 Therefore, the Authority itself has previously identified that the cottages form part of this representative view within the South Downs National Park. Therefore, the proposal will preserve the visual integrity, identity and scenic quality of this iconic view within the National Park in accordance with policy SD6 of the SDLP.
- 8.19 It is accepted that consideration must be given to the geomorphology of the site and the negative impacts of development upon habitats and species within the SSSI and MCZ and this element of the development will be covered later in this report.
- 8.20 Consideration must, However, be given to the cottages and cable hut themselves and the contribution these structures make to this internationally renowned view. The important contribution that these buildings make to the National Park and the landscape character of Seven Sisters are celebrated on the first UK postage stamp of 2021 which celebrates the country’s National Parks. The view chosen for the South Downs National Park is that of Seven Sisters with the cottages at the forefront highlighting the value and importance of these structures and the contribution they make not only to the character of this area and landscape but the entire National Park.
- 8.21 Given the significant contribution that these structures make to the landscape character of the area there is considered to be value in their protection to allow time for a more sustainable method of protection to be identified and implemented.
- 8.22 Therefore, by virtue of the design of the proposals, in conjunction with the visual impact and evidence submitted in support of the proposals, the proposals on balance do not result in unacceptably adverse harm to the landscape character of the area and are deemed to accord with policies SD4, SD5 and SD7 of the South Downs Local Plan.
- 8.23 Policy SD18 of the SDLP identifies that development proposals within the Sussex Heritage Coast area of the National Park will not be permitted unless they either are appropriate to the coastal location and conserve and enhance the character of the Heritage Coast or are necessary for the operation needs of activities in support of the Heritage Coast. In this case the proposed development conserves the character of the Heritage Coast but will fail to enhance it. However, it is considered that in this case the cultural heritage which will be protected through these temporary enhancements to the sea defences outweigh the proposals conflict with policy SD18(1)(i) of the SDLP. The proposals compliance with the remainder of policy SD18 will be considered later in this report.

Ecology, Biodiversity and Geodiversity

- 8.24 Objections have been raised by the Landscape Officer, Ecologist, Natural England and the Sussex Wildlife Trust in relation to the proposed development by virtue of the harm to the SSSI and MCZ due to the permanent irreplaceable loss of chalk foreshore/platform and littoral chalk which supports the littoral chalk communities.
- 8.25 The National Planning Policy Framework (NPPF) under paragraph 170 states that “the planning system should contribute to and enhance the natural and local environment by... protecting and enhancing... sites of biodiversity or geological value...” and “minimising impacts on and providing net gains for biodiversity...”.
- 8.26 Policy SD9 of the South Downs Local Plan (SDLP) states that development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration and creation. Development proposals which result in the loss or deterioration of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a

suitable compensation strategy exists. Development proposals that will result in any adverse effect on the integrity of any local site which cannot be either avoided or adequately mitigated will be refused, unless exceptional circumstances outweighing the adverse effects are clearly demonstrated. Prior to determination, up-to-date ecological information should be provided which demonstrates that development proposals retain, protect and enhance features of biodiversity and geological interest and ensure appropriate and long-term management of those features; and should identify and incorporate opportunities for net gains in biodiversity.

- 8.27 Policy SD18 of the SDLP identifies that development proposals within the Heritage Coast area and the undeveloped coastline zone of the National Park will not be permitted unless they are appropriate to the coastal location and conserve and enhance the character of the Heritage Coast/undeveloped National Park coastline, or are necessary for the operational activities in support of the Heritage Coast, and are consistent with the Beachy Head to Selsey Bill Shoreline Management Plan, conserve and enhance access to/from the coast and along the coastline, and cause no adverse impact on any designated Marine Conservation Zone (MCZ) and should ensure their conservation and, where possible, enhancement.
- 8.28 The application site falls within Policy Unit 4d03 (Seaford Head) in the Beachy Head to Selsey Bill Shoreline Management Plan (SMP) for which the recommended long-term plan is to allow the unprotected cliffs to erode and allow the shoreline and coastal processes to remain free functioning with no active intervention. However, policy unit 4d03 makes no reference to the existing concrete sea walls in this location and fails to identify any decommissioning process for the existing sea defences in this location. Policy Unit 4d03 also identifies the potential loss of one residential property during the period of 2025-2055 and the potential loss of 4 residential and one commercial property between 2055-2105.
- 8.29 The proposed works are identified as resulting in the loss of between 119 and 238m² of intertidal chalk which is an interest feature of both the SSSI and the MCZ. The Preliminary Ecological Appraisal (PEA) report submitted with the application (Environmental Assessment Services Ltd, March 2020) refers to the loss of this intertidal chalk as temporary and estimates the life of the project at 25 years. However, the Outline Decommissioning Plan (Doyle, May 2020) states that the proposed defences could last for up to 85 years, which would take the defences to the end of the third epoch identified within the SMP (2105).
- 8.30 It has been identified by Natural England in their consultation response that the intertidal chalk platform should be viewed as irreplaceable habitat due to the timescales and conditions under which it was formed. Therefore, the Authorities Ecologist has advised that the loss of the intertidal chalk should be considered as permanent loss of an irreplaceable habitat, and as such identifies the works as contrary to paragraph 175 of the NPPF and policies SD9 and SD18 of the SDLP.
- 8.31 The applicant in their submission has identified the re-exposure of covered areas of the chalk platform through the removal of existing foreign material could provide some mitigation for the proposals. However, this would equate to an area of approximately 25m² which in conjunction with other measures would result in the reduction in the net loss of the chalk platform of approximately 35m².
- 8.32 Therefore, even with these mitigation measures it is anticipated that the proposal would result in the net loss of approximately 84 and 204m² of the intertidal chalk platform. In order to provide some context for the scale of the development in relation to the SSSI it should be noted that the Seaford to Beachy Head SSSI covers an area of approximately 35.3647ha (353,647sqm) and as such the proposed development would result in the loss of intertidal chalk which would equate to a percentage of between 0.0237% and 0.0576% of the total area of the SSSI.
- 8.33 Paragraph 175(a) of the NPPF identifies that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused. Currently the application identifies no specific proposals to provide compensatory habitat, but the PEA does identify that an Ecological Mitigation Plan

will be prepared should planning permission be granted (section 5.4 of the PEA). Various potential mitigation measures are identified within 'Technical Note 8' (02.11.2020) which include the use of vertipools, timber facing to the sheet pile walls; vegetated shingle habitat seeding, planting and transportation; artificial rock pools; and removal of concrete forward of the existing sea defences and from the foreshore.

- 8.34 In March 2019 the UK Government announced, through the new Environment Bill, that biodiversity net gain would be made mandatory through all new development in England in order to leave the natural environment in a measurably better state than beforehand. The Environment Agency in their consultation response of the 22 July 2020 advise that this approach should be adopted and compensatory habitat should be provided either through on-site as an appropriate coastal habitat, and/or adjacent to the site as estuarine habitat and that these measures could be secured through the use of an appropriately worded condition. Whilst, this approach would ensure compliance with policy SD2 of the SDLP, policy SD9 identifies that this information should be provided prior to determination. Therefore, the use of a condition to secure this additional detail would potentially conflict with policy SD9 of the SDLP.
- 8.35 The applicant has advised that given the nature of the site (SSSI and MCZ) without formal consent for the proposed development it is difficult to justify undertaking the detailed survey and evaluation necessary to fully identify the impacts of development upon the SSSI and MCZ. Therefore, until such time as this detailed analysis has been undertaken it is not possible to identify a scheme which will fully mitigate the impact of the proposed development.
- 8.36 Therefore, given that this development will only impact upon approximately 0.05% of the Seaford to Beachy Head SSSI and that an appropriate scheme of mitigation can be secured through the use of an appropriately worded condition. It is considered that the material considerations would warrant a decision other than in accordance with policy SD9 of the SDLP.
- 8.37 The coastline in this location falls within policy units 4d02 and 4d03, with the proposed development located within unit 4d03. The SMP for unit 4d03 recommends that the unprotected cliffs are allowed to erode and the shoreline and coastal processes remain free functioning. Within the SMP it is anticipated that the cliffs will 'erode naturally' and retreat at an accelerating rate as a result of sea level rises. However, the SMP mistakenly identifies that there are no defences along this frontage stating that 'the cliffs and wave-cut platform will be free to erode at their present rate'. Given the extent of sea defences in this location without significant decommissioning works this would not be the case with the cliffs unable to erode naturally until the defences collapse. The applicant in Technical Note 4 (26.10.2020) identifies that whilst the sea defences in front of the cottages are degraded, their estimated lifespan remains approximately 75 years.
- 8.38 Technical Note 4 goes onto identify that the intention of the proposal is to provide certainty in regards to when natural processes will be reinstated by extending the life of the sea defences to ensure the protection of the cottages in the short and medium-term without significantly extending their life beyond 2105. Therefore, subject to the appropriate decommissioning of the defences proposed it would not directly contradict with the aims and objectives of the SMP. Rather it would provide additional time to explore alternative solutions, such as relocation, to avoid the loss of the cottages and cable hut through erosion in the medium-term. In this case it is not considered that the proposed works would contradict the long-term objectives of the SMP subject to the defences hereby proposed being decommissioned by 2105 and as such is deemed to accord with policy SD18(1)(b) of the SDLP.
- 8.39 As has been identified above the use of an appropriately worded condition to secure details of mitigation to offset the developments impact upon the SSSI and MCZ would conflict with policy SD9 of the SDLP which seeks to secure this information prior to determination. However, in this case it is considered that there are material considerations which would warrant a decision other than in accordance with the development plan.

- 8.40 In this case it is apparent from the documentation provided by the applicant in support of the application and the consultation response from the Environment Agency that there are potential measures which can be used to offset the impacts of development upon the SSSI and the MCZ. This approach is reflected under paragraph 175 of the NPPF whilst policy SD9 clearly establishes the principle of mitigation and compensation where development cannot be located elsewhere.
- 8.41 It should also be acknowledged that there is currently no decommissioning plan in place for the existing sea defences and their uncontrolled failure is likely to result in harm to the chalk platform and the habitats for which the SSSI and MCZ are notified. Therefore, when a balanced view is taken the ecological impact of the proposals can be adequately offset through the use of an appropriately worded pre-commencement condition whilst, the cultural contribution of the cottages to the National Park is clearly a significant consideration which should be given significant weight in the determination of this application.

Cultural and Built Heritage

- 8.42 Whilst, the proposed development does not relate specifically to the cottages and the cable hut, the development is proposed for the purpose of protecting them by delaying the further degradation of the sea defences. Therefore, the impact of the proposed development upon the cottages and their ongoing protection/retention is a material consideration in the determination of this application.
- 8.43 The Authority has received a total of 115 letters of support with only 2 letters of objection to the proposed development. This shows the cultural value and contribution that these buildings make to this iconic view and the wider South Downs National Park and the value the public place upon their preservation and protection. The cottages and these views are popular subjects for photographers and artists whilst featuring in numerous films and television shows over the years making this view not only renowned locally or nationally but also internationally.
- 8.44 The site of the coastguard cottages was first developed as a Napoleonic coastal battery and barracks for officers and men, but was adapted or redeveloped in 1810-1820 to provide accommodation for the 'Coastal Blockade' to suppress smuggling activities. The site was one of the earliest planned coastguard stations and was fully established by 1832 featuring a combined officer's quarters and guardroom, with separate cottages for lower ranks. The coastguard station was ultimately decommissioned in the 1920.
- 8.45 The surviving buildings and their associated layout is an example of a cliff-top Coastguard Station in the south-east with coastal erosion meaning that such sites will become an increasingly rarity. Therefore, the Cottages as well as the Cable Hut are deemed to constitute non-designated heritage assets.
- 8.46 Paragraph 197 of the NPPF identifies that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.47 Policy SD12 of the SDLP concerns the historic environment and identifies that development proposals will only be permitted where they conserve and enhance the historic environment, including the safeguarding of heritage assets and their setting. It is also identified that development proposals that affect heritage assets or their setting will be determined with regard to the significance of the asset, including the long-term conservation and enhancement of the asset.
- 8.48 In this case the proposed development to the existing sea defences is not considered to give rise to any harm to the setting or significance of the non-designated heritage assets. Indeed, the proposals are designed with the very intention of preserving them. The proposed additional features will sit against the backdrop of the existing defences and it is considered will not adversely impact upon the established character of the beach or wider landscape.

- 8.49 However, in this case the primary consideration rather than the impact of the development upon the setting or significance of the cottages and Cable Hut is the impact that these works would have upon the safeguarding of the heritage assets and their setting. As has been identified above the SMP identifies that the cottages are anticipated to be lost between 2055-2105. The proposals are intended to ensure that the defences survive until they can be adequately decommissioned at the end of that period.
- 8.50 Therefore, these works would provide some certainty as to the timeframe for the failure of the defences as opposed to the estimated 50-year period identified within the SMP. It would also provide an opportunity for the owners/occupiers of the cottages and stakeholders to identify a clear strategy for the decommissioning of the defences and the return of the coastline to one of natural management whilst ensuring the future protection of the cottages through alternative means. Therefore, the proposals are deemed to accord with policy SD12 of the SDLP.
- 9. Conclusion**
- 9.1 Firstly, as identified above the site is considered to be a significant cultural and historical heritage value. Therefore, it is considered that significant weight should be given to the retention and future protection of the cottages and cable hut to provide certainty for the purposes of securing their future protection.
- 9.2 The proposal will retain the status-quo ensuring that the sea defences remain functional up until the end of the third epoch within the SMP. Therefore, the proposals would not conflict with the long-term objectives of the SMP but rather provide certainty of the timeframe in which alternative solutions and decommissioning measures would need to be planned and implemented to ensure the ongoing protection of the cottages and their significant contribution to the landscape character and cultural heritage of the SDNP.
- 9.3 There is an absence of certainty in regards to the precise nature of the impacts and the format of any compensatory measures to offset the minimal loss of the intertidal chalk platform and the impact of the development upon the notified special interest features of the SSSI and MCZ. However, in this case it is considered that by virtue of the percentage of the SSSI that is affected (approximately 0.05%) the use of an appropriately worded condition can provide sufficient certainty that the impacts of development are adequately mitigated. This approach would align with paragraph 175 of the NPPF and is supported by the Environment Agency and would ensure that the mitigation measures are adequate to off-set the impact of development.
- 9.4 In terms of policy SD18 the proposals will fail to enhance the character of the Heritage Coast and will only conserve. The development also conflicts with SD18(1)(d) which requires no adverse impacts to any designated MCZ whilst ensuring their conservation. However, it is considered that any detrimental impacts upon the MCZ could be avoided through an appropriate construction methodology or adequately mitigated through the use of a pre-commencement conditions.
- 9.5 Despite, therefore, the proposals conflicting with elements of policies SD9 and SD18 it is considered that the harm to the notified features of the SSSI and MCZ are limited and can be reasonably mitigated in accordance with paragraph 175 of the NPPF. There are also considered to be unique material considerations in this case which would warrant the approval of this unusual proposal which would protect buildings that are significant contributors to an iconic view within a designated landscape, notwithstanding that the cottages themselves are a manmade feature.
- 9.6 The proposed development is deemed to be in accordance with all other relevant development plan policies subject to the use of appropriately worded conditions and as such it is recommended that on balance planning permission should be granted for the proposed development subject to the below conditions.

10. Reason for Recommendation and Conditions

10.1 The application is recommended for approval subject to the below conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended) and Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until a scheme for the provision and management of compensatory habitat creation has been submitted to, and agreed in writing by, the Local Planning Authority.

Thereafter, the development shall be implemented in accordance with the approved scheme.

Reason: In the interests of ecology, biodiversity and geology in accordance with policies SD2, SD9 and SD18 of the South Downs Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as it goes to the heart of the planning approval.

4. No development shall take place until a Landscape and Ecological Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the following elements:

- Details of maintenance regimes;
- Details of mitigation and enhancement schemes;
- Details of any new habitat created on site;
- Details of treatment of site boundaries and buffers around water bodies; and
- Details of management responsibilities.

The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

Reason: In the interests of ecology, biodiversity and geology in accordance with policies SD2, SD9 and SD18 of the South Downs Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as it goes to the heart of the planning approval.

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of archaeological heritage in accordance with policy SD16 of the South Downs Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition as it goes to the heart of the planning approval.

6. The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in writing with the Local Planning Authority.

Reason: In the interests of archaeological heritage in accordance with policy SD16 of the South Downs Local Plan and the NPPF.

7. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a) An indicative programme for carrying out of the works;
 - b) The arrangements for public consultation and liaison during the construction works;
 - c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method for constructing foundations, the selection of plant and machinery and use of noise mitigation barrier(s);
 - d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
 - e) The parking of vehicles of site operatives and visitors;
 - f) Loading and unloading of plant and materials;
 - g) Storage of plant and materials used in constructing the development;
 - h) The erection and maintenance of security hoarding, where appropriate;
 - i) Wheel washing facilities;
 - j) Measures to control the emission of dust and dirt during construction;
 - k) A scheme for recycling/disposing of waste, including spoil, resulting from demolition and construction works;
 - l) Working hours.
 - m) Measures for the co-ordination with other developments taking place in the local area with a view to minimising the combined effects of construction works.
 - n) Details of the steel piling methods and machinery.

Reason: In the interests of highway safety and the amenities of the area. It is considered necessary for this to be a pre-commencement condition as it goes to the heart of the permission.

8. No development shall take place until a site survey has been undertaken and a plan identifying the location of all areas of exposed chalk platform in the vicinity of the works has been submitted to, and approved in writing, by the Local Planning Authority. This shall include details of how these sensitive areas will be protected during development. The development shall be undertaken in strict accordance with the details so approved.

Reason: In the interests of protecting the notified features of the SSSI and MCZ in accordance with policies SD9 and SD18 of the South Downs Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition as it goes to the heart of the approval.

9. No development shall take place until a scheme of supervision for the protection of ecology and habitats of the site and surroundings has been submitted to and approved in writing by the Local Planning Authority. The works or development shall be supervised in accordance with the approved scheme.

Reason: In the interests of protecting the notified features of the SSSI and MCZ in accordance with policies SD9 and SD18 of the South Downs Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition as it goes to the heart of the approval.

10. No development shall take place until a scheme for a temporary means of vehicular access from the proposed contractors compound to the proposed working areas has been submitted to and agreed in writing by the Local Planning Authority. The temporary means of access shall be implemented prior to first operations and shall be removed upon completion of the development.

Reason: In the interests of protecting the notified features of the SSSI and MCZ in accordance with policies SD9 and SD18 of the South Downs Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition as it goes to the heart of the approval.

11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: David Easton

Tel: 01730 819346

email: david.easton@southdowns.gov.uk

Appendices I. Site Location Map

SDNPA Legal Services, Development Manager, Director of Planning.
Consultees

Background Documents All planning application plans, supporting documents, consultation and third party responses
<https://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?keyVal=PMRCE7TU0GK00&activeTab=summary>

South Downs National Park Partnership Management Plan 2013

<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>

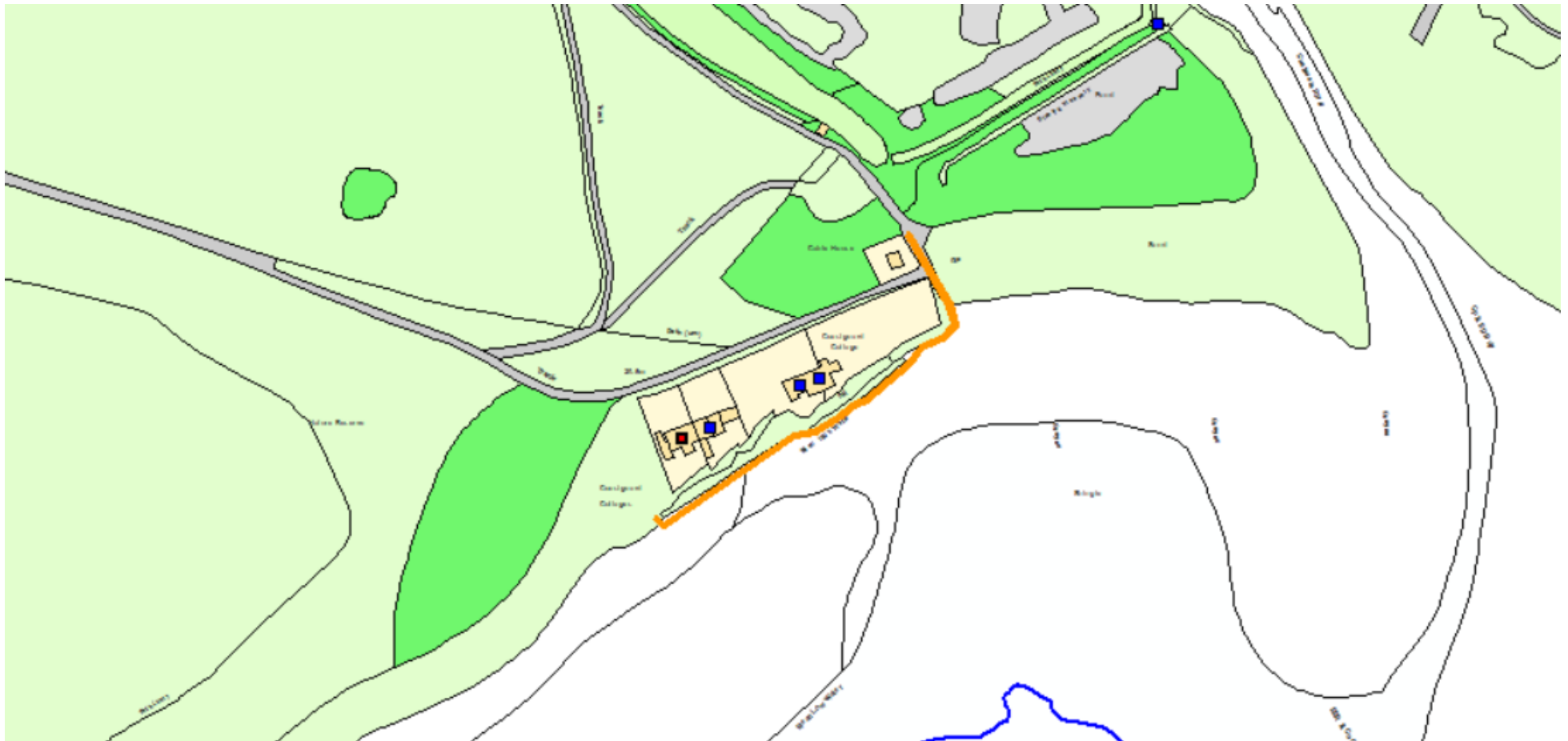
South Downs Integrated Landscape Character Assessment 2005 and 2011

<https://www.southdowns.gov.uk/planning/planning-advice/landscape/>

SDNP Local Plan 2019

https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2012) (Not to scale).

Agenda Item 8
Report PC 20/21-30

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Local Authority	Chichester District Council
Application Number	SDNP/20/01796/FUL
Applicant	Gillie Tuite
Application	Change of use from forestry to mixed use comprising forestry, production of forestry products, education and training courses and associated camping. Erection of barn for use for forestry, production of forestry products, education and training courses. Erection of toilet and shower building. Retention of roundhouse, framing bed, pizza oven, IBC and solar panel.
Address	Smugglers Copse, Borden, Milland, West Sussex

Recommendation:

- 1. That planning permission be granted subject to:**
 - i. The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure that Smugglers Copse (as shown on the location plan in blue) is managed in accordance with the submitted Woodland Management Plan (January 2021) and adequately monitored for a minimum period of 10 years.**
 - ii. The conditions as set out in paragraph 10.2 of this report.**
- 2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 11th February 2021 Planning Committee meeting.**

Executive Summary

In 2018, a breach of planning control was identified and an enforcement notice served due to, without planning permission, the change the use of the land from forestry to mixed use comprising camping, education and training courses and manufacture of wood products. This notice was subject to an appeal which was dismissed by the Planning Inspectorate. The Inspector confirmed that most of the proposals would require planning permission but commented that the uses would appear to fall within the ethos of the National Park. The appeal decision also stated that the educational use, on a small scale, would clearly sit within the second purpose of the National Park and suggested that its potential impacts should be evidenced and assessed in an application for planning permission.

This planning application comes as a response to address the issues raised by the Inspector, to regularise works and provide the forestry enterprise with planning permission to operate.

The applicant has worked, during the process of the application, with officers to address the concerns raised in terms of ecology, fire safety and woodland management, amongst others. The use of the site for courses and associated campsite is considered of low intensity and can be adequately controlled by conditions, not causing harm to neighbours, tranquillity and dark skies.

A series of natural environmental enhancements and a woodland management plan through conditions and a Section 106 agreement is to be secured.

Overall, it has been demonstrated that the proposal would provide opportunities for understanding and learning traditional wood crafts and sustainable woodland management in line with the Development Plan requirements. This initiative also delivers the SDNP Partnership Management Plan. For the reasons explained in the report, and in the absence of any material consideration to warrant a reason for refusal, this application is recommended for approval.

This application is placed before Members due to the significant number of third party representations.

I. Site Description

- I.1 Smugglers Copse is a privately owned woodland of 10.5ha which forms part of the larger Rondle Wood, which is an ancient replanted woodland. The woodland in the ownership of the applicant has been managed as sweet chestnut coppice woodland for decades with occasional silver birch and holly. The woodland expands beyond the application site to the east and west, following the ridge and scarp of the downs.
- I.2 The application site comprises 0.49 hectares of land within Smugglers Copse. It is accessed via a single unmade track off Gatehouse Lane to the east, which runs across the wood to the application site. There is a network of unmade paths within Rondle Wood, some of which are definitive public rights of way. The Serpent Trail (footpath 1164-3) follows the northern boundary of the wood from east to west and public footpath 1167-1 and bridleway 1167 run south to north across the wood where they meet the Serpent Trail. No public right of way runs through the application site, which is centrally located in the wood and sits approximately 100 metres away from the Serpent Trail.
- I.3 The land rises from the access point along the track towards the application site. There is a significant drop in levels to the north of Smugglers Copse. Given its topography, the site does not suffer from river or surface water flooding.
- I.4 There is a hut on site currently used for storage and shelter for use by, a seasonal woodland worker who also leads the educational courses. This is the only structure that is of a robust construction, albeit it is a simple wooden hut. Other structures on site include: a round timber frame structure, a timber cutting frame, general store, wood store, a pizza oven, a photovoltaic panel and an outdoor shower and latrine.
- I.5 There are several residential properties nearby. The Lodge and Garden Cottage to the south and across the road, were formally part of the Dangstein estate. They are 150m and 250m away from the site respectively. Another dwelling is located approximately 180 metres to the west.
- I.6 The site is located outside any Settlement Policy Boundary as defined in the Local Plan. A small group of trees on the south east corner of Smugglers Copse is covered by a Tree Protection Order (ref. 65/00712/TPO). Trees within a plot immediately adjacent to it were felled by the applicant under a Forestry Commission felling licence in 2018.
- I.7 The application site is located within the Dark Sky Core (Zone E0). This is also an area of medium level of relative tranquillity as shown in the SDNP Tranquillity Study.

2. Relevant Planning History

SDNP/16/00110/COU Enforcement Notice (19 June 2018)

- 2.1 The breach of planning control in the notice is, without planning permission, to change the use of the land to mixed use comprising camping, education and training courses and manufacture of wood products.
- 2.2 The requirements of the notice are listed below and the period of compliance is 3 months.
 - a) Cease the use of the land for camping, education and training courses and for the manufacture of wood products;
 - b) Remove the metal corrugated sheeting, plastic corrugated sheeting, wooden planks,

metal oil drums, caged plastic container, photovoltaic panel, vans and spare wheels from the land;

- c) Remove from the land, the two touring caravans;
- d) Dismantle the 'round house' used as a central communal structure, the outside kitchen, the pizza oven, the framing bed and structural canopy, the structure used as a 'workshop', the old toilet structure used as a general store and the wood store, the enclosed wooden podium, and
- e) Remove from the land all the resulting debris from the structures dismantled in (d) above including the removal of the associated wooden tables, chairs, work surfaces, benches and clay oven.

2.3 An appeal was made against the enforcement notice.

APP/L3815/C/18/3208260 Appeal dismissed and notice uphold (14 January 2020)

2.4 The Planning Inspectorate dismissed the appeal and upheld the enforcement notice. The most relevant aspects of the appeal decision are highlighted below. The appeal decision is included in Appendix 2 to this report.

2.5 In the appeal decision, the Inspector states that “small scale forestry activities and low impact educational courses involving the hands-on manipulation of woodland products is very much within the ethos of the National Park and it is this that the appellant is promoting on the appeal site. The issue is therefore whether in the process the very special qualities that the appellant seeks to promote are also being undermined.”.

2.6 Regarding the timber product production, the Inspector stated that “the manufacture of wood products by a single person, using hand tools and wood sourced solely from the coppiced woodlands is clearly something that the SDNP would support. At the level it is being carried out at the present it clearly causes no harm.” It also agrees that the production of items such as gates, yurts, timber framed buildings go beyond what would constitute ancillary forestry products, requiring processing, and therefore not falling within permitted development rights. Planning permission would be required.

2.7 The Inspector also mentioned the educational use of the site: “The use of the site for educational purposes, on a small scale and for small groups of people also, in my view, clearly sits within the second purpose of the National Park, to promote the understanding and enjoyment of its special qualities.” The Inspector acknowledged the associated impacts of camping and parking, which hadn't been sufficiently considered and addressed at appeal stage. These include, amongst others: light pollution, disturbance, proliferation of structures, and ecology.

2.8 The Inspector agreed that the lack of a planning application was the problem of the appeal proposal. The appeal decision also stated: “A properly thought out proposal with evidence as to numbers and frequency of the different types of activity and conditions to control that, as well as provide certainty as to the impacts on the site of parking, camping and the potential proliferation of structures would all be necessary to allow a reasoned determination by the Council as well as proper consultation and reassurance for neighbours. I have no doubt that given the evidence I heard that a proposal for some level of intensification above the current low level use could be acceptable and would sit comfortably within the national park, but I am not satisfied that I have evidence to suggest what that should be.”.

3. Proposal

3.1 The application seeks planning permission for the change of use from forestry to mixed use comprising forestry, production of forestry products, education and training courses and associated camping of 0.49 hectares of land within Smugglers Copse.

3.2 The proposed mix of uses, frequency, period and size of courses has been explained by the applicant in the submitted Planning Statement. The applicant proposes to limit the production of forestry products for no more than 30 days in a year, for timber to be sourced from the site only and to use unpowered tools and chainsaws.

- 3.3 Courses will not run concurrently. Educational courses and camping activities are detailed in the table below:

Courses	People			Days		Vehicles	Tents
	Number of participants per course	Total number of courses	Total people in a year	Days per course	Total days	Maximum number of vehicles	Maximum number of tents
Log to chair course	4	4	16	6	24	4	5
Round framing course	4	3	12	4	12	4	5
Spoon and pizza course	6	8	48	1	8	5	N/A
Total in a year	-	15	76	-	44		

- 3.4 This planning application is intrinsically associated to the management of the surrounding woodland, where timber is coppiced for forestry product manufacturing. To ensure a sustainable use of the woodland, the applicant has produced a Woodland Management Plan, which accompanies this application, sets up a vision, objectives, a management and monitoring strategy for all the woodland within the applicant's ownership (blue line).
- 3.5 The proposal also comprises the erection of a new building (barn on site plan) for the use of forestry and forestry products as well as the education and training courses. This barn will be used for the storage of tools and for working and shelter. It will also be used as a sheltered work space for courses in inclement weather.
- 3.6 The barn measures 5.2 metres in width and 9.2 metres in length and would be 5 metres high. It will be constructed from wood harvested from the site, including its structure, roof and wall cladding. The solar panel currently on site will be relocated to the eastern roof slope of the barn.
- 3.7 Proposals also include new compost toilet and shower, and seek the retention of other structures: roundhouse, framing bed, pizza oven, a latrine and an IBC water container. These are to be used in connection to the mixed use and will provide amenities for overnight stays and courses.
- 3.8 Access would remain as existing, off Gatehouse Lane through an unmade forest track and 5 unsurfaced parking spaces are proposed close the camp area, adjacent to the track. No external lighting is proposed.
- 3.9 This proposal also includes the removal of a store and caravan; although the latter had been removed at the time of the site visit.

4. Consultations

4.1 Milland Parish Council: Comments:

- The Parish Council initially decided not to object to the proposal subject to adequate controls and restrictions to be applied to the entirety of Smugglers Copse (10.5 hectares). Following further inspection, the Parish Council decided to object to the proposal should controls and restrictions only be applied to the application site (0.49

hectares of campsite and working area) rather than the whole Smugglers Copse (10.5 hectares). They suggested, anyway, the following conditions:

- The area where trees were felled should be replanted.
- Removal of permitted development rights for forestry.
- The proposed barn should not be used for residential purposes.
- The number of courses, course frequency, permitted vehicles and tent numbers, as supplied by the applicant should be strictly adhered to.
- No vehicle or trailer capable of providing overnight accommodation should be permitted.
- No more than one open fire should be permitted. The Fire Authority requirements should be met.
- Light sources should be limited.
- No amplified music should be used.
- Toilets and showers should be restricted to those on plans.
- It would be reasonable to assume that the application site area matches with the 10.5 hectares parcel of land referred to in the Enforcement Notice and subsequent appeal decision.
- Many supporters of the application are not residents of this or neighbouring parishes. Some of which have never visited the site.

4.2 Rogate Parish Council is the neighbouring parish and was consulted on this application. They raised the following comments:

- There is a lack of compliance with the enforcement notice.
- Concern regarding how any limit of use could be managed.
- Potential loss and damage to wildlife habitat.
- Potential fire risk.
- Should permission be granted, conditions are recommended: camping/parking is only used in connection to woodland craft courses and not to be used independently.; camping limited to 6 two-person tents; no camper vans or caravans allowed; and the number of days of activity and camping is limited.

4.3 SDNPA Countryside and Policy Manager: Support.

- This application provides extensive opportunities to achieve the Outcomes and Priorities of the South Downs Partnership Management Plan 2020-2025.
- The change of use is complimentary and symbiotic to the long term health of the forest and increases its natural capital value by sustainable management and social engagement whilst providing carbon positive produce from timber products.
- The application is within a tranquil location however activities are limited within the day time and are not industrial where as other conventional land management use can be noisy and run for a considerable amount of time. No artificial light will be required.

4.4 SDNPA Planning Policy: Support.

- There is an essential need for a countryside location for this forestry enterprise.
- This proposal will provide opportunities for people to visit the National Park and enjoy a number of special qualities.
- Agreement with the appeal decision where the Inspector commented that 'small scale forestry activities and low impact educational courses involving the hands-on manipulation of woodland products is very much within the ethos of the National Park and it is this that the appellant is promoting on the appeal site'. The Inspector also stated to be 'happy that the submitted scheme does not undermine the special qualities of the National Park and complies with the relevant Local Plan and Neighbourhood Plan policies subject to the necessary restrictions on the number of days the educational facility can operate and the type of materials and equipment used on site'.

- 4.5 SDNPA Landscape Officer: No objection subject to conditions:
- This application has the potential to generate real landscape benefits through sensitive woodland management, development of rural skills and generation of ecological gains.
 - Two comments: 1) Clarify whether solar panels will be on building or on the ground? 2) how waste will be managed on site? It would be expected to control it by condition.
 - The following recommendations are made: 1) no lighting; 2) control atypical noise through condition; 3) measure landscape enhancements and monitor these; 4) parking should be restricted to the bays as per plans.
- 4.6 Natural England: No objection.
- 4.7 Ecology Officer: No objection subject to conditions:
- The ecological impact from the proposed works is considered to be low.
 - The recommendations in the ecology report and the woodland management plan are sensible and considered to be acceptable.
 - The existing sweet chestnut woodland should continue to be managed on a coppice cycle using hand tools only, along with continuous management of non-native rhododendron.
 - An area of grassland has been created as a result of woodland felling. This area should be managed as a glade rather than a pasture.
 - It is recommended that the woodland management plan is monitored for 10 years since the grant of planning permission, with monitoring reviews in years 5 and 10. This is to ensure that the management proposals continue and that the proposed activities have not resulted in any adverse impacts on the woodland.
 - Suggested conditions: development to comply with Preliminary Ecological Appraisal and Woodland Management Plan, and monitoring and review mechanisms.
- 4.8 Environmental Health Officer: No objection subject to conditions:
- Waste shall be disposed in accordance with relevant Waste Regulations. No burning of waste.
 - The development is unlikely to generate significant vehicle movements. Cycle parking spaces should be provided.
 - The level of usage of the composting toilet will not need an environmental permit.
 - Hours of use of the chainsaw should be limited to 08:00 to 17:00 hours, Monday to Friday, and 09:00 to 13:00 hours on Saturdays to reduce noise disturbance.
- 4.9 Forestry Commission: Comments:
- The Forestry Commission (FC) encourages and supports sustainable practices and the retention of rural skills such as green woodworking and smaller-scale timber-products production. This is subject to these being carried out in a sympathetic manner and not causing unnecessary damage to the woodland and its floral, faunal, landscape and historical value.
 - The production of timber products would be relatively low in this case. It is requested that the Authority controls that there is no gradual encroachment of camping pitches into the ancient woodland and that the change of use does not allow permanent residency in the woodland.
 - The FC is pleased to see that a Woodland Management Plan (WMP) to be endorsed by the FC has been created for this site. The WMP is currently 'approved in principle' with the Forestry Commission. The FC is happy with the contents of the plan subject to the end of a 28-day consultation period.
 - The area of coppice which has previously been grubbed out will be replanted as part of the WMP.

- Buildings appear to be appropriate. More clarity would be expected on where the applicant would spread the waste from composting toilets. Ancient Woodland soils and flora are important and these could be affected by nutrient or mineral content.
- 4.10 Dark Night Skies Ranger: Comment:
- The overall impact could be low provided that a good lighting plan is adopted.
- 4.11 WSCC Fire and Rescue Service: Comments:
- The nearest hydrant for this proposed commercial area is 540 metres away. The supply of water for firefighting for commercial premises should be within 90 metres.
 - Advised to condition the installation of a fire hydrant or an alternative supply of water that conform with Building Regulations.
 - The access road to the site will also need to support a 12 to 18 tonnes axial weight for a fire appliance, minimum road width of 3.7 metres and a turning circle of 19.2 metres.
- 4.12 WSCC Public Rights of Way: No objection.
- 4.13 WSCC Highways: No objection.
- 4.14 CDC Drainage Engineer: No objection.

5. Representations

- 5.1 A total of 114 third-party representations have been received: 49 objecting to the proposal and 63 in support. 2 neutral comments were also received. The representations raised the following issues:

Objection

- The application has been submitted regardless of an enforcement notice that remains in force. The applicant has not provided sufficient justification to set aside the requirement of the enforcement notice such that planning permission should be granted.
- Clearance of the woodland has taken place without permission/licence.
- Any approval would lead to a development creep over time. The site is untidy and leads to changes to the character of the area.
- Degradation of the woodland and overall fauna and flora. Concern regarding impacts on wildlife and protected species in particular.
- Increase in traffic. Not sufficient parking spaces. Inadequate road and transport links. Highways safety concerns at the road junction. Additional traffic on the road may be unsafe for other users. Road not suitable for heavy vehicles. Not suitable infrastructure to support these industrial/commercial premises.
- Impacts on tranquillity and residential amenity due to noise and activity. Noise disturbance from parties in the woodland.
- Concern with the scale of the barn. Question whether cooking facilities and permanent buildings are required.
- There is no reason for additional leisure/education facilities in the area, in light of the Dangstein Conservancy nearby.
- Significant fire risk. The WSCC Fire Brigade would require access to the site and it is not provided.
- Would conditions be put in place to control the number of courses? Would the SDNP control no residential use? How any limit of use would be managed? Conditions are suggested to control numbers of people and tents.
- The LVIA and Landscape Officer's comments are bias and inaccurate. The LVIA fails to accord with the Landscape Institute standards.
- The community is not being heard.
- Proposals do not increase employment nor add well-being to locals.
- Concerns about setting precedent for similar projects.

- Some supporters of this application are not local to the area.

Support

- The level of intensity of use would be acceptable and it was agreed by a Planning Inspector. The educational and processing uses are very modest.
- Parking and tents are well away from public views and neighbouring properties. No social gatherings are intended.
- Proposals will deliver benefits to the local woodland and local community with negligible adverse impacts. It is a sustainable management of the woodland.
- The site would become a sustainable asset for the community and surrounding ecosystems. The application embraces the SDNP Partnership Management Plan.
- Opportunities to enjoy traditional timber skills and crafts and to learn about the natural environment. Activities that the National Park should enable. These are particularly important for young and vulnerable people.
- The woodland worker is an expert in managing woods and his teaching programme will engage the local community with the woodland.
- Control of invasive non-native plants.
- Use of renewable resources: timber.
- Plans are sympathetic to the woodland and do not intend to erect further buildings.
- Benefits to wildlife, biodiversity and well-being.
- Activities are well valued by previous attendees.
- Objectors misunderstand the aspirations for improving biodiversity and traditional crafts.
- Parking would be off road and limited to 5 vehicles.
- Refusal of this application would be at odds with the SDNP vision and PMP
- Proposals are in line with purpose 2 of the National Park and the NPA's duty.
- The Dangstein Conservancy nearby differs to this one in site, facilities and courses offer. They do share a similar ethos.
- There is no fire access road made. There have never been any uncontrolled fires and fire risk is low as the cooking and fire pit are well managed and protected from risk.
- Permissive access is allowed throughout the woodland by the land owner.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory Development Plan comprises of the **South Downs Local Plan 2014-2033** and the **Milland Neighbourhood Development Plan 2016-2030**. The relevant policies are set out in section 7 below.

National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
 - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF

states at paragraph 172 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF) 2019

6.4 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:

- Achieving sustainable development
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

Relationship of the Development Plan to the NPPF and Circular 2010

6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

The South Downs National Park Partnership Management Plan 2020-2025

6.6 The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant outcomes include:

- Outcome 1: Landscape and Natural Beauty
- Outcome 2: Increasing Resilience
- Outcome 3: Habitats and Species
- Outcome 4: Arts and Heritage
- Outcome 5: Outstanding Experiences
- Outcome 6: Lifelong Learning
- Outcome 7: Health and Wellbeing
- Outcome 8: Creating Custodians
- Outcome 10: Great Places to Work

Other relevant documents

- South Downs Landscape Character Assessment (2020)
- Dark Night Skies Technical Advice Note (2018)
- Ecosystem Services Technical Advice Note (2019)
- Planning Position Statement by the SDNPA during COVID-19 Pandemic (2020)
- Roads in the South Downs (2015)

7. Planning Policy

7.1 The following policies of the **South Downs Local Plan 2014-2033** are relevant to this application:

- SD1 – Sustainable Development
- SD2 – Ecosystems Services
- SD4 – Landscape Character
- SD5 – Design

- SD6 – Safeguarding Views
- SD7 – Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 – Biodiversity and Geodiversity
- SD10 – International Sites
- SD11 – Trees, Woodland and Hedgerows
- SD17 – Protection of the Water Environment
- SD19 – Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD21 – Public Realm, Highway Design and Public Art
- SD22 – Parking Provision
- SD23 – Sustainable Tourism
- SD25 – Development Strategy
- SD34 – Sustaining the Local Economy
- SD39 – Agriculture and Forestry
- SD45 – Green Infrastructure
- SD48 – Climate Change and Sustainable Use of Resources
- SD49 – Flood Risk Management
- SD50 – Sustainable Drainage Systems
- SD54 – Pollution and Air Quality

7.2 The following policies of the **Milland Neighbourhood Development Plan 2016-2030** are relevant to this application:

- EN.1 – Natural Environment
- EN.2 – Dark Night Skies
- EN.3 – Green Infrastructure
- HD.2 – Landscape Character
- S.3 – Development Outside Settlements
- HD.3 – Built Form and Materials
- I.2 – Lanes
- LE.6 – Leisure Pursuits

8. **Planning Assessment**

Background

- 8.1 The applicant, with the help of a forester, has been actively managing and coppicing Smugglers Copse since it was separated from the former Dangstein estate in 2009. The woodland has been managed using hand tools in a low impact manner, and selling various by-products such as fences, gates and timber framed buildings. In 2012, the forester started running occasional courses in woodland type skills such as chair making or timber framing. Structures were erected on site, some in connection to the forestry use, others to the camping and educational activities.
- 8.2 As explained in Section 3 (Planning History), an enforcement notice was issued in 2018. The breach of planning control in the notice was, without planning permission, to change the use of the land to mixed use comprising camping, education and training courses and manufacture of wood products, which would require planning permission. An appeal was made to the enforcement notice and subsequently dismissed and enforcement notice upheld. Whilst dismissed, the Inspector agreed that the principles of the mix uses proposed are very much within the ethos of the National Park and suggested that a planning application would

be the correct way forward to regularise and better define uses and control any development. Consequently, this planning application was submitted.

- 8.3 Following from initial concerns raised by some consultees, including the Landscape, Ecology Officers and the Fire and Rescue Service, the applicant was given the opportunity to address concerns and amend the proposal. Additional and revised information was submitted and reviewed by the relevant consultees. This includes:

- Revised plans.
- A Landscape and Visual Impact Assessment;
- A Camp Area Management Plan, which applies to the application site (red line);
- A new Woodland Management Plan, which applies to the whole woodland (blue line);
- A Fire Risk Assessment.

Policy context and principle of development

- 8.4 The proposal does not constitute major development for the purposes of the NPPF and Policy SD3 of the South Downs Local Plan (SDLP).
- 8.5 The National Park purposes are of significance in the assessment of this planning application since the proposed mix of use has the potential to deliver on both purposes. Purpose one refers to the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the area. Purpose two relates to the promotion of opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- 8.6 Policy SD34 of the SDLP is relevant as it relates to sustaining the local economy and supports proposals that foster the economic and social well-being of local communities. In particular, it supports proposals that promote and protect business linked to forestry and tourism, two key sectors in the National Park. The proposal also has a timber-product manufacturing educational aspect, which is considered to be a business part of the knowledge sector. This sector, together with tourism and forestry, are identified by the SDNPA Planning Position Statement as to be at greater risk under the Covid-19 pandemic.
- 8.7 Policy SD25 of the Local Plan sets out the development strategy of the National Park, resisting development outside the defined Settlement Policy Boundaries. Exceptionally, Policy SD25 permits development outside settlement boundaries where it complies with relevant policies of the SDLP, responds to the context of the relevant area and there is an essential need for a countryside location. The application site is located outside any Settlement Policy Boundary. However, it is clear that there is an essential need for a countryside location for this forestry enterprise, given its nature, in line Policy SD25. The educational and visitor accommodation (camping) uses are also considered to be strongly and directly related to the forestry enterprise and therefore, also justify their countryside location.
- 8.8 The manufacturing of forestry products proposed with the application is only limited to a maximum of 30 days per year, at any time of the year. No use of powered tools would be required, except chainsaws, and timber would be sourced from the wood. This is considered to be a very low key manufacturing use of the woodland, which, as explained later in the report, is complementary to and supports the sustainable management of the woodland. Considering the very low intensity use of the manufacturing and its strong link to the management of the woodland, the use, is appropriate.
- 8.9 The proposal also seeks planning permission for camping use (5 pitches) in association to the courses that will require an overnight stay. These are the 'log to chair' and 'round framing' courses, which run for 6 and 4 days respectively. These are to be held 4 and 3 times in a year and would not exceed 5 tents on site at any time. The proposal for a low key accommodation, of limited intensity of use, where the number of course attendees and number of tents will be restricted.
- 8.10 Policy SD23 states that proposals for visitor accommodation, attractions and recreation facilities will be permitted where they provide opportunities for visitors to increase their awareness, understanding and enjoyment of the National Park. Certainly the proposal meets

the requirement as it would bring people to the woodland to learn sustainable woodland management, forestry product manufacturing, as well as to enjoy tranquillity and the landscape of the area. These are great opportunities for recreation and learning which are encouraged in the SDNP Partnership Management Plan 2020-2025 and compliant with the second purpose of the National Park.

- 8.11 Whilst Policy SD23 expects proposals to minimise the need for travelling by private car, the relatively remote location of the site in the rural area and the forestry nature of the enterprise makes it difficult to achieve this requirement.
- 8.12 Whilst outside any settlement boundary, this forestry enterprise would be closely associated to the public right of way network. The site can be accessed from public footpaths and bridleways in the immediate setting as well as the important Serpent Trail which adjoins the northern boundary of the wood. Therefore, although visitors would likely visit the site by private car, opportunities to use public transport and the public right of way network are available.
- 8.13 The proposed courses and overnight stays are to be limited by condition as per the proposal description table on paragraph 3.3 of this report. This is considered to be a relatively limited use of the site on an occasional basis: a total of 15 courses from April to November, across 44 days and a maximum of 76 visitors per season. As explained in this report, the intensity of use and associated physical landscape and perceptual changes will not detract from the experience of visitors or will adversely affect the character and appearance of the area.
- 8.14 Overall, in light of the appeal decision above-mentioned and for the reasons explained in this report, it is considered that the proposed woodland management, timber-product manufacturing, educational and tourism enterprise will positively contribute to the two purposes of designation of the National Park.

Landscape and public views

- 8.15 Policy SD4 relates to landscape character and states that development proposals will only be permitted when they conserve and enhance landscape character. Policy SD25 requires for development outside settlements to respond to the context of the area. Similarly, Policy SD23 puts emphasis in tourism development to not to adversely affect the character, appearance or amenity of the area. Policy SD6 is also relevant as it refers to conserving and enhancing key views.
- 8.16 The Landscape Officer was consulted on this application and raised some concerns in the initial consultation response due to the lack of sufficient landscape evidence to support the proposals and an analysis of the impacts on landscape character, views and perceptual qualities. Overall, the Landscape Officer requested to demonstrate that the proposal was sensitive to the landscape and that it conserves and enhances the area. Since then, officers worked with the applicant, who submitted a Landscape and Visual Impact Assessment (LVIA) as per officers' requirements.
- 8.17 Policy SD23 requires proposals to make use of existing buildings if possible, and if not, then for new buildings to be sensitive to the character and setting. The only existing building on site is the forester hut, which is in use by the forester for shelter and therefore not available for other purposes neither part of this planning application. The proposed structures are simple, sympathetic with the surrounding wood environment, made of sustainable materials and not of a permanent construction. Buildings are also to be built of sustainable materials and be powered with a photovoltaic panel. This is welcomed, and in light of the small scale of the proposals, proportionate and in accordance with Policy SD48 with regards to the sustainable use of resources.
- 8.18 The proposed barn would be entirely built from wood coppiced within Smugglers Copse, which is a sustainable approach to design and a material choice supported in the Milland Neighbourhood Development Plan (Policy HD.3). All structures are made of timber and are of a simple utilitarian appearance, which is appropriate for a forest enterprise in such rural location. Buildings are of a scale that do not dominate the area, are well sited and do not result in significant harm to the landscape character. The presence of structures in a natural

woodland is not generally positive in terms of landscape character, however, these respond to the working landscape where they locate and are designed in a manner that positively relate to their context. Notwithstanding this, once any forestry enterprise ceases on site, it would be requested that these structures are removed from the site. This is secured via condition.

- 8.19 Following further consultation with the Landscape Officer, the proposal has been supported with a Camp Area Management Plan as well as a Woodland Management Plan. Proposals have also been better defined, identifying two areas within the site: a) a teaching and working zone, and b) a camping zone. Structures associated to these zones and activities shall not extend beyond these as shown on the site plan. This zoning arrangement is positive and concentrates all activity within a single site, avoiding any encroachment into the woodland. This is controlled by condition.
- 8.20 The Landscape Officer has raised no objection to the proposal on the basis of the most recently submitted information. Several landscape benefits would result from this proposal, such sensitive woodland management, development of rural skills and ecological gains. Whilst some limited negative effects are identified by presence of buildings and activity within the woodland, these would be very limited and overall, would not cause harm to landscape character. This application is considered consistent with Policy SD4 of the Local Plan and policies HD.2 and HD.3 of the Milland NDP.
- 8.21 With regards to public views, the LVIA identified a very limited area to be visible by the general public. The site is entirely surrounded by a private woodland with some public rights of way in close distance, but from where direct views of the site cannot be clearly achieved, especially during the warmer months when trees are leafy. Having visited the site and in light of the evidence submitted, only some glimpses of the site may be achieved from the rights of way points to the west during the winter months. Notwithstanding this, views would be very localised and of a low impact. The proposal would not detract from the amenity value of the public right of way network and views will remain undisturbed, in line with the purposes of Policy SD6.
- 8.22 Concern was raised by the local community on the potential duplicity of similar enterprises in the area, as the site is only located a few hundred metres from Dangstein Conservancy (Laundry Cottage). It is acknowledged that both enterprises share a similar business type (recreation, learning and forestry) although they differ in the type of course offer and in their scale. The Smugglers Copse proposal is considered to be of lower use intensity compared to Dangstein Conservancy and it is limited to a few number of days per year. It enables the sustainable management of the woodland, which is the main use of Smugglers Copse. As assessed in this report, the landscape impacts of the proposal would not be significant in isolation or cumulatively.

Dark night skies and tranquillity

- 8.23 The application site is located within the Dark Sky Core. The area is also in an area of medium level of relative tranquillity as shown in the SDNP Tranquillity Study.
- 8.24 Policy SD8 relates to the conservation and enhancement of the intrinsic quality of the dark night skies, and the integrity of the Dark Sky Core. The application documents confirm that no external lighting is proposed within the site. The only light sources would be the fire pit and head torches used by visitors. This is reflected in the Camp Area Management Plan and no other external lighting will be allowed. This is controlled by condition.
- 8.25 In the absence of external lighting, the proposal is in line with the requirements of Policy SD8 of the Local Plan and Policy EN.2 of the Milland NDP, as it will conserve and enhance the quality of dark skies and the integrity of the Dark Sky Core.
- 8.26 Policy SD7 of the SDLP states that development proposals will only be permitted where they conserve and enhance the relative tranquillity of the National Park. The site is located within an area of medium tranquillity scores, and it is perceived as a tranquil space given its relative remoteness.

- 8.27 The LVIA concludes that the proposal would lead to a low level localised impact on tranquillity for limited periods of time in a year (a total of 44 days per year). The Landscape Officer, in consideration of the tranquillity sensitivities of the area, have requested that lighting should be avoided, which is the case. It is also requested that any noise that is atypical of a woodland, such as music, is avoided and controlled by condition to mitigate any nuisance impact that would detract from tranquillity. The Camp Area Management Plan sets up the rules that would apply to the entirety of the application site and stipulates that no amplified music will be allowed. Other activities such as timber-product manufacturing, through the use of tools and chainsaws, would lead to noise, however, this would be expected in a woodland. Considering that the use of the site for training activities is limited to only 44 days in a year and that alien noise from music is not allowed, it is considered that the proposal conserves the relative tranquillity of the area. Consequently, the proposal is in accordance with Policy SD7 of the Local Plan.

Impact on amenity of local residents

- 8.28 Policy SD5 of the Local Plan requires proposals to have regard to avoiding harmful impacts upon surrounding uses and amenities. As mentioned in Section I, the site would be located approximately 150 metres away from the closest residential property.
- 8.29 Neighbours have raised some concern on potential impacts from traffic and noise from the proposed development. As explained above, amplified music will not be allowed on site and this is controlled by condition. The intensity of use of the site is low and timber products manufacturing with hand tools and eventual chainsaws would not be detrimental in term of noise to residents' living conditions. Similarly, the small groups of people attending courses and staying overnight, in the absence of music, would not necessarily lead to noise levels as to detract from living conditions. Proposals, as controlled by condition, are consistent with Policy SD5.

Protected species

- 8.30 This planning application has been supported by a Preliminary Ecological Appraisal report (September 2020). The report confirms that the proposed barn will require coppicing of two sweet chestnut trees and felling of one semi-mature silver birch tree. The proposed shower and toilet facilities will affect a small area of young sweet chestnut coppice with patches of bramble and the parking areas is covered by mainly areas of bare ground.
- 8.31 The Ecologist was consulted on this application and concluded that the ecological impacts from the proposed works is considered to be low. It was suggested that the number of vehicles and courses, periods of use and fire pits should be controlled via condition to avoid any adverse impact on the Ancient Woodland/Local Wildlife Site. The Ecologist agrees with the conclusions of the report that no adverse impact to protected species would result from the proposal, and suggested conditions, which have been incorporated in the report. The proposal would accord with the ecological mitigation and enhancement requirements of Local Plan Policy SD9 and the Milland NDP (Policy EN.1).
- 8.32 The site is located within the Local Plan Policy SD10 International Sites buffer zones: 12km from the Singleton and Cocking Tunnels and on the edge of the 5km from the Wealden Heaths Phase II. Proposals have been found to have low impact and would not adversely affect bat population and their flight lines. Furthermore, no net increase in residential units would result from this proposal, therefore no Habitat Regulations Assessment would be required. Natural England has not raised any adverse comments and proposals are in line with Policy SD10.

Woodland management

- 8.33 A Woodland Management Plan (WMP) has been submitted to the SDNPA for review during the life of the development. It is considered to fit with the SDNP Partnership Management Plan 2020-2025. The WMP sets out the following objectives:
- Increase diversity in the tree species present in the woodland to provide future resilience to disease, economic shocks, and climate issues;

- Continue coppice rotation of Smugglers Copse to provide income generation and local employment opportunity;
 - Create open space and implement a network of rides to increase biodiversity opportunities;
 - Provide facilities for coppice management and woodwork education;
 - Conservation and enhancement of landscape character.
- 8.34 The overall vision and objectives, as well as the actions contained within, are supported by the Ecology, Landscape and Woodland Officers. The WMP is also at an 'approved in principle' stage at the Forestry Commission and they are content with the content of the plan.
- 8.35 It is considered that proposals will not lead to a deterioration of the ancient woodland and that the WMP would contribute to an enhancement of Smugglers Copse due to the management of non-native rhododendron, diversification of tree species, coppice cycles using hand tools and selective glades creation, amongst others actions.
- 8.36 The WMP is essential in the delivery of biodiversity net gain opportunities, as well in the delivery of the activities proposed: timber-product manufacturing and courses. The WMP is also fundamental for the delivery of ecosystem services (Policy SD2), and overall, to achieve compliance of the proposal with the Local Plan requirements to enhance landscape (SD4), biodiversity (SD9), woodland (SD11) and Green Infrastructure (SD45). It is therefore considered that the WMP is necessary to make the development acceptable in planning terms. Furthermore, the WMP is directly related to the manufacturing and course uses within the application site and it is a proportionate and reasonable plan to be linked to the proposed development.
- 8.37 The Ecologist has recommended to monitor the woodland during a 10-year period since the grant of planning permission with reviews in years 5 and 10. Monitoring is also required by the Landscape Officer.
- 8.38 The SDNPA have agreed with the applicant that the adherence to and implementation of the WMP and its monitoring will be secured in a Section 106 legal agreement.

Ecosystem Services and Green Infrastructure

- 8.39 Policy SD2 of the SDLP relates to ecosystem services and states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services. This is to be achieved through high quality design and delivering all opportunities to manage natural resources sustainably. Policy SD45 is also relevant as it requires to maintain and enhance Green Infrastructure (GI) assets. Policies EN.1 and EN.3 of the Milland NDP also relate to the natural environment and GI.
- 8.40 This proposal would provide opportunities for access to the natural and cultural resources and people's well-being thanks to the proposed courses. Moreover, the manufacturing of timber-made products will support the sustainable production of forestry and raw materials. Other ecosystem benefits relating to habitat enhancements and biodiversity will arise from the implementation of a sensible Woodland Management Plan.
- 8.41 Smugglers Copse forms part of the wider GI network, and the WMP will strengthen the resilience this ecological networks by increasing biodiversity within the woodland, also providing resilience to disease and climate change due to an increase diversity in tree species.
- 8.42 Proposals are therefore in line with policies SD2 and SD45 of the Local Plan and with NDP policies EN.1 and EN.3.

Access, parking and public rights of way

- 8.43 The Local Highways Authority (LHA) was consulted on this application and raised no objection to the proposal. The LHA considers that a 'severe' increase in vehicular trips is not anticipated and that the access is acceptable. The LHA also supports the Strategic Traffic Management Scheme submitted with the application, which encourages visitors to use public

transport, cycling and car sharing. This is welcomed and within the aims of the Local Plan for rural development.

- 8.44 The enterprise would have a small number of visitors, which would require a maximum of 5 parking spaces. These have been designated within the application site immediately adjacent to the track. These spaces would be located within a coppiced area, to remain unsurfaced. A condition will secure that parking spaces are retained as such. No harm to the landscape value of rural roads is anticipated due to the very low traffic impact of proposals, in line with 'Roads in the South Downs'.
- 8.45 The Public Rights of Way Team at the LHA have also commented and raised no objection. The proposal will not alter any public right of way in the vicinity, and as explained in the report, it would not lead to harm to the amenity value of the public right of way network.
- 8.46 In light of the above, the proposal is considered to comply with Policies SD19, SD21 and SD22 of the Local Plan.

Fire risk

- 8.47 The WSCC Fire and Rescue Service advised that commercial developments should be provided with a supply of water for firefighting within 90 metres of the premises. The site is located 120 metres away from the nearest road and 540 metres from the nearest hydrant. The Fire and Rescue Service would require a new fire hydrant or an alternative water supply as well as an access road of 3.7 metres of width and turning area.
- 8.48 Officers have considered the above comments regarding fire risk and identified difficulties for this proposal to meet the WSCC Fire and Rescue Service requirements. In order to meet access requirements, a substantial turning area and widening of the track would be needed, from approximately 2.3m to 3.7 metres. This would likely lead to changes to landscape character, ecology and significant loss of trees along the 400 metres long access track. Furthermore, the applicant may face an unaffordable cost of installing mains water, plus a hydrant, which may not be practically feasible and is disproportionate to the scale and limited use of the site.
- 8.49 The application has been accompanied with a Fire Risk Assessment, containing risk control measures and an action plan towards reducing fire risks and facilitating their extinction should there be an eventual fire. The Fire and Rescue Service have reviewed the additional information but remain requiring the hydrant and access. Having reviewed the submitted Fire Risk Assessment, SDNPA officers consider it to be a pragmatic and proportionate ad hoc plan for the site as it covers well all risks. The Fire Risk Assessment is, together with the Camp Area Management Plan, controlled by condition.
- 8.50 The lack of a standard access for firefighting vehicles is unfortunate but it should be balanced against the conditioned fire safety measures. These have been produced on behalf of the applicant and therefore confident that they can be adhered to during the operation of the courses.
- 8.51 The comments made by the Fire and Rescue Service were based on compliance with building regulations requirements. However, from a planning perspective, the SDNPA considers that the proposed safety measures are proportionate and adequate for this proposal and that any additional requirements as per the consultee's suggestion would be disproportionate to the proposal.
- 8.52 This proposal deals with fire risks in a proportionate manner and conditions will secure that fire safety measures are adhered to during the life of the development.

9. Conclusion

- 9.1 Given the above, it is considered that the proposal is in accordance with the Development Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted.
- 9.2 The proposal has demonstrated that the mixed uses and buildings will not detract from the special qualities of the National Park and to be in line with the purposes of designation. Conditions will ensure that the development does not lead to any harmful impact to nearby

residents and tranquillity and that fire risks are adequately managed within the site. Proposals will also secure significant natural environment benefits. It is therefore recommended that planning permission is granted.

10. Reason for Recommendation and Conditions

10.1 Planning permission is recommended to be granted subject to:

- i. The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure that Smugglers Copse (as shown on the location plan in blue) is managed in accordance with the submitted Woodland Management Plan (January 2021) and adequately monitored for a minimum period of 10 years.
- ii. The conditions as set out in paragraph 10.2 of this report.

And that authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 11th February 2021 Planning Committee meeting.

10.2 Proposed conditions:

Timescale

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

No external lighting

3. No external lighting shall be installed on the building or within the site.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of night time amenity, tranquillity, wildlife and protect and conserve the International Dark Night Skies.

Ecology

4. The development shall proceed in complete accordance with the measures detailed in the submitted Preliminary Ecological Appraisal by DJW Ecology (September 2020) and Woodland Management Plan by David Archer Associates (October 2017).

Reason: to ensure the protection of Rindle Wood Local Wildlife Site and Ancient Replanted Woodland and the protected species it supports against recreational pressure and unsympathetic management, in line with Policies SD9 and SD11 of the South Downs Local Plan.

Chainsaw hours of use

5. Only hand tools should be used in connection with the educational courses, with the only exception of chainsaws, which shall not be used outside the following times:

- a) 08:00 – 17:00 on Mondays to Fridays,
- b) 09:00 – 13:00 on Saturdays
- c) Not at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of conserving tranquillity and reduce noise disturbance to nearby residents.

No waste burning

6. There shall be no burning of stable waste (arising from the stables hereby permitted) on the application site at any time.

Reason: In the interests of amenity and of preventing pollution.

No amplified music

7. No external loudspeakers, public address/tannoy systems or amplified music shall be used on the site at any time.

Reason: To safeguard the tranquillity of the countryside and neighbouring amenity.

Parking

8. No part of the development shall be first brought to use until the car parking spaces have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide sufficient car parking space for the use.

Fire safety

9. The development hereby permitted shall be implemented and operated in complete accordance with the submitted Fires Risk Assessment for Smugglers Copse Woodland at Borden, West Sussex (Produced by Stephen Granger, dated 30 September 2020). This plan shall be followed at all times.

Reason: In order to avoid and reduce fire risks and facilitate a safe operation of the site.

Use restriction

10. The site shall be used for the manufacturing of forestry products up to a maximum of 30 days per year. The site shall be also used for the delivery of education courses on the manufacturing of forestry products and associated camping use from the 1 of April until the 30 of November of each year. Camping is only permitted where it is in connection to the courses and no independent overnight stay is allowed. The site shall operate in accordance with the specifications as stated in paragraph 2.1.3 of the submitted Planning Statement (produced by Terrapermageo, dated July 2020) which sets out the duration, frequency and size of courses and overnight stays.

Reason: To enable the Local Planning Authority to regulate and control the development of land.

Barn

11. The approved barn shall be constructed in complete accordance with the approved plans and specifications and shall be used for the purposes of manufacturing timber product and associated training and not for overnight stays. The building shall never be used for residential purposes.

Reason: To comply with the details of the application and avoid any residential use where would be contrary to the Development Plan.

Camp area management

12. The site shall operate in complete adherence with the submitted 'Smugglers Copse Camp Area Management Plan' dated January 2021. No vehicles shall be used for overnight stays and all visitor stay shall be limited to the designated camping areas and pitches as detailed in the approved plans.

Reason: To comply with the details of the application and avoid an unacceptable use of the campsite which would lead to adverse impacts in the National Park.

Removal of structures

13. Should any use cease on site, all relevant structures associated to the use shall be removed from the site, debris removed and the ground restored to its previous condition, or otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the conservation of landscape character, woodland habitat and amenity value of the countryside.

Removal of permitted development rights

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development falling within the following Classes of Schedule 2 of the Order shall be carried out without the prior written approval of the South Downs National Park Authority: Part 6 Classes A and E.

Reason: To ensure the development is satisfactory in accordance with the purposes of the South Downs National Park and does not result in harm to landscape or in an unacceptable intensification of use.

Informatives

1. To accord with current building regulations WSCC Fire and Rescue have advised that there should be a fire hydrant within 90 metres of the development for the supply of water for firefighting for a commercial premise. If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk that the service may not be able to control a potential fire.

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from the SDNPA Development Management Officer and SDNPA Landscape, Woodland Officers, the opportunity to provide additional information to overcome technical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Rafa Grosso Macpherson

Tel: 01730 819336

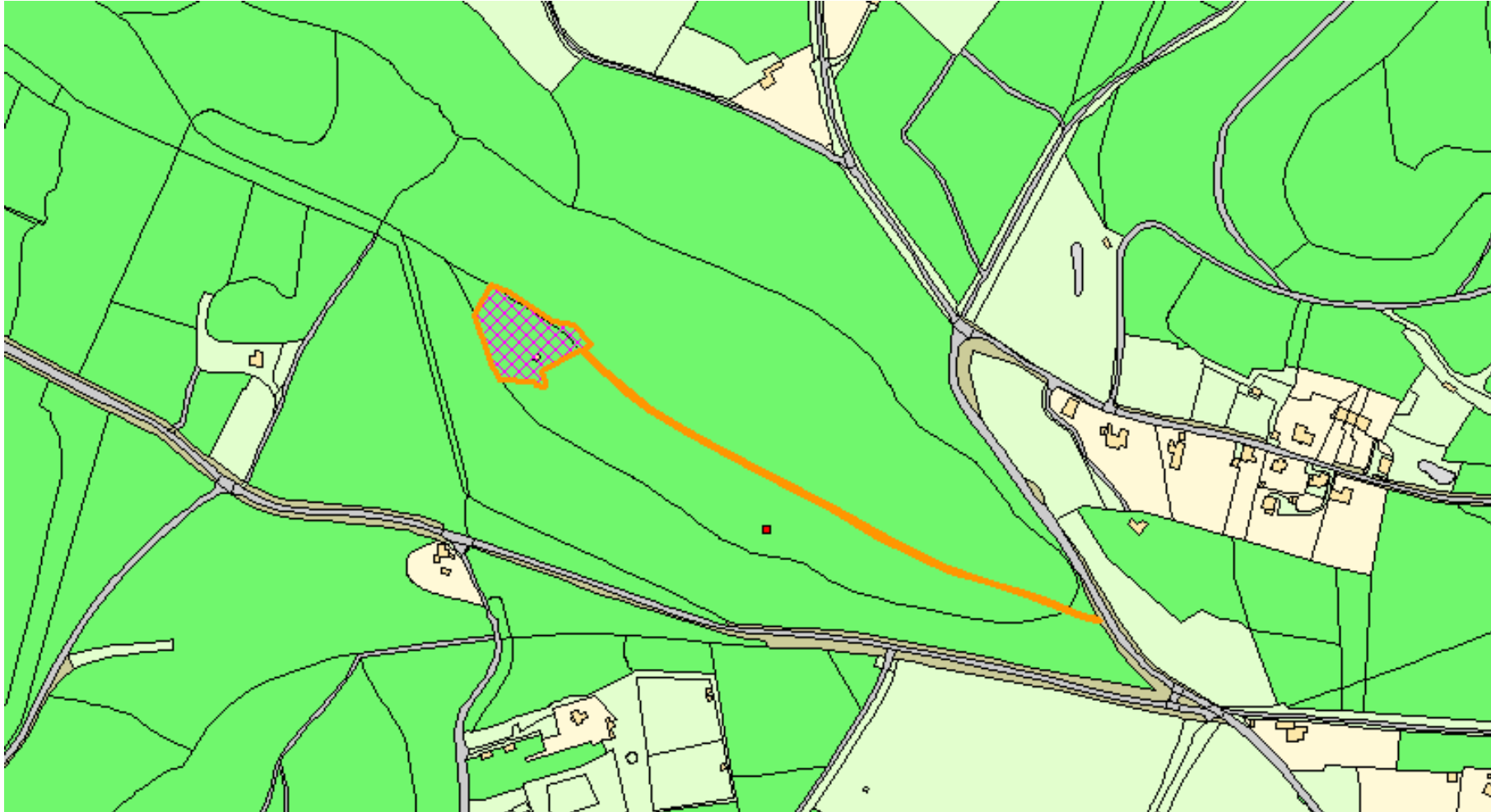
email: Rafael.Grosso-Macpherson@southdowns.gov.uk

Appendices

1. Site Location Map
2. Appeal decision ref. APP/L3815/C/18/3208260

SDNPA Consultees	Legal services, Development Manager, Director of Planning
Background Documents	<p>Planning application (documents, representations and consultation responses)</p> <p>https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage</p> <p>South Downs Local Plan 2014-2033</p> <p>https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/</p> <p>Milland Neighbourhood Development Plan (2016)</p> <p>https://www.southdowns.gov.uk/wp-content/uploads/2016/08/Milland-NDP-Made-Plan.pdf</p> <p>National Planning Policy Framework (2019)</p> <p>https://www.gov.uk/government/publications/national-planning-policy-framework--2</p> <p>The South Downs National Park Partnership Management Plan (2020-2025)</p> <p>https://www.southdowns.gov.uk/national-park-authority/our-work/partnership-management-plan/</p> <p>English National Parks and the Broads: UK Government Vision and Circular (2010):</p> <p>https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010</p> <p>South Downs Integrated Landscape Character Assessment (2020)</p> <p>https://www.southdowns.gov.uk/landscape-design-conservation/south-downs-landscape-character-assessment/south-downs-landscape-character-assessment-2020/</p> <p>Planning Position Statement by the SDNPA during COVID-19 Pandemic (2020)</p> <p>https://www.southdowns.gov.uk/planning-position-statement-update/</p> <p>SDNPA Technical Advice Notes</p> <p>https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/technical-advice-notes-tans/</p> <p>Roads in the South Downs (2015)</p> <p>https://www.southdowns.gov.uk/wp-content/uploads/2015/09/Roads-in-the-South-Downs.pdf</p>

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2012) (Not to scale)

Appeal Decision

Hearing Held on 7 January 2020

Site visit made on 7 January 2020

by Simon Hand MA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14th January 2020

Appeal Ref: APP/L3815/C/18/3208260

Land West of Junction with Dangstein Road and Borden Lane, Borden, Milland, West Sussex, "Smugglers Copse", GU31 5BZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Ms Gillie McNicol against an enforcement notice issued by Chichester District Council.
- The enforcement notice, numbered ML/25, was issued on 19 June 2018.
- The breach of planning control as alleged in the notice is without planning permission, change of use of the land to mixed use comprising camping, education and training courses and manufacture of wood products.
- The requirements of the notice are (i) Cease the use of the land for camping, education and training courses and for the manufacture of wood products; (ii) Remove the metal corrugated sheeting, plastic corrugated sheeting, wooden planks, metal oil drums, caged plastic container, photovoltaic panel, vans and spare wheels from the land; (iii) Remove from the land, the two touring caravans; (iv) Dismantle the 'round house' used as a central communal structure, the outside kitchen, the pizza oven, the framing bed and structural canopy, the structure used as a 'workshop', the old toilet structure used as a general store and the wood store, the enclosed wooden podium, and (v) Remove from the land all the resulting debris from the structures dismantled in (iv) above including the removal of the associated wooden tables, chairs, work surfaces, benches and clay oven.
- The period for compliance with the requirements is 3 months.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (c) and (d) of the Town and Country Planning Act 1990 as amended.

Decision

1. It is directed that the enforcement notice be corrected by adding in "forestry" between "comprising" and "camping" in the allegation and varied by deleting reference to "the old toilet structure used as a general store" from requirement (iv). Subject to this correction and variation the appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Costs Application

2. An application for an award of costs was made at the hearing and is the subject of a separate decision letter.

Background to the Appeal

3. The appellant purchased a block of woodland that was formally part of the Dangstein estate in 2009. It covers about 10.5ha and is predominantly coppiced sweet chestnut. The Land is bordered by a bridleway, part of the serpent trail to the north and east, Dangstein road to the south and a public footpath to the west. A forest track runs through the site on a west-east alignment and carries on beyond the appeal site to further woods in different ownership beyond to the west. Part of the western edge footpath passes through a small ravine which is a noted site for rare briophytes. The whole site falls within a larger area identified as a Site of Nature Conservation Interest by the County Council and is a replanted ancient woodland.
4. The appellant, with the help of a forester, Richard Bates, has been actively managing and coppicing the land, which had previously been left to its own devices, using hand tools in a low impact manner, and selling various by-products such as fences, gates and timber framed buildings. Also, since 2012, Mr Bates has also been running occasional courses in woodland type skills such as chair making or timber framing.
5. A similar undertaking, but on a larger scale, at Laundry Cottage¹ on the other side of the road from the appeal site, was recently granted planning permission following an appeal in October 2019, and a number of issues are common to both appeals. Both parties made reference to that decision in this appeal.
6. It was agreed that the notice should be corrected to include 'forestry' within the mixed use allegation, and this would not prejudice either party. There is a hut on site currently used for storage and for Mr Bates as a seasonal woodland worker. This is the only structure that is of a robust construction, albeit it is still a simple wooden hut. The Council accept that a working forest requires some form of shelter and the hut is not included in the notice and so not affected by this appeal.

The Appeal on Ground (c)

7. This ground is that the matters alleged do not need planning permission. In this case it is argued the forestry products are ancillary to the use of the land for forestry purposes and the educational courses are permitted development by virtue of Class B of Part 4, Schedule 2 of the General Permitted Development (England) Order 2015.
8. It was accepted by the appellant that the reasoning in the Laundry Cottage appeal as to what constituted ancillary timber production was relevant here. In that appeal the Inspector held that it was the amount of 'processing' that occurred that was important to determine whether a wood product was 'consequential on' the coppicing of trees as a crop. In this appeal Mr Bates is producing benches, small timber round-wood frames, field gates, hurdles and a yurt frame as well as shingles or shakes, pea sticks, fence posts, bean poles and so on.
9. Following on from the Laundry Cottage decision, it is my view that the latter items, the shingles/shakes, pea sticks, fence posts, bean poles and so on are all clearly ancillary products, they require little or no processing, and are consequential on the coppicing process. However, the other items, gates,

¹ APP/Y9507/C/18/3199595 & 3194790.

hurdles, the yurt and timber framed buildings do require considerable added value in terms of processing, whether in a low impact, hand tool fashion or not. I consider that even the occasional production of such items because they requires some processing is not ancillary to forestry and so is not permitted development.

10. The second element of the ground (c) appeal concerned the educational courses. Again, there was no dispute about the length of time taken up by these courses, which was a maximum of 19 days in 2013. Since 2017, when the Council began investigating the alleged breaches the number of courses has tailed off. Mr Bates said that he had run two, one-day course this autumn involving two people on each course, making a chair and a stool. This is a very low key activity that falls well within the 28 days a year allowed by Class B of Part 4, which covers temporary uses of land. However, the Council argue that it falls outside Class B because B.1(b) says that development is not permitted if *"the land in question is a building or is within the curtilage of a building"*. In this case, the Council say, a number of timber structures are involved in the courses and the outdoor elements are within the curtilages of these buildings.
11. As I saw on the site visit, within the wood is a small area known as 'the camp' that contains a number of buildings or structures made out of the wood's own timber products. The exception was a touring caravan used by Mr Bates in his seasonal forestry worker role. Also tarpaulins or a parachute were used to roof some of the timber frames that had been erected. These were only brought into use when required for a course, otherwise they remained as simple framed structures. There was no argument from the appellant that the structures were not buildings for the purposes of the GPDO, and I think it is commonsense that they must be. In which case, whether or not they can be said to have a curtilage is irrelevant, as at least some of the courses rely on the use of the buildings and buildings are excluded from the permitted development rights which are concerned only with the use of the land.
12. While not all the courses would necessarily use a building, for example a one day course on making spoons held in the summer might be entirely outdoor based, it is clear that some have. The appellant suggests the buildings are actually part of the lawful forestry use and the occasional use for educational activities is simply co-incidental and does not impinge on the rights granted by Class B. The buildings comprise a timber framed 'roundhouse' communal hut, a compost toilet, an old compost toilet now used as a store, the framing bed, a wood store and a workshop. The notice also includes a 'dance podium' and an outside kitchen which have already been removed.
13. A number of these buildings were constructed as part of the courses in timber framing, and it is clear the number of buildings can fluctuate as old ones are dismantled and replaced by new, possibly in a different location and for a different purpose and of a different size. This is in keeping with the low key, low impact philosophy underlying the use of the site as a whole. However, it is clear that not all these buildings are genuinely necessary for or ancillary to forestry activities. I have already found the making of timber frames is not permitted development, and so the framing bed cannot be said to be related to a lawful forestry activity. The roundhouse is obviously used for more than forestry activities and various of the other structures, the compost toilet for example, have shared uses. The permitted development rights granted by Class B specifically exclude the use of buildings and insofar as the courses use

these buildings, they cannot be permitted development. I have no evidence to determine which if any courses are entirely outdoors based, so I can only find the use of the site for educational purposes as a whole is not permitted development.

14. A secondary issue is whether the activities of wood product manufacture and educational courses amount to a material change of use. They might not be permitted development, but if, in volume terms they amount to such a small scale activity that they are not material, then they would not amount to development requiring planning permission.
15. In this case the appellant's figures for timber products are 15-16 days spent on each year for the last four years. Activity in previous years is less. This is a very low level of activity. The figures for educational courses over the same period is only 6 in 2017, 1 in 2019 (up to July) and it seems a further 2 in the autumn of 2019. However, this dip in activity follows on from the issue of a PCN by the Council and visits from the enforcement team in 2016 when it became clear to the appellant that the Council were concerned about the activities in question. Certainly educational courses had been running at a higher level, about 15 days a year up to then. The courses require people to travel to the site, with 2-3 cars per course it would seem, and in many cases camping on the site overnight. Although this too is a low level of activity, taken together there is a pattern of regular courses and timber product manufacture that amounts to more than an occasional or de minimis use of the land and does, just, suggest the material change of use as alleged has been made. Therefore the appeal on ground (c) fails.

The Appeal on Ground (d)

16. This appeal concerns only three of the structures mentioned above, the compost toilet, the framing bed and the old toilet/store. There is no dispute the three structures have been on site for more than 4 years and so, for that reason are immune from enforcement. However, the Council argue they are integral to the material change of use of the land and if the notice is upheld on that basis these structures can be removed regardless of whether they are lawful or not. There are a number of court cases that have defined this principle, the key one for this appeal being *Bowring*², where it was held that if the operational development installed as part of the material change of use is to be removed, it must be integral too or part and parcel of the use alleged. It is not sufficient if the works had been undertaken for a different and lawful use and could be used for that other lawful use if the unauthorised use ceased.
17. In this case the framing bed can only be used for the production of timber frames or also as part of a timber framing course, which I have found above not to be ancillary to forestry. The compost toilet and the store could both be used by a forestry worker, going about lawful forestry tasks. I have little evidence concerning the uses these two structures have actually been put to. Mr Bates statement says the store was used in a framing course in 2012, but it is clearly a general small storage structure. I think one has to be careful when applying this principle too liberally and in my view it is far from clear these two structures are integral to the unlawful activities subject to the notice.

² *Bowring v SSCLG & Waltham Forest BC* [2013] EWHC 1115

18. The appeal on ground (d) succeeds for the old toilet/store but fails for the framing bed. I note that in fact the compost toilet is not specifically included in the allegation or requirements, but for the avoidance of doubt I consider that it has gained immunity from enforcement by way of the passage of time.

The Appeal on Ground (a)

19. It was agreed the Milland Parish Neighbourhood Plan (2016-2030) and the South Down National Park Local Plan (2019) form the development plan for the purposes of this appeal. The site is an SNCI and so policy EN1 of the Milland NP requires an Ecological Impact Assessment if there is likely to be an adverse effect on the site. No EIA has been provided, but the appellant argues the Woodland Management Plan effectively covers the same ground and with a high level of detail. I agree that it is difficult to see what would be gained by the production of a further EIA.
20. Policy SD4 of the SDNP local plan deals with the protection and enhancement of the landscape, SD7 seeks to preserve and enhance relative tranquillity and SD23 encourages sustainable tourism within certain parameters. The site also lies in an area classified as the Dark Sky Core and the SDNP Partnership Management Plan has a policy to protect and enhance tranquillity and dark night skies. However, the main thrust of all these policies is to encourage development that promotes the understanding and enjoyment of the special qualities of the park as long as those qualities are not harmed. Small scale forestry activities and low impact educational courses involving the hands-on manipulation of woodland products is very much within the ethos of the National Park and it is this that the appellant is promoting on the appeal site. The issue is therefore whether in the process the very special qualities that the appellant seeks to promote are also being undermined.
21. The site lies in an area designated as being of intermediate tranquillity for policy purposes. As I experienced myself, apart from the noise of a helicopter, it was very quiet and peaceful and the preservation of this tranquillity is important.
22. The manufacture of wood products by a single person, using hand tools and wood sourced solely from the coppiced woodlands is clearly something that the SDNP would support. At the level it is being carried out at the present it clearly causes no harm. However an unfettered permission might well have much more serious consequences. The woodland could be more intensively managed and production of timber products could be significantly stepped up. I am aware also that a certain amount of raw timber could be imported to be worked on. More machinery and more workers would lead to more noise and disturbance and also visits by lorries taking away finished products. I am not suggesting this is the intention of the appellant, but there is no guarantee she will remain the owner so any future use would need to be controlled by conditions.
23. The use of the site for educational purposes, on a small scale and for small groups of people also, in my view, clearly sits within the second purpose of the National Park, to promote the understanding and enjoyment of its special qualities. Again, the current level of use is very low. Even with 15 days of courses a year which is the level before 2017, there is no reason why this could not be carried out without causing any harm. However, these courses have certain associated activities and effects that also need consideration. Most

- people will arrive by car, which will need to park on site. Those on multi-day courses will also need to either stay locally or on the site. In the past people have tended to rough camp in the woodland wherever there is a flat area sufficiently clear of trees. This might be fine for a couple of tents a couple of times a year, but less so if numbers are to grow as is proposed.
24. The people attending the courses also need toilet facilities – the current single compost toilet (even with two adjacent seats) may not be enough, and there is no running water in the camp, although there is a tap 100m away. With more people staying there will need to be at least some rudimentary washing facilities for basic hygiene purposes, and they will also need to be fed. There is a pizza oven on the site and a small communal pizza gathering in the evening has been the norm in the past. Again this will expand given more people and more courses.
25. Finally, it has been the practice for the timber making course to produce a structure that is then used on the site. The Council were concerned about the proliferation of such structures throughout the woodland, especially as more framing courses are envisaged.
26. The appellant has suggested a number of conditions to deal with these issues. They accepted there should be a limit on any lighting, which would satisfy the dark skies problem. They also agreed the management plan for the woodland could be conditioned to ensure environmental and habitat concerns were met. I accept these would overcome any problems in these areas. A condition is also suggested limiting the production of non-ancillary woodland products. It is envisaged this would include only wood sourced from the site and only hand tools and chainsaws shall be used. Again I agree this is a necessary condition which would help restrain the potential disturbance from this activity. It is also envisaged production would only take place on 60 days a year. Some limit to production is clearly required.
27. As to the educational courses it was suggested these too are limited to 60 days a year and to 10 participants a day. Cumulatively, with the timber production, this would amount to 120 days of activity a year and up to 600 people on the site attending courses. The appellant accepted this was not what they envisaged and suggested refining the condition along the lines of a maximum of 8 participants on 1 day courses and 4 on timber framing courses, no more than 10 courses a year up to a maximum of 60 days. I think this is the right way to approach the problem, but it is quite unsatisfactory to make up these conditions on the hoof. What about the courses that are more than 1 day but aren't framing courses?
28. There is also the issue with the associated impacts discussed above of camping and parking. I was shown various spaces in the woodland where cars could park and it was suggested a condition could require enough spaces to be identified and marked out in some way. This may be possible, but I have no evidence as to how many or where they might be. It was suggested that no facilities were envisaged for camping, but I find this hard to believe. It suggests to me that this element has been insufficiently considered.
29. As to the proliferation of structures, the appellant agreed this was not envisaged, and was happy to have a condition restricting the numbers, but again no condition was put before me. Something akin to a site management plan. In my view the implications of success on ground (a) have not been

properly thought through, particularly as this is development within a national park subject to the highest standards of protection in national as well as local policy.

30. Mr Campion who represented third parties, suggested the lack of a s78 application was the problem and I agree. A properly thought out proposal with evidence as to numbers and frequency of the different types of activity and conditions to control that, as well as provide certainty as to the impacts on the site of parking, camping and the potential proliferation of structures would all be necessary to allow a reasoned determination by the Council as well as proper consultation and reassurance for neighbours. I have no doubt that given the evidence I heard that a proposal for some level of intensification above the current low level use could be acceptable and would sit comfortably within the national park, but I am not satisfied that I have evidence to suggest what that should be. Consequently, I find the development proposed would be likely to be contrary to policies SD4 and SD7. I am not sure that SD23 is relevant, but if it is, then it would be contrary to that as well. The Appeal on ground (a) fails.

Conclusions

31. The appeal on ground (c) fails, but on ground (d) it succeeds for the compost toilet and old compost toilet store. I shall vary the requirements to delete the removal of the old compost toilet/store. The appeal on ground (a) fails and I shall refuse to grant planning permission for the matters alleged. I shall correct the notice to include forestry within the mixed use. Subject to that correction and the variation of the requirements I shall dismiss the appeal and uphold the notice.

Simon Hand

Inspector

APPEARANCES

FOR THE APPELLANT:

James Shorten – agent
Gillie McNicol – appellant
Richard Bates – woodland worker

FOR THE LOCAL PLANNING AUTHORITY:

Shona Archer – Chichester DC
Steven Pattie – Chichester DC

INTERESTED PERSONS:

David Campion
Colin Stopher – Milland PC

DOCUMENTS

- 1 Richard Bates, statutory declaration
- 2 Tranquillity map
- 3 Rights of Way map
- 4 Dark Skies map

Agenda Item 9
Report PC20/21-31

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Local Authority	South Downs National Park Authority (Hampshire)
Application Number	SDNP/20/01535/FUL
Applicant	Mr John Gosling
Application	The extraction of 343,670 tonnes of chalk (156,214 cubic metres x 2.2 tonnes per cubic metre) and the importation of 1,149,000 tonnes (633,333 cubic metres x 1.8 tonnes per cubic metre) of clean inert waste/soils and clays and the importation of approximately 31,000 tonnes of top soil (21,000 cubic metres x 1.4 tonnes per cubic metre) with the continuation of ancillary recycling operations until 31st December 2028.
Address	Butser Hill Lime Works Ltd, Butser Hill, Buriton, Petersfield, Hampshire, GU31 5SP

Recommendation: That planning permission be granted subject to the conditions set out in paragraph 10.1 of this report.

Executive Summary

The applicant seeks to consolidate the two extant permissions on site for chalk extraction and recycling operations and to provide an improved restoration scheme.

The current extant permissions cease on the 21 February 2042 (chalk extraction) and 31 December 2028 (recycling operations). This application seeks to reduce the cessation time of the chalk extraction to be in line with the recycling operations and for the site to be fully restored by the 31 December 2028.

The revised restoration scheme encompasses the importation of 1,149,000 tonnes of inert soil and clays to infill the excavated chalk quarry, the importation of 31,000 tonnes of top soil, establishment of calcareous grassland, creation of habitats, retention of historic Lime Kilns and enhancement of existing woodland features on the site.

The primary issues in consideration of this application are the importation of material, landscape, ecology, historic Lime Kilns, and highways impact. The applicant has demonstrated that there is a need for this development as the current restoration scheme is of low value and not in line with current policies of the South Downs National Park due to the age of the permission preceding the creation of the National Park Authority. This application follows detailed pre-application advice which assessed the 'in-principle' proposal for the importation of material within a restoration scheme. The applicant has provided a comprehensive Environmental Statement which address all concerns raised at pre-application stage. The proposals are considered to be acceptable and permission is recommended subject to appropriate conditions.

The application is being brought before Members for consideration, given the extent of works involved in the proposals.

1. Site Description

- 1.1 Butser Hill Lime Works is located adjacent to the Southbound side of the A3 from Petersfield to Portsmouth. Vehicle access is obtained via a slip-road via the disused former A3 highway which is also adjacent to the A3 and along the borders of the western boundary of the site.
- 1.2 The site is approximately 1 km from the village of Buriton and the National Cycle Route (NCR222) runs along the access road and beyond the entrance to the site, which is located on the western edge of the site boundary. Furthermore, there is a footpath that runs adjacent to the eastern boundary (Buriton 11). The site is adequately screened by mature vegetation along the access road.
- 1.3 The site has three parts which have extant permission to extract chalk, however the applicant has ownership of two parts of this site which is approximately 8.17 hectares and forming a lop-sided bowl shaped landform. These two parts have been divided by internal haul roads known as the Northern and Southern quarries and are subject to this application. Within the northern quarry there is a permitted recycling operation with associated mobile temporary equipment. Between the two quarries there are Lime Kilns which, whilst not listed, are considered to be of important local heritage value.
- 1.4 The site is adjacent to Queen Elizabeth Country Park and rural fields on the southern bound carriageway of the A3 and Butser Hill National Nature Reserve on the northern bound carriage way of the A3. There is a section of Semi Ancient Woodland to the south of the site and a number of Sites of Importance for Nature Conservation (SINCs), Special Conservation Area (SAC) and Site of Special Scientific Interest (SSSI) located nearby within Queen Elizabeth Country Park and Butser Hill National Nature reserve.
- 1.5 The nearest property is that of Kiln Cottage which is located on the southern periphery of the site with no other nearby residential properties within a 250m of the site.

2. Relevant Planning History

- 2.1 The history of this site is complex and a number variation of conditions were obtained for both operations on site and to prevent confusion permission have been listed in groupings (chalk extraction and recycling operations)
 - SDNP/18/03798/CND – Approved (25/01/2019) – Variation of conditions 9, 19, 21 and 23 of F20552/27C. This application is for chalk extraction.
 - SDNP/18/04941/SCOPE – Scoping Opinion (24/10/2018) – Scoping request for further extraction and revised restoration proposals at Butser Hill Chalk Quarry
 - SDNP/18/04973/PREC – Pre-Application Advice Given (19/09/2018) – Continuation of extraction of the remaining chalk reserve and subsequent restoration by inert infill with associated after care. The recycling activities at the site will continue in parallel.
 - SDNP/18/03168/CNDC – Approved (13/06/2018) – Variation of condition 1, 2, 4, 10 and 14 and removal of condition 3 of planning permission SDNP/15/02986/CW. This application is for the recycling operations.

3. Proposals

- 3.1 The current extant permission for chalk extraction has a cessation date of 21 February 2042 and the current extant permission for the recycling operation has a cessation of 31 December 2028. This application is seeking to consolidate the current extant permissions for chalk extraction (SDNP/18/03798/CND) and recycling operations (SDNP/18/03168/CNDC) and proposing that the site will cease to operate both the chalk extraction and recycling operations by 31 December 2028. Furthermore, this proposal also seeks permission for a revised restoration scheme for the whole site.
- 3.2 This application follows pre-application advice (SDNP/18/04973/PREC) and a scoping opinion (SDNP/18/04941/SCOPE). Concerns raised in the pre-application advice and scoping opinion have been addressed within a comprehensive environmental statement which forms part of the documents submitted with this application.

- 3.3 The proposal is seeking to allow the continued extraction of the remaining chalk reserves of 343,670 tonnes before importing 1,149,000 tonnes of clean inert soils and clays to infill the site and to import 31,000 tonnes of top soil to be spread over the infill. This is to aid in the restoration of the site to ensure that the scheme is landscape led and to enhance biodiversity on the site.
- 3.4 It is proposed that the chalk extraction on the site will be exhausted by the end of 2024 and the recycling operations will continue in its current form until the beginning of 2028 at which point this operation will slowly decline and cease by the 31st of December 2028.
- 3.5 There is a 5 phased approach which will see the importation of the inert material proposed to begin from phase 1 and they will be imported into the Southern Quarry. Phases 1-3 will see both importation of inert material and chalk extraction. Phases 4-5 will see the remaining inert material and the slowing down to cessation of the recycling operations. A time table of how long each phase will be estimated to take is provided below:
- Phase 1 = 9 months
 - Phase 2 = 20 months
 - Phase 3 = 18 months
 - Phase 4 = 2.5 years
 - Phase 5 = 1.5 years
 - Aftercare = 5 years
- 3.6 Details of the proposed annual tonnages (extraction and importation) are as follows:

Year	Extraction of Chalk Tonnages	Importation of Inert Soil and Clay	Importation of Topsoil
2020/21	85,918	100,000	296
2022	85,918	100,000	1,776
2023	85,918	100,000	3,972
2024	85,918	100,000	6,168
2025	0	187,250	1,884
2026	0	187,250	1,884
2027	0	187,250	5,664
2028	0	187,250	9,444

- 3.7 The proposed operation hours for the site are 07:00 to 18:00 Monday-Friday and 07:00 to 13:00 Saturdays with no operations taking place on a Sunday or Bank Holiday. Vehicle movements are proposed to bypass the village of Buriton entirely and this is something that would further be enforced by a Section 278 agreement with Highways England.
- 3.8 It is proposed that the Historic Lime Kilns on the site are retained and protected in perpetuity. Unfortunately, some of the Historic Lime Kilns will be removed due to safety concerns for the public who will visit the site once it is fully restored. It is proposed that interpretation boards will also be erected on site to show the history of the site and the Historic Lime Kilns. This will be developed by working with Buriton Parish Council.
- 3.9 The overall final restoration of the site will include;
- Retention of long established mature woodland trees by the Lime Kilns and screening along the A3 boundary

- New proposed planting to provide screening of the cycle path of current operations on site
- Proposed tree planting at the southern perimeter of the site
- Enhancement of the tree screen at the A3 to provide evergreen species to reduce the noise of the A3 to encourage a quiet space for visitors to enjoy
- Two areas of exposed chalk quarry face to detail the history of the site
- Lowland calcareous grassland
- Low lying areas to encourage aquatic habitats
- Creation of Juniper and Juniper scrub habitat
- Access road with associated parking/picnic facilities
- Focal viewpoint along trail on top of the ridge in the Northern Quarry
- Retention, protection and enhancement of the Lime Kilns
- Informal paths to be provided to encourage full exploration of the site

4. Consultations

4.1 SDNPA Conservation Officer – No objection subject to conditions

4.2 SDNPA Landscape Officer – Neutral

- The Plans suggest the scheme will knit in to the existing contours beyond the red line, this approach is supported, but will require further detail at condition stage. This will require balance between ensuring a mix of slopes whilst achieving sufficient stability. Areas of exposed chalk cliff-faces in places, if achievable would also be supported.
- The material used for fill and topsoil will also require further information. Butser Quarry is in a part of the National Park where habitats have a strong relationship to chalk bedrock and the thin, lime-rich soils associated with them. The expectation of a scheme such as this, is that characteristic habitats are created as part of any restoration, as this will support locally characteristic species and help the site to be successfully integrated into the wider landscape.
- The success of the restoration will be dependent upon the applicant's ability to recreate appropriate ground conditions to deliver the quality of habitats expected. It is not clear from the application documents, what materials will be imported and used in the final scheme. The risk is the habitats and species aspired to, may not be achievable long-term and therefore nor will the benefits of having characteristic habitats to this site and its wider context.
- The broad principles set out in the Restoration Plan (Phase 5) are supported, for example, the amount of open space versus tree planting, but the location and details of these should be agreed at conditions stage. The local area has some juniper present and so it is expected that this key species would form a large part of detailed restoration design. The expectation is that the restoration scheme is landscape-led and its design is informed by key local characteristics and views. This evidence should be used to refine the final scheme and ensure it adds value to existing local projects, and all elements of landscape including its perceptual qualities

4.3 County Archaeologist – No objections

4.4 East Hants Environmental Health Drainage: No objection

4.5 East Hants Environmental Health Pollution: No objection – with conditions

4.6 Historic England: No comments

4.7 County Flood Authority: No objection subject to conditions

4.8 Environment Agency: No objection

4.9 Natural England: No objection

4.10 HCC Highways – No response received

4.11 Highways England: No objection subject to conditions

4.12 Hampshire Countryside Service: Objection

- The transport assessment does not clearly state the location of the cycle routes which run adjacent to the site and as such does not correctly detail the amenities of the area. Details of how to enhance and protect all PROW directly impacted by the proposal are required.
- Concerns raised over the proposed car park and picnic area and the impact that would have on the environment of the area due to littering and antisocial behaviour.
- More details on the retention of the Lime Kilns is required.
- Meeting to discuss future ownership is required.

4.13 Southern Water: No objection subject to conditions

4.14 Buriton Parish Council: No objection with comments raised

- Worries about the safety of vulnerable users (walkers and cyclists) on the relatively new 'shared use' route amongst so many big, heavy goods vehicles. The Parish Council understand that this would need to be done by a Section 278 agreement (following a safety audit) and would like Highways England to be aware of the Parish Council's comments on this matter. The Parish Council have learnt from Hampshire County Council that usage of the path has increased by 55% on the previous year, with approximately 14,000 riders (up to the end of September 2020). This should be drawn to the attention of Highways England.
- Doubts about the need for any parking facilities (except perhaps for disabled users) in the site as there is already plenty of parking next door at the QE Country Park. Creating any free, unregulated car parking could bring more problems than benefits such as litter, fly tipping and parking in the wrong area. Cycle parking on this site is supported. The Parish Council suspect that this issue (and ongoing ownership and management of the site etc.) needs to be thoroughly discussed with Hampshire County Council
- The Parish Council are pleased that there will be a carefully worded Planning Condition to try to protect and preserve the rare historic Lime Kilns – and it is reassuring that the Applicant and their Agent see retention of the kilns as an important heritage focal point for future interpretation.
- The Parish Council also looks forward to the establishment of a Liaison Group to help during the final operational period and also with the restoration and aftercare phases.

5. Representations

5.1 None received

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is South Downs Local Plan (2014-2033) and the Hampshire Minerals and Waste Plan (2011-2030). The relevant policies are set out in section 7 below.

National Park Purpose

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks. The following policies of the National Planning Policy Framework are relevant to this application:

- NPPF02 - Achieving sustainable development
- NPPF04 - Decision-making
- NPPF11 – Making effective use of the land
- NPPF15 – Conserving and enhancing the natural environment

Relationship of the Development Plan to the NPPF and Circular 2010

- 6.4 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF

The South Downs National Park Partnership Management Plan (SDPMP)

- 6.5 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 1 – Conserve and enhance natural beauty and special qualities of the landscape
- General Policy 2 – Development landscape-scale initiatives to focus on enhancing ecosystem services
- General Policy 3 – Protect and enhance tranquillity and dark night skies
- General Policy 11 – Support land managers to access and maintain agri-environmental schemes that deliver ecosystem services

7. Planning Policy

The South Downs National Park Local Plan 2014-33 (2019)

- 7.1 The following policies of the South Downs Local Plan are relevant:

- SD1 - Sustainable Development
- SD2 - Ecosystems Services
- SD4 - Landscape Character
- SD6 - Safeguarding Views
- SD7 - Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 - Biodiversity and Geodiversity
- SD11 - Trees, Woodland and Hedgerows
- SD12 – Historic Environment

- SD16 - Archaeology
- SD17 - Protection of the Water Environment
- SD19 - Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD22 - Parking Provision
- SD25 - Development Strategy
- SD49 – Flood Risk Management
- SD50 - Sustainable Drainage Systems
- SD53 - Advertisements
- SD54 – Pollution and Air Quality
- SD55 – Contaminated Land

Hampshire Minerals and Waste Plan 2011-2030 (2013)

7.2 The following policies of the Hampshire Minerals and Waste Plan are relevant:

- Policy 1 – Sustainable minerals and waste development
- Policy 3 – Protection of habitats and species
- Policy 4 – Protection of the designated landscape
- Policy 5 – Protection of the countryside
- Policy 7 – Conserving the historic environment and heritage assets
- Policy 9 – Restoration of minerals and waste developments
- Policy 10 – Protecting public health, safety and amenity
- Policy 11 – Flood risk and prevention
- Policy 12 – Managing traffic
- Policy 30 – Construction, demolition and excavation waste development

8. Planning Assessment

8.1 The main issues for consideration with regards to the proposal are:

- Principle of the development
- Importation of material
- Landscape
- Ecology
- Historic Environment
- Operations
- Other Considerations

Principle of the Development

8.2 The site currently benefits from two extant permissions for the extraction of chalk (ceasing on 21 February 2042) and recycling operations (ceasing on 31 December 2028). The current site restoration scheme is considered low value due to the age of the historic permission. This proposal is seeking to consolidate the extant permissions and to provide an enhanced restoration scheme. As such, this application is akin to a Review of Old Mineral Permission (ROMP) application due to the full assessment of the operations undertaken by the applicant and resulting in updating the planning conditions. The current extant permission for chalk extraction on site and importation of materials would have been considered to be major development in terms of Paragraph 172 of the NPPF and major development within a National Park. The scheme subject to this report is a variation of the low value restoration scheme attached to the extant and implemented scheme for the extraction of chalk which is a betterment to the National Park and offers opportunities in connection with landscape and habitats. Therefore, it is not considered major in terms of Paragraph 172 of the NPPF.

- 8.3 Both SD1 of the South Downs Local Plan (2019) and Policy 1 of the Hampshire Minerals and Waste Plan (2013), support proposals which are sustainable in their nature and it is considered that locally sourcing material will adhere to being sustainable. The introduction of new habitats and landscape features will also see the site achieve long term sustainability and aiding in the mitigation for and adaption of climate change for this area.
- 8.4 SD1 requires proposals to support the National Park Purposes. It is considered that this proposal adheres to Purpose 1 and 2 through the improvements in biodiversity and landscape measures and the accessibility of the site being constructed to all users of the Park.
- 8.5 Policy 1 supports proposals which accords with other policies laid out in the Minerals and Waste Plan. Accordingly, The Case Officer considers that this proposal accords with other relevant policies within the Minerals and Waste plan.
- 8.6 This proposal will also provide local employment both directly on site and indirectly off site and will also enhance the local economy through the continuation of recycling operations (for a limited number of years) as an alternative to landfill and fly tipping.
- 8.7 Furthermore, the applicant has an aspiration to relinquish ownership of the site post aftercare period. This would fall under a civil matter and is not a planning consideration. Therefore, it is considered that the principle of this development is acceptable.
- 8.8 Importation of Material
- 8.9 In order to achieve the desired landform for the final restoration of the site the applicant needs to import 1,149,000 tonnes of clean inert soils and clays and 31,000 tonnes of top soil. The inert soils and clays will infill the substantial void that the chalk extraction will leave behind. The top soil will be used to ensure the longevity of all planting measures which include trees, vegetation and calcareous grassland. The timeframe for this proposal is to cease by the 31st of December 2028. The applicant would be unable to provide an enhanced restoration scheme such as the one proposed without importing this material.
- 8.10 Inert soils are those which would not pose a threat to the environment, animals or human health and will not endanger the quality of nearby water courses/aquifers. Furthermore, inert soils are those which have not been contaminated by harmful substances such as heavy metals or chemicals.
- 8.11 Additionally, the type, source and composition of the soil has not been provided in this application and it is imperative that the imported soil is of the right type, source and composition to promote longevity of the restoration scheme. Therefore, the officer deems it necessary to control this via prior-to importation condition in order to protect the site conditions but also the wider area of Queen Elizabeth Country Park and surrounding Sites of Important Nature Conservation (SINCs), Sites of Special Scientific Interest (SSSIs) and Special Areas of Conservation (SACs).
- 8.12 It is considered that this importation of material is appropriate and necessary in this instance given the history and existing restoration scheme. Whilst it is large volumes of material, it will ensure that the site is fully restored and fit in with the surrounding area such as Queen Elizabeth Country Park and the wider National Park landscape.
- 8.13 Therefore, it is considered that this proposal accords with Policy SD17 (Protection of the Water Environment) and SD55 (Contaminated land).

Landscape

- 8.14 The site is adjacent to the Queen Elizabeth Country Park and it is considered that this importation of material will be a significant improvement for the overall restoration of this area to ensure that there is not a permanent scar on the landscape.
- 8.15 The indicative restoration plan submitted within this application indicates various landscape led elements of this scheme which include restoring the site, post importation of material, to predominantly calcareous grassland, juniper habitats, aquatic habits, retention and protection of the Lime Kilns, exposed quarry faces, and additional planting to screen the A3 both

visually and auditory from the site. It is considered that these new areas within the site will be a substantial enhancement to the local landscape and therefore accords with SD4 (Landscape) and SD7 (Relative Tranquillity). Additionally, further information and control will be detailed through the submission of a Landscape and Environment Management Plan (LEMP), which has been conditioned.

- 8.16 This new proposal is also seeking to improve and safeguard views into and out of the site by ensuring that the very visible scar in close proximity to Butser Hill and Queen Elizabeth Country Park is restored with the imported material and the final planting scheme. There is a proposed view point on the ridge of the Northern Quarry, once restored which will enable visitors to the site to experience the wider landscape of the National Park. It is considered that this proposal accords with SD6 (Safeguarding Views).

Ecology

- 8.17 Currently, the site does not have any ecological benefits within the main part of the site due to the active operations taking place. However, there is a band of woodland trees by the Lime Kilns, semi-ancient woodland on the Southern boundary of the site, tree and vegetation screening between the site and the A3 and also between the site and the existing cycle route.
- 8.18 Following the importation of inert soils and clay and the topsoil, the applicant is proposing to restore the site predominantly to calcareous grassland which is one of the rarest habitats, nationally. This habitat establishment would be an enhancement to the area and also the national distribution of such a rare habitat. Furthermore, the proposal is seeking to introduce Juniper and Juniper scrub habitat to work in connection with similar projects taking place at Queen Elizabeth Country Park.
- 8.19 It was initially indicated that a dew pond or similar would be proposed on the site, however this would be contrary to the landscape of the area and not accord with SD4 (Landscape). Therefore, to ensure that both the creation of habitats and its relationship with the landscape are appropriate there are smaller aquatic habitats that are proposed to encourage a variety in both the landscape and biodiversity on the site.
- 8.20 As previously mentioned, there are areas of established woodland on the site and it is confirmed that the applicant will be retaining such features and enhancing them with additional native planting. The officer considers that this accords with SD11 (Trees, Woodland and Hedgerows).
- 8.21 There are a number of protected and notable species which are likely to frequent the site and these include bats, hazel dormouse and reptiles. Further survey work is proposed to ensure that these species are protected and their environments enhanced. Additionally, detail on the ecological management of the site will be provided in the conditioned LEMP.
- 8.22 The site is also proposing to provide an enhancement in Ecosystem Services by joining up habitats, creating new habitats, providing aquatic features to help store surface water and to provide a new space for the enjoyment of the National Park. It is considered that the proposal accords with SD2 (a, b, d, f, j and k) (Ecosystem Services) and SD9 (Biodiversity and Geodiversity).

Historic Environment

- 8.23 Within the site are Historic Lime Kilns which are rare nationally and of great historic importance to the local area. They date back to the late-19th century and were in use until the mid-20th century. The Lime Kilns are not currently listed, however the applicant has confirmed within this application that they are to be retained, protected and enhanced so that they can be the central focal point for visitors to the site post restoration can learn about the history of the site and experience this rare cultural heritage of the area. It is proposed that the applicant works with Buriton Parish Council to provide interpretation boards to help promote the history of the site through the history of the local village and its residents. The applicant has confirmed that they will fund these boards as part of their restoration scheme and this has been conditioned accordingly.

- 8.24 It is important to note that whilst it is then intended to keep the Lime Kilns, some elements will need to be dismantled as they are no longer safe due to root infestations and visitors to the site would be at a health and safety risk if this element was neglected
- 8.25 Furthermore, one of the driving factors to retain exposed chalk faces was to enhance the cultural heritage of this historically worked site. Therefore, it is considered that the retention, protection and enhancement of the Lime Kilns with the chalk faces accords with SD12 (Historic Environment).

Operations

- 8.26 The site access is not proposed to change than what is already permitted under the extant permissions for chalk extraction and recycling operations. There are already measures in place for dust management, noise management and to prevent material entering the local highway. However, due to the proposed importation which will generate vehicular movements these will need to be readdressed and as such a new Construction Environmental Management Plan (CEMP) will need to be submitted and this has been conditioned accordingly.
- 8.27 Additionally, it is important to note that there are currently no restrictions on vehicle movements to and from the site and whilst the proposal estimates what total number of vehicle movements are required for the importation of material and top soil they do not include those required for chalk extraction and the ongoing recycling operations at the site. Therefore, it is considered necessary to control the vehicle movements within this proposal to protect the local amenity and local highways. As such it is proposed, that there is a weekly average of 750 HGVs in and 750 HGVs out of the site which would be an average over the 5.5 days working week. It is considered that this is proportionate and a positive improvement when compared to there currently being no restrictions on vehicle movements.
- 8.28 The vehicle routing and access road for this proposal fall under the remit of Highways England and whilst HCC Highways were consulted, no response was received. Therefore, following consultation with Highways England and HCC Countryside Services, there are a number of conditions which have been imposed which will work alongside the details provided by the applicant to Highways England in a S278 agreement. Whilst the S278 agreement is carried out under separate legislation, it will cover matters such as access, signage, routing and cycle route protection and enhancement which are matters that have been raised and are considered to be material planning considerations.
- 8.29 It is considered necessary that there is a restriction on times that HGVs can enter or leave the site and also times which the operation of plant or machinery is restricted. This is important to ensure that the local amenity of the area is not significantly impacted whilst ensuring the proposal is completed on time. These hours have been imposed via condition.
- 8.30 Therefore, it is considered that this application accords with policies SD19 (Transport and Accessibility), SD20 (Walking, Cycling and Equestrian Routes) and SD54 (Pollution and Air Quality)

Other Considerations

- 8.31 The applicant has confirmed that they would like to work with the Parish Council and local community throughout all phases of the development. This is proposed to be in the form of a formal liaison group which would include the Parish Council, Applicant, SDNPA and other interested parties. This has been conditioned accordingly.
- 8.32 Within the restoration plan there is an element which includes a small car park and picnic area by the Lime Kiln and their interpretation boards. Concern was raised by the Parish Council and HCC Countryside Services that this would be a commercial car park. However, the applicant has confirmed that this area is provided to enable all users of the park to be able to experience the site as it may not be possible for all users to park at other nearby car parks and access the site. It was intended to be fully inclusive and as such accords with Purpose 2 of the South Downs National Park as it will enable all users to access this part of the Park. The size of the car park and picnic area are considered proportionate to the size

of the site and a safe access point due to its proximity to the A3. The maintenance responsibilities of this car park and picnic area would fall to the landowner, this includes any subsequent transfer of ownership from the applicant. If the applicant transfers ownership of the site to another those of the landowner

- 8.33 There were concerns about the ownership from the Parish Council and HCC Countryside Services of the site post aftercare obligations of the site have been fulfilled. The applicant intends to transfer ownership rights to an interested party at the end of the 5 year aftercare obligation. All maintenance of the site is the responsibility of the land owner.

9. Conclusion

- 9.1 Given the above it is considered that the proposal is in accordance with the Development Plan and Hampshire Minerals and Waste Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. It is therefore recommended that planning permission is granted for this consolidation of applications and enhanced and improved restoration scheme which accords with Purposes 1 and 2 of the South Downs National Park purposes as it will offer substantial benefits to the National Park.

10. Reason for Recommendation and Conditions

- 10.1 The planning application is recommended for approval subject to the following conditions:

Timescale and Approved Plans

1. The importation of soils, extraction of minerals and secondary aggregate recycling operations shall cease by 31 December 2028 and the site shall be restored in accordance with the details submitted within this application

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All working shall be in accordance with the approved scheme detailed within the Planning Statement (dated March 2020) and DWG013 Rev1 (dated December 2020) of this application. Written notification of the date of commencement shall be sent to the Local Planning Authority within seven days of such commencement.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

4. A copy of this decision notice, the environmental permit containing details of materials accepted at the site, together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents thereof shall be made known to supervising staff on site.

Reason: To ensure the site operatives are conversant with the terms of the planning permission.

Operations

5. Except in emergencies, which shall be notified to the Local Planning Authority as soon as practicable:

No heavy goods vehicles (HGVs) shall enter or leave the site except between:

- 07:00 to 1800 Monday to Friday
- 07:00 to 13:00 on Saturday

No plant or machinery shall be operated except between:

- 08:00 to 18:00 Monday to Friday

- 08:00 to 13:00 Saturday

There shall be no working on Sundays or Public or Bank Holidays.

Reason: To protect the amenities of local residents.

6. No more than 750 Heavy Goods Vehicles (HGVs) shall enter the site and no more than 750 Heavy Goods Vehicles (HGVs) shall leave the site during the approved operating hours in any working work (Monday to Saturday).

Reason: To limit the volumes of traffic in the interests of the amenity of the area.

7. The height of the stockpiles shall not exceed 4 metres above quarry base level and the height of the plant shall not exceed 6 metres.

Reason: To minimise its impact on the amenities of the local area.

8. All loaded lorries leaving the site shall be sheeted to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and safeguarding the local environment.

9. Noise levels arising from the operations within the site and the ancillary haul roads (detailed on DWG001.2 dated February 2020) shall not exceed 55 dB LAeq and 42 dB LAeq/1 hour at any time as measured at one metre from the front façade of Kiln Cottage and the boundary of public footpath no 11. No plant, equipment or vehicle shall be used on site unless fitted and operated at all times with silencing measures to a standard not less than the manufacturer's UK standard specification.

Reason: To protect the amenities of the local residents.

10. Any oil, fuel, lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in the area surrounded by bund walls of sufficient height and construction so as to contain 110 percent of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes should vent downwards into the bund.

Reason: To minimise the risk of pollution of watercourses and aquifers.

11. There shall be no artificial lighting installed on the application site other than the existing security lighting in the weighbridge and office area.

Reason: To safeguard the Dark Night Skies reserve.

12. Within 3 months of the date of this permission, details of a Construction Environmental Management Plan (CEMP) shall be submitted for approval in writing to the Local Planning Authority. The CEMP should include, but not be limited to, the following:

- a. Dust suppression measures
- b. Biodiversity mitigation measures (such as reptile mitigation strategy)
- c. Measure to ensure mud and spoil from the site are not deposited on the public highway and access road

Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area and nearby environmental features.

Highways and Public Rights of Way

13. Within 3 months of the date of this permission an Operational Management Plan shall be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). For the avoidance of doubt the Operational

Management Plan will include, amongst other things, details of routing of vehicles. Thereafter, all works will be carried out in accordance with the approved details.

Reason: To ensure that the A3, old A3 and the B2070 trunk roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

14. Within 3 months of the date of this permission an updated signing strategy for the old A3 shall be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). The signing strategy should include, but not limited to, the following:

- a. Site exit signage directing vehicles away from Buriton Village
- b. Access road signage leading up to the site
- c. Signage warning PROW access on the old A3

Thereafter, all works will be carried out in accordance with the approved details.

Reason: To ensure that the A3, old A3 and the B2070 trunk roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

15. Within 3 months of the date of this permission, full details of a screening strategy between the A3 and old A3 and the site shall be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). Thereafter, all works will be carried out in accordance with the approved details.

Reason: To prevent dazzle to users of the A3 southbound carriageway and to ensure that the A3 trunk road continues to be an effective part of the national systems of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

16. Within 3 months of the date of this permission a scheme to improve the junction between the old A3 and B2070 will be submitted for approval in writing to the Local Planning Authority (in consultation with Highways England). Thereafter, all works will be carried out in accordance with the approved details.

Reason: To ensure that the old A3 and the B2070 trunk roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

17. Within 3 months of the date of this permission details of the proposed works for the protection and enhancement of the adjacent public rights of way and cycle routes shall be submitted for approval in writing to the Local Planning Authority. Thereafter, all approved works will be carried out in accordance with the approved details.

Reason: To protect local PROW routes.

18. The buffer zone detailed within DWG001.I (dated February 2020) shall be retained at least five metres in width, or in areas where this is impracticable to a width to be agreed by the Local Planning Authority in writing, between Footpath no.11 and the site where no mineral extraction, construction of haul roads, stockpiling of materials or storage of machinery is permitted to take place. This buffer zone shall be maintained in accordance with details to be submitted in this application.

Reason: To avoid disturbance to the adjoining footpath and to avoid affecting the restoration of subsequent after use of the site.

Reason: In the interests of public safety.

19. A chalk bund shall be retained to create a staggered and screened site access at the south of the western boundary of the recycling area in accordance with plan 8771/SD/2 of SDNP/15/02986/CW.

Reason: To protect the local amenity

Hydrology

20. The drainage system shall be constructed in accordance with the Flood Risk Assessment & Drainage Strategy ref: 416.00492.00032 VI. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: In the interests of effective surface water management and local flood risk and to minimise the risk of pollution to water courses and aquifers.

21. Within 3 months of date of this permission details of the infiltration ponds, supported by infiltration testing in accordance with the BRE365 (2016 methodology) at a depth and location commensurate with them should be submitted for approval in writing to the Local Planning Authority. The submitted details should include:
- Detailed drainage layout drawings at an identified scale indicating catchment areas referenced drainage features, cover and invert levels and cross-long sections.
 - Detailed calculations for all rainfall events, including the listed below. The results should be based on the new infiltration rates and include design simulation criteria and summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.
 - Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
 - Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of effective surface water management and local flood risk and to minimise the risk of pollution to water courses and aquifers.

22. Within 3 months of the date of this permission details for the long-term maintenance arrangements for the surface water drainage systems shall be submitted for approval in writing to the Local Planning Authority. The submitted details shall include;
- Maintenance schedules for each drainage feature type and ownership and responsibilities
 - Details of protection measures.
 - Details of the timetable for implementation

Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of effective surface water management and local flood risk and to minimise the risk of pollution to water courses and aquifers

Reason: To ensure adequate pollution control

Material Management

23. No more than 156,214 cubic metres x 2.2 tonnes per cubic metre of chalk shall be extracted (342,670 tonnes) as detailed within the approved scheme of working set out within the Planning Statement (dated March 2020).

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

24. No importation of inert soil and clay shall commence until full details of the type, source and composition of the inert soils and clay to be imported into the site has been submitted to and approved in writing by the Local Planning Authority. Only such materials as approved shall be used in the remodelling of the site. No minerals, compostable materials or non-inert materials, shall be imported to, treated at or exported from the site.

Reason: Other materials raise policy, environmental and amenity issues and in order that the Local Planning Authority can limit use of the site to that permitted and to safeguard the character and appearance of the South Downs National Park.

25. No more than 633,333 cubic metres x 1.8 tonnes per cubic metre (1,149,000 tonnes) of inert soils and clays will be delivered to the site as detailed within the approved details within the planning statement and approved set of drawings.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

26. No more than 21,000 cubic metres x 1.4 tonnes per cubic metre (approximately 31,000 tonnes) of topsoil will be delivered to the site as detailed within the approved details within the planning statement and approved set of drawings.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

Community Engagement

27. Within 3 months of the date of this permission, a scheme for the creation and maintenance of a liaison group to include representation from the site operator, Parish Council and the South Downs National Park Authority shall be submitted for approval in writing to the Local Planning Authority. The submitted scheme shall include the objectives of the liaison group, its membership, the frequency and location of meetings and arrangements for the publication of minutes. The local liaison group shall operate until the end of the aftercare period and in accordance with the approved scheme.

Reason: In the interests of local amenity and community engagement.

Lime Kilns

28. Within 12 months of the date of this permission a scheme for the retention, protection, enhancement and interpretation boards of the Lime Kilns will be submitted for approval in writing by the Local Planning Authority. Thereafter, all works will be carried out in accordance with the approved scheme.

Reason: To ensure the protection of the Lime Kilns.

Ecology/Landscape

29. The development hereby permitted shall be carried out in accordance with the Preliminary Ecological Appraisal (dated March 2019) submitted within this application.

Reason: In the interests of local ecology and to ensure that new ecological features are protected.

30. Within 6 months of the date of this permission a Landscape and Environmental Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works will be carried out in accordance with the approved details.

Reason: In the interests of local landscape and amenity.

31. Within 12 months of the date of this permission, details of an Aftercare Management Plan will be submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented as approved.

Reason: In the interests of effective aftercare of the site.

32. Any trees, shrubs, hedges which are to be retained and protected detailed within DWG001.I (dated February 2020) which are removed without consent, or found to be dying, being severely damaged or becoming seriously diseased as a result of operations permitted by this permission, shall be replaced with trees or bushes of such size and species as may be specified by the Local Planning Authority in the planting season immediately following any such occurrences.

Reason: In the interest of amenity and wildlife conservation.

33. Trees shrubs and hedges planted in accordance with approved landscaping scheme detailed within DWG013 Rev I (dated December 2020) shall be maintained and any plants that within five years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species,

Reason: In the interest of the amenity of the local area and to ensure the development is adequately screened.

34. No removal of trees or hedgerows on the site (in accordance with the approved plans for the development hereby approved) shall take place between the 1st March and 31st August inclusive in any year Reason: To ensure that birds and bat species are protected and their habitats enhanced, in accordance with the Wildlife and Countryside Act 1981 and the NPPF.

35. All internal site haul roads shall be maintained in a condition free from potholes while in use and shall be retained during site restoration and only removed when maintenance is no longer required on site.

Reason: In the interest of the amenity of the local area.

36. The office building and car park shown on DWG001.I (dated February 2020) shall be retained until all restoration works have been completed including the removal of the workshop building. The office and car park can be removed earlier if it is no longer needed in association with site management.

Reason: In the interests of the amenity of the local area.

Removal of Permitted Development Rights

37. Notwithstanding the provisions of parts 4, 7 and 16 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order):

- a. fixed plant and machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site.
- b. no telecommunications antenna shall be installed or erected.

Reason: To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area.

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has actively liaised with and responded to any correspondence from the local resident's group in a positive and proactive way, in line with the NPPF.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Sabrina Robinson

Tel: 01730 819231

email: sabrina.robinson@southdowns.gov.uk

Appendices I. Site Location Map

Background Link to the Application

Documents <https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

National Planning Policy Framework (2019)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

South Downs National Park Partnership Management Plan (2020)

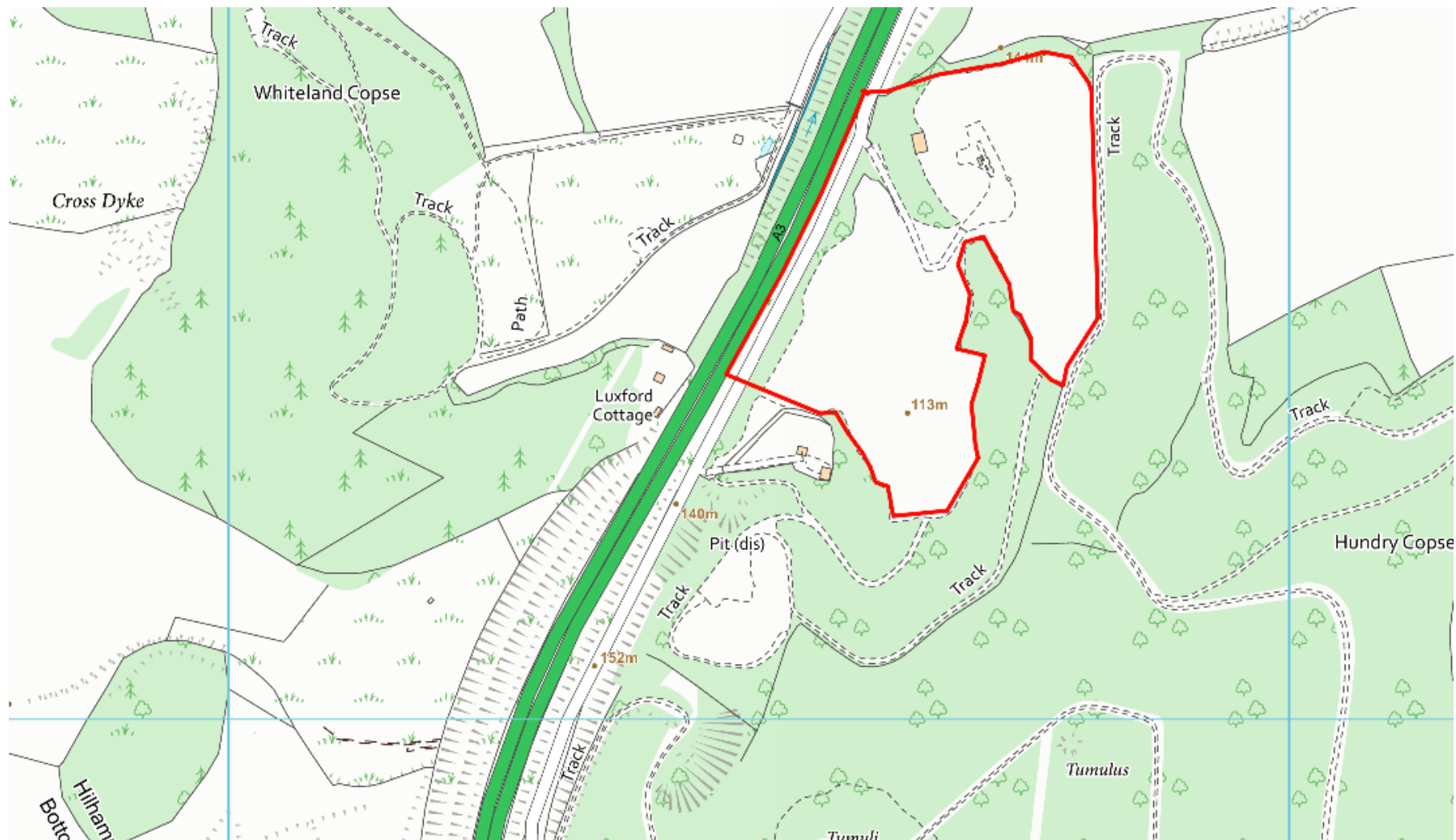
<https://www.southdowns.gov.uk/partnership-management-plan/>

Hampshire Minerals and Waste Plan (2013)

<https://www.hants.gov.uk/en/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

South Downs Local Plan (2019)

<https://www.southdowns.gov.uk/planning-policy/south-downs-local-plan/local-plan/>



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2012) (Not to scale)

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Title of Report	Update on the progress of the Review of the Hampshire Minerals and Waste Plan (2013)
Purpose of Report	To update Planning Committee on progress and agree the Review timetable

Recommendation:

The Committee is asked to recommend that the National Park Authority:

- 1. Approve the 2020 Review of the Hampshire Minerals & Waste Plan (2013)**
- 2. Progress a partial update to the Hampshire Minerals & Waste Plan (2013) as indicated in the review document and the revised timetable (Appendices A and B)**
- 3. Agree to the publication of a summary of the review process and the decisions on the Hampshire County Council website**

1. Introduction and Summary

- 1.1 The Hampshire Minerals and Waste Plan 2013 (HMWP) was prepared by the South Downs National Park Authority (SDNPA) in partnership with the Hampshire Authorities (Hampshire County Council, New Forest National Park Authority, Portsmouth City Council and Southampton City Council).
- 1.2 The National Planning Policy Framework (2019) sets out that Local Plans should be reviewed to assess whether they require updating at least once every five years¹. Each Authority involved in the preparation on the HMWP must publish the decision.
- 1.3 The HMWP was adopted in October 2013 and therefore a Review was required to be undertaken in 2018. Following an assessment of how each policy has performed so far in the lifetime of the HMWP in 2018, the Authorities are proposing to move forward with a partial update of the HMWP.
- 1.4 The purpose of this paper is to provide a summary of the assessment process and to ask the Committee to consider the findings of the full assessment of the Hampshire Plan. This stage follows the initial assessment in 2018 which was considered by Planning Committee and agreed by the National Park Authority in 2019.

¹ Paragraph 33, Footnote 18 ([Regulation 10A of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)).

- 1.5 The 2020 Review document is appended to this report (**Appendix A**), as is a copy of the proposed timetable (**Appendix B**).

2. Findings of the Review

- 2.1 The 2020 Review of the Hampshire Minerals & Waste Plan (see **Appendix A**) follows the approach taken for the 2018 Review including a 'RAG' (Red, Amber, Green) status for the policies but also takes into account the guidance provided by the Planning Advisory Service toolkit (published in 2019). Therefore, the 2020 Review includes a review of compliance of the Plan with national policy (National Planning Policy Framework and National Planning Policy for Waste) and a review of the Plan Vision, Plan Objectives and Spatial Strategy.
- 2.2 The Hampshire Minerals & Waste Plan contains 34 policies. In the 2018 review, seven policies were initially categorised as 'Monitoring shows some issues to be reviewed' (Amber) and seven as 'Monitoring shows issues to be reviewed and may need to be addressed' (Red). The remaining 20 policies were categorised as 'Monitoring shows no issues' (Green).
- 2.3 The 2020 Review recommends that an update of the HMWP is undertaken to ensure compliance with national policy but also to ensure that the Plan is delivering a steady and adequate supply of minerals and enabling sustainable waste management provision.
- 2.4 The Vision, Plan Objectives, Spatial Strategy and Key Diagram will need to be further reviewed to ensure that all requirements of the Plan are delivered but also that the Vision aligns with the 2050 principles for Hampshire and the climate change agenda.
- 2.5 To support the partial Plan update the Authorities also proposed an assessment of mineral and waste site options, including a Call for Sites in Spring 2021.

3. Next Steps and Timetable

- 3.1 All partner Authorities are seeking approval of the decision to undertake the partial update of the HMWP in early 2021. Once considered by Planning Committee, the NPA will take the final decisions in March 2021.
- 3.2 The timetable for the updated HMWP is set out in a revised Development Scheme (**Appendix B**). A Call for Sites will commence in Spring 2021 with the first consultation on a draft Plan (Regulation 18) in Autumn 2021. Adoption is envisaged in Autumn 2023 to meet the transition arrangements to the new planning system currently proposed in the Planning White Paper.
- 3.3 The SDNPA Planning Committee and NPA will be asked to consider and approve consultation documents at Regulation 18 and 19 stages. The final adoption of the HMWP will also be brought to Planning Committee and NPA for consideration and approval.

4. Other Implications

Implication	Yes/No
Will further decisions be required by another committee/full authority	Yes. If the National Park Authority agree the recommendation the Plan Review will progress through the required stages of plan preparation. Regulation 18 and Regulation 19 Plans will return to Planning Committee and then National Park Authority for approval, where required by governance.
Does the proposal raise any Resource implications?	The cost of preparing the HMWP is shared on a proportional basis by the joint Hampshire Authorities. The costs for all joint waste and minerals planning work in Hampshire are reviewed on a yearly basis.
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Due regard, where relevant, has been taken of the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010. An Equality Impact Report (EIR) was prepared by HCC to support the Review Assessment.

Are there any Human Rights implications arising from the proposal?	The HMWP has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.
Are there any Crime & Disorder implications arising from the proposal?	It is considered that the proposal does not raise any crime and disorder implications.
Are there any Health & Safety implications arising from the proposal?	It is considered that the proposal does not raise any health and safety implications.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	A Sustainability Appraisal (SA/SEA) was prepared to inform the preparation of the HMWP 2013. The plan preparation process that takes place will be subject to SA/SEA and incorporate any future regulatory changes.

5. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
The Plan process will be overtaken by proposed changes in the Planning White Paper.	Medium	Medium	There are no changes proposed to the arrangements for waste and minerals planning at present within the Planning White Paper. Waste and Minerals Plans are subject to regulations and national guidance changes alongside other local plans. The Authorities will undertake each stage of Plan preparation in line with the most up-to-date regulatory requirements. The current timetable allows for adoption of the Review within the transition time for the new system.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Kirsten Williamson, Planning Policy Lead

Tel: 01730 819277

Email: kirsten.williamson@southdowns.gov.uk

SDNPA Consultees: Legal Services; Chief Finance Officer; Monitoring Officer; Director of Planning

External Consultees: None

Appendices: Appendix A: [HCC 2020 Plan Review document](#)
Appendix B: [Hampshire Minerals and Waste Plan Development Scheme](#)
Appendix C: [HCC Report to the Director of Executive Member for Economy, Transport and Environment](#)

HAMPSHIRE COUNTY COUNCIL, NEW FOREST NATIONAL PARK AUTHORITY,
PORTSMOUTH CITY COUNCIL, SOUTH DOWNS NATIONAL PARK AUTHORITY &
SOUTHAMPTON CITY COUNCIL

2020 Review of the Hampshire Minerals & Waste Plan (2013)

Version 2 – November 2020



Contents

Executive Summary	1
1. Introduction	10
2018 Review of the HMWP	11
Structure of this review	12
Duty to Cooperate	12
2. Effectiveness of Plan Policies (review of Monitoring Reports).....	13
Policy 1: Sustainable minerals and waste development	14
Policy 2: Climate change	16
Policy 3: Protection of habitats and species	17
Policy 4: Protection of the designated landscape	19
Policy 5: Protection of the countryside	21
Policy 6: South West Hampshire Green Belt	22
Policy 7: Conserving the historic environment and heritage assets.....	23
Policy 8: Protection of soils.....	24
Policy 9: Restoration of minerals and waste developments	25
Policy 10: Protecting public health, safety and amenity	26
Policy 11: Flood risk and prevention	28
Policy 12: Managing traffic	29
Policy 13: High-quality design of minerals and waste development.....	30
Policy 14: Community benefits.....	31
Policy 15: Safeguarding – mineral resources.....	32
Policy 16: Safeguarding – minerals infrastructure.....	34
Policy 17: Aggregate supply – capacity and source	36
Policy 18: Recycled and secondary aggregates development.....	38
Policy 19: Aggregate wharves and rail depots.....	39
Policy 20: Local land-won aggregates.....	41
Policy 21: Silica sand development.....	44
Policy 22: Brick-making clay.....	46
Policy 23: Chalk development	48
Policy 24: Oil and gas development.....	49
Policy 25: Sustainable waste management	51
Policy 26: Safeguarding – waste infrastructure	53

Policy 27: Capacity for waste management development	54
Policy 28: Energy recovery development	56
Policy 29: Locations and sites for waste management.....	58
Policy 30: Construction, demolition and excavation waste development	60
Policy 31: Liquid waste and waste water management	62
Policy 32: Non-hazardous waste landfill.....	64
Policy 33: Hazardous and Low Level Radioactive Waste development	67
Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure	69
Summary of Monitoring status.....	70
3. Issues requiring review	72
Protection of countryside (Policy 5)	73
Relevant national policy updates	73
Should this issue be addressed?.....	73
Safeguarding: Mineral resources (Policy 15).....	74
Relevant national policy updates	74
Should this issue be addressed?.....	74
Aggregate supply – capacity and resource (Policy 17)	76
Relevant national policy updates	79
Should this issue be addressed?.....	80
Recycled and secondary aggregate (Policy 18).....	82
Relevant national policy updates	82
Should this issue be addressed?.....	83
Chalk (Policy 23).....	84
Relevant national policy updates	84
Should this issue be addressed?.....	84
Sustainable waste management (Policy 25) & Capacity for waste management (Policy 27)	86
Relevant national policy updates	87
Should this issue be addressed?.....	87
Energy recovery (Policy 28)	89
Relevant national policy updates	89
Should this issue be addressed?.....	90
Locations and sites for waste management (Policy 29)	91
Relevant national policy updates	91
Should this issue be addressed?.....	91

	Construction, demolition and excavation waste development (Policy 30).....	92
	Relevant national policy updates	92
	Should this issue be addressed?.....	92
	Long-term safeguarding (Policy 34).....	93
	Relevant national policy updates	93
	Should this issue be addressed?.....	93
	Summary of Review status	94
4.	Issues to be reviewed and may need to be addressed	95
	Community benefits (Policy 14).....	96
	Relevant national policy updates	96
	Should this issue be addressed?.....	96
	Aggregate wharves and rail depots (Policy 19)	97
	Relevant national policy updates	98
	Should this issue be addressed?.....	98
	Local land-won aggregate (Policy 20).....	100
	Relevant national policy updates	103
	Should this issue be addressed?.....	103
	Silica sand (Policy 21).....	105
	Relevant national policy updates	106
	Should this issue be addressed?.....	106
	Brick-making clay (Policy 22)	107
	Relevant national policy updates	107
	Should this issue be addressed?.....	107
	Non-hazardous landfill (Policy 32).....	109
	Relevant national policy updates	110
	Should this issue be addressed?.....	110
	Summary of Review status	111
5.	Effectiveness of the Vision, Plan Objectives, Spatial Strategy & Key Diagram	112
	Vision	112
	Plan Objectives	112
	Spatial Strategy & Key Diagram	113
6.	Policy change drivers	114
	NPPF (2019)	114
	National Planning Policy for Waste (2014).....	115

Planning Practice Guidance (2014 onwards).....	115
River Basin Management Plan (2016)	115
Clean Growth Strategy: Leading the way to a low carbon future (2017).....	116
The 25 Year Environment Plan (2018)	116
Industrial Strategy: Building a Britain fit for the future - White Paper (2018)	117
Resources and Waste Strategy (2018).....	117
Review of Designated Landscapes (2019)	117
South Inshore and South Offshore Marine Plan (2018)	118
The Climate Change Act 2008 (2050 Target Amendment) Order 2019	118
Environment Bill (2020)	118
Biodiversity Net Gain	119
Fixing our broken housing market – Housing White Paper (2017)	119
Strategic Environmental Assessment Regulations	120
The Town and Country Planning (General Permitted Development) (England) Order 2015...	120
Community Infrastructure Levy.....	120
Court Rulings.....	120
Government Oil and Gas Consultations	121
Planning for the future - White Paper (2020).....	121
Changes to the Current Planning System consultation 2020	122
7. Review Workshop Outcomes	124
Key messages.....	124
General messages.....	125
Minerals messages	125
Waste messages	125
8. Compliance with National Policy	126
Key outcomes	126
9 Conclusion	127
Review limitations	129
Next Steps.....	130
Appendix 1: Plan Objectives / Policy Table.....	131
Appendix 2: Review Workshop – Notes from Event.....	133
Appendix 3: National Policy Checklist.....	150
National Planning Policy Framework (2019)	151
National Planning Policy for Waste (2014).....	179

DRAFT

Executive Summary

Introduction

The Hampshire Minerals and Waste Plan (HMWP) was adopted in October 2013¹.

The National Planning Policy Framework requires that Local Plans should be reviewed to assess whether they require updating at least once every five years².

An initial Review was carried out in 2018 and this concluded that whilst a number of issues had been identified, the policies were effective in that they enabled development and the Vision was being implemented. Following the 2018 Review there was a commitment to undertake a Review Workshop and a further review in 2020.

The Workshop was held on 25th September 2019 and this is the 2020 Review of the HMWP.

In 2019, the Planning Advisory Service (PAS) issued a toolkit to assist with plan reviews and this is incorporated. As such, this Review considers in more detail the Vision, Plan Objectives and Spatial Strategy (and the Key Diagram). In addition, compliance with national policy is assessed.

Effectiveness of Plan Policies

This section considers each of the 34 policies contained within the HMWP in turn. The trends over the past seven years are reviewed based on information set out in the Monitoring Reports which support the HMWP.

A RAG (Red, Amber, Green) Monitoring status is provided for each of the policies and is determined as follows:

Monitoring shows no issues	Green
Monitoring shows some issues to be reviewed	Amber
Monitoring shows issues to be reviewed and may need to be addressed	Red

¹ Hampshire Minerals & Waste Plan (2013) -

<https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

² National Planning Policy Framework (Para. 33) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

The summary of the RAG Monitoring status of each of the policies is outlined below.

Summary of Monitoring status

Policy Number & Title	RAG status	
	2020	2018
Policy 1: Sustainable minerals & waste development	Green	Green
Policy 2: Climate change – mitigation and adaptation	Green	Green
Policy 3: Protection of habitats and species	Green	Green
Policy 4: Protection of the designated landscape	Green	Green
Policy 5: Protection of the countryside	Amber	Amber
Policy 6: South West Hampshire Green Belt	Green	Green
Policy 7: Conserving the historic environment and heritage assets	Green	Green
Policy 8: Protection of soils	Green	Green
Policy 9: Restoration of minerals and waste sites	Green	Green
Policy 10: Protecting public health, safety and amenity	Green	Green
Policy 11: Flood risk and prevention	Green	Green
Policy 12: Managing traffic	Green	Green
Policy 13: High-quality design of minerals and waste	Green	Green
Policy 14: Community Benefits	Red	Red
Policy 15: Safeguarding - mineral resources	Amber	Amber
Policy 16: Safeguarding – minerals infrastructure	Green	Green
Policy 17: Aggregate supply - capacity and source	Amber	Red
Policy 18: Recycled and secondary aggregates	Amber	Amber
Policy 19: Aggregate wharves and rail depots	Red	Red
Policy 20: Local land-won aggregates	Red	Red
Policy 21: Silica sand development	Red	Red
Policy 22: Brick-making clay	Red	Red
Policy 23: Chalk Development	Amber	Amber
Policy 24: Oil and gas Development	Green	Green
Policy 25: Sustainable waste management	Amber	Amber
Policy 26: Safeguarding – waste infrastructure	Green	Green
Policy 27: Capacity for waste management development	Green	Green
Policy 28: Energy recovery development	Amber	Amber
Policy 29: Locations and sites for waste management	Amber	Amber

Policy 30: Construction, demolition and excavation waste development	Amber	Green
Policy 31: Liquid waste and waste water management	Green	Green
Policy 32: Non-hazardous waste landfill	Red	Red
Policy 33: Hazardous and low level waste development	Green	Green
Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure	Green	Green

Issues requiring review

This section explores in more detail the policies with issues identified through the Monitoring Reports (i.e. policies with an Amber 'Monitoring' status).

Consideration is given to the circumstances around the short-term breaches that may have occurred or the trends that have raised an issue with delivery.

A RAG (Red, Amber, Green) Review status and review update requirement is provided for each policy and is determined as follows:

Review shows that the policy does not need to be updated.	Green
Review shows that the policy does need to be updated with additional allocations, where possible.	Amber
Review shows that the policy requirements need to be updated.	Red

The summary of the RAG Review status of each of the policies is outlined below.

Summary of Review status

Policy Number & Title	RAG status
Policy 5: Protection of the countryside	Green
Policy 15: Safeguarding - mineral resources	Green
Policy 17: Aggregate supply - capacity and source	Red
Policy 18: Recycled and secondary aggregates development	Red
Policy 23: Chalk Development	Green
Policy 25: Sustainable waste management	Amber
Policy 27: Capacity for waste management development	Amber
Policy 28: Energy recovery development	Green
Policy 29: Locations and sites for waste management	Amber
Policy 30: Construction, demolition and excavation waste development	Red

Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure	Green
--	-------

Issues to be reviewed and may need addressing

This section explores in more detail the policies with issues identified through the Monitoring Reports (i.e. policies with a Red 'Monitoring' status).

Consideration is given to the circumstances around the short-term breaches that may have occurred or the trends that have raised an issue with delivery.

A RAG (Red, Amber, Green) Review status and review update requirement is provided for each policy and is determined as follows:

Review shows that the policy does not need to be updated.	Green
Review shows that the policy does need to be updated with additional allocations, where possible.	Amber
Review shows that the policy requirements need to be updated.	Red

The summary of the RAG Review status of each of the policies is outlined below.

Summary of Review status

Policy Number & Title	RAG status
Policy 14: Community Benefits	Red
Policy 19: Aggregate wharves and rail depots	Amber
Policy 20: Local land-won aggregates	Amber
Policy 21: Silica sand development	Amber
Policy 22: Brick-making clay	Amber
Policy 32: Non-hazardous waste landfill	Amber

Effectiveness of the Vision, Plan Objectives, Spatial Strategy & Key Diagram

Due to the generic nature of the Vision, this is generally being achieved although the issues regarding delivery of minerals could impact the support of the economy. As some of the policies are not meeting their aims, the Plan Objectives are not all being achieved.

In line with the need to update some of the policies, the Plan Objectives, Spatial Strategy and Key Diagram need to be further reviewed to ensure they are fit-for-purpose. This includes ensuring all policies are represented and there is no ambiguity.

Whilst the Vision represents the pillars of sustainability which meets the objectives of the NPPF, it is recognised that the Vision would benefit from an update to be more geographically representative and less generic. Aligning with the 2050 Hampshire principles and the climate change agenda would strengthen it further.

Policy drivers

There have been a number of Government policy publications and announcements since 2013 which have an impact on the HMWP policies.

The policy drivers and the policies they impact are summarised in the Table below.

Summary of Policy Drivers

Policy Driver	HMWP Policy
National Planning Policy Framework (2019)	All policies.
National Planning Policy for Waste (2014)	Policies 25 – 34.
Planning Practice Guidance (2014 onwards)	All policies.
River Basin Management Plan (2016)	Policies 2, 3, 9, 10, 11 and 31
Clean Growth Strategy (2017)	Policies 1 and 2.
The 25 Year Environment Plan (2018)	Policies 2 – 6, 9 and 25.
Industrial Strategy (2018)	Policies 1, 2, 18, 25, 28 and 30.
Resources and Waste Strategy (2018)	Policies 1, 18, 30 and 32.
South Inshore and South Offshore Marine Plans	Policies 17 and 24.
Review of designated landscapes	Policy 4.
Climate change Act 2008 Order 2019	Policy 2.
Environment Bill (2020)	All policies.
Biodiversity net gain	Policy 3.
Fixing our broken housing market – Housing White Paper (2017)	Plan-making.
Strategic Environmental Assessment Regulations	Policy 29.
The Town & Country Planning (General Permitted Development) (England) Order 2016	Policy 16 and 26.
Community Infrastructure Levy	Policy 1.
Court rulings	Plan-making.
Government Oil and Gas Consultations	Policy 24.
Planning for the future – White Paper (2020)	Plan-making.
Changes to the current Planning system consultation (2020)	Plan-making

Review Workshop Outcomes

A Review Workshop was held on 25th September 2019 to explore the issues raised in the 2018 Review.

The Workshop was attended by approximately 60 participants including representatives from the minerals and waste industry, statutory consultees, neighbouring minerals and waste planning authorities and from the wider south east, districts and boroughs, and Members.

The Workshop was structured around presentations and round table discussion sessions on the following issues:

- The 2018 Review of the HMWP outcomes
- The changed policy landscape: NPPF, 25 Year Plan, Waste & Resources and Brexit etc.
- Sustainability issues: Climate change, biodiversity net gain, horizon scanning etc.
- Biodiversity net gain
- Waste & Resources Strategy
- Soft sand
- Marine aggregates.

A number of key messages were highlighted at the Workshop which can be used to inform this Review and the scope of the Plan update:

General messages

A number of general issues were raised which impact the whole Plan:

- Climate change.
- The need to future proof the Plan and make it flexible.
- On-going Government updates and the need for implementation guidance.
- The need for Duty to Cooperate and liaison with industry.
- Consideration of the monitoring indicators as well as the policies themselves.

Minerals messages

A number of minerals issues were raised including:

- Safeguarding, particularly in relation to prior extraction and wharves.
- Consideration of regional-level supply issues.
- Greater emphasis on the Local Aggregate Assessment.
- Demand should take into account Local Plan delivery and infrastructure.

Waste messages

Issues raised regarding waste including:

- The need to consider all waste streams, not just household waste.
- Review of the data, types of site (not just facility type) and how they are delivered.
- The need for more waste sites, such as resource parks.

Compliance with National Policy

This section applies the PAS toolkit to determine compliance with national policy. As the toolkit is geared towards all Local Plans, some parts have been struck out and highlighted as 'not applicable'. In addition, the toolkit does not include compliance with the National Planning Policy for Waste (NPPW) (2014) which is relevant to Waste Local Plans and therefore, the requirements have been included.

The review of Local Plan Content compliance has demonstrated that overall, the HMWP is compliant and is not silent on any policy requirement. However, there are several policy areas where the general policy approach is in conformity, but the specific wording may need to be refreshed to ensure that the policy is fully compliant.

The key policy areas requiring a policy refresh include:

- Reference to government policy (post 2013);
- The Vision and its relevance to minerals and waste;
- The removal of some areas of ambiguity in policies;
- Clearer identification of the Strategic Policies;
- Reference to net gain, natural capital, and the agent of change;
- Clearer climate change measures;
- Clearer delivery of the waste hierarchy; and
- An update on terminology, such as 'sustaining' rather than 'protecting' historic assets.

Conclusion

This 2020 Review has considered the effectiveness of the HWMP since its adoption in 2013. Unlike the 2018 Review, consideration has been given not only to the monitoring data but compliance with national policy. In addition, the Vision, Plan Objectives, Spatial Strategy and Key Diagram have been taken into account.

Development Management Policies

The monitoring data suggests that most of these policies are performing well with Policy 14 (Community benefits) as the exception. However, reviewing national policy compliance, highlights that the policies would benefit from a refresh in their terminology and in some cases, their delivery.

In addition, Policy 2 (Climate change – mitigation and adaption) needs to be strengthened and Policy 9 (Restoration of minerals and waste developments) needs to ensure that climate change is suitably imbedded in its implementation.

Minerals Policies

The 2018 Review highlighted that the required 7-year landbank for sand and gravel (for both sharp sand and soft sand) was not being met along with other mineral requirements. The situation remains in 2020 as well as an increasing risk to recycled and secondary aggregate delivery and capacity issues at the wharves.

The aggregate delivery requirements (Policy 17 (Aggregate supply – capacity and source)) would benefit from being updated. This would help ensure the requirements of the NPPF were being met.

Whilst the policies are enabling suitable development to come forward, they would benefit from outlining any additional sustainable opportunities to help meet requirements and provide certainty to industry and communities.

Waste Policies

The 2020 Review shows that in general, the waste forecasts continue to be relatively accurate and additional capacity is coming on stream albeit focused more on recovery than recycling. However, to ensure compliance with the NPPW, they would benefit from an update to enable greater alignment with the waste hierarchy.

Landfill capacity continues not to meet the forecasted need. Therefore, the policy would benefit from considering possible sustainable options alongside other sites for waste management.

Monitoring Indicators

This Review has not assessed these in detail but it is recognised that not all indicators obtain the information required to monitor the effectiveness of the Policies. However, any update of the policies should include a further review of the monitoring indicators to ensure that they are SMART³.

Vision, Plan Objectives, Spatial Strategy and Key Diagram

The issues identified through this Review could suggest that the economy was not being supported adequately. The current Vision could be considered to be lacking in spatial identity and specificity in its aims in relation to minerals and waste. The Vision would also benefit from aligning itself with the visionary Hampshire 2050 work and the climate change agenda.

The Plan Objectives generally align with the policies and would help achieve the current Vision. As some of the Policies are currently not delivering their aim, this would

³ Specific, Measurable, Achievable, Relevant and Timely.

suggest the Plan Objectives are not being met. An update of the Policies and/or Vision would need to include a review of the Plan Objectives to ensure they align.

Any update to the Policies would need to be reflected in both the Spatial Strategy and Key Diagram. To ensure compliance with national policy, the Policies, Spatial Strategy and key Diagram need to be unambiguous.

Review limitations

It is recognised that there are limitations to this Review. However, the application of the PAS Guidance has enabled a more thorough assessment.

The monitoring indicators were set when preparing the Plan and were an attempt to quantify the impacts of the decisions made within the framework of the HMWP. Any update to the policies should include a further investigation of the indicators and triggers.

The 2018 Review highlighted that there were at the time several uncertainties which could have an impact on future supply and capacity requirements of minerals and waste. However, uncertainty has only been increased due to the national pandemic, which is impacting on the economy; the longevity of these impacts is unknown.

The Government continues to drive forward changes to boost the housing market. Whilst an increase in development will have a direct impact on demand for construction aggregates, the rate of this increase is unclear.

Duty to cooperate correspondence has been issued to minerals and waste planning authorities who have a relationship with Hampshire in terms to minerals and waste movements to inform this Review. However, it is recognised that the minerals data is out-of-date (2014) as the new data was not available at the time. Further focussed liaison can be addressed as part of the Plan update.

Next Steps

It is recommended that a partial update of the HMWP is undertaken to ensure compliance with the NPPF and NPPW but also to ensure that the Plan is delivering a steady and adequate supply of minerals and enabling sustainable waste management provision.

In addition, the Vision, Plan Objectives, Spatial Strategy and Key Diagram will need to be further reviewed to ensure that all requirements of the Plan are delivered but also that the Vision aligns with the 2050 principles for Hampshire and the climate change agenda.

To support the partial Plan update, an assessment of mineral and waste site options would ensure any suitable sites for enabling sustainable minerals and waste development are included in the Plan helping provide certainty to the industry and local communities.

1. Introduction

- 1.1 The Hampshire Minerals and Waste Plan (HMWP) was adopted in October 2013⁴.
- 1.2 The Plan covers the administrative areas of Hampshire County Council, the unitary authorities of Portsmouth City Council and Southampton City Council, the New Forest National Park Authority, and the area of the South Downs National Park Authority within Hampshire (the Hampshire Authorities).
- 1.3 The Plan is based upon the principle of ensuring we have the right developments to maintain a reliable and timely supply of minerals and excellent management of our waste, whilst protecting the environment and our communities. It contains policies to enable minerals and waste decision-making, as well as minerals and waste site allocations (rail depots, land-won sand and gravel quarries, brick-making clay quarries and landfill) which support Hampshire's 'vision and objectives' for minerals and waste development to 2030.
- 1.4 The effectiveness of the policies in the HMWP have been reviewed through Monitoring Reports on an annual basis from 2012/13 to 2018 (please note we latterly changed to calendar year reporting to standardise data collection and make all the data comparable).
- 1.5 The annual Monitoring Reports (MRs) can be viewed here:
<https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>
- 1.6 The National Planning Policy Framework (NPPF) requires that Local Plans should be reviewed to assess whether they require updating at least once every five years⁵. A recent update to the Planning Practice Guidance (PPG) suggests that if a local planning authority decides not to update their policies, they should publish the reasons within 5 years of the adoption date of the plan⁶.
- 1.7 Having been adopted in 2013, the HMWP was due a review in 2018 to assess if the intended outcome (the Vision; '*Protecting the environment, maintaining communities and supporting the economy*') of land use for minerals and waste development in Hampshire is supported by the correct 'direction of travel' and whether the Plan policies are effective.

⁴ Hampshire Minerals & Waste Plan (2013) -

<https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

⁵ National Planning Policy Framework (2019) (Para. 33) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁶ Planning Practice Guidance (Paragraph: 051 Reference ID: 61-051-20180913) (Revision date: 13 09 2018) - <https://www.gov.uk/guidance/plan-making>

- 1.8 Elements of national and regional minerals and waste policy have also been under review by Government since the adoption of the HMWP, further indicating that a review now would be timely.

2018 Review of the HMWP

- 1.9 A Review of the HMWP took place in 2018 (5 years since adoption) and considered the performance of the 34 policies against the monitoring indicators and data. Where the data suggested there was an issue, this was investigated, and the Review concluded whether policies required an update or not.
- 1.10 The 2018 Review concluded that the policies were working effectively to achieve the Vision and there is no requirement to update the HMWP. The reasons for this decision were as follows:

Waste

- In general, the waste forecasts have been relatively accurate.
- Landfill capacity is identified as not meeting the forecasted need. However, Policy 32 allows for additional landfill capacity and there is also reserve capacity.
- The implications of the Britain's exit from the European Union ("Brexit") on the waste industry are unknown at this time.

Minerals

- The landbank and permitted reserves of sand and gravel, silica and brick-making clay are not meeting their required levels. However, review of the mineral supply policies has highlighted that these do not exclude further development proposals to come forward and would be supported where a shortfall in supply is identified. The policies are considered to be flexible and enable development, where required.
 - The allocations in the HWMP are coming forward (relatively to the timescales set out in the Plan) as well as unplanned opportunities.
 - The landbank is being impacted by a delay in decision-making which is not the result of policy.
- 1.11 It was determined that the effectiveness of the Hampshire Minerals & Waste Plan should be reviewed again in 2020 to test whether the delays in decision-making can be overcome, the remaining allocations are submitted as applications and the implications of Brexit are better understood.
- 1.12 A commitment was made to undertake a Stakeholder Workshop in 2019 to investigate the issues raised within the 2018 Review and how the trends in minerals supply and sustainable waste management provision are developing. This is covered in more detail in Section 7 of this Report. It was also determined that the HMWP Local Development Scheme would be updated to reflect the commitment to a future review in 2020 and Stakeholder event in 2019.

Structure of this review

1.13 This 2020 Review has a number of sections:

- Section 2: *Effectiveness of Plan Policies (review of MRs)* – outlines the findings of the review of the annual MRs to provide information and trends over the past five years against each of the 34 policies within the Plan. A Monitoring RAG (Red, Amber and Green) status is provided for each policy.
- Section 3: *Issues requiring review* – explores the policies that have been found to have an ‘Amber’ Review status and what the circumstances were in determining this summary. The review of each policy concludes whether an update of the Plan is required and provides a Review RAG status.
- Section 4: *Issues to be reviewed and may need addressing* - explores the policies that have been found to have a ‘Red’ Monitoring status and what the circumstances were in determining this summary. The review of each policy concludes whether an update of the Plan is required and provides a Review RAG status.
- Section 5: *Effectiveness of the Vision, Plan Objectives and Spatial Strategy* – delineates the findings of the policy review and whether this exposes a lack of delivery in the purpose of the Plan.
- Section 6: *Policy Change Drivers* – reviews the policy legislation and drivers that have been released since the HMWP was adopted and concludes whether any of these indicate whether an update of the Plan is required.
- Section 7: *Review Workshop Outcomes* – outlines the issues raised at the Review Workshop held in September 2019.
- Section 8: *Compliance with National Policy* – assess whether the HMWP is compliant with the National Planning Policy for Waste (produced after the Plan was adopted) and the revised National Planning Policy Framework.
- Section 9: *Conclusion* – outlines a summary of the findings and a proposed way forward in relation to the need for an update of the HMWP.

Duty to Cooperate

- 1.14 To support this Review, letters have been sent to minerals and waste planning authorities with which there are is a strategic movement of minerals and/or waste. This is to determine whether there are any key issues which could impact the continuation of this movement. Unfortunately, due to the delay caused by the current national pandemic, updated minerals data was not available at the time of this Review.
- 1.15 The responses received from the relevant minerals and waste planning authorities, did not raise any issues which need to be outlined in this Review.
- 1.16 Should the Plan be updated, this exercise will be repeated to inform the update and will make reference to the results of the 2019 national Aggregate Survey. Meetings will also take place with neighbouring authorities to discuss the findings of this Review and the planned update. Where necessary, Statements of Common Ground will be prepared.

2. Effectiveness of Plan Policies (review of Monitoring Reports)

2.1 This section considers each of the 34 policies contained within the HMWP in turn. The policy wording is provided as well as trends over the past five years based on information set out in the MRs. Specifically, this considers the monitoring indicators and triggers for each policy.

2.2 Where relevant to the indicator, contextual information is provided on how the statistics compare to the total number of applications or permissions. In the last 7 years (October 2013 to August 2020):

- Hampshire County Council has processed 248⁷ applications;
- A total⁸ of 230 permissions have been granted (49 Minerals / 181 Waste)
- A total of 16 new development sites⁹ have been permitted (6 Minerals / 10 Waste)

2.3 A RAG (Red, Amber and Green) Monitoring status is provided for each policy and is determined as follows:

Monitoring shows no issues	Green
Monitoring shows some issues to be reviewed	Amber
Monitoring shows issues to be reviewed and may need to be addressed	Red

2.4 In addition, the content of the policy is reviewed for compliance with the National Planning Policy Framework and/or National Planning Policy for Waste.

⁷ Excludes Environmental Impact Assessments

⁸ Total = Total of all permissions granted by Hampshire County Council.

Policy 1: Sustainable minerals and waste development

Policy wording

The Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Minerals and waste development that accords with policies in this Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the proposal or the relevant policies are out of date at the time of making the decision, the Hampshire Authorities will grant permission unless material considerations indicate otherwise, taking into account whether:

Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or

Specific policies in that Framework indicate that development should be restricted.

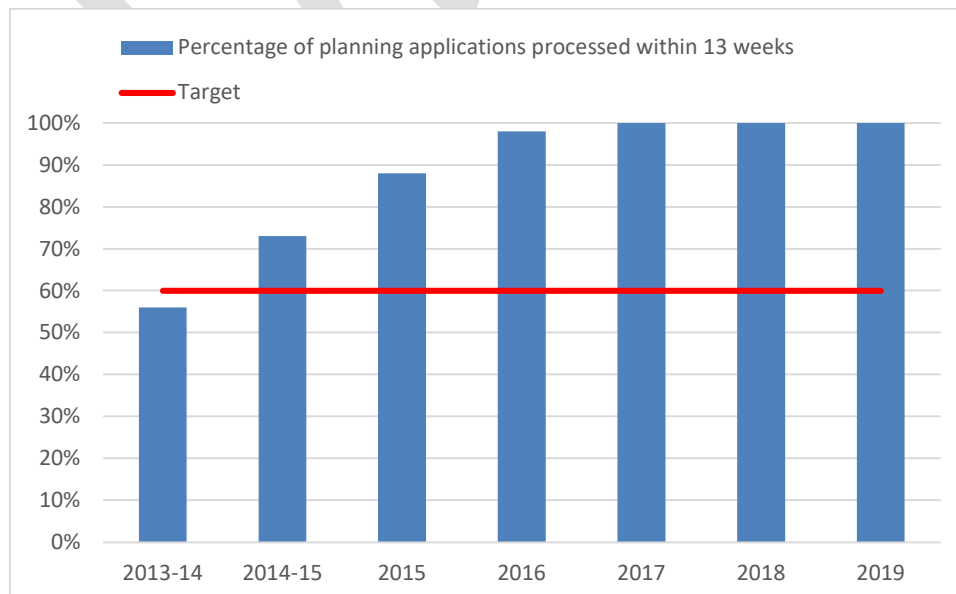
Monitoring indicator

Percentage of Planning Applications processed within 13 weeks.

Monitoring trigger (threshold) for policy review

60% of planning applications within 13 weeks.

7-year trend for planning applications processed by Hampshire County Council



Over the last seven years (October 2013 to August 2020) around 248 minerals and waste applications were processed. This includes 14 in 2013 (post adoption of the Plan in October), 36 in 2014, 34 in 2015, 58 in 2016, 34 in 2017, 30 in 2018, 30 in 2019 and 12 until August 2020.

RAG Monitoring status

The number of planning applications processed within 13 weeks (or within an agreed extension of time) has increased over the 7-year period and remained at 100% since 2017.

Green

Policy 2: Climate change

Policy wording

Minerals and waste development should minimise their impact on the causes of climate change. Where applicable, minerals and waste development should reduce vulnerability and provide resilience to impacts of climate change by:

- a. being located and designed to help reduce greenhouse gas emissions and the more sustainable use of resources; or
- b. developing energy recovery facilities and to facilitate low carbon technologies; and
- c. avoiding areas of vulnerability to climate change and flood risk or otherwise incorporate adaptation measures.

Monitoring indicator

Percentage of planning permissions granted against Environment Agency (EA) advice.

Monitoring trigger (threshold) for policy review

Number of planning permissions granted against EA advice = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against EA advice.

Green

Policy 3: Protection of habitats and species

Policy wording

Minerals and waste development should not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species.

The following sites, habitats and species will be protected in accordance with the level of their relative importance:

- a. internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar sites, any sites identified to counteract adverse effects on internationally designated sites, and European Protected Species;
- b. nationally designated sites including Sites of Special Scientific Interest and National Nature Reserves, nationally protected species and Ancient Woodland;
- c. local interest sites including Sites of Importance for Nature Conservation, and Local Nature Reserves;
- d. habitats and species of principal importance in England;
- e. habitats and species identified in the UK Biodiversity Action Plan or Hampshire Authorities' Biodiversity Action Plans.

Development which is likely to have a significant adverse impact upon such sites, habitats and species will only be permitted where it is judged, in proportion to their relative importance, that the merits of the development outweigh any likely environmental damage. Appropriate mitigation and compensation measures will be required where development would cause harm to biodiversity interests.

Monitoring indicator

Planning permissions granted against Natural England (NE) advice (Planning permissions in designated areas).

Monitoring trigger (threshold) for policy review

Number of planning permissions granted within designated sites (SPA / SAC / Ramsar / SSSI etc.) against NE advice = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against NE advice.

Green

DRAFT

Policy 4: Protection of the designated landscape

Policy wording

Major minerals and waste development will not be permitted in the New Forest or South Downs National Parks, or in the North Wessex Downs, the Cranborne Chase and West Wiltshire Downs, and Chichester Harbour Areas of Outstanding Natural Beauty (AONBs), except in exceptional circumstances. In this respect, consideration will be given to:

- a. the need for the development, including in terms of any national considerations;
- b. the impact of permitting, or refusing the development upon the local economy;
- c. the cost and scope for meeting the need outside the designated area, or meeting the need in some other way; and
- d. whether any detrimental effects on the environment, landscape and / or recreational opportunities can be satisfactorily mitigated.

Minerals and waste development should reflect and where appropriate enhance the character of the surrounding landscape and natural beauty, wildlife and cultural heritage of the designated area.

Minerals and waste development should also be subject to a requirement that it is restored in the event it is no longer needed for minerals and waste uses.

Small-scale waste management facilities for local needs should not be precluded from the National Parks and AONBs, provided that they can be accommodated without undermining the objectives of the designation.

Monitoring indicator

Planning permissions granted against Natural England advice (Planning permissions in designated landscape areas).

Monitoring trigger (threshold) for policy review

Number of planning permissions granted within designated landscape areas (NP / AONB) against NE advice = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against NE advice.

Green

DRAFT

Policy 5: Protection of the countryside

Minerals and waste development in the open countryside, outside the National Parks and Areas of Outstanding Natural Beauty, will not be permitted unless:

- a. it is a time-limited mineral extraction or related development; or
- b. the nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location; or
- c. the development provides a suitable reuse of previously developed land, including redundant farm or forestry buildings and their curtilages or hard standings.

Where appropriate and applicable, development in the countryside will be expected to meet highest standards of design, operation and restoration.

Minerals and waste development in the open countryside should be subject to a requirement that it is restored in the event it is no longer required for minerals and waste use.

Monitoring indicator

Planning permissions granted in the countryside contrary to policy AND Restoration conditions in exceptional developments.

Monitoring trigger (threshold) for policy review

Number of planning permissions granted in the countryside contrary to policy = 0 AND For exceptional developments, number of planning permissions granted without restoration conditions = 0.

7-year trend

Only one planning permission has been granted in the countryside that was contrary to policy over the last seven years (2015) [230 total permissions].

RAG Monitoring status

One application has been granted contrary to policy.

Amber

Policy 6: South West Hampshire Green Belt

Policy wording

Within the South West Hampshire Green Belt, minerals and waste developments will be approved provided that they are not inappropriate or that very special circumstances exist.

As far as possible, minerals and waste developments should enhance the beneficial use of the Green Belt.

The highest standards of development, operation and restoration of minerals or waste development will be required.

Monitoring indicator

Planning permissions granted in the Green Belt contrary to policy AND Restoration conditions in exceptional developments.

Monitoring trigger (threshold) for policy review

Number of planning permissions granted in the Green Belt contrary to policy = 0 AND For exceptional developments, number of planning permissions without restoration conditions = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted contrary to policy.

Green

Policy 7: Conserving the historic environment and heritage assets

Policy wording

Minerals and waste development should protect and, wherever possible, enhance Hampshire's historic environment and heritage assets, both designated and non-designated, including the settings of these sites.

The following assets will be protected in accordance with their relative importance:

- a. scheduled ancient monuments;
- b. listed buildings;
- c. conservation areas;
- d. registered parks and gardens;
- e. registered battlefields;
- f. sites of archaeological importance; and
- g. other locally recognised assets.

Minerals and waste development should preserve or enhance the character or appearance of historical assets unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests.

Monitoring Indicator

Planning permissions against English Heritage (EH) advice.

Monitoring trigger (threshold) for policy review

Number of planning permissions against English Heritage (EH) advice = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against Historic England (formerly English Heritage) advice.

Green

Policy 8: Protection of soils

Policy wording

Minerals and waste development should protect and, wherever possible, enhance soils and should not result in the net loss of best and most versatile agricultural land.

Minerals and waste development should ensure the protection of soils during construction and, when appropriate, recover and enhance soil resources.

Monitoring indicator

Number of planning permissions that result in a net loss of Best & Most Versatile (BMV) agricultural land in Hampshire AND Planning permissions against Natural England (NE) advice.

Monitoring trigger (threshold) for policy review

Number of planning permissions that result in a net loss of BMV land in Hampshire > 0 AND Number of planning permissions granted against NE advice = 0.

7 year tend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against NE advice or resulted in a loss of BMV land.

Green

Policy 9: Restoration of minerals and waste developments

Policy wording

Temporary minerals and waste development should be restored to beneficial after-uses consistent with the development plan.

Restoration of minerals and waste developments should be in keeping with the character and setting of the local area, and should contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan.

The restoration of mineral extraction and landfill sites should be phased throughout the life of the development.

Monitoring Indicator

Relevant planning permissions have restoration and aftercare conditions.

Monitoring trigger (threshold) for policy review

Number of relevant planning permissions without restoration and aftercare conditions = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No relevant applications have been granted without restoration or aftercare conditions.

Green

Policy 10: Protecting public health, safety and amenity

Policy wording

Minerals and waste development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts.

Minerals and waste development should not:

- a. release emissions to the atmosphere, land or water (above appropriate standards);
- b. have an unacceptable impact on human health;
- c. cause unacceptable noise, dust, lighting, vibration or odour;
- d. have an unacceptable visual impact;
- e. potentially endanger aircraft from bird strike and structures;
- f. cause an unacceptable impact on public safety safeguarding zones;
- g. cause an unacceptable impact on:
 - i. tip and quarry slope stability; or
 - ii. differential settlement of quarry backfill and landfill; or
 - iii. subsidence and migration of contaminants;
- h. cause an unacceptable impact on coastal, surface or groundwaters;
- i. cause an unacceptable impact on public strategic infrastructure;
- j. cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development.

The potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.

Monitoring indicator

Planning permissions against Environment Agency (EA) advice AND Planning permissions against Environment Health Officer (EHO) advice.

Monitoring trigger (threshold) for policy review

Number of planning permissions granted against EA advice = 0 AND Number of planning permissions granted against EHO advice = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against EA or EHO advice.

Green

DRAFT

Policy 11: Flood risk and prevention

Policy wording

Minerals and waste development in areas at risk of flooding should:

- a. not result in an increased flood risk elsewhere and, where possible, will reduce flood risk overall;
- b. incorporate flood protection, flood resilience and resistance measures where appropriate to the character and biodiversity of the area and the specific requirements of the site;
- c. have site drainage systems designed to take account of events which exceed the normal design standard;
- d. not increase net surface water run-off; and
- e. if appropriate, incorporate Sustainable Drainage Systems to manage surface water drainage, with whole-life management and maintenance arrangements.

Monitoring indicator

Planning permissions granted against Environment Agency (EA) advice.

Monitoring trigger (threshold) for policy review

Number of planning permissions against EA advice = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against EA advice.

Green

Policy 12: Managing traffic

Policy wording

Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on:

- a. highway safety;
- b. pedestrian safety;
- c. highway capacity; and
- d. environment and amenity.

Monitoring indicator

Planning permissions granted contrary to Highway Authority (HA) advice.

Monitoring trigger (threshold) for policy review

Number of planning permissions contrary to HA advice = 0.

7-year trend

0% over each of the last seven years [230 total permissions].

RAG Monitoring status

No applications have been granted against HA advice.

Green

Policy 13: High-quality design of minerals and waste development

Policy wording

Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

The design of appropriate built facilities for minerals and waste development should be of a high-quality and contribute to achieving sustainable development.

Monitoring indicator

Planning permissions in the view of MWPA are of satisfactory design.

Monitoring trigger (threshold) for policy review

Number of planning permissions without satisfactory design = 0.

7-year trend

0 over each of the last seven years.

RAG Monitoring status

No relevant applications have been granted without satisfactory design.

Green

Policy 14: Community benefits

Policy wording

Hampshire Authorities encourage negotiated agreements between relevant minerals and waste developers/operators and a community as a source of funding for local benefits.

Monitoring indicator

Percentage of major applications with community benefits.

Monitoring trigger (threshold) for policy review

Percentage of major applications with community benefits > 50%.

7-year trend

0 over each of the last seven years.

RAG Monitoring status

No applications have been granted with community benefits.

Red

Policy 15: Safeguarding – mineral resources

Policy wording

Hampshire's sand and gravel (sharp sand and gravel and soft sand), silica sand and brick-making clay resources are safeguarded against needless sterilisation by non-minerals development, unless 'prior extraction' takes place.

Safeguarded mineral resources are defined by a Mineral Safeguarding Area illustrated on the Policies Map.

Development without the prior extraction of mineral resources in the Mineral Safeguarding Area may be permitted if:

- a. it can be demonstrated that the sterilisation of mineral resources will not occur; or
- b. it would be inappropriate to extract mineral resources at that location, with regards to the other policies in the Plan; or
- c. the development would not pose a serious hindrance to mineral development in the vicinity; or
- d. the merits of the development outweigh the safeguarding of the mineral.

The soft sand / potential silica sand resources at Whitehill & Bordon (Inset Map 5), further illustrated on the Policies Map are included within the MSA and are specifically identified for safeguarding under this policy.

Monitoring indicator

Area of Mineral Safeguarding Area (MSA) sterilised by non-mineral development granted permission by Local Planning Authority (LPA) against Minerals Planning Authority (MPA) advice.

Monitoring trigger (threshold) for policy review

Area of MSA sterilised by non-mineral development granted permission by LPA against MPA advice = 0 hectares.

7-year trend

19.3 hectares of MSA was sterilised by development in the first five years of the Plan:

- 4.1 ha in 2015 (application 15/00392/REM, Edenbrook, Hitches Lane, Hart).
- 14.5 ha in 2016 (application 16/10764, Land at Buckland Manor Farm, Alexandra Road, Lymington, New Forest).
- 0.7 ha in 2016 (application 16/10497 Merryfield Park, Derriitt Lane, Sopley).

A further 14.3 hectares of MSA have been sterilised in the last two years of the Plan:

- 8.3 ha in 2017 (application 17/01470/FUL - Land at former Ford Motor Co Wide Lane Southampton and application O/17/80319 – Land at Satchell Lane, Hamble-Le-Rice, Southampton. Site allowed by Planning Inspectorate during appeal).
- 6.0 ha in 2018 (application 18/02994/FULLS, Stoneham Golf Club, Bassett Green Road, Southampton and application APP/18/00287 – Former Council Depot Site, Harts Farm Way, Havant).

RAG Monitoring status

33.6 ha of land has been sterilised against MPA advice in the 7-year period.

Amber

Policy 16: Safeguarding – minerals infrastructure

Policy wording

Infrastructure that supports the supply of minerals in Hampshire is safeguarded against development that would unnecessarily sterilise the infrastructure or prejudice or jeopardise its use by creating incompatible land uses nearby.

Minerals sites with temporary permissions for minerals supply activities are safeguarded for the life of the permission.

The Hampshire Authorities will object to incompatible development unless it can be demonstrated that:

- a. the merits of the development clearly outweigh the need for safeguarding; or
- b. the infrastructure is no longer needed; or
- c. the capacity of the infrastructure can be relocated or provided elsewhere. In such instances, alternative capacity should:
 - i. meet the provisions of the Plan, that this alternative capacity is deliverable; and
 - ii. be appropriately and sustainably located; and
 - iii. conform to the relevant environmental and community protection policies in this Plan; or
- d. the proposed development is part of a wider programme of reinvestment in the delivery of enhanced capacity for minerals supply.

The infrastructure safeguarded by this policy is illustrated on the Policies Map and identified in 'Appendix B - List of safeguarded minerals and waste sites'.

Monitoring indicator

Number of safeguarded sites developed for non-mineral uses by Local Planning Authority (LPA) permission against Mineral Planning Authority (MPA) advice.

Monitoring trigger (threshold) for policy review

Number of safeguarded sites developed for non-mineral uses by LPA permission against MPA advice = 0.

7-year trend

0 over each of the last seven years.

RAG Monitoring status

No safeguarded sites have been developed for non-mineral uses against MPA advice.

Green

DRAFT

Policy 17: Aggregate supply – capacity and source

Policy wording

An adequate and steady supply of aggregates until 2030 will be provided for Hampshire and surrounding areas from local sand and gravel sites at a rate of 1.56mtpa, of which 0.28mtpa will be soft sand.

The supply will also be augmented by safeguarding and developing infrastructure capacity so that alternative sources of aggregate could be provided at the following rates:

- 1.0mtpa of recycled and secondary aggregates; and
- 2.0mtpa of marine-won aggregates; and
- 1.0mtpa of limestone delivered by rail.

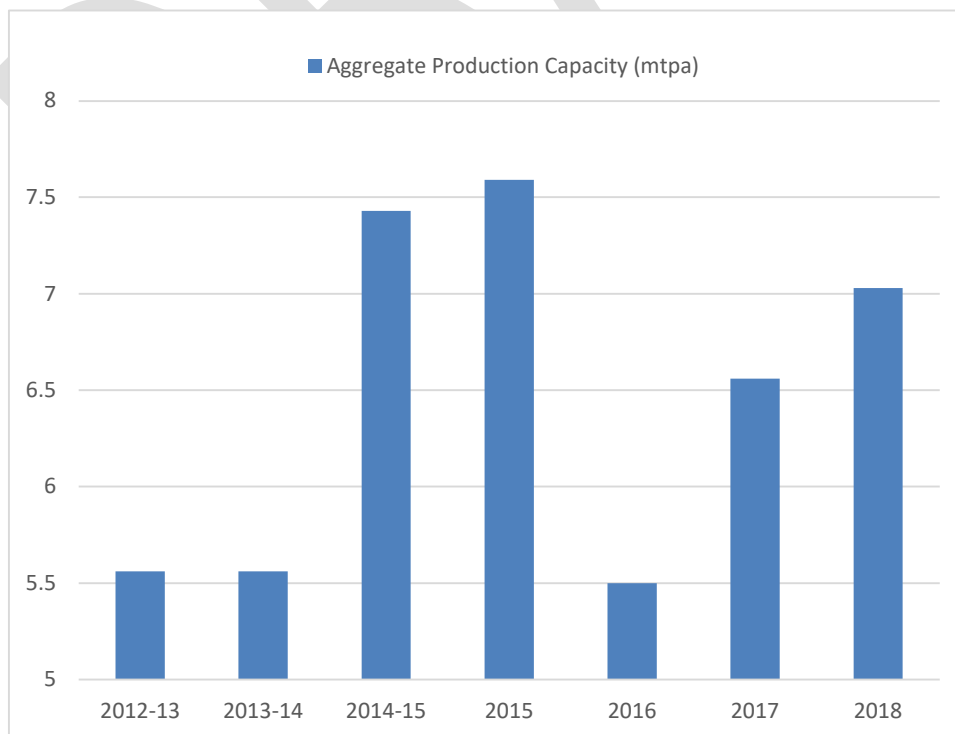
Monitoring Indicator

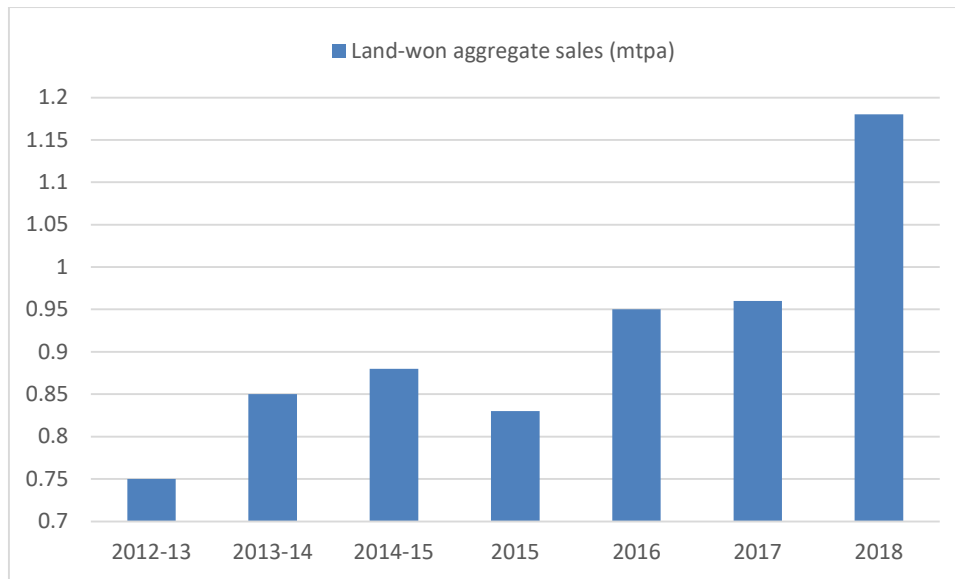
Reduction in aggregate production capacity AND Land-won aggregate sales.

Monitoring trigger (threshold) for policy review

Aggregate production capacity is not reduced by more than 556,000 tonnes per annum (10% of 5.56mtpa) AND Land-won aggregate sales are not constrained by lack of capacity.

7-year trend





RAG Monitoring status

Sales of land-won aggregate have increased over the seven years. The loss in capacity is significantly greater than 556,000 between 2015/16. However, 2017 and 2018 suggest a recovery in production capacity.

Amber

Policy 18: Recycled and secondary aggregates development

Policy wording

Recycled and secondary aggregate production will be supported by encouraging investment and further infrastructure to maximise the availability of alternatives to marine-won and local land-won sand and gravel extraction.

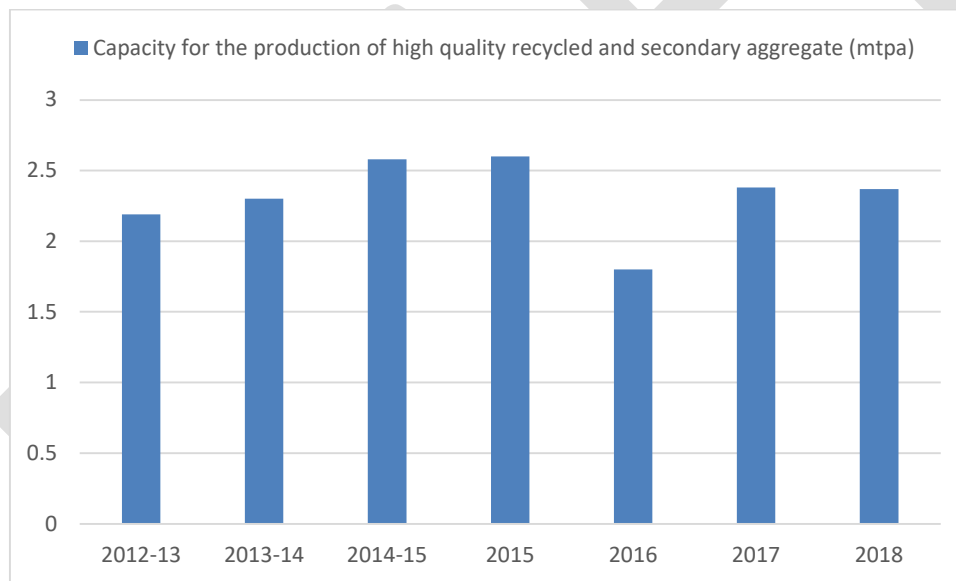
Monitoring indicator

Production of high quality recycled and secondary aggregate.

Monitoring trigger (threshold) for policy review

Year on year decrease in the (capacity for) production of high quality recycled and secondary aggregates.

7-year trend*



RAG Monitoring status

Whilst there has been a year on year increase during the period 2012/15, there was a significant decrease in capacity in 2016 which has recovered in 2017/2018.

Amber

Policy 19: Aggregate wharves and rail depots

Policy wording

The capacity at existing aggregate wharves and rail depots will where possible and appropriate be maximised and investment in infrastructure and /or the extension of suitable wharf and rail depot sites will be supported to ensure that there is sufficient capacity for the importation of marine-won sand and gravel and other aggregates.

1. Existing wharf and rail depot aggregate capacity is located at the following sites:
 - i. Supermarine Wharf, Southampton (Aggregates wharf)
 - ii. Leamouth Wharf, Southampton (Aggregates wharf)
 - iii. Dibles Wharf, Southampton (Aggregates wharf)
 - iv. Kendalls Wharf, Portsmouth (Aggregates wharf)
 - v. Fareham Wharf, Fareham (Aggregates wharf)
 - vi. Marchwood Wharf, Marchwood (Aggregates wharf)
 - vii. Bedhampton Wharf, Havant (Aggregates wharf)
 - viii. Burnley Wharf, Southampton (Aggregates wharf)
 - ix. Eastleigh Rail Depots, Eastleigh (Aggregates rail depot)
 - x. Botley Rail Depot, Botley (Aggregates rail depot)
 - xi. Fareham Rail Depot, Fareham (Aggregates rail depot)
2. Further aggregate rail depots are proposed provided the proposals address the development considerations outlined in 'Appendix A - Site allocations' at:
 - i. Basingstoke Sidings, Basingstoke (Rail depot) (Inset Map 2)
 - ii. Micheldever Sidings, Micheldever (Rail depot) (Inset Map 4)

The rail depot proposals are illustrated on the 'Policies Map'.

3. New wharf and rail depot proposals will be supported if the proposal represents sustainable development. New developments will be expected to:
 - a. have a connection to the road network; and
 - b. have a connection to the rail network or access to water of sufficient depth to accommodate the vessels likely to be used in the trades to be served; and
 - c. demonstrate, in line with the other policies in this Plan, that they do not pose unacceptable harm to the environment and local communities.

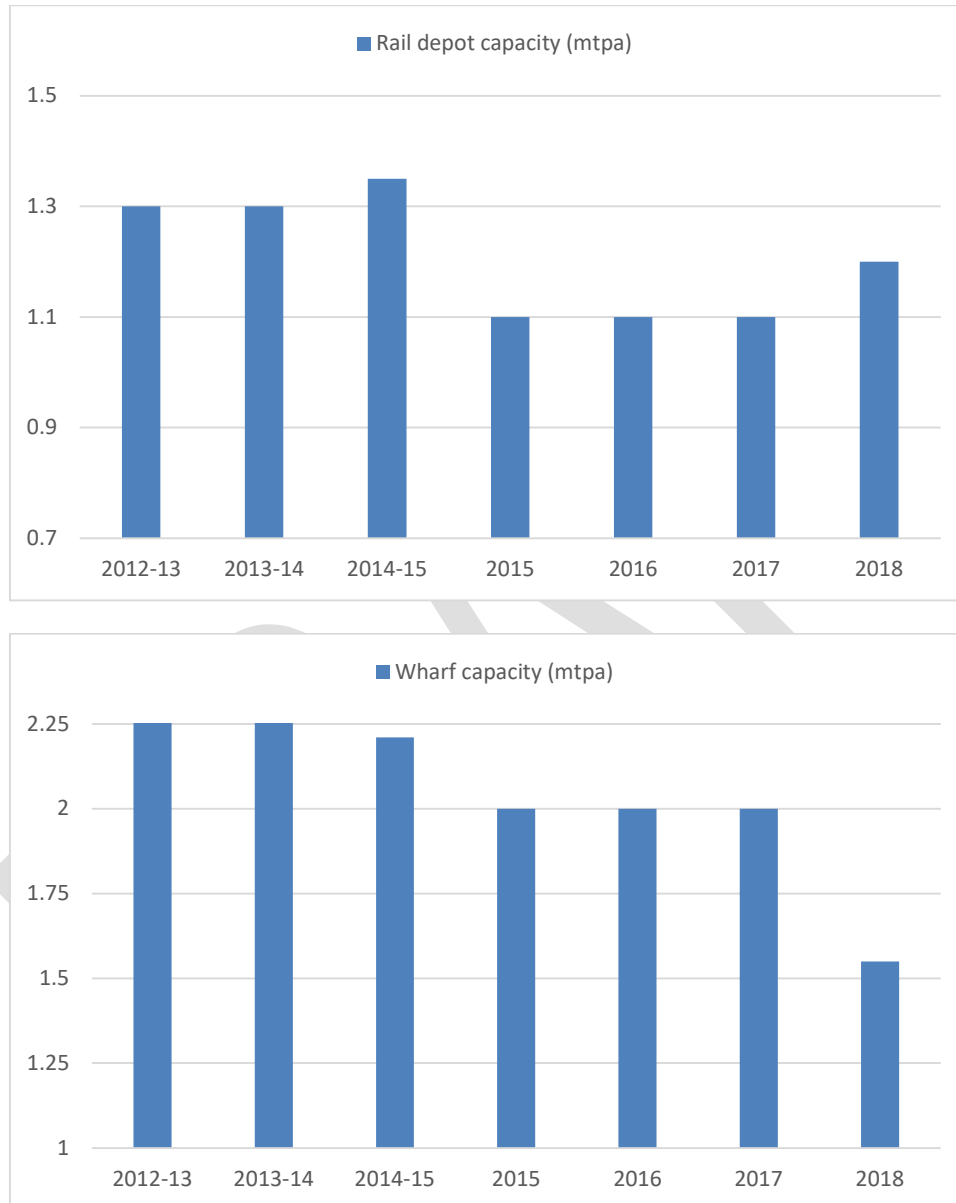
Monitoring indicator

Rail depot capacity AND Wharf capacity.

Monitoring trigger (threshold) for policy review

Rail depot capacity reduced by more than 130,000 tonnes per annum (10% of 1.3 mtpa) AND Wharf capacity reduced by more than 256,000 tonnes per annum (10% of 2.56 mtpa).

7-year trend



RAG Monitoring status

There has been a significant decrease in rail depot and wharf capacity from 2015. Rail depot capacity has had a slight increase in capacity in 2018 whilst wharf capacity has continued to decline.

Red

Policy 20: Local land-won aggregates

Policy wording

An adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted sand and gravel reserves sufficient for at least seven years from:

1. the extraction of remaining reserves at the following permitted sites:
 - i. Bramshill Quarry, Bramshill (sharp sand and gravel)
 - ii. Eversley Common Quarry, Eversley (sharp sand and gravel)
 - iii. Eversley Quarry (Chandlers Farm), Eversley (sharp sand and gravel)
 - iv. Mortimer Quarry, Mortimer West End (sharp sand and gravel)
 - v. Badminton Farm (Fawley) Quarry, Fawley (sharp sand and gravel)
 - vi. Bury Farm (Marchwood) Quarry, Marchwood (sharp sand and gravel)
 - vii. Bleak Hill Quarry (Hamer Warren), Harbridge (sharp sand and gravel)
 - viii. Avon Tyrell, Sopley (sharp sand and gravel)
 - ix. Downton Manor Farm Quarry, Milford on Sea (sharp sand and gravel)
 - x. Blashford Quarry (including Plumley Wood / Nea Farm), near Ringwood (sharp sand and gravel / soft sand)
 - xi. Roke Manor Quarry, Shootash (sharp sand and gravel)
 - xii. Frith End Sand Quarry, Sleaford (soft sand)
 - xiii. Kingsley Quarry, Kingsley (soft sand)
2. extensions to the following existing sites, provided the proposals address the development considerations outlined in 'Appendix A - Site allocations':
 - i. Bleak Hill Quarry Extension, Harbridge (sharp sand and gravel) (Inset Map 13) – 0.5 million tonnes
 - ii. Bramshill Quarry Extension (Yateley Heath Wood), Blackbushe (sharp sand and gravel) (Inset Map 1) – 1.0 million tonnes
3. new sand and gravel extraction sites, provided the proposals address the development considerations outlined in 'Appendix A - Site allocations':
 - i. Roeshot, Christchurch (sharp sand and gravel) (Inset Map 11) – 3.0 million tonnes
 - ii. Cutty Brow, Longparish (sharp sand and gravel) (Inset Map 3) – 1.0 million tonnes
 - iii. Hamble Airfield, Hamble-le-Rice (sharp sand and gravel) (Inset Map 9) – 1.50 million tonnes
 - iv. Forest Lodge Home Farm, Hythe (soft sand / sharp sand and gravel) (Inset Map 10) – 0.57 million tonnes
 - v. Purple Haze, Ringwood Forest (soft sand / sharp sand and gravel) (Inset Map 12) – 4.0 million tonnes

4. Proposals for new sites outside the areas identified in Policy 20 (including extension of sites identified in Policy 20 (1)) will be supported where:

- a. monitoring indicates that the sites identified in Policy 20 (1), (2) or (3) are unlikely to be delivered to meet Hampshire's landbank requirements and / or the proposal maximises the use of existing plant and infrastructure and available mineral resources at an existing associated quarry; or
- b. the development is for the extraction of minerals prior to a planned development; or
- c. the development is part of a proposal for another beneficial use, or
- d. the development is for a specific local requirement.

The extension and new sites identified above are shown on the 'Policies Map'.

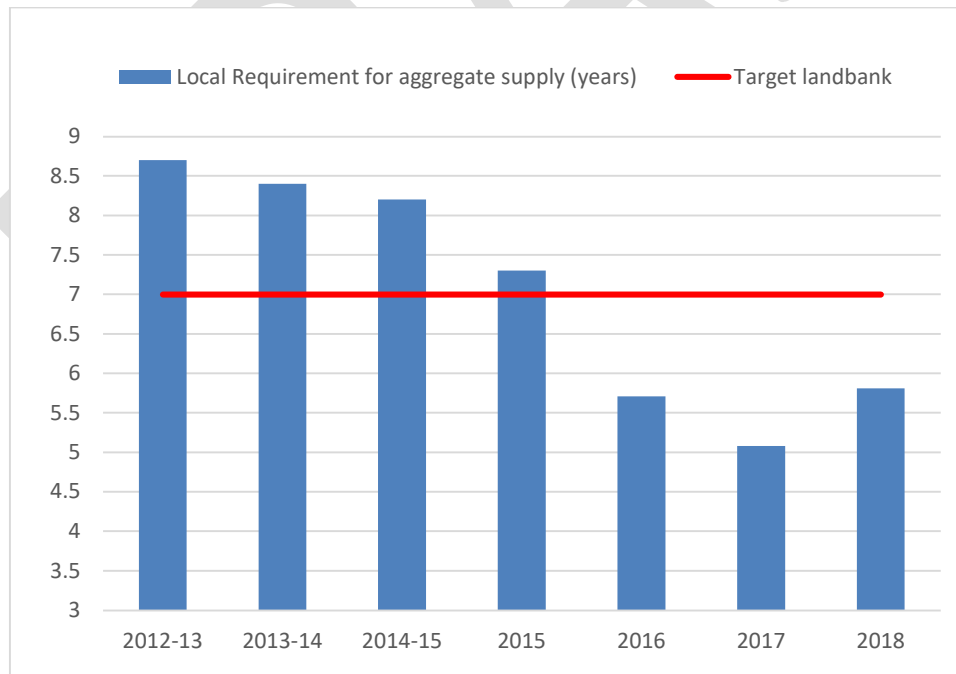
Monitoring indicator

Landbank for Aggregate supply.

Monitoring trigger (threshold) for policy review

Landbank falls below 7 years worth of aggregate supply (*Breach of benchmark over two successive years*).

7-year trend



RAG Monitoring status

The landbank for aggregate supply dropped significantly below the required 7 years in 2016 based on the Local Requirement and has remained below the threshold.

Red

DRAFT

Policy 21: Silica sand development

Policy wording

1. An adequate and steady supply of silica sand will be provided by maintaining a landbank of permitted reserves sufficient for at least 10 years from:
 - i. Frith End Sand Quarry, Sleaford (silica sand)
 - ii. Kingsley Quarry, Kingsley (silica sand)
2. Proposals for silica sand extraction within the Folkestone bed formation and outside the permitted silica sand sites identified above will be supported where:
 - a. the availability of deposits with properties consistent with silica sand uses is demonstrated; and
 - b. monitoring indicates that there is a need to maintain a 10 year landbank; and
 - c. the proposals do not have an unacceptable environmental or amenity impact either alone or in combination with other plans or projects; or
 - d. prior extraction is necessary in order to avoid sterilisation of the deposits due to planned development.

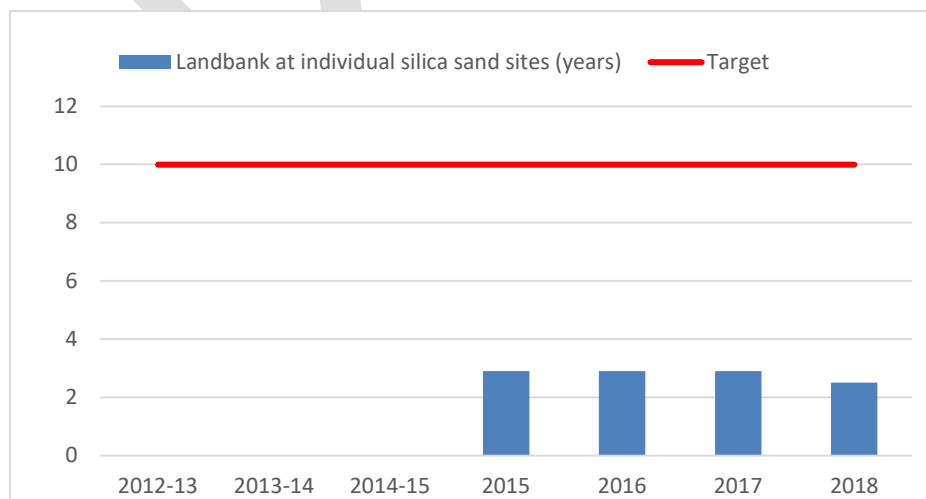
Monitoring indicator

Landbank at individual silica sand sites.

Monitoring trigger (threshold) for policy review

Landbank falls below 10 years at individual silica sand sites (*Breach of benchmark over two successive years*).

7-year trend



RAG Monitoring status

While there has been a lack of availability of data to determine a baseline of silica sand provision, a 10-year landbank has not been achieved for each individual site.

Red

DRAFT

Policy 22: Brick-making clay

A supply of locally extracted brick-making clay for use in Hampshire's remaining brickworks that will enable the maintenance of a landbank of at least 25 years of brick-making clay, will be provided from:

1. the extraction of remaining reserves at the following permitted site:
 - i. Michelmersh Brickworks
2. and extension of existing or former brick-making clay extraction sites at the following sites, provided the proposals address the development considerations outlined in 'Appendix A - Site allocations':
 - i. Michelmersh Brickworks (Inset Map 7); and
 - ii. Selborne Brickworks (Inset Map 6).

The sites identified above are shown on the 'Policies Map'. Extracted brick-making clay from Michelmersh and Selborne should only be used for the manufacture of bricks, tiles and related products in the respective brickworks.

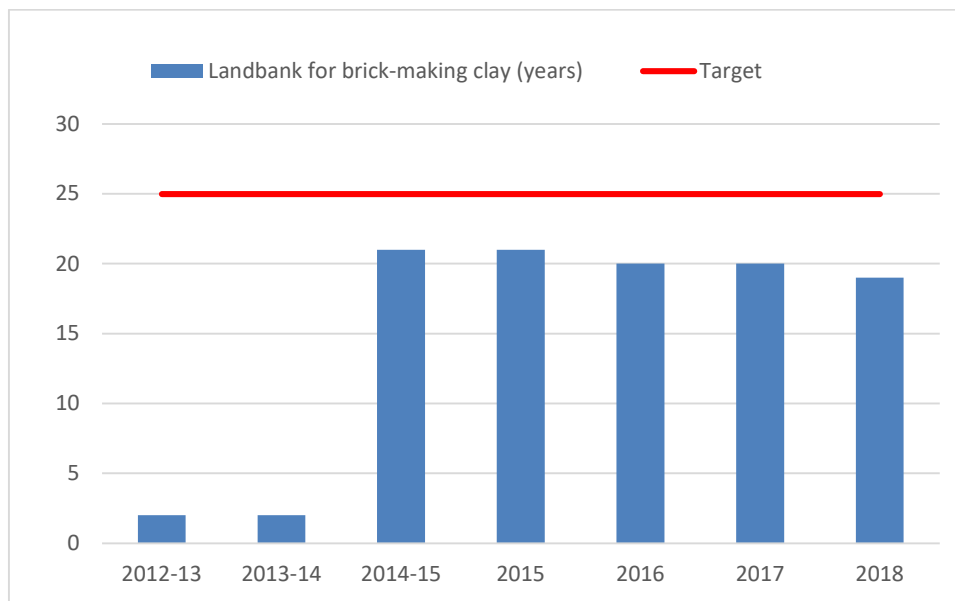
3. Clay extraction outside the sites identified could take place where:
 - a. it can be demonstrated that the sites identified in Policy 22 (2) are not deliverable; and
 - b. there is a demonstrated need for the development; and/or
 - c. the extraction of brick-making clay is incidental to the extraction of local land-won aggregate at an existing sand and gravel quarry.

Monitoring indicator

Landbank for brick-making clay.

Monitoring trigger (threshold) for policy review

Landbank falls below 25 years worth of brick-making clay supply (*Breach of benchmark over two successive years*).

7-year trendRAG Monitoring status

Despite a relative improvement in landbank in 2014/15, the 25-year landbank has not been achieved and continued to decline in 2018.

Red

Policy 23: Chalk development

Policy wording

The small-scale extraction of chalk will only be supported for agricultural and industrial uses in Hampshire. Extraction of chalk for other uses, such as aggregate, a fill material or for engineering will not be supported.

Monitoring indicator

Amount of chalk extracted in tonnes per annum (tpa).

Monitoring trigger (threshold) for policy review

Amount of chalk extracted in tonnes per annum (tpa) < 25,000tpa.

7-year trend

The amount of chalk development only exceeded 25,000 tpa in 2015. Extraction at each site was relatively small-scale, only slightly going over 25,000.

Extraction returned to less than 25,000 tpa in 2016 and has continued to remain below the threshold.

RAG Monitoring status

Extraction exceeded the 25,000 tonnes during the 7-year period, although this returned to a level below the threshold in 2016 and remains below the threshold.

Amber

Policy 24: Oil and gas development

Policy wording

Oil and gas development will be supported subject to environmental and amenity considerations.

1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:
 - a. is not located within the New Forest National Park or South Downs National Park except in exceptional circumstances, where the reasons for the designation are not compromised and where the need for the development can be demonstrated; and
 - b. is sited at a location where it can be demonstrated that it will only have an acceptable environmental impact; and
 - c. the proposal provides for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.
2. The commercial production of oil and gas will be supported, provided the site and equipment:
 - a. is not located within the New Forest National Park or South Downs National Park except in exceptional circumstances, where the reasons for the designation are not compromised and where the need for the development can be demonstrated; and
 - b. a full appraisal programme for the oil and gas field has been completed; and
 - c. the proposed location is the most suitable, taking into account environmental, geological and technical factors.

Monitoring indicator

Planning permissions granted in the countryside contrary to policy.

Monitoring trigger (threshold) for policy review

Number of planning permissions granted in the countryside contrary to policy = 0.

7-year trend

0 over each of the last seven years.

RAG Monitoring status

No relevant applications have been granted in the countryside contrary to policy.

Green

DRAFT

Policy 25: Sustainable waste management

Policy wording

The long-term aim is to enable net self-sufficiency in waste movements and divert 100% of waste from landfill. All waste development should:

- a. encourage waste to be managed at the highest achievable level within the waste hierarchy; and
- b. reduce the amount of residual waste currently sent to landfill; and
- c. be located near to the sources of waste, or markets for its use; and / or
- d. maximise opportunities to share infrastructure at appropriate existing mineral or waste sites.

The co-location of activities with existing operations will be supported, where appropriate, if commensurate with the operational life of the site, and where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area (including access routes), or prolong any unacceptable impacts associated with the existing development.

Provision will be made for the management of non-hazardous waste arisings with an expectation of achieving by 2020 at least:

60% recycling; and
95% diversion from landfill.

Monitoring indicator

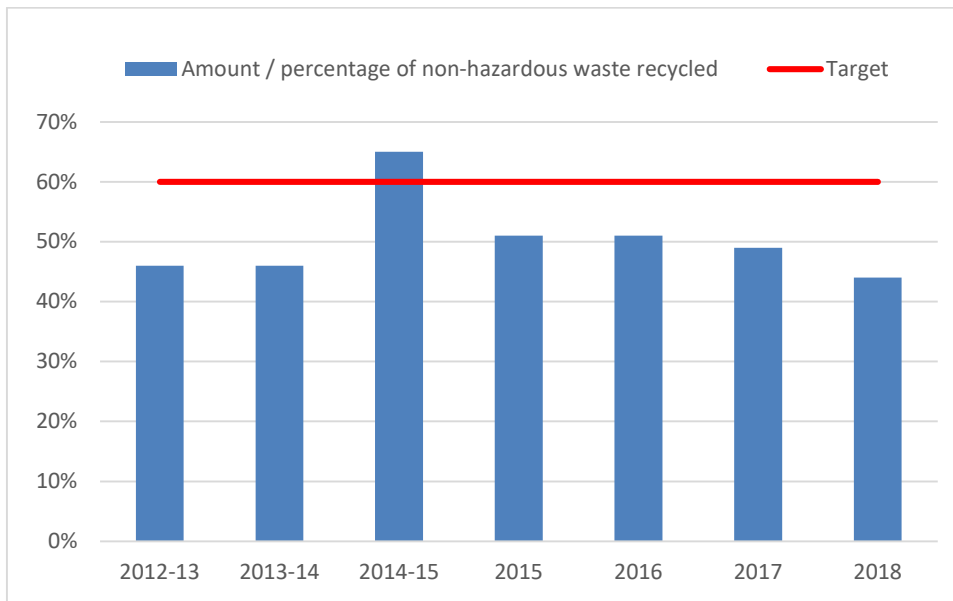
Amount / percentage of non-hazardous waste recycled*.

Monitoring trigger (threshold) for policy review

Recycling not reaching 60% by 2020.

*It is noted that there is not an indicator which monitors the level of diversion from landfill.

7-year trend



The 2018 Environment Agency Waste Data Interrogator shows that of all household, commercial and industrial 'waste removed' from sites in Hampshire – 39% (43%) was sent for 'recovery' while 5% (6%) was treated. Please note this figure will include some waste arisings which did not originate in Hampshire.

The 2016 and 2017 'waste removed' data has been corrected.

Based on data from Waste Data Flow, MSW waste arisings in 2018 were 799,007 (814,641) tonnes. The treatment of this waste was as follows:

- Recycled 25% (26%)
- Composted 13% (13%)
- Recovered 57% (56%)
- Landfill 5% (5%).

RAG Monitoring status

The percentage recycled trend shows a decline since 2014/15 and at present does not look to achieve the 60% by 2020.

Amber

Policy 26: Safeguarding – waste infrastructure

Policy wording

Waste management infrastructure that provides strategic capacity is safeguarded against redevelopment and inappropriate encroachment unless:

- a. the merits of the development clearly outweigh the need for safeguarding; or
 - b. the waste management infrastructure is no longer needed; or
 - c. the waste management capacity can be relocated or provided elsewhere and delivered;
- or
- d. the proposed development is part of a wider programme of reinvestment in the delivery of enhanced waste management facilities.

The infrastructure safeguarded by this policy is illustrated on the Policies Map and identified in 'Appendix B - List of safeguarded minerals and waste sites'.

Monitoring indicator

Number of safeguarded sites developed for non-waste uses by Local Planning Authority (LPA) permission, against Waste Planning Authority (WPA) advice.

Monitoring trigger (threshold) for policy review

Number of safeguarded sites developed for non-waste uses by LPA permission, against WPA advice = 0*.

*Please note that "sites developed" is measured through planning permissions granted for development, rather than a physical development, as waiting until a site is developed would introduce significant delays to the monitoring process.

7-year trend

0 over each of the last seven years

RAG Monitoring status

No safeguarded sites have been developed for non-waste uses against WPA advice.

Green

Policy 27: Capacity for waste management development

Policy wording

In order to reach the objectives of the Plan and to deal with arisings by 2030 of:

2.62 mtpa of non-hazardous waste;

2.49 mtpa of inert waste;

0.16 mtpa of hazardous waste.

The following minimum amounts of additional waste infrastructure capacity are estimated to be required:

0.29 mtpa of non-hazardous recycling capacity; and

0.39 mtpa of non-hazardous recovery capacity; and

1.4 mt of non-hazardous landfill void.

Proposals will be supported where they maintain and provide additional capacity for non-hazardous recycling and recovery through:

- a. the use of existing waste management sites; or
- b. extensions to suitable sites:
 - i. that are ancillary to the operation of the existing site and improve current operating standards, where applicable, or provide for the co-location of compatible waste activities; and
 - ii. which do not result in inappropriate permanent development of a temporary facility and proposals for ancillary plant, buildings and additional developments that do not extend the timescale for completion of the development; or
- c. extension of time to current temporary planning permissions where it would not result in inappropriate development; or
- d. new sites to provide additional capacity (see Policy 29 - Locations and sites for waste management).

Monitoring indicator

Capacity and operational status of waste management facilities - provision of additional recycling and recovery capacity:

2011-2015 = 370,000 tonnes

2016-2020 = 205,000 tonnes

2021-2030 = 102,000 tonnes

Monitoring trigger (threshold) for policy review

No net loss of waste management capacity from closure of sites and/or no new recycling or recovery capacity proposals. (*Breach of benchmark over two successive years*).

7-year trend

Additional capacity delivery is shown in

Table 1 below.

Table 1: Targets for additional capacity to be delivered and actuals 2011-20

	Target (2011-15)	Actual (2011-15)	Target (2016-20)	Actual (2016-20)	Difference
Recycling (tpa)	108,693	16,888	114,693	58,640	-147,858*
Recovery (tpa)	260,904	354,950	89,904	290,640	294,782*
Landfill	0	0	0	0	0
Total	369,597	371,838	204,597	349,280	146,924*

*Capacity granted permission up to August 2020

RAG Monitoring status

No net loss in waste management capacity over the five years. Combined recycling and recovery capacity provision meeting requirements, however recycling targets not being met.

Green

Policy 28: Energy recovery development

Policy wording

Energy recovery development should:

- be used to divert waste from landfill and where other waste treatment options further up the waste hierarchy have been discounted; and
- wherever practicable, provide combined heat and power. As a minimum requirement the scheme should recover energy through electricity production and the plant should be designed to have the capability to deliver heat in the future; and
- provide sustainable management arrangements for waste treatment residues arising from the facility.

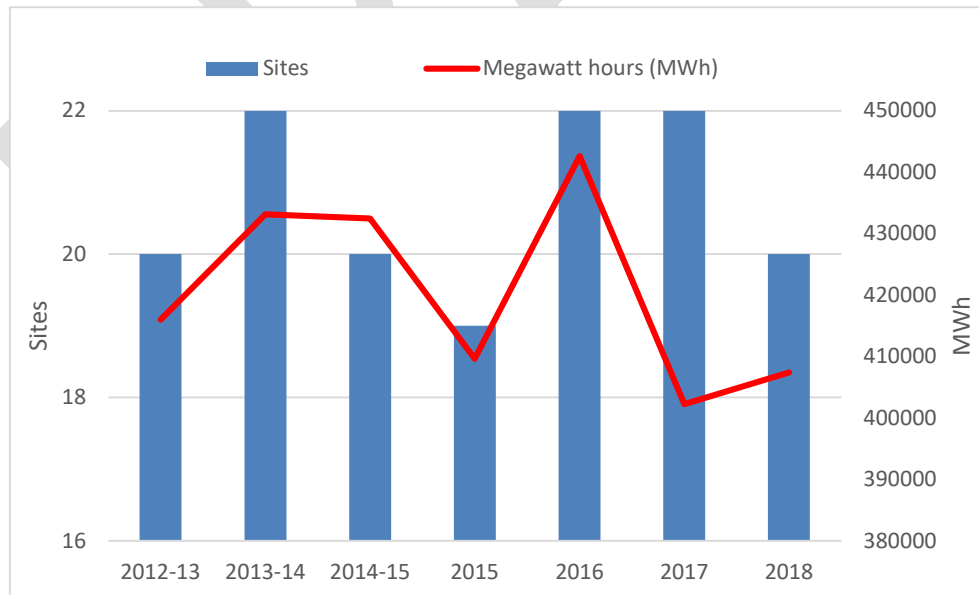
Monitoring indicator

Number of facilities and amount of renewable energy produced.

Monitoring trigger (threshold) for policy review

Decrease in number of facilities and/or amount of renewable energy produced (*Breach of benchmark over two successive years*).

7-year trend



RAG Monitoring status

The number of sites and amount of renewable energy produced has varied over the seven years with a noticeable decline in 2014/15 but increasing again in 2016. 2018 sees a return to 2012/13 figures.

Amber

DRAFT

Policy 29: Locations and sites for waste management

Policy wording

1. Development to provide recycling, recovery and/ or treatment of waste will be supported on suitable sites in the following locations:
 - i. Urban areas in north-east and south Hampshire;
 - ii. Areas along the strategic road corridors; and
 - iii. Areas of major new or planned development.
2. Any site in these locations will be considered suitable and supported where it:
 - a. is part of a suitable industrial estate; or
 - b. has permission or is allocated for general industry/ storage; or
 - c. is previously-developed land or redundant agricultural and forestry buildings, their curtilages and hardstandings or is part of an active quarry or landfill operation; or
 - d. is within or adjoins sewage treatment works and the development enables the co-treatment of sewage sludge with other wastes; and
 - e. is of a scale compatible with the setting.
3. Development in other locations will be supported where it is demonstrated that:
 - a. the site has good transport connections to sources of and/or markets for the type of waste being managed; and
 - b. a special need for that location and the suitability of the site can be justified.

Monitoring indicator

Planning permissions in accordance with Policy 29.

Monitoring trigger (threshold) for policy review

Planning permissions not in accordance with Policy 29.

7-year trend

Only two planning permissions in the first five years of the plan were not in accordance with Policy 29; one in 2014-15 and one in 2015.

There have been no issues of non-compliance between 2016 and 2018.

RAG Monitoring status

Two relevant planning permissions have been granted contrary to Policy 29 during the first 7-year plan period.

Amber

DRAFT

Policy 30: Construction, demolition and excavation waste development

Policy wording

Where there is a beneficial outcome from the use of inert construction, demolition and excavation waste in developments, such as the restoration of mineral workings, landfill engineering, civil engineering and other infrastructure projects, the use will be supported provided that as far as reasonably practicable all materials capable of producing high quality recycled aggregates have been removed for recycling.

Development to maximise the recovery of construction, demolition and excavation waste to produce at least 1mtpa of high quality recycled/secondary aggregates will be supported.

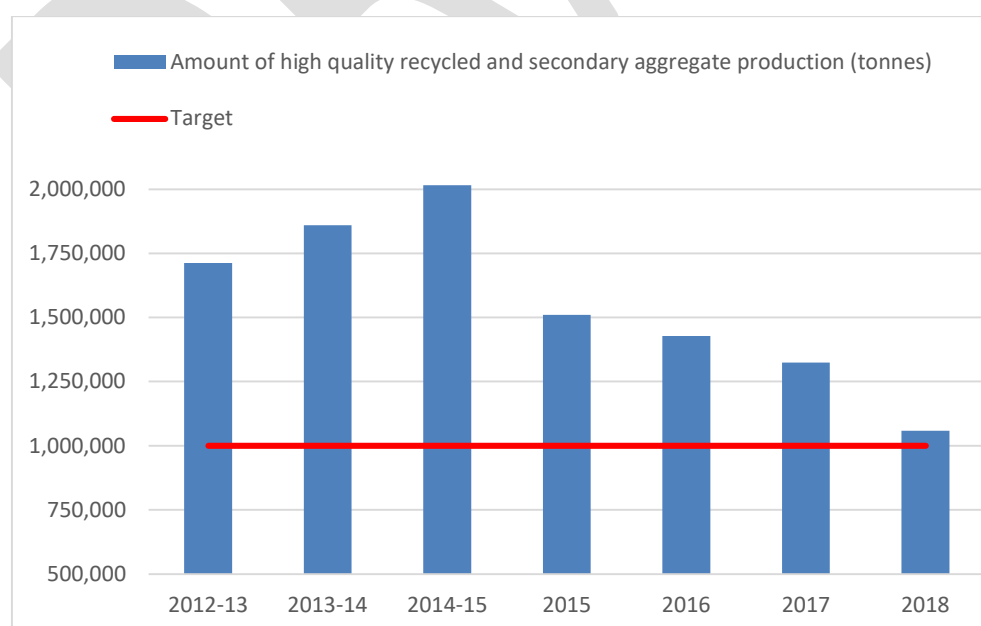
Monitoring indicator

Amount of high quality recycled and secondary aggregate production.

Monitoring trigger (threshold) for policy review

Once 1mtpa production reached, production of high quality recycled and secondary aggregate production decreases below 1mtpa (*Breach of benchmark over two successive years*).

7-year trend



This indicator shows the four broad classifications for beneficial uses of inert waste. Overall, the amount of inert waste put to beneficial uses has reduced by 19.7% from 1.32 million tonnes (mt) in 2017 to 1.06mt in 2018:

- Recycled: 0.72mt
- Recovered: 338 thousand tonnes (kt)
- Reclamation: 0kt
- Construction: 0kt

RAG Monitoring status

Production of recycled and secondary aggregate has not decreased below 1mtpa however has decreased steadily for four successive years and the current trend suggests that production could fall below the 1mtpa in the next year.

Amber

Policy 31: Liquid waste and waste water management

Policy wording

Proposals for liquid waste management will be supported, in the case of waste water or sewage treatment plants where:

- a. there is a clearly demonstrated need to provide additional capacity via extensions or upgrades for waste water treatment, particularly in planned areas of major new development; and
- b. they do not breach either relevant 'no deterioration' objectives or environmental quality standards; and
- c. where possible (subject to relevant regulations), they make provision for the beneficial co-treatment of sewage with other wastes and biogas is recovered for use as an energy source in accordance with Policy 28 (Energy recovery development);

and in the case of other liquid waste treatment plants:

- d. they contribute to the treatment and disposal of oil and oil/water mixes and leachate as near as possible to its source, where applicable.

Monitoring indicator

Number of and capacity of Waste Water Treatment Works (WWTW) with co-disposal of liquid wastes and/or biogas recovery.

Monitoring trigger (threshold) for policy review

Decrease in number of WWTW and/or capacity for co-disposal of liquid wastes and/or biogas recovery (*Breach of benchmark over two successive years*).

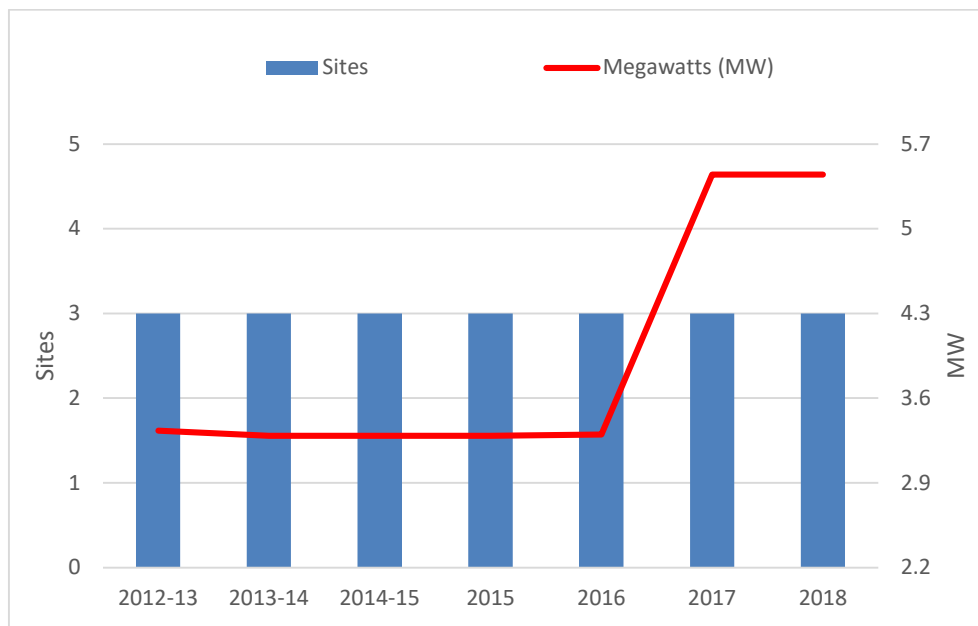
7-year trend

Figure only records capacity of those WWTW with co-disposal capability. Please note that this capacity is also included in the capacity reported for the Policy 28 monitoring indicator.

RAG Monitoring status

The number of sites and capacity has not decreased during the 7-year period, but the biogas capacity has increased in 2017/2018.

Green

Policy 32: Non-hazardous waste landfill

Policy wording

Development for landfill capacity necessary to deal with Hampshire's non-hazardous residual waste to 2030 will be supported.

Non-hazardous landfill capacity will be provided and supported in accordance with the following priority order:

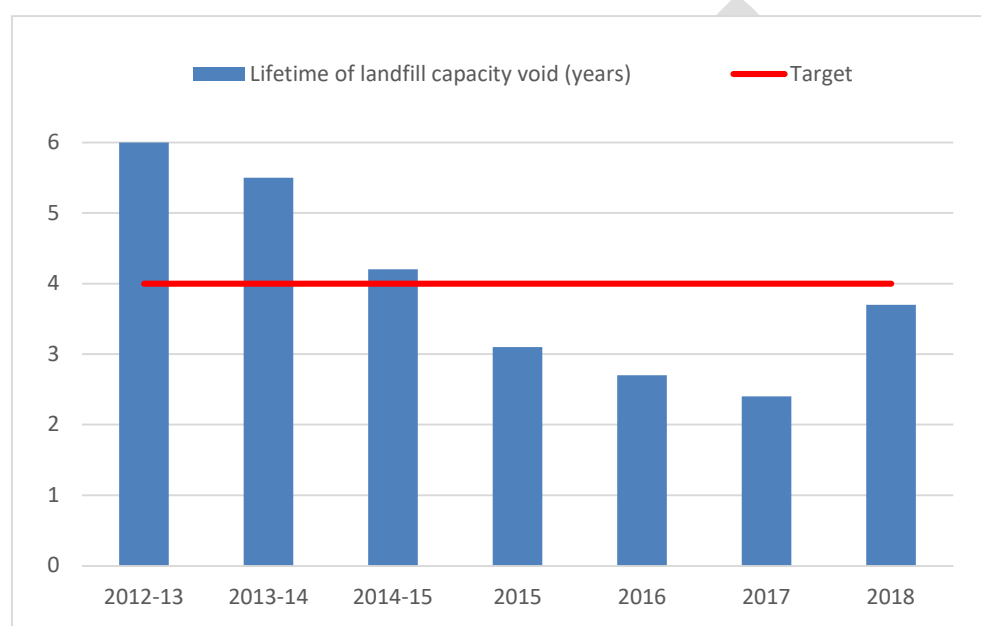
1. the use of remaining permitted capacity at existing landfill sites:
 - i. Blue Haze landfill, near Ringwood
 - ii. Squabb Wood landfill, near Romsey
 - iii. Pound Bottom landfill, Redlynch
2. proposals for additional capacity at the following existing site provided the proposals address the relevant development considerations outlined in 'Appendix A – Site allocations':
 - i. Squabb Wood landfill, near Romsey (Inset Map 8)
3. in the event that further capacity is required, or if any other shortfall arises for additional capacity for the disposal of non-hazardous waste, the need may be met at the following reserve area, provided any proposal addresses the relevant development considerations outlined in 'Appendix A - Site allocations':
 - i. Purple Haze, near Ringwood (Inset Map 12)
4. proposals for additional capacity at any other suitable site where:
 - a. there is a demonstrated need for non-hazardous landfill and where no acceptable alternative form of waste management further up the waste hierarchy can be made available to meet the need; and
 - b. there is an existing landfill or un-restored mineral void, except where this would lead to unacceptable continuation, concentration or increase in environmental or amenity impacts in a local area or prolong any impacts associated with the existing development; and
 - c. the site is not located within or near an urban area, (e.g. using suitable guideline stand-offs from the Environment Agency); and
 - d. the site does not affect a Principal Aquifer and is outside Groundwater Protection and Flood Risk Zones; and
 - e. through restoration proposals, will lead to improvement in land quality, biodiversity or public enjoyment of the land; and
 - f. the site provides for landfill gas collection and energy recovery.

Monitoring indicator

Lifetime of Landfill capacity void.

Monitoring trigger (threshold) for policy review

Lifetime of Landfill capacity void drops below four years.

7-year trend

Landfill capacity as of 31.12.18 based upon averaged annual inputs as recorded by the Environment Agency and voids as reported by the operators.

In 2017, no more waste was accepted at Squabb Wood and in May 2018 Pound Bottom¹⁰ ceased landfilling operations, both sites are now in restoration.

Based on data from the Environment Agency's Waste Data Interrogator, the amount of non-hazardous waste received at Hampshire's operating non-hazardous landfills (Blue Haze and Pound Bottom (Pre May 2018)) was 110,113 (169,066) tonnes, of which 65% (62%) came from Hampshire. Around 168,036 (177,687) tonnes of household, industrial and commercial waste received in non-Hampshire landfills came from Hampshire. At the same time, around 38,197 (63,801) tonnes of waste from other authorities was received at landfills in Hampshire.

The recent increase in lifetime of landfill capacity is due to the reduced quantities being accepted at Blue Haze.

¹⁰ The Pound Bottom landfill is within the Wiltshire administrative boundary, however as the HMWP applies to the whole New Forest National Park it is monitored here. Due to this, other figures from the EA on Hampshire's waste may not include Pound Bottom

RAG Monitoring status

The lifetime of landfill capacity has been below four years since 2015.

Red

DRAFT

Policy 33: Hazardous and Low Level Radioactive Waste development

Policy wording

Developments to provide sufficient capacity necessary to deal with hazardous and Low Level Radioactive Waste will be supported, subject to:

- a. no acceptable alternative form of waste management further up the waste hierarchy can be made available, or is being planned closer to the source of the residues; or
- b. in the case of landfill, it will be for material that is a proven unavoidable residue from a waste management activity further up the waste hierarchy and;
- c. it will contribute to the management of hazardous or radioactive waste that arises in Hampshire (accepting cross-boundary flows).

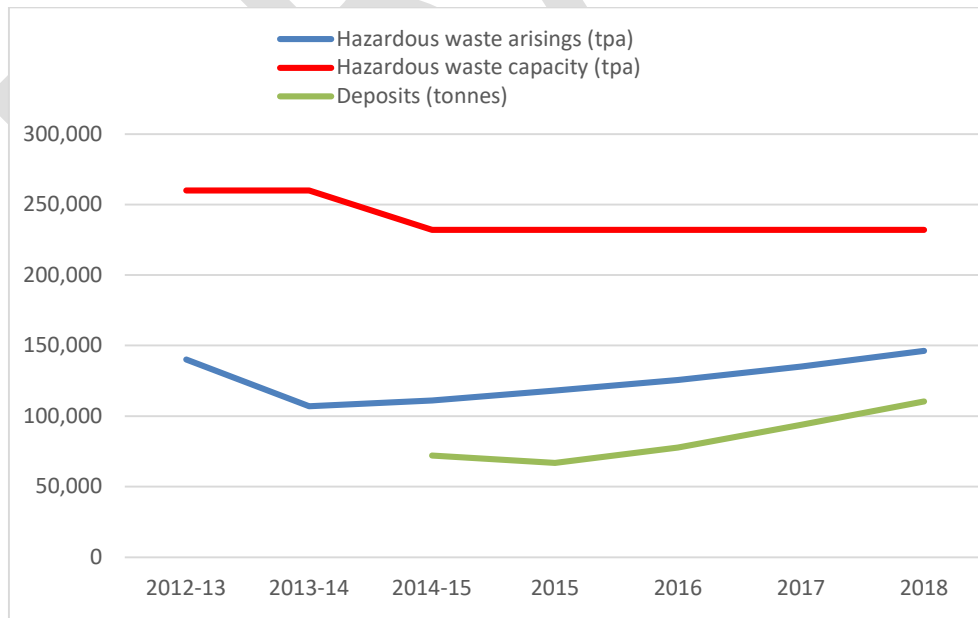
Monitoring indicator

Amount of hazardous waste management arisings and capacity.

Monitoring trigger (threshold) for policy review

Hazardous waste management capacity is higher than estimated arisings.

7-year trend



Arisings in 2018 (2017) were 146,302 (135,100) tonnes. Deposits were 110,386 (93,900) tonnes. Capacity remains at 232,000 tonnes per annum.

Data on arisings from Hampshire and deposits in Hampshire is from the Environment Agency's Hazardous Waste Data Interrogator.

RAG Monitoring status

The hazardous waste management capacity has been maintained above the level of arisings during the 7-year period.

Green

Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure

Policy wording

The following areas are safeguarded, so that their appropriateness for use as a minerals or waste wharf or rail depot can be considered, if they become available or are released from their current uses:

- i. land located to the north west of Hythe identified in the Port of Southampton Master Plan; and
- ii. land identified in the Southampton Core Strategy as operational port land; and
- iii. Marchwood Military Port (also known as Marchwood Sea Mounting Centre); and
- iv. land at HM Naval Base and commercial port as identified in the Portsmouth Core Strategy for port and employment uses; and
- v. existing and former railway siding and other land that could be rail linked.

The locations identified for safeguarding are shown on the Policies Map.

Monitoring indicator

Planning permissions granted contrary to advice of the Minerals Planning Authority (MPA) / Waste Planning Authority (WPA).

Monitoring trigger (threshold) for policy review

Number of planning permissions granted contrary to advice of the MPA/WPA = 0.

7-year trend

There was only one occurrence in the first five years of the Plan where a planning permission was granted in a safeguarded area contrary to MPA advice (application 14/00865/OUT, Land at Chapel Hill, Kingsclere, Basingstoke was permitted affecting Basingstoke Sidings). However, this has been specifically safeguarded through Policy 16 and therefore, should not be considered under Policy 34. There have been issues of non-compliance between 2016 and 2018.

RAG Monitoring status

There has been one occurrence of planning permission being granted within a safeguarded area contrary to the MPA/WPA advice. However, this site is not considered under Policy 34.

Green

Summary of Monitoring status

Policy Number & Title	RAG status	
	2020	2018
Policy 1: Sustainable minerals & waste development	Green	Green
Policy 2: Climate change –mitigation and adaptation	Green	Green
Policy 3: Protection of habitats and species	Green	Green
Policy 4: Protection of the designated landscape	Green	Green
Policy 5: Protection of the countryside	Amber	Amber
Policy 6: South West Hampshire Green Belt	Green	Green
Policy 7: Conserving the historic environment and heritage assets	Green	Green
Policy 8: Protection of soils	Green	Green
Policy 9: Restoration of minerals and waste sites	Green	Green
Policy 10: Protecting public health, safety and amenity	Green	Green
Policy 11: Flood risk and prevention	Green	Green
Policy 12: Managing traffic	Green	Green
Policy 13: High-quality design of minerals and waste	Green	Green
Policy 14: Community Benefits	Red	Red
Policy 15: Safeguarding - mineral resources	Amber	Amber
Policy 16: Safeguarding – minerals infrastructure	Green	Green
Policy 17: Aggregate supply - capacity and source	Amber	Red
Policy 18: Recycled and secondary aggregates	Amber	Amber
Policy 19: Aggregate wharves and rail depots	Red	Red
Policy 20: Local land-won aggregates	Red	Red
Policy 21: Silica sand development	Red	Red
Policy 22: Brick-making clay	Red	Red
Policy 23: Chalk Development	Amber	Amber
Policy 24: Oil and gas Development	Green	Green
Policy 25: Sustainable waste management	Amber	Amber
Policy 26: Safeguarding – waste infrastructure	Green	Green
Policy 27: Capacity for waste management development	Green	Green
Policy 28: Energy recovery development	Amber	Amber
Policy 29: Locations and sites for waste management	Amber	Amber
Policy 30: Construction, demolition and excavation	Amber	Green

Policy 31: Liquid waste and waste water management	Green	Green
Policy 32: Non-hazardous waste landfill	Red	Red
Policy 33: Hazardous and low level waste development	Green	Green
Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure	Green	Green

DRAFT

3. Issues requiring review

- 3.1 This section explores in more detail the issues identified through the Monitoring Reports (MRs) and those policies given an 'Amber' Monitoring status.
- 3.2 Consideration is given to the circumstances around the short-term breaches that may have occurred or the trends that have raised an issue with delivery.
- 3.3 Where comments have been raised by Plan practitioners (namely Development Management or Policy officers) on the implementation of the relevant policy these are also outlined.
- 3.4 A RAG (Red, Amber, Green) Review status and review update requirement is provided for each policy and is determined as follows:

Review shows that the policy does not need to be updated.	Green
Review shows that the policy does need to be updated with additional allocations, where possible.	Amber
Review shows that the policy requirements need to be updated.	Red

Protection of countryside (Policy 5)

- 3.5 One planning permission has been granted in the countryside that was contrary to policy over the last seven years (2015).
- 3.6 This was planning application 14/01791/CMA at Stapeley Manor Farm. As the application was a Certificate for Lawful Use (CLU) it is not subject to the same process as a full planning application. Instead the planning authority has to decide whether there is sufficient evidence that the development has been present without issue for a certain amount of time. As the development already exists and the CLU simply acknowledges and regularises this fact, there is no opportunity to attach conditions. This process is set out in national legislation and there is no scope to alter it at a local level.

Relevant national policy updates

- 3.7 There are no policy updates that have been identified relevant to protection of the countryside.

Should this issue be addressed?

- 3.8 Taking into account the single circumstances in which an application was granted contrary to policy, it is not considered that the issue needs to be addressed through an update of the Plan.

RAG Review status

- 3.9 The wording of the policy does not need to be updated.

Green

Safeguarding: Mineral resources (Policy 15)

- 3.10 A total of seven applications have resulted in sterilisation of the Mineral Safeguarding Area (a total of 33.6 hectares of land). In each case, the relevant Mineral Planning Authority (MPA) was consulted and submitted its concerns.
- 3.11 Subsequent decisions undertaken by the Local Planning Authority were beyond the control of the MPA.
- 3.12 In February 2016, a Supplementary Planning Document (SPD) on Minerals & Waste Safeguarding¹¹ was adopted by Hampshire County Council, the New Forest National Park Authority and Portsmouth and Southampton City Councils to assist the implementation of the safeguarding policies set out in the HMWP. Six of the seven applications that resulted in sterilisation of the Mineral Safeguarding Area were validated after the adoption of the Supplementary Planning Document.
- 3.13 Engagement is on-going with Districts and Boroughs to raise awareness of safeguarding including raising awareness of the SPD. Two of the applications were in the New Forest District and three were in the borough of Eastleigh. The Council has worked closely with both authorities to ensure safeguarding considerations are outlined in their Local Plans, which once adopted, should enable early engagement on safeguarding issues on sites allocated for development.
- 3.14 Whilst there has been some sterilisation of resources, the MPAs have also experienced some success in facilitating prior extraction and enabling subsequent development. An example of this is the Whitehill & Bordon relief road¹² the proposed route of which was within the Mineral Safeguarding Area. Where levelling of ground levels and drainage works have taken place as part of the development, the extracted mineral resources have been taken to a local operator and incorporated into the mineral supply.

Relevant national policy updates

- 3.15 Hampshire County Council worked alongside a selection of other Mineral Planning Authorities, the Minerals Product Association and the Planning Officers Society to update the guidance on mineral safeguarding¹³. Whilst it is recognised this is not government policy, it is the leading national guidance on mineral safeguarding.

Should this issue be addressed?

¹¹ Minerals & Waste Safeguarding in Hampshire – Supplementary Planning Document (2016) - <http://documents.hants.gov.uk/planning-strategic/HMWPMineralsandWasteSafeguardinginHampshireSPDFinalFeb2016.pdf>

¹² Relief Road (Hybrid) Application: <https://planningpublicaccess.easthants.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= EHANT DCAPR 234061>

¹³ MPA/POS Minerals Safeguarding Guidance (2019) - https://www.mineralproducts.org/documents/MPA_POS_Minerals_Safeguarding_Guidance_Document.pdf

- 3.16 Whilst there have been incidents of sterilisation, the Mineral Planning Authorities are continuing to work proactively to implement the policies and it is not considered that changes are required to the existing policy. Therefore, it is considered that this issue does not need to be addressed through an update of the Plan. However, the Plan would benefit from reference to the SPDs to increase awareness.

RAG Review status

- 3.17 The wording of the policy does not need to be updated.

Green

Aggregate supply – capacity and resource (Policy 17)

- 3.18 Although Policy 17 states that an adequate and steady supply of sand and gravel will be provided for Hampshire until 2030 at a rate of 1.56 million tonnes per annum (mtpa), the delivery of this landbank provision falls to Policy 20 (Local land-won aggregates) which enables the development to meet this requirement. Therefore, this issue is reviewed in 'Local land-won aggregate (Policy 20)).
- 3.19 Whilst the maintenance of the landbank is monitored through Policy 20, the rate by which this is calculated – 1.56 mtpa of sand and gravel – is set out in Policy 17. When the HMWP was prepared, the 'apportionment' figure was based on an average figure of 10-years land-won aggregate sales. Sales during this period (2001-2010) peaked in 2001 at 2.29 mtpa of land-won aggregate but then showed a steady decline.
- 3.20 Table 2 shows the 10-year (yr) average (Av.) sales in 2018 for the period 2009-2018. This also shows general steady decline in sales from 2009, until 2012 where sales have gradually risen year on year. Both the 10-year and 3-year averages are significantly below the 1.56 mtpa of which 0.28 mtpa should be soft sand.

Table 2: 10-year average sales in million tonnes per annum 2009-2018

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Last 3-yr Av.	Last 10-yr Av.
Soft sand sales	0.1	0.14	0.12	0.16	0.12	0.11	0.12	0.2	0.23	0.23	0.15	0.22
Sharp sand & gravel sales	0.95	0.84	0.71	0.58	0.73	0.78	0.71	0.75	0.73	0.96	0.77	0.81
Total	1.05	0.98	0.83	0.75	0.85	0.88	0.83	0.95	0.96	1.18	0.93	1.03

- 3.21 Mineral Planning Authorities are required through the NPPF to produce annual Local Aggregate Assessments¹⁴ (LAA). The LAA reports on the landbank. In the Hampshire LAA¹⁵, this has historically been calculated using the 'Local Requirement' (the 1.56 mtpa apportionment). However, guidance¹⁶ on preparing LAAs was agreed by the South East England Aggregate Working Party in 2019 which specifies that the LAA rate should be calculated taking into account a number of factors:

- Average of 10-years of aggregates sales data

¹⁴NPPF (Para. 207) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733637/National_Planning_Policy_Framework_web_accessible_version.pdf

¹⁵ Hampshire Local Aggregate Assessment -

<http://documents.hants.gov.uk/mineralsandwaste/2017LocalAggregateAssessment.pdf>

¹⁶ SEAWP Supplementary Local Aggregate Assessment Guidance (July 2019) -

<https://documents.hants.gov.uk/see-awp/SEAWP-SuppLAAGuidance-July2019.pdf>

- Average of 3-years of aggregates sales data;
- Economic forecasts;
- Population, housing and capital programme growth and;
- Major Infrastructure projects.

3.22 Taking these factors into account, the 2018 LAA Rate¹⁷ was established as 0.92mtpa for sand and gravel (compared to the 1.28Mt Local requirement) and 0.23Mt for soft sand (compared to 0.28mtpa Local requirement).

3.23 The NPPF requires a landbank of at least 7 years¹⁸ of permissions. A landbank calculated using the Local Requirement rate of 1.56 mtpa provides a lower landbank than those calculated based on the 2018 LAA rate and the 10- or 3-year averages as the figure is significantly higher (see Table 3).

Table 3: Sand and gravel landbank provision in 2018

	Permitted Reserve	Landbank based upon Local Requirement	Landbank based upon 2018 LAA Rate	Landbank based upon 10-yr Av. sales between 2009-2018	Landbank based upon 3-yr Av. sales between 2016-2018	Landbank based upon 2018 sales
	Million tonnes	Years				
Soft sand	0.634	2.26	2.76	4.14	2.88	2.76
Sharp sand & gravel	8.433	6.59	9.17	10.90	10.54	8.78
Total	9.067	5.81	7.88	9.75	8.80	7.68

3.24 Whilst Policy 17 states a provision of 1.56 mtpa of sand and gravel, this was a point in time and could be argued to no longer be relevant. As the requirement within the NPPF is for at least 7 years, using this Local Requirement rate has the impact of reducing the landbank which may not reflect the current market conditions.

3.25 Tables 2 and 3 highlights that the provision of soft sand does not meet the required 0.28 mtpa as specified by Policy 17. Soft sand supply is recognised as a regional issue and is a regular item of discussion at the South East England Aggregate Working Party meetings¹⁹.

3.26 A number of Mineral Planning Authorities in the South East have soft sand resources that are constrained by designations such as Area of Outstanding Natural Beauty

¹⁷ Hampshire 2019 Local Aggregate Assessment -

<https://documents.hants.gov.uk/mineralsandwaste/2019LocalAggregateAssessment.pdf>

¹⁸ NPPF (Para. 207)

¹⁹ SEAWP Minutes - <https://www.hants.gov.uk/landplanningandenvironment/seeawp/seeawpdocuments>

(AONB) or National Park. National Policy states that 'as far as practical' landbanks should be maintained by minerals from 'outside' National Parks and AONBs²⁰.

- 3.27 Mineral Planning Authorities in the South East have prepared a Position Statement on Soft Sand which sets out the existing supply situation, relevant national and local policy and the issues regarding supply. This Position Statement will then form the basis of Statements of Common Ground between Authorities.
- 3.28 As with sharp sand and gravel, the sales averages in Table 2 suggest that the 0.28 mtpa is higher than the actual demand level in Hampshire. The application of all the rates all result in a landbank lower than the required 7 years which also suggests there is insufficient permitted reserves (sites).
- 3.29 The remaining part of Policy 17 seeks to safeguard and develop infrastructure to ensure aggregates can be provided at specific rates: 1 mtpa of recycled and secondary aggregate; 2 mtpa of marine-won aggregate; and 1 mtpa of limestone by rail.
- 3.30 Monitoring seeks to ensure there is no significant reduction (more than 556,000 tonnes) in capacity for aggregate production as well as a reduction in land-won sales.
- 3.31 The Monitoring data shows that the sales of land-won aggregate have increased significantly from 2016. There was also a significant reduction in aggregate production capacity in 2016 but this appears to be making a steady recovery. However, this still indicates that there is not sufficient capacity to meet demand.
- 3.32 The review of Policies 18 (see 'Recycled and secondary aggregates development') and Policy 30 (see 'Construction, demolition and excavation waste development') show that capacity provision remains above 1 mtpa but that capacity remains unsteady.
- 3.33 The provision of marine-won aggregate is generally determined by wharf capacity which is where marine-won aggregate is landed. Policy 19 considers capacity of wharves and rail depots in more detail (see 'Aggregate wharves and rail depots' (Policy 19)). However, the monitoring data shows decreasing wharf capacity since 2016.
- 3.34 It should be noted that in 2016, capacity was surveyed for the first time through the Aggregate Monitoring (AM) survey. Prior to receipt of this data, capacity had been judged on the highest level of sales in previous years. It is recognised that circumstances may change at sites over time which can impact on capacity and it is believe this is what has resulted in the reduction of capacity. Although the recent drop in capacity in 2018 suggests this is not the only reason.

²⁰ NPPF (2018) (Para. 205) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733637/National_Planning_Policy_Framework_web_accessible_version.pdf

- 3.35 In addition, Tipner Wharf in Portsmouth has now been redeveloped. This regeneration proposal was recognised in the HMWP and therefore, the site was not safeguarded.
- 3.36 It should also be noted that an application was submitted to extend Kendalls Wharf in Portsmouth²¹. However, this application has stalled as the proposed compensation measures have not been approved by Natural England.
- 3.37 In relation to rail depots, capacity was also surveyed through the AM survey in 2016. This concluded that a 1 mtpa capacity remained at the existing rail depots. No new rail depot proposals have come forward in the last 5 years, but capacity increased slightly in 2018.
- 3.38 The monitoring trigger for Policy 17 is a reduction of 556,000 tonnes in capacity. The 556,000 tonnes are a 10% reduction of the total aggregate capacity (including land-won). The most significant lack in capacity is at wharves and land-won sites (see Table 4). However, the ability to deliver the required land-won capacity is driven by Policy 20.

Table 4: Aggregate supply capacity in 2018

	Target rate	Sales	Capacity	% Sales / Production
	mtpa		Mt	%
Land-won Aggregate	1.56	1.18	1.875	63%
<i>Soft Sand</i>	0.28	0.23	0.637	36%
<i>Sharp Sand and Gravel</i>	1.28	0.96	1.237	78%
R/S sites	1.0	0.72	2.368	30%
Wharves*	2.0	1.45	1.547*	94%*
Rail Depots	1.0	0.68	1.2	57%

Footnotes

Source: Aggregate Monitoring Survey, 2018. Please note that capacity data collection is still in the early stages, and as such, results should be treated with caution. Where capacity data has not been made available sales have been used. *Wharf Capacity Data is based upon sales

Relevant national policy updates

- 3.39 In 2017, the white paper 'Fixing our broken housing market'²² was published which set out a broad range of reforms that the government intends to introduce to help reform the housing market and increase the supply of new homes. The paper states that 225,000 to 275,000 or more homes per year are required to keep up with population growth and tackle under supply. The paper also recognises that development of communities is also required which does not just mean building homes but also roads, rail links, schools, shops, GP surgeries etc.

²¹ Kendalls Wharf Application - <http://publicaccess.portsmouth.gov.uk/online-applications/applicationDetails.do?keyVal=OWVWPNM0HRB00&activeTab=summary>

²² Fixing our broken housing market (2017) - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/590463/Fixing_our_broken_housing_market_-_accessible_version.pdf

- 3.40 In August 2020, the Government published 'Planning for the future'²³ which sets out its proposals for planning reform. The consultation closes in October 2020, but the paper seeks to address the significant shortfall in new housing delivery.
- 3.41 The Minerals Product Association reports that the construction of a typical home requires 12 tonnes of mortar and 200 tonnes of aggregate, school requires 15,000 tonnes of concrete and a community hospital would require 53,000 tonnes of concrete²⁴. These figures highlight the need for a steady and adequate supply of aggregate to support the governments drive for delivering homes and infrastructure.
- 3.42 Whilst not policy, the recent national pandemic is recognised as having an impact on the aggregates industry. This is expressed clearly in the Minerals Products Association Press Release²⁵:

'Sales volumes of ready-mixed concrete and aggregates (crushed rock and sand & gravel), two materials that are used across most types of construction work, declined by 5.7% and 4.0% respectively over the quarter. For ready-mixed concrete, this follows three consecutive years of market declines since 2017, as Brexit-related uncertainties put a brake on commercial construction work, notably for offices, whilst housebuilding slowed in the capital. Housing and the commercial sectors have also been significantly impacted by the COVID-19 lockdown, with most major housebuilders having closed sites throughout the last week of March and April, and office construction impacted by the collapse in business and consumer confidence. Simultaneously, mortar sales, which are primarily used in housebuilding, fell by a further 1.6% in the first quarter of 2020, after a 7.9% fall at the end of last year. The trend in mortar sales volumes has been subdued over the past 18 months, a clear indication of the underlying weaknesses in housebuilding even before accounting for the impact of the COVID-19 lockdown.'

Should this issue be addressed?

- 3.43 Policy 17 states that provision of 1.56 mtpa of sand and gravel will be provided of which 0.28 mtpa will be soft sand. Whilst it is recognised that this Local Requirement rate no longer reflects the current market, it is not the determining factor in sand and gravel provision. The landbank is used to determine whether a steady and adequate supply of sand and gravel can be maintained. The provision of the landbank is met through the implementation of Policy 20.

²³ Planning for future (2020) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf

²⁴ Mineral Products Association: Facts at a Glance (2018) - <http://www.mineralproducts.org/documents/Facts-at-a-Glance-2018.pdf>

²⁵ Mineral Productions Association: Press Release (5 May 2020) - <https://mineralproducts.org/20-release15.htm>

3.44 The Government is seeking to increase the delivery of housing and infrastructure and whilst it could be argued the existing Local Requirement rate allows for an up lift in demand and maintenance of supply, the reality is that these rates have not been achieved to date and forecasts suggest that the impact of Brexit and the current national pandemic will have an impact on construction and therefore, aggregate demand. As such, it is considered that this issue does need to be addressed through an update of the Plan.

3.45 In relation to capacity, it is recognised that there has been a reduction, and whilst this appears to be recovering, capacity at wharves continues to decline. The Policy seeks to maintain this level and is not a cap which would prevent further development. However, the Policy and its associated delivery policies²⁶ may be able to encourage capacity through support for further development through allocation. As such, it is considered that this issue does need to be addressed through an update of the Plan.

RAG Review status

3.46 The rates of provision in the policy need to be addressed and updated to enable the right provision of mineral supply and reflect the provision outlined in associated policies.

Red

²⁶ Policy 18: Recycled and secondary aggregate development, Policy 19: Aggregates wharves and depots, Policy 20: Local land-won aggregates

Recycled and secondary aggregate (Policy 18)

- 3.47 During 2012 to 15 there was a steady increase in recycled and secondary aggregate production. There was a significant decrease in capacity between 2015/ 2016. However, the recovery in 2017/18 appears unsteady with a slight decline in 2018.
- 3.48 These drops (in 2016 and 2018) do not indicate a year on year decrease. However, this threshold could be breached should a downwards trend continue from 2018.
- 3.49 It should be noted that this policy also relates to Policy 30 (Construction, demolition and excavation waste development) which supports development to maximise the recovery of construction, demolition and excavation waste and seeks to maintain at least 1 million tonnes per annum (mtpa) of capacity. Whilst there has been a decline in capacity, the capacity requirement has been met. However, the current trend suggests that capacity could fall below 1mtpa very soon.
- 3.50 As capacity has been maintained but sales have declined, this suggests that there could be a change in the market in relation to recycled and secondary aggregates.
- 3.51 Discussions with operators²⁷ have highlighted that there could be further reduction in capacity as demand for housing increases and there is completion for sites with good transport connections. Issues have also been raised regarding the availability of good quality inert material for recycling. It is considered that this is impacted further on demolition sites where the use of crushers on-site means that material never enters the market.
- 3.52 This will place greater emphasis on the safeguarding of minerals infrastructure to ensure that careful consideration is given to the potential loss of sites and the maintenance of capacity.

Relevant national policy updates

- 3.53 The government's 25 Year Environment Plan (January 2018) includes the goal of zero avoidable waste by 2050 and to transition towards a circular economy. Specifically, this involves doubling resource efficiency and minimising environmental impacts at products' end of life by; looking at the whole life-cycle to promote their recycling/reuse wherever possible.
- 3.54 The Resources and waste strategy for England (2018) sets out how the ambitions of the 25 year Environment Plan can be realised in the sphere of waste and resource management. A variety of mechanisms are proposed including changes to waste collections, encouragements for implementing the waste hierarchy, introducing food waste targets and improving data collection. Some of these could have wide ranging implications on how waste is collected and managed.

²⁷ Source: Correspondence regarding safeguarding status of aggregate recycling site (2017).

Should this issue be addressed?

- 3.55 Whilst it is recognised that there has been a decline in sales of recycled and secondary aggregate, Policy 18 seeks to encourage this form of development recognising its importance in aggregate supply. The recent decline in sales may be due to market changes and this is something that cannot be influenced by the MPAs. However, due to the unsteady nature of capacity and possible future decline in capacity below 1mpta, it is considered that this issue does need to be addressed, through an update of the Plan.

RAG Review status

- 3.56 The issues behind the decline in capacity need to be explored and this will determine whether an update in the policy wording is required.

Red

Chalk (Policy 23)

- 3.57 Chalk is a plentiful mineral in Hampshire and although there is now only limited demand, there are a number of existing and active extraction sites.
- 3.58 The HMWP supports small-scale extraction of chalk which is defined as up to 25,000 tonnes per annum. During the 7-year period, the amount extracted exceeded this level to a limited extent²⁸ and has since returned to a level within the threshold.
- 3.59 There are currently two permitted chalk sites in Hampshire at Manor Farm, Monk Sherborne and Somborne Chalk Quarry, Winchester. Permission was granted for a new chalk quarry at Monk Sherborne²⁹ in 2018 to replace the existing Manor Farm quarry which is to be completed and restored by December 2021. The chalk will be extracted at the new quarry in Monk Sherborne at a rate not exceeding 25,000 tonnes per annum, a throughput similar to the operation at the existing site.
- 3.60 Somborne Chalk Quarry, which has been worked since 1860 has recently been sold and is currently mothballed for chalk production. Without the recently permitted quarry, existing contractors would have had to source chalk from alternative sites, mainly outside the County, which was not considered sustainable.
- 3.61 The chalk is extracted to provide agricultural lime. Information provided by the applicant for Manor Farm states that agricultural lime makes a significant difference to the productive potential of arable and grassland. It provides lime to the soil which improves soil aeration and helps to release soil nutrients. It contains calcium which is essential for plant development. It also restores the pH balance of acidic soils. It is a sustainable option for soil improvement. Specifically, it is natural product that optimises the plants ability to utilise major and trace nutrients more efficiently³⁰.
- 3.62 It is recognised that markets change over time and therefore, the demand for chalk may increase during the Plan period. Monitoring extraction allows this to be reviewed.

Relevant national policy updates

- 3.63 There are no policy updates that have been identified relevant to chalk extraction.

Should this issue be addressed?

- 3.64 It is considered that should the level of extraction increase significantly and for a prolonged period, this could suggest that the policy approach needs to be reviewed.

²⁸ Actual figure cannot be released due to commercial confidentiality.

²⁹ Chalk Quarry Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=19053>

³⁰ Regulatory Committee Report (July 2020) - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=19053>

- 3.65 Within 7 years, there is no clear evidence that the markets have shifted significantly to demonstrate a review of the current policy approach to chalk. It is considered that the existing policy sufficiently seeks to meet local demand. Therefore, it is considered that this issue does not need to be addressed through an update of the Plan.

RAG Review status

- 3.66 The wording of the policy does not need to be updated.

Green

DRAFT

Sustainable waste management (Policy 25) & Capacity for waste management (Policy 27)

- 3.67 Policy 25 seeks to make provision to be made for the management of non-hazardous waste arising, based on the expectation that certain targets will be achieved by 2020: 60% recycling; and 95% diversion from landfill.
- 3.68 These targets sought to take into account the targets established by the revised Waste Framework Directive: 50% recycling of household (and similar non-hazardous) wastes; and 70% recovery of inert.
- 3.69 At present, the trend for recycling non-hazardous waste has been declining since 2014/15 to below 45% in 2018 which suggests that the Waste Framework Directive target will also not be met.
- 3.70 The Plan does not include a monitoring indicator related to landfill diversion of non-hazardous waste. However, Policy 25 covers this aspect of waste management as well. The amount of household and industrial waste removed from sites in Hampshire and going to landfill has been 13% in 2011, 12% in 2012, 9% in 2013, 8% in 2014, 10% in 2015, 15% in 2016, 13% in 2017 and 13% in 2018. The recent increase of the percentage of waste going to landfill corresponds to the decrease in recycling rates and to a parallel increase in waste going to incinerators. It also corresponds with significant changes in household and industrial waste tonnages, with a high of 4 million tonnes in 2014 compared to 2.1 million tonnes in 2018. In fact, the amount of waste going to landfill has slowly been reducing from around 400,000 to less than 300,000 tonnes, and it is the changes in the total waste have led to the differing percentages of waste going to landfill.
- 3.71 The reduction of the amount of waste going to landfill also corresponds to a reduction the waste landfill capacity in Hampshire, indicative of a general trend that less waste is going to landfill and therefore less landfill capacity is needed. This is discussed further under Policy 32.
- 3.72 Overall, it is difficult to assess the direction of travel of landfilled waste, however at no point has it yet reached the level of 95% that the Plan aims for. As additional recycling and recovery capacity has been delivered, whereas no new landfills have been provided, there is no indication that the Plan policies are not encouraging landfill diversion, even if the targets have not been reached.
- 3.73 Policy 27 (Capacity for waste management development) outlines the minimum capacity requirements for making provision for dealing with waste arising within Hampshire up to 2030.
- 3.74 The trigger for Policy 27 has not been met as there has been no net loss in waste management capacity. There are also monitoring indicators in place to track progress on waste management provision. These show that additional waste management

capacity is being provided to meet projected demand, although there has been a greater level of recovery provision rather than recycling.

- 3.75 Whilst the type of waste management provision is recovery rather than recycling, this provision is market driven which is something that the Waste Planning Authorities cannot influence. The required capacity levels in Policy 27 are also minimum amounts of provision.
- 3.76 Campaigns to change behaviour of local residents to increase recycling rates have also been put in place by the plan-making Authorities and although these are hoped to influence the level of recycling, are not planning issues.

Relevant national policy updates

- 3.77 The government's 25 Year Environment Plan (published January 2018) includes the goal of zero avoidable waste by 2050 and to transition towards a circular economy. Specifically, this involves doubling resource efficiency and minimising environmental impacts at products' end of life by; looking at the whole life-cycle to promote their recycling/reuse wherever possible.
- 3.78 The Resources and waste strategy for England (2018) sets out how the ambitions of the 25 Year Environment Plan can be realised in the sphere of waste and resource management. A variety of mechanisms are proposed including changes to waste collections, encouragements for implementing the waste hierarchy, introducing food waste targets and improving data collection. Some of these could have wide ranging implications on how waste is collected and managed, making planning for waste facilities more difficult.
- 3.79 The goal of improving recycling rates is likely to be encumbered by China's ban on imported plastics. The UK exports almost two-thirds of its waste to China and waste management companies lack the capacity in the UK to dispose of recyclable materials appropriately. Furthermore, there is uncertainty post-Brexit, regarding how the UK will design future targets in areas such as recycling and landfill. Specifically, whether the European Union's Circular Economy Package (CEP) goals will be maintained, filtered or enhanced. Industry leaders are also uncertain whether sources of funding for companies that build more sustainable waste management facilities will be replaced. Additionally, the potential inability to export waste (particularly Refuse Derived Fuel) to the EU may impact on the profile of waste that needs to be disposed of within the UK.
- 3.80 In March 2018, the Government approved plans for a bottle and can deposit scheme in attempt to reduce pollution and increase recycling rates.

Should this issue be addressed?

- 3.81 There is a lack of ability of Waste Planning Authorities to influence markets and due to the UK leaving the EU and recent Government announcements on waste, there is

currently a high level of uncertainty over waste management provision requirements nationally.

- 3.82 The monitoring of Policy 25 suggests that the recycling target of 60% by 2020 is unlikely to be met. However, while increased recycling rates are the aim, the policy itself relates to the provision of waste management capacity as this is what the WPA can influence. Policy 27 sets out the specific required provision of waste management and within the 5-year period, sufficient capacity has been delivered, albeit more focused on recovery than recycling.
- 3.83 Policy 27 enables provision of waste management and as the requirements are set at a minimum, the policy is considered sufficiently flexible to allow additional waste management to be delivered, should this be required. The ability of the Policy to provide waste management has been monitored and is shown to be delivering capacity, however there may be ways to improve the ways waste is driven up the waste management hierarchy. Therefore, it is considered that this issue does need to be addressed through an update of the Plan.

RAG Review status

- 3.84 Whilst the policies are delivering the required level of capacity, the type of waste management could be better aligned with the waste hierarchy than is currently happening. It should be explored whether the policies (alone, in combination and/or in combination with other policies in the Plan) could do more to encourage driving waste up the waste hierarchy.

Amber

Energy recovery (Policy 28)

- 3.85 During the 7 years, there was variability in the number of sites and energy produced from energy recovery developments. 2016 saw a significant increase in the amount of energy produced, potentially due to improved reporting from sites. 2018 saw a drop in sites, but a slight increase in production (as the sites lost had not been operational). A variety of waste sites produce energy including landfill sites, energy from waste facilities, waste water treatment works, combined heat and power and anaerobic digestion sites.
- 3.86 Policy 27 (Capacity for waste management development) outlines the minimum capacity requirements for making provision for dealing with waste arising within Hampshire up to 2030. Monitoring of Policy 27 shows that whilst waste management provision is being made, more recovery development is being developed than recycling. It is worth noting that anaerobic digestion can be considered recycling under certain circumstances. Additionally, while non-hazardous landfill is not a preferred form of disposal, if it used, capturing the energy from leachate gases is the more sustainable option. Monitoring of Policy 28 suggests that, generally at a minimum, energy recovery development is producing electricity as the amount of energy produced is tracking the trend of the delivery of sites.
- 3.87 Energy recovery helps to divert waste from landfill. However, despite the increase in energy recovery development, the amount of waste being diverted from landfill is not yet reaching the target of 95% (see Policy 25).

Relevant national policy updates

- 3.88 As part of their strategy to improve the management of residual waste, the Government have set out in their 25 Year Environment Plan³¹, aims to explore methods of cutting carbon dioxide emissions from Energy from Waste (EfW) facilities. These include managing the amount of plastics in the residual waste stream and also increasing the use of heat produced through better connections to heat networks. They are also looking at managing residual waste beyond electricity, in the production of biofuels.
- 3.89 Improving energy efficiency to reduce emissions of air pollution and carbon is also a goal in the Government's recent draft Clean Air Strategy, which will sit alongside the Environment Plan.
- 3.90 The Resources and waste strategy (2018)³² has particular provisions for waste collection and food waste which may have further implications for recovery facilities and, in particular, anaerobic digestion.

³¹ 25 Year Environmental Plan (2017) - <https://www.gov.uk/government/publications/25-year-environment-plan>

³² Resource and waste strategy for England (2018) - <https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>

Should this issue be addressed?

- 3.91 Although during the 7-year period, the provision of energy recovery development has been varied, monitoring data suggests that at a minimum, sites are producing electricity which can be considered renewable. Therefore, it is considered that this issue does not need to be addressed through an update of the Plan.

RAG Review status

- 3.92 The wording of the policy does not need to be updated.

Green

Locations and sites for waste management (Policy 29)

- 3.93 During the 7-year period, two planning permissions have been permitted that are contrary to Policy 29.
- 3.94 One of these permissions had the special circumstance of being very close to the waste produced³³ and the other was a certificate of lawful use where it is a matter of regularising an existing use³⁴. The exceptional nature of these permissions indicates that the problem was not the policy itself.
- 3.95 Plan practitioners have raised concerns regarding the wording and definitions contained within Policy 29. In particular, the highway element of the policy which includes terms 'good transport connections' and 'local' were highlighted as presenting issues as the terminology is open to interpretation. Additionally, phrases such as 'special need' and curtilage have previously encountered objections. This has led to difficulties where the policy is tested and placed under scrutiny.

Relevant national policy updates

- 3.96 There are no policy updates that have been identified relevant to the locational criteria for waste sites.

Should this issue be addressed?

- 3.97 During the 7 years, only two permissions have been granted contrary to Policy 29, both considered exceptions either due to a specific waste or the Certificate of Lawful Use permission process. Greater scrutiny has also shown that in some circumstances, the lack of clarity of the terminology used within the Policy has led to difficulties in implementation.
- 3.98 It is recognised that the policy would benefit from clarification of these terms, but it is not considered necessary to update the Plan in order to make these improvements. Therefore, it is considered that this issue does not need to be addressed through an update of the Plan.

RAG Review status

- 3.99 The wording of the policy would benefit from clarification which should be kept under review.

Amber

³³ Breamore Marsh, Breamore Estate Lane, Nr Fordingbridge SP6 2DF: 14/11272

³⁴ Stapeley Manor Farm, Long Lane, Odiham, Hook Hampshire RG29 1JE: 14/01791/CMA

Construction, demolition and excavation waste development (Policy 30)

- 3.100 Policy 30 aims to encourage beneficial uses for construction, demolition and excavation (CDE) waste. A considerable amount of CDE reuse and recycling happens on site or at exemption sites, in ways that are not part of the waste management regime. There may be a case for measuring sales of CDE and amounts used beneficially, however consideration would need to be given about the remit of the waste planning regime. The existing indicator may align better with Policy 18 (Recycled and secondary aggregate development).

Relevant national policy updates

- 3.101 Nationally there has been a slight adjustment to which beneficial uses of inert material are considered recovery and which are classed as inert landfill.

Should this issue be addressed?

- 3.102 This policy needs to be viewed in combination with Policy 18 (Recycled and secondary aggregate development) to avoid repetition and to focus on the stated aims of the policy, namely, to promote beneficial outcomes for the use of inert CDE waste.
- 3.103 Work has been ongoing at a regional level, through the South East Waste Planning Group, to improve understanding of beneficial uses of inert waste and this work should be incorporated in future updates of the policy.
- 3.104 The current indicator shows a declining trend from a high of 2 million tonnes recycled and recovered inert waste in 2015, to just over 1 million tonnes in 2018. In addition to the need to explore the appropriateness of the indicator and the interactions with Policy 18, it is considered that this issue does need to be addressed through an update of the Plan.

RAG Review status

- 3.105 The wording of the policy would benefit from clarification on its purpose and more suitable monitoring and indicators to determine the extent of beneficial outcomes should be explored.

Red

Long-term safeguarding (Policy 34)

- 3.106 During the 7-year period, there has only been one occurrence where a planning permission has been granted in a safeguarded area (application 14/00865/OUT, Land at Chapel Hill, Kingsclere, Basingstoke was permitted affecting Basingstoke Sidings).
- 3.107 However, although the site is an 'existing' siding (as per (v) of Policy 34), the site is included in the HMWP as an allocation and therefore, is monitored under Policy 16 (Safeguarding – minerals infrastructure).
- 3.108 None of the listed areas in Policy 34 have been subject to safeguarding consultations.
- 3.109 The Mineral Planning Authority continues to engage the Local Planning Authorities with regards to Safeguarding. In addition, a Minerals and Waste Safeguarding Supplementary Planning Document (adopted in February 2016) was produced to further assist ongoing engagement.

Relevant national policy updates

- 3.110 Although not National Policy, in 2016, the Port of Southampton Port Master Plan – Consultation Draft was published by Associated British Ports (ABP)³⁵. The draft Master Plan covers 2016 to 2035 and outlines the proposals for the strategic land reserve at Dibden Bay.
- 3.111 This area is referred to as “land located to the north west of Hythe” in part (i) of Policy 34. As these expansion proposals are progressed by ABP, the draft Port Master Plan makes specific reference to Policy 34 of the HMWP (see para. 3.22).

Should this issue be addressed?

- 3.112 The permission granted contrary to safeguarding advice is not considered relevant to Policy 34 in this instance. The draft Port Master Plan produced by ABP does recognise the relevance of the HMWP and specifically Policy 34. Therefore, it is considered that this issue does not need to be addressed through an update of the Plan.

RAG Review status

- 3.113 The wording of the policy does not need to be updated.

Green

³⁵Port of Southampton Port Master Plan 2016-2035: Consultation Draft (Associated British Ports, 2016) - <http://www.southamptonvts.co.uk/admin/content/files/New%20capital%20projects/Master%20Plan%202016/Master%20Plan%202016%20-%20202035%20Consultation%20Document%20Oct%202016.pdf>

Summary of Review status

Policy Number & Title	RAG status
Policy 5: Protection of the countryside	Green
Policy 15: Safeguarding - mineral resources	Green
Policy 17: Aggregate supply - capacity and source	Red
Policy 18: Recycled and secondary aggregates development	Red
Policy 23: Chalk Development	Green
Policy 25: Sustainable waste management	Amber
Policy 27: Capacity for waste management development	Amber
Policy 28: Energy recovery development	Green
Policy 29: Locations and sites for waste management	Amber
Policy 30: Construction, demolition and excavation waste development	Red
Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure	Green

4. Issues to be reviewed and may need to be addressed

- 4.1 This section explores in more detail the issues identified through the Monitoring Reports (MRs).
- 4.2 Consideration is given to the circumstances around the short-term breaches that may have occurred or the trends that have raised an issue with delivery.
- 4.3 Where comments have been raised by Plan practitioners (namely Development Management or Policy officers) on the implementation of the relevant policy these are also outlined.
- 4.4 A RAG (Red, Amber, Green) Review status and review update requirement is provided for each policy and is determined as follows:

Review shows that the policy does not need to be updated.	Green
Review shows that the policy does need to be updated with additional allocations, where possible.	Amber
Review shows that the policy requirements need to be updated.	Red

Community benefits (Policy 14)

- 4.5 In the past seven years, no major applications have resulted in community benefits. Therefore, the percentage of applications is less than 50%.
- 4.6 However, implementation of this policy has highlighted that it does not relate directly to work done by the Minerals or Waste Planning Authority (MWPA) as it refers to bilateral agreements that do not include the MWPA. The policy provides more of a position in support of these separate agreements.
- 4.7 It is also difficult to monitor on an annual basis as such agreements can take time to be established and implemented and lie outside of the planning process. There is also no obligation for such agreements to be reported to the MWPA.

Relevant national policy updates

- 4.8 In 2016, the Government announced a community benefits funding scheme for host communities for shale gas - Shale Wealth Fund. In addition, the shale gas industry sets out its commitment to community engagement in its Charter. The Charter sets out what communities can expect from companies developing shale in their areas. This includes a commitment to a package for communities that host shale development which includes £100,000 in community benefits per well-site where fracking takes place (at exploration stage), 1% of revenues will be paid out to communities (at production). However, in November 2019, the Government placed a moratorium on fracking following the publication of scientific analysis which found that it is not currently possible to accurately predict the probability or magnitude of earthquakes linked to fracking operations.

Should this issue be addressed?

- 4.9 It is considered that this issue does need to be addressed through an update of the Plan. The Policy should be removed as the support for community engagement is already provided in the supporting text of Policy 1 (Para. 3.4).

RAG Review status

- 4.10 The Policy needs to be removed and further clarification provided in Para. 3.4.

Red

Aggregate wharves and rail depots (Policy 19)

- 4.11 Policy 19 seeks to ensure that there is sufficient wharf and rail capacity for the importation of marine-won sand and gravel and other aggregates. Capacity is to be provided by existing sites, allocated sites and criteria for determining new proposals.
- 4.12 The level of capacity of both wharves and depots during the 7-year period are declining with no significant change between 2015 and 2017. However, in 2018, rail depot capacity has increased slightly, and wharf capacity has declined further.
- 4.13 In relation to wharves, the monitoring trigger is a reduction of more than 256,000 tonnes per annum (10% of 2.56 mtpa). A significant reduction (350,000 tpa (top estimate)) occurred during 2014-2015 with the loss of Tipner Wharf which was considered unsuitable for wharf operations.
- 4.14 It should be noted that from 2016, capacity has been surveyed through the Aggregate Monitoring (AM) survey. Prior to receipt of this data, capacity had been judged on the highest level of sales in previous years. It is recognised that circumstances may change at sites over time which can impact on capacity and it is believe this is what has resulted in the reduction of capacity. In addition, a poor response rate from the wharves in 2018 (1/6 return) may be the cause for the further decline in capacity, as sales figures were used where data was absent.
- 4.15 Tipner Wharf in Portsmouth has now been redeveloped. This regeneration proposal was recognised in the HMWP and therefore, the site was not safeguarded.
- 4.16 It should also be noted that an application was submitted to extend Kendalls Wharf in Portsmouth³⁶. However, this application has stalled as the proposed compensation measures have not been approved by Natural England.
- 4.17 No new wharf sites have been proposed. However, the safeguarded area 'land located to the north west of Hythe' (also known as Dibden Bay) has been included as a strategic land reserve in the Port of Southampton Port Master Plan – Consultation Draft which was published by Associated British Ports (ABP)³⁷ in 2016. The draft Master Plan covers 2016 to 2035 and recognises that the strategic land reserve is safeguarded through Policy 34 (see 'Safeguarding potential minerals and waste wharf and rail depot infrastructure' (Policy 34). Should this proposal come forward, consideration will need to be given to the provision of a minerals (and possibly waste) wharf as part of the development. This could have wider implications for existing wharves in the Southampton area. Should the capacity be viewed as a replacement to existing wharf capacity, these sites may be viewed as potential waterside regeneration sites.

³⁶ Kendalls Wharf Application - <http://publicaccess.portsmouth.gov.uk/online-applications/applicationDetails.do?keyVal=OWVWPNM0HRB00&activeTab=summary>

³⁷Port of Southampton Port Master Plan 2016-2035: Consultation Draft (Associated British Ports, 2016) - <http://www.southamptonvts.co.uk/admin/content/files/New%20capital%20projects/Master%20Plan%202016/Master%20Plan%202016%20-%202035%20Consultation%20Document%20Oct%202016.pdf>

- 4.18 In relation to rail depots, the monitoring trigger is a reduction of more than 130,000 tonnes per annum in capacity (10% of 1.3 mtpa). A significant reduction occurred during 2014-2015. As there was no change in the number of sites, it is assumed that this was due to changes to the operations on the site leading to reports of reduced capacity. In addition, in 2018, Kendall's rail depots were taken over by Aggregate Industries. This may explain the change in capacity reported through the AM survey.
- 4.19 There are two allocated aggregate rail depot sites in the HMWP: Basingstoke Sidings; and Micheldever Sidings. Whilst there has been some limited interest raised regarding Basingstoke Sidings in the 7-year period, no formal discussions have been held or applications submitted for either of the allocations.
- 4.20 Micheldever Sidings has featured in previous plans but has not come forward for development.

Relevant national policy updates

- 4.21 In 2016, the Government announced a programme of development of railway stations and surrounding land to deliver homes and jobs to boost local growth³⁸. Network Rail and the Homes and Communities Agency will work with local councils to identify development opportunities with the ambition of delivering 10,000 new homes. Proposals have already been drawn up in York, Taunton and Swindon to deliver housing and regeneration. In order to release land for regeneration, Network Rail will need to provide evidence to the Office of Rail and Road that the land is no longer required for the railway.
- 4.22 The NPPF states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of transport modes'³⁹.
- 4.23 The drive for delivering homes and jobs at railway stations may create competition on land near railways. This may lead to an increase in pressure on safeguarding existing or allocated minerals and waste sites in these locations.

Should this issue be addressed?

- 4.24 Policy 19 supports aggregate wharf and rail depot development to ensure sufficient capacity to meet requirements and new wharf or rail depot development is supported through the criteria contained in Part 3 of Policy 19. However, further opportunities may be available.

³⁸ Government Press Release - <https://www.gov.uk/government/news/regeneration-of-stations-set-to-deliver-thousands-of-new-properties-and-jobs>

³⁹ NPPF (Para. 103) - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

- 4.25 Therefore, it is considered that this issue does need to be addressed by exploring further site options through an update of the Plan. However, the wording does not necessarily need to be updated as the existing policy makes provision for further development to address any shortfall in reserves.

RAG Review status

- 4.26 The wording of the policy does not need to be updated but site options should be explored through an update of the Plan.

Amber

Local land-won aggregate (Policy 20)

- 4.27 Policy 20 seeks to maintain of the landbank for 7 years of permitted reserves of sand and gravel through: the extraction of remaining reserves at permitted sites as listed; extensions to specific sites listed; new listed sand and gravel allocations; and new proposals which meet the criteria in 20 (4).
- 4.28 The landbank is monitored annually to ensure that sufficient supply is provided. The monitoring trigger is a breach of the 7 years over two years. The landbank dropped below the target in 2016 and has remained below the 7 years requirement (calculated against the Local Requirement rate). Therefore, the provision specified in the NPPF of at least seven years⁴⁰ has not been met.
- 4.29 Part 2 and 3 of Policy 20 outline specific sites which have been allocated as being suitable for development. Table 5 highlights the status of each of the allocations, as of September 2020.

Table 5: HMWP Allocation status in 2018

Site	Proposal	Permitted?	Other information
Bleak Hill Quarry extension	Sand & gravel extraction	Yes ⁴¹ Subject to legal agreement	Awaiting completion of legal agreement following determination at Regulatory Committee on 16 September 2020.
Bramshill Quarry extension	Sand & gravel extraction	No	No response provided.
Cutty Brow	Sand & gravel extraction	No	Application not currently anticipated.
Forest Lodge Home Farm	Sand & gravel extraction	Yes ⁴²	Extraction commenced with completion of restoration expected by 11 July 2027.
Hamble Airfield	Sand & gravel extraction	No	Application expected mid 2021
Purple Haze	Sand & gravel extraction and reserve landfill	No	EIA scoping received 17 June 2020 and public engagement is being undertaken by the applicant. An application is expected in the near future ⁴³ , early 2021.

⁴⁰ NPPF (Para. 207) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁴¹ Bleak Hill Quarry Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=20535>

⁴² Forest Lodge Farm Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=17774>

⁴³ Source: Correspondence with David Jarvis Associates on behalf of the Somerley Estate (18/06/2018)

Roeshot	Sand & gravel extraction	Yes ⁴⁴ Subject to legal agreement	Awaiting completion of legal agreement following determination at Regulatory Committee on 19 June 2019.
---------	--------------------------	---	---

- 4.30 Policy 20 recognises that there is a shortfall in supply despite the allocated sites and this is expected to be met through unplanned opportunities. During the 7-year period, the opportunities in Table 6 have contributed to (or may) sand and gravel supply.

Table 6: Unplanned opportunities

Site	Proposal	Permitted	Other information
Kingsley Quarry Extension	Soft sand and silica sand extraction	Yes ⁴⁵	Granted on 18 March 2020 with completion of restoration expected by 18 March 2031. Estimated 994,000 tonnes of silica sand.
Downton Manor Farm Extension	Sand & gravel extraction	Yes ⁴⁶	Granted on 18 April 2018 with completion of restoration expected by 18 April 2034. Extraction area extended by 18.4 ha. Estimated tonnage of 760,000 tonnes of sand and gravel, at an extraction rate of between 70,000 – 150,000 tonnes per year.
Roke Manor Farm Extension	Sand & gravel extraction	Yes ⁴⁷	Granted on 11 October 2018 Extraction area extended by 2.7 ha. Estimated tonnage of 50,000 tonnes of sand and gravel.
Frith End Quarry	Importation of aggregate.	Yes ⁴⁸	Importation, handling and re-sale of soft sand from Whitehill Bordon Relief Road scheme. Estimated tonnage of 0.048Mt.
Five Oaks Farm	Soft sand and restoration	No. Application currently being determined, validated 07 July 2020	Up to 230,000 tonnes of soft sand with 435,000 tonnes of infill.

⁴⁴ Roeshot Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=17204>

⁴⁵ Kingsley Quarry Extension Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=19368>

⁴⁶ Downton Manor Farm Extension Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=18645>

⁴⁷ Roke Manor Farm Extension Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=18831>

⁴⁸ Frith End Application - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=19598>

- 4.31 Alongside the known opportunities outlined in Table 6, on-going discussions are taking place with the districts and boroughs regarding their proposed Local Plan housing allocations and opportunities for prior extraction including Eastleigh Borough Council and East Hampshire District Council. New Forest District Council recently adopted (July 2020) Part 1 (Planning Strategy) of its Local Plan. The Local Plan includes a number of sites within the Minerals Safeguarding Area and the Plan makes specific requirement for Mineral Resource Assessments. Opportunities to engage in further plan preparation with Hampshire's other districts and boroughs will be sought as plan preparation commences.
- 4.32 Whilst the landbank has been below the required 7 years since 2016, it should be noted that, permission was granted for Roeshot in 2019 (subject to legal agreement) therefore, this will increase the reserves for 2019 (3 million tonnes). Bleak Hill Quarry application (0.5 million tonnes) was submitted in 2019 and is yet to be determined. Applications are anticipated for Purple Haze (4.0 million tonnes) and Hamble Airfield (1.5 million tonnes) in 2021.
- 4.33 Each of these proposals, should they all be approved, will have a positive impact on the landbank by increasing the permitted reserves. Although it should be noted that there can be delays to commencement of extraction and therefore, reserves elsewhere will be depleted prior to these proposals contribute to supply. It is also currently unknown what impact the current recession and exit from the European Union will have on construction supply and demand.
- 4.34 Part 4 of Policy 20 seeks to support further development proposals to ensure the maintenance of the landbank provided they meet the criteria. Part 4 (a) requires a demonstration that the existing allocations cannot deliver the landbank and / or the proposal maximises an existing quarry. Part 4 (b) supports prior extraction, Part 4 (c) supports proposals for a beneficial use and Part 4 (d) supports proposals for a 'specific local requirement'.
- 4.35 The HMWP states that soft sand supply will be provided by remaining reserves and new allocated sites, including:
- a. Permitted sites:
 - i. Blashford Quarry (including Plumley Wood / Nea Farm), Ringwood
 - ii. Frith End Sand Quarry, Sleaford
 - iii. Kingsley Quarry, Kingsley
 - b. Allocated sites:
 - i. Forest Lodge Home Farm, Hythe
 - ii. Purple Haze, Ringwood Forest
- 4.36 It should be noted that the Kingsley extension is for the supply of silica sand not soft sand and therefore, does not increase the landbank for soft sand.
- 4.37 The Purple Haze is the last remaining soft sand allocation and would serve the south-west Hampshire/Dorset/Christchurch market rather than the north Hampshire market (subject to permission).

- 4.38 Within Hampshire, soft sand reserves are scarce and are concentrated in a small number of areas, in contrast to reserves of sharp sand and gravel which are more widely distributed.
- 4.39 Soft sand is currently extracted in western Hampshire from Nea Farm (Plumley Wood) in Ringwood Forest and east Hampshire at Frith End and Kingsley. As with sharp sand and gravel sites, the soft sand sites supply all of Hampshire as well as some adjacent market areas.

Relevant national policy updates

- 4.40 Although not national policy, the Minerals Products Association published the UK Minerals Strategy in 2018⁴⁹. The Strategy seeks to highlight the link between the need for more housing and infrastructure and the supply chain of minerals that enables them to be delivered. It states that a demand in supply is likely to increase and that permitted reserves are declining and not replenishing at an equivalent rate to enable a steady supply. The Strategy also identifies that some local shortages of minerals are already evident including certain sands and this issue is likely to increase further.
- 4.41 In relation to planning and regulation, the UK Strategy highlights that it can take up to 15 years from identifying a potentially viable resource to securing planning permission. Therefore, the Strategy states that up-to-date development plans are required to provide certainty for operators to invest in development.

Should this issue be addressed?

- 4.42 The 2018 Local Aggregate Assessment reported that the local requirement landbank has been below 7 years since 2016. Whilst it is recognised that the applications have not yet been determined, there are applications (both for allocations and for unplanned opportunities) in the pipeline which indicates that Policy 20 is encouraging development to maintain the landbank.
- 4.43 The promoters of most of the remaining allocations have suggested that these will come forward during the remaining life of the Plan. Policy 20 supports further proposals for new sites to meet the landbank should monitoring indicate that the sites listed within the Policy are unlikely to be delivered.
- 4.44 Therefore, whilst the landbank for both sharp sand and gravel and soft sand are below the required 7 year minimum, the pipeline applications suggest that the policy is not preventing applications being forthcoming but is likely to be with the forecasted capacity requirements outlined in Policy 17 (Aggregate supply – capacity and source).
- 4.45 The existing policy does seek to enable development to maintain the landbank. However, in addition to consideration of the required capacity, further opportunities for extraction should be explored to provide more certainty of supply for both soft sand and sharp sand and gravel.

⁴⁹ UK Minerals Strategy (2018) - http://www.mineralproducts.org/documents/UK_Minerals_Strategy.pdf

- 4.46 Therefore, it is considered that this issue does need to be addressed by exploring further site options through an update of the Plan. However, the wording does not necessarily need to be updated as the existing policy makes provision for further development to address any shortfall in the landbank.

RAG Review status

- 4.47 The wording of the policy does not need to be updated but site options should be explored through an update of the Plan.

Amber

Silica sand (Policy 21)

- 4.48 Silica sand, also known as industrial sand, is used by the construction industry (as a non-aggregate) for a range of specialist uses but also high value industrial applications such as glass and chemical manufacture, water filtration and recreational uses.
- 4.49 The National Planning Policy Framework (NPPF) identifies silica as a mineral of local and national importance⁵⁰. Furthermore, the NPPF requires MPAs to plan for a steady and adequate supply of industrial minerals. This includes the provision of a stock of permitted reserves of at least 10 years for individual silica sand sites⁵¹.
- 4.50 There are two permitted sand and gravel quarries in Hampshire which provide silica sand: Frith End Quarry and Kingsley Quarry. It is acknowledged that resources at Kingsley and Frith End have properties with silica sand uses. However, historical data identified the quarries as soft sand only.
- 4.51 Data on silica sand has only been available since 2013. Due to confidentiality, sales data cannot be reported individually and therefore, a three-year average has been applied which shows a decrease in sales during this period. Based on the three-year average (2016-2018), collectively, the permitted reserves amounted to 3 years and based on 2018 sales was only 2.5 years. These figures fall significantly short of the 10 years of permitted reserves at each site required by the NPPF.
- 4.52 The resources at Frith End and Kingsley can be classed as soft sand or silica, any sales of the resources as non-aggregate (silica) depletes the soft sand reserves (see 'Aggregate supply – capacity and source' (Policy 17)). However, it should be noted that although the resources can be classed as silica, the current use of the sand is not currently for industrial purposes. The main use of the silica sand at Kingsley is for sports surfaces⁵².
- 4.53 The majority of resources which have silica sand properties in Hampshire are found either within or very close to the South Downs National Park. National Policy states that great weight should be given to National Parks and planning permission should be refused for major development except in exceptional circumstances⁵³.
- 4.54 In March 2020, permission was granted for an extension to Kingsley Quarry⁵⁴ which falls just outside of the National Park. This permission provides 994,000 tonnes of silica sand.

⁵⁰ NPPF (Annex 2: Glossary) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁵¹ NPPF (Para. 208 (c))

⁵² Planning Statement (supporting Kingsley Quarry Extension Application (May 2018))

⁵³ NPPF (Para. 172)

⁵⁴ Application No: 51188/003 - <https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=19368>

- 4.55 Applying the three-year average sales (which also includes Frith End and therefore, is assumed to be higher than the actual sales), the proposal increases the permitted reserves of the Kingsley site to over 10 years. However, the permitted reserves at Frith End would remain below 10 years.
- 4.56 In 2017, a national silica sand group was established to meet the requirements of the NPPF which required 'co-operating with neighbouring and more distant authorities to co-ordinate the planning of industrial minerals to ensure adequate provision is made to support their use in industrial and manufacturing processes'⁵⁵. Hampshire County Council is an active member of this group.

Relevant national policy updates

- 4.57 No relevant policy updates.

Should this issue be addressed?

- 4.58 The existing policy does seek to enable development to maintain permitted reserves provided that 'proposals do not have an unacceptable environmental or amenity impact either alone or in combination with other plans or projects'. However, further opportunities may be available.
- 4.59 Therefore, it is considered that this issue does need to be addressed by exploring further site options through an update of the Plan. However, the wording does not necessarily need to be updated as the existing policy makes provision for further development to address any shortfall in reserves.

RAG Review status

- 4.60 The wording of the policy does not need to be updated but site options should be explored through an update of the Plan.

Amber

⁵⁵ NPPF (Para. 208) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733637/National_Planning_Policy_Framework_web_accessible_version.pdf

Brick-making clay (Policy 22)

- 4.61 The National Planning Policy Framework (NPPF) identifies brick clay as a mineral of local and national importance⁵⁶. Furthermore, the NPPF requires MPAs to plan for a steady and adequate supply of industrial minerals. This includes the provision of a stock of permitted reserves of at least 25 years⁵⁷.
- 4.62 Hampshire has two local brickworks: Michelmersh, near Romsey and Selborne in the South Downs National Park. These brickworks produce bricks from local brick-making clay, although only Michelmersh is currently operational.
- 4.63 In 2014, permission was granted for the extension site allocated in the HMWP and extraction commenced in 2017. This led to a significant increase in permitted reserves. However, despite a relative improvement in permitted reserves in recent years, the 25 years has not and will not be achieved.
- 4.64 Selborne brickworks does not have a current operational clay reserve and there is no activity at this site.

Relevant national policy updates

- 4.65 The NPPF (2019) introduced a new criterion (208 (d)) in relation to the provision of brick clay for industrial purposes. The criteria states that Minerals Planning Authorities should 'take account of the need for brick clay from a number of different sources to enable appropriate blends to be made'⁵⁸.

Should this issue be addressed?

- 4.66 It is recognised that Michelmersh (and Selborne) do not currently collectively contain 25 years permitted reserves. However, the permission at Michelmersh has increased the permitted reserves at this site significantly. It is considered unlikely, based on the work undertaken during the preparation of the HMWP, that further suitable resources are available in the locality of the brickworks.
- 4.67 It is not anticipated that Selborne will operate as brickworks in the near future. Its potential to commence production within the Plan period is unknown and will depend on obtaining the relevant planning permissions.
- 4.68 The existing policy does seek to enable development to maintain permitted reserves provided that the site allocations are not deliverable (the Michelmersh allocation is currently being delivered and there is no evidence to suggest that the Selborne

⁵⁶ NPPF (Annex 2: Glossary) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁵⁷ NPPF (Para. 208 (c))

⁵⁸ NPPF (Para. 208 (d))

allocation will be delivered in the near future) and that there is a 'demonstrable need for the development' and / or the 'extraction of brick-making clay is incidental'.

- 4.69 Whilst it could be argued that further allocations should be identified to provide certainty of supply at Michelmersh, work undertaken to support the HMWP highlighted that alternative site options in the area are limited due to availability of suitable resources. Policy 22 currently makes provision for the need for clay extraction outside of the sites identified and therefore, can enable the supply of brick clay from different sources should this be required for blending.
- 4.70 Therefore, it is considered that this issue does need to be addressed by exploring further site options through an update of the Plan. However, the wording does not necessarily need to be updated as the existing policy makes provision for further development to address any shortfall in reserves.

RAG Review status

- 4.71 The wording of the policy does not need to be updated but site options should be explored through an update of the Plan.

Amber

Non-hazardous landfill (Policy 32)

- 4.72 Policy 32 supports landfill development to enable the capacity necessary to deal with Hampshire's waste to 2030. This is expected to be provided at: remaining permitted capacity at existing listed sites; additional capacity at listed sites; and additional capacity at other suitable sites that accord with the criteria.
- 4.73 Whilst the majority (95%) of household waste is diverted from landfill, the remaining amount still needs to be landfilled. Therefore, sufficient landfill capacity is required to meet these needs in the near future. In the longer term, technological solutions may deliver an alternative treatment option.
- 4.74 At the time the HMWP was prepared, it was estimated that there was 8 years of remaining capacity which would be exhausted by 2018/19⁵⁹. In line with the absence of new provision of landfill there has been a declining trend in the lifetime of landfill capacity, with a low point in 2017 (2.4 years). In 2018 this increased to 3.7 years as reduced amounts of waste were received at the remaining landfill in Blue Haze.
- 4.75 The lifetime of landfills is monitored annually to ensure that sufficient capacity is provided. The lifetime of landfill capacity dropped below 4 years in 2015 and has remained that way.
- 4.76 In 2016, Squabb Wood Landfill closed earlier than anticipated and is currently being restored. Squabb Wood is listed in Policy 32 in Part 1 (ii) as an existing site to provide remaining capacity and Part 2 (i) as the site that could provide additional capacity. The closure of the site means that the proposed extension of this site will not be implemented. This has been confirmed by the operator. With the early closure of the landfill both the remaining capacity at the site and any additional capacity that could have been provided have been lost.
- 4.77 Policy 32, Part 3 lists the allocated soft sand extraction Purple Haze as a reserve site for landfill. Purple Haze has not yet been permitted, though the site promoter has indicated that a planning application should be forthcoming in the near future. The current proposals for the site (at the scoping opinion stage) specifically make no provision for non-hazardous landfill. As the potential landfill capacity of this site could be up to 4 million tonnes this represents a significant loss of capacity and the loss of the only new landfill allocation.
- 4.78 The South East Waste Planning Advisory Group (SEWPAG) which is formed of all of the Waste Planning Authorities in the South East, has recognised that the early closing and lack of replacement of non-hazardous landfill is a regional issue and is currently preparing a Landfill Joint Position Statement. The issue partly represents the successful diversion of waste from landfill. The Statement of Common Ground prepared by SEWPAG recognises that there is likely to be a move towards regionally strategically landfill sites in the near future.

⁵⁹ Assessment of Need for Waste Management Facilities in Hampshire: Landfill and Surcharging Report (2012).

Relevant national policy updates

- 4.79 The National Planning Policy for Waste⁶⁰ (NPPW) sets out detailed waste planning policies to which local planning authorities need to have regard. The NPPW recognises that when preparing Waste Local Plans there is a need to drive waste management up the waste hierarchy whilst recognising the need for a mix of facilities as well as adequate provision for waste disposal⁶¹.
- 4.80 The Resources and waste strategy (2018) seeks to enable the circular economy, improve recycling rates, drive greater efficiency of energy from waste plants, as well as directly reduce plastic and food waste not being recycled. All of these proposed policy and legislative drivers have the potential to further reduce waste going to landfill.

Should this issue be addressed?

- 4.81 Policy 32 seeks to provide sufficient landfill capacity. The estimated capacity forecasts appear to be accurate with a slight increase in lifetime capacity in 2018. However, non-hazardous landfill capacity is recognised as a regional issue and is being addressed by Waste Planning Authorities through the creation of a Position Statements and Statements of Common Ground. Therefore, whilst the capacity is not meeting the required level of 4 years, it is recognised that there is existing provision in the policy that the market has chosen not to take up. As such, it is considered that this issue does not need to be addressed through an update of the Plan, however in the case of a Plan update the issue would need to be reviewed to ensure all appropriate steps are being taken.

RAG Review status

- 4.82 The wording of the policy does not need to be updated, however in the case of a Plan update the policy and evidence would need to be reviewed to see if further allocations are necessary and possible.

Amber

⁶⁰ National Planning Policy for Waste (2014) - <https://www.gov.uk/government/publications/national-planning-policy-for-waste>

⁶¹ NPPW (Para. 3).

Summary of Review status

Policy Number & Title	RAG status
Policy 14: Community Benefits	Red
Policy 19: Aggregate wharves and rail depots	Amber
Policy 20: Local land-won aggregates	Amber
Policy 21: Silica sand development	Amber
Policy 22: Brick-making clay	Amber
Policy 32: Non-hazardous waste landfill	Amber

5. Effectiveness of the Vision, Plan Objectives, Spatial Strategy & Key Diagram

- 5.1 It is recognised that Vision was considered briefly in the 2018 Review of the Plan but that the Plan Objectives, Spatial Strategy and Key Diagram were not addressed.

Vision

- 5.2 The Vision of the HMWP is 'Protecting the environment, maintaining communities and supporting the environment'. The purpose of the Vision was to reflect the pillars of sustainability.
- 5.3 The 2018 Review concluded that the Plan was delivering the Vision but the issues raised through this Review suggest that whilst the development policies which control development are working effectively, the delivery policies are not necessarily supporting the economy, particularly in relation to aggregate supply.
- 5.4 Achieving sustainable development is still at the core of the NPPF⁶² and therefore, the Vision is still relevant. However, since adoption of the Plan, many of the partner Authorities have declared climate emergencies, which requires a re-focus on how the Authorities plan for the future.
- 5.5 In addition, Hampshire County Council launched the Hampshire 2050 Commission of Inquiry which ran from May 2018 to October 2019 and explored future prosperity, quality of life, and protection and enhancement of the character and environment of Hampshire. The HMWP currently looks to guide minerals and waste decision-making up to 2030. As such, there is an opportunity to align the HMWP with the Hampshire 2050 Vision principles.
- 5.6 The wording of the Vision would also benefit from a clearer relevance to minerals and waste planning and the inclusion of geographical specificity.

Plan Objectives

- 5.7 A suite of Plan objectives is set out in the HMWP that are intended to deliver the Vision and Spatial Strategy. A table showing the relationship between the Plan's objectives and policies is set out in Appendix 1. The Table demonstrates that most of the objectives are addressed directly by the policies. Therefore, they are generally fit-for-purpose in delivery of the Vision through the policies as they currently stand. However, the review has highlighted that it is not clear how Policy 21 (Silica sand development) is addressed within the objectives as this is not an aggregate.

⁶² NPPF (Section 1) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

- 5.8 As this 2020 Review indicates that not all the policies are meeting their delivery objectives, then the Plan is also failing to meet its objectives to deliver the Vision.
- 5.9 Any update to the policies and/or Vision will require a further review of the Plan objectives. This would also ensure that they deliver the Vision in line with policy driver changes set out in Section 6, for instance in relation to biodiversity net gain and climate change. In addition, a review would ensure they are SMART⁶³. Plan readability would be improved with a clearer distinction between Plan Objectives and the Vision and Spatial Strategy.

Spatial Strategy & Key Diagram

- 5.10 The Spatial Strategy sets the context for the Plan's policies. It is important, therefore, that the Spatial Strategy is reviewed to ensure that the context it provides is up to date, for instance ensuring that it accounts for changes in areas of growth, resource demand, infrastructure and planned development.
- 5.11 Components of the Spatial Strategy are illustrated in the Key Diagram (Para. 2.47 of the Plan). The Key Diagram is a diagrammatic interpretation. However, a lack of definition elsewhere in the Plan has led to an assumption that the diagram represents boundaries for what should be a technical consideration. Policy 29 (Locations for waste management development) supports development to provide recycling, recovery and/or treatment of waste on suitable sites in "Areas along the strategic road corridors". Whilst it is not outlined as a definition of a "strategic road corridor", Para. 6.198 provides further guidance in that waste sites should be prioritised with "good transport connections to the strategic road network".
- 5.12 During an Appeal for Knowle Lane, the lack of definition of the strategic road corridor in Policy 29 meant that the applicant was seeking to determine whether the site was within the boundary of the strategic road corridor as shown on the Key Diagram⁶⁴. However, the Key Diagram illustrates the presumption of where the corridor would be by applying a 1-kilometre buffer to the Strategic Road Network but does not take into consideration "good connections". As such, clarification of how a strategic road corridor is defined would be beneficial for Para. 6.198 of the Plan.

⁶³ SMART: Specific, Measurable, Achievable, Realistic and Timely.

⁶⁴ See Planning Statement of Case (WYG) Para. 2.29 -

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=17123>

6. Policy change drivers

- 6.1 As outlined in the previous sections, there have been a number of Government policy publications, announcements and consultations which have and will have an impact on the HMWP policies. Where these relate to the policies outlined in sections 3 and 4, these have already been discussed. However, there are implications on other policies which are outlined in this section.
- 6.2 Implementation of the HMWP policies by development management practitioners has also highlighted areas where further clarification of the terminology outlined in the policies would make them more effective. Therefore, where these clarifications have not been addressed in sections 3 and 4, they are also outlined in this section.

NPPF (2019)

- 6.3 Following consultation by the Ministry of Housing, Communities and Local Government (MHCLG), the National Planning Policy Framework (NPPF), published in 2012 was subsequently revised in 2018 and 2019⁶⁵.
- 6.4 There is a discreet but strong encouragement given to local planning authorities to move towards strategic plan-making (para. 24). This is an improvement on the original NPPF, which focused on the preparation of single all-encompassing local plans containing both strategic and development management policies; which do not easily lend themselves to joint preparation with neighbouring authorities.
- 6.5 Linked to this is the strengthening of the duty to co-operate with the addition of a requirement for the preparation of statements of common ground. These are required to document the cross-boundary issues to be addressed and the progress in dealing with them.
- 6.6 Other NPPF revisions include (but are not limited to):
- additional guidance on securing net gains for biodiversity;
 - uses of land and developing green and brown field land;
 - greater emphasis on design of development;
 - additional guidance on the change of use of land in the Green Belt;
 - additional guidance on flood risk;
 - consideration of undeveloped coasts and public access to the coast;
 - additional guidance on designated landscapes;
 - consideration of ground conditions and impacts of air quality on natural environment; and
 - greater emphasis on energy security.
- 6.7 The NPPF (2019) has a direct impact on the implementation of all the policies within the Plan.

⁶⁵ NPPF (2019) - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Policy for Waste (2014)

- 6.8 The National Planning Policy for Waste (NPPW)⁶⁶ sets out detailed waste planning policies to which local planning authorities need to have regard. A framework for Local Plan preparation is provided as well as on the need for waste management facilities and suitable sites on which they should be located. In relation to the determination of applications, provision is made for the consideration of impacts of non-waste development on existing or allocated waste sites.
- 6.9 The NPPW outlines much of the policy previously contained within Planning Policy Statement (PPS)10 which informed the preparation of the HMWP. As such, the HMWP is in conformity with the NPPW. Should further update occur, appropriate reference will be made in the updated HMWP.

Planning Practice Guidance (2014 onwards)

- 6.10 Planning Practice Guidance (PPG) was launched in 2014 by Government, following the adoption of the HMWP, to support the interpretation and implementation of the NPPF and NPPW. This is a live web-based resource, updated as necessary by MHCLG. The PPG includes references to Statements of Common Ground and specifically outlines the requirement for a Statement of Common Ground to be prepared for minerals and waste plans⁶⁷.

River Basin Management Plan (2016)

- 6.11 Originally published in 2009, the South East river basin district River Basin Management Plan (RBMP) was updated in December 2015, published in February 2016⁶⁸ and approved by the Secretary of State for Environment, Food and Rural Affairs. An updated draft South East river basin district RBMP is being consulted on (October 2020 – April 2021) and will be published later in 2021.
- 6.12 The purpose of the RBMP is to provide a framework for protecting and enhancing the benefits provided by the water environment in line with the requirements of the Water Framework Directive. To achieve this, and because water and land resources are closely linked, it also informs decisions on land-use planning.
- 6.13 The ambitions of the RBMP are delivered at the river catchment scale. Since 2012, formal Defra recognised Catchment Partnerships were established for each Water Framework Directive (WFD) catchment across England, as part of the Government's Catchment Based Approach (CaBA). Eight of these catchments are wholly or partly within Hampshire. Over the last few years, each catchment Partnership has prepared

⁶⁶ National Planning Policy for Waste (2014) - <https://www.gov.uk/government/publications/national-planning-policy-for-waste>

⁶⁷ Planning Practice Guidance - <https://www.gov.uk/government/collections/planning-practice-guidance>

⁶⁸ South East River Basin Management Plan - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718337/South_East_RBD_Part_1_river_basin_management_plan.pdf

and updated a Catchment Action Plan for its respective catchment, which encapsulate a range of objectives and actions that reflect the ambitions of partners, including Hampshire County Council. Policies 2, 3, 9, 10, 11 and 31 are most closely aligned with the delivery of the RMBP through action at the Catchment level.

Clean Growth Strategy: Leading the way to a low carbon future (2017)

- 6.14 The Clean Growth Strategy⁶⁹ sets out a comprehensive set of policies and proposals that aim to accelerate the pace of “clean growth”, i.e. deliver increased economic growth and decreased emissions.
- 6.15 Policies 1 and 2 are most closely aligned with the policies and proposals in the Strategy.

The 25 Year Environment Plan (2018)

- 6.16 The 25 Year Environment Plan⁷⁰ sets out Government action to help the natural world regain and retain good health. It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fisheries management that puts the environment first. The Plan sits alongside the Government’s Clean Growth Strategy and Industrial Strategy.
- 6.17 The Plan strives to ensure that communities are “Using resources from nature more sustainably and efficiently” and “Minimising waste”. Great emphasis is placed on ‘natural capital’. The policies in the HMWP are aligned with the protection principles of this plan, particularly policies 2-6.
- 6.18 There is a noticeable change in focus to not only protect the natural capital that already exists but enhancing this where possible. This extra step is needed to increase resilience to climate change. Policy 9 of the HMWP is most closely aligned with this national policy change and may need strengthening to ensure mineral and waste development is aligned with national policy objectives. There is also a renewed emphasis on, not only conserving protected landscapes such as National Park and AONBs, but also enhancing them.
- 6.19 The detrimental effects of plastic on the environment have been widely covered in the press. The 25 Year Environment Plan sets out guidelines on how to transition to materials that can be recycled more easily leading to a reduction in overall waste. Policy 25, which relates to sustainable waste management, will need to encompass this change.

⁶⁹ Clean Growth Strategy - <https://www.gov.uk/government/publications/clean-growth-strategy>

⁷⁰ 25 Year Environment Plan - <https://www.gov.uk/government/publications/25-year-environment-plan>

- 6.20 The Plan sets clear policy direction on “embedding an ‘environmental net gain’ for development, including housing and infrastructure”; this not only includes action to work with interested parties and streamline environmental processes but to widen environmental gains to include flood protection, recreation and improved water and air quality.

Industrial Strategy: Building a Britain fit for the future - White Paper (2018)

- 6.21 The Industrial Strategy⁷¹ sets out ‘how we are building a Britain fit for the future’ – how businesses will be helped to create better, higher-paying jobs with investment in the skills, industries and infrastructure of the future. The Government’s ambitions in the white paper in relation to regenerative circular economy, waste and energy infrastructure are particularly relevant to Policies 1, 2, 18, 25, 28 and 30.

Resources and Waste Strategy (2018)

- 6.22 The strategy⁷² sets out how we plan to double resource productivity and eliminate avoidable waste of all kinds (including plastic waste) by 2050, by:

- preserving stocks of material resources by minimising waste;
- promoting resource efficiency and moving towards a circular economy;
- minimise the damage caused to our natural environment by reducing and managing waste safely and carefully; and
- dealing with waste crime.

The strategy gives a clear longer-term policy direction in line with the 25 Year Environment Plan.

- 6.23 Policies 1, 18, 30 and 32 of the HMWP are most closely aligned with this national policy change and may need to be strengthened.

Review of Designated Landscapes (2019)

- 6.24 Following the publication of the 25 Year Environment Plan and implementing one of its key ambitions, the Government launched a review (‘Glover Review’) of designated landscapes (National Parks and Areas of Outstanding Natural Beauty - AONB) in England⁷³. The review concluded in September 2019 with the publication of a report containing 27 wide-ranging recommendations that span integrated environmental and landscape management, planning protection, nature recovery, governance, sharing of expertise, strengthening of statutory purposes and the resourcing and public awareness of AONBs. Policy 4 of the HMWP is specific to the protection of protected

⁷¹ Industrial Strategy - <https://www.gov.uk/government/publications/industrial-strategy-building-a-britain-fit-for-the-future>

⁷² Resources and Waste Strategy 2018 - <https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>

⁷³ Landscapes Review - <https://www.gov.uk/government/publications/designated-landscapes-national-parks-and-aonbs-2018-review>

landscapes. The Government is expected to announce its response to the report in late 2020. With almost 40% of Hampshire's land area covered by designated landscapes, any associated legislative and policy guidance changes will necessitate a review of Policy 4.

South Inshore and South Offshore Marine Plan (2018)

- 6.25 This Marine Plan⁷⁴ has been prepared for the purposes of Section 51 of the Marine and Coastal Access Act 2009 and has been adopted with the agreement of the Secretary of State for Environment, Food and Rural Affairs.
- 6.26 The plan introduces a strategic approach to planning within the inshore and offshore waters between Folkestone in Kent and the river Dart in Devon, providing a clear, evidence-based approach to inform decision-making by marine users and regulators on where activities might take place within the marine plan area.
- 6.27 A number of policies within the Marine Plan are relevant to Policies 17 and 24 of the HMWP.

The Climate Change Act 2008 (2050 Target Amendment) Order 2019

- 6.28 The Order⁷⁵ updates the Climate Change Act 2008 by replacing its target with the 2050 Net Zero Emission target in relation to greenhouse gases. Policy 2 (climate change) of the HMWP is most closely aligned to this modification.
- 6.29 Following the declaration of a climate emergency by Hampshire County Council in June 2019, the council adopted a 2050 carbon neutral target.

Environment Bill (2020)

- 6.30 The Environment Bill⁷⁶ will put the environment at the centre of policy making. It will make sure that we have a cleaner, greener and more resilient country for the next generation. The Bill includes details on:
 - creating a new governance framework for the environment;
 - a new direction for resources and waste management;
 - improving air quality;
 - securing our water services;
 - enhancing our green spaces; and
 - updating laws on chemicals (REACH).

⁷⁴ South Marine Plan - <https://www.gov.uk/government/publications/the-south-marine-plans-documents>

⁷⁵ Climate Change Order - <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

⁷⁶ Environment Bill 2020 - <https://www.gov.uk/government/publications/environment-bill-2020>

- 6.31 The Bill introduces a new requirement for the Secretary of State to prepare a statutory Environmental Improvement Plan (EIP) and confirms that the Government's 25 Year Environment Plan (outlined above) will be the first EIP.
- 6.32 An important aspect of the Environment Bill is the power to set long-term, legally-binding environmental targets⁷⁷ to provide a strong mechanism to deliver long-term environmental outcomes, both to build upon progress towards achieving the long-term vision of the 25 Year Environment Plan and help tackle some of the serious challenges that remain. These targets will focus on matters which relate to the natural environment and people's enjoyment of it, including air quality, biodiversity, water, resource efficiency and waste reduction, and fine particulate matter (PM_{2.5}). These targets will be relevant to a range of HMWP policies and it will be necessary to reflect these changes in Plan policies, where relevant.

Biodiversity Net Gain

- 6.33 The 2018 revision of the NPPF (maintained in the current 2019 version) introduced guidance that "...plans should... identify and pursue opportunities for securing measurable net gains for biodiversity" and that when determining planning applications, local planning authorities should encourage "biodiversity improvements in and around developments..., especially where this can secure measurable net gains for biodiversity."
- 6.34 The Environment Bill, however, will introduce a mandatory Biodiversity Net Gain of 10% for most new developments. The Department for Environment, Food and Rural Affairs (Defra) through Natural England is currently testing its Biodiversity Metric 2.0⁷⁸ to quantify pre and post development biodiversity values to support the delivery of this requirement. Further consideration is being given to how the metric will be applied to minerals and waste development. Policy 3 of the HMWP is specific to the protection of habitats and species and will need to reflect this new requirement.

Fixing our broken housing market – Housing White Paper (2017)

- 6.35 This paper⁷⁹ re-evaluated the need and the way in which housing numbers are calculated in each local planning authority area.
- 6.36 This paper introduced the use of the statement of common ground as a way of evidencing joint working and the duty to cooperate which has been included in the revised NPPF.

⁷⁷ Environmental Bill: Environmental targets - <https://www.gov.uk/government/publications/environment-bill-2020/august-2020-environment-bill-environmental-targets>

⁷⁸ Natural England Biodiversity Metric - <http://publications.naturalengland.org.uk/publication/5850908674228224>

⁷⁹ Housing White paper - <https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

- 6.37 Whilst the introduction of statements of common ground does not directly impact the policies within the HMWP, statements would need to be drawn up between interested parties if an update to the Plan occurs.

Strategic Environmental Assessment Regulations

- 6.38 The screening thresholds for industrial estate development and urban developments were raised in 2015⁸⁰. This will impact the implementation of Policy 29 (Locations and sites for waste management).

The Town and Country Planning (General Permitted Development) (England) Order 2015⁸¹

- 6.39 This change included temporary permitted development rights in respect of change of use of some industrial premises to residential, from a B8 storage and distribution use under 500m² to residential use. The regulations require prior approval to be sought in respect of specific issues including 'Impact on the sustainability of adjoining uses'. This requirement should therefore ensure that mineral and waste sites remain adequately safeguarded against encroaching non-mineral uses. Therefore, this order is relevant to Policy 16 (Safeguarding – minerals infrastructure) and Policy 26 (Safeguarding – waste infrastructure).

Community Infrastructure Levy

- 6.40 The Government published updated guidance on the Community Infrastructure Levy (CIL) in 2014⁸².
- 6.41 The supporting text to Policy 1 (Sustainable minerals and waste development) refers to CIL. The charging of CIL is relevant to Southampton and Portsmouth City Councils. However, it is recognised that mineral extraction and some built facilities for waste management activities are exempt from paying charges.

Court Rulings

- 6.42 In April 2018, a court ruling by the European Court of Justice had a significant impact on Habitats Regulations Assessment (HRA). The People over Wind & Sweetman v Coillte Teoranta⁸³ had implications for developers and competent authorities in relation to plans and projects which are subject to HRA.

⁸⁰ SEA Guidance - <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

⁸¹ Came into force 23 May 2017

⁸² CIL Guidance - <https://www.gov.uk/guidance/community-infrastructure-levy>

⁸³ People over Wind Vs Sweetman Ruling - <http://curia.europa.eu/juris/document/document.jsf?text=&docid=200970&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=424528>

- 6.43 The effect of the ruling is that where previously, mitigation measures which may modify site selections or the boundary of a site to avoid any effects on European sites such as scheme design, buffer zones or restriction on operating hours, can no longer be considered at the Screening stage and must be 'screened-in' for further consideration. This means that an analysis of the measures capable of avoiding or reducing any significant effects on the site concerned must be carried out specifically at Stage 2 of the HRA process (Appropriate Assessment). The Habitat Regulations have been amended to reflect this change in the law⁸⁴.
- 6.44 Furthermore, the 'Wealden Judgement'⁸⁵ has implications for the use of thresholds (in this case in relation to air quality and HRA) at the Screening stage. Recent guidance from Natural England, developed following the requirements of this Judgment, advise that screening thresholds should be applied with consideration to impacts from individual proposed developments and with consideration to in-combination effects.
- 6.45 The HMWP was subject to HRA⁸⁶. The Sweetman and Wealden rulings, therefore, are likely to be relevant should an update of the Plan be required.

Government Oil and Gas Consultations

- 6.46 The Government consulted on proposed changes to the planning system which relate to shale gas in 2018. On the basis of the disturbance caused to residents living near Cuadrilla's Preston New Road site in Lancashire and latest scientific analysis, the government announced in November 2019 a moratorium on fracking until compelling new evidence is provided.
- 6.47 The government also confirmed that it will not be taking forward proposed planning reforms set out in the 2018 consultation for shale gas developments at this time. The implications for Policy 24 (oil and gas development) in the HMWP will need to be considered as part of an update.

Planning for the future - White Paper (2020)

- 6.48 The Ministry of Housing, Communities and Local Government (MHCLG) have consulted on proposals for reform of the planning system in England, contained in the white paper 'Planning for the future' (consultation ended October 2020)⁸⁷. The planning reform proposals are aimed at delivering a "significantly simpler, faster and more predictable system", although the detail is focussed on district local plans rather

⁸⁴ Habitats Regulations - <http://www.legislation.gov.uk/ukxi/2018/1307/contents/made>

⁸⁵ Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351.

⁸⁶ Hampshire Minerals & Waste Plan Assessment Under the Habitats Regulations: Habitats Regulations Assessment Record – Final (July 2013) - <http://documents.hants.gov.uk/planning-strategic/HMWPHRARRecordFINALSept2013.pdf>

⁸⁷ Planning for the future consultation - <https://www.gov.uk/government/consultations/planning-for-the-future>

than minerals and waste local plans. Proposed changes or options relevant to the HMWP include:

- A move from discretionary to rules based planning, with all areas of land categorised in local plans as either growth areas – “suitable for sustainable development”; renewal areas “suitable for development”; or areas that are “Protected”.
- A new role for local plans and a new process for making them, with local plans being “significantly shorter in length” and completed within 30 months, with ‘sanctions’ for authorities who fail to achieve this, and the potential option for self-assessment rather than Examination.
- Local plans to be assessed against a single statutory “sustainable development” test, replacing the existing tests of soundness.
- The Sustainability Appraisal system abolished and a simplified process for assessing the environmental impact of plans developed, which would continue to satisfy the requirements of UK and international law and treaties.
- The Duty to Cooperate test removed (although further consideration will be given to the way in which strategic cross-boundary issues can be adequately planned for).
- Remove or limit the role of general development management policies in local plans and instead rely on such policies derived at national scale, with local planning authorities producing required design guides and codes for a whole local authority area, or for a smaller area or site.
- Greater use of digital technology with a move to digital local plans incorporating interactive web-based mapping.
- Replace the existing developer contribution regimes (including CIL and S106) by a consolidated ‘Infrastructure Levy’.
- Amend the National Planning Policy Framework (NPPF).

6.49 Based on the outcome of the consultation, the Government will seek to bring forward legislation and policy changes to implement reforms. Although these changes may not significantly affect this review, subject to timescales, they may have significant implications for subsequent reviews and updates of the HMWP and, as such, the potential implications of these proposals need to be considered at this stage.

Changes to the Current Planning System consultation 2020

6.50 Published separately for consultation in parallel with the ‘Planning for the future’ white paper consultation is a further document - ‘Changes to the Current Planning System’⁸⁸, which sets out proposed short-term changes to improve the efficiency of the current planning system in certain areas and support economic recovery. The main proposals focus on the:

- standard method for assessing local housing need;
- delivering first homes;
- the small sites threshold; and
- extension of the current permission in principle regime.

⁸⁸ Changes to the current planning system - <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

- 6.51 By proposing changes to the methodology for assessing housing figures, with a focus on boosting housing supply, the outcome of this consultation may have implications for the demand for aggregates from the house building sector.

DRAFT

7. Review Workshop Outcomes

- 7.1 Following completion of the 2018 Review of the Hampshire Minerals & Waste Plan, a Review Workshop was held on 25th September 2019 to explore the issues raised in the Review.
- 7.2 The Workshop was attended by approximately 60 participants including representatives from the minerals and waste industry, statutory consultees, neighbouring minerals and waste planning authorities and from the wider south east, districts and boroughs and Members.
- 7.3 The Workshop was structured around presentations and round table discussion sessions. The agenda was as follows:

Introduction	
Hampshire Minerals and Waste Plan (HMWP) Review outcomes	<i>Melissa Spriggs, Strategic Planning, Hampshire County Council</i>
The changed policy landscape: NPPF, 25 Year Plan, Waste and Resources Strategy, Brexit	<i>Chris Murray, Strategic Planning, Hampshire County Council</i>
Sustainability issues: Climate change, biodiversity net gain, horizon scanning	<i>Garry King, Strategic Planning, Hampshire County Council</i>
Biodiversity net gain	<i>Kirsten Williamson, South Downs National Park Authority</i>
Round table discussion on how the HMWP addresses sustainability issues (<i>All</i>)	
Waste issues – Circular economy, recycling, landfill, sites	
Waste Resource Strategy	<i>Vicky Beechey, Project Integra</i>
Round table discussion on how the HMWP addresses waste issues (<i>All</i>)	
Mineral issues – Soft sand, sharp sand and gravel, wharves	
Soft Sand	<i>Jane Poole, Idris Consulting</i>
Marine aggregates	<i>Dr Ian Selby, University of Plymouth</i>
Round table discussion on how the HMWP addresses minerals issues (<i>All</i>)	

Key messages

- 7.4 The notes from the session are outlined in Appendix 2. However, a number of key messages were highlighted which can be used to inform this Review and the scope of the Plan update:

General messages

- 7.5 The issue of climate change was a key area of focus for many of the participants, especially in light of the climate emergency declaration.
- 7.6 It is was clear that due to the uncertainties over Brexit (and now arguably, the COVID-19 pandemic), the Plan needed to be future proofed and could be flexible in its approach. The potential for technological advances should also be taken into consideration.
- 7.7 There were a number of Government updates which had either happened or are known to be forthcoming. The Plan will need to take these into account, but it was also raised that guidance on how they are implemented was important, for example with biodiversity net gain.
- 7.8 It was felt that the Duty to Cooperate should be incorporated into the Review as well as more engagement with industry.
- 7.9 Lastly, whilst the Review looks at the effectiveness of the policies, it was also raised that the monitoring of the policies should be reviewed and the relevant triggers.

Minerals messages

- 7.10 Safeguarding was a key issue that was raised, particularly in relation to enabling prior extraction and also protecting capacity of the wharves.
- 7.11 When considering mineral supply, it was considered that this should be explored at a regional level and that greater emphasis should be placed on the annual Local Aggregate Assessment.
- 7.12 It was also considered that demand forecasts should take into account Local Plan delivery as well as infrastructure proposals.

Waste messages

- 7.13 In relation to waste, it was considered that there should be a wider focus on all waste streams, not just household waste.
- 7.14 It was also felt that a more detailed review was needed on data, the types of site (not just type of facility) but also how sites are delivered.
- 7.15 There was a call for more waste sites, such as resource parks, to be identified through the Plan but it was not clear where these would be located.

8. Compliance with National Policy

- 8.1 Guidance for Plan Review was issued by the Planning Advisory Service (PAS) in the form of a Local plan Route Mapper & Toolkit (Oct 2019)⁸⁹. The Toolkit is in two parts with Part 2 setting out the requirements for Local Plan Content. Completing the associated checklist ensures Local Plans are in compliance with the National Planning Policy Framework (NPPF).
- 8.2 As the checklist is geared towards all Local Plans, some parts are not relevant to Minerals and Waste Local Plans. Where relevant, these parts of the checklist have been struck out and highlighted as 'not applicable'. In addition, the checklist does not include compliance with the National Planning Policy for Waste (NPPW) (2014) which is relevant to Waste Local Plans and therefore, the requirements have been included.
- 8.3 The completed checklist is set out in Appendix 3. A RAG (Red, Amber, Green) Compliance status is provided for each policy and is determined as follows:

HMWP Policy is in compliance with NPPF/NPPF	Green
HMWP Policy is in general conformity with NPPF/NPPF but required refresh to ensure compliance.	Amber
HMWP Policy is silent on NPPF/NPPF requirements	Red

Key outcomes

- 8.4 The review of Local Plan Content compliance has demonstrated that on the whole the HMWP is in compliance and is not silent on any policy requirement. However, there are a number of policy areas where the general policy approach is in conformity, but the specific wording may need to be refreshed to ensure that the policy is fully compliant. This is unsurprising taking into account the updates to the NPPF in 2018 and 2019. It is also expected that the NPPW will be updated in the near future.
- 8.5 The key policy areas requiring a policy refresh include:
- Reference to government policy (post 2013);
 - The Vision and its relevance to minerals and waste;
 - The removal of some areas of ambiguity in policies;
 - Clearer identification of the Strategic Policies;
 - Reference to net gain, natural capital and the agent of change;
 - Clearer climate change measures;
 - Clearer delivery of the waste hierarchy; and
 - An update on terminology, such as 'sustaining' rather than 'protecting' historic assets.

⁸⁹ Local plan Route Mapper & Toolkit (Oct 2019) -

<https://www.local.gov.uk/sites/default/files/documents/PAS%20Local%20Plan%20Route%20Mapper%20v1%2000.pdf>

9 Conclusion

- 9.1 This 2020 Review has considered the effectiveness of the HWMP since its adoption in 2013. Unlike the 2018 Review, consideration has been given not only to the monitoring data but specific compliance with national policy. In addition, the Vision, Plan Objectives, Spatial Strategy and Key Diagram have been taken into account.

Development Management Policies

- 9.2 The monitoring data suggests that most of these policies are performing well, with Policy 14 (Community benefits) the exception. However, reviewing compliance against national policy requirements, highlights that whilst the general drive of the policy aligns with national policy, the policies would benefit from a refresh in their terminology and in some cases, their delivery. For example, the inclusion of natural capital, net gain and agents of change.
- 9.3 In addition, based on changes to national policy and local priorities, Policy 2 (Climate change – mitigation and adaption) needs to be strengthened and Policy 9 (Restoration of minerals and waste developments) needs to ensure that climate change is suitably imbedded in its implementation.

Minerals Policies

- 9.4 The 2018 Review highlighted that the required 7-year landbank for sand and gravel (for both sharp sand and soft sand) was not being met; there was not 10 years of permitted reserves at the sites providing silica sand; and there was not 25 years of permitted reserves at brick-making clay sites. Two years on and the situation remains, as well as an increasing risk to recycled and secondary aggregate delivery and capacity issues at the wharves.
- 9.5 The aggregate delivery requirements (Policy 17 (Aggregate supply – capacity and source) would benefit from being updated, taking into consideration the fact that the 1.56mpta has not been achieved since 2016 and the increasing supply issues regarding soft sand in the wider south east. The ability to maintain a 1mpta capacity of recycled and secondary aggregate needs to be explored as well as the 2mpta of marine aggregate. This would help ensure the requirements of the NNPF were being met.
- 9.6 Whilst the policies which enable the development to come forward are worded sufficiently for suitable development to be permitted, the policies would benefit from outlining any sustainable opportunities to ensure revised requirements are met but also to help provide certainty to industry and communities.

Waste Policies

- 9.7 The 2018 Review outlined that in general, the waste forecasts had been relatively accurate and additional capacity is coming on stream, albeit focused more on recovery

than recycling. This point is also raised in this 2020 Review. However, to ensure compliance with the NPPW, the policies relating to waste management delivery would benefit from an update to enable greater alignment with the waste hierarchy in enabling waste activities. The potential for a Waste Infrastructure Strategy should be explored to provide greater certainty on the types of activities required, when and where.

- 9.8 Landfill capacity continues not to meet the forecasted need. Policy 32 allows for landfill capacity to come forward where there is a clear need. However, it is recognised that the reserve capacity within the Purple Haze allocation may not be implemented. Therefore, the policy would benefit from considering possible sustainable options alongside other sites for waste management.

Monitoring Indicators

- 9.9 This Review has not assessed these in detail but it is recognised that not all indicators obtain the information required to monitor the effectiveness of the Policies. Where possible, some adjustments have been made to the monitoring plan, such as ensuring all data is covering the calendar year so that it is comparable. However, any update of the policies should include a further review of the monitoring indicators to ensure that they are SMART.

Vision, Plan Objectives, Spatial Strategy and Key Diagram

- 9.10 Due to the generic nature of the current HMWP Vision, it is possible to conclude that in general the policies are enabling the Vision. However, the issues with delivering minerals supply could suggest that the economy was not being supported adequately. The NPPF suggests that the Vision should state what it is seeking to deliver and therefore, the current Vision could be considered to be lacking in spatial identity and specificity in its aims in relation to minerals and waste. The Vision would also benefit from aligning itself with the visionary Hampshire 2050 work and the climate change agenda.
- 9.11 The Plan Objectives are present but not clearly identified in the HMWP and this is also an issue with the Strategic Policies which was highlighted through the compliance check. The Plan Objectives closely align with the policies (except Policy 21 (Silica sand development) and would help achieve the current Vision. As some of the Policies are currently not delivering their aim, this would suggest the Plan Objectives are not being met. An update of the Policies and/or Vision would need to include a review of the Plan Objectives to ensure they align.
- 9.12 The Spatial Strategy and Key Diagram outline how the Objectives and Vision will be implemented spatially and in diagrammatic form. Any update to the Policies would need to be reflected in both the Spatial Strategy and Key Diagram. To ensure compliance with national policy, the Policies need to be unambiguous and this also applies to the Spatial Strategy and Key Diagram.

Review limitations

- 9.13 It is recognised that there are limitations to this Review. However, the application of the PAS Guidance has enabled a more thorough assessment.
- 9.14 The monitoring indicators were set when preparing the Plan and were an attempt to quantify the impacts of the decisions made within the framework of the HMWP.
- 9.15 It is understood that the indicators and triggers set out in the HMWP may not, on reflection, be defined sufficiently narrowly to clearly identify an issue from the data alone. Any update to the policies should include a further investigation of the indicators and triggers. This will need to be reflected in an update to the Implementation, Monitoring Plan set out in Appendix C of the Plan.
- 9.16 The Plan also contains several Appendices which whilst not directly reviewed will need to be updated to align with any policy changes or circumstances. Appendix A (site allocations) will need to be updated with any additional sites and/or the boundary of the Mineral Safeguarding Area at Whitehill & Bordon may benefit in being updated to represent recent developments. This will also be relevant to the Policies Map.
- 9.17 Appendix B provides a list of safeguarded minerals and waste sites. However, this is now out of date and is superseded by the on-line updated version. An update of the Plan may benefit from reference to on-line list rather than an instantly out-dated Appendix.
- 9.18 In addition, Appendix D (Relationship between Plan policies and previously adopted policies) may be no longer of value. Appendix E will require updating to reflect any new studies required to update the Plan.
- 9.19 Lastly, the Plan's Glossary and acronyms will require updating to ensure they are consistent with national policy, regulations, and current circumstances.

Duty to Cooperate

- 9.20 Duty to cooperate correspondence has been issued to minerals and waste planning authorities who have a relationship with Hampshire in terms of minerals and waste movements to inform this Review. However, it is recognised that the minerals data is out-of-date (2014) as the new data was not available at the time. It was also intended that further liaison would be undertaken with industry and key stakeholders on some of the issues outlined in the 2018 Review. However, following the 2020 Review, and the need for a Plan update, it is felt that this focussed liaison can be addressed as part of the Plan update.

Future uncertainty

- 9.21 The 2018 Review highlighted that there were at the time a number of uncertainties which could have an impact on future supply and capacity requirements of minerals and waste. The most prominent was Britain's exit from the European Union due to the significant mineral and waste movements between Britain and Europe and any future alterations could impact local indigenous supply. However, uncertainty has only been increased due to the national pandemic, which is impacting on the economy, the longevity of these impacts is unknown.
- 9.22 The Government continues to drive forward changes to boost the housing market and enable the necessary infrastructure to support this, more recently with a proposal to fundamentally change the planning system. Whilst an increase in development will have a direct impact on demand for construction aggregates, the rate of this increase is unclear.

Next Steps

- 9.23 It is recommended that an update of the HMWP is undertaken to ensure compliance with the NPPF and NPPW but also to ensure that the Plan is delivering a steady and adequate supply of minerals and enabling sustainable waste management provision. An investigation of the monitoring indicators and triggers will ensure any changes to policy are reflected and that the monitoring plan is fit-for-purpose.
- 9.24 In addition, the Vision, Plan Objectives, Spatial Strategy and Key Diagram will need to be further reviewed to ensure that all requirements of the Plan are delivered but also that the Vision aligns with the 2050 principles for Hampshire.
- 9.25 To support the Plan update, an assessment of mineral and waste site options would ensure any suitable sites for enabling sustainable minerals and waste development are included in the Plan helping provision certainty to the industry and local communities.

Appendix 1: Plan Objectives / Policy Table

The following table plots the Policies against the Plan Objectives. Where a policy helps to deliver the Objective, this is marked as Green.

Policies	Plan Objectives													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
11														
12														
13														
14														
15														
16														
17														
18														
19														
20														
21														
22														
23														
24														
25														
26														
27														
28														
29														
30														
31														
32														
33														
34														

The Objectives in the Plan have been allocated a number to enable this exercise (see below).

Objective No.	Objective
1	Protecting and conserving the New Forest and South Downs National Parks, Areas of Outstanding Natural Beauty and other valued landscapes. Sensitive

	habitats like the Thames Basin Heaths and our archaeological and historic heritage will be treated similarly.
2	Helping to mitigate the causes of, and adapt to, climate change by developing more energy recovery facilities and the appropriate restoration of mineral workings.
3	Protecting community health, safety and amenity in particular by managing traffic impacts, ensuring sustainable, high quality and sensitive design and imposing adequate separation of minerals and waste development from residents by providing appropriate screening and / or landscaping.
4	Valuing the countryside for its own merits and protecting the South West Hampshire Green Belt from inappropriate development but recognising local geology, the rural economy and protection of amenity.
5	Managing traffic impacts including the encouragement of rail and water borne transport of minerals and waste.
6	Encouraging engagement between developers, site operators and communities so there is an understanding of respective needs.
7	Supporting Hampshire's continued economic growth, as well as the economies influenced by Hampshire and opportunities for urban regeneration where possible.
8	Safeguarding mineral resources, necessary existing minerals and waste infrastructure and land for potential wharf or rail depot infrastructure as a contribution to a steady and adequate supply of minerals and provision of waste management facilities.
9	Helping to deliver an adequate supply of minerals and mineral-related products to support new development, deliver key infrastructure projects and provide the everyday products that we all use in Hampshire, as well as in neighbouring areas. This will be achieved by ensuring sufficient aggregate is supplied to the construction industry from an appropriate combination of sources including: local sand and gravel from around Southampton, south west Hampshire, Ringwood Forest, east of Andover, the Bordon area and north-east Hampshire; marine dredged sand and gravel via wharves on the River Itchen, River Test and Portsmouth and Langstone Harbours; rail imported limestone via existing depots in south Hampshire and new rail depots located in north Hampshire; and giving particular support for recycled/secondary aggregates from various sites before supply from other sources.
10	Providing for brick-making clay for the brickworks at Michelmersh, near Romsey and Selborne, near Bordon.
11	Appropriately planning for chalk extraction for agricultural use.
12	Exploration and production of oil and gas.
13	Encouraging a zero waste economy whereby landfill is virtually eliminated by providing for more recycling and waste recovery facilities including energy recovery.
14	Aiming for Hampshire to be 'net self-sufficient' in waste management facilities whereby it can accommodate all the waste that arises, whilst accepting there will be movements into and out of the area to facilities such as the nationally important incinerator at Fawley.

Appendix 2: Review Workshop – Notes from Event

Hampshire Minerals and Waste Plan Review Workshop

25 September 2019, Ashburton Hall, Winchester

Notes from the round table discussions

Review & Sustainability Issues

How could the methodology be improved for the 2020 review?

Key Messages:

- Climate change needs to be a key area of focus.
- The monitoring indicators / triggers themselves should be reviewed as part of the process.
- More communication is required with industry.
- More detailed review of mineral supply is required (not just from land-won sources).

Table	Comments
One	<ul style="list-style-type: none"> • Climate Change – should be higher on the agenda and at the forefront of work • Waste sites – have a uniqueness; firstly, you have to work around any constraints. No real problem for finding sites for waste uses. Good vehicle access is important
Two	<ul style="list-style-type: none"> • RAG (Red, Amber, Green) system – exceptional circumstances should not trigger a red score • Triggers – could be wider (more included) but generally the methodology works • Policy one – why should sustainability be judged on the length of time to determine applications? • Climate Change (policy two) – why is this judged against EA (Environment Agency)? Also states three criteria and only uses one • Climate Change – needs more guidance • Monitoring indicators – one indicator against all those policies isn't the most effective. However, understand that monitoring indicators need to be something you have data on, which is why it has probably been selected • Windfall sites – policies have a general presumption against sites outside of the allocated sites therefore policies preclude windfall sites being utilised
Three	<ul style="list-style-type: none"> • Better communication of issues directly with local operators – unaware of some of Hampshire County Council concerns • Joined up developments • Multi nationals well served – independents less informed of updated. Quarterly policy update / wish list?
Four	<ul style="list-style-type: none"> • Light touch in engagement with industry, felt that it was strongly officer led

	<ul style="list-style-type: none"> • Brexit – no impact • Acceptance that there will always be a need for landfill capacity. Preference from strategic siting of landfill • Issues with recording of mineral data • Coordination with other parties plans and strategies
Five	<ul style="list-style-type: none"> • Unsure on what happened in the review • Land bank (S&G), which is low there could be a mineral shortage in the Council which the review needs to recognise this. • What questions are asked in the review. What is evidence showing? If we change plan, what do we achieve? How can we change things so we can change the outcome? • Industry would like firmer policies to allow investment to occur with sites. More site allocation to allow for greater land bank. • Review windfall, what is it set out to achieve? • Are current allocations based on seven years in recession, which shows more sales? Minerals and waste was not fully affected by recession. • Industry feel like they are playing catchup in regard to the Council's apportionment. • With the plan being from 2013, how big of an influence of housing had on the review of the Plan. Does it make the Plan vulnerable the longer a comprehensive review is not done? • Is windfall recognition there's not enough minerals and it's a hope factor that it makes up the difference. • Availability is one thing and landbank is another. Landbank is an indicator-not the end of the world. • Seems to be a gap between national and local government emphasis on minerals planning. • Lack of gov guidelines. Government might look to review minerals. • Do the County Council understand the types of CDE (construction demolition and excavation) waste? Lack of understanding of what is recycled aggregate. Can only make aggregate from hard material, not from all CDE.
Six	<ul style="list-style-type: none"> • Logical starting point – have to start looking early based on evidence <ul style="list-style-type: none"> ○ Is the evidence based getting out of date? ○ Evidence base underpins everything so up to date information is necessary ○ Have to avoid complacency – every plan reviewed every 5 years ○ Quarries capacity has been discussed – new quarry in the south of the district providing much of New Forest minerals and waste • Is there any independent assessment? Any external critical assessment on both the plan and review? • Critical review maybe required if approach stays the same with each review, to ensure support if challenged • Plan up to 2030, reviews at present are over lifetime of plan, as opposed to new proposals • Policies pulled in as part of related issues, e.g. waste capacity satisfactory but further review needed to assess whether something is a trend and plan needs to be updated, review into whether update necessary or not – future review with greater evidence base.
Seven	<ul style="list-style-type: none"> • More communication with industry

Eight	<ul style="list-style-type: none"> • Further community impact monitoring – issue with how all local plans are monitored. Could take into account the complaints. More influence from individual site monitoring • Feed into the community
-------	---

Are there any other factors that need to be taken into consideration in the next review?

Key Messages:

- The need to future proof the Plan taking into account:
 - current and on-going policy updates from Government (e.g. on waste or environment)
 - Technological advancements
- Climate change and any emerging guidance/action plans.
- The Duty to Cooperate
- Consideration of wider sources of mineral supply (e.g. marine and prior extraction/windfall opportunities)

Table	Comments
One	<ul style="list-style-type: none"> • Changes e.g. deposits on glass bottles – will be a big change coming regarding recycling (standardised approach or all paid for by producers) and will need to facilities to be in place – not covered in policy in the Plan. How will it be handled? Future proofing / flexibility – needed to cope with whatever system comes in
Two	<ul style="list-style-type: none"> • Think Brexit is unlikely to change policy drastically • Waste should be reviewed more frequently than minerals considering the rate of progression • Lack of national and regional guidance so no benchmark for everyone • Protected landscapes review – talks about strengthening settings of protected areas (Areas of Outstanding Natural Beauty (AONBs)) and could it advance allocations?
Three	<ul style="list-style-type: none"> • Wharves need to be safeguarded – flexibility of uses where current uses unviable • Duty to Cooperate
Four	<ul style="list-style-type: none"> • Technological advances – extraction of resources (specialist resources) such as lithium and ELV (End of Life Vehicles) facilities for electric vehicles • Consideration of industrial uses for waste uses (B8 and B2) • Potential to review industrial estate study to demonstrate suitability
Five	<ul style="list-style-type: none"> • No comment
Six	<ul style="list-style-type: none"> • Dependent on new government policies and goals • May be overachieving already but new policies may create higher requirements • How will climate change emergency declaration affect review and future plans?

	<ul style="list-style-type: none"> ○ Only so much policy and officers can do, also down to industry ○ Interesting to see how risk is assessed based on when/how policy changes may be made (also whether legal challenges will be necessary) • Decisions made based on climate emergency “priority” may be contrary to plan policies due to shifting priorities outside of scope of initial plan – e.g. Hampshire declares intention to be climate neutral but proposed site in plan cannot be made to be carbon neutral by 2030 – clash between policy and government intentions
Seven	<ul style="list-style-type: none"> • Does the review need to focus more on the way need is actually assessed (i.e. greater focus on local aggregates assessments, rather than figures in place at the time of adoption) • Duty to Cooperate / cross boundary matters • Interaction with housebuilding targets and local plans (including to facilitate local sourcing of aggregates) • Minimal provision / allocation (which may be politically more acceptable) vs flexibility through over provision • Marine resource is very large and could supply much but major issue is wharf capacity including onward transport via rail (as opposed to road)
Eight	<ul style="list-style-type: none"> • More consideration of the viability of the processing and extraction of mineral in assessing sites for continued inclusion in the Plan • More weight on prior extraction for housing permissions / allocations • Further consideration of previously rejected sites

How effective is the Plan at ensuring development is sustainable?

Key Messages:

- There is a need to consider Net Environment Gain / off-setting and guidance is required on how to implement
- Need to review how sustainability is defined and measures in the Plan

Table	Comments
One	<ul style="list-style-type: none"> • 10% seems reasonable, but it will need offsetting • Applying the metric – how to decide where the benefits are; what they will be in the future; what is valuable now may not be in the future
Two	<ul style="list-style-type: none"> • Need to take a step back and detail what exactly you want to achieve • Currently no substance – where is the guidance? • Can minerals sites assist waste sites i.e. offsetting? • For existing brownfield industrial sites, what is the natural benefit? How can we ensure improvement when sites are low benefit and already impacting upon air quality etc
Three	<ul style="list-style-type: none"> • Effective as much as possible at the time of adoption • Ideals are good but balance between aims and practical possibilities not currently available
Four	<ul style="list-style-type: none"> • Subjective in what ‘implement’ comprises

	<ul style="list-style-type: none"> • Caveat policy 'or' and 'and' – policy 32 • Lack of quality (in addition the subjectivity) • Welcome current position on requirement for implementation
Five	<ul style="list-style-type: none"> • How much is 10% net gain on a site that has zero value • Can environmental be subjective? Who makes decisions on the net gain. • Could there be regional environmental plans that sites could aim towards • Could there be a policy that every application has a certain percentage on net gain, could this be more than the national 10% • Need to make sure that biodiversity net gain doesn't over shadow very important issues that affect rural Hampshire • The restoration must be accepted by the land owner and be commercially attractive. • Could land owners be compensated when a development exceeds the 10% • Will certain sectors come to parks and other groups to carry out offsetting for them as they own the land? • How will Brexit affect this? • Aggregates don't have flexibility of housing and can't only choose low environmental areas. • Climate change can change the areas in which you're looking at then how can you measure its environmental net gain. • The plan should give more weight to other forms to restoration than biodiversity. • Sites should return to what it originally looked like. • Could there be a structure of what are Hampshire's biodiversity targets, this can then help the industry • What changes would you propose to the Plan to improve the sustainability of development? • Can industry make a contribution to a wider scheme as an offset strategy • We can't always make the species stay in the created habitat, which should be recognised in the plan. • Is the County Council going out of its responsibilities in term? See where sustainability goes in terms of how quarries operate. • A site will operate within its grounds of sustainability • Could industry have free reign to operate within the standards already set out on climate change, and have less intervention from local government? • Some minerals & waste industry are going to third party companies to provide clean electricity, rather than them trying to implement this clean energy on site. • Could reviews be done more often, as technology is moving at such a fast rate in the period that the plan spans? • Can sites offset each other with their biodiversity net gain so you can have varying restorations?
Six	<ul style="list-style-type: none"> • In what way is it sustainable? <ul style="list-style-type: none"> ○ Planning permission granted? ○ Environmental? ○ Biodiversity? ○ Minerals and waste? ○ National Planning Policy Framework (NPPF) definition of sustainability? Economic, Social, Environmental

	<ul style="list-style-type: none"> • Sustainability an overriding factor in decision making “If it’s not sustainable it won’t get through” • If an application complies with policies, then by definition it should be sustainable <ul style="list-style-type: none"> ○ Shifting baselines of sustainability (e.g. biodiversity net gain) ○ Can policies be enforced or upheld without the calculations? ○ List of what can be included within “30%” • Hampshire minerals and waste plan specifies (policy 1?) that if an application is sustainable planning permission should be granted without further delay <ul style="list-style-type: none"> ○ Differing pressures on all; “advantages outweigh disadvantages” ○ Need vs sustainability • “As long as you’re in line with the NPPF then you have met your requirements” • Doing its best within existing policy • Lag in environmental returns • Retrospective assessment under modern day principals? • 5 year after-care period • Can aspire to improvement but practical enforcement unlikely • Review restoration plans in existing sites (e.g. extension of time etc) to meet current standards • Government looking at 106’s to include (for example) future maintenance of roads as well as initial cost
Seven	<ul style="list-style-type: none"> • Sustainability is now a recognised and accepted concept which is positive • Industry is well placed to deliver net gain after extraction (maybe more so than other developments) • Difficulty of taking objective / dream / vision of sustainability as 2050 vision and knowing what this means in practice and on the ground
Eight	<ul style="list-style-type: none"> • Air quality issues – include shipping emissions • How far should plans go – site specific emissions • Better scoping of what the sustainability issues are / and explanation of them • 10% net gain – depends on how it is quantified – needs to be kept simple to keep costs down for developers. Net gain currently a bit woolly!

What changes would you propose to the Plan to improve the sustainability of development?

Key Messages:

- Enhance the Climate Policy, what measures could be put in place and how it is monitored.
- Greater flexibility in the Plan to deal with changes in the minerals and waste industry in the future.
- There is a need to strengthen the connection between the need for minerals and waste and maintaining communities.

Table	Comments
One	<ul style="list-style-type: none"> • Climate Change policy – could be more strongly worded, don’t give developers the option of avoiding the policy

	<ul style="list-style-type: none"> • How to record what has been actioned and was it successful? Record in the Annual Monitoring Report (AMR). Could it be more widely reported, easily accessible? Record progress or lack of progress, perhaps annually? • Should we have climate change net gain? If so, should it be recorded and how would it be recorded? • There should be a requirement to use recycled materials over primary resources
Two	<ul style="list-style-type: none"> • Need clarity in the overarching policy but also detailed guidance in a separate document • Review of aggregates levy – tax could be better utilised – should be spent locally for environment and community – could be increased? • Set out why minerals and waste are critical to communities in plans – get the message out there and explain why it's sustainable
Three	<ul style="list-style-type: none"> • Climate change policy needs strengthening – metric needs to be clarified • Air quality particulates – electric vehicles not yet available • Policies need to be accepting of current technological constraints rather than state structure • Transport of mineral around the site by conveyor rather than lorry • A need for flexibility during the Plan period
Four	<ul style="list-style-type: none"> • Quantity of screening of biodiversity enhancement for DM (Development Management) purposes • Work with developers in helping them identify potential for improvements • Net benefits to be provided elsewhere within the Plan area • Requirement for minerals and waste developers to provide additional area for green space • Ensure developers are clear on what is expected of this • Emerging waste plans make policy reference to the circular economy (West London Waste Plan) • Influence emerging local plans to accord with this policy in terms of planning for industrial ecosystems
Five	<ul style="list-style-type: none"> • No comments
Six	<ul style="list-style-type: none"> • Meeting in line with government targets and guidance <ul style="list-style-type: none"> ◦ Decide whether we want to go above and beyond government • Local targets, what would they be? <ul style="list-style-type: none"> ◦ Primary focus would be environmental net gain? • Is 10% sufficient? With waste 10% may be too high, minerals sites usually viable agricultural land – weight of biodiversity vs economical. Viability of future options, e.g. workable land for farmers. • Whose responsibility will it be to define baseline biodiversity and future biodiversity? • What is the 10%? Biodiversity of species? Metric? • Copycat planning – Net gain goes into one policy • Connectivity - Habitat fragmentation – connectivity, red line boundaries?
Seven	<p>Is there too much emphasis on extraction than reuse? (although suggested that UK is quite good at these already):</p> <ul style="list-style-type: none"> • Clarity of objectives, how things will be assessed and monitored – consistency of approach

	<ul style="list-style-type: none"> • Need more careful consideration of how sustainability and net gain will be measured (e.g. local vs global: competing objectives) – even with metric this is quite subjective; resources for amenity • Industry is already doing things for sustainability – maybe need to feed in more to minerals and waste Plan review in terms of what is realistic and achievable
Eight	<ul style="list-style-type: none"> • Include all issues discussed in presentation – including net gain and air quality • Net gain policy to reflect alternative option where improvements cannot be done on site • Include sustainability of development in Plan principles – location of facilities, use of resources, heat and power considerations – wider benefits for communities / climate change • Inclusion of renewable energy facilities • How to address the loss of exporting materials to China – is this not additional landfill? • Retrofit energy recovery to existing sites e.g. methane capture • Needs joined up thinking and proper coordination

How will the evolving sustainability policy impact minerals and waste planning?

Key Messages:

- It is recognised that the policy changes will make positive improvements.
- More guidance will be required on how they are implemented.
- There are concern over the cost and burden on developers.

Table	Comments
One	<ul style="list-style-type: none"> • Are housing targets over estimated? Use different methods for house building. Complete change away from what we do now, and it will require a huge change • Electric vehicles, to include electric trucks transporting minerals and waste.
Two	<ul style="list-style-type: none"> • Becoming more difficult to get applications through • Policies need to be worded positively and set out criteria / guidance clearly • Demonstration of the link between housing and minerals and waste is essential – helps people to understand the importance and that they go hand in hand • Engagement – needs to be correct for the type of consultee but would help get everyone on the same page and policy to be effective for everyone involved
Three	<ul style="list-style-type: none"> • Generally positive • Impact / possibility of improvement of previously poorly restored sites – when does net gain come into consideration for historic sites • Movement of waste by rail • Will net gain impact upon capacity and future provision? Need vs viability. Should costs be a planning consideration

Four	<ul style="list-style-type: none"> • Recent adopted plans which integrate biodiversity net gain and strengthen landscape policy yet to be tested in the delivery (appeals / case law) • Creates burden on developers – potential impact on viability and therefore delivery in accordance with the Plan’s requirements
Five	<ul style="list-style-type: none"> • No comments
Six	<ul style="list-style-type: none"> • In principal it can improve biodiversity and benefit • What impact can one minerals and waste plan have on its own? <ul style="list-style-type: none"> ○ Regional strategies required – beyond borders
Seven	<ul style="list-style-type: none"> • More incineration of waste may bring opportunities for more re use • Minerals industry could be after net gain trading for other sites that can’t provide it
Eight	<ul style="list-style-type: none"> • Lorry movements are not sustainable • Electric vehicles, although the technology isn’t there yet • Land ownership issues will attract net gain potential (how the site is restored) – they will want to maximise returns • Costs of environmental improvements and viability issues. Needs to be clear on what environmental requirements are to determine viability of schemes before making an application • Who monitors Government initiatives? The gap between local and national monitoring, if any

Minerals Issues

How effective is the Plan at enabling sand and gravel (including soft sand) supply?

Key Messages:

- More work required on working developers on ensuring prior development where relevant.
- Landbank is not met but supply is coming forward and is affected by markets.
- Designated areas impact the availability of supply.
- Stronger emphasis on safeguarding of wharves is required.

Table	Comments
One	None
Two	<ul style="list-style-type: none"> • Currently a lag in data figures – needs to catch up • Policy 20 – only refers to landbank figures and doesn't report marine sources • Sand and gravel have not run out so must be somewhat effective • Need to safeguard wharves for future marine supplies
Three	<ul style="list-style-type: none"> • Safeguarding policies fine – problem is co-ordination with housing developers – Whitehill Bordon not successful • Can't rely on windfall developments • Soft sand and gravel should be separated • Always coming up against requirements of housing developers
Four	<ul style="list-style-type: none"> • Not effective – cannot demonstrate land bank in accordance with NPPF • Not all allocated sites have come forward • Safeguarding wharves and mineral infrastructure
Five	<ul style="list-style-type: none"> • Lack of supply could be due to how we are not allowed to get aggregates from within certain designations – the Plan should be more supportive
Six	<ul style="list-style-type: none"> • Policies are effective, got allocations and criteria
Seven	<ul style="list-style-type: none"> • Stronger emphasis on prior extraction needed • Not been effective at safeguarding protected wharf sites from housing development – better interpretation needed between minerals and waste plans and local plans
Eight	<ul style="list-style-type: none"> • Issues of market and viability are outside the control of the Plan • Soft sand a geological / location issue – consider protected areas?

What changes would you propose to the Plan to improve sand and gravel supply in Hampshire?

Key Messages:

- Reference should be made to the Local Aggregate Assessment as this is updated annually.

- There is a need to consider mineral supply more strategically (at regional level).
- The Plan needs to maintain flexibility in supply sources and locations.

Table	Comments
One	<ul style="list-style-type: none"> • No comment
Two	<ul style="list-style-type: none"> • Incorporate marine figures into policy – need to report land and marine sources – increases transparency and will improve public perception • Flexibility – consider any site that comes forward, don't limit to only allocated sites – don't make provision per site so exact, allow for change • Be thinking more long term and more strategically – plan for a bit further ahead so the Plan does not become so outdated by the review. Tie together inshore and offshore to have more joined up thinking
Three	<ul style="list-style-type: none"> • Separating soft sand and sharp sand and gravel • Better understanding of allocation • Plans should be regional • Certainty of supply
Four	<ul style="list-style-type: none"> • Trend led with infrastructure • Maintain flexibility to extract in sensitive landscape areas (national parks and AONBs) • Conditions within policy to allocate extraction in these areas for example, demonstrating clear need and satisfactory mitigation • Make reference to updated LAA (local aggregate assessment) to inform mineral requirement
Five	<ul style="list-style-type: none"> • Could there be a potential of a minerals site within a national park – this could create political issues • Do the allocations of minerals and waste sites need to be dealt with on a national infrastructure level, as it seems politics are playing a large role at the moment
Six	<ul style="list-style-type: none"> • Plan did not have supply ready for end period of plan when written • In a more comprehensive review, a call for sites would likely be required • Holistic approach required • Minerals without borders
Seven	<ul style="list-style-type: none"> • Would be helpful to have three separate landbanks, for the different types of aggregate • Better communication between decision making authorities
Eight	<ul style="list-style-type: none"> • Resources are being sterilised by housing allocations – needs stronger policy support • Encourage wharf use – how to target industry to invest? • Look at provision at a regional level – wider hubs? • Plan on a geology basis rather than administrative one, or another determining factor

What are the key factors that need to be considered in forecasting aggregate demand?

Key Messages:

- Need to be more flexible on end uses of material (e.g. beach replenishment and use of silica/soft sand).
- There is a need to consider local demand through emerging local plans but also national infrastructure.
- The future of the construction industry and use of materials needs to be considered.

Table	Comments
One	<ul style="list-style-type: none"> • No comment
Two	<ul style="list-style-type: none"> • Locally – impossible as it doesn't all correlate (e.g. regional housebuilders vs local aggregate supply / usage) • Marine aggregates used for beach refill isn't reported by the LAA • Silica sand treated differently – why is end use so heavily dictated? Flexibility is the key! • Need to be less inward looking and consider other regions and trends occurring
Three	<ul style="list-style-type: none"> • Industry are not that flexible • Future housing delivery • How effective is safeguarding? - not very as it is too easy to override
Four	<ul style="list-style-type: none"> • Changes in building material / construction – aware of economic position • Changes in construction habitats / use of materials
Five	<ul style="list-style-type: none"> • Questions over marine soft sand and how useful it is • Caution to be taken regarding marine won sand and its viability in replacing land won sand
Six	<ul style="list-style-type: none"> • No comments
Seven	<ul style="list-style-type: none"> • Marine not likely to replace land won soft sand in the plan period (though may contribute) • Access in Hampshire to viable wharves for marine won resource • What is the lead indicator e.g. housing, and key infrastructure projects? • Emerging local plans need to be considered; not just adopted • Declining use of aggregates in construction over time
Eight	<ul style="list-style-type: none"> • Operators are buying in sand rather than extract their own resources because the price will increase in the future • Look beyond the demand of Hampshire – wharves are national assets – transport constraints • Marine extraction – where would the silt go? Only gives two types of sand – not versatile enough. Not enough wharf and shipping capacity at present • Decreasing land won extraction would impact inert waste infill capacity • Wider view to meet national infrastructure and housing projects e.g. HS2 • A more joined up approach is needed

Waste Issues

How effective is the Plan at enabling waste management provision?

Key Messages:

- There are issues with the availability of sites, the location of sites and the acceptability of sites by local residents.
- The Plan is currently quite flexible but will need to be more so in the future with potential change in national policy.
- The Plan focusses too much on household waste.
- Better linkages between county and districts/boroughs in waste management provision.

Table	Comments
One	<ul style="list-style-type: none"> • How to deal with food waste – specific facilities. Handle in Hampshire only – localised vs strategic facilities • Need more capacity to deal with food waste in Hampshire • Want a commitment from Government that funding will be made available • Have integration of the waste management systems and interpreting within the local plan • What will be done with the output of the process, whatever that is • Climate Change should be embedded throughout the Plan • Strategic Planning – does waste need more strategic approval? • Does the Plan need to allocate other points? • Education and behaviour change • Specify recycled aggregate over primary – specify (mandate?) a proportion to be used
Two	<ul style="list-style-type: none"> • Waste management provision adapts with societal needs, the Plan will not always enable it, it depends on need • Waste management facilities should be treated as any other industrial use • Currently an overlap in regulatory controls which hinders development • More flexibility on sites – positive approach for all sites that come forward
Three	<ul style="list-style-type: none"> • Too small focus – don't hub activities in the continental fashion
Four	<ul style="list-style-type: none"> • Mismatch of recovery and recycling targets • Lack of sites available • Need to update waste capacity data • Need to consider call for sites • Need to be more flexible – provide appropriate capacity and therefore market resilience • Ensure the public are well informed • Introduce zonal areas for waste management on a strategic scale • Encourage waste facilities to be located near to manufacturing plants (circular economy) • Political issues / stigma / unwanted land use • Demonstrating public incentives / trade off / developer contributions
Five	<ul style="list-style-type: none"> • Waste sites are being put forward for housing.

	<ul style="list-style-type: none"> • Is the public perception on waste sites justified? • Waste is a complete industry of itself, why do we have a Waste and Minerals plan together. • Should they be separate • CDE (Construction, demolition and excavation) is still associated with minerals, whereas municipal waste isn't • Some policies are beginning to become redundant in the HMWP as they are no longer linked to waste. • Minerals are temporary and waste used to be but now seen as relatively permanent investments. • Are incinerators industrial or sui generis? • CDE isn't always fully understood by authorities. • Could the review of the waste part of the plan take longer than other areas? • Regions will have to deal with all the waste they produce, not necessarily counties or boroughs. • Are Hampshire integral in looking for waste sites, and what happens when these sites don't come forward. • Could we follow the European model where each town/borough has its own facilities on a smaller scale? • Why Incineration doesn't count as recycling? Because it wastes the material, recycling keeps material in circulation. • Could more be done at the source of the waste? To segregate the brick from the metal from the concrete? • 'NIMBY'ISM (not in my back yard) is the main barrier of planning - traffic/noise – they can be seen as destroying communities
Six	<ul style="list-style-type: none"> • UK working at 45% • Technology investment required e.g. air compression technology • Is the Hampshire waste plan in line with the circular waste economy • Policy has good flexibility to allow for changing technologies – establishing site for use as waste remains <ul style="list-style-type: none"> ○ Is policy being used effectively? ○ Attractive to private companies? ○ Enabling experimentation and investment in new technologies • Safeguarding of waste sites • Not feasible for privately run ERFs (Energy Recovery Facilities), have to be part of PPIs (Public Private Investment), no private incentives • 50 MW generation part of NSIPs (Nationally Significant Infrastructure Projects)? • Principal is broad which allows for flexibility • EA permit tiered and often allows for higher capacity than the planning application or LPA (Local Planning Authority)/Waste Authority would permit • Capacity, especially in light of European countries adding tax to waste fuel exports
Seven	<ul style="list-style-type: none"> • Hampshire has been successful in the past e.g. permissions for investors • Need more focus on prevention e.g. education to reduce food waste • Review of industrial estates to facilitate sites for uses of waste (NB focus on permitted development rights for housing is not making protection of industrial sites easy) • Need better waste issue enforcement (from small to fly tipping)

	<ul style="list-style-type: none"> Consistency of collection is key and ease of collection / usability for people Challenge – land take of facilities after composting Challenge – resident objections to waste uses Better relationship needed between county minerals and waste planning and district local plans (e.g. planning for facilities in local plan allocations)
Eight	<ul style="list-style-type: none"> Single minded on household waste. More consideration of commercial waste production and where the waste needs to be taken Better waste separation of some for C&I (Commercial & Industrial). And waste minimisation at source

What changes would you propose to the Plan or its implementation to improve waste management provision in Hampshire?

Key Messages:

- Better communication with the waste industry.
- There is a need to more fully review the data.
- More consideration needs to be given to how sites come forward and what type of site is required.
- The Plan needs to be flexible to deal with emerging Government policy and targets.

Table	Comments
One	<ul style="list-style-type: none"> See response to Question above.
Two	<ul style="list-style-type: none"> Looking favourably upon adaptation of existing facilities (flexibility) especially for repurposing materials Do waste management sites need to be allocated? Why not consider any site that comes forward? Policy 27 – wording to be more open and flexible minus caveats about ancillary Policy 29 – maybe combine into one policy or make clearer that one is just capacity and one is location
Three	<ul style="list-style-type: none"> EfW (energy from waste) site for industrial / commercial sector, built by Hampshire County Council Waste parks More collaboration with commercial partners instead of only concentrating on domestic Realistic / practical conditions More communication with private operators Set up working group with waste operators
Four	<ul style="list-style-type: none"> See response to Question above.
Five	<ul style="list-style-type: none"> See response to Question above.
Six	<ul style="list-style-type: none"> Deposit protection schemes may be good – how and where will the facilities be implemented? Food waste required to achieve circular economy

	<ul style="list-style-type: none"> Any consideration for sites for private companies Principal/policy is effective at present – is a review necessary introduce specific policies or sites for new facilities handling different aspects of the waste stream? Locational requirements as opposed to operator or tech requirements
Seven	<ul style="list-style-type: none"> <i>See response to Question above.</i>
Eight	<ul style="list-style-type: none"> A one size fits all solution to collection won't work (e.g. terraced housing) Inclusion of producer pays changes Needs to be achievable, not just aspirational – some technology isn't available or viable yet Data based review and decision making Educating the public and putting it simply, raising awareness (starting in schools), options available (e.g. extension building waste – knowledge of where it goes, does it need to be separated) Working more with partners The current plan is unable to address 2025 targets, therefore a review is needed

What are the barriers to suitable sites being put forward for waste uses?

Key Messages:

- Public / Political concerns
- Cost and availability of sites
- Restrictions on site operations.

Table	Comments
One	<ul style="list-style-type: none"> Cost of sites Timescales Use more localised sites
Two	<ul style="list-style-type: none"> Landowner aspirations Public perception Policy needs to be more positive and enabling EA (Environment Agency) – needs more flexibility
Three	<ul style="list-style-type: none"> Political Culture Better figures of non-municipal waste quantities to show the need for facilities
Four	<ul style="list-style-type: none"> <i>See response to Question above.</i>
Five	<ul style="list-style-type: none"> <i>See response to Question above.</i>
Six	<ul style="list-style-type: none"> Locations may be specified but barriers (public comment/objections etc) are raised after a planning application is formed Conditions such as hours of work can be restrictive Minimal response to call for sites from waste operators

	<ul style="list-style-type: none"> • Waste doesn't have the monetary value for landowners (compared to housing or employment sites) • Are our conditions a barrier to new sites coming forward, or increasing capacity on site? • EA permit tiered and often allows for higher capacity than the planning application or LPA (Local Planning Authority)/Waste Authority would permit • Capacity, especially in light of European countries adding tax to waste fuel exports
Seven	<ul style="list-style-type: none"> • <i>See response to Question above.</i>
Eight	<ul style="list-style-type: none"> • Affecting change! • More information on what the requirements are for bringing a site forward (e.g. what do landfills need – size, accessibility etc?) • Technological limitations at present – recycling limits, product separation. Investment needed – the Government needs to lead on this but need sites available to do this • Enabling sustainable change – co location of facilities e.g. lorry park closer to sites instead of protecting a low-quality green belt site for example...)

Appendix 3: National Policy Checklist

National Planning Policy Framework (2019)

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
	<i>General Requirements</i>		
1.	Include any relevant material that is set out in a government policy statement(s) for the area for example a national policy statement(s) for major infrastructure and written ministerial statements.	NPPF Para 5, 6	<p>Relevant Government Policy is outlined in the HMWP – Other Plans and Programmes (Para 2.19 – 2.24)</p> <p>However, there have been a number of Policy updates (Post 2013) which are relevant and should be applied [check others]:</p> <ul style="list-style-type: none"> - National Planning Policy for Waste (2014) - Energy Policy: Written statement - HCWS690 (May 2018) - 25 Year Environment Plan (2019) - Waste & Resources Strategy (2019)
2.	Contribute to the achievement of sustainable development.	NPPF Para 8, 9, 16	The need to contribute to achieve of sustainable development is set out in HMWP Policy 1: Sustainable minerals and waste development
3.	Apply the presumption in favour of sustainable development.	NPPF Para 11	Applying the presumption is set out in HWMP Policy 1: Sustainable minerals and waste development
4.	Provide a positive vision for the future; a framework for addressing <u>housing mineral demand and waste management</u> needs and	NPPF Para 15	The HMWP Vision is set out in Para 2.25

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
	other economic, social and environmental priorities.		<p><i>'Vision: 'Protecting the environment, maintaining communities and supporting the economy'</i></p> <p>Whilst the Vision outlines the needs to address economic, social and environmental priorities, it does not specially address the mineral and waste needs.</p>
5.	Plans should be: <ul style="list-style-type: none"> a) Aspirational and deliverable b) Contain clear and unambiguous policies c) Accessible through the use of digital tools d) Serve a clear purpose avoiding duplication 	NPPF Para 16	<p>The aspirations of the HMWP are set out in the Introduction (Para 1.1 – 11.5). The Policies Map is available on-line and is interactive.</p> <p>However, since adoption, it has become clear that some of the policies contain areas of ambiguity and some clarification would be of benefit for their implementation.</p>
6.	<i>Plan Content</i>		
7.	Include strategic policies to address priorities for the development and use of land. They should set out an overall strategy for the pattern, scale and quality of development.	NPPF Para 17, 20	<p>The content of the HMWP is set out in Para 1.5</p> <p><i>'The Plan comprises three elements:</i></p> <ul style="list-style-type: none"> - <i>Strategic approach and policies;</i> - <i>Strategic sites allocations considered necessary to deliver the Plan objectives; and</i> - <i>General and site-specific development management policies.'</i>

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
			The Spatial Strategy is set out in Paras. 2.26 to 2.46 and this is supported by the Key Diagram (Figure 6).
8.	Outline which policies are 'strategic' policies	NPPF Para 21	Whilst the HMWP outlines that it contains Strategic Policies in Para 1.5, these are not specifically identified.
9.	Strategic policies should look ahead over a minimum 15-year period <u>from adoption</u> .	NPPF Para 22	<p>The overall strategic priority is set out in HMWP Para. 28:</p> <p><i>'The overall priority is that enough minerals and waste development is provided to support the economies of Hampshire, as well as economies in other areas influenced by Hampshire throughout the Plan period, without jeopardising Hampshire's environment and the quality of life of its communities.'</i></p> <p>This priority is then transposed in HMWP <i>Policy 17: Aggregate supply – capacity and source</i> and <i>Policy 27: Capacity for waste management development</i>. Both policies include the Plan period of 2030.</p>
10.	Indicate broad locations for development on a key diagram, and land use designations and allocations on a policies map.	NPPF Para 23	The HMWP Key Diagram is outlined in Figure 6 (Key Diagram) and the allocations are set out in inset maps (Appendix A) and the Policies Map (adopted 2013).

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
11.	Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed <u>mineral demand and waste management</u> needs over the plan period.	NPPF Para 23	The HMWP Spatial Strategy is set out in Paras. 2.26 to 2.46.
12.	Include non-strategic policies to set out more detailed policies for specific areas.	NPPF Para 18, 28	<p>Whilst the HMWP outlines that it contains Strategic Policies in Para 1.5, these are not specifically identified.</p> <p>However, the HMWP contains detailed policies for the provision of different minerals and waste streams as well as outlining specific development management policies.</p>
13.	Set out contributions expected from development (<u>where relevant</u>) and demonstrate that expected contributions will not undermine the deliverability of the Plan.	NPPF Para 34, 57	<p>The requirement for planning obligations are set out in HMWP Para 3.9 – 3.13.</p> <p><i>*Typo in para 3.13, line 5</i></p>
	<i>Housing</i>		
14.	Be informed by a local housing need assessment, conducted using the standard method in national planning guidance as a starting point.	NPPF Para 60	Not applicable
15.	Identify the size, type and tenure of housing needed for different groups.	NPPF Para 61	Not applicable

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
16.	Where a need for affordable housing is identified, specify the type of affordable housing required.	NPPF Para 62	Not applicable
17.	Expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups	NPPF Para 64	Not applicable
18.	Set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.	NPPF Para 65	Not applicable
19.	Identify a supply of specific, deliverable sites for years one to five of the plan period, and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.	NPPF Para 67	Not applicable
20.	Identify land to accommodate at least 10% of the housing requirement on sites no larger than one hectare; unless it can be demonstrated that there are strong reasons why the 10% target cannot be achieved.	NPPF Para 68	Not applicable
21.	Support the development of entry level exception sites, suitable for first time buyers,	NPPF Para 71	Not applicable

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
	unless the need for such homes is already being met within the authority's area.		
22.	Include a trajectory illustrating the expected rate of housing delivery over the plan period, and requiring a buffer of 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan.	NPPF Para 73	Not applicable
23.	Be responsive to local circumstances and support rural housing developments that reflect local needs.	NPPF Para 77	Not applicable
24.	Identify opportunities for villages to grow and thrive, especially where this will support local services.	NPPF Para 78	Not applicable
25.	Avoid the development of isolated homes in the countryside unless specific circumstances are consistent with those set out in the NPPF.	NPPF Para 79	Not applicable
	<i>Economy</i>		
26.	Create conditions in which businesses can invest, expand and adapt.	NPPF Para 80	Not applicable

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
27.	Set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.	NPPF Para 81	Not applicable
28.	Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period.	NPPF Para 81	Not applicable
29.	Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment.	NPPF Para 81	Not applicable
30.	Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.	NPPF Para 81	Not applicable
31.	Recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.	NPPF Para 82	Not applicable

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
32.	Enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.	NPPF Para 83	Not applicable
33.	Enable the development and diversification of agricultural and other land-based rural businesses.	NPPF Para 83	Not applicable
34.	Enable sustainable rural tourism and leisure developments which respect the character of the countryside.	NPPF Para 83	Not applicable
35.	Enable the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.	NPPF Para 83	Not applicable
36.	Recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.	NPPF Para 84	Not applicable
37.	<i>Town centres</i>		
38.	Define a network and hierarchy of town centres and promote their long-term vitality and viability.	NPPF Para 85	Not applicable

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
39.	Define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations.	NPPF Para 85	Not applicable
40.	Retain and enhance existing markets and, where appropriate, re-introduce or create new ones.	NPPF Para 85	Not applicable
41.	Allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead.	NPPF Para 85	Not applicable
42.	Where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre.	NPPF Para 85	Not applicable
43.	Recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.	NPPF Para 85	Not applicable
44.	<i>Healthy and safe communities</i>		
45.	Achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles.	NPPF Para 91	The HWMP has limited scope for contribution to the provision of health and safe communities due to the nature of the development delivered. However, HMWP Policy 9: Restoration of minerals and waste

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
46.	Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.	NPPF Para 92	developments specifies that restoration of minerals and waste developments should 'contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan. Para. 4.74 states that restoration should include at least one of the aims including:
47.	Take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.	NPPF Para 92	<ul style="list-style-type: none"> - Improved public access to the natural environment through the creation of enhanced access as well as leisure and amenity opportunities. - Contribution to local objectives (provision of green infrastructure).
48.	Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.	NPPF Para 92	Not applicable
49.	Ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.	NPPF Para 92	Not applicable
50.	Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.	NPPF Para 92	Not applicable

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
51.	Consider the social, economic and environmental benefits of estate regeneration.	NPPF Para 93	Not applicable
52.	Promote public safety and take into account wider security and defence requirements.	NPPF Para 95	The promotion of Public Safety is outlined in HWMP Policy 10: Protecting public health, safety and amenity. However, the HWMP has limited scope for taking into account wider security and defence requirements.
53.	Provide open space, sports and recreational facilities which meets the needs of the local area.	NPPF Para 95	The HWMP has limited scope for provision of open space, sports and recreational facilities due to the nature of the development delivered. However, HMWP Policy 9: Restoration of minerals and waste developments specifies that restoration of minerals and waste developments should 'contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan. Para. 4.74 states that restoration should include at least one of the aims including: - Improved public access to the natural environment through the creation of enhanced access as well as leisure and amenity opportunities. Contribution to local objectives (provision of green infrastructure).
54.	Protect and enhance public rights of way and access.	NPPF Para 98	
55.	<i>Transport</i>		

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
56.	Should actively manage patterns of growth in support of objectives in Para 102. Significant development should be focused on locations which are/can be made sustainable. Opportunities to maximise sustainable transport solutions will vary between urban and rural areas - this should be taken into account in plan-making.	NPPF Para 103	<p>Transport issues relating to minerals and waste development are addressed by HWMP Policy 12: Managing traffic.</p> <p>However, the Policy makes reference to ‘mitigating’ significant adverse effects rather than considering the <i>“environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains”</i> (NPPF, Para. 102 (d)).</p>
57.	Support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.	NPPF Para 104	<p>Minerals extraction development can only take place where the geology is present. Therefore, there is limited scope to consider an appropriate mix of uses.</p> <p>However, different waste management activities can occur in varying scales and HMWP Para. 5.36 outlines the suggested scale of development in a waste management network to reduce the transport impacts.</p>
58.	Identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development.	NPPF Para 104	The HWMP only considered minerals and waste transport infrastructure. These are identified and safeguarded though Policy 16: Safeguarding – minerals infrastructure, Policy 19: Aggregate wharves and rail depots and Policy 34: safeguarding potential minerals and waste wharf and rail depot infrastructure.

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
59.	Provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans).	NPPF Para 104	Not applicable.
60.	Provide for any large-scale transport facilities that need to be located in the area and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy.	NPPF Para 104	The HWMP only considered minerals and waste transport infrastructure. These are identified though Policy 19: Aggregate wharves and rail depots and Policy 34: safeguarding potential minerals and waste wharf and rail depot infrastructure.
61.	Recognise the importance of maintaining a national network of general aviation airfields.	NPPF Para 104	Not applicable.
62.	Provide adequate overnight lorry parking facilities, taking into account any local shortages.	NPPF Para 107	Not applicable.
63.	In assessing sites that may be allocated for development in plans, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.	NPPF Para 108	The assessment of sites for mineral and waste development is set out in HMWP Policy 12: Managing traffic.

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
64.	Development should only be prevented on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.	NPPF Para 109	In addition to HWMP Policy 12: Managing traffic, Para. 5.36 makes specific reference to the importance of cross-boundary impacts and cumulative impacts.
65.	Communications		
66.	Support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections, setting out how high-quality digital infrastructure is expected to be delivered and upgraded over time.	NPPF Para 112	Not applicable.
67.	Making effective use of land		
68.	Promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.	NPPF Para 117	Minerals extraction development can only take place where the geology is present. However, Policy 20: Local land-won aggregates outlines the locations of where provision will be met and specific criteria for proposals for new sites.

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
			<p>The provision of waste management development is outlined in Policy 29: Locations and sites for waste management. Part 2 makes specific reference to support development where it “is previously development land or redundant agricultural and forestry buildings, their curtilages and hardstandings or is part of an active quarry or landfill operation”.</p> <p>The HWMP seeks to protect the environment and living conditions through Policy 10: Protecting public health, safety and amenity.</p>
69.	Set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land.	NPPF Para 117	Not applicable – <i>See NPPW Requirements</i>
70.	Encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains.	NPPF Para 118	<p>The HWMP has limited scope for encouraging multiple benefits from both urban and rural land. However, HMWP Policy 9: Restoration of minerals and waste developments specifies that restoration of minerals and waste developments should ‘be restored to beneficial after-uses consistent with the development plan’.</p> <p>Para. 4.74 states that restoration should include at least one of the aims listed.</p> <p>The policies and supporting text do not make specific reference to achieving net environmental gains.</p>

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
71.	Recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production.	NPPF Para 118	The important functions or contributions land can make are highlighted in various parts of the HMWP including Para. 4.1. However, there is no specific mention of some of the functions listed in NPPF Para. 118. Neither is there a clear statement giving cause for land to be undeveloped due to the importance of these functions.
72.	Give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.	NPPF Para 118	Minerals extraction development can only take place where the geology is present. Therefore, the opportunities for use of brownfield land is limited. The provision of waste management development is outlined in Policy 29: Locations and sites for waste management. Part 2 makes specific reference to support development where it “is previously development land or redundant agricultural and forestry buildings, their curtilages and hardstandings or is part of an active quarry or landfill operation; or is within or adjoins sewage treatment works and the development enables the co-treatment of sewage sludge with other wastes”.
73.	Promote and support the development of under-utilised land and buildings.	NPPF Para 118	
74.	Support opportunities to use the airspace above existing residential and commercial premises for new homes.	NPPF Para 118	Not applicable.
75.	Reflect changes in the demand for land.	NPPF Para 120	Allocations and capacity are monitored annually for both minerals and waste development and reported in the Monitoring Report and/or Local Aggregate Assessment. An assessment of the allocations was

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
			undertaken as part of the 2018 Review of the HMWP and is being repeated to inform the 2020 Review of the HWMP.
76.	Support development that makes efficient use of land, taking into account the need for different types of housing and other forms of development, local market conditions, the availability and capacity of infrastructure and services, the character and setting of the area, and the importance of securing well-designed, attractive and healthy places.	NPPF Para 122	<p>The HMWP only considers minerals and waste development. The efficient use of land is encouraged through a number of policies including: Policy 15: Safeguarding minerals resources which seeks to encourage prior extraction; Policy 9: Restoration of minerals and waste development which seeks to achieve beneficial after-uses; and Policy 29: Locations and sites for waste management development which recognises the various the locational requirements of different types of waste development.</p> <p>The availability and capacity of infrastructure is considered through: Policy 16: Safeguarding – minerals infrastructure; Policy 17: Aggregate supply – capacity and source; Policy 19: Aggregate wharves and rail depots; Policy 20: Local land-won aggregates; Policy 21: Silica sand development; Policy 22: Brick-making clay; Policy 23: Chalk development; Policy 26: Safeguarding – waste infrastructure; Policy 27: Capacity for waste management development.</p> <p>Securing well-designed development is sought through Policy 13: High-quality design of minerals and waste development.</p>

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
77.	Avoid homes being built at low densities where there is an existing or anticipated shortage of identified housing needs, and where appropriate include the use of minimum density standards.	NPPF Para 123	Not applicable.
78.	<i>Design</i>		
79.	Set out a clear design vision and provide maximum clarity about design expectations.	NPPF Para 125 & 126	<p>The requirement for design of minerals and waste developments is set out in HMWP Policy 13: High-quality design of minerals and waste development. This is supported by Para. 5.44 which states design and access statements are required, where appropriate. This is supported further by Para. 5.45. which provides the key designs and operational principles that should be met.</p> <p>The scope for design of minerals development is limited. However, the policy does not seek to encourage the inclusion of local communities in considering the design of waste management facilities only consideration of the impact of the development on communities through the reference to Policy 10: Protecting public health, safety and amenity.</p>
80.	Ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history,	NPPF Para 127	The requirement for design of life cycle of minerals and waste developments is set out in HMWP Policy 9: Restoration of minerals and

	A. NPPF Requirement	B. NPPF Paragraph Reference	C. Record your assessment results
	including the surrounding built environment and landscape setting, establish or maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development, and create places that are safe, accessible and inclusive.		<p>waste developments and Policy 13: High-quality design of minerals and waste development.</p> <p>This is further supported by the following policies which give specific criteria on the locational requirements of development:</p> <ul style="list-style-type: none"> - Policy 19: Aggregate wharves and rail depots - Policy 20: Local land-won aggregates - Policy 21: Silica sand development - Policy 24: Oil and gas development - Policy 27: Capacity for waste management development - Policy 28: Energy recovery development - Policy 29: Locations and sites for waste management - Policy 31: Liquid waste and waste water management - Policy 32: Non-hazardous waste landfill

81.	<i>Green Belt</i>		
82.	Set out proposals for new Green Belts within strategic policies. This should demonstrate why normal planning and development management policies would not be adequate, any major changes in circumstances, consequences for sustainable development, the need for Green Belt to support adjoining areas, and how new Green Belt would meet other objectives of the Framework.	NPPF Para 135	Not applicable.
83.	Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans. Even when exceptional circumstances are demonstrated strategically to take land out of the Green Belt, it is still necessary to demonstrate that exceptional circumstances exist at the site level.	NPPF Para 136	The potential impact of minerals and waste development on the Green Belt is set out in HMWP Policy 6: South West Hampshire Green Belt. Whilst the policy outlines that development within the Green Belt with need to demonstrate that it is not inappropriate or that very special circumstances exist, the terminology of the policy and support text does not reflect the NPPF's use of 'exceptional' circumstances or the regard that should be given to the permanence of the development impact on the Green Belt.

84.	Strategic policies should make as much use as possible of suitable brownfield sites and underutilised land and optimise the density of development including promoting an uplift in minimum density standards in town and city centres and locations well served by public transport. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed and/or is well served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.	NPPF Para 137 & 138	Not applicable.
85.	When defining Green Belt boundaries, plans should ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development, not include land which it is unnecessary to keep permanently open, identify areas of safeguarded land between the urban area and the Green Belt where necessary, make clear that the safeguarded land is not allocated for development at the present time, be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period, and define boundaries clearly.	NPPF Para 139	Not applicable.

86.	<i>Climate change, flooding and coastal change</i>		
87.	Take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperature.	NPPF Para 149	The HMWP seeks to address the mitigation and adaptation of climate change through Policy 2: Climate change mitigation and adaptation. Whilst the policy states that minerals and waste development should minimise their impacts, this is not necessarily a 'proactive' approach.
88.	Support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.	NPPF Para 149	The Climate Change Act requires Local Plans to monitor carbon emissions. The Plan does not outline the baseline for carbon emissions or measures to monitor the performance of the Plan on its carbon impact. In June 2019, Hampshire County Council declared a Climate Change Emergency ⁹⁰ . The HMWP is listed in the Climate Change Strategy as being a support for managing Hampshire's emissions and resilience.
89.	Increase the use and supply of renewable and low carbon energy and heat by providing a positive strategy for energy from these sources, identifying suitable areas for renewable and low carbon energy sources, and identifying opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.	NPPF Para 151	HMWP Policy 2: Climate change mitigation and adaptation and Policy 28: Energy recovery development seek to facilitate low carbon technologies. Policy 28 also requires the design of plants to have the capability to deliver heat in the future, this is not necessarily being delivered on the ground.
90.	Strategic policies should manage flood risk from all sources.	NPPF Para 156	The impact of minerals and waste development on flood risk it set out in HMWP Policy 11: Flood Risk & Prevention. The supporting text

⁹⁰ Portsmouth declared a climate change emergency in March 2019, Southampton in September 2019.

			<p>considers all sources of flooding and the role of the lead local flood authority (LLFA). However, at the time of adoption, the role of the was being defined and this text would benefit from being updated.</p> <p>Reference to the supporting Strategic Flood Risk Assessment is set out in Para. 5.27.</p>
91.	Avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast.	NPPF Para 167	<p>Consideration of the impact of development on the coast is outlined in Para. 5.24 and 5.25. However, there is no mention of Coastal Change Management Areas and the need for their consideration where proposals are made on the coast.</p>
92.	<i>Natural environment</i>		
93.	Contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.	NPPF Para 170	<p>The HWMP recognises the benefits of 'ecosystem services' in Para. 4.1 but does not make reference to natural capital.</p> <p>The contribution to and the enhancement of the natural and local environment it set out in the following policies:</p> <ul style="list-style-type: none"> - Policy 3: Protection of habitats and species - Policy 4: Protection of the designated landscape - Policy 5: Protection of the countryside - Policy 8: Protection of soils - Policy 9: Restoration of minerals and waste developments <p>Protection of soils, water and air is considered through Policy 10: Protecting public health, safety and amenity.</p>

			However, there is no specific reference to protection of the undeveloped coast or the provision of net gains.
94.	Plans should: distinguish between the hierarchy of international, national and locally designated sites, take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.	NPPF Para 171	<p>The hierarchy and enhancement of sites, habitats and species is set out in HMWP Policy 3: Protection of habitats and species. Consideration of the enhancement of habitat network and green infrastructure is provided in Policy 9: Restoration of minerals and waste developments.</p> <p>However, there is no reference to natural capacity or the framework for how this can be considered at a catchment or landscape scale.</p>
95.	Conserve the special character and importance of Heritage Coast areas.	NPPF Para 173	Not applicable.
96.	Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species, and identify and pursue opportunities for securing measurable net gains for biodiversity.	NPPF Para 174	<p>The consideration of local wildlife-rich habitats and wider ecological network is provided in HMWP Policy 3: Protection of habitats and species and Policy 9: Restoration of minerals and waste developments. The sites are identified and mapped on the Policies Map.</p> <p>However, there is no reference to securing measurable net gains for biodiversity.</p>

97.	Ensure that a site is suitable for its proposed use taking account of ground conditions, any risks arising from land instability and contamination, and the likely effects of pollution on health, living conditions and the natural environment.	NPPF Para 178 & 180	The suitability of site conditions for minerals and waste development is set out in HMWP Policy 10: Protecting health, safety and amenity.
98.	Sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.	NPPF Para 181	<p>HMWP Policy 10: Protecting health, safety and amenity considers the potential for release of emissions to the atmosphere but does not make specific reference to air quality. It does consider cumulative impacts.</p> <p>HMWP Policy 12: Managing traffic considers the carbon dioxide emissions of traffic and methods for reducing this but does not make specific reference to Air Quality Management Areas and Clean Air Zones.</p>
99.	Ensure that new development can be integrated effectively with existing businesses and community facilities.	NPPF Para 182	HMWP Policy 13: High quality design of minerals and waste developments seeks to ensure that minerals and waste development maintains and enhances the distinctive character of a landscape and townscape. This is elaborated further in Para. 5.45 in that development should 'be appropriate in scale and character in relation to its location, the surrounding area and any stated objectives for the future of the area. This should include any planned new development or regeneration'.

			<p>Policy 16: safeguarding – minerals infrastructure and Policy 26: Safeguarding – waste infrastructure both seek to protect planned and existing development from encroachment.</p> <p>However, reference is not made to the ‘agent of change’.</p>
100.	<i>Historic Environment</i>		
101.	Set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.	NPPF Para 185	<p>The conservation of the historic environment is outlined in HMWP Policy 7: Conserving the historic environment. However, the emphasis is on ‘protection’ rather than ‘sustaining’. Whilst the contribution to a ‘sense of place’ and ‘local identity’ is outlined in Para. 4.53, the wider social, cultural, economic and environmental benefits are not considered in the supporting text.</p>
102.	<i>Minerals</i>		
103.	Provide for the extraction of mineral resources of local and national importance.	NPPF Para 204	<p>The extraction of minerals resources of local and national importance is set out in the following policies:</p> <ul style="list-style-type: none"> - Policy 15: Safeguarding – mineral resources - Policy 16: Safeguarding – minerals infrastructure - Policy 17: Aggregate supply – capacity and source - Policy 20: Local land-won aggregates - Policy 21: Silica sand development - Policy 22: Brick-making clay - Policy 23: Chalk development - Policy 24: Oil and gas development

			Whilst the policies seek to make provision, the rates outlined in HMWP Policy 17 are not currently being met.
104.	Take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials.	NPPF Para 204	<p>The contribution of substitute or secondary and recycled materials and minerals waste would make is outlined in Policy 17: Aggregate supply – capacity and source and Policy 18: Recycled and secondary aggregates development. This is further supported through Policy 30: Construction, demolition and excavation waste development.</p> <p>Whilst the policies seek to make provision, the rate of 1mpta outlined in HMWP Policy 17 is not currently being met.</p>
105.	Safeguard mineral resources by defining Mineral Safeguarding Areas.	NPPF Para 204	<p>The safeguarding of minerals resources and the need for prior extraction is outlined in Policy 15: Safeguarding – mineral resources. This is further supported by the Hampshire Minerals & Waste Safeguarding Supplementary Planning Document (SPD)*.</p> <p><i>*As this was adopted after the HMWP, the Plan would benefit from making reference to the SPD.</i></p>
106.	Encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place.	NPPF Para 204	
107.	Safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals, the manufacture of concrete and concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.	NPPF Para 204	<p>The safeguarding of minerals infrastructure is set out in Policy 16: Safeguarding – minerals infrastructure. The requirement for the safeguarding is set out in Para. 6.22. In addition, Policy 34: Safeguarding potential minerals and waste wharf and rail depots seeks to safeguard sites that may become available in the future. These policies are further supported by the Hampshire Minerals & Waste Safeguarding Supplementary Planning Document* (SPD).</p>

			*As this was adopted after the HMWP, the Plan would benefit from making reference to the SPD.
108.	Set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health	NPPF Para 204	The criteria and requirements to ensure permitted and proposed operations do not have an unacceptable adverse impact are set out in the Development Management policies (1 - 12) including Policy 10: Protecting public health, safety and amenity which considered the potential for cumulative impacts.
109.	Recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction	NPPF Para 204	The recognition of the impacts of minerals and waste development including noise is outlined in Paras. 5.4 and 5.8. Policy 10: Protecting health, safety and amenity seeks to address any significant adverse impacts such as noise.
110.	Ensure that worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high-quality restoration and aftercare of mineral sites takes place.	NPPF Para 204	The need for restoration of worked land is set out in Policy 9: Restoration of minerals and waste developments. The requirement for provision at the earliest opportunity is outlined in Para. 4.70*.

National Planning Policy for Waste (2014)

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
	<i>General Requirements</i>		
1.	Positive planning through: - delivery of sustainable development and resource efficiency; - ensuring that waste management is considered alongside other spatial planning concerns;	NPPW Para 1	The delivery of sustainable development is outlined in HMWP Policy 25: Sustainable waste management. Para. 6.128 outlines how the waste policies contained within the Plan seeks to address wider planning concerns.
2.	Providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste; - helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment; and - ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management.	NPPW Para 1	Not applicable
3.	Ensure that the planned provision of new capacity and its spatial distribution is based on robust analysis of best available data and information, and an appraisal of options.	NPPW Para 2	Provision is outlined in Policy 25: Sustainable waste management and the detail on how this is to be delivered in capacity terms is set out in Policy 27: Capacity for waste management development.

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
			The background to this information is set out in Paras. 6.166 to 6.179 and provided in more detail in the <i>Assessment of Need for Waste Management Facilities in Hampshire: Waste Data Summary Report</i> .
4.	<p>Work jointly and collaboratively with other planning authorities to collect and share data and information on waste arisings, and take account of:</p> <ul style="list-style-type: none"> (i) waste arisings across neighbouring waste planning authority areas; (ii) any waste management requirement identified nationally, including the Government's latest advice on forecasts of waste arisings and the proportion of waste that can be recycled. 	NPPW 2 Para 2	<p>The HMWP was prepared in Partnership which is outlined in Para. 2.23.</p> <p>The information on waste arisings is set out in Table 6.5 which takes into account the guidance on forecasts at the time. This is provided in more detail in the <i>Assessment of Need for Waste Management Facilities in Hampshire: Waste Data Summary Report</i>.</p>
5.	Ensure that the need for waste management facilities is considered alongside other spatial planning concerns, recognising the positive contribution that waste management can bring to the development of sustainable communities.	NPPW Para 2	<p>The delivery of sustainable development is outlined in HMWP Policy 25: Sustainable waste management. Paras. 6.126 to 6.128 outlines how the waste policies seek to meet national planning objectives.</p> <p>However, the Plan could be more explicit in relation to the positive contribution that waste management can bring to communities.</p>
6.	Undertake early and meaningful engagement with local communities so that plans, as far as possible, reflect a collective vision and set of agreed priorities when planning for sustainable waste management, recognising that	NPPW Para 3	Paras 1.6 and 1.7 of the HMWP outlines how and when the local community was engaged in the development of the Plan including the Vision and Plan objectives. The concerns regarding waste management

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
	proposals for waste management facilities such as incinerators can be controversial.		development are recognised and outlined in Para. 2.17 as a key issue for the Plan.
7.	Drive waste management up the waste hierarchy, recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal.	NPPW Para 3	Application of the waste hierarchy is outlined in Policy 25: Sustainable waste management and the types and scales of the facilities required to delivery is set out in the supporting text to Policy 29: Locations and sites for waste management.
8.	Identify the tonnages and percentages of municipal, and commercial and industrial, waste requiring different types of management in their area over the period of the plan.	NPPW Para 3	<p>The requirement is outlined in Policy 25: Sustainable waste management and the detail on how this is to be delivered in terms of types of infrastructure is set out in Policy 27: Capacity for waste management development.</p> <p>The background to this information is set out in Paras. 6.166 to 6.179 and provided in more detail in the <i>Assessment of Need for Waste Management Facilities in Hampshire: Waste Data Summary Report</i>. This includes minimum capacity targets through the Plan period.</p>
9.	Consider the need for additional waste management capacity of more than local significance and reflect any requirement for waste management facilities identified nationally.	NPPW Para 3	<p>The consideration of capacity for waste management of more than local significance and national requirements which may result in the need for limited facilities are set out in the following policies:</p> <ul style="list-style-type: none"> - Policy 28: Energy recovery development - Policy 31: Liquid waste and waste water management - Policy 32: Non-hazardous waste landfill
10.	Take account of waste management needs, including for disposal of the residues from treated wastes, arising in more	NPPW Para 3	

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
	than one waste planning authority area but where only a limited number of facilities would be required.		- Policy 33: Hazardous and Low Level Radioactive Waste Development
11.	Work collaboratively in groups with other waste planning authorities, and in two-tier areas with district authorities, through the statutory duty to cooperate, to provide a suitable network of facilities to deliver sustainable waste management.	NPPW Para 3	<p>The HMWP was prepared in Partnership which is outlined in Para. 2.23 and waste management is currently provided under a partnership of a number of Hampshire local authorities known as Project Integra (Para. 6.160). The Duty to Cooperate during plan-preparation was met (Para. 2.23).</p> <p>The delivery of provision is set out Policy 25: Sustainable waste management and the detail on how this is to be delivered is set out in Policy 27: Capacity for waste management development.</p>
12.	Consider the extent to which the capacity of existing operational facilities would satisfy any identified need.	NPPW Para 3	<p>Existing capacity at the time of the Plan preparation is outlined in Paras. 6.160 to 6.162. This was taken into account to establish the capacity gaps which outlines the additional capacity required during the Plan period as set out in Policy 27: Capacity for waste management development.</p> <p>More detail is provided in the <i>Assessment of Need for Waste Management Facilities in Hampshire: Waste Data Summary Report</i>. This includes minimum capacity targets through the Plan period.</p>

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
13.	Identify the broad type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy.	NPPW Para 4	<p>The types of facilities and locational requirements are set out in HWMP Policy 29: Locations and sites for waste management. At the time of the plan adoption, there was a suitable network of facilities in place. The only allocations for waste management were for non-hazardous landfill and outlined in Policy 32: Non-hazardous landfill.</p> <p>It was expected that some future provision could be made on industrial estates (Para. 6.203). However, these are not identified within the Plan.</p> <p>Policy 29 also suggests that certain types of waste development would be supported in 'areas of major new or planned development' and these are identified on the Key Diagram.</p> <p>The Plan expects market-led delivery. However, monitoring suggests that there is a disconnect between what is being brought forward by the market and Policy 25 which seeks to drive waste management up the waste hierarchy.</p>
14.	Plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle.	NPPW Para 4	The proximity principle is outlined in part (b) of Policy 25: Sustainable waste management.
15.	Consider opportunities for on-site management of waste where it arises	NPPW Para 4	There is limited scope for on-site management of wastes for minerals and waste developments. However, Policy 30: Construction, demolition

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
			and excavation waste development seeks to encourage recycling or recovery of the material which can take place on-site.
16.	Consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities.	NPPW Para 4	Co-location of facilities is addressed in the following HMWP policies: <ul style="list-style-type: none"> - Policy 25: Sustainable waste management - Policy 27: Capacity for waste management development - Policy 29: Locations and sites for waste management - Policy 31: Liquid waste and waste water management
17.	Where a low carbon energy recovery facility is considered as an appropriate type of development, waste planning authorities should consider the suitable siting of such facilities to enable the utilisation of the heat produced as an energy source in close proximity to suitable potential heat customers.	NPPW Para 4	HMWP Policy 28: Energy recovery development states that 'As a minimum requirement the scheme should recover energy through electricity production and the plant should be designed to have the capability to deliver heat in the future' (Part (b)).
18.	Give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages.	NPPW Para 4	HMWP Policy 29: Locations and sites for waste management includes support for 'previously-development land or redundant agricultural and forestry buildings; their curtilages and hardstandings' (Part 2 (c)) but is provides a more focused direction on employment sites by referencing 'suitable industrial' estates and land 'allocated for general industry/storage'. This is due to fact that not all employment sites are suitable (e.g. business parks) as outlined in Para. 6.203.

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
19.	Physical and environmental constraints on development, including existing and proposed neighbouring land uses.	NPPW Para 5	HMWP Para. 6.196 states that the market-led approach 'recognises the 'spatial' needs of different types of waste facilities, including the demand for certain sites, and the constraints that limit the location of some facility types'.
20.	The capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.	NPPW Para 5	The capacity of transport infrastructure to support waste management is outlined in HMWP Policy 12: Managing traffic. Potential wharves and rail depots are referenced in Policy 34: Safeguarding potential minerals and waste wharf and rail depot infrastructure.
21.	The cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.	NPPW Para 5	The cumulative impact of waste development is considered in Policy 10: Protecting public health, safety and amenity.
22.	Planning authorities should first look for suitable sites and areas outside the Green Belt for waste management facilities that, if located in the Green Belt, would be inappropriate development. Local planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan.	NPPW Para 6	Waste development in the Green Belt is considered in HMWP Policy 6: South West Hampshire Green Belt.

	A. NPPW Requirement	B. NPPW Paragraph Reference	C. Record your assessment results
23.	Local planning authorities should, to the extent appropriate to their responsibilities, monitor and report.	NPPW Para 9	Section 7 of the HMWP outlines the responsibility of the Authorities to monitor and report on the Policies. An Implementation and Monitoring Plan is set out in Appendix C.

HAMPSHIRE COUNTY COUNCIL, NEW FOREST NATIONAL PARK AUTHORITY, PORTSMOUTH CITY
COUNCIL, SOUTH DOWNS NATIONAL PARK AUTHORITY & SOUTHAMPTON CITY COUNCIL

Hampshire Minerals & Waste Plan

Development Scheme

December 2020



Contents

1. Introduction	1
What is a Minerals & Waste Development Scheme?	1
Why is the Plan being updated?	1
What area is covered by the HMWP?	3
What resources are available for plan-making?	3
2 Minerals & Waste Planning	4
What is the Hampshire Minerals & Waste Plan?	4
How does the Plan relate to other Plans and Strategies?	4
What are the key stages in document preparation?	5
HMWP Update: Timetable	6
Policies Map	7
Meeting the Duty to Cooperate	7
Local Aggregate Assessment	8
Plan Assessment and Appraisal	8
Plan Monitoring	8
Potential Risks to the Timetable	9
3 HMWP Update: Evidence Base	11
Preparing a robust evidence base	11
Proposed evidence base	11
Glossary of Terms & Acronyms	12

1. Introduction

- 1.1 Hampshire County Council is one of five Minerals and Waste Planning Authorities (MWPA) which cover the geographical area of Hampshire and include New Forest National Park Authority, Portsmouth City Council, South Downs National Park Authority and Southampton City Council.
- 1.2 The current Hampshire Minerals and Waste Plan (HMWP) (the Plan) was adopted by the five Hampshire MWPA in October 2013¹. The Plan is based upon the principle of ensuring that the Plan area has the right developments to maintain a reliable and timely supply of minerals and excellent management of waste, whilst protecting the environment and communities. It contains policies to enable minerals and waste decision-making, as well as minerals and waste site allocations (rail depots, land-won sand and gravel quarries, brick-making clay quarries and landfill) which support Hampshire's vision and objectives for minerals and waste development to 2030. The effectiveness of the policies in the HMWP are reviewed through annual Monitoring Reports.

What is a Minerals & Waste Development Scheme?

- 1.3 This Minerals and Waste Development Scheme (HMWDS) provides a timetable for the update to the HMWP and sets out what planning policy documents will be prepared, the subject matter, which geographical areas they relate to and the various stages that each will go through, including opportunities for public participation.
- 1.4 The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, requires every local plan making authority (LPA) in England to produce a development scheme, which sets out the timetable and details of planning policy documents that each LPA will produce.
- 1.5 This updated HMWDS (2020) came into effect on **to be inserted** and replaces the previously published HMWDS published in 2014. The HMWDS will be subject to review on a regular basis to take account of the implementation and monitoring of the HMWP and the production of any associated documentation. The most up to date version of the HMWDS is published on Hampshire County Council's website at: <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>.

Why is the Plan being updated?

- 1.6 Planning Regulations² and National Planning Policy³ require that policies in Local Plans should be reviewed to assess whether they require updating at least once every five years and updated, as necessary. As such, the HMWP was reviewed in 2018.

¹ Hampshire Minerals & Waste Plan (2013) -

<https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

² Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

³ National Planning Policy Framework 2019 (para. 33; p11)

That review concluded that the policies were working effectively to achieve the Vision and there was no requirement at that time to update the HMWP.

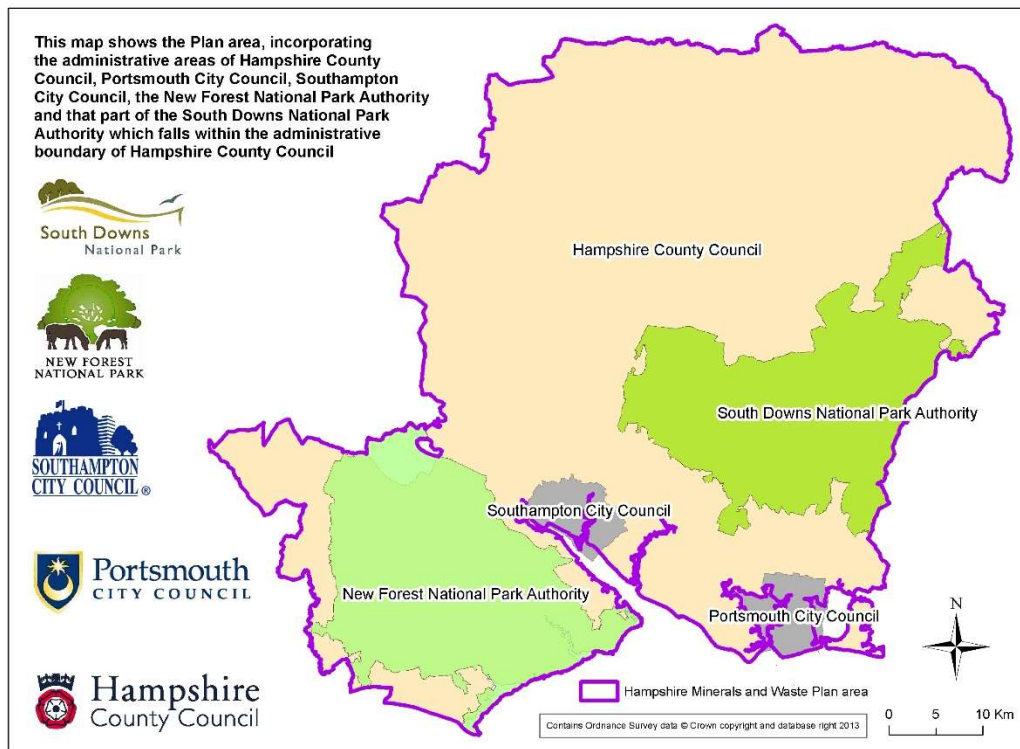
- 1.7 The 2018 Review also concluded, that the HMWP would be reviewed again in two years (2020) to determine the effectiveness of the policies and whether there is a need to amend site allocations. It was recognised that there were limitations to the 2018 review:
 - The monitoring indicators and triggers may not have been defined sufficiently;
 - There were a number of uncertainties which would have an impact on future capacity requirements such as Brexit; and
 - The Government's drive to boost the housing market would have an impact on construction aggregates but the timescales and quantities were difficult to define.
- 1.8 A HMWP Review Workshop, attended by a wide range of Stakeholders, was undertaken in September 2019 to investigate the issues raised within the 2018 Review and how trends in minerals supply and sustainable waste management provision are developing.
- 1.9 The 2020 Review of the HWMP has now been undertaken and concludes that the Plan requires some updating. This HWWDS outlines the programme for the partial Plan update including the timetable for production and when public participation is likely to take place.
- 1.10 An updated Plan is important as an out-of-date plan allows less control over-achieving the right developments, in the right locations, at the right time for Hampshire and could lead to more planning applications determined at appeal.
- 1.11 It is important that the project plan for the partial update of the HMWP is realistic, 'fit for purpose', and that the timescales are justified based on the local circumstances (including its available resources). The timetables set out in this document therefore reflect:
 - The available resources (see below);
 - The need to build upon previous minerals and waste plans;
 - The Statement of Community Involvement requirements for each Authority;
 - The need to produce a robust and up-to-date evidence base;
 - The need to undertake Sustainability Appraisal and a detailed Habitats Regulations Assessment;
 - New guidance and emerging best practice; and
 - The need to undergo democratic processes at the various plan preparation stages for each of the four authorities involved.
- 1.12 Minerals and waste planning authorities are allowed to work together to prepare minerals and waste development documents⁴. The HMWP will be prepared, submitted, and adopted by the five authorities as a joint document. Each mineral and waste planning authority will 'adopt' the HMWP individually.

⁴ Under section 28 of the Planning and Compulsory Purchase Act 2004

What area is covered by the HMWP?

- 1.13 Minerals and waste planning issues are most appropriately addressed jointly so that strategic issues can be satisfactorily resolved. The updated HMWP will reflect the boundary of the current adopted Plan (2013).
- 1.14 Figure 1 below indicates the administrative areas of each of the Authorities.

Figure 1: HMWP Administrative Areas



What resources are available for plan-making?

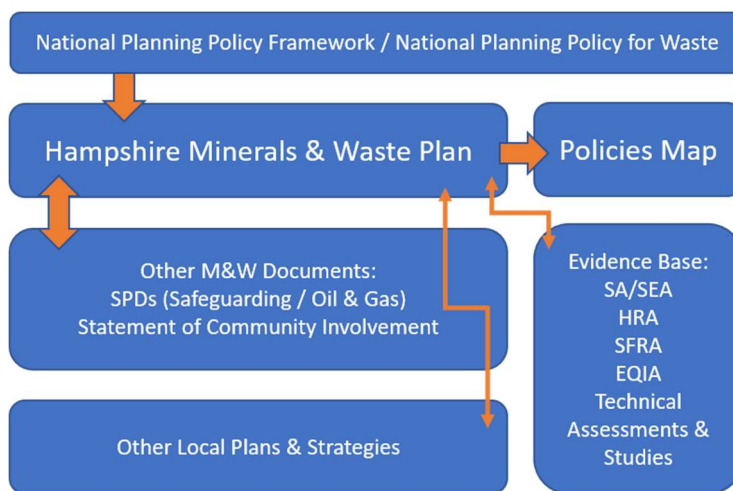
- 1.15 The Plan will be approved by each Authority. Hampshire County Council will lead the technical preparation of the partial HMWP working with the partner Authorities. Hampshire will contribute planning, specialist, and managerial staff resources sufficient to prepare a sound plan.
- 1.16 The partner Authorities have committed significant financial support to the partial update of the HMWP and will also provide support and contribute some staff time where required.

2. Minerals & Waste Planning

What is the Hampshire Minerals & Waste Plan?

- 2.1 The HMWP is a Local Plan, supported by other development documents such as the Statement of Community Involvement for each Authority. The HMWP covers the period up to 2030.
- 2.2 Local Plans undergo an examination conducted by an independent Planning Inspector.
- 2.3 Figure 2 shows the documents that make up the HMWP and the linkages to other strategies.

Figure 2: HMWP Linkages to other Strategies



How does the Plan relate to other Plans and Strategies?

National Planning Policy

- 2.4 HMWP will need to accord with current planning policy and guidance on minerals and waste. The National Planning Policy Framework (NPPF)⁵ was published in 2012 and subsequently updated and revised in 2019. The National Planning Practice Guidance⁶ which sits alongside the NPPF was launched in 2014 and is a live document, updated as necessary by the Government. The Waste Management Plan for England⁷ was published in December 2013, followed by the National Planning Policy for Waste⁸ which was published in October 2014.

⁵ National Planning Policy Framework -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁶ Planning Practice Guidance - <http://planningguidance.communities.gov.uk/>

⁷ Waste Management Plan for England - <https://www.gov.uk/government/publications/waste-management-plan-for-england>

⁸ National Planning Policy for Waste - <https://www.gov.uk/government/publications/national-planning-policy-for-waste>

Regional Planning Policy

- 2.5 The South East Plan was partially revoked on 25 March 2013. Policy NRM6, which deals with the Thames Basin Heaths Special Protection Area, remains in place as a saved policy⁹ and is relevant to the Plan area.

Local Planning Policy

- 2.6 The Hampshire Minerals & Waste Plan (2013) remains the adopted Plan until it is replaced by the updated HMWP.

Other relevant Strategies

- 2.7 A Statement of Community Involvement (SCI) sets out the approach for involving the community in the preparation, alteration and continuing review of all development plan documents (DPD), and in publicising and dealing with planning applications. Each of the Authorities has adopted its own Statement of Community Involvement. These are as follows:
- Hampshire – Statement of Community Involvement (2017)¹⁰
 - Portsmouth – Statement of Community Involvement (2017)¹¹
 - Southampton – Statement of Community Involvement (2019)¹²
 - New Forest – Statement of Community Involvement (2013)¹³
 - South Downs – Statement of Community Involvement (2017)¹⁴

What are the key stages in document preparation?

- 2.8 All Local Plans have to go through prescribed procedures and are subject to wide public consultation and ultimately an independent public examination before they can be adopted. Local Plans are examined to assess their 'soundness' (i.e. whether they are fit for purpose and legally compliant).
- 2.9 The key stages in Local Plan preparation and updating are outlined in Figure 3.

⁹ Natural Resource Management (NRM6) - <http://www.bracknell-forest.gov.uk/south-east-plan-policy-nrm6.pdf>

¹⁰ Hampshire SCI (2017) - <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/statement-community-involvement>

¹¹ Portsmouth SCI (2017) - <https://www.portsmouth.gov.uk/ext/development-and-planning/planning-policy/statement-of-community-involvement>

¹² Southampton SCI (2019) - [https://www.southampton.gov.uk/images/involving-you-in-planning-\(sci\)_tcm63-424238.pdf](https://www.southampton.gov.uk/images/involving-you-in-planning-(sci)_tcm63-424238.pdf)

¹³ New Forest SCI (2013) - <https://www.newforestnpa.gov.uk/planning/community-involvement/>

¹⁴ South Downs SCI (2017) - <https://www.southdowns.gov.uk/wp-content/uploads/2015/02/Statement-of-Community-Involvement-August-2017.pdf>

Figure 3: Local plan preparation



HMWP Update: Timetable

2.10 The following table outlines the timetable for the partial HMWP update.

HMWP Key Milestones	Timescale	Description
Regulation 18 (Preparation)	March 2021 – September 2021	Call for Sites (Fixed period) Evidence Base <ul style="list-style-type: none"> • Scoping Report (SA/SEA) • Screening (HRA) • Minerals & Waste Background Studies • Minerals & Waste Proposal Studies • Wharves & Rail Depots Needs Assessment • Climate Change Topic Paper • Aggregate Recycling Topic Paper • Restoration Topic Paper • Technical Assessments (Landscape, Transport, Flooding, Heritage)
Regulation 18 (Consultation)	October 2021 – December 2021	Consultation on the Draft Plan Update and Evidence

Regulation 19 (Proposed Submission Document Preparation)	January 2022 – March 2022	Update Evidence Base Revise Plan based on Evidence Base and Consultation
Regulation 19 (Proposed Submission Document Consultation)	April 2022 – June 2022	Consultation on the updated Plan to be submitted to the Secretary of State
Regulation 22 (Preparation)	July 2022 – October 2022	Update Evidence Base Proposed Modifications based on Evidence Base and Consultation
Regulation 22 (Submission to SoS)	Winter 2022	Submitting the Plan to the Secretary of State who appoints a Planning Inspector
Regulation 24 (Public Examination)	Spring 2023	Pre- Examination Hearing Planning Inspector examines the Plan
Regulation 25 (Inspector's Report)	Summer 2023	Planning Inspector delivers his report on the Plan
Regulation 26 (Adoption)	Autumn 2023	All authorities adopt the Plan, as modified by Planning Inspector

Policies Map

- 2.11 A Policies Map forms part of the HMWP and will be updated simultaneously with the Plan. The Policies Map illustrates geographically how the policies of the HMWP are to be applied.

Meeting the Duty to Cooperate

- 2.12 In preparing the updated HMWP, the Hampshire Authorities will fulfil their duty to cooperate with:
- Districts and Boroughs and surrounding Minerals & Waste Planning Authorities;
 - Statutory consultees – organisations such as Natural England, Historic England and the Environment Agency that need to be involved in planning for minerals or waste; and
 - Those organisations and communities that have a minerals or waste interest or that may be impacted by the proposals.
- 2.13 A report showing how the requirements to fulfil the duty to cooperate have been met will be prepared as part of the evidence base.
- 2.14 Where relevant, Statements of Common Ground will be prepared to address strategic cross-boundary issues.

Local Aggregate Assessment

- 2.15 The Local Aggregate Assessment (LAA) is prepared annually and is a report that considers the sale and movements of aggregates in the local authority that produces it. The Hampshire Authorities already work together to produce a joint Local Aggregate Assessment¹⁵. This document will continue to be produced annually and will form an important part of the Evidence Base for the HMWP.

Plan Assessment and Appraisal

- 2.16 The policies and proposals in the updated HMWP will be assessed to ensure that they contribute to the aims of sustainable development. This assessment will be through Sustainability Appraisal (which incorporates assessment as required under the Strategic Environmental Assessment (SEA) Directive). To prepare these appraisals, a sustainability 'Scoping Report' will be prepared. This report describes the existing key environmental, social, and economic issues for Hampshire and includes a set of sustainability objectives which will be used to assess the policies in documents.
- 2.17 All minerals and waste development documents are also subject to Habitats Regulations Assessment (HRA)¹⁶ and the updated HMWP will be assessed accordingly.
- 2.18 Local government authorities are subject to the public sector equality duty under the Equality Act 2010¹⁷. An Equalities Impact Assessment will be produced to ensure that the HMWP update meets this duty.

Plan Monitoring

- 2.19 In accordance with the Planning and Compulsory Purchase Act 2004, as amended by The Localism Act 2011, local authorities are required to produce a Monitoring Report, containing:
- information on how the preparation of the minerals and waste DPDs are progressing; and
 - the extent to which the policies set out in the associated documents are being implemented.
- 2.20 Monitoring Reports are produced annually for the Hampshire Authorities¹⁸.

¹⁵ Aggregates Monitoring Report (2019) - <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

¹⁶ Under the Conservation of Habitats and Species Regulations 2017 - <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

¹⁷ Equality Act 2010 - <http://www.legislation.gov.uk/ukpga/2010/15/contents>

¹⁸ Minerals and Waste Monitoring Reports - <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

Potential Risks to the Timetable

2.21 The plan preparation process has a number of risk elements including:

- Staff Resources;
- Funding; and
- Democratic timetables.

2.22 The Hampshire Authorities have a variety of procedures in place to mitigate these risks.

2.23 The key risks and mitigation measures are outlined in the table below.

Risk	Why	Level x likelihood of Impact	Mitigation / minimisation measures
Staffing and resources	Minerals and waste planning require specialist staff, while government spending cuts continue to affect resources across all Councils.	Low	The Hampshire Authorities have resolved to allocate appropriate resources for the production of the updated HWMP. Hampshire County Council will be the lead Authority and will undertake the majority of the work, having appropriate staff skills and resources. Regular updates will be provided to the partners and progress will be closely monitored.
Potential changes in national and local political control/ leadership	There may be future changes to legislation and guidance introduced by a new Government. There may be changes in the political composition and outlook of one or more of the Hampshire Authorities.	Medium	Changes in policy and guidance will be monitored and assessed for their impact on the content of emerging documents. The HWMP update will be based upon the information available at that time. Advice will be sought from the Ministry for Housing, Communities and Local Government (MHCLG) and the Planning Inspectorate, as appropriate. Locally, officers will work closely with Members. The focused update and timetable should reduce the risk of any potential change.

Legal Compliance / Soundness / Legal Challenge	The updated HMWP will be assessed by a Planning Inspector as to whether it has complied with legislation and is sound (a suitable plan for the local circumstances, based on relevant policy and a robust evidence base).	Medium	The Councils will seek to ensure that the Local Plan is legally compliant, "sound", based upon a robust evidence base, and has a well audited consultation process, in order to minimise the risk of legal challenge. The Councils will work closely with the Planning Inspectorate at all stages of the examination to ensure the tests of soundness are met. The Council will take account of other advice available such as from the Planning Advisory Service and tools such as 'toolkits' in respect of the Local Plan process. The Council will also take legal advice on the plan process as appropriate.
Local opposition	Minerals and waste plans can lead to high levels of local interest and/or local opposition to proposals.	Medium	Information and opinions from the public need to be fully considered during plan-making and contribute to the development of a sound plan. In order to maximise the input from local stakeholders to the updated HMWP, early and focused engagement will be essential. Realistic time should be programmed for consultation and subsequent analysis of responses of any controversial documents.
Partnership working	While partnership working will bring benefits in the preparation of the updated HMWP, it can also introduce delays due to differing positions or democratic timetables and processes.	Medium	There is a need to share timetables, as well as engage and maintain good working relationships. The focused update and timetable should reduce the risk of any potential impact on the partnership.
National pandemic	The impact of a national pandemic may impact resources and/or how engagement is carried out with the public and stakeholders.	Medium	Managing resources is outlined above. Statements of Community Involvement will set outline any revised approaches to consulting in a time of a pandemic. Any change in measures will accord with Government advice. If necessary, and where possible, events including the Public Examination will be carried out virtually.

3. HMWP Update: Evidence Base

Preparing a robust evidence base

- 3.1 Planning authorities are urged to ensure that effective programme management techniques are employed in progressing and orchestrating the production of the evidence base for plan work.
- 3.2 It is intended that the main studies should be completed prior to public participation on minerals and waste planning documents, in order to ensure that all the key issues have been identified at the Regulation 18 stage.
- 3.3 It is also important that the evidence base is complete and robust prior to publication of the plans. This will help demonstrate that the proposed plans are the most appropriate considering all the options and based on the available evidence.

Proposed evidence base

- 3.4 Due to the focused nature of the partial HMWP Update, specific studies will need to be undertaken including:
 - Waste Background Study
 - Minerals Background Study
 - Wharves & Depots Needs Assessment
 - Climate Change Topic Paper
 - Aggregate Recycling Topic Paper
 - Restoration Topic Paper
 - Minerals and Waste Proposal Studies
 - Sustainability Appraisal (incorporating Strategic Environmental Assessment)
 - Habitats Regulations Assessment
 - Strategic Flood Risk Assessment
 - Strategic Technical Assessments on issues such as Transport, Landscape and Heritage.
- 3.5 As the evidence base is prepared any completed or draft supporting documents will be available to view on the Hampshire Minerals & Waste Plan website¹⁹.

¹⁹ Hampshire Minerals & Waste Plan webpage - <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan>

Glossary of Terms & Acronyms

Development Plan - Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990) requires that decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for each of the partner Authorities includes the latest Local Plans for that authority, the Hampshire Minerals and Waste Plan (incorporating South East Plan saved policy NRM6) and any completed Neighbourhood Plans. It is important that all documents comprising the Development Plan are read together.

Equalities Impact Assessment (EqIA) - An equality impact assessment (EqIA) is a process designed to ensure that a policy, project, or scheme does not discriminate against any disadvantaged or vulnerable people.

Habitats Regulation Assessment (HRA) - Statutory requirement for Planning Authorities to assess the potential effects of land-use plans on designated European Sites in Great Britain. The Habitats Regulations Assessment is intended to assess the potential effects of a development plan on one or more European Sites (collectively termed 'Natura 2000' sites). The Natura 2000 sites comprise Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). SPAs are classified under the European Council Directive on the conservation of wild birds (79/409/EEC; Birds Directive) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).

Local Plan - Local Plans have statutory development plan status and are subject to rigorous procedures involving community involvement and formal testing through examination by an independent Planning Inspector to assess whether a plan has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements and whether it is sound. Local Plans usually deal with non-minerals or waste matters but references minerals and waste plans.

National Planning Policy for Waste (NPPW) – The NPPW sets out detailed waste planning policies. It should be read in conjunction with the National Planning Policy Framework.

National Planning Policy Framework (NPPF) - The NPPF is a single document that sets out the Government's economic, environmental, and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development.

Planning Practice Guidance (PPG) - The PPG (2014 onwards) is an online resource setting out further detail on the Government's national planning policies set out in the NPPF and NPPW.

Stakeholder - Any person or organisation expected to have a concern or interest in a particular minerals and waste development, site, policy, or issue.

Statement of Community Involvement (SCI) - A document which sets out how a Council will engage with communities in reviewing and preparing planning policy documents and consulting on planning applications.

Strategic Environmental Assessment (SEA) - A system of incorporating environmental considerations into policies, plans, programmes, and part of European Union Policy. It is sometimes referred to as strategic environmental impact assessment and is intended to highlight environmental issues during decision-making about strategic documents such as plans, programmes and strategies. The SEA identifies the significant environmental effects that are likely to result from implementing the plan or alternative approaches to the plan. The Sustainability Appraisal often includes the SEA.

Sustainability Appraisal (SA) - Examines the impact of proposed plans and policies on economic, social, and environmental factors, and ensures that these issues are taken into account at every stage so that sustainable development is delivered on the ground. It also appraises the different options that are put forward in the development of policies and the process of allocating sites. The SA often incorporates SEA.

Thames Basin Heaths Special Protection Area (TBHSPA) - A group of heathland sites distributed across Berkshire, Surrey and Hampshire that support important breeding populations of lowland heathland birds (especially the Nightjar, Dartford Warbler and Woodlark). The area is designated for its interest under a European Wildlife Directive (and subject to the assessment procedure set out in the Habitats Directive) in order to protect the important species of birds that live within them.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Economy, Transport and Environment
Date:	14 January 2021
Title:	2020 Review of the Hampshire Minerals & Waste Plan and revised Development Scheme
Report From:	Director of Economy, Transport and Environment

Contact name: Melissa Spriggs

Tel:

Email: melissa.spriggs@hants.gov.uk

Purpose of this Report

1. The purpose of this paper is to provide the reasons for why a partial update of the Hampshire Minerals & Waste Plan (2013) is required following the completion of the 2020 Review as required by the National Planning Policy Framework (NPPF) and to set out the timetable for completing the update.

Recommendations

2. That the Executive Member for Economy, Transport and Environment recommends that Cabinet recommends to Full Council the approval of the conclusions of the 2020 Review of the Hampshire Minerals & Waste Plan as set out in this report, and approves its publication following agreement by the plan-making partner Authorities.
3. That the Executive Member for Economy, Transport and Environment recommends that Cabinet recommends to Full Council the approval of the Hampshire Minerals & Waste Development Scheme which sets out the timetable and programme for the partial update of the Hampshire Minerals & Waste Plan (2013), subject to agreement by the plan-making partner Authorities.

Executive Summary

4. This paper seeks to
- provide the background to why a Review of the Hampshire Minerals & Waste Plan is required;
 - highlight the findings of the 2020 Review;
 - outline the financial status of the Hampshire Minerals & Waste Plan (2013) and budgeting implications of a partial update to the Plan; and

- set out the timetable and programme of work to be undertaken to support a partial Plan update.

Background to the Review

5. The National Planning Policy Framework (2018) requires that Local Plans should be reviewed to assess whether they require updating at least once every five years¹. The Hampshire Minerals & Waste Plan (the 'Plan') was adopted in October 2013.
6. The Plan was produced in partnership with Portsmouth and Southampton City Councils and the New Forest and South Downs National Park Authorities. Since adoption, there has been an on-going relationship between Hampshire County Council and these Authorities regarding the monitoring and implementation of the Plan. Therefore, a decision on the future of Hampshire Minerals and Waste Plan needs to be made by each Authority.
7. A Review was undertaken in 2018 based on the data obtained through annual Monitoring Reports. The 2018 Review concluded that an update of the Plan was not required at that time. The reasons given were that the development management policies were functioning well to protect communities and the environment. Whilst some issues were identified in the delivery of minerals and waste development, the policies were considered to enable suitable development to come forward. However, the 2018 Review also concluded that some of the issues should be kept under review and a commitment was made to undertake a workshop to explore the issues and a further review of the Plan in 2020.
8. The 2020 Review of the Hampshire Minerals & Waste Plan (see Appendix 1) follows the approach taken for the 2018 Review including a 'RAG' (Red, Amber, Green) status for the policies but also takes into account the guidance provided by the Planning Advisory Service toolkit (published in 2019). Therefore, the 2020 Review includes a review of compliance of the Plan with national policy (National Planning Policy Framework and National Planning Policy for Waste) and a review of the Plan Vision, Plan Objectives and Spatial Strategy.

Findings of the 2020 Review

9. The 2020 Review not only takes into account the monitoring data and compliance with national policy but also the raft of policy documents which have been issued by Government since the Plan was adopted. This includes, but is not limited to, the 25 Year Environment Plan, the Industrial Strategy and Waste & Resources Strategy as well as other policy drivers such as the

¹ National Planning Policy Framework (Para. 33) - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

Environment Bill and the recent 'Planning for the future' White Paper consultation.

10. The 2020 Review not only considers national policy drivers but also local agendas such as the climate change emergencies that have been declared by Hampshire County Council and partners as well as the 2050 Commission of Inquiry.
11. In addition, the 2020 Review outlines the key messages from the Review Workshop held on 25th September 2019.
12. The 2020 Review concludes the following:

Development Management Policies

13. The monitoring data suggests that most of these policies are performing well with Policy 14 (Community benefits) as the exception. However, reviewing national policy compliance highlights that the policies would benefit from a light touch update in their terminology and in some cases, their delivery. In addition, Policy 2 (Climate change – mitigation and adaption) needs to be strengthened and Policy 9 (Restoration of minerals and waste developments) needs to ensure that climate change is suitably embedded in its implementation.

Minerals Policies

14. The 2018 Review highlighted that the minimum 7-year landbank for sand and gravel (for both sharp sand and soft sand), as required by national policy, was not being met along with other mineral requirements. The situation remains in 2020 as well as an increasing risk to recycled and secondary aggregate delivery and capacity issues at the wharves.
15. The aggregate delivery requirements (Policy 17 Aggregate supply – capacity and source) would benefit from being updated. This would help ensure the requirements of national policy were being met.
16. Whilst the policies are enabling suitable development to come forward, they would benefit from outlining any additional sustainable opportunities to help meet requirements and provide certainty to industry and communities.

Waste Policies

17. The 2020 Review shows that in general, the waste forecasts continue to be relatively accurate and additional capacity is coming on stream albeit focused more on recovery than recycling. However, to ensure compliance with the national policy, they would benefit from an update to enable greater alignment with the waste hierarchy and the emerging national waste strategy.
18. Whilst landfill is a last resort, there remains a need to landfill some wastes and current landfill capacity continues not to meet the forecasted need. Therefore, the policy would benefit from considering possible sustainable options alongside other sites for waste management.

Monitoring Indicators

19. The 2020 Review has not assessed these in detail but it is recognised that not all indicators obtain the information required to monitor the effectiveness

of the Policies. However, any update of the policies should include a further review of the monitoring indicators to ensure that they are SMART².

Vision, Plan Objectives, Spatial Strategy and Key Diagram

20. The issues identified through this Review could suggest that the economy was not being supported adequately. The current Vision could also be considered to be lacking in spatial identity and specificity in its aims in relation to minerals and waste.
21. The Plan Objectives generally align with the policies and would help achieve the current Vision. As some of the Policies are currently not delivering their aim, this would suggest the Plan Objectives are not being met. An update of the Policies and/or Vision would need to include a review of the Plan Objectives to ensure they align.
22. Any update to the Policies would need to be reflected in both the Spatial Strategy and Key Diagram. To ensure compliance with national policy, the Policies, Spatial Strategy and Key Diagram need to be unambiguous.

2020 Review recommendations

23. The 2020 Review recommends that an update of the HMWP is undertaken to ensure compliance with national policy but also to ensure that the Plan is delivering a steady and adequate supply of minerals and enabling sustainable waste management provision.
24. In addition, the Vision, Plan Objectives, Spatial Strategy and Key Diagram will need to be further reviewed to ensure that all requirements of the Plan are delivered but also that the Vision aligns with the 2050 principles for Hampshire and the climate change agenda.
25. To support the partial Plan update, an assessment of mineral and waste site options would ensure any suitable sites for enabling sustainable minerals and waste development are included in the Plan helping provide certainty to the industry and local communities.

Partial Plan Update Timetable

26. The timetable for the partial update set out in the new Development Scheme (see Appendix 2) is outlined as follows:

HMWP Key Milestones	Timescale	Description
Regulation 18 (Preparation)	March 2021 – Sept 2021	Call for Sites (Fixed period) Preparation of Evidence Base
Regulation 18 (Consultation)	Oct 2021 – Dec 2021	Consultation on the Draft Plan Update and Evidence
Regulation 19 (Proposed)	Jan 2022 – March 2022	Update Evidence Base

² Specific, Measurable, Achievable, Realistic and Timely.

Submission) Document Preparation)		Revise Plan based on Evidence Base and Consultation
Regulation 19 (Proposed Submission Document Consultation)	April 2022 – June 2022	Consultation on the Updated Plan to be submitted to the Secretary of State
Regulation 22 (Preparation)	July 2022 – Oct 2022	Update Evidence Base Proposed Modifications based on Evidence Base and Consultation
Regulation 22 (Submission to SoS)	Winter 2022	Submitting the Plan to the Secretary of State who appoints a Planning Inspector
Regulation 24 (Public Examination)	Spring 2023	Pre- Examination Hearing Planning Inspector examines the Plan
Regulation 25 (Inspector's Report)	Summer 2023	Planning Inspector delivers his report on the Plan
Regulation 26 (Adoption)	Autumn 2023	All authorities adopt the Plan, as modified by Planning Inspector

27. The consultations will be carried out in line with the Statement of Community Involvement³ (2017).
28. It is recognised that the recent consultation on the 'Planning for the future' White Paper outlines proposed changes to plan-making and timescales. The timetable for the Plan update sits within the proposed 30-month period and it is expected that submission by Winter 2022 will also be within any transition period relating to changes to the planning system.

Programme of work

29. To support the partial update of the Plan, several studies and assessments will need to be undertaken. These include the following:
- Waste Background Study;
 - Minerals Background Study;
 - Wharves & Depots Needs Assessment;
 - Climate Change Topic Paper;
 - Aggregate Recycling Topic Paper;
 - Restoration Topic Paper;
 - Minerals and Waste Proposal Studies;

³ Statement of Community Involvement (2017) - <https://documents.hants.gov.uk/planning-strategic/HampshireStatementofCommunityInvolvementAdoptedNovember2017.pdf>

- Sustainability Appraisal (incorporating Strategic Environmental Assessment);
 - Habitats Regulations Assessment;
 - Strategic Flood Risk Assessment; and
 - Strategic Technical Assessments on issues such as Transport, Landscape, Ecology and Heritage.
30. A call for minerals and waste site nominations will commence immediately that the update is approved, to explore suitable site options for allocation.
31. It is intended that the studies and assessments will be prepared in-house where possible to make use of skills and resources within the Council, minimise costs and develop officers.

Financial Implications

32. Hampshire County Council has contractual arrangements with the plan-making partner Authorities regarding the monitoring and implementation of the Plan. The partners pay 8% each of the yearly cost for these services, with Hampshire County Council covering the remaining 68%.
33. Final budgetary arrangements are yet to be agreed with partners. However, an initial total budget estimate for the partial Plan update is approximately £816,750k. Based on the current distribution of costs, partner authorities would be contributing approximately £261,360k to the estimated total budget. The remaining £555,390k would be paid by Hampshire County Council.
34. The cost of the partial Plan update would be funded from monies previously identified and earmarked for a Plan update (£230,000 which remained from the preparation of the adopted (2013) plan) with the remaining resource requirements met through re-prioritisation of work programmes and activities within ETE Planning budgets, subject to appropriate contributions being secured from the partner authorities.
35. Hampshire County Council will lead the technical preparation of the partial Plan update working with officers from each of the partner Authorities, as required.

Next Steps

36. The findings of the Review need to be published and it is proposed to do this by making the '2020 Review of the Hampshire Minerals & Waste Plan' public as soon as possible.
37. The Development Scheme outlines the programme for the partial update of the Plan and will come into effect following resolution by each partner.
38. Due to the focused nature of the update, it is not expected that the outcome of the current consultation on the 'Planning for the future' White Paper will impact the timetable.

39. It is necessary for all partner Authorities to agree to carrying out a partial Plan update, and contribute the required funding, before the work can proceed. Discussions with partner Authorities are positive and on-going.
40. Once completed, the decision to agree and adopt the updated Plan will be taken to Full Council.

Consultation and Equalities

41. The 2020 Review recommends that a partial update to the Plan is required but does not contain the detail. The new Development Scheme sets out the programme and timetable for the partial Update but not the outcomes. Therefore, any impacts are unknown at this stage and considered to be neutral. The update will be supported by an Equalities Impact Assessment.

Climate Change Impact Assessments

42. The main vulnerabilities to climate change variables identified for the 2020 Review of the Hampshire Minerals & Waste Plan (HMWP) include risk to coastal infrastructure of sea level rises and storm events. These include wharves and waste facilities (located in Portsmouth and Southampton), some of which deal with hazardous waste. The 2020 Review also considers minerals and waste infrastructure which is vulnerable to heat events due to the materials, such as waste, which could pose a risk of fire or lead to a rapid deterioration of waste and an increase in odours. However, mineral extraction may also provide an opportunity for flood water storage in heavy rain events.
43. Any update of the HMWP will be adapted to reduce its vulnerabilities to climate change by taking into account the findings of a Strategic Flood Risk Assessment which will need to be prepared to support the project. The HMWP currently includes a climate change policy (Policy 2: Climate change – mitigation and adaption). Any update of the HMWP would look to strengthen this policy and ensure climate change was addressed suitably throughout the Plan.
44. Adaptations to climate change have not been addressed so far because these would need to be considered and implemented as part of any planning application.

Project Vulnerability, Impact and Strategic Priority Matrix:



45. The climate change mitigation tool cannot be applied to the 2020 Review of the HMWP and revised Development Scheme as it is a strategic programme. In addition, the carbon mitigation tool does not currently calculate emissions for all minerals and waste developments. However, as noted, the programme does seek to further strengthen the existing climate change policy which outlines that “minerals and waste development should minimise their impact on the causes of climate change”.
46. As these tools are newly implemented, having come into effect from January 2021, they will need to be considered as the programme progresses, hopefully helping to identify where it is appropriate to make mitigations and adaptations to climate change, and help meet the two climate change targets.
47. The programme is important for meeting Hampshire County Council’s strategic priorities: 1. Green Economic Growth & Prosperity, as the Plan provides a framework for decision-making on minerals and waste development which supports the economy and encourages sustainable management of waste; and 3. Enhancing the Natural & Built Environment, as the Plan contains a number of policies to protect and enhance the natural and built environment as part of the development process, for example through restoration.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	No
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	No

Other Significant Links

Links to previous Member decisions:	
2018 Review of the Hampshire Minerals & Waste Plan https://democracy.hants.gov.uk/documents/s25501/Report.pdf	<u>13 November 2018</u>
Direct links to specific legislation or Government Directives	
National Planning Policy Framework https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf	<u>February 2019</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
2020 Review of the Hampshire Minerals & Waste Plan	Appendix 1
Hampshire Minerals & Waste Development Scheme	Appendix 2
2018 Review of the Hampshire Minerals & Waste Plan	https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

The 2020 Review recommends that a partial update to the Plan is required but does not contain the detail. The new Development Scheme sets out the programme and timetable for the partial Update but not the outcomes. Therefore, any impacts are unknown at this stage and considered to be neutral. The update will be supported by an Equalities Impact Assessment.

Agenda Item 11
Report PC20/21-33

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Title of Report	Enforcement Update
Purpose of Report	To update SDNPA Members on planning enforcement workload statistics including notices served

Recommendation: To note the update on enforcement action.

1. Overview

- 1.1 The SDNPA planning enforcement team investigates alleged breaches of planning control within the recovered areas of the National Park: Adur & Worthing, Arun, Brighton & Hove, Eastbourne, Mid-Sussex, & Wealden. They also investigate any alleged breaches where the SDNPA “called-in” any original planning application post-October 2017 or any other investigations that we wish to “call-in”, plus any breaches relating to Minerals & Waste for the entirety of the Park. We also monitor the host authorities’ response to investigating enforcement for the non-recovered areas (Chichester, East Hampshire, Horsham, Lewes, & Winchester) with the SDNPA Link Officers.
- 1.2 The purpose of this report is to highlight the amount of investigations carried-out. This does not include the host authorities’ figures. The team is comprised of: DM Lead (Heather Lealan), Enforcement Officers (Andy George & Jack Trevelyan), & Monitoring & Compliance Officer (Sabrina Robinson).
- 1.3 During the on-off stages of lockdown (since February 2020) we have continued to operate the Planning Enforcement service with an emphasis more asking the public to supply photos if possible and doing as much via our desktops as we can. For alleged breaches that fit the criteria of high harm and are time dependent (such as works to a listed building or protected trees being felled) we have continued to visit. In these cases, a continued, ongoing Risk Assessment is made via the attending enforcement officer. All risks are, of course avoided. This has meant a backlog in “low level” cases – such as visits to private gardens where interaction with the public is unavoidable, and the breach is deemed not to become immune (4 years for operational development, 10 years for a change of use).
- 1.4 These figures were taken on 28 January 2021.

2. Figures

	2018/19	2019/20	2020/21 (so far)
Current investigations	-	-	65
New Cases Received	240	175	125
• Determined Under 9 Months			

<ul style="list-style-type: none"> • Determined Within 9-12 Months • Determined Over 12 Months 			
Cases Closed:	251	193	121
<ul style="list-style-type: none"> • Compliance • Not Expedient to Pursue • No Breach • Retrospective Application Approved 	33 53 124 41	26 23 122 22	13 21 75 12
Enforcement Notices	7	5	1
<ul style="list-style-type: none"> • Compliance • Still Within Compliance Timeframe • Appealed EN with PINS • Prosecution Due to Non-Compliance 	4 0 2 (1 Ongoing, 1 Allowed) 1 (1 Ongoing)	2 1 2 (1 Ongoing, 1 Dismissed) 0	0 1 0 0
Stop Notices (excluding Temporary Stop Notices)	2	2	2
Breach of Condition Notices	0	2	0
<ul style="list-style-type: none"> • Compliance • Still Within Compliance Timeframe • Prosecution 	0 0 0	1 1 0	0 0 0
Tree Preservation Orders (TPOs)	2	1	1
Article 4 Directions	1	0	1

TIM SLANEY
Director of Planning
South Downs National Park Authority

Contact Officer: Jack Trevelyan
Tel: 01730 819352
email: jack.trevelyan@southdowns.gov.uk
Appendices: None
SDNPA Consultees: Director of Planning, Legal Services

Agenda Item 12
Report PC20/21-34

Report to	Planning Committee
Date	11 February 2021
By	Director of Planning
Title of Report	Summary of appeal decisions received from 24 September 2020 – 20 January 2021
Purpose of Report	To update SDNPA Members on appeal decisions received

Recommendation: To note the outcome of appeal decisions.

I. Overview

- I.1 The attached table (**Appendix I**), ordered by date of decision, provides Members with a summary and brief commentary on the appeal decisions recently received by the Authority. This covers both those appeals dealt with by the host authorities and directly by the South Downs National Park Authority.
- I.2 From the 24 September to 20 January:
- 25 appeal decisions (some dealt with concurrently) were received, 15 of which were dismissed, 9 were allowed and 1 was subject of a split decision.
 - 5 applications were made by appellants for an award of costs, with 1 award of partial costs made.
- I.3 Whilst the appeal decisions are individually important, none raise issues of wider strategic importance to the National Park as a whole. However, it is worthy of note that 6 decisions were received in the quarter relating to telecommunication proposals.
- I.4 67% of appeal decisions received so far in the financial year have been dismissed.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Jessica Riches
Tel: 01730 819360
email: Jessica.riches@southdowns.gov.uk
Appendices: I. Summary of Appeal Decisions
SDNPA Consultees: Director of Planning, Legal Services

Key to Appeals Reporting

Method of decision
Appeal method

All are delegated decisions unless otherwise specified
 All are determined via written representations unless otherwise specified

Allowed A
Dismissed D

Planning Appeals				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/05107/FUL APP/Y9507/W/20/3248751	East Hants	Land at farm between Forest Mead and Stonefield, Linchmere Common Road, Linchmere GU27 3NE	Erection of 2 holiday lets with parking and gardens and ancillary store following removal of two existing outbuildings.	D 25 September 2020
Inspector's Reasoning <ul style="list-style-type: none"> The Inspector described the site as a secluded location in the countryside, made up of small fields and hedges interspersed with trees for boundaries. The Inspector noted that the provision of holiday lets would result in domestic paraphernalia, interrupting the secluded and undeveloped appearance of the site and eroding its rural character. It was concluded that the development would fail to meet Policies SD1 and SD5, in relation to respecting local landscape character. The development would not be closely associated with other attractions/established tourism uses or part of farm diversification schemes. The development would be sited within an isolated location which would result in occupants relying on the use of the private car. Therefore, the development would not accord with Policies SD1, SD4, SD5, SD7 and SD23. The Inspector ruled that the development would increase traffic, however the separation of the track and the level of boundary screening would not result in movement that would create an unacceptable disturbance. The Inspector concluded that harm would be caused to the landscape and natural beauty of the SDNP and that the site would be an unsuitable location for the development because of conflict with the spatial strategy of the SDLP and the lack of accessibility. 				

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/02508/FUL APP/Y9507/W/20/3250057	Winchester (Planning committee decision)	Hurst Farm Hurst Lane Owslebury SO21 1JQ	Erection of equestrian barn, manège, access and parking.	A 07 October 2020
Inspector's Reasoning <ul style="list-style-type: none"> • The SDNPA granted planning permission at the appeal site for the use of the field as a horse paddock for private recreational use. • The surrounding area has a distinct rural appearance comprising fields, copses and some dispersed built development. The site is largely enclosed by rows of mature boundary trees and hedgerow, except for a short break at the field gate access which allows some unobstructed views from Hurst Lane. • The Inspector decided that the access track would be reasonably long, of which some would curve into the appeal site. However, most of the track would be screened by the existing hedgerows. • The manege and parking area would be further away from Hurst Lane, and would be screened by the boundary planting, which the Inspector deemed would not be visually intrusive. • The barn would sit further into the site, with direct views available only from the proposed access, whilst other views from Hurst Lane would be screened by boundary planting. The barn would sit closer to the cluster of agricultural and residential buildings in and around the junction of Hurst Lane, Thompson's Lane and Whaddon Lane. Therefore, the Inspector considered the barn not to be unduly conspicuous or intrusive and to the limited extent that it would be seen, its size and design would be appropriate for the intended use. • The development would result in some noise, odour and external lighting beyond the scope of the existing permitted equestrian use. The Inspector noted that the proposal would be a modest equestrian development, with the number of horses permitted not increasing from the previous permission. Private use by the appellants would not be likely to result in high daily activity levels, and some of the required tasks would be carried out within the barn itself. Manure and waste bedding was considered by the Inspector to be limited to a single specific location. • The parking area and manège would be sited closer to the residential houses and gardens. However, it was felt that exercise and riding of horses would not be exclusively within the manège. The Inspector considered the limited number of parking spaces and concluded that traffic movements would be commensurate with the scale of the proposal and would nonetheless be relatively low and infrequent. • Planning conditions were considered appropriate by the Inspector to ensure that the development would not cause harm to the living conditions of nearby residents. These included ensuring that the development would be for private recreational equestrian use, control of external lighting, potential artificial noise sources and outside storage, and management of the collection and disposal of waste. 				

- The Inspector concluded that the proposal would accord with SDLP Policy SD24(d) which supports new equestrian buildings, stables, yard areas and facilities in rural areas adjacent to existing buildings provided they respect the amenities and activities of surrounding properties and uses.

Costs Decision – Refused

- The appellant was aggrieved by the Authority's decision, given that officers had supported the proposal. The costs application was made based on the appellant's view that the reason for refusal was unjustified and unwarranted and based on generalised and vague assertions.
- The Inspector confirmed that reasonable planning grounds must be found for taking a contrary decision to officers' professional advice.
- The Inspector deemed that planning committee members were sufficiently well advised, and although reasons for refusal took some time, was not indicative of any lack of substance. The reasons for refusal were clear and precise, and the Authority exercised its judgement in a reasonable manner.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/04243/FUL APP/Y9507/W/20/3252981	East Hants	Walnut Cottage Main Road Bucks Horn Oak Farnham GU10 4LT	Erection of a new dwelling to the south of Walnut Cottage.	D 21 October 2020

Inspector's Reasoning

- The proposed development consisted of a two storey detached dwelling, located within Bucks Horn Oak, in a relatively generous plot fronting the A325.
- The site was not within the defined settlement boundary, as per SD25, and therefore was treated as open countryside. There were no exceptional circumstances as defined in the policy text, in order to support the proposal. Furthermore, the Inspector agreed that the countryside location took away any notion of 'infill' which was not in any event specifically provided for by SD25.
- The Inspector confirmed that SD25 settlements were identified to focus on securing sustainable development. The proposal would not therefore accord with the development plan, and so the Inspector determined if there were other material considerations.
- The Inspector disagreed with the appellant that the existing ancillary buildings and gap were ugly. The existing variety of frontage widths and treatments, and dwelling separations were found not to detract from the character, and even if there were more visually sensitive locations than this, protection of character continues to be a consideration.
- The Inspector gave limited weight to any social benefit being derived from a new home, as a five-year housing land supply had been established. Access would be improved, but it was noted that this could be improved without approving planning permission for a new home. In addition, limited economic benefits would arise from construction.

<ul style="list-style-type: none"> The Inspector considered that the above benefits carried limited weight, and thus they did not outweigh the conflict with the Local Plan and the appeal was dismissed. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/03349/FUL APP/Y9507/W/20/3250176	SDNPA	Ecclesden Farm Water Lane Angmering BN16 4ER	New mast, antenna, security fencing and gate to house internet broadband equipment.	D 21 October 2020
Inspector's Reasoning <ul style="list-style-type: none"> The Inspector described the site as being a landscape which was characterised by large open field and pockets of woodland. The proposal would have a utilitarian, primarily metal appearance more commonly associated with industrial development. The Inspector stated that it would draw attention away from the rural landscape and would therefore be alien in appearance, creating an urbanising effect in the countryside. The proposal did not propose any camouflaging. It would sit above the tree line, and as such planting would only disguise the structure at ground level, but would not detract from the visible upper parts, in particular from the adjacent footpath. The proposal would result in harm to the character and appearance of the area, failing to conserve and enhance the natural beauty of the SDNP, and therefore conflicted with policies SD1, SD4, SD5, and SD44 (b, c, and d). The appellant argued that there were no suitable alternative sites. However, the Inspector remarked that the operating area for the provider was large, and there were other areas of high ground, some of which with existing structures. The proposal would provide good quality, fast internet connection to rural areas, and would be supportive of other policies in the Local Plan, such as SD34. Improved connectivity has the potential to promote health and wellbeing, and the proposal would contribute to social and economic outcomes. However, the Inspector noted that these benefits did not overcome the harm to the character and appearance of the area. The proposal would also conflict with the NPPF, which requires communications masts to be kept to a minimum, sympathetically designed, and camouflaged. The Inspector considered the SDNPA's point regarding the harm to a scheduled ancient monument at Highdown Hill, however, decided that due to the distance between them, no harm would arise to the setting of the monument. The Inspector added that whilst there were other masts within the SDNP's countryside, these were not precedents for this type of development, especially where harm would be caused. 				
Planning Application No	Authority	Site	Description of Development	Decision

SDNP/19/05608/FUL APP/Y9507/W/20/3248945	SDNPA	Top of Dyke Road Avenue off A27 Brighton BN1 5LF	Removal of existing 10m street works monopole and 4 no. equipment cabinets and replacement with a 20m high slimline tower supporting 12 no. antenna apertures with the installation of 7 no. ground based equipment cabinets and ancillary development.	D 21 October 2020
Inspector's Reasoning <ul style="list-style-type: none"> The site comprised a verge next to a main road, on the edge of a built up area. The existing monopole was considered anonymous, well disguised and was located amongst lampposts of a similar size. Both existing pole and ground cabinets blended into the immediate surroundings. It was accepted that new cabinets would be an expected feature in this environment, but the tower was double the height of the existing pole and would dwarf the surrounding lampposts. It would also be wider and exhibit multiple apertures at a raised level, contributing to an alien and incongruous appearance. The landscape around the verge would not be of a sufficient height to provide meaningful screening. Views from the adjacent café, residential development and passing pedestrian and vehicular traffic would be dominated by the tower. In addition, the Inspector stated that it would likely be visible from the countryside beyond the A27 to the north which would intrude views into the SDNP. Cumulatively, the effects would cause significant harm to the character and appearance of the area. The proposal would specifically conflict with policies SD4, SD5, and SD44 (b, c and d). The proposal would provide social and economic benefits, and the NPPF supports high quality communications. However, the Framework states that equipment should be sympathetic and camouflaged where appropriate, which would not be achieved by this proposal. The Inspector concluded that the harm caused to the character and appearance of the area was determinative, and as such the appeal was dismissed. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/05544/OUT APP/Y9507/W/20/3250333	East Hants	The Grange Farnham Road Liss GU33 6JE	Erection of 5 dwellings with access, car parking and other associated works.	D 27 October 2020
Inspector's Reasoning <ul style="list-style-type: none"> This was an outline application and only matters relating to access, layout and scale were part of the Inspector's determination. The site is allocated in the Liss Neighbourhood Development Plan (referenced as 4a) for around 7 residential dwellings. Northwest of Site 4a, Upper Green (site 4) is allocated for a further 35 dwellings in the Liss NDP. During the Liss NDP examination, both sites 4 & 4a were considered deliverable as terms had been drafted which would provide land from Site 4a to improve sightlines to accommodate increased traffic from the housing allocation of both sites. 				

- Post examination, the appellant withdrew from the draft access agreement, and planning permission was obtained for a new access to the appeal site (4a) from Farnham Road. Notwithstanding the extant consent for the access, permission was refused and subsequently dismissed on appeal for a residential development on Site 4a, in part because it would have constrained improvement of access to The Grange, thereby prejudicing delivery of Site 4.
- The Inspector noted that the wording of the unilateral agreement was insufficient to ensure that access would remain in perpetuity, and did not explicitly rule out the imposition of a ransom strip.
- The Inspector concluded that the scheme as submitted would fail to achieve a suitable alternative means of access to Site 4. The concerns of the previous Inspector in this regard were not adequately addressed.

Costs Decision – Refused

- The basis for an application of costs was that the Authority failed to engage with the appellant during the application process. In particular, that the revisions made to the scheme were not adequately taken into account.
- The Inspector acknowledged the planning history of the site, and noted the substantial discussion about the site with the appellant on both applications, and the Liss NDP. The Inspector noted the solution put forward by the SDNPA to overcome the access issues.
- The refusal of permission was based on sound reasoning, and the revisions did not overcome the concerns of the previous Inspector.
- There was no evidence of unreasonable behaviour resulting in unnecessary or waste expense, and the costs award was refused.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/20/00242/HOUS APP/Y9507/D/20/3254757	SDNPA	3 Coldharbour Lane Patching BN13 3XE	Rear dormer allowing loft conversion.	D 27 October 2020

Inspector's Reasoning

- The appeal related to a two storey house that sat within a row of 7 similar houses of simplified design, reflective of a traditional cottage style. It was the end of a terrace of three houses, being fully attached to 4 Coldharbour Lane, and partly attached at ground floor level to 2 Coldharbour Lane. The row of houses had front gardens facing onto the Lane, with fields opposite, and back gardens facing field beyond. The property was elevated in a valley within the countryside, which provided wider uninterrupted views.
- The row of similar cottage style houses presented a coherent and prominent collection of properties both in the landscape and in views across the valley, due to their elevated position and unaltered roof profiles.
- There were extensions to the row of houses, but they were modest single storey ground side and rear extensions which integrated well with the host properties and were not unduly prominent.
- The proposed dormer would sit asymmetrically within the rear roof slope at one end of the hipped roof form with its fully attached neighbours, 4 and 5 Coldharbour lane.

- The Inspector noted that there were other dormers in the area, but it was concluded that none were in such an elevated or prominent position as the proposal.
- The Inspector said that the prominence within the roof profile would be dominant and not subsidiary to the appeal property. It would also be detrimental to the character and appearance of the row of cottages, and would be visually intrusive in wider views of the SDNP. Whilst mature trees to the rear of the property would provide some screening, the partial, seasonal and potentially non-permanent screening would not significantly ameliorate the detrimental visual impact of the proposal.
- In conclusion, the proposal would result in harm to the character and appearance of the property and the wider area, and therefore, the Inspector dismissed the appeal.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/03168/LIS APP/Y9507/Y/19/3241307	Chichester	Rooks Cottage North Lane South Harting GU31 5PZ	Replace 6 no. windows and 2 no. doors	D 03 November 2020

Inspector's Reasoning

- Rooks Cottage was given Grade II listed building status because of the core of the dwelling (dated as early 19th century), the decorative brickwork and simple arrangement of openings, and prominent position within the street scene.
- The Inspector surmised that the original windows in the front elevation were most likely timber, flush faced, multi paned, side hung, single glazed casements.
- The existing windows on the front elevation were all modern, but were still timber, of multi pane configuration, with each pair sub divided into 12 panes, which broadly reflected the characteristics of the original windows.
- However, rather than being flush faced, the existing windows were partly projecting storm-proof design, and incorporate top hung vents. One was also double glazed with stick on glazing bars, and the windows appeared to have involved slightly widening the window opening, such that the windows were wider than the lintels. These characteristics were at odds with those original windows, and as such detract from the special interest and significance of the listed building.
- The proposed windows would represent an improvement upon the existing windows installed, however the 4-pane configuration would not reflect the design of the original windows.
- The proposed windows would incorporate slim line double glazing, but the Inspector noted that they were not the slimmest. Though slim line double glazing would allow the use of solid glazing bars, they would be generally thicker than those used for single glazing due to the thickness of the sealed units themselves. Though double glazing would not be easy to detect from afar, closer inspection means their presence would be obvious, and apparent when using the building day to day. Therefore, use of the proposed sealed units would not complement the age, historic architectural character of the building, and would thus detract from its special interest.
- The Inspector considered that the existing, nor the proposed frame designs would represent the most sympathetic treatments possible. Despite the proposed frames representing a minor improvement over the existing windows, it would be insufficient to outweigh the harm that would be caused by installation of slimline sealed units on the significance of the building, resulting in a net negative effect.

<ul style="list-style-type: none"> • Slimline double glazing had been installed within part of the building, but the Inspector noted that this was in a modern extension which lacks the significance of the front elevation, and therefore did not provide a basis upon which the proposed windows could be considered. • The appellant argued that the installation of sealed units would help improve energy efficiency, but the Inspector dismissed this on account that other options for energy efficiency had not been explored. • The proposal would entail alterations that would diminish the significance of Rooks Cottage, and as a consequence the contribution to the significance of the Conservation Area. Given the harm identified to both the listed building and the Conservation Area the appeal was dismissed. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/04507/FUL APP/Y9507/W/20/3246634	Chichester	Roughmere Lavant Road Lavant PO18 0BG	Chalet bungalow on plot to the rear of Roughmere.	D 04 November 2020
Inspector's Reasoning <ul style="list-style-type: none"> • The proposed dwelling would form part of the existing dwelling's curtilage, but would be more closely related to Rose Cottage. The proposed dwelling would be sited close to or on the western boundary of the plot. The amenity area would be located to the front of the dwelling, along with parking for two cars. An access drive would be required between the dwelling and rear boundary to provide new access arrangements for Roughmere. • The private access to the site served a mixture of properties, of which some were Grade II listed buildings, including Roughmere. • The Inspector agreed that a residential scheme would not be out of character on the site. However, the Inspector noted that the dwelling would be cramped with extremely limited amenity space. The proposal would cause less than significant harm to the appearance of the conservation area, and the benefit of another dwelling would not outweigh that harm. • The Inspector noted that the amenity space would be limited and not private, contrary to other existing properties, and in direct conflict with Lavant NDP Policy LNDP6. • The parking for the new dwelling was considered appropriate, but reduced the parking space for Roughmere to three spaces, which would conflict with Policy LDNPI, requiring a minimum of four for Roughmere. • The development would introduce vehicular traffic further into the private drive, for which the Inspector noted would be in conflict with Policy SD5 of the SDLP. • The appellant accepted a contribution to the Solent Recreation Mitigation Strategy would be required, however this was not secured by way of planning obligation, and was therefore contrary to Policy SD10 of the SDLP. • For the reasons above, the Inspector dismissed the appeal. 				

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/04604/FUL APP/Y9507/W/19/3241321	Chichester	The Coach House Southbrook Road West Ashling PO18 8DN	Replacement dwelling	A 05 November 2020
Inspector's Reasoning <ul style="list-style-type: none"> • The appeal site is within a buffer zone surrounding the critical core of the International Dark Sky Reserve. • The proposal would take advantage of outward views and maximise natural daylight, and required extensive glazed areas to the rear. The Inspector noted that as glazing can produce more light pollution than external lights there was potential for significant adverse effect. • The appellant provided tinted glass and automated external roller shutters as mitigation. The Inspector explained that whilst the features may have been retrofitted, such that the design-led approach advocated by the TAN had not been considered, there was no substantive evidence that the measures would not be effective. • The Inspector highlighted the TAN's inclusion of the use of blinds on non-domestic properties, and that there was no compelling reason they could not be used on a dwelling. • Therefore, the Inspector concluded that the measures would prevent harm to the IDSR and would not be in conflict with policy SD8. • The Inspector noted West Ashling's informal arrangement of dwellings, of which many faced and positively addressed the road. The significance of the conservation area was largely based upon the historic arrangement of vernacular dwellings. • The Inspector noted the existing site appeared as a gap within the prevailing built form. The existing dwelling sits to one side, did not face the road and presented a simple side elevation to the public realm. The existing dwelling was considered to have no architectural merit, or provide any positive contribution to the character or appearance of the area. • Views through the existing forecourt and into the open countryside would be unaffected by the proposal. • The public part of the proposed dwelling would be simple with few openings and would be similar to the existing dwelling. The proposal would respond to its context and the site's role in the conservation area. • However, the Inspector found that the rear section, with large amounts of glazing, balconies and terraces, would not be similar to existing properties. It would be visible from the access lane alongside the site, but it was not thought that these views were of particular sensitivity or fundamental to defining the character and appearance of the area. • The Inspector concluded that the proposed measures for Dark Night Skies were acceptable, that there would be no harm to the significance of the heritage asset, and that the character and appearance of the conservation area would be preserved. 				

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/03374/CND APP/Y9507/W/20/3251448	Winchester	Penn House Wheely Down Farm Lane Warnford Southampton SO32 3LG	Variation of condition 2 and 3 of extant planning permission 02/01236/FUL	A 06 November 2020

Inspector's Reasoning

- The site comprised Wheely Down Forge, an internationally respected rural enterprise, other buildings, and a residential property subject to the appeal, Penn House. Penn House is occupied by the appellant and their family, who is the currently the manager of Wheely Down Forge.
- The crux of the appeal was whether condition 3 (to tie occupancy of Penn House to Wheely Down Forge) was necessary. The effect of the removal of condition 3 would, in effect, create an open market dwelling in the countryside.
- Penn House was acknowledged as being unfit for a young family in the current configuration. If sufficient funds could not be raised against Penn House to ultimately extend the property, the family would have to move. As on-site presence is required for security reasons, the business would not be able to continue in the same way, creating a negative impact on the rural economy of the SDNP.
- The Inspector explained that Penn House was already a dwelling (albeit with an occupancy tie), and as such the removal of Condition 3 would not create a new dwelling in the countryside. The removal of the condition would allow the appellant to raise funds, extend the property, and continue to serve Wheely Down Forge. It would not be tied to the Wheely Down Forge, but it would help support the rural economy by virtue of providing suitable residential accommodation.
- The building itself would not be altered in any physical way, and would not result in any visual impact. The Inspector acknowledged that if the business ceased trading or the property was sold on, there would still be no visual harm, as the property would not be extended.
- Given the above, the Inspector ruled that the proposal would not be at odds with Policy SD25, and the appeal was allowed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/20/00386/HOUS APP/Y9507/D/20/3251074	Horsham	Crossgate House Rackham Road Amberley BN18 9NT	Demolition of single story extension, and proposed two storey extension with replacement roof to double garage, new garage door and replacement decked area to rear	D 06 November 2020

Inspector's Reasoning

- Crossgate House is described as a detached white rendered two storey house, with strong symmetrical appearance, central entrance porch and prominent chimney stacks at either end of a slated hipped roof. A single storey side annex is incorporated with a two door double garage. The SDNPA determined that the property was a non-designated heritage asset.
- The house was believed to be from around the mid-19th century, for which the appellants argued that the property should not be a non-designated heritage asset automatically for its age. The Inspector agreed that age should not lead to automatic status, however the Inspector found sufficient

<p>heritage significance to warrant such status – mainly stemming from its character, prominent siting and significance in views of the linear development of houses along Rackham Road and the SDNP.</p> <ul style="list-style-type: none"> • The proposal would involve partial demolition and extension of the existing building, and so the scale of harm to the asset would be less than substantial. • The proposal would result in the loss of the symmetrical appearance of the main house, the total loss of the porch, and most of the single storey side annex, all attributes which contribute to its significance. The Inspector confirmed that this would afford significant weight in the planning balance. • The appellants did not identify any benefits of the proposal which would outweigh the harm to the significance, and the Inspector noted there was no evidence to suggest that a scheme could not be brought forward which would retain the elements of the existing building. • The main element of the proposal would create a contemporary extension, with large windows and an anodised metal roof in an asymmetrical hipped form. This would replace the existing subservient annex, and include the removal of the chimney stack. The extension would sit further forward than the existing annex, and would only be slightly set back from the front elevation. The proposal would have a significant effect on the symmetrical appearance and create an uncomfortable visual relationship with the proposed extension. The Inspector added that the scale, roof form, materials and fenestration would be overly dominant. • The proposal would also result in new replacement decking (which would also be extended) to the rear of the property. Existing supports were located within an area of designated ancient woodland. The appellant did not provide an ecological assessment or compensation measures, nor did the Inspector see any exceptional reasons to allow the proposal. • The Inspector concluded that the proposal would be in conflict with SDLP policies SD5, SD9, SD12 and SD31, and dismissed the appeal. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/01956/HOUS APP/Y9507/D/20/3246711	Chichester	1 Manor Farm Barns East Dean Lane East Dean PO18 0JA	Proposed side extension, relocation of 1 no. heritage style roof light, 2 no. new conservation type roof lights and 1 no. new painted timber double glazed window on west elevation.	D 17 November 2020
<p>Inspector's Reasoning</p> <ul style="list-style-type: none"> • The site comprised a residential property, which formed part of Manor Farm Barns, a former dairy converted into eight dwellings in 2011. Manor Farm barns lies on the western edge of the East Dean Conservation Area (EDCA), which draws much of its interest from its rich collection of attractive buildings set in a rural setting. • The property was widely visible across the open field which was immediately adjacent to the site. • The proposal would involve the erection of a single storey extension, which would provide storage facilities. • Although the design was not objectionable on its own, the footprint, overall massing and height would be larger than other examples within the complex. By reason of its scale and sensitive context, the Inspector expressed concern that the proposal would appear unduly prominent. As a result, it would harmfully erode the intrinsic agricultural character and appearance of the host building and EDCA, leading to urbanisation of the plot, and thus fail to conserve and enhance the scenic beauty of the National park. 				

- The SDNPA did not object to an additional window, but considered the two proposed roof lights would constitute overly domestic additions, eroding its simple agricultural character. However, the Inspector disagreed on the basis that that whilst they would hold some domestic appearance, they would be conservation style and flush within the slope of the roof to remain discreet enough to not erode the character of the building.
- The Inspector noted that the proposal would cause less than substantial harm, and whilst it was accepted that it would reduce domestic paraphernalia within the site the harm would not be outweighed by the benefits.
- Based on the above the proposal would be in conflict with policies SD1, SD5, SD15 and SD31 of the SDLP.
- The site was located within the intrinsic zone of darkness, immediately outside of the dark Sky Core. The roof lights would spill light directly upward, which would erode the character of the Dark Night Skies Reserve.
- The Inspector noted that there were limited proposed mitigation measures and questioned whether they would be achievable. Conditions for blinds would be very hard to enforce, and there was no guarantee that rooms would only be used occasionally. The Inspector concluded that the development would be in contradiction with SD8.
- For the reasons above, the Inspector dismissed the appeal.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/05956/FUL APP/Y9507/W/20/3249097	East Hants	Danesfield The Street Upper Farringdon Alton GU34 3DT	Replacement dwelling	A 17 November 2020

Inspector's Reasoning

- Following an appeal decision to allow the property to be extended, planning permission (SDNP/19/05956/FUL) was granted for a replacement dwelling, which was subject to conditions.
- The appellant contested the imposition of seven conditions (3, 6, 8, 9, 10, 11, 12) on the grounds they did not meet the six tests for conditions detailed in the NPPF.

Condition 3

- Condition 3 restricted future use of permitted development rights in respect of Classes A, B, C and E. Class B does not apply to dwelling houses on article 2(3) land (including National Parks), and the Inspector noted that this part of the condition was unnecessary.
- The Authority's justification of the removal of permitted development was partially in relation to the loss of small homes. The Inspector found that the proposed property would be 261m², and therefore the dwelling would not constitute a small home. Therefore, the justification of the restriction to protect the stock of small dwellings was not relevant.
- The Inspector noted that by removing some permitted development rights, the Authority also sought to protect the rural character and landscape of Upper Farringdon Conservation Area. Whilst permitted development rights do provide restrictions, there is no control over external materials for example. In addition, Class C could adversely affect the overall design of the development.

- The Inspector concluded that there was clear justification to restrict permitted development rights under Schedule 2, Part 1, Classes A, C and E of the Order.

Condition 6

- Condition 6 sought to ensure development would be implemented in accordance with the approved Arboricultural Method Statement (AMS) and Tree Protection Plan. It emphasized the need to route all services outside of the root protection areas within the front of the site. The Inspector found this necessary.
- The condition also required evidence of the supervision and monitoring of the tree protection measures throughout the construction phase to be submitted and approved by the LPA prior to occupation. The Inspector was concerned with the wording of this part and the level of precision it afforded, and as such amended the wording.

Condition 8

- This condition required the parking space to be marked out. The Inspector agreed with the previous Inspectors' appeal decision, and found the requirement unnecessary, particularly as it was for a single dwelling. The Inspector amended the wording, using similar wording from the previous appeal scheme, and also included that the spaces must be kept available for the parking of vehicles.

Condition 9

- Condition 9 required the roof lights to be positioned so that the sill would be set at least 1.7m above internal floor level, in order to preserve the living conditions of the occupiers of the neighbouring property. However, the approved plans included a section which shows that the position of these roof lights would accord with this requirement. The Inspector concluded that this condition was not necessary.

Condition 10

- The appellants disputed the landscaping condition, as the previous Inspector found one was not necessary. However, the previous Inspector's judgement was based on an extension, and not redevelopment.
- It was found that the condition served a clear planning purpose, was relevant to the development and set out a mechanism to assess compliance with timescales, which would not be secured by condition 2. The Inspector retained this condition.

Conditions 11 & 12

- The appellant disputed Condition 11 and 12 which related to energy and water consumption, on the basis that there were other separate regulatory regimes to ascertain compliance.
- The Inspector disregarded the complaint and clarified that the measures that form part of the development plan (SD48) were more onerous than other regulatory regimes.
- No evidence was put forward that demonstrated viability issues, and therefore the Inspector was satisfied with the condition.

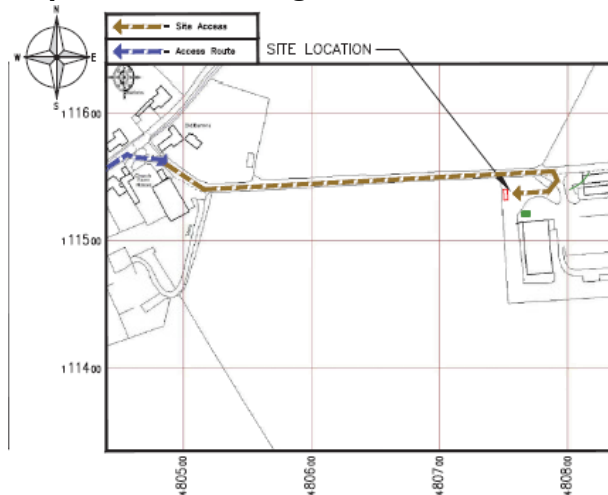
Costs Decision – Partially Awarded

- The appellant sought a full award of costs for imposing a number of conditions which, it argued, failed to meet the six tests of the NPPF.
- The Inspector found that the Authority had acted unreasonably regarding Condition 8, which referred to an incorrect plan and did not take into account the previous Inspector's comments regarding the marking of car parking spaces. A limited element of unnecessary expense in the appeal process thus arose and a partial award of costs was justified in relation to this condition.

<ul style="list-style-type: none"> The Inspector also found the inclusion of Class B in Condition 3, whilst the appellant was not prejudiced by the inclusion, was nonetheless unnecessary and the Authority's behaviour was found to be unreasonable. Partial costs in relation to this condition was therefore justified. The remaining conditions (6, 9, 10, 11, 12) were justified by the Authority and even though a different outcome was determined, namely on Condition 9, it was a matter of judgement. Consequently, the Inspector did not award costs in respect of these conditions. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/20/01745/PA16 APP/Y9507/W/20/3256228	Chichester	Chilgrove Farm Old West Dean Road West Dean PO18 9HU	17.5m pole with 3 antennas in a shroud painted Bitter Chocolate, 3 cabinets painted Fir Green, electric meter cabinet painted Fir Green, two 0.3m dishes all within a fenced compound with mixed hedge planting scheme.	A 19 November 2020
Inspector's Reasoning <ul style="list-style-type: none"> The principle of development is established though Permitted Development rights, with siting and appearance the only matter the authority can consider. The proposed development would be sited east of Chilgrove Farm and Chilgrove Business Centre, approximately 500 metres north east of the B2141. The Inspector described the site as having undulating agricultural fields and areas of woodland. The development would be located beyond the farm buildings and business complex in an elevated location at the edge of a field close to a private access track. The proposed mast would be a slim pole 30cm in diameter and 17.5m in height, with three antennas and two external dishes. It was acknowledged that the proposal would introduce an artificial feature, but the slim line design and colour choice would appear not significantly out of keeping within the backdrop of trees. The Inspector noted that some local views of the development would be perceptible, but it would not draw the eye due to its thinness. The mast would therefore not be visually dominant, and would not substantively impact on glimpsed views from local rights of way and roads due to the distance and elevations involved. The Inspector acknowledged that in combination, the mast, cabinets and hardstanding would have an adverse effect on local landscape character, however it was deemed to be minor, localised and somewhat limited through the introduction of proposed planting. Whilst the mast would be perceptible, the intervening landform and areas of woodland would hide the proposal in most local views. Where the proposal would be visible, the 'fir green' colour of the cabinets would diffuse and camouflage the outline of the cabinets. The public benefits would be outweighed by the limited visual effects, and for the above reasons the Inspector allowed the appeal. 				

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/20/00335/PA16 APP/Y9507/W/20/3257416	Chichester	Church Farm Stoughton Dairy Wildham Lane Stoughton PO18 9JQ	Erection of a mast, 3 antennas within a shroud, one 0.3m dish, painted Bitter Chocolate, together with equipment cabinets, satellite dish and ancillary apparatus.	D 26 November 2020

Inspector's Reasoning



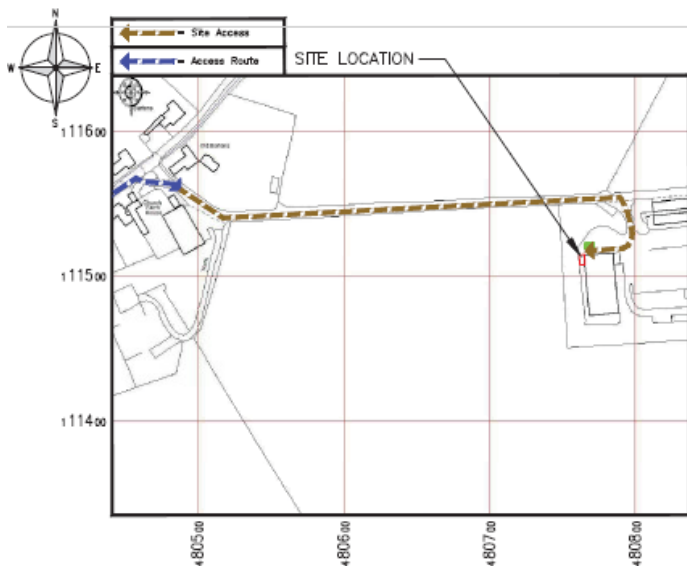
- The principle of development is established though Permitted Development rights, with siting and appearance being the only matters the authority can consider.
- The proposed site would be 300 metres from the village of Stoughton within the broad valley floor, characterised by large open fields defined by remnant hedgerow boundaries.
- The proposal would be located on the curtilage of a complex of agricultural units. It would be sited away from the westernmost barn within the complex, and would sit in a fairly open location, close to the public right of way to the north.
- The proposed mast would be 12.97m in height and host three antennas within a shroud, and one dish. The proposal would also include equipment cabinets, a 1.2m diameter satellite dish mounted on a 2.4m support pole. All development would be enclosed by a 1.8m high close boarded fence.
- The development would introduce a man-made artificial structure within the National Park, which would only have a minor adverse effect on the character of the landscape, given the established functional character of the agricultural buildings within the wider site. However, the Inspector noted the tall 'bitter chocolate' painted mast would be clearly noticeable in localised views from Monarchs Way, and the satellite would appear somewhat alien and protrude above the fencing. In combination,

the mast and satellite dish would readily attract the attention of users of the public right of way.

- The proposed earth bund would help to screen the equipment cabinets, but in closer views would serve to highlight the prominence of the development as an unsympathetic feature.
- The siting and appearance were found to cause harm to the character and appearance of the National Park. Therefore, the Inspector dismissed the appeal.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/20/01881/PA16 APP/Y9507/W/20/3257417	Chichester	Church Farm Stoughton Dairy Wildham Lane Stoughton PO18 9JQ	Mast, antennas and cabinets.	A 26 November 2020

Inspector's Reasoning



- The principle of development is established though Permitted Development rights, with siting and appearance being the only matters the authority can consider.
- The proposal would consist of a 14.97m high mast, hosting 3 antennas and one 300mm diameter dish, and be sited approximately 40 metres away from the Public Right of Way and adjacent to the north west corner of the westernmost barn that forms part of the group of farm buildings.
- An existing 2.5m high bund would be cut into and retained with gabion walls. The development would be sited within the space, behind a 1.8m high close boarded fence.
- The development would introduce a man made and artificial feature, which would result in an adverse effect on the character of the agricultural landscape. However, the Inspector noted it would be minor given the established functional character of the complex of agricultural buildings.
- The mast would be twice the height of the adjacent barn, and as such would be noticeable in local views. However, due to the bulk of existing large farm buildings, the masts slimness, and the existing tall transformer pole providing visually strong vertical elements, the proposal would not represent an overly prominent or bulky feature in localised views.
- The Authority provided other suitable alternative sites, but the Inspector found the appeal site acceptable, and it was unnecessary to address the merits of alternative sites.
- The Inspector found the proposal would not cause significant harm to the character and appearance of the rural landscape. The limited visual effects would be outweighed by the significant public benefit of the proposal. The proposal would accord with SDLP policies and the Inspector allowed the appeal.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/0479/LDE APP/Y9507/X/20/3252933	SDNPA	Meadow View Horsham Road Findon BN14 0RG	Certificate of lawful use for occupation of the dwelling in non-compliance with the occupation condition.	D 11 December 2020
Inspector's Reasoning <ul style="list-style-type: none"> The appellant was required to show, on the balance of probability, that the breach of condition had occurred for a continuous period of at least 10 years by the date of the application (2nd October 2019). The appellant had occupied Meadow View continuously since it was built in 1993. Condition 2 required occupation by person/s employed or last employed by Kingswood Livery Stable or locally in agriculture or forestry. The property was located east of Kingswood Livery Stables, a business owned and run by the appellant. At the time of the Inspectors visit, 9 horses occupied 10 stables. The barn was occupied by a gym and store for vans that were used for weddings. Some of the stables in the east block were occupied by Class B1 businesses, such as printmaking and pottery business and a stonemason. It was agreed that the appellant lets out the livery yard and stable on a DIY basis, and no 'hands-on' role has been had by the appellant and their partner since first occupation in 1993. No more than 100 hours of work per year were undertaken in terms of administering the DIY livery business, including repairs and book keeping. The Inspector noted that the individual licenses, signed by users of the DIY livery stables, had provided Meadow View as the business address of Kingswood Livery Stables. Furthermore, the Inspector disputed the appellant's claim that a specific amount of time is required in order to 'run the business'. It was clear that the appellant derived income from the livery business, which is the main occupier of the site. The Inspector acknowledged that the appellant did not just receive rental income, but had been responsible for setting the rules and terms by which the livery was used, resolving management issues, and resolving disagreements between users. The condition did not specify whether the property had to be occupied by someone <u>mainly</u> employed or last employed by Kingswood Livery Stables. The Inspector stated that the appellants had been employed by Kingswood Livery Stables by virtue of running the business. The Inspector concluded that Condition 2 had never been breached since it was imposed, and dismissed the appeal. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/03541/FUL APP/Y9507/W/20/3247648	East Hants	Ponticum Farther Common Lane Hill Brow Liss GU33 7QQ	Replacement dwelling	A 21 December 2020
Inspector's Reasoning				

- The proposal would result in a 5-bedroom property, sited in a similar location to the existing and would be of contemporary design, responding to the topography of the site.
- The replacement dwelling would be 77% larger than the existing dwelling, and the Inspector confirmed that the proposed development would not accord with part (a) of SD30.
- The existing property was over the 120m² threshold, but the dispute surrounded whether the existing property had 3 or 4 bedrooms. The Inspector concluded that while a survey drawing from 2010 showed three bedrooms and a study, this was a choice of the previous occupant, and does not imply the study cannot be used for other purposes. The Inspector deemed the existing property a four bedroomed property, and as such there would be no conflict with the first purpose of the policy, to retain small and medium dwellings.
- Whilst the size of the dwelling would not comply with Policy SD30 (a), the proposal would not conflict with the dual purpose of the policy, to retain small and medium sized homes, and the Inspector allowed the appeal.

Costs Decision – Refused

- A costs application was made on the basis of four grounds: the SDNPA prevented development which should have been permitted having regard to Policy SD30; the SDNPA decision relied upon vague, generalise or inaccurate assertions about the proposals impact; the SDNPA prevented development that should have been permitted having regard to the appellant's fall-back position; the SDNPA failed to determine similar cases in a consistent manner.
- The TAN was updated in July 2020, and the planning application had already been determined. In light of the update, the Inspector noted that the Authority could have revisited their position during the appeal, but were not required to do so.
- The Inspector confirmed that even though they did not agree with the Authority's interpretation, the Authority's application of Policy SD30 was reasonable.
- The Inspector also dismissed the appellant's argument that more weight should have been put on the development's 'eco credentials' to overcome Policy SD30, as this responsibility lies with the decision maker.
- The Inspector then considered the 'fall-back position' of an extant permission which would see the dwellings GIA increase by 50%. The Authority was consistent with the approach set by the Courts, determining theoretical probability of the scheme being built out. The Inspector therefore dismissed this ground.
- The Inspector also confirmed that the 'similar cases' proposed by the appellants were materially different, with some predating the SDLP.
- The Inspector refused the costs application.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/20/01400/HOUS APP/Y9507/D/20/325975 I	SDNPA	The Coppice Sunnybox Lane Slindon BN18 0LX	Rear extension	A 05 January 2021

Inspector's Reasoning

- The Inspector described the property as a three-bedroom chalet bungalow located on the northern side of Sunnybox Lane.

- The proposal would involve the erection of a rear extension, alteration of the existing roof by raising the ridge height and constructing a double gable roof form to the rear. In addition, an existing garage would be demolished.
- The existing dwelling and garage had a combined Gross Internal Area (GIA) of 144m². It was agreed that the proposal would exceed the 30% limit for extensions and would be approximately 50% larger than the existing.
- The Inspector confirmed that the existing dwelling was a medium dwelling. However, the proposed alterations would result in the dwelling remaining a medium three bedroomed property. Consequently, the Inspector concluded that the proposal would not reduce the supply of small and medium homes.
- The SDNPA argued that the proposal would be overly dominant and unsympathetic which would be harmful to the character and appearance of the area. The Inspector disagreed, noting that whilst there were different building styles in the area, the use of common materials and simple pitched roof forms resulted in design balance and symmetry which contributed positively.
- The proposal would retain a simple hip to gable roof form, which would be in keeping with local vernacular. In addition, owing to the limited increase in existing ridge height, the proposal would retain the appearance of a chalet bungalow.
- The Inspector concluded that the proposed extension would be of an appropriate design and scale, which would safeguard the character and appearance of the area.

Costs Decision – Refused

- The appellant argued that the Authority failed to engage with them regarding the lack of evidence that had been submitted in support of their position that they had exceptional circumstances (in relation to SD31).
- The Inspector explained that the Case Officer had fundamental concerns regarding the design and appearance of the proposed extension, and that the design concerns would not have been addressed by additional evidence in respect of Policy SD31.
- Therefore, the SDNPA was not found to have acted unreasonably.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/20/02266/FUL APP/Y9507/W/20/3258528	Chichester	Fernhurst Place The Cylinders Fernhurst Haslemere GU27 3EL	Demolition of existing dwelling and the erection of 4 dwelling houses and outhouses.	D 06 January 2021

Inspector's Reasoning

- The proposal would result in a substantial increase in built form, with limited gaps between dwellings, and plots 1 & 2 sited close to the site boundary. The Inspector acknowledged that the proposal would result in the built form being compressed at the central part of the plot and dominated by hardstanding, which would not reflect the character of development nearby.
- The proposed dwelling on Plot 4 would be dependent on works to the TPO tree that would detract from its appearance and its contribution to the site and the locality.
- The Inspector noted that the layout, along with the relationship with the trees at the site would not be reflective of development that is landscape led.

- Individually, the dwellings would not be incongruous in the context of the varied scale and appearance of local properties. Three floors would conflict with Policy DE4 of Fernhurst NDP, but the top floors would be within the roof space of the dwellings, which would be of similar height to others and therefore would not harm the character of the area. In addition, the Inspector acknowledged that local materials and the siting of elevations without windows would be discreet and not detract the form the appearance of the development.
- However, the Inspector noted that whilst the proposal was acceptable in some individual respects, the development would still have an overall harmful effect on the character and appearance of the area.
- The housing mix would not be compliant with Policy SD27 of the SDLP, and viability evidence was not sufficient to justify a departure from this housing mix. The housing mix proposed would not be compliant with Policy SD1 (SDLP), which seeks to foster social wellbeing of local communities.
- The proposal would not provide any provision towards an affordable home, and the viability evidence was not sufficiently robust to demonstrate financial need. Therefore, the Inspector found that the proposal did not comply with Policy SD28.
- The proposed dwellings (plot 1 & 2) would be close to the site boundary, and would have clear views into a neighbouring properties private rear garden area. Consequently, the proposal would cause an unacceptable loss of privacy to the neighbouring property and would be contrary to Policy SD5.
- The Inspector took a precautionary approach to biodiversity, and found a reasonable prospect of the site being used by protected species. Without a robust assessment of the site's existing value, the Inspector could not be certain that measures would mitigate the effect of the development or achieve net gain. Therefore, the proposal would not accord with policy SD2 of the SDLP.
- The proposal would increase vehicle movements, increasing use of The Cylinders and its junction with Midhurst Road. The boundary treatments, bend and topography substantially restrict visibility. The effects on highway safety would be unacceptable, and contrary to policy SD19.
-

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/05604/PA16 APP/Y9507/W/20/3255530	SDNPA	Falmer Road Rottingdean Brighton BN2 7DT	15m shrouded street pole, 2 no. equipment cabinets and equipment ancillary.	A 14 January 2021

Inspector's Reasoning

- The principle of development is established though Permitted Development rights, with siting and appearance being the only matters the authority can consider.
- The proposal involved the erection of a 15m high single stack street pole, 2 equipment cabinets on the grass verge.
- Eleven alternative sites had been considered, of which two of the eleven existing sites, 'Orange Mast' and 'Arquiva Mast' had been further explored.
- 'Orange Mast' is located on a grass verge to the eastern side of Falmer Road, and contains a 15m high street pole and several equipment cabinets. The appellant argued that the existing apparatus could not be used because it was operated by another telecommunications operator. Significant alterations would be required if the site was to be shared, such as a new higher and wider mast to ensure vertical separation of antennas. They added that the foundation to accommodate the mast would exceed the width of the adopted verge on Falmer Road.

- The 'Arquiva Mast' is located 300 metres north of Ovingdean Road. To provide vertical separation between antennas, to avoid interference, the existing mast would need to increase in height by 3m. In addition, the proposed development, which were 3G and 4G base stations, would limit their coverage of smaller cell areas to ensure effective services.
- The Inspector was satisfied that the appellant had comprehensively explored the possibility of upgrading or sharing existing masts.
- Falmer Road links the settlement of Rottingdean and Woodingdean. The road cuts through an undeveloped strip of chalk downland which provides visual and physical separation between the settlements. The Inspector found the road busy with a high number of traffic movements. Alongside the road, a significant number of tall lampposts were present.
- The Inspector noted that the proposal would be of similar height and appearance to existing street furniture, and the existing 'orange mast'. The proposal would be muted light grey, which was found to successfully assimilate into the existing context of Falmer Road.
- The Inspector concluded that the proposal would have a neutral impact, thus conserving the landscape and scenic quality of the SDNP, and accord with Policy SD44 of the SDLP, and allowed the appeal.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/19/04624/FUL Appeal A Ref: APP/Y9507/W/19/3243468 SDNP/19/04625/LIS Appeal B Ref: APP/Y9507/Y/19/3243470	East Hampshire	Riverbank High Street Petworth GU28 0AU	Change use of retail and offices to self-contained two bedroom dwelling	D 19 January 2021

Inspector's Reasoning

Appeal A – Vitality and viability

- The appeal site comprised a vacant two storey terraced property and low storage building along the rear boundary. The area formed part of the designated Primary Shopping Frontage.
- The proposal would convert part of the ground floor retail unit, and the whole of the first floor level office into a two-bedroom dwelling.
- The Inspector acknowledged that the property had been marketed for sale, but with an asking price that had reduced significantly over time. There was limited evidence, other than using a price per metre calculation, which explained how the valuation was made. The Inspector noted that without a more detailed valuation, it could not be ascertained that the guide price reflected the true value of the property.
- The Inspector accepted the property had carried out the minimum marketing period, but concluded that the marketing exercise was not sufficiently robust.
- The proposal would reduce the size of the trading area, and the need for toilet facilities and storage would undermine the viability of the premises to a harmful degree. This would in turn adversely affect the viability and vitality of Petworth Town Centre, conflicting with policies SD1 and SD37 and Policy WSI of the Petworth NDP.

Appeal B – Heritage

- The property was a Grade II listed building, forming the end of a terrace of houses, subsequently converted to shops. The property made an important contribution to the sense of historic character defining Petworth Conservation Area.
- The proposal would require the erection of a partition wall, and installation of plasterboard to provide noise insulation. The scheme would not result in a loss of historic fabric, but the subdivision would cause harm to the buildings internal layout. The work would also hide the buildings timbers, which contribute to the special interest of the asset, and as such the proposal would have a detrimental effect on the significance of the listed building.
- The Inspector explained that whilst the scheme could secure long term future use of the building, there was limited evidence to demonstrate that it was an optimum viable use. Therefore, the harm would not be outweighed by public benefit, and would be in conflict with Policy SD12 and SD13 of the SDLP.

Appeal Reference	Authority	Site	Description of Development	Decision
APP/Y9507/D/20/3258734 SDNP/20/01402/HOUS	East Hampshire	18 Station Road Petersfield GU32 3ES	Roof extension, roof terrace and replacement garage outbuilding	SPLIT DECISION 20 January 2021

Inspector's Reasoning

- The proposed development included a replacement garage, which would have a pitched roof and a ridge line height of 5.5m. The southern elevation would feature a dormer window.
- The neighbouring property (No 20) had a single storey extension close to the boundary of the appeal property with glazed doors facing towards the existing outbuilding at No. 18.
- The proposed replacement garage would be significantly taller than the existing, and even though the highest part of the roof would be set away from the boundary with No 20, the height on the boundary would nevertheless be increased from 2m to 2.8m. The front elevation would also extend forwards of the existing, bringing it closer to the rear elevation of No. 20. The Inspector concluded that the replacement garage would significantly reduce outlook from No 20, and due to the angle of the boundary, the proposed outbuilding would appear overbearing and oppressive, adversely affecting the living conditions of the neighbouring property.
- The development would also have an enclosing effect on the appeal property, being both taller and closer to the rear elevation of the property and would reduce the garden by approximately 6 square metres. The height would also be more dominating, but it was acknowledged that the pitched roof would mitigate some of this effect. However, the proposal to include a roof terrace would mean that occupants would not solely rely on the garden space, and therefore the Inspector concluded that the outbuilding would not harm the living conditions of existing and future occupiers of the host property and would accord with Policy SD31 and SD5.
- The Inspector made a split decision and dismissed the replacement garage, and allowed the appeal for the roof extension and roof terrace.