

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

Hampshire Minerals and Waste Plan: Partial Update - Draft Plan
Regulation 18 Consultation



Frequently Asked Questions (FAQs)

Q1. What is the Hampshire Minerals & Waste Plan?

A1. Hampshire County Council, Portsmouth City Council, Southampton City Council, the New Forest National Park Authority and the South Downs National Park Authority (collectively referred to as the 'Hampshire Authorities') are working together to prepare a partial update to the Hampshire Minerals & Waste Plan (adopted 2013). The updated Plan, once adopted, will replace the Hampshire Minerals & Waste Plan (2013). The Plan will improve and strengthen the policies from previous plans and set out how minerals and waste will be managed in Hampshire for the Plan period (up until 2040).

Q2. Why is an updated Minerals & Waste Plan needed?

A2. Minerals are essential to support economic growth and their supply is important to enable the delivery of infrastructure, buildings, energy and goods for quality of life. It is important that provision is made for sustainable waste development to enable resource efficiency and drive waste management up the waste hierarchy.

All Mineral and Waste Planning Authorities (including the Hampshire Authorities) are required by law to produce a Plan setting out their policies for guiding minerals and waste development. The Plan must then be reviewed to assess whether they need updating at least once every five years. The Plan must be in compliance with the National Planning Policy Framework which outlines the national policy requirements set by Government. Further Government policy is set out in the National Planning Policy for Waste.

A Review of the Hampshire Minerals and Waste Plan was undertaken in 2018 and again in 2020. The 2020 Review concluded that parts of the Plan were no longer fit for purpose and required updating. A Development Scheme was

agreed by the Hampshire Authorities in March 2021, and this set out a timetable for the partial update. The first stage is the preparation of the Partial Update - Draft Plan (herein referred to as 'Draft Plan').

Q3. What happens if a new Minerals & Waste Plan is not produced?

A3. Without an up-to-date Plan which reflects local priorities in the light of national policy, it is difficult to influence the location and type of development. This could result in planning applications for minerals and waste development being submitted and decided on an ad-hoc / 'first come' basis which would create lack of certainty for local communities and industry to where development could take place. A consequence of this could be that development may be permitted at sites which have greater impacts on their surroundings.

Q4. What is the Draft Plan consultation about?

A4. The Draft Plan Consultation is the initial first draft of the updated Plan and policies based on the issues raised through the review. The Draft Plan also contains proposed site allocations for mineral supply and waste management to support provision up to 2040. This consultation is the first opportunity to test the draft policies with those who take an interest in minerals and waste. It will also be an opportunity to ensure that all the relevant information has been gathered in relation to the proposed site allocations. The information supplied as part of the consultation will help to form the next stage of the planning process as well as the overall Plan.

Q5. How should I respond to the consultation?

A5. An online survey is the preferred method for responding to the consultation. This is available via the consultation webpage: www.hants.gov.uk/minerals-waste-update

There is the opportunity to save and return to the survey should you need to complete the form over a period of time. There will also be a Response Form which can be downloaded from the website. Alternatively, emails and posted responses will also be accepted. Please use the following contact details:

Email: HWMP.consult@hants.gov.uk

Postal: Minerals & Waste Policy, Elizabeth II Court West, The Castle, Winchester SO23 8UQ.

Q6. What will happen to my response to the consultation?

A6. Your response will be compiled with all other responses to the consultation and will be used to generate a Consultation Summary Report which will set out the responses to the consultation questions. Issues raised will be responded to by the Hampshire Authorities either collectively or on an individual basis depending on the number of responses received. The consultation summary report will be available online as soon as reasonably possible after the consultation has closed

on the consultation webpage: www.hants.gov.uk/minerals-waste-update. Consultation responses will be available to view on the webpage until the Plan is adopted.

Q7. Why do I need to provide my personal details and what will happen to the data?

A7. We ask for your contact details (Name and Address) as anonymous responses will not be accepted. We will ask whether you wish to be contacted in the future regarding the Hampshire Minerals & Waste Plan and you will need to 'opt in' if you wish to be kept informed. Should this be the case, an up-to-date email address should be provided. Your personal data will only be used for the purposes of preparing the Hampshire Minerals & Waste Plan and will only be shared with the Hampshire Authorities and the Secretary of State (and appointed Planning Inspector) and Snap Surveys our data processor. Your responses will be available on-line but will be redacted (i.e. content will be removed) so that your address and email will not be available to view (please see the question regarding sensitive data for more information on redacted information). Please see the Privacy Notice for more information on the consultation webpage which provides more information on how responses will be managed:

www.hants.gov.uk/minerals-waste-update.

Q8. Why am I asked for 'equalities' information and what happens to my personal data?

A8. An Equalities Form is appended to the consultation Response Form. We ask for information to understand whether we are reaching a wide audience. If the information suggests we are only reaching a particular section of the community, it suggests that we need to alter how we consult. The data is also used to inform our Equalities Impact Assessment. Once received, the Equalities information is removed from the remainder of the Response Form and therefore, it is not possible to know who provided equalities information. The information is then only reported as statistics not on an individual basis. Any personal information that is provided in the Response Form which could help identify an individual is also redacted (i.e. removed) and will not be published on the website. Please see the Privacy Notice for more information on the consultation webpage:

www.hants.gov.uk/minerals-waste-update.

Q9. Why is the Draft Plan consultation taking place?

A9. The Town and Country Planning (Local Planning) (England) Regulations 2012¹ sets out how local authorities should approach plan-making and the different stages that should be followed in order to comply with the Act. As part of the Act, Regulation 18 is one of the first stages in plan making.

¹ http://www.legislation.gov.uk/uksi/2012/767/pdfs/ukxi_20120767_en.pdf

Q10. What is the ‘Proposed Submission’ consultation and when will it take place?

A10. Proposed Submission (Regulation 19) is the next stage in plan-making. The Proposed Submission version of the Plan will take into account the responses received relating to the draft policies and proposed site allocations. The Proposed Submission consultation encourages comment on what the Hampshire Authorities propose to submit to government. This consultation is intended to take place in autumn 2023. Following this consultation, the responses will be reviewed, and it is then intended to submit the Hampshire Minerals and Waste Plan: Partial Update to government in February 2024.

Q11. How will the plan be examined?

A11. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” (see **Q/A.12** below).

Q12. Is the Plan Sound?

A12. We have set out what we think are the right policies to manage mineral and waste issues in Hampshire up to 2040. We are asking people to give their comments on any aspect of the plan, however going forward it is important that the plan is sound and will be something an independent Planning Inspector will be required to consider when submitted for examination. The criteria for whether a plan is ‘Sound’ is set out in paragraph 35 of the NPPF.

To be considered sound, the Minerals and Waste Plan needs to be:

- **Positively Prepared:** Has the Plan been positively prepared? Is it based on a strategy that provides for development and infrastructure needs and have these have been delivered sustainably. If you think that our assessments are not objective or do not take sufficient account of unmet needs in neighbouring authorities, then your comments relate to whether our Local Plan has been positively prepared or not.
- **Justified:** Is the Plan justified? This means that the Plan is based upon a robust and credible evidence base and is the most appropriate strategy against all reasonable alternatives. If you think that the evidence does not support the recommendations made, then your comments relate to whether it is justified.
- **Effective:** Is the Plan effective? This means that the Plan will deliver what it sets out to do. The plan should be deliverable and based on effective joint working on cross-boundary strategic priorities. If you think that the proposals in the Plan will not happen as the sites cannot be provided, the

groups who deliver elements are not signed up or the Plan does not join up with strategies of neighbouring authorities, then your comments relate to whether the Plan is effective or not.

- **Consistent with national policy:** Is the Plan consistent with national policy? Does it enable the delivery of sustainable development in accordance with the National Planning Policy Framework.

If you feel that any part of the plan does not meet any of the tests of soundness outlined above, your comments should explain what change you think should be made to the Plan to make it sound. In doing so, your comments could suggest any revised wording of the policy or text. You should consider whether.

- The issue with which you are concerned is already covered specifically by national planning policy? If so, it does need to be included?
- Is what you are concerned about covered by any other policies or any other plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

Q13. What is the Duty to Co-operate?

A13. The duty to co-operate requirement came into force in 2011 and requires local planning authorities to co-operate with other public bodies and local planning authorities to make sure how they work and the decisions they make are as effective as possible. It is related to but separate from the test of soundness. The local planning authority is required to provide evidence of how they have complied with this requirement and will be examined by the planning inspector at examination.

Q14. Where can I view a copy of the Draft Plan Consultation documents?

A14. All consultation documents are available to view on the consultation website at www.hants.gov.uk/minerals-waste-update.

Documents are also available for inspection during normal working hours at the following locations:

- **Hampshire County Council offices:** Elizabeth II Court, The Castle, Winchester, SO23 8UQ
- **Portsmouth City Council offices:** Civic Offices, Guildhall Walk, Portsmouth PO1 2AL
- **New Forest National Park Authority offices:** Lyminster Town Hall, Avenue Road, Lyminster SO41 9ZG
- **Southampton City Council offices:** Civic Centre, Southampton SO14 7LY

- **South Downs National Park Authority offices:** South Downs Centre, Midhurst, West Sussex GU29 9DH
- **Public libraries (online viewing)** within the administrative areas of the Hampshire Authorities

Q15. Will there be any public exhibitions?

A15. Public exhibitions will be available at the following locations:

- Avonway Community Centre, 36 Shaftesbury St, Fordingbridge SP6 1JF
 - **Thursday 10th November 16:00 – 19:00**
- Romsey Town Hall, 1 Market Place, Romsey SO51 8YZ
 - **Wednesday 16th November 16:00 – 19:00**
- Furze Hall Farm Parkway, Wickham Rd, Fareham PO16 7JL
 - **Thursday 17th November 16:00 – 19:00**
- Yateley School, School Lane, Yateley GU46 6NW
 - **Tuesday 22nd November 17:00 – 20:00**
- Chilbolton Village Hall, Eastmans Field, Stockbridge SO20 6AT
 - **Thursday 24th November 16:00 – 19:00**
- Hamble Village Memorial Hall, High Street, Southampton SO31 4JE
 - **Wednesday 23rd November 16:00 – 19:00**
- Verwood Hub, Brock Way, Bournemouth BH31 7QE
 - **Tuesday 6th December 16:00 – 19:00**
- Dame Mary Fagan House, Lutyens Close, Lychpit, Basingstoke RG24 8AG
 - **Wednesday 7th December 16:00 – 19:00**
- Forest Arts Centre, Old Milton Road, New Milton BH25 6DS
 - **Tuesday 13th December 16:00 – 19:00**

The exhibitions will be an opportunity to gather local information to inform decision-making on the policies and proposed allocations.

Q16. When does the consultation start and finish?

A16. The consultation will run for twelve weeks, beginning on 8 November 2022. All responses must be received by 5pm on Tuesday 31 January 2023.

Q17. What happens next?

Q17. All comments received will be collated into a Consultation Summary Report. The Report will also include a response from the Hampshire Authorities to the points raised and how these will be taken into account in the next stage (Proposed Submission). The Report will be made available on-line.

Q18. How can I become more involved in the Plan-making process?

A18. If you provide comments as part of the 'Draft Plan' consultation you will need to 'opt in' to being contacted subsequently for the Proposed Submission consultation in 2023. The 'opt in' is set out as part of the response form or alternatively, a link is provided on the consultation website: www.hants.gov.uk/minerals-waste-update.

Q19. How were the proposed allocations selected?

A19. The proposed allocations were identified from nominations from the minerals and waste industry (via a 'call for sites'). Each of these sites was subject to desk-top assessment and a site visit, where required. Assessment has included Sustainability Appraisal, Habitats Regulation Assessment and Strategic Flood Risk Assessment. If the assessments did not highlight any 'show stopper' issues, the sites have been proposed for allocation.

Q20. What if I have concerns regarding the proposed allocation sites?

A20. We have identified issues relating to each of the proposed allocations which would need addressed as part of any planning application. These are set out as 'Development considerations' (see Appendix A). The Draft Plan consultation is an opportunity for local communities and technical specialists (such as the Environment Agency, Natural England and Historic England) to let us know whether we have identified all of the relevant issues. This information will then we used to further refine the allocations for the 'Proposed Submission' version of the Plan.

Q21. If a site is not in the Plan, does that mean it will never be developed?

A21. Not necessarily. More minerals and waste sites will be required in the future and any site can be proposed as a planning application at any time – it would then be judged on its own merits, based on compliance with the relevant policies set out in the Plan.

Q22. Will the sites identified in the plan (site allocations) still require planning permission?

A22. The aim of the plan-making process is to identify sites that are considered suitable in principle for development. However, it does not go into the specific details required for a planning application. Allocating a site does not mean that a site has planning permission. Planning permission will still be required before any development can take place. Any planning application will be judged against the relevant policies in the Plan on its own merits, and there is no guarantee that a planning application will be granted permission just because the land has been identified as suitable through an allocation.

Any planning application for development at an allocated site would need to consider all of the development considerations identified in the Plan (see Appendix A). Similarly, any proposal would also need to comply with all other relevant policies in the Plan, including policies relating to the environment (climate change, habitats and species, landscape, historic environment and restoration etc) and amenity (protection of health, safety and amenity, flood risk, design, and traffic etc).

Q23. What happens if there is an application already waiting to be determined on an allocated site?

A23. The plan-making process is related but separate to the planning permission decision-making process.

The assessment of proposed sites for inclusion in the Plan will seek to determine whether the site is suitable in principle for development. It may highlight any issues which would need to be overcome for the site to be considered suitable. This consideration is based on a strategic level as the Plan is covering a 15 year time period.

A planning application needs to consider in detail how a proposal meets all relevant planning policies and sets out what measures will be put in place to address any issues that are present at that point in time. For example, consideration will need to be given to existing road capacity and the condition of the environment at the time. It is likely that an application for new minerals or waste development will require an Environmental Impact Assessment.

Planning applications can be submitted at any time during the plan-making process and/or once a plan is adopted. During early stages of plan-making, the need for a site may not be clear and it could be considered premature to determine an application. However, if a clear need is identified, the application will be judged on its merits. An example of need could be that the amount of permitted sand and gravel reserves (the 'landbank') is below or close to the required minimum of seven years.

If the site is permitted prior to the adoption of the Plan, the capacity of the site would be incorporated into the permitted capacity (i.e. the landbank for minerals or management capacity for waste) and would no longer be an allocation.