

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 24 JULY 2008

**MINERALS PLAN DEVELOPMENT PLAN DOCUMENT
SUBMISSION DRAFT**

Report by: Sarah Applegate, Senior Planning Officer

Summary:

This report summarises the draft policies, proposals and preferred locations for the extraction and supply of minerals and the provision of landfill up to 2020, as set out in the Hampshire Minerals Plan Submission Draft. The report recommends approval of the draft document for public consultation and subsequent submission to the Secretary of State.

No new mineral extraction or landfill sites are identified within the New Forest National Park, although a small number of sites are proposed in New Forest District in the vicinity of the National Park boundary.

Recommendations:

- 1. To approve the draft Hampshire and New Forest National Park Minerals Plan in Annex 2 for public consultation and submission to the Secretary of State in accordance with Regulations 27-30 of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.**
- 2. To authorise the Director of Strategy and Planning to make any necessary minor amendments to the Plan in advance of the public consultation and submission to the Secretary of State, as long as they do not affect the National Park, do not change the overall direction, shape or emphasis of the document and do not raise any new issues.**
- 3. To authorise the Director of Strategy and Planning to liaise with the partner authorities to review and, so far as necessary amend, the provisions in the Core Strategy and Minerals Plan relating to depots and wharves to give effect to the recent court judgment.**

Resources and Corporate Plan:

A4 – Develop spatial planning policies to support the delivery of the National Park's purposes and duties.

Routine resources

Papers:

NFNPA 265/08:	Cover paper
NFNPA 265/08 Annex 1:	Summary of consultation responses
NFNPA 265/08 Annex 2:	Hampshire and New Forest National Park Minerals Plan – Submission Draft
NFNPA 206/07:	Minerals Plan Development Plan Document Preferred Options
NFNPA 192/07:	Minerals and Waste Core Strategy: Inspector's Report and Adoption

Background Papers:

[Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Core Strategy Development Plan Document](#)

[Hampshire, Portsmouth, Southampton and New Forest National Park Minerals Plan Regulation 26 Consultation Draft \(Preferred Options\)](#)

[Sustainability Appraisal Report](#)

[Habitats Regulation Assessment Report](#)

[Traffic Assessment](#)

[North of Ringwood Traffic Study](#)

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NFNPA 265/08

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1 Introduction

- 1.1 The Minerals and Waste Core Strategy¹ was prepared jointly by the National Park Authority, Hampshire County Council and Portsmouth and Southampton City Councils. It was adopted by the Authority on 28 June 2007 (NFNPA 192/07); and subsequently by each of the other joint authorities. It applies to the whole of the New Forest National Park and the rest of Hampshire.
- 1.2 The Minerals Plan Development Plan Document, once adopted, will deliver a number of the key elements in the Core Strategy by identifying locations for the future extraction of minerals and provision of landfill development up to 2020.

2 Consultation

- 2.1 The authorities have carried out extensive stakeholder involvement over the last two years with various public, business and environmental interests to consider a long list of potential sites. The site selection process has used a range of environmental and sustainability factors to evaluate the long list of potential sites. This process has also included a Sustainability Appraisal, Habitats Regulation Assessment, Strategic Flood Risk Assessment and Traffic Assessment Study. In addition National Park Authority Officers identified a number of criteria to assess the potential impact of sites on the National Park and its setting, and potential restoration benefits.
- 2.2 On 13 September 2007 (report NFNPA 206/07) the Authority approved the Hampshire and New Forest National Park Minerals Plan Consultation Draft under "Regulation 26" of the Town and Country Planning (Local Development) (England) Regulations 2004. Nearly 14,000 representations were received from about 5,000 respondents.

¹ Full formal title 'Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Core Strategy Development Plan Document'.

Particular areas highlighted in the response included Hamble, Warsash and New Milton, which together generated well over two-thirds of the total representations. A summary of the generic, non-site specific representations can be seen in **Annex 1** of this report.

- 2.3 The most significant issues affecting the Minerals Plan for the National Park are:
- the aggregates target
 - the proposed sites in and around the National Park
 - the Core Strategy legal challenge (see paragraphs 5.1-5.2 for details).

3 Aggregates target

- 3.1 The Minerals and Waste Core Strategy makes provision for the production of land won sand and gravel at a rate of 2.63 million tonnes per year. However, it is now considered that this figure is no longer justified for the following reasons:
- the rate of sand and gravel production over the last decade has declined;
 - difficulties in providing the full regional apportionment without unacceptable environmental impacts.
- 3.2 The Government has launched a consultation on the 'Draft Revised National and Regional Guidelines for Aggregates in England: 2005-2020' which proposes that, that for the South East region as a whole, the requirement to produce sand and gravel should be reduced by approximately 8%.
- 3.3 In addition the South East England Regional Assembly is also currently consulting on a 'Review of Sub-Regional Allocation of Land-Won Aggregates', which proposes a range of different options for the regional sand and gravel requirements. These are based on different scenarios weighted by various factors such as environmental designations and population. The options for Hampshire range between 1.82 and 2.32 million tonnes per annum (mtpa). The lower figure, which is known as the 'Environmental' option, more accurately reflects how the sand and gravel resource is constrained in Hampshire, and is considered to be a more realistic and sustainable level for sand and gravel production on this basis.
- 3.4 Over the Plan period the proposed target of 1.82 million tonnes per annum (mtpa) of sand and gravel will be supplied from the four Hampshire sub-areas at the annual rates set out in the table overleaf. This compares the proposed new target with that set out in the adopted Minerals and Waste Core Strategy.

Sub-area	Proposed revised figure	Figure in Core Strategy
North East Hampshire	0.30 mtpa	0.433
Downland	0.45 mtpa	0.643
Forest (excluding New Forest National Park)	0.80 mtpa	1.163
South Hampshire	0.27 mtpa	0.391

4 Sites in and around the New Forest National Park

Sand and gravel

- 4.1 The Minerals Plan Submission Draft identifies sites across Hampshire. In the vicinity of New Forest National Park it suggests that the sand and gravel requirements should be met from the following existing sites and preferred areas:

Existing Sites

- Bleak Hill, Harbridge
- Nea Farm, Somerley
- Ibsley Quarry
- Avon Tyrrell
- Badminton Farm, Fawley

Preferred Areas

- Plumley Wood, Ringwood Forest
- Land at Roeshot Hill, Christchurch
- Purple Haze, Ringwood Forest
- Forest Lodge Farm, Hythe

- 4.2 Due to the reduced apportionment being planned for in the Minerals Plan a number of sites identified in the Preferred Options Minerals Plan are no longer required, and these include the proposed sites at Downton or Ashley Manor Farm. This decision was based on an appraisal of issues of landscape impact, impacts on local amenity and businesses. Supply can be met from other sources of sand and gravel.
- 4.3 National Park officers consider that the site at Roeshot has longer term potential restoration benefits for the National Park with the opportunity to link in to the management and use of the adjacent Burton Common. However, it is likely that this site will require access through the National Park along an existing track.
- 4.4 The site at Forest Lodge Farm makes provision for soft sand and is much reduced in size from that identified in the Preferred Options Minerals Plan as the landowner has withdrawn a large parcel of adjacent land.

- 4.5 The Minerals Plan Sustainability Appraisal and Habitats Regulation Assessment seek to ensure that proposals will not have an adverse impact on European designated habitats, and that impacts on the National Park (and other protected landscapes) will be avoided or, where this cannot be achieved, minimised. This includes consideration of the potential impact of the proposals on adjacent authorities.

Landfill

- 4.6 Non-hazardous landfill will provisionally be provided predominantly by existing sites with planning permission, including Pound Bottom at Redlynch, which is anticipated to be completed by approximately 2015, and Blue Haze and Somerley landfills in Ringwood.

Strategic aggregate recycling facilities

- 4.7 Provision for strategic aggregate recycling facilities will be made by identifying a combination of existing sites, new sites and an 'area of search' (outside the National Park) for the recycling of incinerator bottom ash. There is an existing strategic recycling facility at Manor Farm, Pennington.

5 Core Strategy legal challenge

- 5.1 The adopted Minerals and Waste Core Strategy is subject to a legal challenge made by Associated British Ports (ABP) concerning the need for a wharf or depot for the importation of crushed rock. A hearing took place in the High Court between 20 and 22 May 2008. The judgment was handed down on 4 July 2008 and found in favour of ABP in particular that the Planning Inspector at the Core Strategy examination should have found that parts of the Core Strategy did not satisfy the 2004 Planning and Compulsory Purchase Act as the authorities did not have proper regard to national and regional policies in assessing the future needs for crushed rock and sites capable of meeting this need. The authorities are currently considering the judgment and implications for the Minerals Plan.
- 5.2 If parts of the adopted Core Strategy are quashed, for instance policies S13 Wharves and Rail Depots, S14 Safeguarding of Existing Development and DC 18 Wharves and Rail Depots, and accompanying text then it may be necessary to bring forward an early review of the Core Strategy to replace these policies. This would effectively put the progress of the Minerals Plan and Waste Plan on hold. The minerals and waste authorities are currently seeking legal advice on the implications for subsequent documents of the quashing of part of the Core Strategy.

6 Next steps

- 6.1 On approval of the Plan by the Authority and its partners, the document will be published and placed on deposit for a minimum of 6 weeks in September/October 2008. This is to gather representations on the “soundness” of the Plan in accordance with the revised Regulations which came into force on 27 June 2008. The effect of the revised Regulations is to reduce the number of ‘tests of soundness’ of a document from nine to three (that is whether it is considered to be justified, effective and consistent with national and regional policy), and require the document to be subject to a period of public consultation prior to its submission to the Secretary of State.
- 6.2 Following the consultation period the Plan will be submitted to the Secretary of State, together with a summary of the representations received during this consultation. A Planning Inspector will be appointed to undertake an independent examination into the Plan’s soundness. The Inspector will then report back to the Authority and partners with conclusions and binding recommendations on the final form of the Plan to be adopted.

Recommendations

- 1. To approve the draft Hampshire and New Forest National Park Minerals Plan in Annex 2 for public consultation and submission to the Secretary of State in accordance with Regulations 27-30 of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.**
- 2. To authorise the Director of Strategy and Planning to make any necessary minor amendments to the Plan in advance of the public consultation and submission to the Secretary of State, as long as they do not affect the National Park, do not change the overall direction, shape or emphasis of the document and do not raise any new issues.**
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**NFNPA 265/08
Annex 1**

Summary of generic (non-site specific) consultation responses

Issue	Comment	Officer Response
Hampshire's apportionment and the demand for minerals in relationship to environmental constraints within the County	The apportionment is wrongly based on too high a level of demand. Demand for land won minerals is falling. More account should be taken of the environmental constraints within the County	This issue has been fully considered in the development of the proposed Submission Plan and is detailed in section 3 of this report.
Marine dredged minerals	Sea won material should be used in favour of land won material.	The regional apportionment process assumes an element of sea won material and its supply is neither inexhaustible nor without its own environmental impact, but see above also.
Traffic concerns	Concern at the impact of traffic, particularly heavy goods vehicles and associated emissions and increased congestion.	A strategic traffic impact assessment has been prepared in respect of each area and the cumulative impacts of areas in close proximity local area. The generated traffic is generally a low percentage increase on the traffic already on local roads. More detailed assessment of traffic impacts will be required at the planning application stage. Conditions and / or legal agreements related to permissions can help mitigate impacts.
The regulation 26 consultation process	Consultation process over complex, technical and flawed. It did not "consult", but merely advised of the plan process and proposals and invited comments.	The consultation was the third stage in a wider process in the preparation of the Hampshire Minerals and Waste Development Framework which involved an extensive programme of workshops and public engagement. The process for consultation on a statutory plan is prescribed by regulation, but the point about complexity is noted and the submission plan will aim to be easily understood.
Proposals Maps	Maps and notation need to be clearer	Noted, the submission plan will aim to include clearer maps.

Plan flexibility	The authorities need to ensure flexibility in implementing the plan. The landbank of sites should be monitored continuously through the Annual Monitoring Report.	The authorities aim to achieve this and proposals for monitoring and implementing the Plan will be clearly set out in the submission document.
Site selection process	Site selection is influenced too much in favour of established mineral extraction operators rather than environmental and local impact issues.	Site selection has been in accordance with the relevant guidance, including Minerals Policy Statement 1, Planning Policy Statement 12 and principles set out in the Core Strategy. The process has to ensure that the site is likely to be worked and that the plan is deliverable.
Protection of designated environmental / habitat areas	Support proposed buffer zones around designated environment / habitat sites, but should be greater or determined on merits.	The specific buffer zone relates to the area included in the Mineral Resource Area. This is not necessarily the boundary of a proposed Mineral Area or its working area. These will be determined on a site by site basis on the evidence base/assessments carried out.
Hydrological issues	Concern at potential impact of workings on rivers, groundwater aquifers and impacts for flood areas and environmental habitats	The Sustainability Appraisal process has included a preliminary assessment of hydrological issues and more detail would be required at the planning application stage to ensure that any impacts are fully assessed and dealt with.
The Mineral Resource and Safeguarding Areas	The Mineral Resource Area (MRA) is unnecessarily restrictive and all applications should be considered on merits against plan policy. The Mineral Safeguarding Area (MSA) in urban areas could constrain urban regeneration and renewal, and impact adversely local amenities.	The MRA was designed primarily to illustrate where the authorities expected the preferred mineral areas to be located in order to give some degree of public certainty during the plan making process. The MSA is designed to ensure that proven mineral reserves are not sterilised by non mineral development in accordance with Minerals Policy Statement 1. This may include prior extraction where appropriate.

**NFNPA 265/08
Annex 2**

**Hampshire, Portsmouth, Southampton and New Forest National Park
Minerals Plan Development Plan Document - Submission Draft
(attached hereto)**