

AN ASSESSMENT OF POTENTIAL MINERAL DEPOSITS

Accompanying a detailed planning application for the
erection of 44 dwellings and associated works

on:

Land at Coldharbour Farm Road Emsworth

on behalf of:

Telstar

July 2019

Ref: 17040



AN ASSESSMENT OF POTENTIAL MINERAL DEPOSITS

CONTENTS

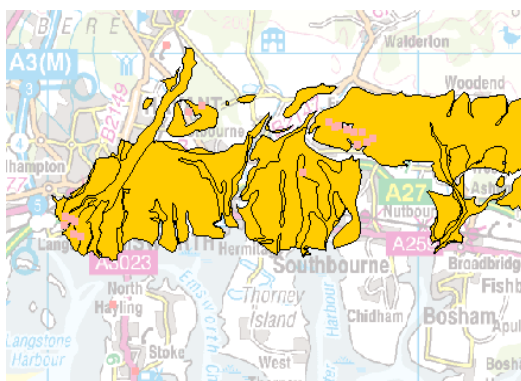
1.0	INTRODUCTION		1
2.0	THE SITE		2
3.0	THE POLICY BACKGROUND		3
4.0	SITE ASSESSMENT CRITERIA AND RECOMMENDATION.....		5

1.0 INTRODUCTION

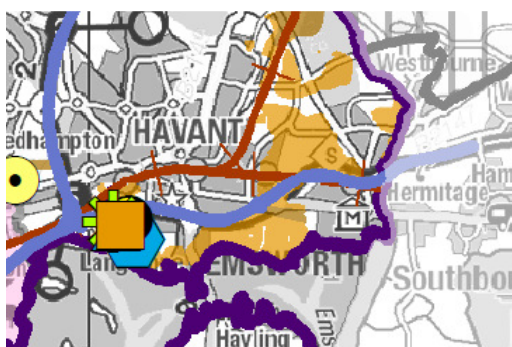
- 1.1 This Minerals Assessment Report has been prepared to assist Havant Borough Council in the determination of a detailed planning application for the erection of 44 dwellings and associated works on land at Coldharbour Farm Road Emsworth.
- 1.2 It follows the inclusion of the application site within a Minerals Safeguarding Area (MSA) in the adopted Hampshire County Council Minerals and Waste Plan (October 2013). In accordance with Policy 15 of the Plan an assessment is required to ensure that commercially viable mineral resources are not needlessly sterilised by the development.
- 1.3 The site has previously been considered for mineral deposits by Hampshire County as the Minerals Authority in connection with a planning application (LA Ref APP/14/00360) for 53 no. dwellings in 2014. The County Council stated that **'due to the limited size of the proposed development, and other constraints, the potential underlying mineral resource is not viable for prior extraction at this point and therefore no objections are raised'**.
- 1.4 In the absence of any changed circumstances since that time, we anticipate the same conclusion will be reached on this revised application and the Minerals Assessment has been submitted simply as a validation requirement.

2.0 THE SITE

- 2.1 The site comprises approximately 1.94ha of land located adjacent to Coldharbour Farm Road, Emsworth. It is allocated for residential development in the Havant Borough Local Plan (Allocations) Document referenced as site UE37 in Policy EM1.
- 2.2 It is situated between Coldharbour Farm and the existing services and hotel north of the A27 and the railway line. Emsworth recreation ground is located to the north east. There are 2 local Sites of Interest to Nature Conservation (SINCS) which enclose the site to the north and east and a public footpath close to Coldharbour Farm Road running in a north-south direction.
- 2.3 The site falls within a potential area where there might be deposits of sand and gravel. The extent of the potential mineral resource is shown in the area coloured yellow on the British Geological Survey Plan below.



- 2.4 The site has also been included in a Minerals Safeguarding Area in the Hants Minerals and Waste Plan 2013. The Proposals Plan extract below shows the extent of the sharp sand and gravel Mineral Safeguarding Area coloured tan and is subject to Policy 15. The detail of Policy 15 is set out in the next section.



3.0 THE POLICY BACKGROUND

National Policy Guidance

- 3.1 National policy guidance for safeguarding minerals is set out in the National Planning Policy Framework 2019 (NPPF) and the online Planning Practice Guidance (PPG). The former Minerals Policy Statement 2006 - MPS1 and the Planning and Minerals Practice Guidance 2006 are both cancelled.
- 3.2 Paragraph 204 of the NPPF requires planning authorities to define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development. The policy does not however, create a presumption that resources defined will necessarily be worked because for instance, other environmental impacts such as noise and dust emissions arising from mineral extraction might preclude it.
- 3.3 The online Planning Practice Guidance re-confirms the NPPF guidance on mineral safeguarding. It requires Mineral Authorities to adopt policies which set out how proposals for non-minerals development in Minerals Safeguarding Areas will be handled, and what action applicants for development should take to address the risk of losing the ability to extract the resource. This may include policies that encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in Minerals Safeguarding Areas and to prevent the unnecessary sterilisation of minerals.
- 3.4 The Guidance requires District Council's to determine planning applications in accordance with policy on minerals safeguarding, taking account of the views of the mineral planning authority on the risk of preventing minerals extraction. It also refers to detailed advice on mineral safeguarding found in the British Geological Survey (BGS) report 2011 "Mineral safeguarding in England: Good Practice Advice which remains extant.

British Geological Survey Good Practice Guidance

- 3.5 In accordance with national policy, the Mineral Safeguarding Good Practice Guidance of the BGS states that the presence of a Minerals Safeguarding Area (MSA) neither precludes other forms of development being permitted nor conveys any presumption that the mineral will be worked. MSA's simply provide a policy tool which will be alert to the fact that minerals may be sterilised by the proposed non mineral development and that this should be taken into account by the planning process both when making site allocations in development plans and during development management (paragraph 1.1.4). In all cases however, extraction of the mineral ahead of the proposed development (prior extraction) should be considered (paragraph 2.3.3).

Hants Minerals and Waste Local Plan (2013)

- 3.6 The Hants Minerals and Waste Plan policy 15 referred to in paragraph 2.4 above provides for mineral safeguarding and states:

Policy 15: Safeguarding - Mineral Resources

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.**

Havant Borough Site Allocations Plan 2014

- 3.7 Havant Borough's Local Plan (Allocations) Plan is adopted development plan policy. The Plan allocates the application site for residential development in Policy EM1 under site ref UE37. The policy requires planning applications to take account of the site specific development requirements set out in the relevant site profile. One of the specified requirements for UE37 is to carry out consultation with Hampshire County Council alongside any planning application in relation to minerals and whether prior extraction may be required.

Havant Borough Local Plan 2036 Pre-Submission Draft

- 3.8 Havant Borough's emerging Local Plan 2036 has retained the application site as a housing allocation in Policy H10. Part B) of the policy states that opportunities should be explored for the prior extraction of minerals to the satisfaction of Hampshire County Council.

4.0 SITE ASSESSMENT CRITERIA AND RECOMMENDATION

- 4.1 This Minerals Assessment has been prepared in accordance with the adopted and emerging Local Plan policy requirement to demonstrate that the development of the site will not needlessly sterilise any commercially viable mineral deposit.
- 4.2 We have carried out a desk top assessment to identify the likely mineral resource within the site boundary and whether the development could proceed without its prior extraction in accordance with the Policy 15 criteria in the Minerals and Waste Plan.

The Mineral Resource

- 4.3 We have identified the likely mineral resource within the site by reviewing borehole data provided for the area by the British Geological Survey. The nearest available borehole data is in very close proximity to the application site and is referenced SU70NW329 on the plan shown overleaf:



- 4.4 The borehole data itself is attached as **Appendix 1**. The data extends to a depth of 30m and shows that the higher levels comprise mainly silty and stiff clay deposits with the occasional thin layer and pocket of silty fine sand. Below the stiff clay layers there is a sand stratum at around 30m.
- 4.5 The prior mineral extraction of the sand at 30m is likely to be uneconomic. The site is small and the amount of sand available for extraction is likely to be limited. The depth of the sand will also require the removal of significant amounts of overburden which given the limited site area would need to be taken off site adding to the extraction costs. Given the proximity of the site to adjacent housing at Coldharbour Farm Road and the hotel services on the A27 potential noise and dust will have to be mitigated. Whilst these impacts are uncertain they could nevertheless add to the mitigation costs and reduce viability further.

Policy 15 of the Minerals and Waste Plan

- 4.6 Policy 15 states that development without the prior extraction of mineral resources in the Mineral Safeguarding Area may be permitted if one of the following considerations apply:
- it can be demonstrated that the sterilisation of mineral resources will not occur; or
 - it would be inappropriate to extract mineral resources at that location, with regards to the other policies in the Plan; or
 - the development would not pose a serious hindrance to mineral development in the vicinity; or
 - the merits of the development outweigh the safeguarding of the mineral.
- 4.7 The site has previously been considered for mineral deposits by Hampshire County as the Minerals Authority in connection with a planning application (LA Ref APP/14/00360) for 53 no. dwellings in 2014. The County Council stated that **'due to the limited size of the proposed development, and other constraints, the potential underlying mineral resource is not viable for prior extraction at this point and therefore no objections are raised'**.

Consideration 1

- 4.8 The sterilisation of the mineral resources will occur if the residential development proceeds but since it is accepted that the resource is not viable for prior extraction in principle little weight should be attached to this consideration.

Consideration 2

- 4.9 The County has already concluded it would be inappropriate to extract minerals at the site given the lack of viability for prior extraction. There would also be conflict with other policies of the adopted Minerals and Waste Plan. There would be conflict with Policy 3 which states that minerals and waste development should not have significant adverse effects on important ecological habitat including Sites of Interest to Nature Conservation (SINCS). Development which is likely to have a significant adverse impact upon such sites 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. The plan attached at **Appendix 2** shows there are 2 SINCS adjacent to the site comprising land coloured yellow to the north and the stream on the east boundary of the site. The merit of the prior extraction of minerals on the small application site is not likely to outweigh the potential environmental damage to these habitats.
- 4.10 Policy 10 requires minerals development not to cause unacceptable impacts on public strategic infrastructure and land stability impacts on the nearby railway line and A27 might arise from

working the mineral at a depth of 30m. Paragraph 5.15 of the Plan states it is standard practice in Hampshire for operational mineral extraction to have a minimum buffer zone of 100 metres, where appropriate, from the nearest sensitive human receptors, such as housing and this buffer would further reduce the scope for prior extraction on the application site. Policy 11 of the Minerals Plan operates to prevent flood risk where sites are being worked for minerals. It is relevant as the application site partly falls within flood zones 2 and 3. During works of extraction, flood protection, flood resilience and resistance measures would all need to be taken and would further undermine the viability of the mineral resource.

Consideration 3

- 4.11 The residential development would not pose a serious hindrance to other mineral development in the vicinity because there are none existing at present. Future mineral extraction of the wider area to the north would not be sterilised by the development site as this could be accessed separately from Southleigh Road rather than from Coldharbour Farm road.
- 4.12 In any event, the merits of the residential development will outweigh the safeguarding of the mineral. The residential site will deliver 44 dwellings including 13 affordable dwellings to help meet local housing need at Emsworth. The site is only one of two allocated sites for development at Emsworth and has absolute advantages in being sustainably located close to the rail station and other shops services and facilities at Emsworth. The development will bring forward a footpath link to the nearby services on the A27 which has been a longstanding objective of Havant Borough's Estate's Dept. It will contribute to the Council's 5 year housing land supply which is a requirement of national policy.
- 4.13 The development also benefits the wider area in terms of flood alleviation measures as explained in the flood risk assessment submitted in support of the application.

Recommendation

- 4.14 The County as Minerals Authority has previously accepted that due to the limited size of the proposed development, and other constraints, the potential underlying mineral resource on the site was not viable for prior extraction and no objections were raised to a residential application for 53 dwellings. We conclude that the current application for the erection of 44 dwellings and associated works without the prior extraction of mineral resources in the Mineral Safeguarding Area is also justified with reference to the Policy 15 criteria in the County Minerals and Waste Plan.