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Dear Member

COUNTY COUNCIL - THURSDAY, 14 DECEMBER 2023

This supplementary agenda (published with main agenda) contains those appendices for Item 8 not included in the main agenda pack.

These large documents are collated in this supplement pack for ease of access and reference as part of Council decision-making.

Agenda Item No

8

Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 (Pages 1 - 790)

Appendices 1, 2A, 2B, 3 and 4A

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ben Watts', is written over a faint circular stamp.

Benjamin Watts
General Counsel

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Consultation on draft Kent Minerals and Waste Local Plan 2023-38 - Comments received to Regulation 18 consultation 24th October 2022 to 5th December 2022

Consultation on draft Kent Minerals and Waste Local Plan 2024-2039 Further Proposed Changes - Comments received to Regulation 18 consultation 13th June 2023 to 25th July 2023

In addition to the below and to improve clarity for users, a number of further minor changes have been proposed to the Plan.

Summary of Representations

Ref No.	Section	Consultee	Summary of Representation	KCC Response
	1. Introduction			
ID13	1.2 The Status of the Kent Minerals and Waste Local Plan 2023-38 Paragraph 1.2.3	Ebbsfleet Development Corporation	Acknowledge the correct inclusion of the EDC as a Waste and Minerals Authority in Kent.	Noted
ID19	1.2 The Status of the Kent Minerals and Waste Local Plan 2023-38 Paragraph 1.2.3	Aggregate Industries and Brett Aggregates Ltd [combined representation]	Continued guidance in terms of the relevance of the Plan to the determination of non-minerals and waste applications and identification of the main policies that will be implemented is supported.	Noted
ID16	1.2 The Status of the Kent Minerals and Waste Local Plan 2023-38	Tonbridge and Malling Borough Council	TMBC supports the proposal that the updated KMWLP should plan for a period of 15 years from adoption in accordance with Paragraph 22 of the NPPF. However, based on KCC's anticipated adoption date of December 2024, it is questioned whether, (to be fully NPPF compliant as per the Local Plan text) if the Plan's time horizon should not be 2039 or even 2040 given the very short period between the Inspector's final report and adoption. Should KCC wish to amend this, TMBC would welcome further discussions around any other implications that may arise from this.	The Plan period has been extended to 2039.
ID03	1.3 The Links with Legislation, Other Policies and Strategies Paragraph 1.3.13	Individual	<p>A. KCC's waste plans</p> <p>1. Section 1.3.913 shows that KRP has achieved a 40% recycling and composting target within KCC and a 60% recycling and composting rate at its HWRCs. An objective of raising the 40% target to 50% is given in section 1.3.115, with no more than 5% going to landfill.</p> <p>These objectives are totally unclear:</p> <ul style="list-style-type: none"> • What do the percentages represent? Percentages should only be used where it is clear what they are percentages of. • No indication is given as to how these objectives are to be achieved • No indication of where material that is initially fly tipped is included in the two categories • Greater clarity would be given by showing the quantities collected by the local authorities, broken down into recyclables, composting and non- recyclable headings. Amounts deposited directly in Household Waste Recycling Centres (HWRC) should be shown separately, ideally by HWRC since that would indicate the appropriateness of the waste collection methods adopted within each local authority. It should certainly be possible to see which local authorities are performing well in their waste collection activities and where additional support is required to enable each local district to be brought up to an acceptable level. • The overall impression is of a report being written to hide the facts to the greatest possible extent. <p>2. The report seems to be totally unaware that supermarkets are the only places where plastic food covering materials can be delivered for recycling. It is apparently unacceptable to include these within local authority collections for recyclables.</p>	<p>Percentages related to the proportion of waste produced.</p> <p>The objectives will be achieved from the development of new and safeguarding existing facilities in accordance with the policies in the Plan.</p> <p>Waste collection is a matter for district and borough waste collection authorities - please also refer to the Municipal Waste Management Strategy for Kent.</p> <p>Other legislation exists and is being introduced which is intended to improve recycling rates including that relating to packaging. Some of this legislation is enforced by the Environment Agency.</p>

			<p>3. Similarly, used pharmaceutical blister packs can be recycled via one specific pharmacy chain.</p> <p>4. Product labelling that identifies what can be recycled is very poor with there being no overall control on what can and can't be recycled. KCC should press for improved labelling at a national level, to ensure that people living in Kent can rely on statements made by manufacturers.</p> <p>5. At a HWRC, there are many different categories of product than can be collected separately from each individual house. What steps are going to be taken to align local authority collection categories with the categories used at HWRCs? Bearing in mind the additional value that correctly sorted materials have, the answer to this question is important to maximise the value of those different categories to KCC.</p> <p>As shown in point 2 to 5 above, we now have a recycling approach that involves people who want to ensure good recycling having to deal with the local authority, a HWRC, a choice of shops for specific types of waste and a poor control over the way in which the recycling options for each packaging element are communicated.</p>	
ID03	1.3 The Links with Legislation, Other Policies and Strategies Strategic Transport Plans Paragraph 1.3.19	----	<p>C. KCC's Strategic Transport Plan and NPPF guidelines.</p> <p>The inclusion of information about the county's Strategic Transport Plan was noted, but the summary given provides little information about the pollution that is generated by excessive passenger and freight traffic on the roads. Many are not designed to deal with the current volume of vehicles and, as I understand it, there is no provision for providing opportunities contained in NPPF Guidelines to make it possible for people to walk about in their villages. At the time many houses were built, traffic volume was significantly lower than it is today. While new housing developments have to provide local transport plans, there is no provision for improvements to enable people living in older properties to be able to have appropriate footways built, thus enabling them to be able to exercise, to visit neighbours or to visit local shops safely. This lack of concern for people in areas supported by inadequate infrastructure requires attention.</p> <p>It is considered considerably more work is required to bring the report up to an acceptable standard.</p>	<p>Policy DM 13 is intended to ensure waste and minerals development comes forward in a manner that minimises impacts on the highway and communities.</p> <p>The development of housing is addressed by policies in the District and Borough Local Plans.</p>
ID19	Figure 13: Minerals Key Diagram (as proposed to be replaced)	Aggregate Industries and Brett Aggregates Ltd [combined representation]	Is supported as it continues to identify the safeguarded wharves.	Noted
ID19	Figure 13A: Minerals Key Diagram Inset Map – Sustainable Mineral Supply (as proposed to replace Figure 14)	Aggregate Industries and Brett Aggregates Ltd [combined representation]	Is supported as it continues to identify Robins Wharf as a safeguarded wharf.	Noted
2. Minerals and Waste Development in Kent: A Spatial Portrait				
ID47	2.2 Kent's Environmental and Landscape Assets Paragraph 2.2.1	Natural England	Recommends that in the sites of 'National Importance' within Section 2.2.1 of the Plan Review, reference is made to Marine Conservation Zones as there may be implications for these sites from some of the proposals including the importation wharves, for example.	<p>Noted - Change proposed to add 'Marine Conservation Zone (MCZ)' to the list of designations of national importance within paragraph 2.2.1. and included in Figure 5.</p> <p>Abbreviation list and glossary amended to include 'Marine Conservation Zone MCZ'.</p>
ID47	2.2 Kent's Environmental and Landscape Assets	Natural England	Welcomes inclusion and consideration of the local nature recovery strategy within Section 2.2.7 and would recommend that as the plan moves towards Regulation 19, this text is updated to reflect any legislation and emerging guidance as this emerges. It would also seem appropriate for reference to	Noted – Change proposed to include reference to Local Nature Recovery Strategy. Continue to acknowledge their

	Paragraph 2.2.7		the local nature recovery strategy to be referenced within the various policies where environmental enhancements are to be delivered or secured.	purpose. Noted within Strategic Objectives of the Minerals and Waste Local Plan.
ID47	2.2 Kent's Environmental and Landscape Assets Figure 5	Natural England	Recommends that Figure 5 is updated to include the Swanscombe Peninsula Site of Special Scientific Interest and the Marine Conservation Zones around the Kent coast. In addition to the ancient woodland plan, it may also be appropriate to include details on priority habitats within Kent, the Priority Habitat Inventory may help in preparing such a plan.	Noted - Changes proposed to Figure 5 and new Priority Habitat figure (10A) to address this comment.
ID21	2.2 Kent's Environmental and Landscape Assets Figure 7: Local Geological Sites and Local Wildlife Sites	Dartford Borough Council	Figure 7 does not seem to clearly show the RIGS site at Bluewater.	Noted - Change proposed to Figure 7 to address this comment.
ID47	2.3 Kent's Economic Mineral Resources Paragraph 2.3.6	Natural England	Note that Section 2.3.6 states that 'Historically, sharp sand and gravel deposits have been extracted along Kent's river valleys (River Terrace deposits) and in the Dungeness and Romney Marsh area (Storm Beach deposits). The permitted reserves have become and are becoming depleted and are no longer a significant source of supply to meet objectively assessed needs as they historically once were'. Following the early partial review of the Plan and adoption in 2020, Natural England considers it may be appropriate to include detail in this section as to why further mineral site allocations at Dungeness and Romney Marsh were not considered acceptable on ecological and geodiversity grounds.	No policy change required - The Dungeness and Romney Marsh mineral bearing areas are subject to significant constraint and are atypical to most remaining sand and gravel deposits. However, lack of allocation in the past does not automatically preclude future potential applications or Local Plan consideration. Previously promoted sites were discussed as part of the Kent Mineral Sites Plan examination and therefore there is no need for further reference in the KMWLP.
ID29	2.4 Kent's Waste Infrastructure Figure 15	Environment Agency	There are discrepancies when referring to Source Protection Zones - for example in Figure 15, the title reads "Flood Zones, Sources Protection Zones and Petroleum Exploration and Development License areas" and should read "Flood Zones, Source Protection Zones ... License areas" The terms "Source Protection Zone" and "Protected Groundwater Source Area" also have different definitions and must be used correctly throughout the Plan.	Noted - Change proposed to title of Figure 15 to address this comment. Noted - glossary changes proposed and reference throughout Plan checked.
3. Spatial Vision for Minerals and Waste in Kent				
ID35	Spatial Vision for Minerals and Waste in Kent [time period]	Gallagher Aggregates Ltd (GAL)	GAL support the extension of the Plan period to 2038. As this is in accordance with the NPPF's requirements as set out in paras. 17 and 22, that require local planning authorities to have strategic policies that look ahead over a minimum of 15 years from adoption, and that anticipate and respond to long-term requirements and opportunities such as those arising from major developments in infrastructure. The NPPF stresses that a sufficient supply of minerals is essential for the delivery of infrastructure, buildings, energy and goods to meet society's needs and that minerals can only be worked where they are found. If future demand for construction materials is to be met, it is vital that the Kent Minerals and Waste Local Plan (KMWLP) makes adequate provision sufficiently far ahead to give developers/operators the certainty they need to commit to investing in and bringing sites forward.	Noted - The Plan period now covers a plan horizon from 2024-2039. Noted - It is the County Council's strategy to meet the objectively assessed needs of construction materials (including hard rock aggregates) in accordance with the NPPF.
ID19	Spatial Vision for Minerals and Waste in Kent	Aggregate Industries and Brett Aggregates Ltd [combined representation]	Supports the intent as detailed at part 7 that planning for minerals in Kent will, amongst other things, safeguard all existing, planned and potential mineral transportation and processing infrastructure (including wharves and rail depots and production facilities).	Noted
ID31	3. Spatial Vision for Minerals and Waste in Kent	Gravesham Borough Council	No additional comments on the Vision.	Noted

ID16	3. Spatial Vision for Minerals and Waste in Kent	Tonbridge and Malling Borough Council	Acknowledge the changes to the spatial vision for minerals and waste and raise no objection. In particular, TMBC support the subtle changes to vision No's 6 & 9 to facilitate secondary and recycled aggregates to become less reliant on land-won construction aggregates together with the reuse of materials and goods.	Noted
ID23	3. Spatial Vision for Minerals and Waste in Kent	Tunbridge Wells Borough Council	As per TWBC's response to the previous KMLP Review consultation (December 2021 – February 2022), notes that the Vision includes ambition for low carbon output and minimising waste, but no measurable targets are identified. It is considered that without these it cannot be measured how ambitious the vision really is. Equally monitoring the success of the vision will be difficult without measurable targets.	The Plan's monitoring framework has been updated to include monitoring of waste production.
ID49	3. Spatial Vision for Minerals and Waste in Kent	Ashford Borough Council	<p>The Borough Council previously noted that the proposed 'Spatial Vision' for the Plan does not cover the vision of managing increasing levels of service infrastructure to meet growth and demands in waste and resource management. The Council expressed the opinion that both disposal capacity and transfer capacity should be dealt with as one function of the Waste Disposal Authority (WDA).</p> <p>The Council note that KCC consider that "final disposal and transfer capacity are two distinct items serving wholly different purposes" and that "much of the final disposal infrastructure serves areas across and beyond Kent's borders" (p6 of KCC's Summary of Responses). Notwithstanding, the Council remain of the view that the two are intrinsically linked. Consequently, the comments made by the Council in our previous response dated 1st March 2022 remain unchanged.</p> <p>In summary, the proposed 'Spatial Vision' for the Plan does not cover the vision of managing increasing levels of service infrastructure to meet growth and demands in waste and resource management. The Council considers that both disposal capacity and transfer capacity should be dealt with as one function of the Waste Disposal Authority (WDA).</p>	<p>The Plan includes the following objective 'Planning for Waste will... Allow for the development of a variety of waste management facilities to ensure that Kent remains at the forefront of waste management with solutions for all major waste streams, while retaining flexibility to adapt to changes in technology and legislation.'</p> <p>The Plan explains the role of the Waste Disposal Authority.</p>
ID25	3. Spatial Vision for Minerals and Waste in Kent Points 1 and 3	East Sussex County Council and Brighton and Hove City Council	Pleased that the Spatial Vision for Minerals and Waste in Kent points 1 and 2 now recognises the contribution that will be made to the needs of Kent "and beyond" and assumes that this latter reference would apply to the East Sussex, South Downs and Brighton and Hove Plan Area.	Noted
ID32	3. Spatial Vision for Minerals and Waste in Kent Points 1 and 3	South Downs National Park Authority	Welcomes additional text proposed at point one and point three of the Spatial Vision for Minerals and Waste in Kent. This recognises the important role Kent has in ensuring a steady and adequate supply of regionally important minerals beyond the boundary of Kent.	Noted
ID47	3. Spatial Vision for Minerals and Waste in Kent Point 5	Natural England	Given the strong emphasis, following the early partial review, on a transition to marine won aggregates, in part due to the environmental impacts from further allocations at Dungeness, we consider that it may be appropriate for this text to be updated to reflect the change in balance to marine won and imported aggregates.	No change proposed - It is considered that the overarching considerations of the transition from land-won to greater importation of sand and gravel aggregates should not include any restrictions of any specific areas or sites in the spatial vision for minerals and waste in Kent.
			4. Strategic Objectives for the Minerals and Waste Local Plan	
ID31	4. Objectives for the Minerals and Waste Local Plan	Gravesham Borough Council	No additional changes to the Strategic Objectives.	Noted
ID16	4. Objectives for the Minerals and Waste Local Plan	Tonbridge and Malling Borough Council	TMBC note the changes to the strategic objectives and raise no objection to them. In particular, the inclusions of building sand (for the benefits of a viable construction industry) together with maximising biodiversity net gain are supported.	Noted
ID23	4. Objectives for the Minerals and Waste Local Plan	Tunbridge Wells Borough Council	TWBC's response to the previous consultation noted more emphasis on biodiversity net gain (BNG), however it was considered that a target should be included within the BNG objective. No measurable targets are included in the latest review, but it is noted that targets have now been	Noted

			included under some of the development management policies such as DM1: Sustainable Design and DM3: Ecological Impact Assessment (below).	
ID49	4. Objectives for the Minerals and Waste Local Plan	Ashford Borough Council	<p>The Council previously commented that new facilities to accommodate population growth and growing housing need, must be planned for through the Local Plan process by the Waste Disposal Authority (WDA) and Kent Authorities. On this basis, the Council suggested that KCC should allocate a site(s) to ensure that any identified need is met.</p> <p>Regarding need, the Council notes KCC's reference to its Annual Monitoring Report (AMR) which KCC state "demonstrates that there is sufficient capacity for the management of waste in Kent to 2040" (p7 of KCC's Summary of Responses). The Council welcome clarification that there is currently no need to increase waste management capacity within the County.</p>	There is a theoretical match between the requirements for waste management and existing waste management capacity and hence there is insufficient justification to allocate any land for new waste management in a Waste Sites Plan. However particular circumstances may exist where a new site would be appropriate, for example where there is an uneven distribution of sites across the county or to provide facilities to manage waste further up the waste hierarchy. The policies of the Plan will allow new development to come forward of the right type and in the right location.
ID47	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 3	Natural England	Objective could be strengthened by making reference to delivering a positive environmental outcome through biodiversity net gain and contribution to the local nature recovery strategy, for example. In addition, the ninth bullet point for minerals could also be significantly strengthened to ensure that restoration and aftercare plans deliver environmental benefits by removal of 'where possible' from this policy wording. We consider that 'After uses should conserve and improve local character and provide opportunities for biodiversity...' more closely aligns with the requirements of the National Planning Policy Framework and the wider aspirations within the Plan. We would also recommend that, in addition to the Biodiversity Opportunity Areas, reference is made to the local nature recovery strategy. Natural England would also support the strengthening of the policy wording within the fifteenth bullet point for waste development through the removal of the 'Where possible' wording and a reference to the local nature recovery strategy.	Noted - Not appropriate to delete 'where possible' as not all developments will have opportunities for biodiversity improvement. Concern has been addressed in revised text for strategic objectives for both minerals and waste.
ID23	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 4a	Tunbridge Wells Borough Council	Welcomes that point 4a now includes reference to achieving a more Circular Economy and the word maximise has been added under point 15 in relation to achieving BNG in site restoration.	Noted
ID27	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 4a	Mineral Products Association	It is not clear what supply of minerals 'in a manner which is consistent with the achievement of a more circular economy' means in practice. Does it mean optimising/maximising use of recycled and secondary materials? If so, it should be acknowledged that this would be limited by the supply of suitable material from construction and demolition projects, and the suitability of such materials to substitute for primary aggregates. Such applications will be limited by the quality of materials and the specification for the end use. In addition, it is likely that use of recycled and secondary materials, as a proportion of all consumption, is already maximised (the replacement figures in para 5.2.8 appear to reflect this). There is a risk that an objective worded in this way may be wrongly interpreted as meaning the level of provision for primary minerals made in the Plan is negotiable maximum that may be revised downwards, or that applications for new reserves may be refused on the basis that demand can be met through recycled and secondary materials.	Circular economy is defined with the Plan and the use of recycled aggregate produced from Construction, Demolition and Excavation Waste (CDEW) is consistent with this principle but there are other examples which include ensuring that there is no, or minimal wastage, when primary aggregate is used in development. The Plan recognises the need for primary aggregate and includes policy that allows it to be produced – see Policy CSM2 and supporting text.
ID35	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 4a	Gallagher Aggregates Ltd (GAL)	<p>The meaning of this objective is unclear. Para. 5.2.2 of the KMWLP states that Mineral Planning Authorities (MPA) are required by the NPPF to aim to source minerals indigenously so far as practicable and take into account the contribution that substitute, or secondary and recycled materials and minerals waste would make to supply before considering extraction of primary materials. For land-won primary materials the NPPF requires MPAs to identify and include policies for the extraction of mineral resources of national and local importance in their area.</p> <p>GAL is a leading supplier of recycled products from its Kent operational base. GAL recognises that there are limitations on the extent to which recycled and secondary materials can meet material needs and replace or substitute primary aggregates. This being in response to the availability of substitute waste (C,D & E) materials and product specifications required by different markets. The</p>	Circular economy is defined with the Plan and the use of recycled aggregate produced from CDEW is consistent with this principle but there are other examples which include ensuring that there is no, or minimal wastage, when primary aggregate is used in development. The Plan recognises the need for primary aggregate and includes policy that allows it to be produced – see Policy CSM2 and supporting text.

			<p>Mineral Products Association has stated in their recent (2022) strategy that while the recycled and secondary materials make up around 30% of aggregate supply reducing some of the requirements of primary materials, this source is virtually maximised and primary materials will comprise the vast majority of future supply. In addition, manufacturing industries require a wider range of minerals than ever before</p> <p>The County Council's Local Aggregate Assessment (LAA) 2022 makes the same observation, in that the supply of recycled and secondary aggregates is contingent not on the demand for this type of material but on their availability and that is significantly determined by wider economic factors in the economy that affect CDEW arisings. The KMWLP should make clear that the provision of future mineral supply takes account of the anticipated contribution from the recycled and secondary aggregates and avoids the risk that this objective be wrongly interpreted as meaning the level of provision of primary minerals, to maintain landbanks at the appropriate levels, is a negotiable maximum that can be revised downwards.</p>	
ID19	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 7	Aggregate Industries and Brett Aggregates Ltd [combined representation]	The confirmation at part 7 (page 45) as a strategic objective in the context of 'Minerals' to: safeguard existing, planned and potential sites for mineral infrastructure including wharves and rail depots across Kent to enable the on-going transportation of marine dredged aggregates, crushed rock and other minerals as well as other production facilities is supported.	Noted
ID35	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 9	Gallagher Aggregates Ltd (GAL)	The meaning of this objective is not clear. The objective includes a mix of references as to what could be expected from developers in regard to biodiversity. For developers to plan properly for the delivery of biodiversity enhancements and biodiversity net gain (BNG) the KWWLP should be unambiguous in its requirements for BNG and clear as to the basis for any targets over and above the statutory requirements, and how they have been arrived at.	The Plan's requirements with regard to biodiversity net gain are set out in Policy DM2. Guidance will be issued following adoption of the Plan.
ID42	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 9	Kent Downs AONB	Support the amendments in point 9 of the Strategic Objectives regarding restoration of minerals sites	Noted
ID23	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 11	Tunbridge Wells Borough Council	Suggests that enabling in objective 11 be replaced with 'empowering' the waste management industry...'	It is considered that 'enabling' is appropriate and reflects what the Plan can do in practice.
ID49	4. Objectives for the Minerals and Waste Local Plan Strategic Objective 11	Ashford Borough Council	Objective 10 of the Plan continues to look to industry for solutions to minimise waste and increase its re-use. In our letter dated 1st March 2022, the Council highlighted the need to plan for required infrastructure, and partner with industry to provide solutions. The Council remain of the view that this should be reflected in the objectives to encourage partnership working as a means to achieving desired outcomes.	The Council is not responsible for the management of non-household waste and therefore cannot form partnerships with industry in the manner envisaged. The Joint Resource partnership exists to ensure household waste is managed appropriately.
5. Delivery Strategy for Minerals				
ID24	5.1 Policy CSM 1: Sustainable Development	Tunbridge Wells Borough Council	<p>It is noted that there are three Sustainable Design Policies in the KMWLP – Policies CSM1, CSW1 (below) and DM1 (below).</p> <p>TWBC queries whether Policies CSM1 and policy CSW1, which relate to compliance with the NPPF are necessary, as compliance with the NPPF is taken as standard/expected. It is suggested that these two policies be deleted, and the wording used in the pre-text to them be reviewed, combined, and implemented as an overarching theme on Sustainability at the beginning of the Plan. A cross reference to Development Management Policy DM1: Sustainable Design could also be included in this new section</p>	Noted. The structure of the plan provides strategic policies for minerals and waste separately and therefore lends itself to separate policies for CSM1 and CSW1. Policy DM1 provides the sustainable design policy considerations for both minerals and waste.

ID23	5.1 Policy CSM 1: Sustainable Development	Tunbridge Wells Borough Council	<p>TWBC's comments to the previous consultation queried whether Policies CSM1 and policy CSW1, which relate to compliance with the NPPF are necessary. It was suggested that these two policies be deleted, and the wording used in the pre-text to them be reviewed, combined, and implemented as an overarching theme on Sustainability at the beginning of the Plan.</p> <p>It is noted that most of policy CSM1 has been deleted in the latest review, but the first paragraph about needing to comply with the NPPF remains – TWBC therefore still questions whether this policy is necessary, and our suggestion above remains.</p> <p>It is also considered that Policy DM1: Sustainable Design below sufficiently covers sustainable development requirements for minerals and waste developments.</p>	Noted. See above (response to ID24)
ID24	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent	Tunbridge Wells Borough Council	<p>The changes are noted - no further comment.</p> <p>It should also be noted that the requirement for Annual Monitoring Reports have been replaced by Authority Monitoring reports – this reference should be updated.</p>	Noted and addressed in the glossary. The term Annual Monitoring Report is used throughout the plan as it has a clearer understanding for users.
ID23	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent	Tunbridge Wells Borough Council	<p>The changes are noted.</p> <p>With regard to sharp sand and gravel levels (under heading 1. Aggregates) it is considered to be unclear whether these will be maintained at a 7-year landbank figure.</p> <p>As per TWBC's comments on the previous consultation, it should also be noted that the requirement for Annual Monitoring Reports have been replaced by Authority Monitoring reports and it is suggested that this reference be updated in the supporting text and policy wording.</p>	<p>No change proposed - The Policy sets out that the 7-year landbank will be maintained 'for as long as reserves and potential resources allow.'</p> <p>The term Annual Monitoring Report is used throughout the plan as it has a clearer understanding for users.</p>
ID30	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent	West Sussex County Council	<p>It is noted that with regards to soft sand and crushed rock that the policy wording includes the wording "at least equal to the 7-year landbank", whilst for Sharp sand and gravel, the wording exclude "at least". Should this be the case for sharp sand and gravel also, making it consistent with the clause for other aggregates and in line with NPPF wording (para 213f)?</p> <p>We look forward to continuing to work with Kent County Council on strategic matters, such as aggregates supplies and waste movements, through our various position statements and statements of common ground.</p>	<p>Agree - Change proposed to address this comment.</p> <p>Noted - Continued engagement is welcomed by the County Council.</p>
ID40	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent	Ryarsh Protection Group	<p>Provision of soft sand from the Folkstone Beds in Kent always needs to take into account the views of local residents. Moreover, the views of residents are increasingly important. Residents should have full access to any and all mineral extraction details that impact their local area. Kent has too often been adversely impacted by mineral extraction.</p> <p>Current (December 2022) economic forecasts indicate UK recession and the anaemic growth outlook will weaken UK sectors. The OBR indicates recession will reduce UK GDP. Speculative views by the mineral industry to justify more soft sand provision are irrelevant.</p>	Noted - The monitoring reports (Local Aggregate Assessment - LAA and Annual Monitoring Report - AMR) are available on the County Council's website which are updated annually. The County Council will also undertake any relevant engagement in accordance with the adopted Statement of Community Involvement (SCI).
ID25	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.6	East Sussex County Council and Brighton and Hove City Council	Paragraph 5.2.6 recognises that soft sand supplies in Kent are relatively abundant, whereas they are scarce in other parts of the South East with Kent sites continuing to be important for mortar and asphalt production.	Noted
ID27	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.15	Mineral Products Association	We support the reference to the need to maintain a minimum landbank including at the end of the Plan period, which we believe is the correct interpretation of National Planning Policy Framework requirements.	Noted
ID47	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.17	Natural England	Whilst Natural England acknowledges that the starting point for identifying future supply needs for land-won sand and gravel is the expected need for materials during the plan period (Section 5.2.17), we consider that the environmental impacts of potential allocations should also be considered at the earliest stage possible. Natural England worked closely with the County Council	No change proposed - This would be replication of the Mineral Sites Plan process and is not considered appropriate to make further reference to environmental

			on the recent early partial review of the Plan which saw options outside of designated sites, which had a lesser environmental impact, being pursued to meet the County's mineral requirements. We would support a stronger reference to the environmental impacts for all potential allocations being referenced within the Plan.	impact as this is essential to the Mineral Sites Plan process.
ID46	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.22	Maidstone Borough Council	MBC have reviewed the additional changes and are supportive of the Plan as a whole and the overall aims of the policy refresh. It welcomes the updated position in respect to soft sand extraction at Chapel Farm, Lenham which forms part of an allocation in the Maidstone Local Plan Review.	Noted
ID32	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.22	South Downs National Park Authority	Note the current position regarding soft sand supply set out in paragraph 5.2.22, in particular the potential shortfall at the end of the plan period. It is also noted that the Plan states that the estimate of available reserves and sales rates will likely change over time and there is the potential for the maintained soft sand landbank requirement to increase or decrease over time. As the landbank will be around 20 years at the start of the plan period (taking account of the Chapel Farm allocation), any increase in depletion rates will be revealed by annual aggregate monitoring well ahead of the landbank decreasing below 7 years.	Noted. The County Council and South Downs National Park Authority will continue to engage via DtC and the SEEAWP process to ensure all necessary discussions and SoCG and Soft Sand Position Statements reflect the authorities joint understanding of landbanks and need as they change through time.
ID27	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.22	Mineral Products Association	Support the reference to the need to maintain a minimum landbank including at the end of the Plan period, which we believe is the correct interpretation of National Planning Policy Framework requirements. There should be reference to the strategic significance of soft sand resources and reserves, and the need to make provision to supply areas without resources, as presented in the South East Mineral Planning Authorities Soft Sand Position Statement and Statement of Common Ground.	Noted. Supporting text has been amended to reflect that the mineral is of strategic importance and provision is being made for areas without resources (within the southeast) with use of the 10-year sales average need assessment system.
ID25	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.22	East Sussex County Council and Brighton and Hove City Council	Note the current position regarding soft sand supply set out in paragraph 5.2.22, in particular the potential shortfall at the end of the plan period. It is also noted that the Plan states that the estimate of available reserves and sales rates will likely change over time and there is the potential for the maintained soft sand landbank requirement to increase or decrease over time. As the landbank will be around 20 years at the start of the plan period (taking account of the Chapel Farm allocation), any increase in depletion rates will be revealed by annual aggregate monitoring well ahead of the landbank decreasing below 7 years. On this basis we assume that soft sand supply will be carefully and regularly monitored and any potential issues for the area beyond Kent would be flagged up early. We therefore look forward to continuing to work together and further discussions as necessary relating to the soft sand SoCG agreements	Noted. The County Council and East Sussex County Council will continue to engage via DtC and the SEEAWP process to ensure all necessary discussions and SoCG and Soft Sand Position Statements reflect the authorities joint understanding of landbanks and need as they change through time.
ID27	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.24	Mineral Products Association	Support the reference to the need to maintain a minimum landbank including at the end of the Plan period, which we believe is the correct interpretation of National Planning Policy Framework requirements.	Noted
ID27	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.26	Mineral Products Association	Support recognition that by extending the Plan period that additional rock reserves will be required to achieve this.	Noted
ID35	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraphs 5.2.15, 5.2.24 & 5.2.26	Gallagher Aggregates Ltd (GAL)	GAL support the reference to the need for additional crushed rock reserves over the extended 15-year Plan period (para. 5.2.24). The starting point is an amalgamation of existing reserves at the two consented operational sites in Kent. GAL are of the view that there should also be a consideration of the characteristics of the geology of the mineral as represented across the two sites and thus future provision should take this into account. At the previous Regulation 18 Public Consultation GAL made detailed comments on the differing characteristics of the geology (the Hythe Formation [Limestone]) on the basis that the available	Noted. Currently there is insufficient data to draw a significant difference between the two sites producing crushed hard rock aggregate products, such that two distinct and entirely different aggregate forming geologies exist for landbank based need calculation purposes.

			<p>evidence is sufficient to delineate two types of hard crushed rock from the geology of the formation at the two sites. The NPPF requires that where an aggregate material serves a distinct market or markets there must be provision made to meet the identified needs over the Plan period. The Hermitage Quarry and Blaise Farm sites taken together constitute the Kent landbank for hard crushed rock that meet the requirements of two distinct aggregate markets. The Hermitage Quarry site has the characteristics necessary to meet structural concrete products, Kentish Ragstone cut stone masonry, rip rap armour stone, processed into single sized aggregate for concrete specifications, gabion stone materials and lower grade materials that can be applied to more general civil engineering applications such as Type 1 Sub-base material. The geology as Blaise Farm is unable to meet the higher specified aggregate uses as a crushed rock.</p> <p>Therefore, it is considered that the hard (crushed) rock aggregate landbank in Kent should be split into two separate landbanks to reflect the distinction between the materials. The County Council should review the hard (crushed) rock aggregate landbank objectively assessed needs in the area and make adequate provision to enable a steady and adequate provision to enable a supply of these materials so that both distinctive market needs are met into the future.</p>	
ID47	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Policy CSM 2	Natural England	<p>Considers that Policy CSM2 should be significantly strengthened to ensure that sites designated for their landscape, geological and nature conservation interests are robustly considered. Section 6 of Policy CSM 2 refers only to the needs to undertake a Habitats Regulations Assessment when selecting and screening the suitability of sites for allocation. We would recommend that the Policy is amended to more fully reflect the protection afforded to the hierarchy of designated sites from international through to local as detailed within the National Planning Policy Framework. We would support the inclusion of a requirement for an assessment of impacts to Areas of Outstanding Natural Beauty, Sites of Species Scientific Interest and Marine Conservation Zones being referenced within the Policy. In addition, consideration of impacts to irreplaceable habitats, habitats and species of principal importance, protected species and other species and habitats of conservation concern should be considered when allocating sites. Those with the least environmental impact, whilst meeting the other requirements, should proceed to allocation in accordance with the 'avoid, mitigate, compensate' hierarchy within the National Planning Policy Framework.</p>	<p>No change to policy proposed. Policy CSM 2 addresses the identification of mineral supply requirements against objective data. The other policies of the Plan, such as DM 2: Environmental and Landscape Sites of International, National and Local Importance, Policy DM 3: Ecological Impact Assessment, DM 10: Water Environment, and DM 19: Restoration and Aftercare address the area of concern Natural England has. To enlarge Policy CMS 2 to include these matters would represent repetition, the Plan should be read as a whole and assessment of sites that come forward to meet identified need would be subject to the whole policy provision of the Plan in order to determine acceptability.</p> <p>If other policies that address such matters as designated landscape protection, habitat protection and ecological net gain in the Plan are not adequate in their scope to achieve the NPPF's requirements of 'avoid, mitigate, compensate' that is a matter for that part of the Plan not Policy CSM 2.</p>
ID27	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Policy CSM 2	Mineral Products Association	<p>Support the policy commitment to maintain minimum landbanks including at the end of the Plan period, which we believe is the correct interpretation of National Planning Policy Framework requirements.</p>	Noted
ID28	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Policy CSM 2	Borough Green Sandpit	<p>The Plan period of 2023-38 will give a 15-year Plan period and this is in accordance with the NPPF requirements and is supported.</p> <p>Policy CSM2 fails to make adequate provision for soft sand supply as it does not take into account future demand for housing and infrastructure. Without considering future demand, the plan becomes a monitoring tool which looks back on past trends.</p> <p>The Annual Mineral Planning Survey (December 2021) produced by the Mineral Products Association (MPA), estimates that some 3.2 – 3.8 billion tonnes of construction aggregates will be required to support growth across the UK up to 2030. There is also significant investment to be</p>	<p>Noted. The anticipated Plan period of 2023-38 has been a modified to 2024-39. The 15-year Plan period maintains the KMWLP review in accordance with the NPPF.</p> <p>The need for sand in Policy CSM 2 has been calculated in accordance with government requirements. Housing supply and infrastructure projections are reflected in the sales based managed aggregate supply system. Future housing and infrastructure projections are not certain and</p>

			<p>made in infrastructure projects over the coming years which will require a significant volume of construction aggregates.</p> <p>The calculation of the 3-year and ten-year averages is flawed in that the years 2019 and 2020 saw a downturn in sales due to Brexit and then the Covid-19 pandemic; this is acknowledged in the MPA's Annual Mineral Planning Survey. The survey also found an 8% increase in sales of land-won sand and gravel in the south-east between 2014 and 2019, contrary to the findings of the KMWLP review consultation. The unreliability of the 3- and 10-year averages, as well as the forecasted demand for housing and infrastructure projects means that the policy does not make adequate provision for soft sand supply. The site allocated within the Mineral Sites Plan is not expected to deliver any soft sand during the Plan period and cannot be relied upon.</p> <p>Furthermore, other mineral planning authorities (some of which are heavily constrained by landscape designations) rely on imports of land-won aggregates from Kent, this has not been taken into account.</p>	<p>past sales have the advantage of being certain, in that they have occurred.</p> <p>Any predicted future changes in demand, as in arising from high growth development projections are considered to be unreliable at this time, particularly in light of the current economic circumstances and the uncertainty of future growth patterns in the UK. Therefore, the emerging strategy is based upon the annual monitoring process to inform need. As required by the NPPF, "...relevant information will be used to assess landbank requirements on an ongoing basis, and this will be kept under review through the annual production of a Local Aggregate Assessment."</p> <p>The Kent 10-year sales average indeed reflects the fact that Kent supplies other areas where soft sand supply is heavily constrained. As the sales data does not differentiate between sales that lead to consumption in Kent or East Sussex or Surrey. It is recognised that Kent's reserves of soft sand have a wider regional role in supplying aggregates than the Kent demand. Therefore, use of the sales averages ensures that this supply pattern is reflected in need assessments. That need is then monitored with LAA reports to identify if the need is changing.</p>
ID32	<p>5.2 Policy CSM 2: Supply of Land-won Minerals in Kent</p> <p>Policy CSM 2</p> <p>Soft Sand</p>	South Downs National Park Authority	<p>The Soft Sand resource within the South Downs National Park is located in the Folkstone Formation which extends westwards from the north west of Lewes in East Sussex, across West Sussex and into Hampshire to Petersfield. This area of soft sand within the Folkstone formation is heavily constrained by the National Park designation.</p> <p>The provision of Soft Sand in the South East is a strategic cross boundary matter and the Minerals Planning Authorities in the South East have a history of working closely to ensure a steady and adequate supply of Soft Sand is maintained in the region. A Soft Sand Position Statement has been prepared by the Minerals Planning Authorities in the South East to provide an agreed source of evidence and current policy on the issue of soft sand supply. The Position Statement underpins effective cooperation and collaboration between the Minerals Planning Authorities of the South East in addressing the strategic cross-boundary matter of soft sand supply.</p> <p>Our Authorities have previously agreed Statements of Common Ground on the provision of Soft Sand, most recently for the East Sussex, South Downs and Brighton and Hove Revised Policies Document Examination, and we look forward to continuing our work with Kent County Council on strategic matters including the provision of Soft Sand.</p>	<p>Noted</p> <p>Noted. The County Council is a participant in the drafting of the Soft Sand Position Statement for the Minerals Planning Authorities in the South East to ensure that the County Council's mineral supply strategy, addresses the strategic cross-boundary matter of soft sand supply.</p> <p>Noted</p>
ID25	<p>5.2 Policy CSM 2: Supply of Land-won Minerals in Kent</p> <p>Policy CSM 2</p> <p>Soft Sand</p>	East Sussex County Council and Brighton and Hove City Council	<p>The South East England Mineral Planning Authorities have agreed a Joint Position Statement on Soft Sand that sets out the overall supply position within the South East and is designed to underpin statements of common ground (SoCG) between authorities in the South East. Recognising the strategic nature of soft sand provision, as part of their Duty to Cooperate responsibilities, ESCC together with their partner Authorities the South Downs National Park Authority and Brighton & Hove City Council, have signed a revised SoCG to accompany their joint Revised Policies document (RPD). The RPD is currently under Examination and Hearings were held in November</p>	<p>Noted. The County Council is a participant in the drafting of the Soft Sand Position Statement for the Minerals Planning Authorities in the South East to ensure that the County Council's mineral supply strategy, addresses the strategic cross-boundary matter of soft sand supply. This includes supply to the more constrained the steady and adequate supply of soft sand material to the ESSDB&H Plan Area.</p>

			2022. Kent is one of the co-signatories to the soft sand SoCG along with other proximate Mineral Planning Authorities. The SoCG sets out the agreed position between the parties on planning for soft sand. In recent years all soft sand supplied to the East Sussex, South Downs and Brighton & Hove (ESSDB&H) Plan Area has been by imports, including from Kent. ESCC would therefore be concerned if proposals in the draft Kent Minerals and Waste Local Plan were to threaten the steady and adequate supply of soft sand material to the ESSDB&H Plan Area.	
LP09	Further Proposed Changes - Section 2 CSM2	Tunbridge Wells Borough Council	Agree - It is noted that the identified quantities for each mineral type have been recalculated to reflect the extended Local Plan period (extended from 2038 to 2039) and are based on predicted sales. Our response 'yes' is based on the assumption that site allocations in the updated Mineral Sites Plan will come forward to sustain supplies over the plan period and adequately address any shortfalls going forward.	Noted. The County Council remains of the view that the existing allocation will come forward to ensure a steady and adequate supply of soft sand reserves for the majority of the Plan period.
LP25	Further Proposed Changes - Section 2 CSM2	Mineral Products Association	We support the review of the Plan and the extension of the Plan Period to 2039 and the policy to maintain a landbank of at least 7 years' supply for sharp sand and gravel as long as resources and reserves allow, and to maintain landbanks of at least 7 years for soft sand and at least 10 years for hard rock throughout the Plan period including at its end. The most up-to-date information should be used in the Plan. This includes the latest Local Aggregates Assessment (LAA) produced by the County Council (2022).	Noted
LP29	Further Proposed Changes - Section 2 CSM2	Gravesham Borough Council	Note that while there have been reduced sales of sharp sand and gravel, thus extending the life of existing sites, even if allocated sites were brought forward, the additional supply created would still be insufficient to meet the increased requirement for sharp sand and gravel over the extended Pan period. Rather than monitoring and undertaking an early review on this aspect of the Plan to assess the supply position (say as part of the five-year plan review) to determine whether additional allocations are required going forward, it is proposed to rely on imported material to address any shortfall over the Plan period. No indication of the level of importation that may be required to address this shortfall or an assessment of the impact this will have in terms the wharves that will receive such imports and associated landside impacts that may be generated, such as pollution and traffic generation. The accompanying May 2023 draft sustainability appraisal report on page 86 advises for CSM 2 for transport "By ensuring sufficient minerals are available for extraction, the policy will support provision to meet expected market needs and so avoid the need for transport of mineral from further afield" and then gives a positive score for the SA objective of transport for CSM 2. This does not feel consistent with the proposed increased reliance on importation of sharp sand and gravel over the plan period. GBC considers that rather than deciding to rely on increased importation, the sharp sand and gravel supply position should be monitored, and a focussed review of the position undertaken as part of the 5 year Plan review, with the option of allocating additional sites if required This is the approach proposed for soft sand set out in Figure 2A of the draft Kent Mineral Sites Plan, and there would appear no reason why the same approach could not be adopted in respect of sharp sand and gravel.	The additional 2.5mt of sharp sand and gravel resources that may come forward from the Mineral Sites Plan, together with extant reserves will ensure that an at least 7-year land bank is maintained over the entire anticipated Plan period. This is a result of the fact that the 10-year sales average of land-won sharp sands and gravel has fallen to a degree that the calculation of need now is less than the combination of allocated resources and the remaining permitted reserves of this mineral. Importation via wharves and rail depots are becoming increasingly important in overall supply, while allocated resources are not being brought forward as planning applications. The policy is worded in terms of sharp sand and gravel supply "...for as long as resources allow" that is considered to be reflected in the SA of the Plan. Therefore, it is recognised by the SA, that importation of this aggregate type will, at some point, overtake land-won supply. However, there is now technically sufficient reserves and allocated resources to maintain a at least 7-year landbank of this mineral for the entire Plan period, plus a surplus. If the industry is of the view that they do not wish to bring forward allocated resources and increase importation, they cannot be compelled to do so. The Plan meets the NPPF's requirements in regard to sharp sands and gravels. The geology of Kent is such that the mineral is becoming scarce and there was always going to be a point where the emphasis between land-won supply dominance to increasing importation would occur. It appears that point has or will be soon reached.

				<p>This is what is happening, monitoring shows that over the Plan period (2024-39) the combination of extant reserves and allocated resources will provide an at least 7 -year landbank over the Plan period and give a surplus. There is no requirement to identify any further allocations in a reviewed Mineral Sites Plan at this time. Policy CSM 2 is entirely in accordance with the NPPF's requirements to plan for a steady and adequate supply of land-won sharp sands and gravels.</p>
LP46	<p>Further Proposed Changes</p> <p>CSM2</p>	Online comment - individual	<p>There is no reference to the Archaeology of the Goodwin Sands and the 2,000 recorded wrecks known to be there.</p> <p>Who in Kent County Council's Heritage Team has produced any KCC Policy report on the Goodwin Sands Mineral Quarrying, Kent's own Treasure Trove of International Maritime Historical significance, and where can this be accessed?</p> <p>In ID 47 Natural England highlights Marine Conservation areas, The Goodwin`s are such an area.</p> <p>In ID 19 Brett Aggregates highlight the possible scale of Marine dredging.</p> <p>ID 40 Ryarsh Protection Group feel the need to ask that KCC should take into account the views of local residents and the impact on their area nor KCC or Dover DC have voluntarily engaged the people of South Kent in decisions on Quarrying on the Goodwin Sands.</p> <p>ID 47 Natural England highlight the need to consider environmental aspects of quarrying need to be addressed at the earliest stage, and Natural England considers that Policy CSM2 should be significantly strengthened and that Policy CSM 2 appears weak in it`s protection.</p> <p>The references are for Land Based extraction but surely should apply to any Quarrying activity that is in a sensitive location</p> <p>Natural England has concerns that any KCC Planning application that has a possibility of harm to biodiversity should be refused. Does KCC have any say in the Goodwin Sands quarrying , and do they feel they should have? They also ask for robust impact studies, the planned lack of any land based archaeological taking place on the Goodwin Sands prior to quarrying is deplorable.</p> <p>ID 26 Historic England note the absence of its Archaeological advice.</p>	<p>The comments are noted. The Goodwin Sands are not part of the land area of Kent that the KMWLP or the Kent Mineral Sites Plan can have any direct influence over.</p> <p>As stated above the County Council has no direct role in recovering or preserving any heritage characteristics of the Goodwin Sands. It is considered that the Crown Estate (CE) and the Marine Management Organisations (MMO) may have such responsibilities.</p> <p>The MMO has responsibility for Marine Conservation areas not the County Council.</p> <p>The Crown Estates (CE) is the organisation that has authority to grant dredging licences, not the County Council.</p> <p>The possible dredging of the Goodwin Sands is a licensing matter for the CE to have authority over, not the County Council.</p> <p>This is noted. Policy CSM 2 addresses the quantities of minerals that ae required over the Plan period, other policies in the Plan address the concerns held by Natural England (NE). The Plan has to be read as a whole; policies do not exist in isolation to others in the Plan.</p> <p>The deposits offshore are the licensed by the CE in consultation with the MMO. These authorities are responsible in ensuring that the marine environment is conserved, not the County Council.</p> <p>The deposits offshore in the Goodwin Sands are matters that the CE in consultation with the MMO would consider if they were thought to be economically important. These authorities are responsible in ensuring that the marine environment is conserved, not the County Council.</p> <p>The County Council consults Historic England on its plans. As the Goodwin Sands are not part of the County Council's responsible area Historic England would not comment on</p>

			<p>ID 24 Tunbridge Wells BC go further and would like enhancement of Heritage assets.</p> <p>ID 33 Otterpool Park seem to want to extend KCC Planning permissions from 5 to 10 years, in the rapidly increasing global warming concerns a tighter not looser control would seem critical. The tone to the reader is of exploitation of natural reserves with little regard to the vast majority of Kent's people.</p>	<p>them to the County Council in relation to its Plan formulation.</p> <p>That is a matter for a consideration against the relevant policy of the Plan (Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment) not Policy CSM 2: Supply of Land-won Minerals.</p> <p>The Otterpool Park new settlement is not a matter the County Council has any direct responsibility over. It is a matter the Folkestone and Hythe Borough Council's Plan addresses.</p>
LP50	Further Proposed Changes CSM2	Online comment - individual	Disagree - Leave ancient woodland alone.	Noted. Further hard (crushed) rock supply may or may not adversely affect ancient woodland. This is a matter that any allocation in the Kent Mineral Sites Plan would have to consider, if relevant, when promoted allocations for site(s) are subject to detailed technical assessment prior to any allocation and adoption of the Mineral Sites Plan.
LP51	Further Proposed Changes CSM2	Online comment - individual	Disagree - Reduce the demand for the quantity of aggregate needed in the local area by reducing the number of new housing developments, creating incentives to redistribute accommodation more effectively.	The County Council is required by the Planning Acts and national planning policy to plan for a steady and adequate supply of aggregate forming minerals to meet objectively identified needs.
LP52	Further Proposed Changes CSM2	Medway Council	Note that these changes have been made in light of more recent aggregate sales and supply data and the intention to change the plan period. This approach seems sensible, and Medway Council has no further comment to make on this matter.	Noted
LP15	Further Proposed Changes Sharp Sand and Gravel Soft Sand	Hampshire County Council	<p>The consultation data shows that there would be a shortfall of 2.15mt of soft sand when considering the plan period up to 2039, including a 7-year landbank at this point. Whilst the soft sand supply will not be exhausted within the plan period, Kent County Council have explained that 7-year landbank will not be available from 2036 onwards. Whilst Hampshire County Council are not reliant on provision of aggregate directly from Kent, consideration has previously been made of the strategic implications of soft sand supply in the wider south-east through the Soft Sand Position Statement (2019; update underway 2023) to which both Kent and Hampshire are signatories.</p> <p>In terms of the Position Statement, it explains that due to geology, soft sand resource is focused in only a few counties and the need for future supply will likely need to be balanced against conflict with landscape, environmental and recreational constraints. Consideration of the wider implications of supply should continue to be made.</p>	Noted. The County Council is a signatory to the Soft Sand Position Statement (2019; update underway 2023) and will continue to discuss soft sand supply with all the participants of the statement to maintain a clear understanding of the implications of the wider issues of soft sand supply, needing to be balanced against any conflict with landscape, environmental and recreational constraints.
LP25	Further Proposed Changes Sharp Sand & Gravel Paragraph 2.4	Mineral Products Association	<p>The 10-year average of sales for sharp sand and gravel cited in the Draft Review Plan appears low. The 10-year average reported in the LAA 2022 (and resulting LAA APR) is 186,150t (the 'dashboard' at the front of the LAA cites 228,526tpa). The 10-year average of the sales figures presented in Table 2 of the LAA is actually 228,544tpa. The figures should be checked. A minimum 7-year landbank to be maintained would be 1.6mt, which would be inadequate by 2027 if the potential yield in the allocated sites is not realised or by 2038 if it is. Thus, while they would not be exhausted, the minimum landbank required would not be maintained at the end of the Plan period without further reserves being permitted over and above those in allocated sites.</p> <p>The level of provision, based on the LAA (2022) rate would be 5.016mt, giving a larger shortfall of 2.962mt. Taking into account the potential yield (rather than 'reserve') from of 2.5mt in allocated sites, the 'surplus' reported in the Plan then becomes a shortfall of 0.462mt.</p>	<p>The Further Proposed Changes (FPC) of the KMWLP Policy CSM 2 for the sharp sands and gravels is based on the 2022 sales and reserves data that will be fully published in the next LAA monitoring report (LAA published in 2023 using 2022 data).</p> <p>The more recent information (than the LAA published in 2022 using 2021 data) demonstrates that the lowered 10-year sales average coupled with the remaining reserves and the anticipated 2.5mt in allocated sites will result in a technical surplus over the Plan period to 2039. Continued monitoring will demonstrate if this relationship alters and</p>

				<p>there are several statutorily required review cycles prior to 2039 that will be available to reexamine the planned supply of this aggregate mineral. However, it is not anticipated that the land-won sector will 'recover' in any significant manner due to the geological scarcity of sustainable resources remaining in the authority's area.</p>																																			
<p>LP21</p>	<p>Further Proposed Changes Soft Sand</p>	<p>Invicta Planning Ltd. On Behalf of Borough Green Sand Pits Ltd</p>	<p>Paragraphs 2.5-2.4 appear to contain incorrect data regarding soft sand supply over the Plan period, without taking into account the depletion of available landbanks. In 2024, it is estimated that the landbank will amount to 10.73 years, assuming accurate data from all operators. Nevertheless, there have been instances, such as between 2021 and 2022, where an overestimation of 3 million tonnes (33%) occurred, indicating imprecise data submitted by operators based on non-publicly available monitoring data. This lack of data accuracy could be influenced by operators' motivations to avoid regulatory enforcement, resulting in inaccurate sales and reserves estimations for the Local Plan.</p> <p>Future demand for soft sand supply is a key concern. The County Council bases its assessment on NPPF requirements for maintaining a steady and adequate supply of aggregates, considering 10-year sales averages and available reserves. However, the Council may not have fully considered "relevant local information" and all supply options when forecasting future demand. Housing delivery in Kent has been around 109% of requirements over the last three years, suggesting a balance between supply and demand. Soft sand sales averages have been below the 10-year average, giving confidence that supply can meet increasing demand. However, a recent increase in demand has been observed, which calls the adequacy of the reserves into question.</p> <p>The Proposed Further Changes consultation illustrates the soft sand requirements over the Plan period and sets out the Soft Sand data in the following table:</p> <table border="1" data-bbox="923 1119 1908 1759"> <thead> <tr> <th></th> <th>Previous Consultation</th> <th>Current Consultation</th> <th>Difference</th> <th>Trend</th> </tr> </thead> <tbody> <tr> <td>10 year sales average</td> <td>0.456mtpa</td> <td>0.475mtpa</td> <td>+ 0.019tpa</td> <td>↑ 4% increase</td> </tr> <tr> <td>7 year land bank</td> <td>3.192mt</td> <td>3.325mt</td> <td>+ 0.133mt</td> <td>↑ 4% increase</td> </tr> <tr> <td>Total soft sand requirement (15 years + 7)</td> <td>10.032mt</td> <td>10.45mt</td> <td>+ 0.418mt</td> <td>↑ 4% increase</td> </tr> <tr> <td>Existing Soft Sand Reserve at beginning of Plan Period</td> <td>5.769mt</td> <td>5.099mt</td> <td>- 0.67mt</td> <td>↓ 12% decrease</td> </tr> <tr> <td>Chapel Farm Allocation</td> <td>3.2mt</td> <td>3.2mt</td> <td>0</td> <td>No change</td> </tr> <tr> <td>Shortfall</td> <td>1.063mt</td> <td>2.15mt</td> <td>+ 1.087mt</td> <td>↑ 102% increase</td> </tr> </tbody> </table>		Previous Consultation	Current Consultation	Difference	Trend	10 year sales average	0.456mtpa	0.475mtpa	+ 0.019tpa	↑ 4% increase	7 year land bank	3.192mt	3.325mt	+ 0.133mt	↑ 4% increase	Total soft sand requirement (15 years + 7)	10.032mt	10.45mt	+ 0.418mt	↑ 4% increase	Existing Soft Sand Reserve at beginning of Plan Period	5.769mt	5.099mt	- 0.67mt	↓ 12% decrease	Chapel Farm Allocation	3.2mt	3.2mt	0	No change	Shortfall	1.063mt	2.15mt	+ 1.087mt	↑ 102% increase	<p>The County Council considers the issue of soft sand supply as a significant strategic mineral planning concern. It must balance this concern with various planning considerations to ensure sustainable mineral development while minimising adverse effects on the environment and society over the expected Plan period.</p> <p>The availability of monitoring data, while essential, can be confidential and subject to varying levels of accuracy, which is unavoidable. To enhance the level of certainty regarding supply needs over the planning period, a 10-year sales average for soft sand is used, reducing variance.</p> <p>The County Council acknowledges the importance of relevant local information, although its application is subjective when compared to objective sales data.</p> <p>Soft sand demand is not solely tied to housing supply as it is used in various construction applications, including road building, recreation, and other purposes. Sales data is considered a more accurate proxy for demand than projected housing numbers which can vary significantly.</p> <p>Despite a recent increase in demand, the magnitude of change is not so significant to warrant a departure from the MPA's soft sand supply strategy, given available reserves and the plan review system's ability to address potential shortfalls in the 7-year landbank requirement. Charing Quarry's final restoration is not restricted to 2034, and the availability of Chapel Farm is not necessarily tied to that date. The MPA's soft sand supply strategy is based on an earlier completion of Charing Quarry and the commencement of extraction at Chapel Farm in 2027. Theoretically the lack of a 7-year landbank toward the end of the Plan period may emerge but plan reviews will consider and address the need for further site allocations.</p> <p>Competition in the Kent soft sand market is expected to be maintained, with the possibility of "windfall" reserves coming from sites with prior extraction.</p> <p>Plan reviews will identify any new allocations if significant changes in demand occur, either increasing or decreasing.</p>
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Chapel Farm Allocation	3.2mt	3.2mt	0	No change																																			
Shortfall	1.063mt	2.15mt	+ 1.087mt	↑ 102% increase																																			

			<p>The table demonstrates that the supply of this mineral has worsened compared to the previous consultation (Reg 18 Oct-Dec 2022). It can be calculated that the 3-year sales average would now be 0.520mt by calculation of an 11% increase (for the period 2021-2022), this and the reduction in the available landbank results in an increase in the shortfall at the end of the Plan period.</p> <p>The original expectation was that the Chapel Farm allocation would provide soft sand supply until 2030. However, it is now projected to be available only by 2034 due to sequential delivery after the exhaustion of reserves at Charing. This dependence on Chapel Farm coming online highlights a potential risk to soft sand supply.</p> <p>If Chapel Farm is brought forward earlier than anticipated, it indicates increased demand and an earlier exhaustion of reserves at Charing. This suggests that overall reserve figures or the sales averages used may be underestimated. Allocating just one site for the Plan period goes against NPPF guidelines that advise against having large landbanks tied to a few sites to prevent stifling competition.</p> <p>The NPPF requires planning for a 15-year minimum plan period and 5-yearly reviews to anticipate long-term trends. The current plan covers the period up to 2030 and is set for review in the mid-2020s, which aligns with the adoption of the updated KMWLP. However, this review might be too late to ensure a 7-year maintained landbank for soft sand.</p> <p>It is evident that there will be a deficit in soft sand supply over the Plan period, and new sites take several years to explore and secure for operational use. Failure to plan for supply now, coupled with the late adoption of the MSP, will result in a long-term deficit in soft sand supply.</p> <p>In conclusion, the Further Changes do not adequately plan for soft sand supply over the Plan Period, which could lead to a supply deficit. Relying on Chapel Farm alone for supply poses a significant risk if demand increases. The plan review process is slow and uncertain, and additional soft sand allocations are needed to ensure a consistent supply. Planning positively and proactively for soft sand supply by allocating additional sites is recommended as part of the review of KMWLP and MSP.</p>	<p>The anticipated adoption of an MSP in 2025 will cover the 2024-2039 plan period, with statutorily required plan reviews every five years, allowing for adjustments based on monitoring and changing demand. The Further Proposed Changes recognise that, given current reserves and potential "windfall" reserves, a 7-year maintained landbank will exist for most of the Plan period. Any potential shortfall is not projected until potentially 2036, coinciding with the last required plan review cycle.</p> <p>In conclusion, the County Council does not see a need to plan for additional soft sand allocations at this time, as they may not be required until potentially 2036, and there are mechanisms in place to address any future needs through plan reviews.</p>
LP22	Further Proposed Changes Soft Sand	East Sussex County Council	<p>The provision of soft sand is a strategic cross-boundary matter for the South East Mineral Planning Authorities (MPAs) as it is an important aggregate mineral that, for certain end uses, cannot be substituted by other materials. As you will be aware ESCC and Kent are both party to the Soft Sand Position Statement (2019) and the Soft Sand SOCG (July 2022). The entirety of the soft sand resource in the ESSDB&H Plan Area is located within the South Downs National Park. Currently all supplies to the Plan Area are met by imports. We are aware that the SDNPA will be submitting a response on the Kent CC Plans relating to future provision of soft sand. We endorse this response as far as it relates to soft sand in our Plan Area.</p>	<p>Noted. It is understood that the remaining soft sand resources in the ESSDB&H area are within the South Downs National Park, and therefore there may be a significant protected landscape designation that would impinge on the planning of soft sand in this authority's area.</p>
LP32	Further Proposed Changes Soft Sand	South Downs National Park Authority	<p>Soft sand is an essential mineral resource for various applications. Soft sand in South East of England is primarily found within the Folkestone Formation, spanning multiple counties, but its development is constrained by the South Downs National Park in accordance with National Parks and Access to the Countryside Act 1949, Countryside and Rights of Way Act 2000, Environment Act 1995, and National Planning Policy Framework (NPPF) [July 2021].</p> <p>A Soft Sand Position Statement has been prepared and updated by South East Mineral Planning Authorities, indicating Kent's significant soft sand reserves and sales, with the need for additional sites to ensure a steady supply. A Statement of Common Ground on Soft Sand has been agreed upon by several councils to maintain a consistent and adequate soft sand supply.</p>	<p>Noted. It is understood that the soft sand resources in the south east (in East Sussex, West Sussex, and Hampshire area in particular) are significantly within the South Downs National Park area, and therefore there may be a significant protected landscape designation that would impinge on the planning of soft sand in this authority's area.</p>

			<p>Despite reserves and an allocation in Kent, there is still an expected shortfall in soft sand supply by 2039, with a 7-year landbank becoming unavailable after 2036.</p> <p>The Joint East Sussex Minerals Plan relies on soft sand imports from Kent and other areas, and Kent County Council needs to assess demand through their Local Aggregate Assessment (LAA). The Position Statement and Statement of Common Ground stress the importance of identifying new soft sand sites across the region, encouraging exploration of opportunities for additional sites outside designated areas to meet the regional soft sand demand and supply.</p>	<p>Noted. It is recognised that Kent has significant resources of soft sand in the Folkestone Formation as it is geologically represented in Kent. It is also a mineral that is closely associated with a highly sensitive landscape, that of the North Downs AONB. Both within it and within its setting. This material consideration has to be understood when considering both maintaining an adequate and steady supply of this strategically important mineral and designated landscape protection.</p> <p>This is a recognised by the County Council, and the need for future supply to be balanced against any recognised conflict with landscape, environmental and recreational constraints is a matter fully reflected in the County Council's strategy of not allocated further sites at this stage given existing reserves, 3.2mt of allocated resources and the potential for 'windfall' reserves all indicate that supply will be marinated over the Plan period, meeting the at least 7-year landbank level until 2036.</p> <p>Chapel Farm will yield 3.2mt of replenishing resources, that and the existing reserves will maintain at least 7-year landbank until 2036, given the more recent (than that of LAA2022 that uses 2021 data) sales and reserves data. If 0.80mt of 'windfall' reserves from Otterpool Park new settlement are factored in, the 7-year landbank may exist, technically, to 2038. The County Council is of the view, given the sensitivity of much of the designated Kent North Downs AONB that to attempt to allocate additional sites now, on the premise that only at almost at the end of the Plan period there may be no longer a 7-year landbank in place is premature. There will be statutorily required plan 5-year plan review cycles to further consider the need for additional allocations, if required. This will enable the County Council to consider the matter of soft sand supply towards the end of the Plan period in a more sensitive manner.</p> <p>The plan review cycles in 2029 and 2034 will afford the County Council ample time to address soft sand supply if LAA monitoring reports demonstrate that the 10-year sales average and/or available reserves pattern significantly change the current prediction of soft sand supply over the anticipated plan period.</p>
LP04	<p>Further Proposed Changes</p> <p>Soft Sand</p> <p>Paragraph 2.4</p>	British Horse Society	<p>We would like to draw the Council's attention to two matters in relation to Chapel Farm. The first, we are sure, will already be known to the Council which is the proposal that Maidstone Borough Council will use the same location as part of the "Lenham Garden Village" development. The second is that part of the proposed access route is over the historic East Lenham Road, a highway maintainable at public expense which still exists at the northern and southern extents but the middle section of which has disappeared off the maps since the 1950s with no legal stopping up event. A Definitive</p>	<p>The Heathlands Graden settlement is well known to the County Council. Its potential effect on the delivery of the soft sand resources (3.2mt) over the anticipated Plan period of 2024-39. PROW and any necessary diversions to maintain access is a matter that is more appropriately addressed at any planning application stage. The</p>

			Map Modification Order application has been made (ref PROW/MA/C450 on the KCC register) to add the entire route to the Definitive Map as a bridleway, notwithstanding that the Council might consider it appropriate, based on the evidence, to add it as a restricted byway. If this DMMO claim is successful, then the new PROW would need to be diverted if the route was required for a haulage route.	Development Management criteria in the Mineral Sites Plan can be amended to include this matter at the plan's review.
LP25	Further Proposed Changes Soft Sand Paragraph 2.4	Mineral Products Association	<p>Error in paragraph numbers.</p> <p>The 10-year average figure for soft sand used in the Plan is slightly higher than that in the LAA 2022 (0.456mtpa). The resulting requirement over the Plan period would be 10.032mt. A minimum 7-year landbank to be maintained would be 3.2mt. By 2029 the reserves would be below the minimum landbank requirement should the allocated sites not be delivered, or by 2036 if they are. Thus, while they would not be exhausted, the minimum landbank required would not be maintained at the end of the Plan period without further reserves being permitted over and above those in allocated sites.</p>	<p>Noted - final paragraph numbers can be found in clean version of Regulation 19 Plan.</p> <p>The County Council's strategy of not allocated further sites at this stage given existing reserves, 3.2mt of allocated resources and the potential for 'windfall' reserves all indicate that supply will be maintained over the Plan period, meeting the at least 7-year landbank level until 2036, on current monitoring data.</p> <p>Chapel Farm may yield 3.2mt of replenishing resources, that and the existing permitted reserves, will maintain an at least 7-year landbank until 2036, given the more recent (than that of LAA2022 that uses 2021 data) sales and reserves data. Moreover, if 0.80mt of 'windfall' reserves from the Otterpool Park new settlement are factored in the 7-year landbank may exist, technically, to 2038. The County Council is of the view, given the sensitivity of much of the designated Kent North Downs AONB (where much of this mineral is situated) that to attempt to allocate additional sites now, on the premise that only at almost at the end of the Plan period there may be no longer a 7-year landbank in place, would be premature. There will be statutorily required plan 5-year plan review cycles to further consider the need for additional allocations, if required. This will enable the County Council to consider the matter of soft sand supply towards the end of the Plan period in a more sensitive manner.</p> <p>The plan review cycles in 2029 and 2034 will afford the County Council ample time to address soft sand supply if LAA monitoring reports demonstrate that the 10-year sales average and/or available reserves pattern significantly change the current prediction of soft sand supply over the anticipated plan period.</p>
LP15	Further Proposed Changes Hard Rock	Hampshire County Council	A shortfall of 17.38mt is calculated in the consultation document. Hampshire County Council would support the identification of a suitable site to ensure a continued steady supply.	Noted. The County Council is assessing a nominated site at this time, and conducting another Call for Sites' exercise to ensure that there is a comprehensive approach to identifying suitable alternatives.
LP22	Further Proposed Changes Hard Rock	East Sussex County Council	There are no hard rock quarries or provision for land-won hard rock in the East Sussex, South Downs and Brighton & Hove (ESSDB&H) Waste and Minerals Local as there are no geological resources in the Plan Area. Hard rock, often in the form of crushed rock, is currently imported to the ESSDB&H Plan Area via rail heads and wharves. The British Geological Study 2019 states that of the 295,000t of hard rock consumed in the ESSDB&H Plan Area, 10-20% was likely supplied from the Kent plan area.	<p>Noted. The County Council is aware that in the South East hard (crushed) rock from Kent plays a part in mineral supply over a larger than Kent area.</p> <p>Noted. Mineral supply over different boundaries often relies on maintaining mineral importation and handling facility</p>

			<p>ESCC is party to a Statement of Common Ground (SOCG, 2022) regarding the cross-boundary supply of aggregates which is co-signed with Kent County Council (KCC) and other proximate mineral planning authorities. In this SOCG the signatories agree that the safeguarding of minerals sites and infrastructure is crucial for the continued cross-boundary supply and movement of aggregates. The signatories also do not identify any significant barriers to the supply of aggregates to the ESSD&BH Plan Area.</p> <p>In this context, as the ESSDB&H Plan Area is unable to provide for land-won hard rock, then the development of additional hard rock extraction in a neighbouring mineral planning authority area which could assist in providing supply to the ESSDB&H Plan Area would therefore be supported in principle.</p> <p>It is however acknowledged that the amendments to policy CSM 2 to increase the requirement for the amount of hard rock provision to cover the projected shortfall within the Kent Plan Area may not result in any further importation of hard rock into the ESSD&BH Plan Area. It is recognised that the hard rock from any extension to Hermitage Quarry may remain within the Kent Plan Area for consumption to make up for the large shortfall.</p> <p>It is noted that extracted rock from the existing Hermitage Quarry is removed from site by road rather than rail. In view of the extension site location close to the nearby rail line, we assume that the option of rail exports has been investigated. Rail export from the site would obviously be preferable to road traffic in terms of reducing carbon emissions.</p> <p>ESCC is therefore broadly supportive of the proposal to provide for the additional hard rock site at Hermitage Quarry in the Kent Mineral Sites Plan. Hard rock requirements within the ESSDB&H Plan Area are met by importation and it is considered that the addition of this quarry extension could help with security of supply within the south-east.</p>	<p>safeguarding, the County Council is committed to maintaining high a degree of safeguarding of such facilities.</p> <p>Noted. The South East is geologically more limited to softer rocks. Kent's Ragstone (Hythe Formation) is not typical to the region.</p> <p>Noted. Patterns of supply are not monitored which high frequency to establish where materials are consumed. However, sales averages are monitored yearly to inform the mineral supply system.</p> <p>Rail export has not been part of the promoted site's transportation of exploited mineral reserves. The existing pattern of road transportation is being assessed for acceptability as part of the Kent Mineral Sites Plan review.</p> <p>Noted. Kent's hard (crushed) rock supply is recognised to have a wider than Kent role in hard rock aggregate supply, given that sales data used to calculate future need includes the quantity of materials that leave the area for other mineral planning areas, such as ESSD&BH.</p>
LP25	Further Proposed Changes Hard Rock Paragraph 2.6	Mineral Products Association	We support the use of the 6-year average of sales based on the most up-to-date information (it would be worth explaining why these data differ to those presented in the most recent LAA), as an indicator of future demand as this better reflects the demand and market for the material and the Local Aggregates Assessment which indicates that demand has increased recently and is likely to continue at these levels (and as such is consistent with the NPPF requirement to consider 'other relevant local information' as well as past sales).	The LAA that will report the 2022 sales and reserves data will demonstrate why the last 6-year sales average for the hard rock are exceptional in comparison to the 10-year sales average.
ID16	5.3 Policy CSM 3: Strategic Site for Minerals	Tonbridge and Malling Borough Council	The deletion of strategic policy CSM 3 at the Medway Cement works is acknowledged. TMBC understand the reasons for this and overall raise no objection to its removal. TMBC wishes to take this opportunity to make KCC (the Minerals Authority) aware that this site was submitted through its Call for Sites exercise (Site ID no. 59866) as a potential development site which was available to comment on as part of the Council's recent Regulation 18 Local Plan consultation and Interim Sustainability Appraisal. This is currently being considered and no decision has been made yet regarding the borough's future development strategy. In the event that KCC's position were to change on this site, TMBC requests early sight of this as it could potentially impact upon TMBC's Plan making.	Noted.
ID23	5.3 Policy CSM 3: Strategic Site for Minerals	Tunbridge Wells Borough Council	It is noted that this policy has now been deleted as part of the latest review. TWBC does not wish to comment on this.	Deletion of Policy CSM 3: Strategic Site for Minerals will be subject to the results independent examination.
ID31	5.3 Policy CSM 3: Strategic Site for Minerals	Gravesham Borough Council	GBC supports the deletion of policy CSM3 and Figure17 and the inclusion of explanatory text at paragraph 5.2.37 setting out that this is an extant implemented permission that they would have regard to, should an application for alternative development come forward. Although the weight that	Noted

			would be given to the extant permission may not be significant as any alternative development would need to be considered against other policies in the development plan.	
ID39	5.3 Policy CSM 3: Strategic Site for Minerals	Tarmac Cement and Lime	We support the changes proposed with respect to Policy CSM 3 which will result in the deletion of that Policy allied to the insertion of new paragraph 5.2.37. Policy CSM 3 established safeguarding for the proposed Medway Cement Works at Holborough. Planning permission for the works has been granted and implemented within both Tonbridge and Malling and Medway administrative areas, and no further safeguarding is now necessary. We support the deletion of the Policy, the addition of the explanatory paragraph and the consequential text changes necessary.	Noted
ID29	5.4 Policy CSM 4: Non-Identified Land-Won Mineral Sites Policy CSM 4	Environment Agency	The Plan does not allocate any new sites but refers to the Kent Mineral Sites Plan, which we have already provided detailed comment on. However, we are concerned that Policy CSM 4 'Non-identified Land-won Mineral Sites' will lead to sites coming forward where environmental issues and technical considerations are all dealt with within the planning process. Due to a lack of overall policy to protect and safeguard important habitats for wildlife, and the reliance on a 'mitigation' and 'compensatory' process creates a risk for biodiversity.	Noted. This is how the planning system operates. The plan cannot anticipate every development coming forward over plan period on allocated / unallocated sites. Therefore, the policy is required in the event of unallocated site applications coming forward.
ID47	5.4 Policy CSM 4: Non-Identified Land-Won Mineral Sites Policy CSM 4	Natural England	Consider that, as with recommendations for strengthening the policy wording within CSM 2, stronger reference to the environmental impacts of non-identified land won mineral sites should be included within Policy CSM 4. Such consideration appears to have been included within Policies CSM 10 and CSW 6, for example.	No change to policy required. There is no reliable way to predict where any mineral may be proposed. Therefore, there may or may not be material environmental impacts associated with such non-identified land-won mineral site proposals. The Plan requires to be read as a whole, any proposed site, allocated in a plan or not, has to be fully assessed for acceptability against all material planning considerations. The policies of the plan, including those addressing environmental matters, are all potentially relevant to this process. Thus, the change the policy to strengthen environmental considerations would be unnecessary repetition of the Plan's policy provision.
ID19	5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots Paragraph 5.6	Aggregate Industries and Brett Aggregates Ltd [combined representation]	Para. 5.6 (pages 72- 73) - are fully supported, including continued identification of Robins Wharf, Northfleet (both operational sites) and requirements in respect of consultation on non-mineral development at or within 250 m of a safeguarded minerals transportation facility.	Noted
ID34	5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots Paragraph 5.6.1	Dover District Council	We note and support the updated text relating to the Dunkirk Jetty safeguarded wharf.	Noted
ID51	5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots	Thanet District Council	As you may be aware, the Council has been successful in gaining Levelling-Up Fund funding towards a number of projects at Port Ramsgate and Ramsgate Royal Harbour. The only projects in the vicinity of the safeguarded area are the refurbishment of the Ro-Ro berth, and a Green Campus (which is located right at the edge of the 250m buffer, adjacent to Military Road). Our view is that these projects can operate alongside the mineral import operation without either being compromised.	Noted
ID27	5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots	Mineral Products Association	While no changes are proposed to these policies (for safeguarding of minerals transport infrastructure) we would like to register our continued support for the safeguarding approach applied to the identified facilities. Given the very real and live threat to one of the major safeguarded wharves (Northfleet), it may be appropriate to amend the supporting text to reflect that in the most recent Local Aggregates Assessment (para 8.27). This should stress the increasing importance of all existing wharf and rail depot capacity for the long-term supply of aggregates, particularly given the depletion of land-based sharp sand and gravel and growth in demand. As the LAA states, the ' <i>loss of any wharf site will be largely irreplaceable</i> ' and ' <i>safeguarding of the existing wharf infrastructure will therefore remain a central requirement to maintain supply</i> '. This is important in	Noted - Proposed change to supporting text to reflect the irreplaceability of wharf sites and their safeguarding being imperative to maintaining future supply.

			providing more context to implementation of clause vii of Policy DM8 and the 'demonstration that the capacity to be lost is not required.' An apparent 'headroom' of capacity at present does not mean that it is not required either now or in the future and is not demonstration that it is not required.	
ID16	5.7 Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure Policy CSM 7, last paragraph	Tonbridge and Malling Borough Council	The first word of the second paragraph of Policy CSM 7 should be 'where' rather than 'there'.	Agree - Change to Policy wording proposed to address this comment.
ID19	5.7 Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure Policy and supporting text	Aggregate Industries and Brett Aggregates Ltd [combined representation]	The text remains unchanged and the ongoing policy safeguarding of mineral plant infrastructure on a wharf for the life of the host site is fully supported. There is a typo at the start of the final sentence of the policy text. 'There' should read 'Where'	Agree - Change to Policy wording proposed to address this comment.
ID24	5.8 Policy CSM 8: Secondary and Recycled Aggregates	Tunbridge Wells Borough Council	The changes are noted but TWBC does not wish to comment on this policy.	Noted
ID52	5.8 Policy CSM 8: Secondary and Recycled Aggregates Paragraph 5.8.1	CLArchitects on behalf of McAleer Contracts Ltd	The second sentence of para 5.8.1 ends with 'so far as practicable'. We note that the text of the proposed commentary inverts the actual text of the NPPF to which we presume this is intended to refer which reads: <i>(b) so far as practicable, 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, whilst aiming to source minerals supplies indigenously;</i> The inversion actually changes the application of the "so far as practicable" clause from the need to take account of the contribution (via surveys), to the substituting of primary minerals. This is not the intention of national policy if read in its normal construction. Therefore, substitution should not be qualified in this way. In relation to the last 2 sentences of para 5.8.1 we welcome this stated intention, and McAleer Contracts intends to expand its operation to make an even greater contribution to the County's mineral supply through the addition of an aggregate wash plant which will be subject to a planning application in the near future.	Noted - Paragraph 5.8.1 second sentence amended - 'so far as practicable' moved to the front of the sentence rather than at the end. Noted
ID52	5.8 Policy CSM 8: Secondary and Recycled Aggregates Paragraph 5.8.2	CLArchitects on behalf of McAleer Contracts Ltd	In relation to para 5.8.2 note that there is no additional need identified for Energy from Waste capacity in the supporting Waste Needs Assessment and therefore the last sentence ought to be deleted. Given furnace bottom ash arises from the burning of residual non-hazardous waste, and this is expected to reduce in quantity over the revised Plan period, reliance should not be placed on this as a source of non-primary aggregate.	Noted. Appropriate update to text has been made to address this comment.
ID52	5.8 Policy CSM 8: Secondary and Recycled Aggregates Paragraph 5.8.3	CLArchitects on behalf of McAleer Contracts Ltd	In relation to the first 2 sentences of para 5.8.3 consider the stated presumption to provide a "covered building or similar structure" to be excessive where processing takes place in a plant that has integral dust suppression. This clause ought therefore to be deleted or at least qualified. In relation to the last sentence of para 5.8.3 - our assessment of the market supports that of KCC and therefore no additional sites will be needed to be identified to meet the target output of 2.7 million tpa for the Plan period. Focus should be on allowing existing sites with permanent consent, such as that operated by McAleer Contracts to expand its operation as it proposes.	Explanation of the presumption is provided in the text. Note that this text formed part of the original plan that was found sound in 2016. Expansion of operations are supported in certain circumstances i.e. where they are in accordance with the relevant policies of the Plan.

ID52	5.8 Policy CSM 8: Secondary and Recycled Aggregates Policy CSM 8	CLArchitects on behalf of McAleer Contracts Ltd	It is not clear from the wording what types of site the Council has in mind with the inclusion of clause 5 and in particular which item the reference to " <i>the second paragraph of this policy</i> " is intended to direct the reader. Is it intended to exclude the bullet points listed? If so, the wording appears to be subject to the least stringent level of restriction. If it includes the bullets, then it is a circular reference. The meaning therefore ought to be clarified.	Noted. Update made to the wording of clause 5 that is intended to address this comment.
ID11	5.9 Policy CSM 9: Building Stone in Kent Policy CSM 9, point 1	British Horse Society	This must also include PROW, in particular higher status paths where availability is severely restricted in Kent.	No change to policy proposed. PROW matters are addressed by Policy DM 14: Public Rights of Way.
ID24	5.9 Policy CSM 9: Building Stone in Kent Policy CSM 9, point 2	Tunbridge Wells Borough Council	TWBC agrees with the general thrust of this policy but considers criterion 2 to be fairly onerous.	No change proposed. For certain heritage restoration projects, it can be the case that they have very specific requirements in terms of what material is acceptable in order to maintain the integrity of heritage assets.
ID23	5.9 Policy CSM 9: Building Stone in Kent Policy CSM 9, point 3	Tunbridge Wells Borough Council	It is considered that criterion 3 in respect of site restoration is important and should be retained not deleted, in line with Policy DM19.	No change proposed. Policy DM 19: Restoration, Aftercare and After-use addresses the needs of high-quality restoration for all mineral sites. Deleted criterion 3 of Policy CSM 9: Building Stone in Kent represented an unnecessary repetition of this requirement.
ID11	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.5	British Horse Society	This must also include PROW, in particular higher status paths where availability is severely restricted in Kent.	No change to policy proposed. PROW matters are addressed by Policy DM 14: Public Rights of Way.
ID24	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.7	Tunbridge Wells Borough Council	Paragraph 5.10.7 mentions that planning permission was granted (by KCC) in 2012 for exploratory drilling and oil and gas field testing in Bidborough (which falls within Tunbridge Wells borough) and has been amended to say that in 2021 the planning permission had not been implemented. TWBC would query whether this permission is still extant given that it was granted almost 10 years ago and there appears to be no subsequent application on record for its renewal. Therefore, should reference to it be deleted if it has expired and is no longer valid?	The 2012 planning permission expired (TW/10/33) and no further application has come forward. Amend text (5.10.8) to note that permission was not implemented and has now lapsed.
ID23	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.7	Tunbridge Wells Borough Council	In response to the previous consultation TWBC pointed out that paragraph 5.10.7 of the supporting text to the Policy mentions that planning permission was granted (by KCC) in 2012 for exploratory drilling and oil and gas field testing in Bidborough and states that in 2022 the planning permission had not been implemented. Therefore, TWBC suggests that the status of this permission is reviewed, and the text amended accordingly. For example, it may hold the same status as the application referred to at paragraph 5.10.10 which says, 'This permission was not implemented and has now lapsed'.	The 2012 planning permission expired (TW/10/33) and no further application has come forward. Amend text (5.10.8) to note that permission was not implemented and has now lapsed.
ID11	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.17	British Horse Society	We welcome the inclusion of PROW in these considerations. The impact on the local road network for vulnerable road users must also be considered.	Noted
ID11	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Policy CSM 10	British Horse Society	PROW should also be included in these considerations as per 5.10.17 above.	No change to policy proposed. PROW matters are addressed by Policy DM 14: Public Rights of Way.
ID24	5.11 Policy CSM 11: Prospecting for Carboniferous Limestone	Tunbridge Wells Borough Council	It is suggested that reference also be made to any necessary mitigation measures.	CSM 11 is a strategic policy, and any necessary mitigation measures would be considered against the DM policies and therefore no changes are needed.

ID23	5.11 Policy CSM 11: Prospecting for Carboniferous Limestone	Tunbridge Wells Borough Council	As per TWBC's response to the previous consultation, it is suggested that reference also be made to any necessary mitigation measures.	As set out above, CSM 11 is a strategic policy, and any necessary mitigation measures would be considered against the DM policies and therefore no changes are needed.
ID24	5.12 Policy CSM 12: Sustainable Transport of Minerals	Tunbridge Wells Borough Council	The additional references to carbon neutrality and reduction of emissions are welcomed.	Noted
6. Delivery Strategy for Waste				
ID24	6.1 Policy CSW 1: Sustainable Development	Tunbridge Wells Borough Council	See comments on Policy CSM 1 above - same apply to this policy.	Noted. The structure of the plan provides strategic policies for minerals and waste separately and therefore lends itself to separate policies for CSM1 and CSW1. Policy DM1 provides the sustainable design policy considerations for both minerals and waste.
ID23	6.1 Policy CSW 1: Sustainable Development	Tunbridge Wells Borough Council	Please see comments on Policy CSM 1 above. The same comments also still apply to this Policy CSW1.	Noted. The structure of the plan provides strategic policies for minerals and waste separately and therefore lends itself to separate policies for CSM1 and CSW1. Policy DM1 provides the sustainable design policy considerations for both minerals and waste.
ID24	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.6	Tunbridge Wells Borough Council	Although the concept of the circular waste economy and the examples given are welcomed, it is not clear what is expected of applicants in this regard under this paragraph.	Guidance on the production of Circular Economy Statements will be prepared.
ID41	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.6 and 6.2.7	Individual	The policy should also require new build properties to reuse waste from demolition or site clearance works. they should be required to use a percentage of recycled materials in their construction. Any items such as old windows, doors, bricks, tiles, timbers in reasonable condition should be reused or offered to the community to avoid sending to landfill.	This is addressed in Policies CSW3 and DM2.
ID31	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.6 and 6.2.7	Gravesham Borough Council	GBC has previously supported moving waste up the hierarchy and the concept of the circular economy and we welcome that KCC have embraced the suggested alignment of the need for Circular Economy Statements with the need for Design and Access Statements so that they are only required for Major Development. However, the detailed wording of policy CSW3 does not reflect the approach set out in the supporting text (para 6.2.6. and 6.2.7). Given that it is the policy wording rather than the supporting text that should take precedence, the wording should be correctly aligned, including reference to any thresholds.	It is considered that the policy wording reflects the supporting text.
ID13	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.7	Ebbsfleet Development Corporation	Paragraph 6.27 has been added since we previously commented. The intention of a 'circular economy' for waste and minerals is supported, although we question whether the wording in this paragraph may have adverse implications on the delivery of major sites. Specifically, this relates to the lack of guidance on what should be included in a 'Circular Economy Statement' and who is going to review the statements when they are submitted. For example, is this something that would be undertaken and resourced by KCC? Paragraph 6.27 advises that there will be guidance provided in due course but, without it in place before the publication of this updated Plan, the addition of this paragraph is likely to lead to confusion and uncertainty.	Guidance will be prepared setting out the content of a Circular Economy Statement. The approach will be similar to that adopted in the London Plan and its related guidance.
ID24	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.7	Tunbridge Wells Borough Council	Financial contributions. It is considered that more information is needed about this or at least a point of reference where more information and a justification can be found such as in a Supplementary Planning Document; especially as the request for such contributions will potentially affect the viability of new development schemes. It is also considered that this policy would benefit from the inclusion of measurable targets.	Guidance on developer contributions relating to waste disposal and recycling is available The monitoring framework includes targets for monitoring Policies CSW2 and CSW3.

ID34	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.7	Dover District Council	We note the requirement at paragraph 6.2.7 to provide a Circular Economy Statement for major applications. Can you please clarify how you intend to review these Statements and be consulted on those aspects of such applications. Will guidance be produced to inform LPAs of how to review/implement this new requirement?	As stated in the Plan guidance will be prepared.
ID23	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.8	Tunbridge Wells Borough Council	Welcomes the new paragraph setting out what is expected of applicants in relation to a Circular Economy Statement for major applications. As per TWBC's comments on the previous consultation in relation to now paragraph 6.2.8 – Financial contributions, it is still considered that more information is needed about this or at least a point of reference where more information and a justification can be found such as in a Supplementary Planning Document; especially as the request for such contributions will potentially affect the viability of new development schemes. In addition, it is still considered that this policy would benefit from the inclusion of measurable targets.	The level of financial contributions required will be set on a case by case basis and informed by the Waste Disposal Authority. The monitoring framework includes targets for monitoring Policies CSW2 and CSW3.
ID46	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Policy CSW 3	Maidstone Borough Council	MBC are of the view that Policy CSW 3 (Waste Reduction) requires further consideration. The proposed new wording of the policy requires that for applications submitted to Maidstone Borough Council additional information be supplied at application stage. This will likely mean that MBC is required to add to their Local List a requirement for a Circular Economy Statement to accompany major applications and we would welcome the opportunity to work with KCC officers to ensure resource implications for MBC are minimised.	Noted. Guidance on the preparation of Circular Economy Statements will be prepared to assist.
ID24	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Policy CSW 3	Tunbridge Wells Borough Council	The new criteria in relation to meeting circular economy principles are welcomed.	Noted
ID23	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements	Tunbridge Wells Borough Council	It is noted that the targets for recycling and composting set within the table of this policy now include figures up to 2040/41, and are generally welcomed.	Noted
ID02	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.1	Cheshire West and Chester Council	As per WDI 2021, the hazardous waste flow from Kent to CWaC is approximately 609 tonnes which is above our significant threshold of 500 tonnes. As such in Kent MWLP mention that " <i>While Kent currently achieves net self-sufficiency in the management of each waste stream, this position will be monitored to ensure this remains the case throughout the plan period.</i> " (Para 6.3.1) It also mentions " <i>However, Kent could cease to be net self-sufficient in hazardous waste capacity if changes in the production and management profile of hazardous waste occur as follows:</i> " <ul style="list-style-type: none"> • <i>the continued demand for disposal capacity for flue residues from Allington EfW facility</i> • <i>the likely increase in hazardous residues from air pollution control from additional EfW capacity requiring management</i> • <i>if the existing asbestos landfill closes then a significant amount of asbestos based hazardous waste will cease to be imported into the county.</i>" (Para 6.12.2) We don't have any notable minerals exchange relationship with Kent. In the light of the above, requests that we are kept informed of any future updates and changes to Kent's Hazardous Waste arisings or transfer capacities.	Noted
ID41	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency	Individual	FHDC stopped collecting tetrapack cartons for recycling. Councils should be increasing opportunities to recycle not decreasing them. The policy needs to be strengthened so that this kind of backward step is not permitted.	The Plan's objectives and policies support the development of recycling facilities, but it is not within the remit of the Plan to address specific waste collection

	and Waste Movements Paragraph 6.3.3			issues which should be raised with the Waste Collection Authority.
LP09	Further Proposed Changes Paragraph 6.3.3	Tunbridge Wells Borough Council	Agree - TWBC considers that no other changes are needed, and it is good to note that London is now able to be self-sufficient in this regard.	Noted
LP22	Further Proposed Changes Paragraph 6.3.3	East Sussex County Council	The removal of paragraph 6.3.3 will remove Kent's responsibility to make provision for reducing the quantity of residual waste from London. Due to London's commitment towards net self-sufficiency, it is not considered that East Sussex would be placed under a burden to manage any offset waste that would have been under Kent's management. As such, no further comment is proposed at this stage.	Noted
LP26	Further Proposed Changes Paragraph 6.3.3	Surrey County Council	With regard to the deletion of paragraph 6.3.3 (and the associated sub-title), the MWPA note the removal of provision for the management of residual non-hazardous waste by landfill or energy recovery from London. This is supported by the London Plan's (2021) commitment to net self-sufficiency, which is outlined in Policy SI 8 (Waste capacity and net waste self-sufficiency). This position is also supported by paragraph 2.1 of the Statement of Common Ground between Waste Planning Authority members of the South East Waste Planning Advisory Group (SEWPAG) Concerning Strategic Policies for Waste Management (March 2020), to which Kent County Council and Surrey County Council are both signatories.	Noted
LP27	Further Proposed Changes Paragraph 6.3.3	South East Waste Planning Advisory Group	With regard to the deletion of paragraph 6.3.3 (and the associated sub-title), SEWPAG note the removal of provision for the management of residual non-hazardous waste by landfill or energy recovery from London. This is supported by the London Plan's (2021) commitment to net self-sufficiency, which is outlined in Policy SI 8 (Waste capacity and net waste self-sufficiency). This position is also supported by paragraph 2.1 of the Statement of Common Ground between Waste Planning Authority members of the South East Waste Planning Advisory Group (SEWPAG) Concerning Strategic Policies for Waste Management (March 2020), to which Kent County Council is a signatory.	Noted
LP29	Further Proposed Changes Paragraph 6.3.3	Gravesham Borough Council	GBC notes this change but does not wish to raise any comment at this stage.	Noted
LP36	Further Proposed Changes Paragraph 6.3.3	Online comment - individual	Let London sort out its own waste, not transport it here for Kent to deal with	Noted
LP40	Further Proposed Changes Paragraph 6.3.3	Online comment - individual	London should provide its own facilities -if not possible then somewhere other than Kent should be found - Kent is very overcrowded	Noted
LP41	Further Proposed Changes Paragraph 6.3.3	Online comment - individual	By energy recovery.	The content of this comment is insufficiently clear to respond to.
LP52	Further Proposed Changes Paragraph 6.3.3	Medway Council	Understands and supports the intention of these changes, which is to ensure the KMWLP aligns with the London Plan aspiration and the SEWPAG Statement of Common Ground (SCG) to which it is a signatory. However, Medway Council notes that it is may not be able to adhere to the SCG's aspiration of all WPAs achieving net self sufficiency, and would therefore wish to be assured that the change proposed by Kent County Council, does not signal an intention to move away from the provision of capacity which would meet other WPA areas' (in particular those within the South East such as Medway) needs, where this is justified as being an appropriate solution.	The Statement of Common Ground between KCC and Medway Council will be updated to acknowledge this concern.
ID24	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency	Tunbridge Wells Borough Council	Reference to the requirements of the Environment Act 2021 at paragraph 6.3.3 is noted and the inclusion of targets at 6.3.4 considered beneficial. It is also noted that new, more ambitious targets for recycling and composting have been set within the table of the policy itself, which are generally welcomed.	Noted

	and Waste Movements Paragraph 6.3.3 and 6.3.4			
ID21	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.6	Dartford Borough Council	Paragraph 6.3.6 - To be clear and effective, the Plan needs to fully clarify how it is intended the 'pressing need' for development resulted will be tackled through appropriate new Development Plan content.	It is considered that the Plan, with proposed changes, provides sufficient support for the development of such a facility and the specific allocation of a site is not justified. The issue raised has been acknowledged in proposed changes to the Plan's supporting text.
ID31	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.6	Gravesham Borough Council	It is noted that paragraph 6.3.6 sets out the need for new waste transfer facilities serving the Ebbsfleet area and that, as no site has yet been identified, local waste collection authorities are working together to secure such a facility.	Noted
ID49	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.6	Ashford Borough Council	<p>The Council note that it is still KCC's intention to deliver a new waste transfer facility and that this is primarily associated with KCC's aspiration to improve transportation logistics (reflected in paragraph 6.3.6 of the draft Local Plan). Irrespective of the reason for delivery, the Council remain of the view that if there is an identified need, a site for the provision of the required facility should be identified in the Plan. As it stands, despite further revisions, the Local Plan still doesn't grapple with this, either through any of its proposed policy criteria or the site allocation strategy. Consequently, the location, nature of the facility, phasing and the total cost of any facility remains unknown. Transparency, regarding these details is particularly important given KCC's continued reference in the Plan to financial contributions from applicants towards delivering additional infrastructure for waste management.</p> <p>Given KCC's decision not to allocate a site, and absence of any detail regarding its delivery, the Council remain of the opinion that it is difficult to see how any future Local Plan that Ashford Borough Council produce can take these issues into account, or how it might seek to secure S106 payments for any future waste facility (assuming that funding towards waste infrastructure is justified, in principle). A Local Plan provides the most appropriate opportunity to address these issues.</p>	<p>It is considered that the Plan, with proposed changes, provides sufficient support for the development of such a facility and the specific allocation of a site is not justified.</p> <p>The issue raised has been acknowledged in proposed changes to the Plan's supporting text.</p>
ID44	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.6	Folkestone and Hythe District Council	Issue relating to paragraph 6.3.6 in the draft Minerals and Waste Plan for the need for a new waste transfer facility in the Folkestone & Hythe District to reduce the excessive transportation of waste across the county. Given the need for this facility, the district council recommends that the county council undertakes a 'call for sites' exercise to identify a site in the Waste Sites Plan for this use in the district. The district council will undertake a 'call for sites' exercise for housing, employment and other uses in 2023 to provide evidence for our next local plan and would be pleased to work with KCC if a potential site for a new waste transfer facility emerges through our own site assessment process.	<p>It is considered that the Plan, with proposed changes, provides sufficient support for the development of such a facility and the specific allocation of a site is not justified.</p> <p>The issue raised has been acknowledged in proposed changes to the Plan's supporting text.</p>
LP54	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements	Greater London Authority (GLA)	Supports the strategy for managing waste in the Draft KMWLP and looks forward to further collaboration with Kent CC as the draft KMWLP evolves to ensure a co-ordinated approach to securing sustainable development and the management of growth in the wider metropolitan area. Whilst the Mayor is aiming to achieve net self-sufficiency by 2026, this does not remove the need for provision to manage London's waste outside London. It is not clear from the information provided as part of this consultation the extent to which Kent CC intends to reduce provision for	In light of the discussions which have taken place, clarification and minor changes are proposed.

			<p>waste from London, or if it intends to remove it entirely. In respect of Policy CSW 4 it is important to provide clarity on this.</p> <p>Discussions with Kent CC suggest that it is not Kent CC's intention to restrict flows of waste from London over the KMWLP plan period. If this is the case, Draft KMWLP Policies CSW4 and CSW7 should clearly acknowledge the continued two-way flow of waste between London and Kent over the KMWLP plan period. Without greater clarity on this point, the Mayor would object to Draft KMWLP Policies CSW4 and CSW7 at Regulation 19 consultation. The Mayor looks forward to further engagement with Kent CC as Draft KMWLP policies evolve.</p>	
ID47	6.4 Policy CSW 5: Strategic Site for Waste	Natural England	<p>Welcomes the consideration of air quality impacts for the Medway Estuary and Marshes and The Swale Special Protection Areas and Ramsar sites under Policy CSW 5 (Strategic site for waste). The air quality assessment will also need to consider potential impacts to the underpinning Sites of Special Scientific Interest which have a broader suite of notified features.</p>	This policy is now proposed for deletion. If an application were to come forward than the matters raised would be addressed as part of that application.
LP09	Further Proposed Changes CSW5	Tunbridge Wells Borough Council	<p>Agree - TWBC supports the management of waste in accordance with the implementation of the waste hierarchy (as set out in our comments to the previous KMWLP consultation) and notes that retaining the allocation for the extension of Norwood Quarry would no longer be consistent with the waste hierarchy and that there are alternative means of dealing with the disposal of hazardous flue ash. Therefore, no objection is raised to the deletion of Policy CSW5 on the basis that the provision of such alternative means is safe and of sufficient capacity to cover the whole of the Plan period.</p>	Noted
LP15	Further Proposed Changes CSW5	Hampshire County Council	<p>The consultation document proposes the deletion of Policy CSW 5, that allocates land for an extension to Norwood Quarry, Isle of Sheppey for subsequent filling with hazardous flue ash. This approach is considered in line with the waste hierarchy, whereby there is a shift away from landfill to other approaches in the hierarchy. Hampshire County Council would support this way of incentivising the move away from landfill.</p>	Noted
LP22	Further Proposed Changes CSW5	East Sussex County Council	<p>One of the key issues arising from this policy change is the potential for an unequal burden of hazardous waste management to be placed on ESCC. However, ESCC maintain a strong objective towards net self-sufficiency and currently implement a criteria-based policy approach to landfill provision in the county, furthermore the East Sussex, South Downs and Brighton & Hove (ESSDB&H) Waste and Minerals Local Plan does not include any allocations for new landfill sites. As such, it is unlikely that the policy change will have a negative impact on East Sussex and as such, no further commentary is provided at this stage.</p> <p>It is, however, recognised that given the problematic nature of data collection and changing definitions of hazardous waste, establishing an accurate forecast of the future need for hazardous waste management across the county is difficult. Therefore, the possibility of such a need in the future, as a result of the proposed policy change, should not be ruled out as a potential consideration.</p> <p>A Statement of Common Ground (SOCG) between members of the South East Waste Planning Advisory Group is currently in place which relates to regional waste self-sufficiency. In the event that the Kent Plan proposals would have any impact on agreements in the SOCG we assume that Kent County Council will initiate further discussions on this matter.</p>	<p>This proposed change does not rule out the possibility of developing hazardous waste landfill in Kent in the future. Any proposal would be addressed using the criteria-based policies within the Plan.</p> <p>The SEWPAG SOCG does not expect authorities in the south-east to be self-sufficient in the management of hazardous waste. In its response to the consultation SEWPAG expressly noted that it has no objection to the deletion of Policy CSW5 (see below).</p>
LP23	Further Proposed Changes CSW5	Axis on behalf of FCC Environment	<p>Disagree - strongly believe that the continued allocation at Norwood Landfill is wholly justified and necessary to maintain flexibility within the MWLP (the Plan) and for the Plan to be 'sound'.</p>	The deletion of Policy CSW5 is justified on the basis that its continued inclusion encourages a form of waste management, (landfill) that is not consistent with the objective of sustainable waste management and the waste hierarchy when alternatives are, and will become, available. Flexibility is maintained as deletion of CSW5 does not rule out the possibility of hazardous landfill being developed in Kent.

LP26	Further Proposed Changes CSW5	Surrey County Council	MWPA have no objection to the removal of the allocation of land for an extension to Norwood Quarry, Isle of Sheppey, for subsequent filling with hazardous flue ash. It is noted that there is no evidence of strategic waste movements of Air Pollution Control residues (APCr) from Surrey to Kent from the last three years, with reference to the Environment Agency Waste Data Interrogator (WDI).	Noted
LP27	Further Proposed Changes CSW5	South East Waste Planning Advisory Group	SEWPAG have no objection to the removal of the allocation of land for an extension to Norwood Quarry, Isle of Sheppey, for subsequent filling with hazardous flue ash. It is noted that within the last three years Norwood Quarry only received Air Pollution Control residues (APCr) waste arising from Kent. There is no evidence of strategic waste movements of APCr from elsewhere in the South East to this site, with reference to the Environment Agency Waste Data Interrogator (WDI).	Noted
LP29	Further Proposed Changes CSW5	Gravesham Borough Council	GBC notes that the original allocation at Norwood Farm was made to address the risk that alternative viable methods of processing Air Pollution Control Residue (APCr) would not be available over the plan period to treat the APC type residues produced by Allington EfW. It is also noted that the evidence shows that there will be sufficient landfill capacity in Kent to address hazardous waste produced by the Allington EfW over the whole plan period (capacity would run out by 2038) but that the growth in alternative methods for managing APCs both in Kent and elsewhere, should address this shortfall. GBC supports the use of alternative methods of processing this waste to avoid the use of landfill sites and given that any future shortfall in landfill provision for this type of hazardous waste can be addressed through a future planning application, albeit there may be a delay, supports the deletion of the Norwood Farm allocation.	Noted
LP52	Further Proposed Changes CSW5	Medway Council	Note that the proposed change has been made in light of more current information around the need for additional capacity to manage hazardous flue ash, and that information contained in the updated report on Hazardous Waste Management Requirements, found that this type of waste, previously managed through landfill at the Norwood Quarry site, is now largely being managed through means other than landfill. Medway Council also notes that removal of the policy does not necessarily prevent the development of additional landfill capacity should it be needed, but merely removes the presumption towards its provision. Medway Council also notes that provision for hazardous waste, such as APCr is a matter not limited by Plan area net self-sufficiency objectives, and therefore provision may be planned for in a manner that takes account of regional, or even national, provision. In that context, the most recent assessment of hazardous waste management requirements in Medway produced for Medway Council by BPP Consulting, indicates Medway is a net importer of hazardous waste and is thus making provision for 'larger than local' needs in that respect. Medway Council has a particular interest in the planning of provision of capacity for the management of air pollution control residues in that it has recently granted outline planning consent for a potential Energy from Waste plant at the Medway One development in Kingsnorth, which does not as yet have an identified outlet for its APCr should it be developed. However, the Medway Council is committed to supporting the waste hierarchy and therefore would expect any prospective operator to manage residues in accordance with the hierarchy with disposal to landfill being the least preferred option, even if such capacity is relatively local. Medway Council intends to include a policy reflecting this position in its revised Local Plan, which in turn would be reflected in any assessment of proposals for the management of APCr associated with the Medway One development.	Noted
ID13	6.5 Policy CSW 6: Location of Built Waste Management Facilities	Ebbsfleet Development Corporation	The consultation material states that the latest updates are, amongst other reasons, proposed to ensure the Local Plan takes account of the current local context which includes a need for the development of additional household waste management capacity. There are no significant changes proposed to the wording of Policy CSW6 which sets criteria for assessing proposals relating to the location of built waste management facilities and which remains robust, although it is noted that newly proposed policy pre-text at paragraph 6.3.6 refers to a pressing need for the development of new waste transfer facilities to serve the Ebbsfleet Garden City area. No potential	Noted

			sites are put forward at this stage but EDC would support working with KCC to find an appropriate location in the wider area for this strategic infrastructure.	
ID47	6.5 Policy CSW 6: Location of Built Waste Management Facilities Policy CSW 6	Natural England	Reference to consideration of impacts to protected landscapes and designated sites in Policy CSW 6 is welcomed however, as detailed above, we would recommend that reference is also made to Marine Conservation Zones, which may be impacted by developments such as wharves (for example). The natural environment of Kent is rich and varied so in addition to the consideration of impacts to designated sites and areas of ancient woodland, we would recommend that reference is also made to habitats and species of principal importance, protected species and other habitats and species of conservation concern in Policy CSW 6. Such a strengthening of the Policy wording would more closely reflect the requirements of the National Planning Policy Framework.	A change to Policy DM2 (Environmental and Landscape Sites of International, National and Local Importance) is proposed to include mention of Marine Conservation Zones. Inclusion in Policy DM2 will ensure that this matter is addressed when determining proposals for both waste and minerals Development.
ID24	6.5 Policy CSW 6: Location of Built Waste Management Facilities Policy CSW 6, point a and c	Tunbridge Wells Borough Council	The addition of heritage assets at criterion a. is welcomed. It is suggested that criteria c. should also refer to the need for such facilities to be located in sustainable locations, subject to residential amenity considerations.	The need for proposals to take amenity considerations into account is already addressed by clause 'g' and by Policy DM11 (Health and Amenity).
ID16	6.5 Policy CSW 6: Location of Built Waste Management Facilities Policy CSW 6, point f.	Tonbridge and Malling Borough Council	Following changes to the Planning Practice Guidance in August 2022, the definition of a functional flood (flood zone 3b) has changed from a 5% AEP event to a 3.3% AEP event. Therefore, it is questioned whether this part of the policy makes it overly restrictive in the determination of any critical facility needed in the future.	Noted - The critical need for a facility will always be weighed against any potential constraints relating to the location of the proposal.
ID24	6.7 Policy CSW 7: Waste Management for Non-hazardous Waste	Tunbridge Wells Borough Council	The changes are noted but TWBC does not wish to comment on this policy.	Noted
ID23	6.7 Policy CSW 7: Waste Management for Non-hazardous Waste	Tunbridge Wells Borough Council	The changes are noted. TWBC does not wish to comment on this policy.	Noted
ID24	6.8 Policy CSW 8: Other Recovery Facilities for Non-hazardous Waste	Tunbridge Wells Borough Council	The proposed changes to this policy, with an emphasis on addressing issues in relation to climate change are welcomed.	Noted
ID23	6.8 Policy CSW 8: Other Recovery Facilities for Non-hazardous Waste Paragraph 6.8.2	Tunbridge Wells Borough Council	The new wording at paragraph 6.8.2 setting out the requirements for the submission of a Waste Hierarchy Statement is welcomed.	Noted
ID16	6.8 Policy CSW 8: Other Recovery Facilities for Non-hazardous Waste Paragraph 6.8.2	Tonbridge and Malling Borough Council	TMBC supports the requirement for a waste hierarchy statement.	Noted
ID38	6.8 Policy CSW 8: Other Recovery Facilities for Non-hazardous Waste Paragraph 6.8.4	Sevenoaks Climate Action Network: Waste Management Subgroup	The proposal for carbon capture at the energy from waste sites need to be accelerated if feasible and more priority given to recycling household waste. In particular in Sevenoaks District, we would like to see the introduction of a food waste scheme for composting in line with neighbouring districts so that there is more consistence in waste management across the county.	Noted. The Plan will support proposals for the development of facilities to manage separately collected food waste in appropriate locations.
ID47	6.8 Policy CSW 8: Other Recovery	Natural England	Policy CSW 8 includes proposals such as energy from waste developments. These have the potential to result in air quality impacts to nature conservation sites and habitats. Natural England	The need to avoid impacts to designated sites is addressed by Policy DM2.

	Facilities for Non-hazardous Waste Policy CSW 8		recommends that reference is made to the need for such developments to avoid impacts to designated sites within the Policy wording.	
ID24	6.9 Policy CSW 9: Non Inert Waste Landfill in Kent	Tunbridge Wells Borough Council	The proposed changes to this policy are welcomed.	Noted
ID23	6.9 Policy CSW 9: Non Inert Waste Landfill in Kent Paragraph 6.9.4	Tunbridge Wells Borough Council	The additional reference to the requirement for a Waste Hierarchy Statement at paragraph 6.9.4 is welcomed.	Noted
ID47	6.9 Policy CSW 9: Non Inert Waste Landfill in Kent Policy CSW 9, second bullet point	Natural England	Support second bullet point of Policy CSW 9 to ensure that environmental benefits will result from the development. However, we would recommend that the Policy is strengthened to ensure that environmental impacts are avoided or fully mitigated, and the proposal also delivers environmental benefits.	Other policies within the Plan e.g., Policy DM2 are specifically included to ensure proposals to ensure impacts on the environment are avoided or at least minimised.
ID24	6.10 Policy CSW 10: Development at Closed Landfill Sites	Tunbridge Wells Borough Council	TWBC has included additional wording in relation to closed landfill sites (as recommended by KCC in their response to the TWBC Pre-Submission Local Plan Regulation 19 consultation 2021) in Policy EN28: Land Contamination of its Submission Local Plan 2021 (the Plan is currently at independent examination, hearings for which area imminent), and welcomes the changes made to Policy CSW10 in the KMWLP.	Noted
ID24	6.11 Policy CSW 11: Permanent Deposit of Inert Waste	Tunbridge Wells Borough Council	The proposed changes to this policy are welcomed.	Noted
ID28	6.11 11 Policy CSW 11: Permanent Deposit of Inert Waste	Invicta Planning (on behalf of Borough Green Sand Pits Ltd)	<p>The available inert waste to land capacity is stated as only sufficient for the Plan period to meet Kent's arisings needs. The importation of this material from outside Kent will occur and this will need to be accommodated. The policy is supportive of this and recognises that the import of inert material will aid in the restoration of old mineral sites that require this. This highlights the high priority that should be given to using inert waste that cannot be recycled, in preference to using materials that are suitable for non-restorative applications such as bund formation or land raising that are strictly not an act of restoration of past mineral workings.</p> <p>In prioritising the restoration of landfill sites and mineral workings with suitable material of a 'local' (Kent) origin is not reflective of the market and how inert waste is transported and deposited. Kent has good east-west but poor north-south connectivity and transporting inert waste in the county to achieve this 'localism' in inert waste deposition will involve material traveling great distances because of the poor connectivity of the road network (north-south) leading to high fuel costs and a commensurate detrimental impact on sustainability and impact air quality. Not prioritising 'local' materials will enable the continued ability of operators to move materials from in and outside Kent thus enabling sites to be engineered viably to deliver sustainable outcomes (housing etc).</p> <p>Inert materials of the type relevant to the policy has no other beneficial use other than for landfill operations, restoration, or land engineering operations. If the material is in any way prejudiced/restricted in meeting these uses, then use of primary or recycled materials would have to be employed which would be a poor utilisation of these materials that have construction applications. Also, this would place further demands on their production. It is considered that it is not the lack of suitable inert materials that cause delays in landfill restoration but operational restrictions (HVG movements etc). Therefore, the policy should not try to restrict new capacity but to identify additional capacity for the purpose of engineering operations as discussed above, otherwise the re-use of this material in an appropriate way will be compromised by its simple disposal.</p>	The change to the policy has been misunderstood as it is not intended to, and does not, inhibit inert waste being imported into Kent for quarry restoration. The policy seeks to ensure that quarry restoration is a priority use of inert waste material.

			The policy should be amended to allow the use of inert materials in engineering operations without reference to local demand for such uses as site restoration, given the benefits brought about by the avoidance of use of primary/recycled aggregates for these purposes, thus avoiding the potential for their simple disposal to land without being uses in restorative applications to be greater benefit of being sustainable development. This would ensure the policy would be 'positively prepared' and 'consistent with National Policy'.	
ID24	6.12 Policy CSW 12: Hazardous Waste Management	Tunbridge Wells Borough Council	The changes are noted but TWBC does not wish to comment on this policy.	Noted
ID47	6.12 Policy CSW 12: Hazardous Waste Management	Natural England	Given the concerns expressed in relation to Policies CSW 6 and 9, in its current form Natural England considers that Policy CSW 12 (Hazardous waste management) could result in significant environmental impacts from hazardous waste proposals. As such, Natural England strongly recommends that Policies CSW 6 and 9 are strengthened as detailed above.	Other policies within the Plan e.g., Policy DM2 are specifically included to ensure proposals to ensure impacts on the environment are avoided or at least minimised.
ID29	6.13 Policy CSW 13: Remediation of Brownfield Land Paragraph 6.13.1	Environment Agency	We note that our requested changes to policy and body text have been included in this version of the Plan. However, we are concerned that the correct terminology is not being used consistently, which will lead to confusion and delays. "Contaminated Land" is a phrase with specific legal meaning and cannot be used to describe land affected by contamination. We noticed this specifically in section 6.13.1; however we recommend that the entire Plan be proofed to ensure the correct terminology is used. Plain English in this case changes the meaning of the phrase.	Noted - Change to Policy CSW 13 proposed to address this comment and ensure the correct terminology in relation to 'Contaminated Land'. The Plan has also been proofed and a subsequent change proposed in relation to 'contaminated land' in paragraph 6.5.4.
ID24	6.14 Policy CSW 14: Disposal of Dredgings	Tunbridge Wells Borough Council	The inclusion of biodiversity enhancement in the policies supporting text is welcomed, although it is questioned whether the change in emphasis is translated through into the policy wording.	Noted - Policy CSW 14 includes a reference to enhance biodiversity and would be supplemented by DM Policies.
ID24	6.15 Policy CSW 15: Wastewater Development	Tunbridge Wells Borough Council	The changes are noted but TWBC does not wish to comment on this policy.	Noted
ID29	6.15 Policy CSW 15: Wastewater Development	Environment Agency	Policy CSW 15 Wastewater Development should include a point within the policy that requires new wastewater treatment works or sewage sludge treatment facilities (including extensions) to take regard of Natural England's document Nutrient Neutrality Methodology, especially for development within the Stour catchment. The permit limit for Total Nitrogen and Total Phosphorus for new Wastewater Treatment Works (WWTW) can be requested from us, as well as the permit limits of some existing WWTWs in the County. Early engagement with us is strongly encouraged for any new WWTW or sewage sludge facilities (including extensions).	Supporting text sets out how a policy may be implemented and so text has been added to the supporting text rather than the policy.
ID24	6.16 Policy CSW 16: Safeguarding of Existing Waste Management Facilities	Tunbridge Wells Borough Council	TWBC supports the changes made to this policy.	Noted
ID33	6.16 Policy CSW 16: Safeguarding of Existing Waste Management Facilities	Otterpool Park LLP (Quod)	Policy CSW 16 safeguards permitted sites as " <i>capacity at sites with permanent planning permission for waste management is safeguarded from being developed for non-waste management uses</i> ". The Draft KMWLP seeks to roll forward the safeguarding presumption for the sites that are permitted. This results in a theoretical capacity being safeguarded, not actual operational capacity. Case law supports that decisions should be made in the real world not on theoretical positions. If a site has planning permission, it does not automatically justify safeguarding if it is not developed and operational. Para: 054 Reference 5 ID: 28-054-20141016 of the NPPG makes clear that if there are doubts about the prospects of sites coming forward consideration should be given to bringing forward alternative or additional allocations if needed, rather than relying on them coming forward to achieve the strategy.	The Plan does not absolutely safeguard sites in the manner suggested by this comment. Policy DM8 sets out circumstances when development can come forward on safeguarded sites. For example Policy DM8 allows development on safeguarded sites where: ' <i>the facility is not viable or capable of being made viable;</i> ' and ' <i>It has been demonstrated that the capacity of the facility to be lost is not required.</i> '

		<p>Paragraph 7.6.1 of the draft KMWLP states: <i>“It is essential to the delivery of this Plan’s minerals and waste strategy that existing facilities 114 used for the management of minerals (including wharves and rail depots) and waste are safeguarded for the future, in order to enable them to continue to be used to produce and transport the minerals needed by society and manage its waste. Footnote 114 ‘Existing facilities’ are taken as those have permanent planning permission for minerals and waste uses.”</i></p> <p>A key part of the above text is that the facilities which are essential to safeguard for the future are the ones that are “used for the management of...waste”. This does not apply to the facility at Otterpool park as is not operational, nor can it be seen to provide any capacity or perform any waste function and thus should not be safeguarded. It has been used for an HGV parking site since 2015 (ref: Y16/0068/SH) this is a clear indication that there is no need for the facility in this location nor any intention of the landowner to deliver it. It cannot be considered to be used or in use as the policy intends.</p> <p>Draft Policy CSW 6 (g) states that the location of built waste management facilities should avoid sites on or in proximity to land where alternative development exists/has planning permission or is identified in an adopted Local Plan (such as the Proposed Development through the adopted FHDC Core Strategy Review (2022)). Para. 119 of the NPPF (2021) states that planning policies and decision <i>“should promote an effective use of land in meeting the need for homes and other uses”</i>. If planning permission has been granted for waste uses on a site but despite this, and 11 years later it still has not been developed, it would not be an effective use of land to continue safeguarding the site for waste uses and prevent the delivery of new uses which are supported by local policy and offer tangible benefits.</p> <p>Para. 82 of the NPPF (2021) states that planning policies should <i>“be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices...and to enable a rapid response to changes in economic circumstances”</i>. The current wording of CSW 16 is not flexible or responsive to changes in economic circumstances as it safeguards sites which are not providing operational waste capacity. It is not appropriate to prevent non-waste uses on the site in perpetuity and reference should be made in Policy CSW 16 to Policy DM 8 which provides exemption criteria for when non-waste development could come forward.</p> <p>Paragraph 8 of the NPPW (2014) states that when determining planning applications for non-waste development, local authorities should, to the extent appropriate to their responsibilities, ensure that <i>“the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities”</i>. There is no reference to sites which have previously been given planning permission. The KMWLP should therefore focus on ensuring the safeguarding of existing waste management facilities that have been built and allocated sites and areas and not undeveloped sites simply because they have previously been granted planning consent.</p> <p>Permanent planning permission does not necessarily result in waste capacity. For the plan to be found sound, draft Policy CSW 16 should be amended to reflect the need to safeguard waste management facilities that are operational not ones that provide just theoretical capacity. It is suggested it should be amended to state:</p>	<p>A clear list of safeguarded sites sits alongside the AMR.</p>
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LP18	6.16 Policy CSW 16: Safeguarding of Existing Waste Management Facilities	Quod on behalf of Otterpool Park LLP	<p>For the plan to be found sound, draft Policy CSW 16 should be amended to reflect the need to safeguard waste management facilities that do provide waste capacity and not just theoretical capacity. We suggest it should be amended to state:</p> <p><i>“capacity at sites with permanent planning permission for waste management and that are operational within 5 years of planning consent being granted, is safeguarded from being developed for non-waste management uses”</i></p> <p>(or we would be content for it to say 10 years rather than 5 years if KCC considered that to be more appropriate).</p> <p>For the same reason, the definition in footnote 114 of draft Policy CSW 16 should be amended to state:</p> <p><i>“Existing facilities’ are taken as those which have permanent planning permission for minerals and waste uses and that are operational within 5 years of the planning consent being granted”</i></p> <p>(or we would be content for it to say 10 years rather than 5 years if KCC considered that to be more appropriate).</p> <p>The Kent MWLP Annual Monitoring Report (AMR) should be updated to include a clear list of waste sites. 8. It is not appropriate to prevent non-waste uses on sites in perpetuity where waste facilities have been granted permission previously and reference should be made in Policy CSW 16 to Policy DM8 which provides criteria for when non-waste development could come forward.</p>	No change to policy or explanatory footnote. Consented waste management capacity that has been lawfully implemented should be considered part of the County Council’s safeguarded waste management capacity. Policy DM 8 allows development to come forward if it meets the criteria of the policy to allow the presumption to safeguard to be set aside.
ID29	16.8.2	Environment Agency	As discussed earlier in this letter, should a permit application be submitted under the RSR permitting regime, we will undertake the appropriate Habitats Assessment as a Competent Authority for RSR. Mentioning this in this section would provide clarity.	Changes to the supporting text are proposed which address these concerns.
ID29	16.8.6	Environment Agency	This section is confusing and should be re-written to provide clearer understanding of the process. Please refer to our letter of 17 May 2022 for details.	Changes to the supporting text and to Policy CSW17 are proposed which address these concerns as appropriate.
ID29	6.17 Radioactive Waste Management	Environment Agency	<p>The definitions of types of radioactive waste are not accurate. We suggest using more up to date documents to define categories of radioactive waste, such as the management of higher activity radioactive waste on nuclear licensed sites (onr.org.uk), which is guidance from the Office for Nuclear Regulation, the Environment Agency, the Scottish Environment Protection Agency and Natural Resources Wales to nuclear licensees.</p> <p>LLW (Low Level Waste) - Solid radioactive waste, including any immediate packaging, with an activity concentration not exceeding 4 gigabecquerels per tonne of alpha emitting radionuclides or 12 gigabecquerels per tonne of all other radionuclides.</p>	The definitions of radioactive waste are accurate and are still in use. Text added to note change to legislation.

			<p>VLLW (Very Low Level Waste) - A former sub-category of LLW that, due to amendments to legislation in 2011 is now obsolete; VLLW has been replaced by a category of exempt waste. Exempt (from regulatory control) waste - Radioactive waste can be exempt from specific regulatory control if it satisfies the criteria laid down in the regulations. In England and Wales, the levels are described Schedule 23, Part 6 of the Environmental Permitting Regulations 2016. In Scotland, the requirements are set out as general binding rules in Schedule 9 of EASR18. Exempt waste within the levels outline above will meet the criteria for an exemption. If levels are exceeded, an environmental permit will be required.</p>	
ID18	<p>6.18 Policy CSW 17: Waste Management at the Dungeness Nuclear Site</p> <p>Supporting text at para. 6.18.2, para. 6.18.4 and para. 6.18.6</p>	<p>Nuclear Decommissioning Authority (NDA) and Magnox Limited (Magnox)</p>	<p>NDA/Magnox welcome progress that has been made to date on amendments to Policy CSW 17 and its supporting text, which is in line with the NDA strategy and Government and regulatory guidance. However additional changes are required to ensure the policy and supporting text is fully compliant with these strictures, and for the policy to provide a robust framework for the determination of planning applications that come forward in the future.</p> <p>Proposed amended version of Policy CSW17</p> <p>For ease of reference the proposed amended wording of policy CSW17 is included below with the requested changes by NDA and Magnox in bold and that stricken through, and original policy retained text in italics:</p> <p><i>Policy CSW 17 - Waste Management at the Dungeness Nuclear Licensed Sites</i></p> <p>Management of Storage, treatment, disposal and / or management of <i>radioactive waste</i></p> <p>Facilities for the management (including storage, treatment or disposal) storage and/or management of <i>radioactive waste will be acceptable within the Dungeness Nuclear Licensed Sites where:</i></p> <ol style="list-style-type: none"> <i>1. this is consistent with the national strategy for managing radioactive waste and discharges; and</i> <i>2. the outcome of environmental assessments justify it being managed on site.</i> <p>On-Site Disposal of Waste</p> <p><i>The only wastes that will be acceptable for disposal within the Dungeness Nuclear Licensed Sites are non-hazardous low-level and very low-level radioactive wastes, or other non hazardous inert (non-radioactive) wastes.</i></p> <p><i>The types of disposal of such wastes that would be acceptable are:</i></p> <ul style="list-style-type: none"> <i>• In situ disposal of inground structures and foundations (including contaminated below-ground structures, foundations and redundant drains);</i> <i>• The back-filling of voids within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures; and</i> <i>• Purpose built landfill or land raise activities within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures.</i> <p><i>Planning permission for the disposal of waste arisings as described above will be granted if it can be demonstrated that there is an overriding need for this the development is the optimum waste management approach and that impacts on the sustainability, including environment, of the area mitigated to an acceptable level as demonstrated with reference to baseline data.</i></p> <p>With regard to amendments required in the policy's supporting text the following comments are made.</p> <ul style="list-style-type: none"> • Para. 6.18.2- reference in the last sentence to "including baseline data and monitoring of vehicle movements, air quality and bird populations" should be removed. NDA/Magnox will be required to provide baseline data with planning applications; however it is considered that the issues identified are too specific and in (in the context of on-site disposal projects) 	<p>Changes to Policy CSW 17 are proposed which are intended to address NDA/Magnox concerns as appropriate. These changes have been discussed with NDA/Magnox and differ from the original proposed text included in the original NDA/Magnox consultation response.</p>

			<p>exclude for example assessment of the impact on groundwater. It is requested that the last sentence is amended to read as follows:</p> <p>“To enable the competent authority under the Habitats Regulations to: i) Determine the need for appropriate assessment of applications for waste management and disposal at the Dungeness nuclear sites; and ii) undertake such assessment where it is deemed necessary, sufficient relevant information will be required to accompany each planning application.”</p> <ul style="list-style-type: none"> • Paragraph 6.18.4 – the last sentence refers to “the NDA and Magnox Ltd do not anticipate any import of radioactive waste for disposal at Dungeness”. It is considered that such a statement is potentially misleading if it is taken to exclude the possibility that there may be movement of radioactive waste between the Dungeness A and B sites, depending on the voids each has and when they are available. The text should therefore be amended to clarify this. • Paragraph 6.18.6 – This includes the following sentence. “Separate EA guidance (ref. footnote 96) relating to the in situ disposal of radioactive waste in a dedicated disposal facility needs to be followed when preparing the ESC for such a facility.” It is considered that this sentence should be amended to reflect the fact that “in situ disposal” and “disposal of radioactive waste in a dedicated disposal facility” are mutually exclusive concepts for disposal. Reference is also made to footnote 96 which is defined as: “96. ‘Near-surface Disposal Facilities on Land for Solid Radioactive Wastes: Guidance on Requirements for Authorisation’ (NS-GRA) (EA et al., 2009). This is commonly referred to as the “GRA”. However, the forms of on-site disposal the NDA and Magnox might propose (in situ disposal and/or disposal for a purpose) would relate to the application of the “GRR” not the GRA, the GRR being “Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation” which was published by the Environment Agency in 2018. It would only be if a proposal involved disposal in a dedicated, purpose built facility that the GRA would apply. It is considered that the above clarification is made in para. 6.18.6 of the policy’s supporting text. 	
ID24	6.18 Policy CSW 17: Waste Management at the Dungeness Nuclear Site	Tunbridge Wells Borough Council	The changes are noted but TWBC does not wish to comment on this policy.	Noted
ID23	6.18 Policy CSW 17: Waste Management at the Dungeness Nuclear Site	Tunbridge Wells Borough Council	The additional paragraphs and changes are noted. TWBC does not wish to comment on this policy.	Noted
ID29	6.18 Policy CSW 17: Waste Management at the Dungeness Nuclear Site	Environment Agency	It is not clear that the revisions to this Policy fully reflect our conversations earlier this year. Please refer to our letter of 17 May 2022. Please also note the revised policy mentions VLLW and should be updated.	Changes to the supporting text and to Policy CSW17 are proposed which address these concerns as appropriate.
ID47	6.18 Policy CSW 17: Waste Management at the Dungeness Nuclear Site	Natural England	Natural England has significant concerns regarding the proposed amendments to Policy CSW 17. The Dungeness licensed sites sit within an area of significant geomorphological and nature conservation interest of national and international importance. The licensed sites themselves fall in part within the Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest and the	Changes to the supporting text and to Policy CSW 17 are proposed which address these concerns as appropriate. An updated Habitats Regulation Assessment (HRA) has been prepared which shows that the changes to the Policy

			<p>Dungeness Special Area of Conservation. Any increase in activity within these licensed sites has the potential to have a likely significant effect upon the Special Area of Conservation and impact the Site of Special Scientific Interest. Natural England recommends that the policy wording is strengthened significantly to more closely reflect the requirements of the National Planning Policy Framework to ensure that impacts to the designated site are avoided or fully mitigated (rather than being 'mitigated to an acceptable level'). Any proposal will also be subject to a Habitats Regulations Assessment where a likely significant effect cannot be ruled out.</p> <p>Having reviewed the accompanying Habitats Regulations Assessment to the Plan, Natural England remains concerned regarding the amendment to policy CSW 17. We consider much greater clarity on how the amendments to the policy wording could impact the designated sites and what additional activities this would permit above the consented activities is provided. This will allow a robust consideration of the potential implications from the amendments and a comprehensive Habitats Regulations Assessment to be undertaken. We would therefore welcome the opportunity to explore more fully the implications of the amendments to CSW 17 with the Council to ensure that the Policy wording is sufficiently robust to conserve and enhance the rich environment of the Dungeness designated sites.</p>	would not lead to a change to the impacts on the designated Sites.
ID24	6.19 Policy CSW18: Non-nuclear Radioactive Low Level Waste (LLW) Management Facilities	Tunbridge Wells Borough Council	The changes are noted but TWBC does not wish to comment on this policy.	Noted
ID29	6.19 Policy CSW18: Non-nuclear Radioactive Low Level Waste (LLW) Management Facilities	Environment Agency	Please revise use of phrase Very Low Level Waste in this Policy. If non-nuclear facilities are required outside the nuclear site boundary, then they may require non-nuclear permits for the accumulation and disposal of radioactive waste.	Noted. The use of the term Very Low Level Waste is appropriate - this term is still in use.
7. Development Management Policies				
ID16	7.1 Policy DM 1:Sustainable Design	Tonbridge and Malling Borough Council	TMBC supports the additional biodiversity net gain wording in this policy.	Noted
ID24	7.1 Policy DM 1:Sustainable Design	Tunbridge Wells Borough Council	The new criteria and wording to incorporate measures which increase the emphasis on reducing carbon output and addressing climate change are noted and welcomed. See also, the comments on Policies CSM1 and CSW1 above.	Noted
ID23	7.1 Policy DM 1:Sustainable Design	Tunbridge Wells Borough Council	The new additional wording relating to BNG and BREEAM standards is welcomed.	Noted
ID31	7.1 Policy DM 1:Sustainable Design Paragraph 7.1.3	Gravesham Borough Council	The Council notes that paragraph 7.1.3, as explanatory text to Policy DM1, requires developments over a 'certain size' to achieve a BREEAM 'Very Good' rating. However, footnote 105, which defines what is meant by a "certain size", then refers to requirements for a Circular Economy Statement. While these size thresholds may be the same, the definition of certain should be clarified. Also, if there is to be a size threshold, policy DM1 itself should include it.	A change is proposed to the supporting text of Policy DM1 to address this comment.
ID42	7.1 Policy DM 1:Sustainable Design Paragraph 7.1.4	Kent Downs AONB	Support the inclusion of reference to soils in para 7.1.4, although consider it would be beneficial for this to be included in the policy wording of DM1, rather than just sitting in the background text.	A change is proposed to Policy DM1 to ensure the impact on soils is specifically addressed.
ID47	7.1 Policy DM 1:Sustainable Design Policy DM1, point 6	Natural England	The proposed amendments to point six of Policy DM 1 include the removal of biodiversity from the matters to be considered. Natural England recommends that the Policy includes specific reference to the sites of biodiversity and landscape value and how any development will avoid, fully mitigate or as a last resort compensate for any impacts to these assets. Such amendments would more closely reflect the requirements of the National Planning Policy Framework.	This matter is addressed in clause by the change to clause 7. Continued reference to biodiversity in clause 6 would cause duplication and potential confusion/inconsistency within the Plan's policies.

ID41	7.1 Policy DM 1: Sustainable Design Policy DM1, point 8	Individual	Change 'minimise' to 'avoid' because we will need all available agricultural land to feed the growing population. relying on imported food makes us vulnerable to climate change and global conflicts (e.g. Ukraine)	In certain circumstances the loss of Best and Most Versatile Agricultural Land will be outweighed by the need for the development. Such a change as proposed would not be consistent with national policy in the NPPF.
ID20	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment	Kent Nature Partnership	<p>Recognises the huge contribution that minerals sites provide for nature recovery, particularly in the case of restoration schemes at the end of the working life of a site. The Nature After Minerals partnership programme provides best practice advice in this area and we would recommend the adoption of these approaches.</p> <p>The working of mineral sites provides an excellent opportunity to enhance biodiversity and we would recommend that through the planning system, each site should be considered on its merits, in terms of how to secure the best gain for the county.</p> <p>The KNP is making the case for delivering Biodiversity Net Gain (BNG) above the mandatory 10% in Kent and Medway for housing and has shown that the biggest cost is the initial 10% and moving to 20% negligible in terms of viability for developers.</p> <p>However, for minerals sites, we recognise that the best quality gains may be delivered through long term restoration schemes and that the scale of BNG that a given site will be able to deliver will vary hugely case to case.</p> <p>Some mineral sites can provide considerable gains on a large scale as aligned with Lawton Principles and the KNP would positively encourage and embrace such schemes. It would be helpful if such opportunities are captured in the forthcoming Local Nature Recovery Strategy for Kent and Medway. KCC will be the responsible authority, while the KNP will be used as the initial partnership framework for strategy development.</p> <p>In addition, in some circumstances, a restoration scheme for a minerals site, could be used to provide the off-site BNG for other developments thus providing the opportunity for even greater and potentially larger restoration schemes to deliver significant improvement at scale.</p> <p>The KNP is working closely with planning authorities to develop BNG policy for Kent and Medway and is keen to ensure the policy works well for both housing developments as well as minerals sites.</p> <p>Would like to take opportunity to provide further input though to the adoption of the new KMWLP.</p>	Noted
ID31	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment	Gravesham Borough Council	<p>The Council welcomes that KCC has picked up on previous comments made by the Council in recognising that 10% is likely to be the statutory minimum biodiversity net gain (BNG) requirement and that the Kent Nature Partnership is seeking a minimum of 20% BNG from all relevant proposals (still to be defined). It is also noted that the aim is to maximise BNG where practicable when mineral sites are restored, despite paragraphs 174 and 179 of the NPPF only referring to measurable gains rather than maximising biodiversity.</p> <p>The detailed policy wording is vague and fails to provide developers of minerals sites with certainty over what they are expected to deliver in terms of biodiversity net gain or how that should be measured if they are to comply with the policy. While it is noted at paragraph 7.2.4 that the intention is to provide separate guidance on this matter, but no mention of this is made in the policy itself.</p>	Wording of Policy DM2 has been amended to clarify that the requirement for 'maximum practicable' BNG will only apply to BNG that can be achieved 'on-site' (at the development site).
ID42	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance	Kent Downs AONB	Welcome the inclusion of requirement for enhancement as well as conservation in AONBs and the reference to AONB setting.	Noted

	and Policy DM 3: Ecological Impact Assessment Paragraph 7.2.1			
ID37	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Paragraph 7.2.2	Woodland Trust	Welcome the new reference in paragraph 7.2.2 to the emerging Local Nature Recovery Strategy for Kent.	Noted
ID37	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Paragraph 7.2.4	Woodland Trust	Welcome the new reference in paragraph 7.2.4 to the calls by the Kent Local Nature Partnership for requiring greater than the statutory minimum of 10% biodiversity net gain, given the important irreplaceable habitats in the county (such as the Blean complex) and the intense pressure for development, including nationally significant infrastructure projects.	Noted
ID42	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Paragraph 7.2.4	Kent Downs AONB	Support the requirement for 20% BNG here.	Noted
ID27	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Paragraph 7.2.4	Mineral Products Association	There is no evidence presented to justify why the Kent Nature Partnership 'expects' at least 20% biodiversity gain to be achieved, or why weight is given to this 'expectation'. This appears to simply double the (arbitrary) level required by the Environment Act. While management and restoration of minerals sites can often deliver biodiversity gain well above the minimum level, this is not always the case and is not always as straightforward as may be assumed, given the way the Metric works (it was designed for development types other than minerals and does not reflect the unique characteristics that are referred to in the separate Biodiversity Topic Paper). It is increasingly common for minerals sites to be developed and operated on a leasehold basis, and there is no guarantee that the landowner would entertain biodiversity gain and associated 30-year management post-development, which may result in sites not coming forward in the first place (affecting supply) or restoration to after uses that are not biodiversity-led. This may mean achieving 10% on- or off-site would be difficult. Applying a blanket 20% is not justified. It would be more practicable and realistic to apply a case-by-case approach where biodiversity gain objectives (above the minimum) should reflect opportunities and constraints and be agreed at an early stage by the planning authority and the applicant.	The change to the policy does not require the achievement of at least 20%. The use of the term maximum practicable is intended to reflect the fact that in certain circumstance it may be possible for development to achieve much more than the statutory minimum 10%, however, in the case of quarry restoration in particular there is evidence that indicate well in excess of 10% and indeed greater than 20% BNG can be achieved. The Council's approach of not including a specific percentage is intended to avoid this being taken as a target which would result in less BNG being achieved than might otherwise occur. Note that the wording of Policy DM2 has been amended to clarify that the requirement for 'maximum practicable' BNG will only apply to BNG that can be achieved 'on-site' (i.e. at the development site).
ID16	7.2 Policy DM 2: Environmental and Landscape Sites of International, National	Tonbridge and Malling Borough Council	TMBC support the inclusion of ' <i>irreplaceable habitats and ancient or veteran trees</i> ' in this policy in accordance with para 180 of the NPPF.	Noted

	and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 2			
ID24	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 2	Tunbridge Wells Borough Council	It is noted that ancient woodland is included in the policy, but TWBC would query whether the impact on other heritage assets should also be mentioned e.g. historic parks and gardens.	Noted - Policy DM 5 makes reference to Heritage Assets (including historic parks and gardens).
ID23	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 2	Tunbridge Wells Borough Council	The additional wording in relation to ancient and veteran trees and the justification for wholly exceptional circumstances is welcomed. However, it is noted that no other heritage assets have been added e.g. historic parks and gardens as requested by TWBC in our comments to the previous consultation.	Noted - Policy DM5 makes reference to Heritage Assets (including historic parks and gardens).
ID37	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 2	Woodland Trust	<p>Welcome the strengthened wording to protect ancient woodland and trees in section 2 of this policy, in particular:</p> <ul style="list-style-type: none"> • The explicit recognition that ancient woodland is an irreplaceable habitat • Including ancient and veteran trees alongside ancient woodland in this definition • Requiring both wholly exceptional reasons and a suitable compensation strategy before considering any proposal within or impacting on such habitats. <p>Direct impacts that would lead to damage or loss of ancient woodland habitat or veteran trees must either be avoided or compensated for if the need is judged to be truly exceptional; there is no appropriate mitigation for the loss of irreplaceable habitats.</p> <p>Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced by new woodland, this should aim to create thirty hectares of new woodland for every hectare lost.</p> <p>We recommend adding further wording requiring appropriate buffers where sites are close to ancient woodland. Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum fifty metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance. Further information is available in the Trust's Planners' Manual for ancient woodland.</p> <p>We therefore recommend strengthening the policy as follows:</p> <p><i>After "Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact irreplaceable habitat such as Ancient Woodland and ancient or veteran trees will not be granted planning permission or identified in updates to the Minerals Sites Plan and any Waste Sites Plans unless the need for, and the benefits of the development in that location clearly</i></p>	<p>Noted - Recognise support for policy changes. Other matters related to mitigation for habitat / ancient woodland loss would be considered at detailed planning application stage.</p> <p>Detailed matters related to habitat loss and any appropriate mitigation (including buffers) would be addressed at detailed planning application stage.</p> <p>Recognise role that buffers play in mitigation on a site by site basis and include sentence in para 7.2.4 (supporting text) to reflect this.</p>

			<p><i>outweigh any loss, justified by wholly exceptional reasons, and a suitable compensation strategy is in place.</i></p> <p>Add <i>“Where proposals are located adjacent to Ancient Woodland, a minimum 50-meter buffer will generally be required between the development and the woodland, including through the construction phase.”</i></p>	
ID47	<p>7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment</p> <p>Policy DM 2</p>	Natural England	<p>Welcome reference to the management objectives for designated sites within Policy DM 2 (Environmental and landscape sites of international, national and local importance) but consider that the wording should be amended to more closely reflect the requirements of the National Planning Policy Framework. This details in Paragraph 180 that:</p> <p>‘When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) 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;</p> <p>b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest’.</p> <p>Policy DM 2 does not appear to fully reflect the strong presumption against developments which could impact designated sites nor the ‘avoid, mitigate, compensate’ hierarchy for international sites. The wording for Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest more closely reflects the wording within the National Planning Policy Framework which we support. We would therefore recommend that the nature conservation wording is amended to more closely reflect the requirements in the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017 (as amended).</p> <p>The reference to irreplaceable habitats in Policy DM 2 is welcomed; as mentioned above Kent has a rich and varied natural environment and we would support reference to habitats and species or principal importance, protected species and other species and habitats of conservation concerns within Policy DM 2. Such an approach would more closely reflect the requirements of Paragraph 180(a) of the National Planning Policy Framework and ensure that the requirements of the Kent Biodiversity Strategy are incorporated. Whilst it is acknowledged that many of these are included within Policy DM 3, it may be appropriate for consistency for them to be referenced in both policies.</p>	<p>Noted - Reference is made to the avoid, mitigate, compensate hierarchy in paragraph 180 of the NPPF (Sept 2023).</p> <p>Amended to include reference to this hierarchy in Policy DM 2.</p> <p>Both Policy DM 2 and DM 3 would be applied equally.</p>
ID41	<p>7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment</p> <p>Policy DM 2, first paragraph</p>	Individual	Delete 'unacceptable' as no adverse impact should be acceptable for these sites	Noted - Not all adverse impacts are necessarily unacceptable. Each proposal would be considered on its merits.
ID41	7.2 Policy DM 2: Environmental and	Individual	Please define what is acceptable/unacceptable adverse impacts	This is a matter specific to each application. Each application would be considered against all relevant

	Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 2, fourth paragraph of section 2			material considerations, of which potential adverse impacts is one.
ID41	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 2, final paragraph of section 2	Individual	Delete 'unacceptable' as no adverse impact is acceptable for these sites	Noted - Not all adverse impacts are necessarily unacceptable. Each proposal would be considered on its merits.
ID16	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Tonbridge and Malling Borough Council	TMBC support the additional wording to maximise biodiversity net gain.	Noted
ID24	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Tunbridge Wells Borough Council	Reference to geodiversity and the minimum requirement of 10% biodiversity net gain (BNG) are noted and welcomed. Though it is suggested that more information is provided on how BNG will be secured - what information should be submitted, whether any mitigation measures are required and how the site will be managed in the long term. A cross reference to Policy DM17: Planning Obligations may also be beneficial.	Further guidance will be provided once the Plan has been adopted.
ID23	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Tunbridge Wells Borough Council	The additional new wording in relation to maximising BNG is noted and welcomed. However, as per TWBC's comments on the previous consultation it is suggested that more information is provided on how BNG will be secured - what information should be submitted, whether any mitigation measures are required and how the site will be managed in the long term. A cross reference to Policy DM17: Planning Obligations may also be beneficial.	Further guidance will be provided once the Plan has been adopted.
ID29	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance	Environment Agency	Policy DM3 is not very reassuring for the protection of biodiversity. There is no comprehensive proposal to protect priority habitats or Local Wildlife Sites, instead relying on 'compensatory measures' should the impact be 'unacceptable' to biodiversity. Whilst it does include achieving a net gain for biodiversity, the Defra BNG Metric only considers habitats as a proxy for biodiversity and does not consider a lot of in-combination or indirect impacts of a development proposal.	Policy DM2 provides the protection of habitats sought by this comment.

	and Policy DM 3: Ecological Impact Assessment Policy DM 3			
ID42	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Kent Downs AONB	Welcome addition of reference to enhancement as well as conservation of AONBs in the Policy.	Noted
ID37	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Woodland Trust	Welcome the new wording at the end of policy DM 3 that requires the maximum practicable biodiversity net gain from any minerals or waste development.	Noted
ID46	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Maidstone Borough Council	In respect to the requirement of 20% Biodiversity Net Gain on restored sites as set out in Policy DM3, Maidstone welcomes this aspiration as it aligns with emerging policies in its LPR.	The change to the policy does not specifically include a target of 20% BNG but instead seeks the achievement of 'maximum practicable' BNG. The use of the term 'maximum practicable' is intended to reflect the fact that in certain circumstance it may be possible for development to achieve much more than the statutory 10%, however, in the case of quarry restoration in particular there is evidence that well in excess of 10% and indeed more than 20% BNG can be achieved. The Council's approach of not including a specific percentage is intended to avoid this being taken as a target which would result in less BNG being achieved than might otherwise occur. Note that the wording of Policy DM2 has been amended to clarify that the requirement for 'maximum practicable' BNG will only apply to BNG that can be achieved 'on-site' (i.e. at the development site).
ID47	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Natural England	Support the requirements for robust impact assessments to accompany any application for minerals and waste developments and the addition of geodiversity to the policy wording is welcomed (Policy DM 3 Ecological impact assessment). The requirement for an ecological assessment will not necessarily ensure that geodiversity impacts are fully considered so we would recommend that an ecological and/or geological assessment (as appropriate) should accompany any application. Similarly, the requirement for a positive contribution to the conservation and enhancement of biodiversity is welcomed but the amended wording could be strengthened by also including geodiversity. The wording within Policy DM 3 does not appear to mirror the strong presumption against development within, or impacting, statutory designated sites and irreplaceable habitats contained within Policy DM 2 and the National Planning Policy Framework. The wording within Policy DM 3 suggests that providing impacts are avoided, mitigated or compensated then planning	Noted

			permission will be granted; the requirements within Policy DM 2 and the National Planning Policy Framework indicate that permission should only be granted in exceptional circumstances. We would therefore support the amendment of the policy wording to help avoid any potential for confusion.	
ID27	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment Policy DM 3	Mineral Products Association	Biodiversity gain requirements will apply to the vast majority of all applications for development. When challenged about the introduction of the requirement, and the design of the Metric not being primarily for or suited to minerals development, Natural England has stressed the need for a 'level playing field' with one metric being applied using common rules and values, no matter what the development type. Defra has been clear that this is necessary so that developments that deliver above the minimum 10% gain may be able to 'trade' additional biodiversity units created to offset for other developments. This includes minerals sites. Therefore, requiring 'maximum practicable biodiversity net gain' for minerals developments is not reasonable, as even though it may be possible to achieve more than 10% (or even 20%) in some cases, in the new regulatory environment where biodiversity gain is mandatory, minerals should be treated the same way as other development types. As recommended above, early discussion and agreement of biodiversity gain objectives between the planning authority and applicant, reflecting constraints and opportunities, including for targets higher than the 10% mandatory minimum, would be a more realistic and effective approach. Biodiversity gain (units) created above the minimum or the level agreed may then be used to offset other developments (subject to requirements of registering and monitoring etc). Also, for information, publication of the Metric 4.0, and associated regulations and guidance, is delayed and Defra report publication is likely in the first quarter of 2023.	The use of the term 'maximum practicable' is intended to reflect the fact that in certain circumstance it may be possible for development to achieve much more than the statutory 10%, however, in the case of quarry restoration in particular there is evidence that well in excess of 10% and indeed more than 20% BNG can be achieved on site. The Council's approach of not including a specific percentage is intended to avoid this being taken as a target which would result in less BNG being achieved than might otherwise occur. Guidance on the implementation of this policy will be prepared once the Plan has been adopted.
ID28	Policy DM 3: Ecological Impact Assessment	Invicta Planning (on behalf of Borough Green Ltd Sandpits and Sheerness Recycling Ltd)	The policy is intended to prevent any unacceptable adverse impacts on Kent's biodiversity assets. It is proposed to be amended (again) to achieve at least 10% biodiversity net gain (BNG) and for all proposals to demonstrate how the maximum practical BNG shall result for minerals and waste developments. The 10% BNG requirement is consistent with the Environment Act and there is no objection to this objective being part of the Minerals and Waste Local Plan for Kent. NPPF par. 68 requires Strategic Policy Making Authorities to have a clear understanding of the land available in their area and devise policies which take account of site availability, suitability and likely economic viability. The relevant NPPG offers more guidance in relation to viability and plan making. Essentially the guidance is stating that in assessing viability of sites and the cumulative cost of all relevant policies should not compromise or undermine the deliverability of the Plan. Applying a standardised with a higher than 10% BNG needs to be assessed by the Council to understand how it may impact viability and deliverability of the Plan as a whole and individual sites. The detailed policy wording requiring the maximisation of BNG is unclear. It does not explain how the maximisation can be demonstrated or the metric to be used to make an assessment. Without certainty of the amount of BNG to be achieved (i.e., 10% may not be acceptable) it might make sites unviable for delivery is therefore not 'justified' or 'positively prepared'	The change to the policy does not specifically include a % target above the statutory minimum 10% BNG but instead seeks the achievement of 'maximum practicable' BNG. The use of the term 'maximum practicable' is intended to reflect the fact that in certain circumstance it may be possible for development to achieve much more than the statutory 10%, however, in the case of quarry restoration in particular there is evidence that well in excess of 10%, and indeed more than 20% BNG can be achieved on site. The Council's approach of not including a specific percentage is intended to avoid this being taken as a target which would result in less BNG being achieved. Note that the wording of Policy DM2 has been amended to clarify that the requirement for 'maximum practicable' BNG will only apply to BNG that can be achieved 'on-site' (i.e. at the development site).
ID35	Policy DM 3: Ecological Impact Assessment Para. 7.2.4	Gallagher Aggregates Ltd (GAL)	GAL, like the rest of the mineral industry, has provided environmental enhancements through progressive restoration and long-term management as the company's track record demonstrates in Kent show. The KMWLP does not clarify or justify why mineral operations restorations should, going into the future, be required to deliver double the statutory minimum BNG or maximise it. The imposition of a blanket target over and above the statutory minimum BNG runs the risk of making it impossible for the minerals industry to bring sites forward to the detriment of future minerals supply and the many sectors which rely on it and on which society depends.	The change to the policy does not specifically include a % target above the statutory minimum 10% BNG but instead seeks the achievement of 'maximum practicable' BNG. The use of the term 'maximum practicable' is intended to reflect the fact that in certain circumstances it may be possible for development to achieve much more than the statutory 10%, however, in the case of quarry restoration in particular there is evidence that well in excess of 10%, and indeed more than 20%, BNG can be achieved on site. The

			Whilst it may be possible to achieve more than 10% BNG on certain sites, this would be more appropriately determined through discussion and agreement between the mineral planning authority (MPA) and applicant, taking into account the unique opportunities and constraints of individual sites. GAL concurs with the Mineral Products Association's submission on the proposed amendments to the KMWLP with respect to BNG. As stated in relation to Objective 9 amendments to the KMWLP the Plan should be unambiguous in its requirements for BNG and clear as to the basis for any targets over and above the statutory requirements.	Council's approach of not including a specific percentage is intended to avoid this being taken as a target which would result in less BNG being achieved. Note that the wording of Policy DM2 has been amended to clarify that the requirement for 'maximum practicable' BNG will only apply to BNG that can be achieved 'on-site' (i.e. at the development site).
ID26	7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment Paragraph 7.4.2	Historic England	We note the absence of reference to Historic England's recently updated advice on Mineral Extraction and Archaeology (Historic England Advice Note 13) in the updated text at paragraph 7.4.2. This advice document is particularly pertinent to the mineral and waste planning process and should be added to the paragraph.	Noted - Change proposed to paragraph 7.4.2 to address this comment.
ID24	7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment Policy DM 5	Tunbridge Wells Borough Council	It is considered that other heritage assets such as ancient woodland should also be included in the policy. In addition, locally listed assets now tend to be referred to as non-designated heritage assets (NPPF terminology) and it is suggested that the policy be amended to include reference to these. The level of harm (paras 199 to 202 of the NPPF) and the significance of heritage assets (para 197 of the NPPF) are key factors in the assessment of any development proposals affecting heritage assets and it is considered that some wording (as suggested below) should be included on this: <i>'Proposals should result in no unacceptable adverse impact on Kent's historic environment and, wherever possible, opportunities should be sought to enhance historic assets affected by the proposals. Minerals and/or waste proposals that would harm the significance of a heritage asset will not be granted planning permission unless it can be demonstrated that there is an overriding need for development and any impacts can be mitigated or compensated for, such that there is a net planning benefit, as set out in national policy for the historic environment.'</i>	It is considered that the inclusion of ancient woodland in Policy DM 5 would not be appropriate considering the relation to heritage assets and consider this is most appropriately addressed in section 2 of Policy DM 2 which refers to National Sites and includes ancient woodland. Noted - Changes proposed to Policy DM 5 to address this comment and ensure consistency with the NPPF.
ID23	7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment Policy DM 5	Tunbridge Wells Borough Council	As per TWBC's comments on the previous consultation, it is considered that other heritage assets such as ancient woodland should also be included in the policy. In addition, locally listed assets now tend to be referred to as non-designated heritage assets (NPPF terminology) and it is suggested that the policy be amended to include reference to these. The level of harm (paras 199 to 202 of the NPPF) and the significance of heritage assets (para 197 of the NPPF) are key factors in the assessment of any development proposals affecting heritage assets and it is considered that some wording (as suggested below) should be included on this: <i>'Proposals should result in no unacceptable adverse impact on Kent's historic environment and, wherever possible, opportunities should be sought to enhance historic assets affected by the proposals. Minerals and/or waste proposals that would harm the significance of a heritage asset will not be granted planning permission unless it can be demonstrated that there is an overriding need for development and any impacts can be mitigated or compensated for, such that there is a net planning benefit, as set out in national policy for the historic environment.'</i>	Noted - Changes proposed to Policy DM 5 to address these comments and ensure consistency with the NPPF.
ID31	7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment Policy DM 5	Gravesham Borough Council	While GBC notes the KCC response in the consultation statement on the consistency of this policy with national policy, minor amendments to the policy wording are suggested the addition of ' non designated ' after ' locally listed ' in the first paragraph of Policy DM 5. Also suggests the addition of ' when considered in accordance with national policy ' after ' unacceptable adverse impact on a heritage asset ' in the final paragraph of Policy DM 5.	Noted - Changes proposed to Policy DM 5 to address these comments and ensure consistency with the NPPF.
ID41	7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment	Individual	Remove the word 'unacceptable' as no adverse impact is acceptable for these heritage assets	Noted - Changes proposed to Policy DM 5 to address this comment and ensure consistency with the NPPF.

	Policy DM 5, last paragraph			
ID24	7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment Policy DM 6, criterion 1	Tunbridge Wells Borough Council	As above, it is considered that this policy should include non-designated heritage assets. Also, that setting should be included in the wording as suggested below: Criterion 1 – ‘A preliminary historic environment assessment, including field archaeological investigation and assessment of contribution towards setting where appropriate, to determine the nature and significance of the heritage assets.’	Noted - Changes proposed to Policy DM 6 to address these comments.
ID23	7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment Policy DM 6, criterion 1	Tunbridge Wells Borough Council	As per TWBC’s comments on the previous consultation and as set out under policy DM5 above, it is considered that this policy should include non-designated heritage assets. Also, that setting should be included in the wording as suggested below: Criterion 1 – ‘A preliminary historic environment assessment, including field archaeological investigation and assessment of contribution towards setting where appropriate, to determine the nature and significance of the heritage assets.’	Noted - Changes proposed to Policy DM 6 to address these comments.
ID13	7.5 Policy DM 7: Safeguarding Mineral Resources and 7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Ebbsfleet Development Corporation	It is noted that the consultation does not propose any changes to the text or pre-text to safeguarding policies DM7 or DM8, the latter of which is of particular relevance to EDC due to the number of safeguarded river wharves within its area.	Noted. The County Council remains committed to having a NPPF compliant safeguarding approach in the policies of the Plan, such that the criteria for any argued exemption to the presumption to safeguard (as set out in Policy DM 7 and Policy DM 8) are robust.
ID24	7.5 Policy DM 7: Safeguarding Mineral Resources and 7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Tunbridge Wells Borough Council	As you are aware the KMWLP forms part of the Development Plan for Tunbridge Wells. In the TWBC Submission Local Plan 2021 (SLP) (the independent examination for which is imminent), there is a section on the KMWLP in the introduction of the SLP which makes specific reference to policies DM 7 and DM 8. It is noted that not many changes have been made to these policies. However, it is apparent that the Safeguarding SPD referred to has recently been adopted, but no date is provided. It is also considered that a link to this SPD within the supporting text would be helpful. In the policy boxes themselves it is considered that the name of the SPD (and link) should be included for clarity rather than it just saying, ‘Further guidance on the application of this policy is included in a Supplementary Planning Document’. In relation to Policy DM 8 - The changes are noted but TWBC does not wish to comment on this policy.	The Safeguarding Supplementary Planning Document is dated to March 2021. The Supplementary Planning Document or associated guidance will be maintained by the County Council and updated as required. Any policy wording should not contain links to other documents that may become no longer available due to legislative changes, or because of web browser changes unrelated to the Plan document.
ID23	7.5 Policy DM 7: Safeguarding Mineral Resources and 7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Tunbridge Wells Borough Council	As you are aware the KMWLP forms part of the Development Plan for Tunbridge Wells. In the TWBC Submission Local Plan 2021 (SLP) (which is currently subject to examination), there is a section on the KMWLP in the introduction of the SLP which makes specific reference to policies DM 7 and DM 8. As per TWBC’s comments on the previous consultation, it is noted that not many changes have been made to these policies. However, it is still considered that a link to the now named Safeguarding SPD within the supporting text would be helpful and that it also be named in the Policy boxes for clarity rather than it just saying, ‘Further guidance on the application of this policy is included in a Supplementary Planning Document’.	Any policy wording should not contain links to other documents that may become no longer available due to legislative changes, or because of web browser changes unrelated to the Plan document.

ID49	7.5 Policy DM 7: Safeguarding Mineral Resources and 7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Ashford Borough Council	<p>In the Council's previous response dated 1st March 2022, the Council invited KCC to use the Local Plan as a means to clarify the position with regard to mineral exemptions. Our concerns largely sought clarity from KCC about how 'exempt' site allocations were determined.</p> <p>KCC's adopted SPD, states '<i>A list of allocations in District and Borough Local Plans that the County Council consider have adequately taken waste and mineral safeguarding into account at the plan making stage will be included and updated in the County Council's Annual Monitoring Report. Development which comes forward within these allocations will be exempt from safeguarding provisions</i>'.</p> <p>However, KCC's latest AMR dated December 2021 does not report any exemptions. The Council note KCC's intention to provide an addendum to the current AMR, however, until such time that an addendum or updated AMR (including site exemptions) is published, the Council remain of the view that the Local Plan could be used to clarify this position once and for all, and that this would help all those concerned particularly Plan Makers. Consequently, the Council previous comments still remain.</p>	The 1st of April to 31st March Annual Monitoring Report (AMR) at Appendix 4: Safeguarding Considerations-Local Plan allocations in Kent, pages 57 to 76 sets out the Kent local plan allocations that are exempt from safeguarding constraints.
ID27	7.5 Policy DM 7: Safeguarding Mineral Resources and 7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Mineral Products Association	See comments in relation to 5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots above – comments also apply here in relation to Policy DM 8.	Noted. Proposed change to supporting text to reflect the irreplaceability of rail depot sites and their safeguarding being imperative to maintaining future supply.
ID33	7.5 Policy DM 7: Safeguarding Mineral Resources	Otterpool Park LLP (Quod)	<p>The policy describes the circumstances in which non-mineral developments that are incompatible with safeguarding a resource would be acceptable.</p> <p>Where proposals for non-mineral developments come forward which make a significant housing contribution and provide a policy compliant level of affordable housing, the benefits should outweigh a presumption to safeguard the safeguarded mineral where extraction has not yet come forward – this should be stated as a specific example of exemption in the exemption criteria policy wording. Housing delivery to meet the trajectory of the recently adopted FHDC Core Strategy Review (2022) should be taken into account. It is suggested that further additional exemption wording could be inserted into Policy DM 7 (beneath the list of seven criteria) to reflect the importance of exceptional cases such as the Proposed Development:</p> <p><i>"It is recognised that there are exceptional cases where the benefits of delivering a particular development are so great. Therefore, in the case of plan-led comprehensive new settlements, this policy will not apply."</i></p>	No policy change required. The ability to argue 'overriding' and 'exceptional' circumstances to meet the relevant exemption criterion (5) in Policy DM 7 exists, this can be applied to developments that are identified in Plans (that do not meet the requirements of exemption criterion 7) and to 'windfall' sites that have land-won safeguarding implications.
LP18	7.5 Policy DM 7: Safeguarding Mineral Resources	Quod on behalf of Otterpool Park LLP	Where proposals for non-mineral developments come forward which make a significant housing contribution and provide a policy compliant level of affordable housing, the benefits should outweigh a presumption of continuing to safeguard a site for mineral extraction which has not yet come forward – this should be stated as a specific example of exemption in the policy wording. Delivery of housing to meet the trajectory envisaged in the recently adopted FHDC Core Strategy Review (2022) should be taken into account. Where there is conflict between policies in a plan which is adopted after another document in the development plan, the more recent policy takes precedent. In this instance, the more recent document is the FHDC Core Strategy Review (2022), which designates the site as a new garden settlement.	No policy change required. The ability to argue an exemption to the presumption to safeguard finite land-won mineral resources on the basis of an 'overriding need' for non-mineral development is set out in criterion 5. It also sets out that prior extraction of the threatened mineral resources should be explored before invoking the exemption. Therefore, there are sufficient safeguards for non-mineral development to have the case for an 'overriding need' that outweighs the safeguarding presumption, including such matters of practicality for any

			<p>We suggest that further additional wording could be inserted into Policy DM 7 (beneath the list of seven criteria) to reflect the importance of exceptional cases such as the Proposed Development:</p> <p>“It is recognised that there are exceptional cases where the benefits of delivering a particular development are so great. Therefore, in the case of plan-led comprehensive new settlements, this policy will not apply.”</p>	<p>prior mineral extraction, to be presented to the County Council as the mineral safeguarding authority.</p> <p>The relevant guidance is also included in the Safeguarding SPD. The SPD or associated guidance will be maintained by the County Council and updated as required. Moreover, the argument that more recently adopted local plans should, if they have allocations exist on safeguarded mineral bearing land, should take precedence is entirely counter to the principle of finite land-won mineral safeguarding. The policy has a criterion (7) that allows an exemption to be argued for a local plan allocated development provided that the allocation in that relevant local plan has been the subject of mineral safeguarding consideration via the local plan formulation and examination process. Therefore, to simply allow the adopted FHDC Core Strategy Review (2022) to circumvent that process retrospectively would undermine the KMWLP’s mineral safeguarding strategy and that of the NPPF that makes clear finite mineral resources are to be conserved (NPPF 2023, Part 17. Facilitating the sustainable use of minerals para. 209, page 59).</p>
ID33	7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Otterpool Park LLP (Quod)	<p>The policy sets out the circumstances when safeguarded minerals and waste development may be replaced by non-waste and minerals uses.</p> <p>It is considered that Policy DM8 should only apply for waste facilities where there is existing operational capacity which is proposed to be lost through proposals for non-waste uses. Notwithstanding that it is considered that the Permitted Waste Facility should not be safeguarded. The policy should not be applied to Otterpool Park proposals. The policy overly restrictive and should be updated to take account of the recently adopted Core Strategy Review (2022), which does not require a waste facility to be provided within the new garden settlement allocation area. PPG Para.: 072 Reference ID: 61-072-20190315 states that where there is conflict between policies in a plan which is adopted after another document in the development plan, the more recent policy takes precedent. The more recent document is the FHDC Core Strategy Review (2022), which designates the site as a new garden settlement.</p> <p>It is considered that the hurdles that an applicant is required to overcome to meet the criteria are, in some circumstances, too great and, do not reflect site-specific conditions about a particular safeguarded facility and its relationship with a potential development which may impact its delivery.</p> <p>The current policy wording does not consider a scenario where a safeguarded minerals management, transportation or waste management facility has no (limited) prospect of being delivered. This includes permitted facilities which are either extant but not implemented, or where implementation has taken place, but it will not be completed (such as the safeguarded facility). The landowner of the safeguarded site has no intention to complete the consented development and build out the facility.</p>	<p>No policy change required. Safeguarding of lawfully implemented waste management capacity is required. If this did not occur the County Council’s safeguarding of facilities in the drive to maintain self-sufficiency over the projected plan period would be undermined and potentially be an unsound approach to plan preparation.</p> <p>Noted. The process of assessing whether there is overriding need that is sufficient to invoke an exemption from the presumption to safeguard is set out in Policy DM 8 for all applicants to address in their submissions to the determining planning authority.</p> <p>The policy wording reflects the principle of safeguarding and the circumstances of when an exemption from the presumption to safeguard that applies in the Plan area.</p> <p>The decision-making planning authority for non-waste development would be the local not Kent County Council; the local authority would assess, in consultation with Kent</p>

		<p>There are elements of existing policy wording which enable a subjective view to be adopted. Criteria 6 states that planning permission will only be granted for development that is incompatible where <i>“material considerations indicate that the need for development overrides the presumption for safeguarding”</i>. This wording allows the decision-taker (KCC) to resist a proposal for alternative development and not accept the demonstrable <i>‘material considerations’</i> that weigh in the determination of planning applications, as required by s38(6) of TCPA 1990, irrespective of their significance.</p> <p>The policy as currently drafted is ineffective. There is a demonstrable housing and affordable housing crisis in the local area and nationally. Where proposals for non-waste uses come forward which make a significant housing contribution and provide a policy compliant level of affordable housing the benefits should outweigh a presumption to safeguard a site for waste management provision – this should be stated as a specific example of exemption in the policy wording.</p> <p>The policy provides very little opportunity for an applicant of an ‘incompatible’ development to align themselves to specific planning circumstances that could be met to expressly justify the loss of a safeguarded facility. Planning and development policies throughout the UK often include time based and evidence-based tests which, if met, allow an existing use or operation to be replaced by another use or operation (for example, where suitable evidence demonstrates that demand for an existing employment use is no longer present, and that use can be changed to another). Introduction of such wording would represent a more pragmatic approach and would enable safeguarded sites to be protected where necessary, while recognising that in some instances it is not appropriate to continue to plan for their delivery.</p> <p>It is suggested that the following wording is inserted into the policy (following the list of seven criteria):</p> <p><i>“Safeguarded minerals management facilities, transportation or waste management facilities which are subject to a planning permission facilitating their delivery no longer need to be protected for the purposes of this policy where the facility the subject of the planning permission has not been completed (for the purposes of occupation and operation) within 5 years of the date of the planning permission.”</i></p> <p>It is considered that it would be appropriate for each application for non-waste development on a safeguarded site to be assessed on its own merits. With KCC taking a considered and proportionate view when balancing the need to maintain the safeguarded facility versus the need for specific development to come forward as required to facilitate regeneration and to deliver benefits. The Proposed Development, provides a once in a generation opportunity to create an innovative, resilient and inclusive community to stand the test of time and to deliver a vision which is underpinned by the Garden City Principles. The Proposed Development is allocated for development and is identified as a strategic site, contributing significantly towards meeting the District Council’s identified housing need. The planning case for the Proposed Development to be properly delivered is significant.</p> <p>It is suggested that the following further wording be inserted into the policy (beneath the list of seven criteria) to reflect the importance of exceptional cases such as the Proposed Development:</p> <p><i>“It is recognised that there are exceptional cases where the benefits of delivering a particular development are so great. Therefore, in the case of plan-led comprehensive new settlements, this policy will not apply.”</i></p>	<p>County Council, if the requirements of criterion 6 have been met.</p> <p>The local planning authority will be able to apply the exemption tests and come to a decision regarding any ‘overriding need’ exists and is sufficient to invoke an exemption from the presumption to safeguard.</p> <p>It provides any applicant with the ability to demonstrate why the non-waste development being proposed is capable of being determined with an exemption from the presumption to safeguard. Criterion 6 allows for all arguments supporting an ‘overriding need’ to be taken into account by the determining local authority.</p> <p>No change to policy. The suggested text is too specific to a circumstance where such matters of being no longer required (criterion 7) that a lack of being fully developed may indicate.</p> <p>Noted</p> <p>No change to policy. The suggested text is too specific to a circumstance where such matters as a ‘overriding need’ that can outweigh the presumption to safeguard may apply, such as local plan allocation considerations that may be part of the local plan’s strategy. Such issues can be argued with current policy exemption justification wording.</p> <p>Noted</p>
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LP18	7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Quod on behalf of Otterpool Park LLP	<p>Where proposals for non-waste uses come forward which make a significant housing contribution and provide a policy compliant level of affordable housing, the benefits should outweigh a presumption of continuing to safeguard a site for waste provision which has not yet come forward within 5 years of consent being granted – this should be stated as a specific example of exemption in the policy wording.</p> <p>We suggest additional wording is inserted into Policy DM8 (following the list of seven criteria):</p> <p>“Safeguarded minerals management facilities, transportation or waste management facilities which are subject to a planning permission facilitating their delivery no longer need to be protected for the purposes of this policy where the facility the subject of the planning permission has not been completed (for the purposes of occupation and operation) within 5 years of the date of the planning permission.”</p> <p>We suggest additional wording is inserted into Policy DM8 (beneath the list of seven criteria) to reflect the importance of exceptional cases such as the Proposed Development:</p> <p>“It is recognised that there are exceptional cases where the benefits of delivering a particular development are so great. Therefore, in the case of plan-led comprehensive new settlements, this policy will not apply.”</p>	<p>No policy change required. Safeguarding of lawfully implemented waste management capacity is required. If this did not occur the County Council’s safeguarding of facilities in the drive to maintain self-sufficiency over the projected plan period would be undermined and vulnerable to legal challenge.</p>
ID19	7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Aggregate Industries and Brett Aggregates Ltd [combined representation]	<p>The policy remains unchanged in detailing the criteria against which planning applications for development that is incompatible with safeguarded facilities will be assessed. This is predicated on supporting text (para 7.6.1) that it is essential to the delivery of the Plan’s mineral and waste strategy that existing facilities used for management of minerals (including wharves and rail depots) are safeguarded for the future.</p> <p>The policy confirms in the final sentence that further guidance on the application of the policy will be included in a Supplementary Planning Document (SPD). It is suggested, given operational experience in dealing with applications coming forward in the vicinity of safeguarded wharves and associated plant (often characterised by lack of early or any engagement on the part of the</p>	<p>Noted. Early engagement in the planning application process is important. Though the process is a voluntary matter, and therefore should not be part of a plan policy. It is more suitably expressed in any review or replacement of the Supplementary Planning Document (SPD) on land-won minerals and minerals and waste management facility safeguarding. The policy’s supporting text can be amended to make this clear.</p>

			<p>developer) that the opportunity should be taken either as part of this review or as an update to the SPD to expressly require early (pre-application) engagement with the operator of the safeguarded facility.</p> <p>This is to avoid applications being made which have not appropriately or robustly assessed and if required mitigated any potential conflicts between the proposed development and the safeguarded uses under the 'agent of change' principle. Such a requirement could be inserted after the penultimate paragraph of the policy as follows (additions shown bold and underlined):</p> <p><i>.....by occupants of the proposed development and that access to and from the facility would not be constrained by the development proposed. <u>Early engagement with the operator of the safeguarded sites should be progressed to identify on site activities, including operational hours, in order to ensure robust assessment.</u></i></p>	
ID24	7.7 Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development	Tunbridge Wells Borough Council	It is considered that this policy should include reference to legal agreements in addition to planning conditions in terms of site restoration and after use.	Noted. Change policy wording to "...conditions will be imposed and, if appropriate, legal agreements will be entered into to ensure...."
ID23	7.7 Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development	Tunbridge Wells Borough Council	As per TWBC's comments on the previous consultation, it is considered that this policy should include reference to legal agreements in addition to planning conditions in terms of site restoration and after use.	Noted. Change policy wording to "...conditions will be imposed and, if appropriate, legal agreements will be entered into to ensure...."
ID24	7.8 Policy DM10: Water Environment	Tunbridge Wells Borough Council	It is considered that it would be appropriate for this policy to include biodiversity net gain. The policy refers to Environment Agency Flood Zones, but it is also suggested that it refers to Strategic Flood Risk Assessments (SFRAs), especially as a number of local Kent authorities have these (the list of which is included in your SFRA Position Statement forming part of this consultation).	<p>It is considered that the inclusion of biodiversity net gain in Policy DM 10 would not be appropriate as it would replicate the role of Policies DM1, DM 2 and DM 3 which address this matter.</p> <p>The requirement for Flood Risk Assessments is set out in the supporting text for Policy DM10 in paragraph 7.8.3 and is it not considered appropriate for this to be included in the policy text.</p>
ID23	7.8 Policy DM10: Water Environment	Tunbridge Wells Borough Council	<p>As per TWBC's comments on the previous consultation it is considered that it would be appropriate for this policy to include biodiversity net gain.</p> <p>In addition, the policy refers to Environment Agency Flood Zones, but it is also suggested that it refers to Strategic Flood Risk Assessments (SFRAs), especially as a number of local Kent authorities have these (the list of which is included in your SFRA Position Statement forming part of this consultation).</p> <p>It is noted and welcomed that an additional paragraph has been added which makes reference to a Drainage and Planning Policy Statement which sets out guidance for major applications. It is suggested that it would be useful to provide a direct link to this document in the text.</p>	<p>It is considered that the inclusion of biodiversity net gain in Policy DM 10 would not be appropriate as it would replicate the role of Policies DM1, DM 2 and DM 3 which address this matter.</p> <p>The requirement for Flood Risk Assessments is set out in the supporting text for Policy DM10 in paragraph 7.8.3 and is it not considered appropriate for this to be included in the policy text.</p>
ID03	7.8 Policy DM10: Water Environment Figure 21 Water Availability Status	Individual	The relationship between housing growth, ground water availability and sewage disposal It was disappointing to note that no attempt seems to have been made to link the absence of groundwater in Kent with the increase in housing stock proposed. Review of the map demonstrating water availability demonstrates the difficulty of providing adequate water supplies to additional housing. Given the proven inability of Southern Water to clean up the wastewater it processes, leading to excess sea discharges and the fouling of the River Stour makes one wonder why anyone considers why 'Waste Planning Authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.' If a policy is not working surely that fact should be communicated to the policy makers who feel that it is working.	Noted. The Kent Minerals and Waste Local Plan addresses what is required to maintain net self-sufficiently in waste management capacity in terms of targets, that is to ascend the defined waste hierarchy. Waste development, that is currently operational, is controlled by separate legislation (the Environment Act 2021). The Environment Agency (EA) controls such matters as permitting facilities to operate in accordance with a licensing requirement.

ID31	7.9 Policy DM 11: Health and Amenity	Gravesham Borough Council	The Council supports the changes made to policy DM to reflect the possible need for a Health Impact Assessment when considering minerals and waste developments.	Noted
ID16	7.9 Policy DM 11: Health and Amenity Policy DM 11, first paragraph	Tonbridge and Malling Borough Council	The insertion of the additional wording " <i>It may also include the preparation of a health impact assessment</i> " is considered too vague for a Development Management policy. It is recommended that this is re-worded to be more specific setting out when such an assessment would be required.	Noted - Change proposed to Policy DM 11 and addition of new 7.9.2 to address this comment.
ID11	7.9 Policy DM 11: Health and Amenity Policy DM 11, second paragraph	British Horse Society	PROW should also be included in these considerations.	It is not considered appropriate to add reference to Public Rights of Way in Policy DM 11 as this is already covered in Policy DM 14 Public Rights of Way.
ID24	7.9 Policy DM 11: Health and Amenity Policy DM 11, second paragraph	Tunbridge Wells Borough Council	It is considered that the second paragraph in the policy box is vague, and it would be helpful if it could be explained in what way there should be no unacceptable adverse impact on surrounding land.	It is considered that the Policy cannot be too specific to ensure that it is applicable to all types of minerals and waste development.
ID24	7.10 Policy DM 12: Cumulative Impact	Tunbridge Wells Borough Council	The inclusion of wording relating to the cumulative impact of vehicular emissions and impact on AQMAs in the supporting text of the policy is welcomed.	Noted
ID47	7.11 Policy DM 13: Transportation of Minerals and Waste	Natural England	Natural England welcomes the supporting text to Policy DM 13 (Transportation of minerals and waste) and the need to undertake an air quality assessment for Habitats Sites. There is also the requirement to consider potential impacts to the underpinning Sites of Special Scientific Interest where these are sensitive to air quality, and we would recommend that this is reflected within the Plan. Natural England would also recommend that the air quality assessment will need to consider both the critical load and critical level in any air quality assessment (Sections 7.14.6 and 7.14.7).	Amended to include SSSIs sensitive to air quality in section 7.14.5. Critical load and critical level already referred to in 7.14.7 and amended text to emphasise need for these criteria in any air quality assessment.
ID24	7.11 Policy DM 13: Transportation of Minerals and Waste	Tunbridge Wells Borough Council	The changes made to include reduction in vehicular movements and emissions, the move to use of electric vehicles and the installation of electric vehicle charging points are welcomed.	Noted
ID11	7.11 Policy DM 13: Transportation of Minerals and Waste Policy DM 13, points 1 and 2	British Horse Society	The location of PROW in the vicinity and the impact on the local road network for vulnerable road users must also be considered.	Noted. Consideration of the impact of proposals on the PROW network is provided for in Policy DM 14. Consideration is also given in Policy DM 11 (Health and Amenity) and DM 13 (Transportation of Minerals and Waste). The impact on the local road network of any proposal would be considered at the planning application stage.
ID23	7.11 Policy DM 13: Transportation of Minerals and Waste Policy DM 13, point 3	Tunbridge Wells Borough Council	The additional wording to provide clarification and the inclusion of and environmentally sustainable vehicle technologies under Criterion 3 of the Policy are welcomed.	Noted
ID24	7.12 Policy DM 14: Public Rights of Way	Tunbridge Wells Borough Council	It is noted that no changes are proposed to this policy. However, it is considered that in addition to PROWs, it should include other forms of pathways and cycleways.	All PROWs are protected. Informal pathways and cycleways are not afforded the same level of protection. Consideration would be given to any public amenity impact on other pathways and cycleways.
ID23	7.12 Policy DM 14: Public Rights of Way	Tunbridge Wells Borough Council	Although it is noted that no reference is made to other forms of pathways and cycleways in addition to PROWs, as suggested in TWBC's comments to the previous consultation, the new additional wording to the supporting text and policy criteria is welcomed.	Noted
ID11	7.12 Policy DM 14: Public Rights of Way Policy DM 14, point 1	British Horse Society	We welcome this policy with the exception of 'stopping up' which is never going to be convenient unless a new, equally convenient and amenable, path is provided of same or higher status and connecting to the existing network.	Noted. 'Stopping up' is potential measure that would be considered during the consideration of any planning application, alongside other material planning considerations.

ID24	7.14 Policy DM16: Information Required in Support of an Application	Tunbridge Wells Borough Council	TWBC would query whether this should actually be a policy and whether the wording used would be best set out as an advisory section elsewhere in the plan.	Noted - The Policy is considered justified on the basis that it provides advice for the required level of information to be submitted for mineral and waste development and will be assessed against the policies of the Plan.
ID23	7.14 Policy DM16: Information Required in Support of an Application	Tunbridge Wells Borough Council	As per TWBC's comments on the previous consultation, we would query whether this should actually be a policy and whether the wording used would be best set out as an advisory section elsewhere in the plan. By way of assistance, at the recent hearings held for the examination of the Tunbridge Wells Local Plan, it was clearly explained by the Planning Inspector that the purpose of a development management policy is not to list information which should be submitted with an application. This would normally be sufficiently dealt with under the application validation process.	Noted - The Policy is considered justified on the basis that it provides advice for the required level of information to be submitted for mineral and waste development and will be assessed against the policies of the Plan. A similar style of policy in the adopted Plan has previously been found sound by the Planning Inspectorate.
ID24	7.15 Policy DM 17: Planning Obligations Policy DM 17	Tunbridge Wells Borough Council	It is suggested that securing the implementation and long-term management of biodiversity net gain is also added to the list.	Agree - Change proposed to Point 6 of Policy DM 17 to address this comment.
ID47	7.15 Policy DM 17: Planning Obligations Policy DM 17, point 6 and 9	Natural England	Welcome commitment to delivery of Kent Biodiversity Strategy targets and landscape enhancement within Policy DM 17 & recommend that the policy could be strengthened by reference to the local nature recovery strategy (point six) and the conservation and enhancement of notable habitats and species (point nine).	Agree - Changes proposed to Points 6 and 9 of Policy DM 17 to address these comments.
ID11	7.15 Policy DM 17: Planning Obligations Policy DM 17, point 15	British Horse Society	We welcome point number 15 of Policy DM 17.	Noted
ID24	7.16 Policy DM 18: Land Stability Paragraph 7.16.1	Tunbridge Wells Borough Council	The new wording at paragraph 7.16.1 is welcomed, but it is suggested that the first part of the subsequent paragraph could be deleted to avoid repetition.	Agree - Changes proposed to paragraph 7.16.2 to address this comment.
ID13	7.17 Policy DM 19: Restoration, Aftercare and After-use	Ebbsfleet Development Corporation	It is recommended that the pre-text and wording for Policy DM19 should be made clearer. In accordance with the policy's current wording, planning permission for minerals extraction and temporary waste management development will be granted where satisfactory restoration and aftercare will be put in place. There is, however, nothing in the pre-text that mentions it is for future applications and, without it being mentioned, it could be confused as being relevant to the restoration of former quarry sites.	Noted - Changes proposed to paragraph 7.17.2 to address these comments.
ID43	7.17 Policy DM 19: Restoration, Aftercare and After-use	RSPB	<p>I would like to bring turtle doves to your attention and ask whether or not this is something that could be included in relation to nature after minerals, specifically quarry restoration and aftercare which present real opportunities to provide essential habitats for them.</p> <p>Turtle dove is a RSPB priority species due to its significant population decline, both in the UK and across its breeding range. The Turtle Dove is the UK's fastest declining breeding bird and is threatened with global as well as national extinction. RSPB is a lead partner on the Operation Turtle Dove partnership which seeks to offer practical evidence-based solutions to halt the decline of Turtle Doves across England. The foundation of this work is based on working with landowners and communities in areas that still support breeding populations of Turtle Doves, which are known as Turtle Dove Friendly Zones (TDFZs). There are 29 zones across England, 12 of which are in Kent. Last year the RSPB and partners organised the first national Turtle Dove survey for England. In Kent this was run by the Kent Ornithological Society in partnership with the RSPB. The results of the survey have further revealed the importance of Kent for Turtle Doves, showing that Kent supports approximately a third of the total England population with approx. 700 territories recorded in Kent.</p> <p>We are seeking out strategic opportunities in Kent, is this something that might be able to be included? An advice note is attached for reference.</p>	Noted. No change to the policy required. The policy is intended to address a wide range of material considerations in regard to site restoration and aftercare, including biodiversity enhancement, where appropriate ensuring connectivity with surrounding landscape and habitats. Singling out a particular species for individual consideration is not appropriate in the policy. This matter, as in making specific provision for a RSPB priority species (Turtle Dove), is more appropriately addressed in terms of individual planning applications where specific opportunities exist or can be potentially made to accommodate the needs of this or other priority species.

ID24	7.17 Policy DM 19: Restoration, Aftercare and After-use	Tunbridge Wells Borough Council	TWBC considers that restoration should be for a 30-year period (not 5 years as stated in the policy) in line with the forthcoming Environment Bill and should also include improvements to public access and recreation as well as monitoring. It is suggested that the 30 years should be secured through a Landscape and Ecological Management Plan (LEMP) and should be phased in conjunction with the extraction plan.	No policy change required. Individual circumstances will indicate what length of restoration and aftercare management and monitoring will be required. A blanket 30-year requirement would not be applicable in every circumstance, as the policy wording currently allows for.
ID23	7.17 Policy DM 19: Restoration, Aftercare and After-use	Tunbridge Wells Borough Council	As per TWBC's comments on the previous consultation, we consider that restoration should be for a 30-year period (not 5 years as stated in the policy) in line with the forthcoming Environment Bill. It is suggested that the 30 years should be secured through a Landscape and Ecological Management Plan (LEMP) and should be phased in conjunction with the extraction plan. However, the new additional wording in relation to recreational uses, BNG and impact and groundwater are welcomed.	No policy change required. Individual circumstances will indicate what length of restoration and aftercare management and monitoring will be required. A blanket 30-year requirement would not be applicable in every circumstance as the policy wording currently allows for.
ID29	7.17 Policy DM 19: Restoration, Aftercare and After-use	Environment Agency	In the interests of delivering a net gain for biodiversity, ecological restoration of the sites after mineral extraction should be an additional ecological gain due to the long period of time between permission and delivery of that element. Where the restoration of sites following extraction includes habitats for biodiversity, there needs to be sufficient legal protection to ensure it is fulfilled and cannot be altered by subsequent planning applications. There could be more information and policy in this plan on mineral sites that create lakes because of extraction. For example, there could be minimum standards for creating wide enough vegetated marginal shelves to protect banks from erosion; minimum lake size to reduce wind and wave erosion forces; and minimum restoration depths to encourage habitats for wildlife and a broader variation of end uses.	No policy change required. The policy is intended to address a wide range of material considerations in regard to site restoration and aftercare, including biodiversity enhancement, where appropriate ensuring connectivity with surrounding landscape and habitats. Therefore, this encompasses the potential for lake margin biodiverse habitat creation, if appropriate, if mineral extraction of the right type comes forward over the plan period. The matter would be more appropriately addresses in the context of individual planning applications.
ID11	7.17 Policy DM 19: Restoration, Aftercare and After-use Policy DM 19, second paragraph	British Horse Society	We welcome this and would ask that this includes public rights of way, ideally restoring original locations of paths and retaining the diverted paths resulting in a net increase for the area.	Noted
ID41	7.17 Policy DM 19: Restoration, Aftercare and After-use Policy DM 19, point 21	Individual	Change 'unacceptable' to 'detrimental'	No change to the policy required. The policy is intended to address restoration and aftercare matters, the use of the term 'unacceptable' relates to when the degree of any detrimental impacts become unacceptable.
ID24	7.18 Policy DM2 20: Ancillary Development	Tunbridge Wells Borough Council	The minor changes are noted but TWBC does not wish to comment on this policy.	Noted
ID24	7.19 Policy DM 21: Incidental Mineral Extraction	Tunbridge Wells Borough Council	It is noted that no changes are proposed to this policy. However, it is considered that this policy should include reference to legal agreements in addition to planning conditions.	No change to the policy required. The policy allows for voluntarily agreed longer periods "... <i>through agreement between the applicant and minerals planning authority</i> ". As these have to be entered into voluntarily by both parties, they can be formal legal agreements, if that is deemed appropriate. The require formal binding legal agreements for longer than the statutorily required 5 years may not be appropriate, the policy retains greater flexibility currently worded.
ID23	7.19 Policy DM 21: Incidental Mineral Extraction	Tunbridge Wells Borough Council	As per TWBC's comments on the previous consultation, it is considered that this policy should include reference to legal agreements in addition to planning conditions.	No change to the policy required. The policy allows for voluntarily agreed longer periods "... <i>through agreement between the applicant and minerals planning authority</i> ". As these have to be entered into voluntarily by both parties,

				they can be formal legal agreements, if that is deemed appropriate. The require formal binding legal agreements for longer than the statutorily required 5 years may not be appropriate, the policy retains greater flexibility currently worded.
ID24	7.20 Policy DM 22: Enforcement	Tunbridge Wells Borough Council	TWBC would query whether this should actually be a policy and whether the wording used would be best set out as an advisory section elsewhere in the plan.	No Policy change proposed. The County Council considers enforcement to be a critical element in minerals and waste planning, particularly given the scope for environmental damage that unauthorised waste and mineral development can result in. Therefore, having the weight of policy to undertake any required enforcement action strengthens the authority's ability to safeguard the environment.
ID23	7.20 Policy DM 22: Enforcement	Tunbridge Wells Borough Council	As per TWBC's comments on the previous consultation, we would query whether this should actually be a policy and whether the wording used would be best set out as an advisory section elsewhere in the plan.	No Policy change proposed. The County Council considers enforcement to be a critical element in minerals and waste planning, particularly given the scope for environmental damage that unauthorised waste and mineral development can result in. Therefore, having the weight of policy to undertake any required enforcement action strengthens the authorities ability to safeguard the environment.
8. Managing and Monitoring the Delivery of the Strategy				
ID23	Monitoring Schedule	Tunbridge Wells Borough Council	Following the revision of this section, TWBC would be grateful if KCC could confirm what indicators will need to be specifically monitored by TWBC.	Noted
9. Adopted Policies Maps				
ID19	9.1 Safeguarded Wharves and Rail Transportation Adopted Policies Maps Site G	Aggregate Industries and Brett Aggregates Ltd [combined representation]	The ongoing identification of Robins Wharf as a safeguarded wharf and identified as 'Site G' is fully supported.	Noted
ID21	9.2 Mineral Safeguarding Areas Dartford Mineral Safeguarding Areas	Dartford Borough Council	The urban boundary shown in the updated Dartford Mineral Safeguarding Map should not extend over the River Thames, we suggest that the urban boundary should align with Diagram 1 (Key Diagrams) of Dartford's proposed local plan submission document COR-1. Furthermore, it would be sensible to combine the maps showing Dartford Boroughs Mineral Safeguarding Area with Ebbsfleet Development Corporation's Mineral Safeguarding Area. This would help to highlight that the Ebbsfleet Development Corporation are located within the Dartford Borough.	Noted - Change made to Dartford MSA map to address this comment. It is considered that a separate MSA map for EDC is more appropriate due to being a separate planning authority.
ID34	9.2 Mineral Safeguarding Areas Dover Mineral Safeguarding Areas	Dover District Council	With regards to the Dover District Mineral Safeguarding Areas Map, please note that the settlement boundaries for some of the settlements in the district are being revised as part of the emerging Dover District Local Plan. We would be happy to share the latest GIS shapefile with you in order for your mapping to be up to date in this regard. This comment was also provided in response to the consultation on changes to the Local Plan in early 2022. DDC's Reg18 site allocations for housing and employment were shared with KCC in January 2021 to confirm whether any were within 250m of either the safeguarded jetty at Western Docks or KCC's waste facilities. We have not added sites to our Reg19 Local Plan (currently out for consultation) which are within 250m of these facilities.	Noted - Dover District Council has been contacted for the latest urban boundary shapefile data.
ID31	9.2 Mineral Safeguarding Areas Gravesham Mineral Safeguarding Areas	Gravesham Borough Council	Whilst the Policies Map is not subject to examination, GBC would appreciate an electronic copy in a GIS format so we can check the boundaries they have shown so we can agree any changes that may be necessary.	The GIS data for the safeguarded minerals is provided under license to the County Council by the British Geological Survey (BGS). The County Council would be grateful for shapefiles of the urban boundaries from

				Gravesham BC that show any change to be able to incorporate these into the MSA maps.
ID16	9.2 Mineral Safeguarding Areas Tonbridge and Malling Mineral Safeguarding Areas	Tonbridge and Malling Borough Council	It is noted that these have been updated, but it is unclear exactly what changes have been made to the TMBC borough map.	There has been no change to the minerals that are safeguarded within the Tonbridge and Malling Borough, the final MPA maps can be found in the Regulation 19 Pre-Submission Draft of the Plan.
Sustainability Appraisal				
ID31	Sustainability Appraisal Scoping Report	Gravesham Borough Council	GBC do not wish to make any additional changes to the Sustainability Appraisal Scoping Report	Noted
ID49	Sustainability Appraisal Scoping Report	Ashford Borough Council	No comment.	Noted
ID23	Sustainability Appraisal Scoping Report Section 3.3	Tunbridge Wells Borough Council	TWBC welcomes the changes made to the SA Scoping Report including reference to the Environment Act 2021 and inclusion of the waste hierarchy, and only has the following comment to make on this report: Section 3.3 – it is suggested that references should be made to the AONB Management Plan, South-East Water Resource Management Plan, and the Kent Biodiversity Strategy in this section.	The Kent Biodiversity Strategy is included in Appendix A of the Scoping Report. The other two strategy documents have been reviewed and taken into account in defining the policy context.
ID16	Sustainability Appraisal Scoping Report Appendix C	Tonbridge and Malling Borough Council	Consideration of “Do nothing options” for policies as proposed. With regard to policy CSM3 as previously stated above, this site is the subject of a call-for sites submission and is therefore a consideration in the emerging Local Plan. TMBC considers a rationale should be given for the deletion of this policy within the column and it is also considered that the reasons given for ‘Is a do-nothing option reasonable?’ should be more explicit.	Text has been added to the table in Appendix C to clarify the rationale for deleting the policy and explaining why a ‘do nothing’ option is not reasonable.
LP09	Draft Sustainability Appraisal Report - Reg 18 Consultation - May 2023	Tunbridge Wells Borough Council	Welcomes that most of the changes suggested by TWBC in the previous KWMLP consultations have now been addressed in both the Sustainability Appraisal and the non-technical summary. TWBC has no further comments to make in respect of these documents.	Noted
LP29	Draft Sustainability Appraisal Report - Reg 18 Consultation - May 2023	Gravesham Borough Council	The accompanying May 2023 draft sustainability appraisal report on page 86 advises for CSM 2 for transport “By ensuring sufficient minerals are available for extraction, the policy will support provision to meet expected market needs and so avoid the need for transport of mineral from further afield” and then gives a positive score for the SA objective of transport for CSM 2. This does not feel consistent with the proposed increased reliance on importation of sharp sand and gravel over the plan period.	The assessment has been amended to distinguish the case of sharp sand and gravel, for which it is expected that imports of land-won and marine aggregates will increasingly replace sharp sand and gravel from Kent.
Kent Waste Needs Assessments				
ID44	Kent Waste Needs Assessments 2022	Folkstone and Hythe District Council	Whilst the Council notes the amendments to the Plan, particularly those relating to Dungeness and New Romney, there are a couple of issues that the Council would like to raise in relation to the proposed and existing waste sites in the district. The first issue relates to Otterpool Quarry, Ashford Road. This was granted planning permission in 2011 by KCC (SH/08/124) for a materials recycling facility, anaerobic digestion plant and associated office and parking. Whilst the application may have been implemented (some minimal highway works have been undertaken) no further work has been undertaken to instigate the use. The site is currently used as a lorry park and applications that have been submitted relate to that use (although no permissions have been given for that use other than for road signs). The latest application is for temporary planning permission for up to 5 years for parking and stationing of 24no HGVs and 10no vehicle parking, with temporary stationing of ancillary facilities. At the time of writing a decision has not been made.	Noted The capacity as this site is included as the planning consent has been lawfully implemented. To not do so would make the Plan vulnerable to being found unsound given that this capacity could fully be built out, to conclude

			<p>Whilst not allocated, the site has been identified as contributing to the future provision for 'Organic Waste Treatment' and 'Composting' in the Kent Waste Needs Assessment 2022 Update, which forms part of the evidence base to this consultation. Given that this site has not come forward in the last 11 years or so and there is uncertainty that it will come forward given the current planning application, the district council questions whether it should be considered as contributing towards the future requirement and asks KCC to reconsider this.</p> <p>The District Council has identified a new Garden Settlement in the Core Strategy Review, and this is an important allocation to meet the future growth of the district up to and beyond 2037. The Otterpool Quarry site falls within this allocation.</p> <p>The supporting text in the Core Strategy Review (paragraph 4.193) highlights the need for any application to consider Policy DM8 (Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities) in the Minerals and Waste Local Plan. However, if, as seems likely, the materials recycling facility permission is not implemented, it would be inappropriate to constrain or sterilise the allocated garden town development. The district council therefore requests that KCC reconsiders the wording of Policy DM8 to take account of circumstances where a permitted development has effectively stalled</p>	<p>that it cannot be included at this juncture would be speculative. Therefore, if this position were to be taken the Plan's underlying evidence base could be challenged as being based on a speculative assumption. This would not be a robust evidential approach to plan formulation.</p> <p>The waste permission has been lawfully implemented. Therefore, Policy DM 8 and any argued exemption based on the policies exemption criteria will have to be considered as part of any planning proposal submitted to the determining planning authority, this being Folkestone and Hythe District Council.</p>
ID52	Kent Waste Needs Assessments 2022	CLArctitects on behalf of McAleer Contracts Ltd	<p>McAleer Contracts Ltd is a recently established operator in Kent having been granted planning permission by KCC for the operation of a recycled aggregated production facility at land to north east of Cross Keys Coaches, Caesar's Way, Folkestone in February 2021 (FH/20/1590). Given the granted of this permission, we are surprised and concerned that there is no mention of the site in the Council's Local Aggregate Assessment (LAA) (omitted from figure 6) or Annual Monitoring Report (AMR) (15th). There is also no mention of the site in the Construction, Demolition and Excavation section on the Kent Waste Needs Assessment 2022 update document. We have also not been invited to respond to the operators survey from which the data on recycled aggregate sales presented in the LAA (and repeated in the AMR) have been computed. For the sake of accuracy we can confirm the following sales: 2021- 7,084 tonnes and 2022- 6,651 tonnes. Add that we have recently become aware of the fact that the returns submitted to the Environment Agency were erroneous, so this might explain the omission. This error has now been corrected to reflect the tonnages above.</p>	<p>Thank you for this information which will be used in the next LAA and in any update to the Waste Needs Assessment. Future surveys will include this facility.</p>
LP09	Kent Waste Needs Assessment 2022 Update - Hazardous Waste Management Requirements in Kent to 2039 - May 2023	Tunbridge Wells Borough Council	<p>TWBC notes the requirement for on-going engagement under the Duty to Cooperate to establish that the current patterns of hazardous waste management can continue for the Plan period i.e., there will be adequate capacity going forward to manage hazardous waste which is produced within Kent but then transferred and managed outside of Kent and agrees with this suggested approach. TWBC also notes the overall conclusion of the report is that Policy CSW12 of the updated KMWLP makes adequate provision for the management of hazardous waste throughout the Plan period, and generally agrees with this approach.</p>	<p>Noted</p>
LP29	Kent Waste Needs Assessment 2022 Update - Hazardous Waste Management Requirements in Kent to 2039 - May 2023	Gravesham Borough Council	<p>No comments.</p>	<p>Noted</p>
LP38	Kent Waste Needs Assessment 2022 Update - Hazardous Waste Management	Online comment - individual	<p>Concerned about any increase in use of land to process hazardous materials.</p>	<p>The Plan does not include any specific proposals to increase the use of land for the processing of hazardous materials and a change is proposed that would result in the allocation of land for an extension to an existing hazardous</p>

	Requirements in Kent to 2039 - May 2023			landfill site on the Isle of Sheppey (Norwood Quarry) (Policy CSW5).
LP41	Kent Waste Needs Assessment 2022 Update - Hazardous Waste Management Requirements in Kent to 2039 - May 2023	Online comment - individual	Needs to be done sooner than later.	Comment is not clear on what change is required to the Plan.
			Other	
ID29	Glossary	Environment Agency	Biodiversity Net Gain is not defined in the glossary.	A definition is proposed in the Reg 19 version of the Plan.
ID13	Biodiversity Net Gain	Ebbsfleet Development Corporation	There are several new references to the Environment Act 2021 and the need for development sites to meet Biodiversity Net Gain targets, which is supported. However, there is some confusion throughout the document as to when this comes into force. It is our understanding that under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain from an as yet unconfirmed date, but it is expected to be in late 2023. Further to this, there are references within the document that request development to 'at least' meet the 10% requirements of biodiversity net gain and other references where it states " <i>While a statutory target of at least 10% biodiversity net gain for all development has been introduced, the Kent Nature Partnership expects at least 20% to be achieved</i> ". The MWLP further requests in paragraph 7.2.4 that the 20% net gain target should even be exceeded. A consistent approach should be taken throughout the document to provide certainty and avoid confusion.	A consistent approach has been taken within the Plan and this is set out in Policy DM 2 and explained in the supporting text. Guidance on BNG is currently awaited from Government and will inform our local guidance.
ID29	Biodiversity	Environment Agency	Throughout the document the objectives and policy refer to avoiding unacceptable impacts, without clearly defining what this is. The language could be more definitive to ensure the full protection of irreplaceable habitats for example. E.g., Policy could state that there cannot be any loss of ancient woodland sites or priority habitats that cannot be compensated for in quality and quantity.	Noted - Changes have been made to ensure protection of biodiversity in response to comments made by Natural England.
ID31	Habitat Regulations Assessment and Strategic Flood Risk Assessment	Gravesham Borough Council	GBC do not wish to make any additional changes to the Habitat Regulations Assessment and/or Strategic Flood Risk Assessment	Noted
ID49	Habitat Regulations Assessment and Strategic Flood Risk Assessment	Ashford Borough Council	No comment.	Noted
ID16	Strategic Flood Risk Assessment Position Statement (October 2022)	Tonbridge and Malling Borough Council	This states a different time period (2023 – 2035) to the Local Plan and therefore does not appear to accurately reflect the up-dated Local Plan. It is recommended this is amended accordingly. It is also considered that the position statement should refer to the up-dated Planning Practice Guidance on Flood Risk and Coastal Change (August 2022) Para: 013 7-013-20220825.	Noted - The SFRA Position Statement has been updated.
ID24	Strategic Flood Risk Assessment Position Statement (October 2022)	Tunbridge Wells Borough Council	It is noted that the draft refresh of the Kent Minerals and Waste Local Plan 2013-30 does not propose any new site allocations and there are no proposed changes to existing site allocations in the KMWLP; and therefore, no update is proposed to the SFRA. It is also noted that reference is made to the latest Tunbridge Wells SFRA (July 2019) to address flood risk and mitigation in this area. TWBC therefore has no further comments to make on the assumption that the SFRA will be reviewed at the next 5-year KMWLP review.	Noted
ID23	Strategic Flood Risk Assessment Position	Tunbridge Wells Borough Council	It is noted that the draft Kent Minerals and Waste Local Plan 2023-38 does not propose the allocation of any new sites. However, it is also noted that for the call for sites exercise being	Noted

	Statement (October 2022)		undertaken as an update to the Kent Minerals Sites Plan to identify land suitable for the working of crushed/hard rock, account will be taken of any impact on flood risk in the assessment of any nominated sites, which may then require an update to the SFRA. It is also noted that reference is made to the latest Tunbridge Wells SFRA (July 2019) to address flood risk and mitigation in this area. TWBC therefore has no further comments to make on the assumption that the SFRA will be reviewed following the call for sites process and at the next 5-year KMWLP review.	
ID29	Strategic Flood Risk Assessment Position Statement (October 2022)	Environment Agency	We have no further comments on the SFRA update as no site allocation changes have been made. We will provide further comment on hard rock sites once the consultation on site allocations is active.	Noted
ID24	Habitat Regulations Assessment	Tunbridge Wells Borough Council	It is noted that specific reference is made to KMWLP Policy CSW 17: Nuclear Waste Treatment and Storage at Dungeness, and that this is the only policy that is likely to require a HRA as part of the KMWLP review. TWBC therefore has no further comments to make on the assumption that any HRA requirements will be reviewed at the next 5-year KMWLP review.	Noted
ID23	Habitat Regulations Assessment	Tunbridge Wells Borough Council	It is noted that the HRA relates to KMWLP Policy CSW 17: Nuclear Waste Treatment and Storage at Dungeness and the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA). TWBC therefore has no further comments to make on the assumption that any other HRA requirements will be reviewed at the next 5-year KMWLP review	Noted
ID29	Habitat Regulations Assessment	Environment Agency	We defer to Natural England for detailed comments on this document, except where it relates to Policy CSW 17. Please refer to our letters of 4 August 2022 (our ref: KT/2009/108760/OR-05/IS1-L01) and 17 May 2022 (our ref: KT/2009/108760/CS-09/IS1-L01), which provide a detailed explanation of our role should a permit be required under the Radioactive Substances Regulation (RSR) permitting regime. We are a Competent Authority for RSR permits and will complete any habitats and conservation assessment ourselves to see if any application would affect a Natura 2000 site and we would include the non-radiological aspects of radioactive waste in this, if required. We do not see reference to RSR permitting or our responsibilities within this document and would be pleased to discuss. We note the revised wording of Policy CSW 17 is included in the HRA document at section 54. The wording is not consistent with that in the submitted Minerals and Waste Local Plan. After referring to our commentary below on Policy CSW 17, please apply these to the appropriate sections in the HRA.	Changes to the supporting text and to Policy CSW 17 are proposed which address these concerns as appropriate. An updated Habitats Regulation Assessment (HRA) has been prepared which shows that the changes to the Policy would not lead to a change to the impacts on the designated Sites.
ID37	Future Site Allocations	Woodland Trust	Note there are no new site allocations proposed at this stage of the MWLP. Where sites are considered for allocation, or allocated sites are brought forward with development proposals, it is important that they are re-assessed at that time for any potential impact on ancient woodland and ancient or veteran trees. Smaller areas of ancient woodland may not be recorded on the Ancient Woodland Inventory. In addition, the Ancient Tree Inventory (ATI) for the county is not complete. We therefore recommend an exercise to complete the ATI (which lists ancient, veteran, and notable trees outside woods) across any sites allocated or proposed to be allocated for development, to comply with the requirements of the NPPF 2021 (paragraph 180c) for the protection of irreplaceable habitats.	Noted
ID29	Proof reading	Environment Agency	We note that in reading the submitted version of the Kent Minerals and Waste Local Plan that there are a significant number of grammatical errors which need to be addressed. Words running together, incorrect words and inconsistencies of formatting. We trust that these will be edited before the next consultation stage to provide a clearer understanding of the body text and better integration with accessibility software such as screen readers.	Noted - Final formatting and proof reading of the has been undertaken in preparation of the Regulation 19 Pre-Submission Draft Plan and a clean copy has been produced alongside the tracked changes version.

<p>ID19</p>	<p>Aggregate Industries and Brett Aggregates Ltd [combined representation]</p>	<p>Evidence Base (aggregate mineral supply evidence and national planning policy requirements that the Plan is predicated upon)</p>	<p>The NPPF 2021, in the context of ‘Facilitating the sustainable use of minerals’, is clear at Para.210 (e) that planning policies should:</p> <p style="padding-left: 40px;"><i>“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.”</i></p> <p>The Kent Minerals and Waste Local Plan 2013-30 was adopted by Kent County Council (‘KCC’) in July 2016 and partially updated in 2020. Robins Wharf is identified as a ‘Safeguarded Wharf’ on the Policies Map and as “Site G” at Appendix 2. The mapping provided for Site G identifies the split between the two areas operated by Aggregate Industries and Brett respectively.</p> <p>In terms of evidence base documents, it is noted that the KCC Local Aggregates Assessment (‘LAA’) 2022 (November 2022) is clear in confirming at paragraph 7.27 that:</p> <p style="padding-left: 40px;"><i>“It is recognised that capacity information will become increasingly important in future years, particularly in relation to wharves and rail depots. The 2017 study by the Minerals Products Association into future aggregate requirements suggests that nationally there could be a decrease in the demand for landwon aggregates over time. However, as the landwon resources depletes (as is currently occurring for sharp sand and gravels within Kent) and is substituted by marine-won aggregates, productive capacity of importation facilities both individually and in total will be increasingly important indicators of the resilience of supply, analogous to landbanks within the landwon sector. Kent still has significantly unused capacity in its wharfage, as it is operating at approximately 40% capacity at the end of 2021. However, loss of any wharf site will be, largely, irreplaceable and others will need to increase their throughputs. Ignoring this issue as an unimportant matter neglects the consideration of the difficulties in operating facilities at a higher level of throughputs in a consistent manner. Difficulties such as shipping availability, navigation maintenance, facility repair and renewal considerations all could combine to exert stress on a wharf importation system trying to operate at a higher rate. Safeguarding of the existing wharf infrastructure will therefore remain a central requirement to maintain supply as the landwon sand and gravel sector eventually becomes irrelevant.”</i></p> <p>In this context the LAA 2022 concludes at paragraph 8.2: 3 sates:</p> <p style="padding-left: 40px;"><i>“The landwon sharp sands and gravels continue to decline as a share of overall supply, and the importance of importation, primarily via wharves, appears now set to be the pattern for future supply of this type of material, as marine dredged sands and gravels are largely (if not exactly in particulate size distribution) like landwon deposits.”</i></p> <p>The LAA at paragraph 8.6 goes on to underscore the point that:</p> <p style="padding-left: 40px;"><i>“The importance of safeguarding wharves (significantly for marine dredged sand and gravel supply that is supplanting landwon resources) and rail depots (particularly for hard rock but apparently far less important for sand and gravel supply) as they remain an important element in maintaining overall supply in the future. This is particularly the case with landwon sharp sands and gravels that have now, to all intents and purposes, become of minor importance in overall supply terms in Kent into the future, marine dredged imports via Kent’s wharves now being of far greater importance for this aggregate type. Future security of</i></p>	<p>Noted. The safeguarding of all wharves is an ongoing matter that the Plan aims to achieve in accordance with the NPPF.</p> <p>Noted</p> <p>Noted</p> <p>Noted. Importation will become increasingly important in terms of maintaining overall supply of aggregates in the Plan area. Therefore, wharf safeguarding will continue to be provided for in the policies of Plan, it is proposed.</p>
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			<i>supply of this aggregate will increasingly be via imports, of which, while wharfage remains the dominant importation mode.”</i>	
			Miscellaneous	
ID01	All	Barking and Dagenham Council	No comments to make at this time but ask to be kept informed going forward.	Noted
ID06	All	Transport for London	Confirm no comments to make in response to consultation.	Noted
ID07	All	Southern Water	Confirm no comments to make at this stage and request to be kept informed of progress.	Noted
ID04	All	Plaxtol Parish Council	No comments to add to document. Notice that the document states there is insufficient stock for crushed rock and a call for more sites to alleviate this shortfall. We would appreciate being kept informed of areas you intend to examine to overcome this issue.	Noted
ID05	All	Hadlow Parish Council	<p>Hadlow Parish Council accepts the substantive part of the draft updated plan and supporting documents subject to two comments.</p> <p>Firstly, the plan is obliged to deal just with the issues of Waste disposal and Mineral access with limited reference to other planning subjects. There are two local development plans at various stages of production that will likely have significant implications for the same southern part of Hadlow Parish. The plans are those of Tonbridge and Malling Borough Council and Tunbridge Wells Borough Council. Acting in concert with the Minerals and Waste Plan the overall implications involve the loss of an extensive area of rural calm.</p> <p>Secondly, the experience in Hadlow has been of remediation and clear up work on closed quarries that is poor or altogether absent. We would like the Minerals and Waste Plan to include a scheme to oblige quarry companies to provide secured funds for clear up and remediation before permission is given for starting work on a new quarry or extension to an existing quarry.</p>	<p>Noted</p> <p>Policy DM 19: Restoration, Aftercare and After-use addresses restoration of sites. Securing guarantees to ensure that sites are restored is addresses by criterion 25 of the policy, that is subject to modification as part of the Plan’s review states:</p> <p><i>“the potential for financial guarantees such as bonds in exceptional circumstances where their use can be justified to secure restoration objective.”.</i></p> <p>This will be in accordance with how such matters are addressed as set of in the NPPF and PPG guidance.</p> <p>The County Council and the other local authorities (Tonbridge and Malling Borough Council and Tunbridge Wells Borough Council) are all plan making authorities who consult one another on their respective local plans to ensure that there is no direct conflict. Though it should be understood that the non-mineral/waste management visions and strategies to deliver sustainable development of these non-County Council local plans will be a matter for these authorities to assess and formulate in each of their respective areas.</p>
	All	Individual	Suggests putting ‘County’ in brackets after ‘Local Plan’ to avoid confusion with Borough and District ‘Local’ Plans.	Kent County Council is the Minerals and Waste Planning Authority for Kent and therefore has a statutory responsibility to plan for sustainable waste management capacity and mineral supply within the County. This is done through the production of the Kent Minerals and Waste Local Plan, which forms part of the development plan alongside district and borough local plans, neighbourhood plans and national planning policy. The production of minerals and waste plans fall to the minerals and waste planning authority, which in this instance is Kent.

ID09	All	Durham County Council	<p>Advise do not consider it necessary to provide specific comments on provisions of draft plan. Judgement based on geographical distance, resultant flows of waste between authorities, known flows of minerals between NE England and SE England, and geology of retrospective areas. FYI:</p> <ul style="list-style-type: none"> - In terms of waste, according to EA Waste Data Interrogator 2022 we understand that in 2021 only 656 tonnes of waste originating from Kent was received in County Durham, with the majority being received at one site (655 tonnes). Similarly, we understand that in 2021, 8,108.7 tonnes of waste originating from County Durham was received in Kent, the majority being paper and cardboard waste at Kemsley Paper Mill. - In terms of minerals, information on flows of minerals between our respective authorities is not available, but we do understand that only 3,000 tonnes of aggregates was consumed in the entire south east in 2019, (Source - Table 5b Consumption of primary aggregates by region in 2019: South East - Collation of the results of the 2019 Aggregate Minerals Survey for England and Wales). - In terms of nationally significant minerals, we do also understand that Kent contains deposits of high purity silica sand (the Folkstone Formation) and that your Local Plan Annual Monitoring Report demonstrates that reserves are potentially over 25 years. This mineral resource is mentioned in this response, solely because County Durham also contains deposits of silica sand. <p>County Durham Plan:</p> <ul style="list-style-type: none"> - Policy 56 safeguards area of silica sand in County Durham - Policy MW14 of the emerging Publication Draft Minerals and Waste Policies and Allocations Document addresses a range of minerals which are not extracted within County Durham today including silica sand. Consultation on this emerging plan commences on 28 November 2022. Draft Plan also includes a paragraph (6.16) that explains in relation to silica sand that - <i>'The resource in County Durham consists of deeply weathered sandstones within the Millstone Grit. In the past this resource has been worked for use as naturally bonded foundry sands. Such sands were formerly of importance to the early development of the foundry castings industry. In recent years there has only been one active silica sand quarry in County Durham, this being Weatherhill Quarry, north of Stanhope. This sand was used to optimise the chemistry of the feed for the manufacture of cement at Eastgate. However, Eastgate Cement Works closed in 2002 and since that date production of this sand declined significantly and then ceased upon Weatherhill Quarry's closure in 2011. Due to limited information, it is not known whether this silica sand resource meets current industry specifications.'</i> Further information in paragraph 6.21. 	Noted
ID10	All	Hawkinge Town Council	No comments to make on consultation.	Noted
ID14	All	Surrey County Council	No comments to make on consultation.	Noted
ID15	All	The Coal Authority	<p>No specific comments to make on the consultation.</p> <p>All decision-making regarding inclusion of policies for minerals and unconventional hydrocarbons will lie with the responsible authority and we would no longer be commenting on policies in this regard. We leave these decisions to the relevant authority in recognition of their knowledge, experience and understanding of local circumstances and their responsibility for local environments and communities. For clarity other consents in respect of unconventional hydrocarbons, as set out in the relevant guidance, will still be required from the Coal Authority.</p>	Noted
ID11	All	British Horse Society	We would be very willing to work with any applicants to ensure that equestrians are fairly considered and included within any planning applications.	Noted

ID16	All	Tonbridge and Malling Borough Council	<p>The KMWLP Review changes are acknowledged. It is considered that they don't present significant policy constraints for the borough of Tonbridge and Malling and the delivery of its planning functions. Therefore, TMBC raise no objection to the proposed changes to the Plan but recommend further consideration of the time period, policies, SA and SFRA position statement in light of the comments cited above. Lastly, clarity on changes to the minerals safeguarding map is also sought.</p> <p>TMBC has a good working relationship with KCC through the duty to cooperate forum and will continue to engage and support collaborative working in the preparation of our respective Local Plans. TMBC requests to be kept well-informed of your plan making progress as well as key dates.</p>	<p>Noted</p> <p>Noted</p>
ID17	All	Network Rail	<p>It is important that plans and policies reflect the aspirations of Network Rail and the wider rail industry as far as they are known at this stage and provides suitable flexibility to support future growth of the railway for both passenger and freight services. The railway network is a vital element of the country's economy and a key component in the drive to deliver the Government's sustainable agenda.</p> <p>The impact of new development on railway infrastructure such as railway stations and level crossing should be fully assessed. To ensure that Network Rail can continue to deliver a safe and efficient railway, Network Rail would expect financial contributions towards new or enhanced railway infrastructure to mitigate the impact of growth in the area. This could include funding towards improvement at stations such as cycle parking, improved customer information screens, new waiting shelters, lighting, platform extensions, new station entrances etc., and works such as new footbridges to enable level crossings to be closed. As part of Network Rail's license to operate and manage Britain's railway infrastructure, Network Rail have the legal duty to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable.</p> <p>New development can also have others impact on the railway. It is important that the risk to the railway from landslips and flooding are considered for safety and operational reasons, as well fencing, planting along the railway boundary, excavations etc. Please find attached some guidance from Network Rail's Asset Protection team.</p>	<p>Noted</p>
ID33	All	Otterpool Park LLP (Quod)	<p>Quod act on behalf of their client, Otterpool LLP, and were instructed to make a representation to the further amendments to the KMWLP in the Regulation 18 Public Consultation 5th October -5th December 2022.</p> <p>Otterpool Park LLP are seeking to bring forward the development called Otterpool Park. A new garden settlement supported by Policy SS6 of the Folkestone and & Hythe District Council (FHDC) adopted Core Strategy 2022. The site is subject to a planning application (Y/19/0257/FH as amended) to deliver 8,500 homes, retail, education, health, community uses and associated infrastructure.</p> <p>The County Council's Strategic Delivery Plan (2020-2023) states that the Kent County Council (KCC) will work collaboratively with the relevant district Council (as the local planning authority or LPA), landowners, and Homes England in order to positively influence the delivery of Otterpool Park.</p> <p><u>Otterpool Quarry Permitted Waste Facility</u> KCC granted planning consent (ref: SH/08/124) in 2011 for this facility and it is understood as recognised by KCC as having been lawfully implemented. Minimal work was done to lawfully implement the planning permission. Since then, several other planning applications have been granted for advertising consent, temporary changes in use and an outstanding (at the time of writing) for a temporary lorry park. The site has been informally used as a lorry park.</p>	<p>Noted</p> <p>Noted</p> <p>Duty to cooperate obligations require the authorities to identify matters that require further discussion. This is ongoing regarding the Otterpool Park proposals at this time.</p> <p>Noted. The site is not allocated in the KMWLP as it is regarded as part of the area's safeguarded waste management capacity. The LPA Core Strategy can be, in regard to this element, assessed against the exemption criteria available in Policy DM 8. If any of the criteria can be met, then the use of this land for non-waste development</p>

		<p>The permitted waste facility is within the Otterpool Park development area, with the preferred option plan for this development in the location of the waste management facility, the alternative option incorporates measures to accommodate the facility within the development. The LPA Core Strategy Review (2022) does not contemplate the co-location of the waste facility. There are no policies in this strategy that require the provision of a waste facility though anticipates the scenario (para. 4.1.93) where the facility is not delivered. The adopted KMWLP does not allocate the facility.</p> <p><u>Preparation of the KMWLP</u> NPPW 2014 confirms that waste plans should use a proportionate evidence base to ensure the need for new facilities is considered alongside other spatial planning concerns, such as housing etc. Therefore, the draft KMWLP (revision) should consider and take into account of the spatial allocations of other local Plans such as the FHDC Core Strategy Review (2022).</p> <p>The KMWLP relating to waste capacity should identify sufficient opportunities to meet identified needs of the area, aiming to drive waste up the defined waste hierarchy, it should ensure suitable sites and areas for provision of facilities are identified at various locations (NPPG Para. 011 Ref ID: 28-011-20141016). Draft Policy CSW 4 of the KMWLP sets targets for recycling, composting, and landfill and other recovery though the plan itself is unclear on how those targets are to be achieved.</p> <p>Para. 6.3.6 of the draft KMWLP states <i>“the WDA has identified a pressing need for the development of new waste transfer facilities to serve those particular areas where collected waste can be bulked up for onward management and is working with the local WCAs to secure this”</i> KCC should make clear what is needed to undertake to allocate a site(s) to provide the facilities.</p> <p>The permitted facility [at Otterpool Park] consent grants planning permission for materials recycling and an anaerobic digestion plant, its continued safeguarding would not help meet the pressing need for waste transfer facilities identified buy para. 6.3.6. A call for sites consultation should be conducted and an assessment of suitable sites be undertaken to provide suitable site allocations for waste transfer facilities. The safeguarded site would not be a suitable location for a waste transfer facility. Given its current rural location and distance to other development where waste is created nor suitable within the centre of a proposed new garden settlement given the vision of the place to be created.</p> <p>If KCC as WPA wish to <i>“ensure sufficient capacity exists to maintain a county-wide network for the sustainable management of Kent’s waste”</i> (one of the Strategic Objectives for the KMWLP stated on page 49 of the consultation document) and the Kent WPA does not consider that the area has sufficient sites to achieve this already, then the WPA should undertake a call for sites and assessment process to identify allocation sites to achieve this aim, this being necessary for the plan to be positively prepared, justified and effective.</p> <p>The NPPG states that <i>“Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. It is important that waste planning authorities engage and collaborate with local communities in an early and meaningful way when identifying options for managing waste”</i> (Para: 012 Reference ID: 28-012-20141016). However, the local community, given the Draft KMWLP, cannot be clear on what site options are identified for managing waste (particularly new waste transfer facilities). It should be noted that there was considerable objection to the safeguarded facility at the time of the planning application. KCC should consider the new garden settlement at Otterpool Park (allocated within the newly adopted FHDC Core Strategy Review, 2022) within the requirement to reflect the <i>“vision and aspiration of local</i></p>	<p>may be permitted without conflict with the KMWLP’s presumption to safeguard this capacity (see Policy CSM: Safeguarding of Existing Waste Management Facilities)</p> <p>.</p> <p>Noted</p> <p>Noted</p> <p>Allocation of sites in a Plan are required when net self-sufficiency is no longer possible to be maintained. This is not the case in Kent at this time. Continued monitoring of waste arisings, capacity will inform the Plan process accordingly. There is no current requirement to identify additional sites via a ‘Call for Sites’ exercise. As stated above, the Otterpool Park development has the opportunity to test the presumption to safeguard via application od exemption criteria in Policy DM 8 of the KMWLP.</p> <p>The waste facility has been the subject of legal consideration as regards its lawful implementation. The permission for materials recycling and an anaerobic digestion plant are considered part of the safeguarded waste management capacity for the area. There is no current need to conduct a ‘Call for Sites’ exercise given that the extant net self-sufficiency that exists in the Plan area.</p>
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			<p><i>communities</i>" – the new garden settlement is the primary vision for the local area's growth and a new waste facility at Otterpool Quarry would be incompatible with achieving this vision.</p> <p>Applying the definition of 'existing facilities' at footnote 114 of the draft KWMLP, the evidence base to the draft KWMLP should consider the other waste sites in East Kent that have been granted planning permission, it is these facilities that should be factored in when deciding if the Permitted Waste Facility needs to be safeguarded (see Appendix 2 of this letter for a list of waste applications submitted in East Kent since 2009).</p> <p>The NPPG states that "<i>consideration should be given to why any allocated sites and areas have not been taken up as anticipated. If there are doubts about the prospects of particular land allocations coming forward, and this would damage the planning strategy, consideration will need to be given to bringing forward alternative, or additional, allocations.</i>" (Para: 054 Reference ID: 28-054-20141016). It is noted that the Permitted Waste Facility is not allocated but the ethos of the guidance is still relevant - KCC should not be relying on it to provide capacity for the authority going forward given the uncertainty of it coming forward and KCC should consider bringing forward alternative or additional allocations elsewhere.</p> <p>Table A3 in the Kent Waste Needs Assessment 2022 Update, forming part of the evidence base of the consultation, lists Otterpool Quarry as a site which provides consented Organic Waste Treatment capacity (20,000tpa out of a total of 305,000tpa). Although it is correct to say it is consented, given that it has not been delivered and has not been in the 11 years since it was granted consent, and it is known that the land owner does not intend to build the facility, doubt is cast on the presumption that it should be counted as a realistic prospect for providing capacity. This doubt should be factored into KCC's waste need and supply calculations. For a plan to be sound there needs to be an evidential basis for safeguarding sites.</p> <p><u>Policy CSW 16 [see above in 6. Delivery Strategy for Waste]</u></p>	<p>The current understanding is that the site represents not an allocation but an implemented planning permission. As such it is afforded the presumption of being safeguarded.</p> <p>Noted. To disregard this consented capacity as not being part of the overall waste management capacity for monitoring and Plan review purposes would lead to the potential unsoundness of the KWMLP review. Given that landowner has not as yet fully developed the site is not regarded as sufficient grounds to disregard the waste management capacity.</p>
ID36	All	Ightham Parish Council	Ightham Parish Council has no objections to the changes proposed. We are pleased to note the move towards recycling of minerals rather than fresh extractions.	Noted
ID38	All	Sevenoaks Climate Action Network: Waste Management Subgroup	<p>The Local Waste Plan seem to be in line with the National Planning Policy Framework and is fine as far as it goes but is felt to lack ambition, particularly in terms of the timescale for specific net zero targets.</p> <p>Finally, we support the proposed plan for more packaging producer's responsibility with regards to reducing nonrecyclable packages.</p>	The objectives and policies of the Plan are considered ambitious and consistent with the Government's targets for the achievement of net zero.
LP01	Further Proposed Changes	UK Health Security Agency	No comments.	Noted
LP02	Further Proposed Changes	National Gas Transmission	No comments.	Noted
LP03	Further Proposed Changes	Transport for London	No comments.	Noted
LP05	Further Proposed Changes	Dover District Council	No comments.	Noted
LP06	Further Proposed Changes	Southern Water	No comments.	Noted
LP07	Further Proposed Changes	Environment Agency	No further comments to make and refer to letter dated 2 nd December in response to previous Regulation 18 consultation which are required to be addressed to be able to find the plan sound.	Noted
LP08	Further Proposed Changes	Canterbury City Council	No objection to proposed changes.	Noted

LP09	Further Proposed Changes	Tunbridge Wells Borough Council	Welcomes that TWBCs comments from the previous consultation are included in the Consultation Summary Document October to December 2022. However, no response is provided in the summary table to establish whether these comments have or will be addressed and/or incorporated into the next version of the KMWLP and no updated full KMWLP itself has been provided as part of the current consultation to review this. It is appreciated that you may still be working on this and TWBC would like the opportunity to comment on any revisions made in the future.	Noted. This table has now been produced which summaries the representations received to the Regulation 18 public consultation from October to December 2022, as well as the Regulation 18 public consultation on the further proposed changes from June to July 2023, and provides a response on how these have been addressed.
LP10	Further Proposed Changes	City Corporation	No comments.	Noted
LP11	Further Proposed Changes	New Romney Town Council	No comments.	Noted
LP12	Further Proposed Changes	Tonbridge and Malling Borough Council	Acknowledge further proposed changes to policies CSM2, CSW5, paragraph 6.3.3 and extension of plan period to 2039 and have no concerns.	Noted
LP13	Further Proposed Changes	National Highways	No objection. Proposed additional changes do not impact on safety, reliability and/or operational efficiency of the Strategic Road Network.	Noted
LP14	Further Proposed Changes	Coal Authority	No comments.	Noted
LP16	Further Proposed Changes	Historic England	No comments.	Noted
LP17	Further Proposed Changes	West Sussex County Council	No comments.	Noted
LP18	Further Proposed Changes	Quod on behalf of Otterpool Park LLP	<p>Otterpool Park LLP are seeking to bring forward development on the site identified as 'Otterpool Park' where the development of a new garden settlement is supported as per Policy SS6 of the Folkestone & Hythe District Council (FHDC) Core Strategy Review, adopted in 2022. On 4 April 2023, FHDC resolved to grant outline planning consent for a residential led mixed use development of up to 8,500 homes, along with retail, commercial, education, health, community uses and associated infrastructure at Otterpool Park (ref: Y/19/0257/FH).</p> <p>Kent's Strategic Delivery Plan (2020-2023, page 9) states that "Kent County Council (KCC) will work collaboratively with the relevant district Council as the local planning authority, landowners, and Homes England, as the Government's 'housing accelerator' in order to positively influence the delivery" of Otterpool Park. These representations are prepared with the delivery of Otterpool Park in mind.</p> <p>More recently, Kent County outlined their support for the principle of the delivery of a garden settlement at Otterpool Park within their consultation response issued on 17th March 2023. The County Council confirmed that:</p> <p>"The County Council has provided support for the positively planned delivery of a new garden settlement at Otterpool Park supported by the timely provision of infrastructure in a truly green setting"</p> <p>The amendments proposed within Kent County Council's current consultation are relatively limited in nature, but the most significant of which relates to the proposal to delete draft 'Policy CSW 5 – Strategic Site for Waste', which allocates land at Norwood Quarry Landfill site, Isle of Sheppey. Development of the land was envisaged to extend the life of an existing landfill site, which is now expected to be exhausted by 2028.</p>	<p>The County Council supports sustainable development and sees no contradiction between this and the need to maintain minerals and waste safeguarding in the production of its statutory responsibilities as a minerals and waste local plan authority.</p> <p>Duty to cooperate (DtC) obligations are such that the County Council has engaged with Folkestone & Hythe District Council (FHDC) with regard to the need to consider all material waste management capacity and land-won mineral safeguarding in relation to the residential led mixed use development of up to 8,500 homes, along with retail, commercial, education, health, community uses and associated infrastructure at Otterpool Park.</p>

			<p>Representations Quod, on behalf of Otterpool Park LLP, have previously submitted representations to the KMWLP consultations. It is requested the following amendments are made: Preparation of the local plan:</p> <ol style="list-style-type: none"> 1. The KMWLP should be updated to make clear how KCC intends to achieve the waste targets set out in Policy CSW 4 i.e. through which sites will waste facilities be located on. 2. As outlined above, the latest proposed update to the draft Kent Minerals and Waste Local Plan 2023-38 proposes to remove the site allocation for the proposed extension areas for Norwood Quarry and Landfill Site (Policy CSW5). Whilst, in principle, Quod does not object to this amendment, it is important that the Plan should seek to meet demand for waste in a planned and sustainable manner. 3. KCC should be clear what waste transfer facilities are required, taking into account already delivered facilities within the county. KCC should then undertake a call for sites consultation, an assessment of the most suitable sites and carry out the process of allocating sites through the local plan to provide the necessary waste transfer facilities. A waste transfer facility would not be best placed in the location of the Permitted Waste Facility at Otterpool Park (application reference SH/08/124). 4. KCC should not rely on waste facilities providing capacity if they have not been delivered within five years of being granted consent and KCC should consider bringing forward alternative or additional allocations if it considers that is necessary (for example, given the doubts about the prospects of the Permitted Waste Facility (SH/08/124) coming forward, KCC should not be relying on it to provide capacity for the authority going forward). <p>Conclusion</p> <p>Emerging planning policy should not prejudice the ability for FHDC and KCC's strategic objectives from being met and the Proposed Development at Otterpool Park from being properly delivered, which would in turn deliver a significant number of benefits. The first priority in KCC's Strategic Delivery Plan (2020-2023) is for Kent to be an ambitious and successful county, with high quality jobs, skilled workers, enterprising businesses and thriving urban and rural areas. To achieve this the Plan states on page 9 that KCC will work collaboratively with the relevant district councils and landowners in order to positively influence the delivery of the garden communities across Kent – including Otterpool Park. The emerging KMWLP should be revised so that this priority can be achieved.</p>	<p>The County Council has considered the previous representation and has the following general comments to the points 1. to 4. Below:</p> <ol style="list-style-type: none"> 1. The County Council has assessed current and future waste arisings against current consented management capacity available, this demonstrates that the projected plan period will maintain net self-sufficiency. It would be inappropriate to now allocate additional sites in a Waste Local Plan. 2. The intention to remove the extension to Norwood Quarry from the Plan is to reduce reliance on waste disposal management at the bottom of the defined waste hierarchy. Other technologies to use residues from thermal waste treatment for defined purposes are becoming available. Thus, the need to maintain a strategic waste site for the disposal of such residues would conflict with the Plan's strategy to increase the sustainability of waste management in Kent into the future. 3. Net self-sufficiency can be maintained over the anticipated Plan period to 2039. Therefore, further site allocations in a Waste Local Plan would not be supported by any evidential need case to do so. 4. Consented waste management capacity that has been lawfully implemented should be considered part of the County Council's waste management capacity. Otherwise, the interpretation of what that waste treatment capacity is could be subject to legal challenge. <p>The DtC process, that KCC and FHDC have been engaged in, will enable all material planning matters that support sustainable development in Kent to occur. The KMWLP review document is for the whole of Kent and should not be designed to address what may be thought of as local imperatives that should be the preserve of the respective borough and district local plan formulation, consultation and examination process, which the County Council is also engaged with as a statutory consultee.</p>
LP19	Further Proposed Changes	Ashford Borough Council	Refer to Ashford Borough Council's letter and accompanying Appendix A of 19 th December 2022 to the previous Regulation 18 consultation which remain unchanged.	Noted
LP20	Further Proposed Changes	Marine Management Organisation	<p>Suggested policies from the South East Inshore Marine Plans that we feel are most relevant to your Minerals and Waste Local Plan are: SE-INF-1, SE-INF-2, SE-DD-1, SE-DD-2, SE-DD-3, SE-PS-1, SE-PS-4, SE-HER-1, SE-EMP-1, SE-CC-1, SE-CC-2 and SE-CC-3.</p> <p>Recommend you mention the South East Marine Plan. The East Inshore and East Offshore Marine Plans were adopted in 2014, and the South Inshore and Offshore Marine Plan was adopted in 2018, which cover the adjacent areas. Please ensure correct reference to the South East, South, and East marine plan areas where included.</p> <p>The MMO delivered Marine Plan Implementation Training sessions in November/December 2022. This provided an introduction to marine planning, and I would suggest re-visiting the material in our recorded webinar which supported the Consultation of the South East Marine Plan.</p>	Noted. No change to the Plan proposed. Paragraph 1.3.9 already makes reference to the relevant Marine Plans. The MMO's suggested policies are considered to be already appropriately interpreted in the KMWLP's safeguarding policies that are designed to maintain the viability of marine importation facilities. Other matters relating to offshore development, such as dredging activity, cannot be part of the KMWLP as they fall outside of the administrative authority of KCC, and therefore are matters entirely related to the marine offshore plans. Matters relating to climate

			These are recommendations and we suggest that your own interpretation of the South East Marine Plan is completed. We would also recommend you consult the following references for further information: South East Marine Plan and Explore Marine Plans.	change and biodiversity, commercial dock developments etc in Kent are matters that would be reflected in the KMWLP and other relevant Kent Local Plans.
LP28	Further Proposed Changes	Natural England	No comments.	Noted
LP31	Further Proposed Changes	Gloucester County Council	No comments.	Noted
LP33	Further Proposed Changes	Ebbsfleet Development Corporation	No comments on further proposed changes and refer to Ebbsfleet Development Corporation letters dated February 2022 and November 2022 in response to the previous Regulation 18 consultations of which the comments still stand.	Noted
LP34	Further Proposed Changes	Thanet District Council	No comments.	Noted
LP35	Further Proposed Changes	Swale Borough Council	No comments.	Noted
LP37	Further Proposed Changes	Online comment - individual	Agree with proposed changes.	Noted
LP38	Further Proposed Changes	Online comment - individual	It would be useful to see further strategies being highlighted by the council to reduce impact on the environment through extraction of minerals and deposition of waste.	Noted
LP39	Further Proposed Changes	Online comment - individual	Agree with proposed changes.	Noted
LP42	Further Proposed Changes	Online comment - individual	Stop destroying the area where many people and particularly wildlife live. It seems yet again that greed has overcome husbandry of our unique natural resources, which will also severely impact and disrupt the lives and businesses of local people.	Noted. The County Council is required to plan for minerals supply in accordance with statutory requirements.
LP43	Further Proposed Changes	Online comment - individual	I am very worried your plans to close sites and reduce opening hours will result in an increase in fly tipping. People already have to book slots to attend the HWRC and this can already put some people off attending legitimate waste locations / services. Also any reduction in hours is likely to impact working people who need to have non traditional hours / days to access the facilities - consider the 9 to 5, 6 days a week employee.	Noted
LP44	Further Proposed Changes	Online comment - individual	Agree with proposed changes.	Noted
LP45	Further Proposed Changes	Plaxtol Parish Council	Agree with proposed changes.	Noted
LP47	Further Proposed Changes	Swanscombe and Greenhithe Town Council	Agree with proposed changes.	Noted
LP48	Further Proposed Changes	Port of London	Agree with proposed changes. For information the Port of London Authority (PLA) in principle supports the ongoing safeguarding of the regions safeguarded wharves and terminals located across the Tidal Thames.	Noted
LP49	Further Proposed Changes	Hunton Parish Council	Agree with proposed changes.	Noted
LP53	Further Proposed Changes	Essex County Council	No comments at this time and request that the Essex Minerals and Waste Planning Authority be kept informed and up to date with all future rounds of Duty to Cooperate and consultation.	Noted



Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39

Regulation 19 - tracked version

November 2023

This version of the Kent Minerals and Waste Local Plan shows where changes have been made to the document as a result of the review.

Text which has been added in is shown as **bold and underlined**

Text which has been removed is shown with a ~~strikethrough~~

Text which has been amended in preparation of the Regulation 19 document follows the same format as above but is also shown as **highlighted**.

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Abbreviations

AD	Anaerobic Digestion
AQMA	Air Quality Management Area
AoS	Area of Search
AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
AWP	Aggregate Working Party
BAP	Biodiversity Action Plan
BAT	Best Available Techniques (Assessment)
BERR	Department for Business, Enterprise and Regulatory Reform
BGS	British Geological Society
BIS	Department for Business, Innovation and Skills
<u>BNG</u>	<u>Biodiversity Net Gain</u>
BOA	Biodiversity Opportunity Area
CD	Construction and Demolition Waste
CDE	Construction, Demolition and Excavation Waste
CSM	Core Strategy Minerals
CSW	Core Strategy Waste
C&I	Commercial and Industrial Waste
DCLG	Department for Communities and Local Government
DECC	Department of Energy and Climate Change
DEFRA	Department for Environment Food and Rural Affairs
<u>DLUHC</u>	<u>Department for Levelling Up, Housing and Communities</u>
DM	Development Management
<u>DMR</u>	<u>Dry Mixed Recyclate</u>
DOE	Department of the Environment
EA	Environment Agency

EC	European Commission
EfW	Energy from Waste
EIA	Environmental Impact Assessment
<u>EPR</u>	<u>Early Partial Review</u>
ES	Environmental Statement
<u>ESC</u>	<u>Environmental safety case</u>
EU	European Union
GDF	Geological Disposal Facility
GPDO	Town and Country (General Permitted Development) Order
GVA	Gross Value Added
HDV	Heavy Duty Vehicle
<u>HGV</u>	<u>Heavy Goods Vehicle</u>
HLW	High Level Waste (Radioactive Waste Classification)
HRA	Habitat Regulations Assessment
HWRC	Household Waste Recycling Centre
ILW	Intermediate Level Waste (Radioactive Waste Classification)
JMWMS	Joint Municipal Waste Management Strategy
KCC	Kent County Council
km	Kilometres
KRP	Kent Resource Partnership
LAA	Local Aggregate Assessment
<u>LCA</u>	<u>Life Cycle Assessment</u>
LCE	Low-Carbon Economy
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LLW	Low Level Waste (Radioactive Waste Classification)
LLWR	Low Level Waste Repository
LNR	Local Nature Reserve

LNRS	Local Nature Recovery Strategy
LWS	Local Wildlife Site
m	Metres
MCA	Mineral Consultation Area
MDA	Marine Dredged Aggregates
MPA	Mineral Planning Authority
MCZ	Marine Conservation Zone
MPS	Marine Policy Statement
MSA	Mineral Safeguarding Area
MSW	Municipal Solid Waste
mt	Million tonnes
mtpa	Million tonnes per annum
MWLP	Minerals and Waste Local Plan
NDA	Nuclear Decommissioning Authority
NERC	Natural Environment and Rural Communities
NIA	Nature Improvement Area
NIEA	Northern Ireland Environment Agency
NNR	National Nature Reserve
NPPF	National Planning Policy Framework 2012
NPPW	National Planning Policy for Waste 2014
ODPM	Office of the Deputy Prime Minister
PEDL	Petroleum Exploration and Development Licence
PLA	Port of London Authority
PROW	Public Rights of Way
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Site of Community Importance

SEEAWP	South East England Aggregate Working Party
<u>SELEP</u>	<u>South East Local Enterprise Partnership</u>
SEP	South East Plan
SEPA	Scottish Environment Protection Agency
SFRA	Strategic Flood Risk Assessment
SPA	Special Protection Area
SPZ	Source Protection Zone
SSSI	Site of Special Scientific Interest
<u>SWESC</u>	<u>Site wide environmental safety case</u>
TCPA	Town and Country Planning Act
tpa	Tonnes per annum
TRW	Topic Report on Waste
UNESCO	United Nations Educational, Scientific and Cultural Organisation
VLLW	Very Low Level Waste (Radioactive Waste Classification)
Water FD	Water Framework Directive
WCA	Waste Collection Authority
WFD	Waste Framework Directive
<u>WMP</u>	<u>Waste Management Plan</u>
WMU	Waste Management Unit
WPA	Waste Planning Authority

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1. Introduction

1.0.1 The County Council has a statutory responsibility to plan for future minerals supply and waste management in Kent. This is ~~being~~ fulfilled through the ~~preparation of the~~ *Kent Minerals and Waste Local Plan* (MWLP).

1.1 The Kent Minerals and Waste Local Plan ~~2013-30~~2024-39

1.1.1 This document, the Kent Minerals and Waste Local Plan ~~2013-30~~2024-39, is the main Local Plan document **pertaining to minerals supply and waste management in Kent.** It describes:

- the overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent, and
- the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.

1.1.2 This Plan identifies and sets out the following subjects for the period up to, and including, the year ~~2030~~9:

- the long term Spatial Vision and Strategic Objectives for Kent's minerals and waste
- the delivery strategy for minerals and waste planning that identifies how the objectives will be achieved in the plan period
- ~~two~~ the areas where strategic mineral and waste development is likely to occur
- the Development Management (DM) policies that will be used when the County Council makes decisions on planning applications
- the framework to enable annual monitoring of the policies within the Plan

1.1.3 The specific sites for mineral developments are set out in the separate Kent Mineral Sites Plan. The site selection process for the final sites included in the Mineral Sites Plan was based on the policies in the Kent MWLP.

1.1.4 Preparing the Plan has involved engagement and collaboration with communities, local organisations and businesses. Public consultation was held for each stage of the plan-making process. It has also been prepared in cooperation with Kent's districts, neighbouring authorities and other minerals and waste planning authorities that may be affected by the strategies and policies in the Plan. This has ensured that effective cooperation has been undertaken where there are cross-boundary impacts.

1.1.5 This Plan is accompanied by the following:

- *Sustainability Appraisal (SA)*
- *Habitat Regulations Assessment (HRA)*
- *Strategic Flood Risk Assessment (SFRA)*
- *Strategic Landscape Assessment*
- *Strategic Transport Assessment*
- *Equalities Impact Assessment (EqIA)*¹

1.2 The Status of the Kent Minerals and Waste Local Plan 2013-30/2024-39

1.2.1 The Plan is part of the statutory development plan for Kent together with the adopted Local Plans prepared by the twelve Kent district and borough planning authorities and relevant Neighbourhood Plans prepared by local communities. Proposals for waste and mineral developments will be considered against the policies contained in the development plan as whole, not just those included in this Plan.

1.2.2 The policies in this Plan **update policies in the Kent Minerals and Waste Local Plan 2013-30**, replace the earlier versions of the saved Kent Minerals and Waste Local Plan policies. Appendix B lists the schedules of saved Kent Local Plan policies replaced, deleted or retained.

1.2.3 This Plan will be mainly used by the County Council **and the Ebbsfleet Development Corporation** when determining applications for minerals and waste facilities. The Plan is also relevant to the determination of non-minerals and waste applications which may be determined by the District and Borough Councils and the County Council (in terms of other County matters such as schools). It is envisaged that the main policies that will be implemented when non-minerals and waste applications are being determined are as follows:

- Policy CSM 6: Safeguarded Wharves and Rail Depots
- Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure
- Policy CSM 8: Secondary and Recycled Aggregates
- Policy CSW 3: Waste Reduction
- Policy CSW 16: Safeguarding of Existing Waste Management Facilities
- Policy DM 7: Safeguarding Mineral Resources
- Policy DM 8: Safeguarding Minerals Management, Transportation Production & Waste Management Facilities
- Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development
- Policy DM 20: Ancillary Development
- Policy DM 21: Incidental Minerals Extraction

1.2.4 Section 38(6) of the *Planning and Compulsory Purchase Act 2004* and Section 70(2) of the *Town and Country Planning Act (TCPA) 1990* requires that planning applications "must be made in accordance with the [*development*] plan unless material considerations indicate otherwise."

¹ These documents form part of our evidence base and are available online from www.kent.gov.uk/mwlp.

1.2.5 This document was prepared in accordance with national legislation². It has also been prepared to be in general conformity with the *National Planning Policy Framework (NPPF)*³, *National Planning Policy for Waste (NPPW)*⁴ and the *Waste Management Plan for England*⁵.

1.2.6 The Kent MWLP only applies to the administrative county of Kent. Medway Council are ~~writing~~ **maintain** their own local plan. ~~The position regarding saved minerals and waste planning policies in Medway is set out in Appendix B.~~

1.2.7 Annual monitoring will determine when it is necessary to trigger a review of the adopted plans and their policies. The monitoring schedule in Chapter 8 identifies when, where and by whom, actions will be taken to implement the Plan. The timetable for the preparation and review of Kent's minerals and waste plans is set out in the Kent MWLP Scheme⁶.

1.2.8 A list of the abbreviations used can be found on page ~~v~~**5** and Appendix A lists a glossary of terms.

1.3 The Links with Legislation, Other Policies and Strategies

1.3.1 When preparing plans, minerals and waste planning authorities must take account of international and national legislation and national planning policy. Until 2013, regional planning policy formed part of the development plan and was required to be taken into account in the preparation of local plans. The *Regional Spatial Strategy (RSS)* for the South East of England was **substantially** ~~partially~~ revoked⁷. The remaining part of the RSS relates to a policy about new residential development near the Thames Basin Heaths Special Protection Area (SPA), which is not in Kent. ~~However, the RSS has been tested for soundness through an Examination in Public (EiP), and where relevant, it can still form part of the evidence base for the Kent MWLP.~~

European National Legislation

1.3.2 **Following the departure of the UK from the** European Union (EU), **the text of EU Directives** **currently still** provides **much of** the international legislative context for minerals and waste plan-making.

² The Town and Country Planning (Local Development) (England) Regulations 2004, The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act (2011), Environmental Assessment of Plans and Programmes Regulations 2004.

³ **Department of Communities and Local Government (DCLG) (March 2012) Department for Levelling Up, Housing and Communities (DLUHC) National Planning Policy Framework (September 2023).**

⁴ **DCLG DLUHC** (October 2014) National Planning Policy for Waste

⁵ DEFRA (December 2013 **January 2021**) Waste Management Plan for England.

⁶ Available online from: www.kent.gov.uk/mwlp.

⁷ Statutory Instruments 2013 No. 427: The Regional Strategy for the South East (Partial Revocation) Order 2013.

1.3.3 The Waste (Circular Economy) (Amendment) Regulations 2020 (SI 2020/904), transpose the European Union’s 2020 Circular Economy Package (2020 CEP) in England and Wales, and were made on 25 August 2020. These Regulations implement six amending EU Directives in the field of waste concerning:

- **The Waste Framework Directive;**
- **packaging and packaging waste;**
- **landfill of waste;**
- **end-of life vehicles;**
- **batteries and accumulators and waste batteries and accumulators; and,**
- **waste electrical and electronic equipment.**

1.3.4 The changes are intended to increase the prevention, reuse and recycling of waste in accordance with the Waste Hierarchy⁸ e.g. by strengthening requirements for the separate collection of paper, metal, plastic or glass. The Regulations also put the Government commitments in the 2018 Resources and Waste Strategy to recycle 65% of municipal waste and to have no more than 10% of municipal waste going to landfill by 2035 into law.

1.3.5 Other important EU Directives which are currently retained as UK legislation These include:

- **Waste Framework Directive (WFD) (2008/98/EC)** which aims to move the management of waste up the Waste Hierarchy⁽⁸⁾ and to encourage the use of waste as a resource. EU member states are required to achieve recycling and composting rates of 50% by 2020 for household waste streams including paper, metal, plastic, glass, and for other waste streams that are similar to household waste. Also by 2020, the preparation for re-use, recycling and recovery of non-hazardous construction and demolition waste (CDE) (excluding naturally occurring materials) must be increased to a minimum of 70% by weight.
- **Landfill Directive (1999/31/EC)** which requires reductions in the quantity of biodegradable waste that is landfilled, and encourages diversion of non-recyclable and non-usable waste to other methods of treatment.
- **Water Framework Directive (Water FD) (2000/60/EC)** which aims to improve the local water environment for people and wildlife, and promote the sustainable use of water. It applies to all surface water bodies, including lakes, streams and rivers as well as groundwater. The aim of the Water FD is for all water bodies to reach good status by 2027. This means improving their physical state, and preventing deterioration in water quality and ecology. The Water FD introduced the concept of integrated river basin management

⁸ The Waste Hierarchy is defined in the Glossary in Appendix A and is shown diagrammatically in the text supporting Policy CSW 2.

planning. Kent lies within the Thames River Basin District and South East River Basin District⁹.

National Planning Policy and Guidance

1.3.36 The Government **originally** published the NPPF in March 2012. **The NPPF has been amended several times and most recently in July 2021-September 2023.** The NPPF describes the Government's planning policies for England and how to apply them. It provides a framework for people and their councils to produce distinctive local and neighbourhood plans that reflect local needs and priorities. It includes policies on plan-making and planning for minerals.

1.3.47 Specific policies on waste are described in the *National Waste Management Plan for England*¹⁰ and the *National Planning Policy for Waste 2014*¹¹. Local authorities preparing waste plans are also advised to consider relevant NPPF policies. **The National Waste Management Plan for England (2021) notes that National Planning Policy for Waste will be updated to align with the changes to the National Planning Policy Framework and the Resources and Waste Strategy.**

1.3.58 Since the publication of the NPPF, **DCLG Government** has published the following additional guidance notes which are relevant to minerals and waste plan-making:

- *Guidance for Local Planning Authorities on Implementing Planning Requirements of the EU WFD (2008/98/EC)*¹²
- ~~updated~~ Planning Practice Guidance on Minerals to accompany the NPPF, including ~~updated~~ guidance on the Managed Aggregate Supply System **and Planning Practice Guidance on Waste**¹³

1.3.69 The *Marine and Coastal Access Act 2009* introduced measures to enable the sustainable management and use of marine resources, including the requirement for a Marine Policy Statement (MPS). The UK MPS contains minerals policy relating to offshore mineral interests. All public authorities taking authorisation or enforcement decisions that affect, or might affect, the UK marine area must do so in accordance with the UK MPS, unless relevant considerations indicate otherwise. The MPS ~~will also~~ guides the development of Marine Plans across the UK. **The South East Inshore Marine Plan provides guidance for sustainable development from Felixstowe in Suffolk to near Folkestone. The South Marine Plan covers an area of around 20,000 square kilometres of inshore and**

⁹ Environment Agency (December 2015~~09~~) Thames River Basin Management Plan (RBMP) and the South East RBMP.

¹⁰ DEFRA (December 2013 **January 2021**) Waste Management Plan for England.

¹¹ **DCLG DLUHC** (October 2014) National Planning Policy for Waste.

¹² **DCLG DLUHC** (December 2012) Guidance for local planning authorities on implementing planning requirements of the EU Waste Framework Directive (2008/98/EC).

¹³ **DCLG** (Revised March 2014) Planning Practice Guidance: Minerals Web-based resource available from: <http://planningguidance.planningportal.gov.uk/>

offshore waters across 1,000 kilometres of coast line from Folkestone to the river Dart. The County Council continues to work with the Marine Management Organisation (MMO) to aid the implementation of policies and ensure there is no conflict with the KMWLP and the Marine Plan.

Local Plans and Strategies

1.3.710 The Plan **is** also **informed by the County Council's Strategic Statement, which sets out the priorities for the Council and** considers other relevant local policies and strategies.

Kent Joint Municipal Waste Strategy

1.3.811 As Waste Disposal Authority (**WDA**), in 2007 the County Council prepared a **the original** Joint Municipal Waste Management Strategy (JMWMS) with the districts in Kent, which was adopted by the Kent Resource Partnership (KRP). The partnership, **which** comprises 12 district/borough councils and KCC, **is a forum for WDA and Waste Collection Authorities (WCA) co-operation**. ~~The KRP plans and budgets for Kent's household waste so that new facilities can be built where and when they are needed.~~

1.3.12 The key objectives of the KRP are as follows:

- **Maximising the 'value' of resources that we manage from households, in terms of realising the social, environmental and economic opportunities;**
- **Providing the best possible value for money service to the Kent taxpayer, taking into account whole service costs;**
- **Realising opportunities to improve services now and in the future through engagement, collaboration and working in partnership with the supply chain; and**
- **Supporting future thinking through ongoing research and evidence that will facilitate the transition to a circular economy for Kent.**

The aims of the KRP are to:

- ~~increase recycling rates all over Kent~~
- ~~reduce the amount of waste produced by each household~~
- ~~reduce the amount of Kent's waste that is put into landfill~~

1.3.913 Since 2007 the KRP ~~have achieved~~ the following targets **have been achieved**:

- 40% recycling and composting across Kent County Council
- KCC's Household Waste Recycling Centres (HWRCs) ~~to achieved~~ **a 60%** recycling and composting rate

1.3.104 ~~These targets were achieved in 2011/12. Also~~ **In addition**, the amount of waste sent to landfill ~~has been reduced from around 72% in 2005/06 to 22.8% in 2016/17~~ **44/12**.

1.3.145 A refreshed review of the Kent JMWMS was agreed by the KRP in 2018 began in 2011. The KRP prepared which sets out new objectives and policies which are being implemented across Kent. These include a recycling rate of 50% and a landfill target of no more than 2% by 2020/21 and a year on year reduction in residual waste per household reducing household waste arisings by at least 10% by 2020/21 (based on 2010/11 levels), recycling and composting rates of at least 50%, and sending no more than 5% of the household waste stream to landfill. The aim is to get as close as possible to 0% for untreated household waste being sent to landfill.

Kent Waste Disposal Strategy

1.3.16 The County Council as Waste Disposal Authority (WDA) is conducting a five-year review of its Waste Disposal Strategy originally adopted in July 2017. This strategy is the guiding document for the WDA's assessment of current and future infrastructure operational requirements in Kent for the ongoing management of local authority collected waste arising in across Kent.

Kent County Council Climate Emergency Statement

1.3.17 In 2019 the County Council adopted a Climate Emergency Statement which states:

“Through the framework of the Energy and Low Emissions Strategy, we will facilitate the setting and agreement of a target of net zero emissions by 2050 for Kent and Medway.”

The Kent and Medway Energy and Low Emissions Strategy

1.3.18 The Kent and Medway Energy and Low Emissions Strategy sets out how Kent County Council, in Partnership with Medway Council, and Kent district and borough councils, will respond to the UK climate emergency and drive clean, resilient economic recovery across the county. Priorities set out in the document include ensuring that climate change and circular economy principles are integrated into Local Plans, including environmental considerations, reducing carbon emissions, and ensuring management of resource sustainably. The Strategy includes the following statement:

‘Principles of Clean Growth (growing our economy whilst reducing greenhouse gas emissions), must be factored into all planning and development policies and decisions, whilst not becoming a barrier to new development.’

The Strategy also expects a clean growth and climate change strategic planning framework for Local Plans and development to be prepared in the short term (by 2023) and clean growth and climate change to be fully integrated into Local Plans in the long term (by 2030).

Strategic Transport Plans

1.3.1219 The County Council has a statutory duty to prepare and update its Strategic Transport Plan. The Local Transport Plan for Kent ~~2014-2016~~**2016-2031** was adopted in ~~2014~~**2017**. This Plan explains how the council will work towards its transport vision over the coming years ~~a five-year period~~ using the funding that it receives from Government, **bringing together KCC transport policies, looking at local schemes and issues as well as those at a countywide and national significance.** KCC also prepared a 20-year transport delivery plan, Growth Without Gridlock, which focuses on the key strategic transport improvement areas required in Kent, including the Thames Gateway. This aims to relieve the pressure on the Channel Corridor, cut congestion in West Kent along the A21, find a solution in East Kent for Operation Stack¹⁴ and provide an integrated public transport network.

1.3.1320 The Kent Freight **Action** Plan **for Kent** was adopted in 2012~~7~~. It contains KCC's objectives to tackle key issues and find solutions to the following problems related to lorry movements in Kent:

- overnight lorry parking
- Operation Stack
- managing the routing of Heavy Goods Vehicles to ensure that they remain on the Strategic Road Network for as much of their journey as possible
- impacts of freight traffic on communities and the environment
- encouraging sustainable distribution

District Local Plans

1.3.1421 The Kent district local plans form part of the development plan **and these** - ~~While they do not address minerals and waste matters, their Sustainable Community Strategies have been considered in the preparation of the Kent MWLP.~~

1.4 The Evidence Base

1.4.1 The evidence base required for plan-making must be: *proportionate*¹⁵, kept up-to-date and address all of the relevant legislative and policy requirements.

1.4.2 An adequate and relevant evidence base on the economic, social and environmental characteristics and prospects of the area has been available to inform the preparation of the Plan.

1.4.3 The Sustainability Appraisal (SA) identifies and evaluates the impacts that are expected to arise from the Plan's policies regarding social, environmental and economic factors. The SA process is *iterative*¹⁶ and prepared in parallel with the Kent MWLP. The SA influences the production of the Plan and ensures that plan-making

¹⁴ Operation Stack is the name given to the process used to stack lorries on the M20 when cross channel services from the Port of Dover or through the Channel Tunnel are disrupted.

¹⁵ Proportionate means being in due proportion, so that there is sufficient evidence (facts and figures) to justify the decisions made in the Plan.

¹⁶ Iterative means that there is repetitive on-going discussion and resolution of issues.

is carried out in accordance with the principles of sustainable development. The SA report for the Plan was prepared independently by URS **Amey** Consultants. Each stage of plan-making has been accompanied by an SA.

1.4.4 Kent contains sites of international importance for wildlife including Special Areas of Conservation (SACs), **Special Protection Areas (SPAs)** and Ramsar sites¹⁷. The Plan is accompanied by a **Habitats Regulation Assessment (HRA)** which considers the impacts of the plan policies on the international sites and assesses whether the policies will have a significant impact. The Plan must comply with the requirements of the Habitat Regulations¹⁸ to minimise the possibility of impacts on internationally designated sites.

1.4.5 **When** ~~the Plan is also~~ **was adopted in 2016** it was accompanied by the following assessments:

- **Strategic Flood Risk Assessment (SFRA)** describing the impacts of the plan policies on flooding and identifying where mitigation measures could be needed
- *Strategic Landscape Assessment* describing the landscape impact of the Strategic Site for Minerals and the Strategic Site for Waste identified in the Plan
- *Strategic Transport Assessment* describing the potential effects on Kent's transport network (see Figure 2) as a result of the Plan's policies

These assessments remain relevant to the updated Plan. Additional assessments accompanied the Mineral Sites Plan that was adopted in 2020.

1.4.6 Parts of the Kent MWLP evidence base ~~were have been~~ **were** developed in conjunction with other adjoining local authorities, including:

- the KCC and Medway Council collaboration on a study of mineral imports into the county **in 2010**¹⁹
- the Kent and Surrey County Council collaboration on an evidence base for their plans for silica sand²⁰

1.4.7 The evidence base topic reports and other documents that have been prepared to inform and support the preparation of ~~the~~ **is Plan adopted in 2016 and its review** and information on public consultation undertaken are available online²¹.

¹⁷ Ramsar sites are sites designated under The Ramsar Convention as Wetlands of international importance Sites.

¹⁸ The Conservation of Habitats & Species Regulations 2010.

¹⁹ KCC and Medway Council (May 2011) MTR7: Kent and Medway Mineral Imports Study.

²⁰ GWP Consultants Ltd (2010) Silica Sand Report for KCC and Surrey County Council.

²¹ See www.kent.gov.uk/mwlp.

1.5 Planning and Permitting Interface

1.5.1 When determining planning applications, local planning authorities establish whether a development should go ahead in the particular location proposed. In arriving at its decision, the County Council and it's partner planning authorities will:

- seek to establish the development is an appropriate use of the particular land, and, in doing so, that the development will not result in unacceptable risks from pollution.
- respect the fact that the primary role of controlling pollution falls to the respective pollution regimes.
- pay due **cognizance regard** to the fact that certain activities may be subject to non-planning consenting regimes and securing such consents may be critical in delivering the particular development.
- seek advice from other relevant consenting bodies, such as the Environment Agency, around issues that might affect whether a development is acceptable.
- Where any significant issues are identified, **we it is** recommended that other consents needed, such as environmental permits, be sought in parallel to submission of the planning application so that any issues can be resolved as early as possible.

1.5.2 The NPPF **(and NPPW)** states that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than **the control** of **processes or emissions** themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that **these regimes will operate effectively**. Equally, where a planning decision has been made on a **particular development**, the planning issues should not be revisited through the permitting **regimes operated** by pollution control authorities²².

1.5.3 The NPPW states that when determining waste planning applications, waste planning authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste Planning Authorities should work on the assumption that the control regime will be properly applied and enforced²³.

²² DCLG (2012) **DLUHC (September 2023)** National Planning Policy Framework, para. 122**88**.

²³ **DCLG (2014) National Planning Policy for Waste, para. 7.**

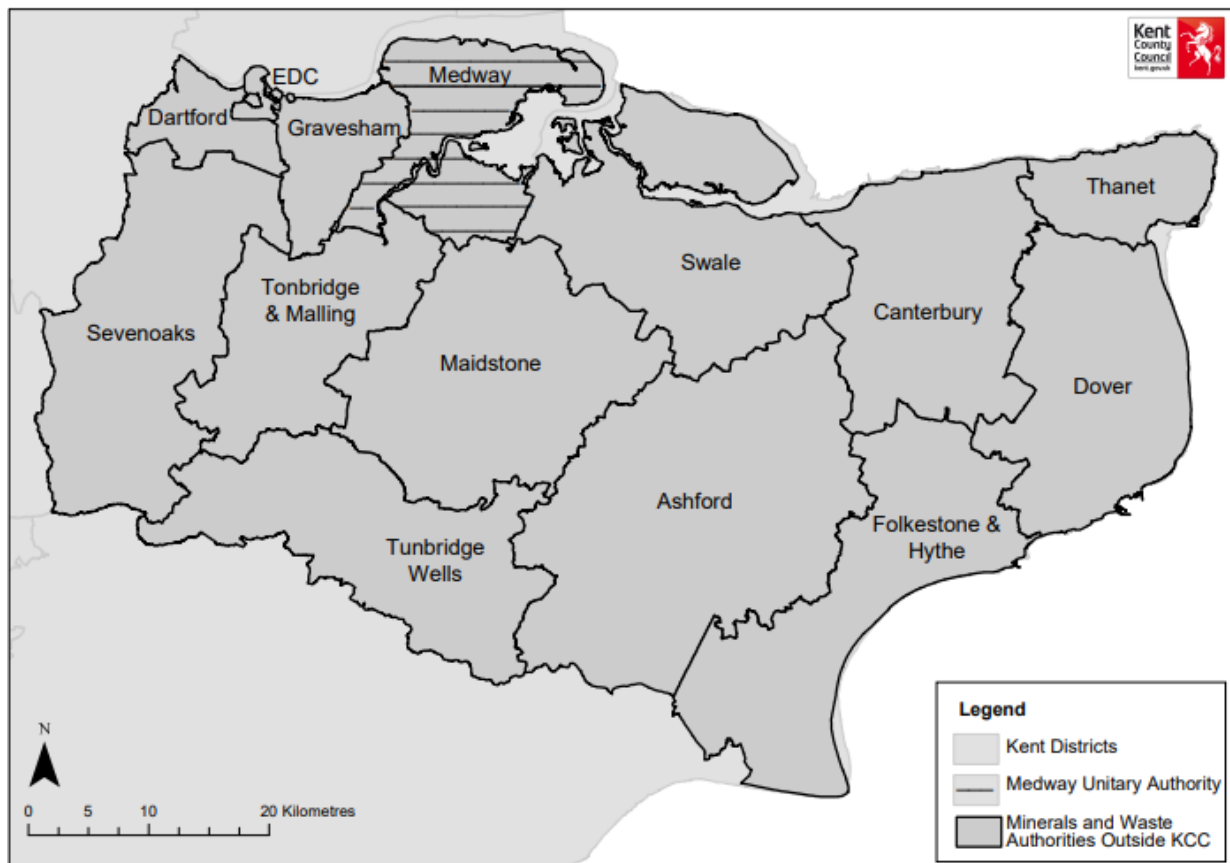
2. Minerals and Waste Development in Kent: A Spatial Portrait

2.1 Introduction

2.1.1 Kent is located in the south east corner of the United Kingdom (UK). The county consists of 12 districts, as shown in Figure 1. It is surrounded on two sides by water: the River Thames to the north and the English Channel to the south-east. It also neighbours London on its north-west perimeter. It has excellent transportation links by road, rail and water with northern France, London, Essex and the South East of England (see Figure 2). 85% of Kent is defined as rural.

2.1.2 With an estimated population of 1,480,200 **1,589,100** people²⁴, (24 — In September 2021, Office for National Statistics) Kent is the largest non-metropolitan local authority area **by population** in England. Projected population growth for Kent is a ~~40.57.5%~~ increase between 2014~~8~~ and 2024~~8~~, with the total population of the county expected to be **over 1.627** million people by 2026~~8~~²⁵.

Figure 1: Kent Districts



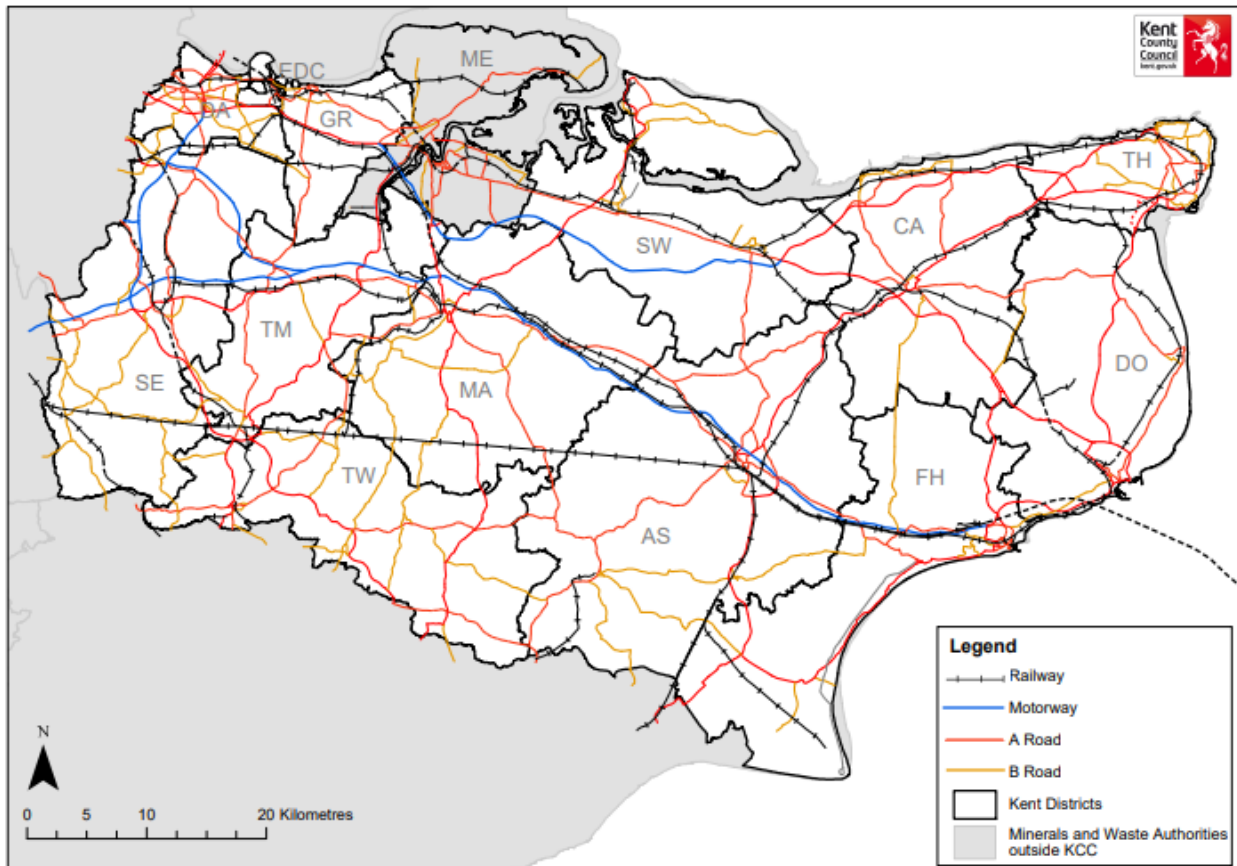
2.1.3 The population of Kent is spread unevenly throughout the county. North-west Kent is the main urban area as part of the Thames Gateway area. The Thames

²⁴ In September 2021, Office for National Statistics.

²⁵ ~~KCC (2020) Strategic Commissioning Statistical Bulletin 2018 – Based Subnational Population Projections~~ **KCC (2020) Strategic Commissioning Statistical Bulletin 2018 – Based Subnational Population Projections.**

Gateway stretches along the River Thames from Stratford and Lewisham in London out to Sittingbourne, Kent and Southend, Essex. Within Kent, it contains parts of Dartford, Gravesham and Swale Districts and Medway Council.

Figure 2: Transport Links



2.1.4 Kent is a member of The South East Local Enterprise Partnership (SE LEP). This encompasses East Sussex, Essex, Kent, Medway, Southend and Thurrock. LEPs are voluntary partnerships between local authorities and businesses which were formed in 2011 by the **former** Department for Business, Innovation and Skills (BIS) to help determine local economic priorities and lead economic growth and job creation within the local areas. LEPs are responsible for some of the functions previously carried out by the regional development agencies which were abolished in March 2012. There were **398** LEPs in operation in ~~September~~ **October 2012**.

2.1.5 Figure 3 shows the extent of the SE LEP and the Thames Gateway area. The SE LEP area has 156,000 businesses and 3.9 million people. 1,526,000 people work within the LEP area, contributing £63bn Gross Value Added (GVA)²⁶. This represents 5% of the national contribution²⁷. The SE LEP's **aim** is to **ensure the survival and stability of our economy in the short term and to drive sustainable economic renewal and growth in the medium to long term**. ~~create the most enterprising economy in England.~~ The SE LEP has identified four strategic

²⁶ GVA is explained in the Glossary in Appendix A.

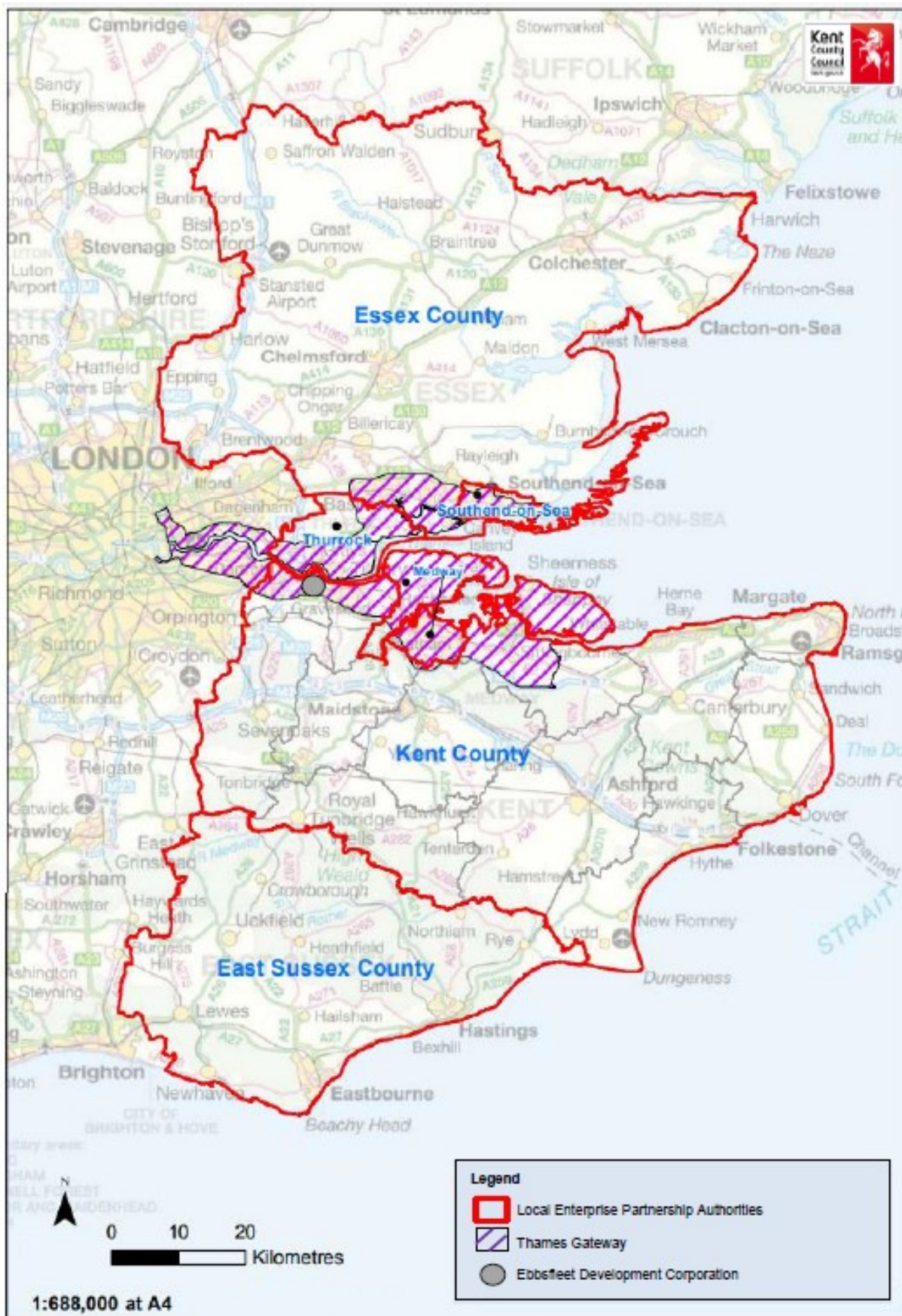
²⁷ South East Local Enterprise Partnership Strategic Economic Plan.

objectives/priorities which reflect the unique geography, assets and opportunities:

1. ~~secure the growth of the Thames Gateway~~ **business resilience and growth**
2. ~~promote investment in coastal communities~~ **UK's global gateway**
3. ~~strengthen the rural economy~~ **communities for the future**
4. ~~strengthen the competitive advantage of strategic growth locations~~ **coastal catalyst**

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Figure 3 SELEP and the Thames Gateway Area



2.2 Kent's Environmental and Landscape Assets

2.2.1 Some of Kent's natural environment and features are formally identified as being of international, national and local importance. Kent also has statutorily protected species, under both European **international** and national legislation. These formal designations include the following:

International Importance (see Figure 4):

- Ramsar sites and/or
- **Special Protection Areas** for Conservation (SPAs)
- **Special Areas for Conservation** (SACs)
- UNESCO World Heritage Sites: Canterbury Cathedral, St Augustine's Abbey and St Martin's Church in Canterbury

National Importance (See Figures 5 & 6):

- almost a third of Kent is protected by two Areas of Outstanding Natural Beauty (AONB): the Kent Downs AONB and High Weald AONB
- Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (**NNRs**)
- nationally important archaeological sites (most of which are Scheduled Ancient Monuments), Registered Parks and Gardens of Historic Interest and Listed Buildings²⁸
- Kent areas of Heritage Coast including South Foreland and Dover to Folkestone
- Green Belt
- species and habitats listed as being of principal importance for the conservation of biodiversity in the UK (Section 41 of the *Natural Environment and **Rural Communities (NERC) Act 2006***)⁽²⁹⁾
- Ancient Woodland (Figure 10)
- **Marine Conservation Zones**

Local Importance:

2.2.2 Kent's wildlife, geological, geomorphological, landscape and historic environmental areas and features that are of particular importance at county level, or that make a contribution to biodiversity and geological conservation, include:

- Local Geological Sites and Local Wildlife Sites (LWSs) (see Figure 7)
- Local Nature Reserves (LNRs) (see Figure 8) **and Roadside Nature Reserves**
- Kent Biodiversity Action Plan (BAP) **Species and habitats identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045**

²⁸ Listed Buildings in Kent are shown on The National Heritage List for England on the **Natural England** English Heritage website.

²⁹ **DCLG DLUHC** (2000) Countryside and Rights of Way Act 2000.

- the setting of the World Heritage Site (Canterbury Cathedral, St Augustine's Abbey and St Martin's Church) and Locally Listed buildings, conservation areas and their settings, **Historic Environment Records and archaeological assets**
- landscape features of importance for wildlife that are essential for migration and dispersal, and which enable the protection, conservation and expansion of native flora and fauna
- Kent rivers and waterways and their settings (Figure 9)
- Biodiversity Opportunity Areas (BOA) and ~~The Greater Thames Marshes Nature Improvement Area (NIA)~~ (Figure 11)
- Groundwater in Kent (Flood Zones, Source Protection Zones) (Figure 15)

Biodiversity Opportunity Areas and Local Nature Recovery Strategy and the Nature Improvement Area

2.2.3 The identification of BOAs and the ~~Greater Thames Marshes NIA~~ present opportunities to contribute to large-scale biodiversity conservation in Kent.

2.2.4 Kent's network of BOAs has been identified to implement the Kent BAP **Nature Partnership Biodiversity Strategy 2020 to 2045**.⁽³⁹⁾ The BOAs show where the greatest gains can be made from habitat enhancement, restoration and recreation, **as these areas offer the best opportunities for** by establishing or contributing to large habitat areas and/or networks of wildlife habitats. The BOAs include a range of biodiversity **interests**. BOA targets reflect the specific landscape, geology and key habitats that are present within each area.

2.2.5 ~~NIAs are areas in which partner organisations are planning and delivering improvements for wildlife and people through sustainable resource use, restoring and creating wildlife habitats, connecting local sites and joining up action on a large-scale. Within Kent there is the Greater Thames Marshes NIA.~~

2.2.6 The BOAs and the NIA are not constraints to development. They are areas where minerals and waste sites will best be able to support the strategic aims for biodiversity conservation in Kent. Sites that are outside of the BOAs and the NIA can still contribute to the delivery of BAP targets and the enhancement of Kent's biodiversity.

2.2.7 Whilst the BOAs remain current they are likely to be superseded by the Local Nature Recovery Strategy, a requirement of the Environment Act 2021. The Local Nature Recovery Strategy (LNRS) will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. Whilst the LNRS is not expected to be a constraint to development, they will be an important source of evidence for local planning and public authorities will have a duty to "have regard" to the LNRS. At the time of writing, the secondary legislation and statutory guidance relating to LNRS that will provide the detail and instruct the commencement of their development is awaited.

Figure 4 International Designations

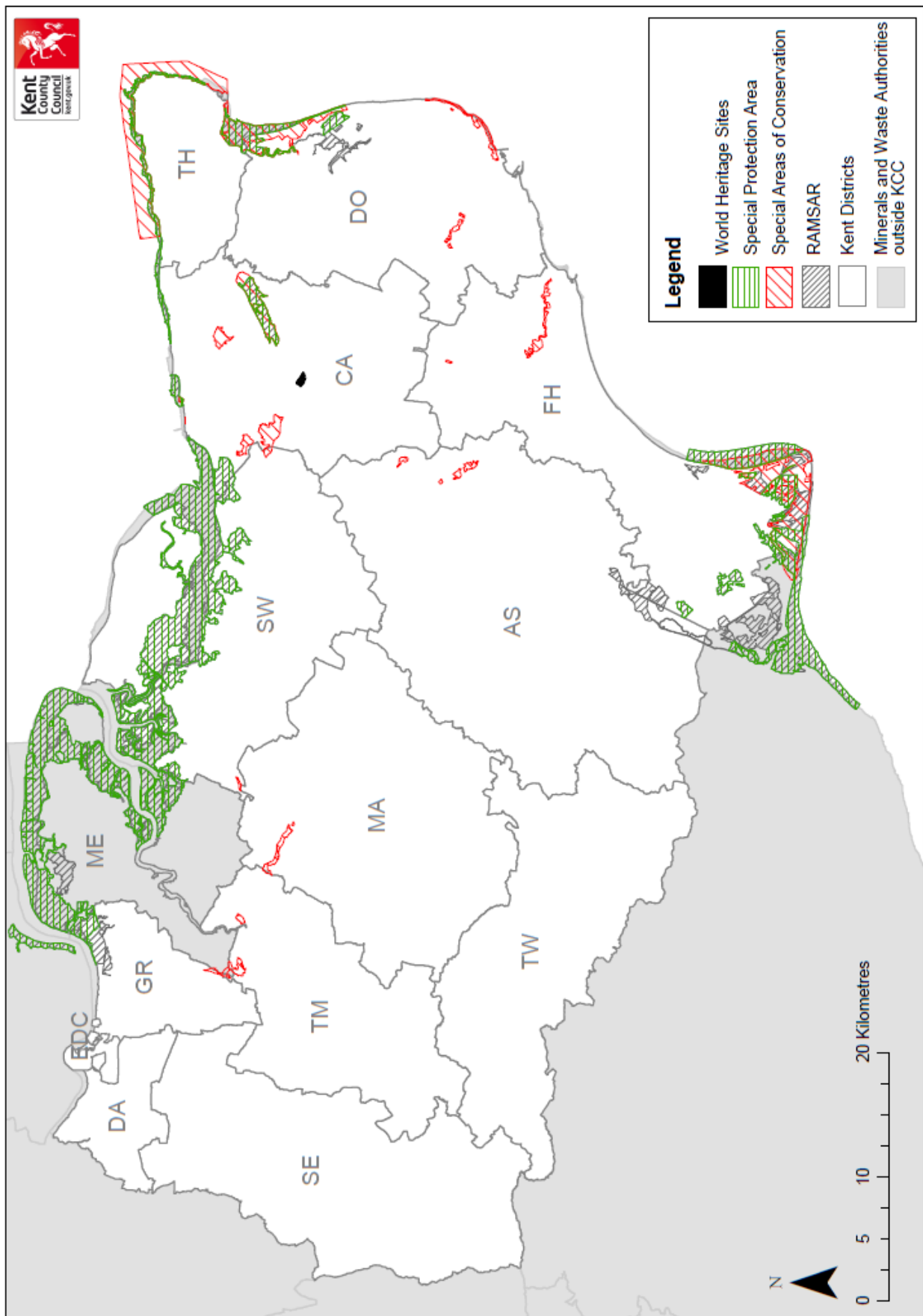


Figure 5: Nationally Important Designations: Landscape

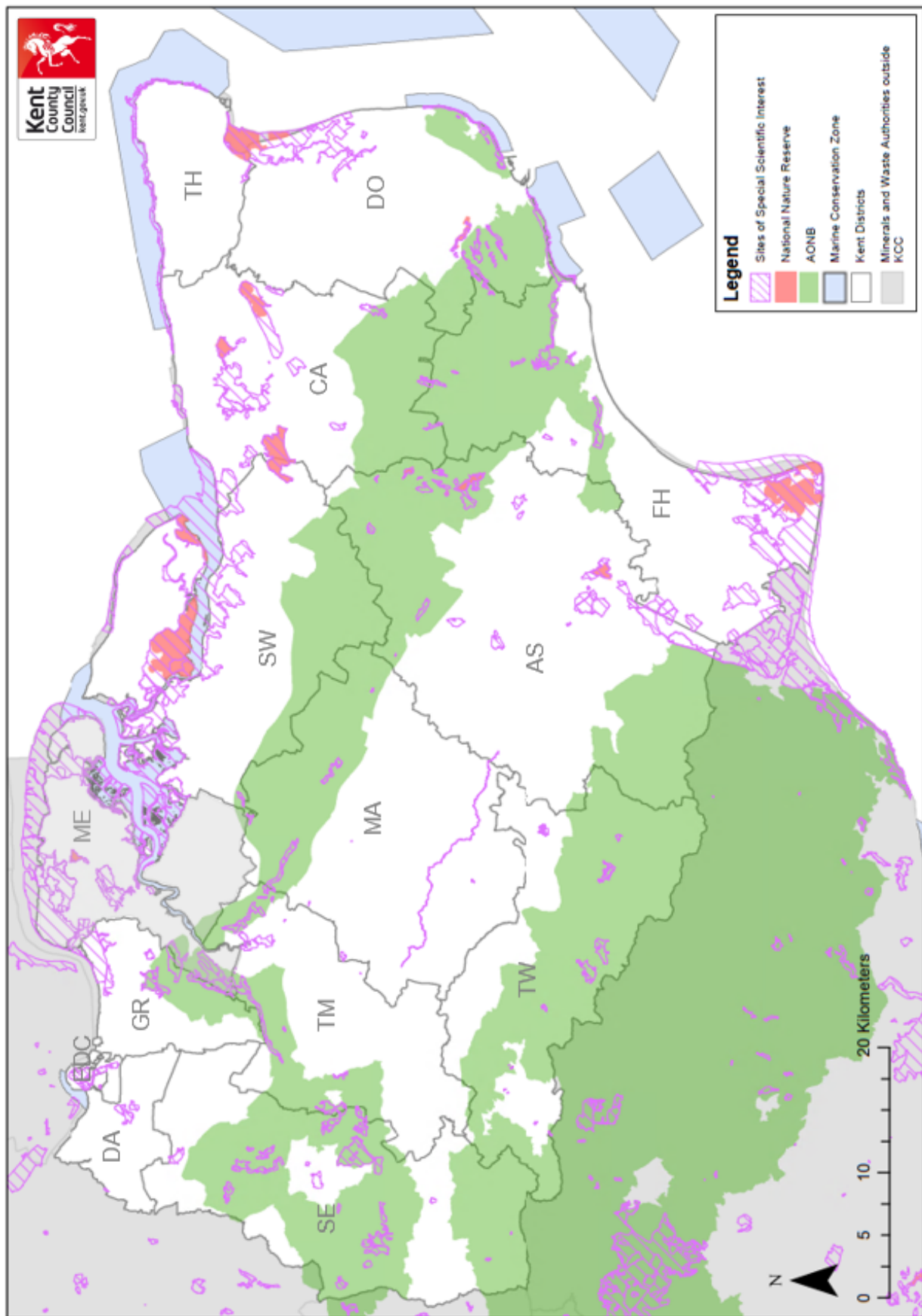


Figure 6: Nationally Important Designations: Heritage and Green Belt

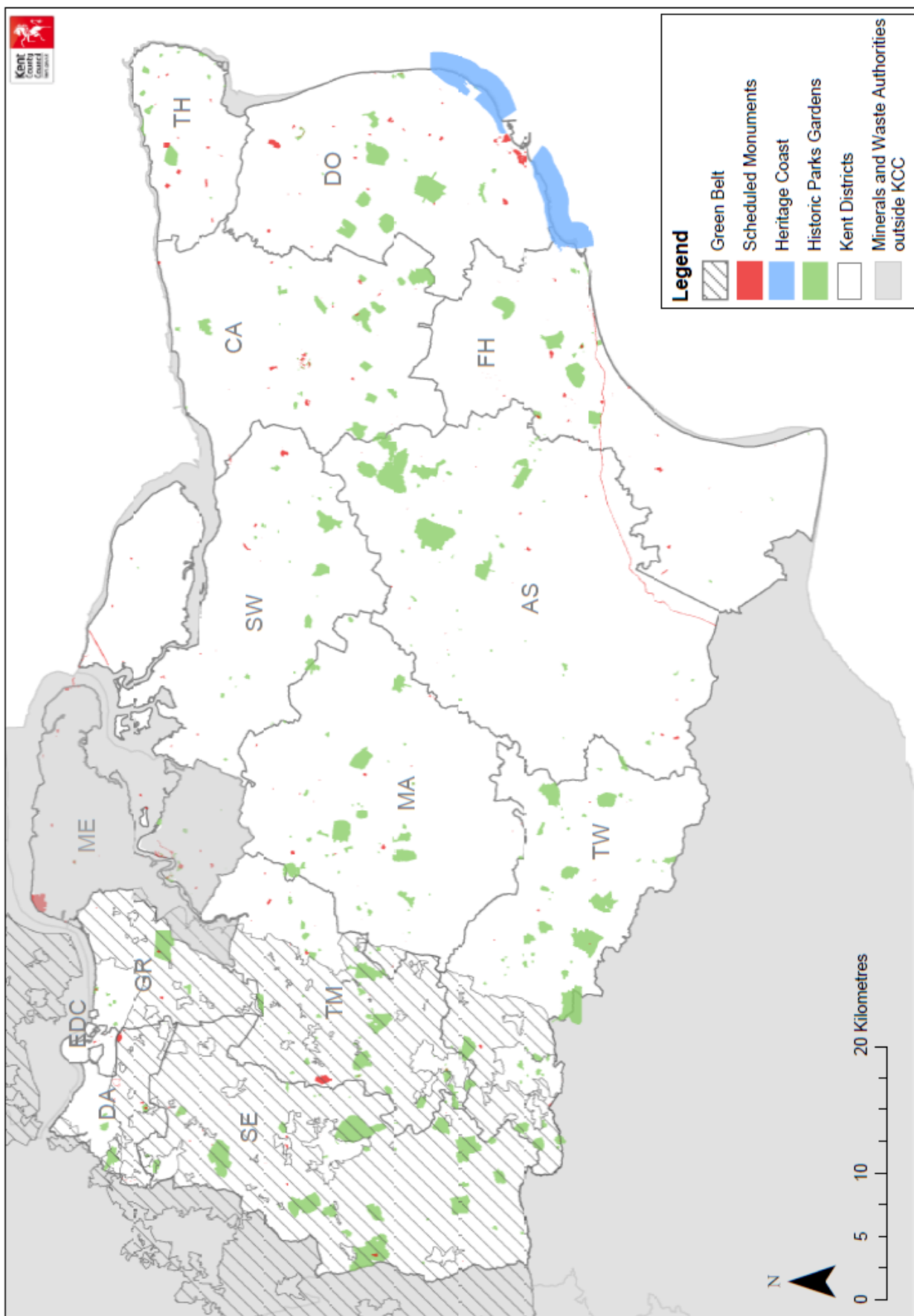


Figure 7: Local Geological Sites and Local Wildlife Sites

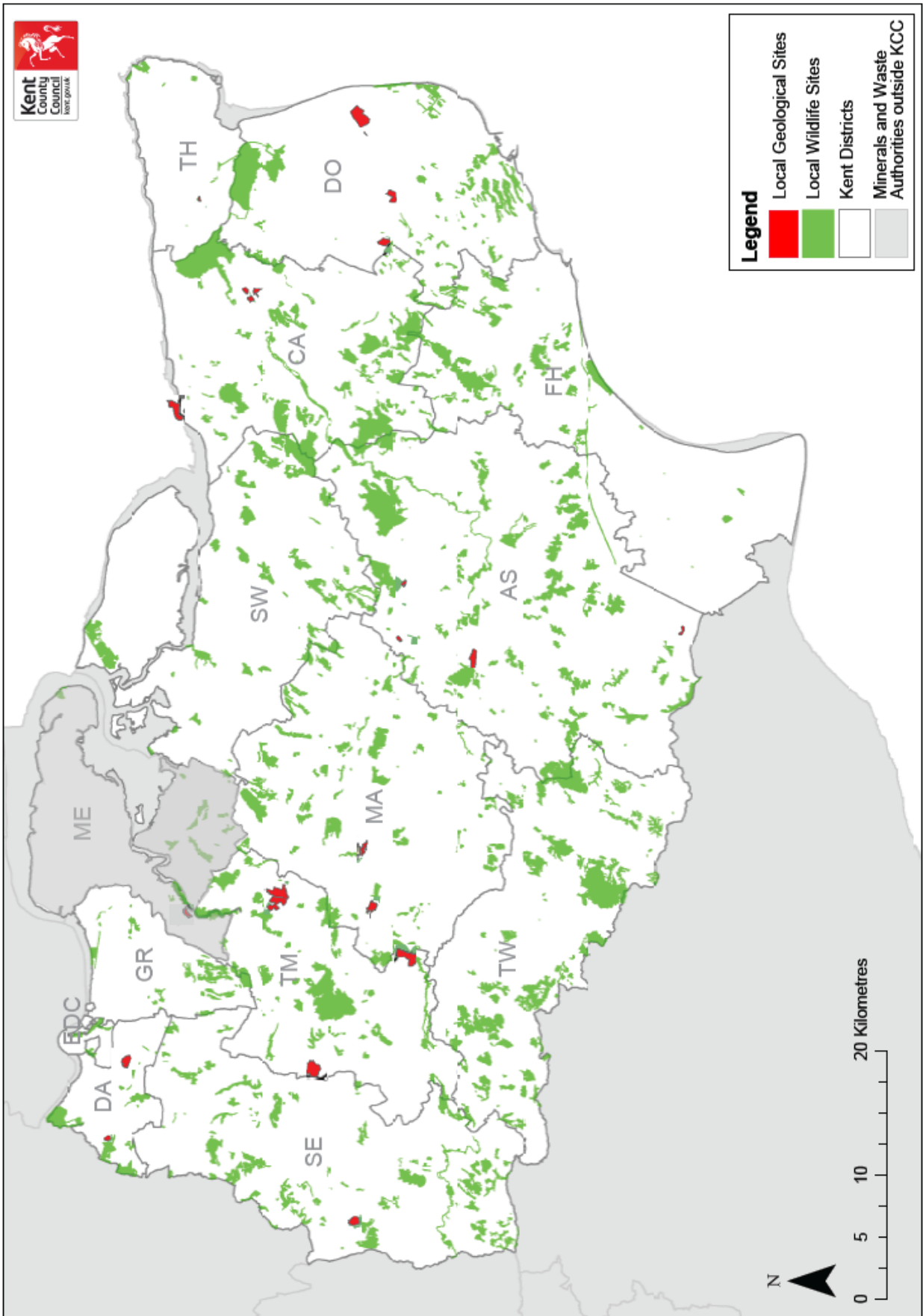


Figure 8: Local Nature Reserves

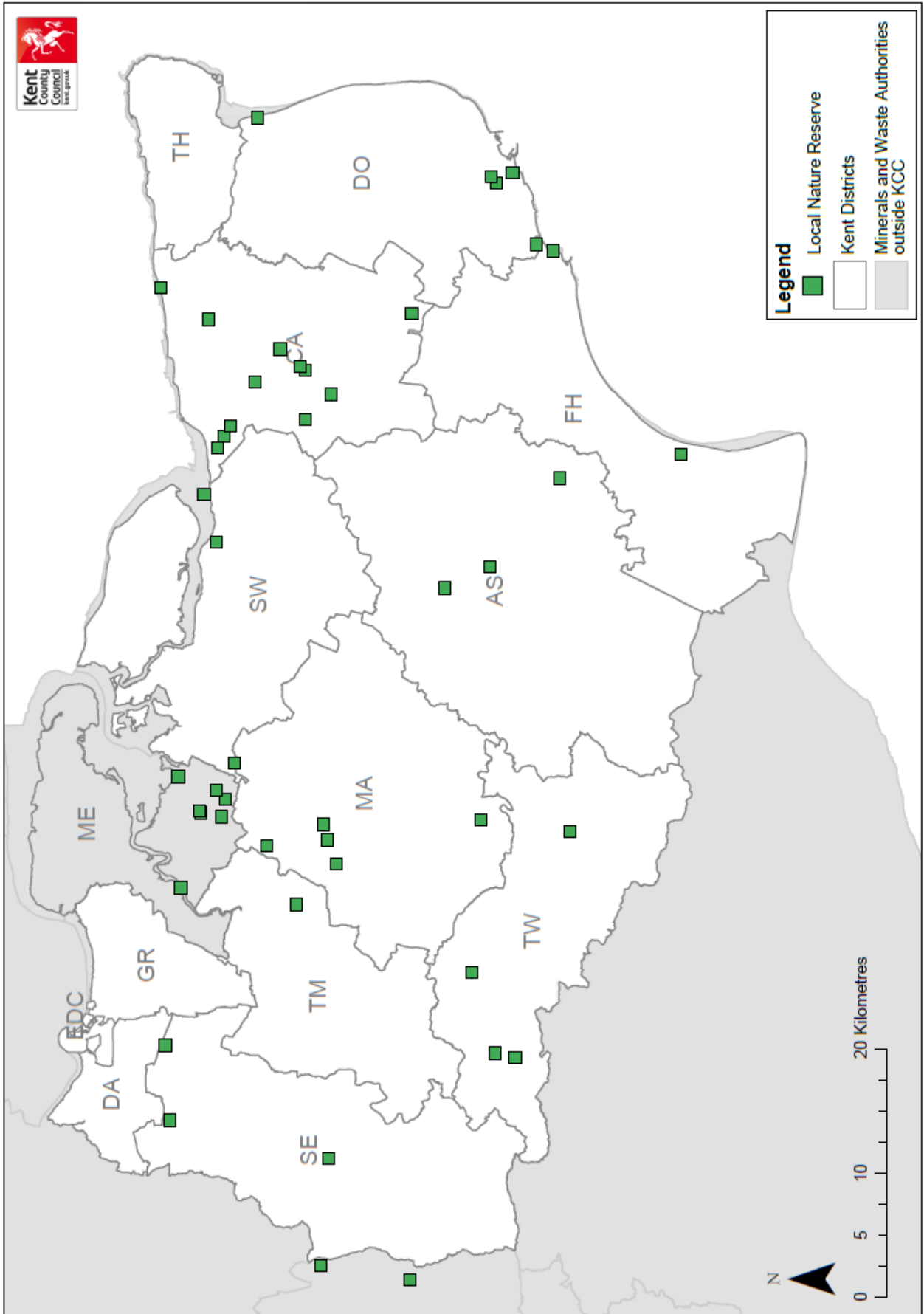


Figure 9: Kent Main Rivers and Waterways

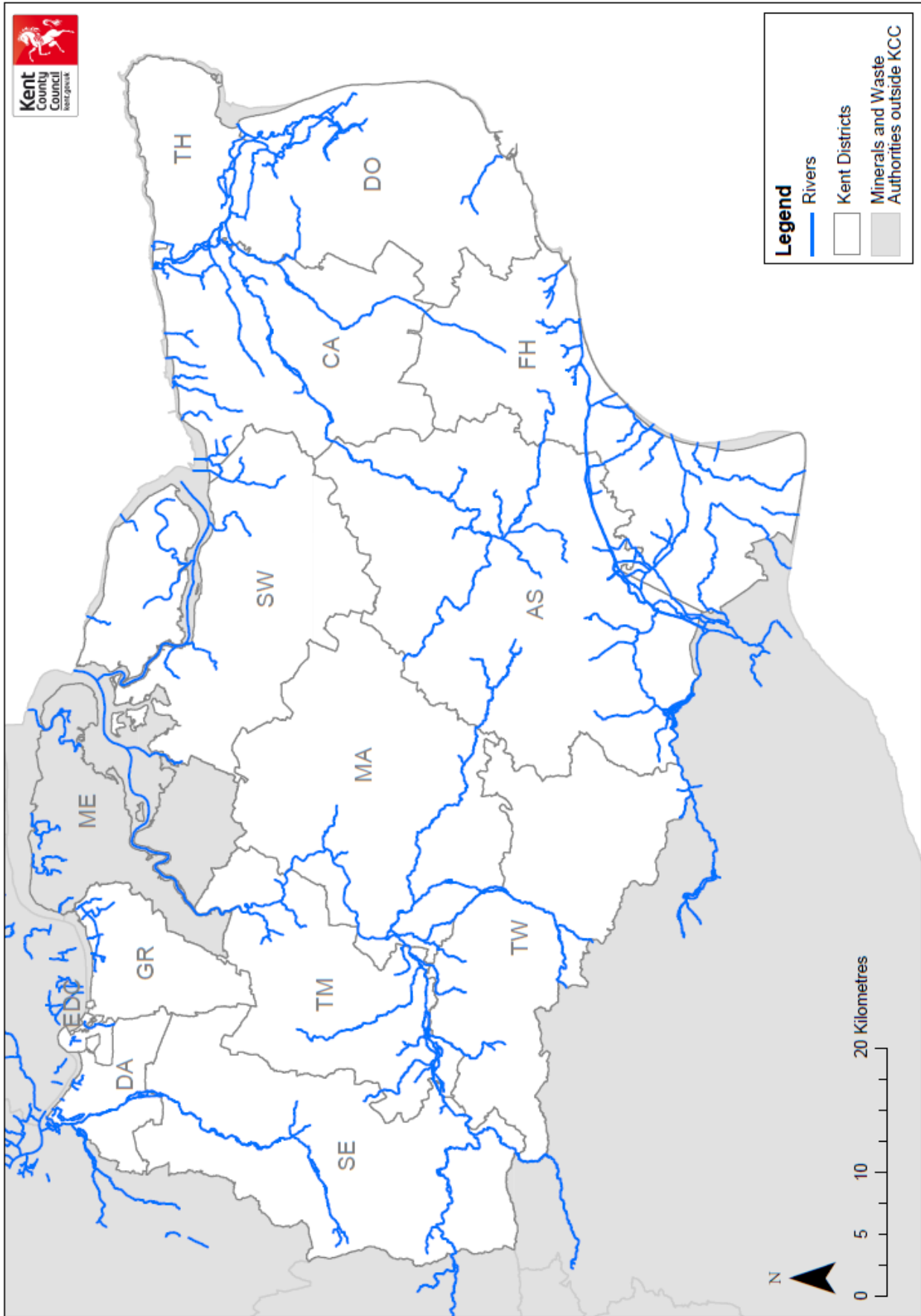


Figure 10: Ancient Woodland

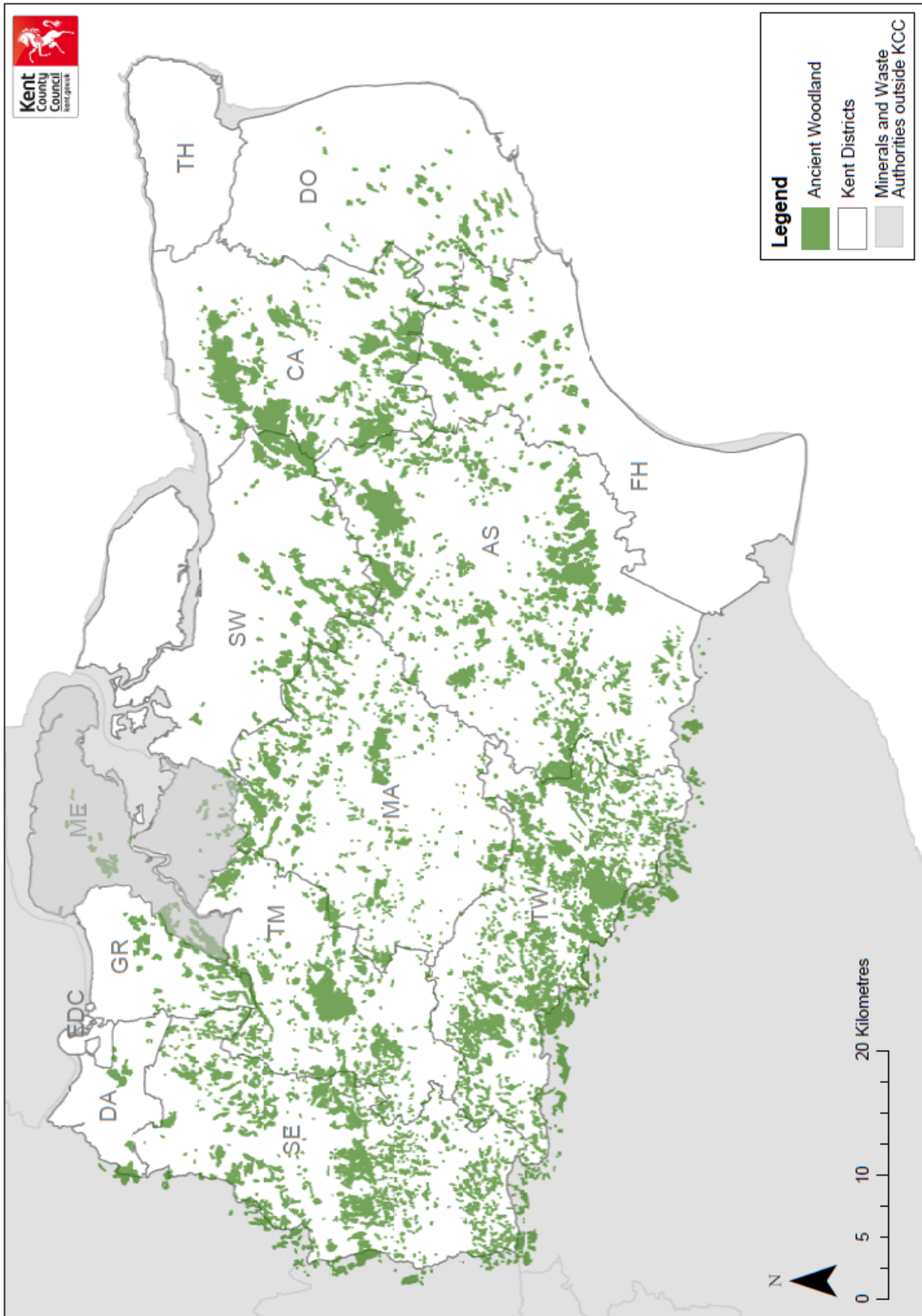


Figure 10A: Priority Habitats

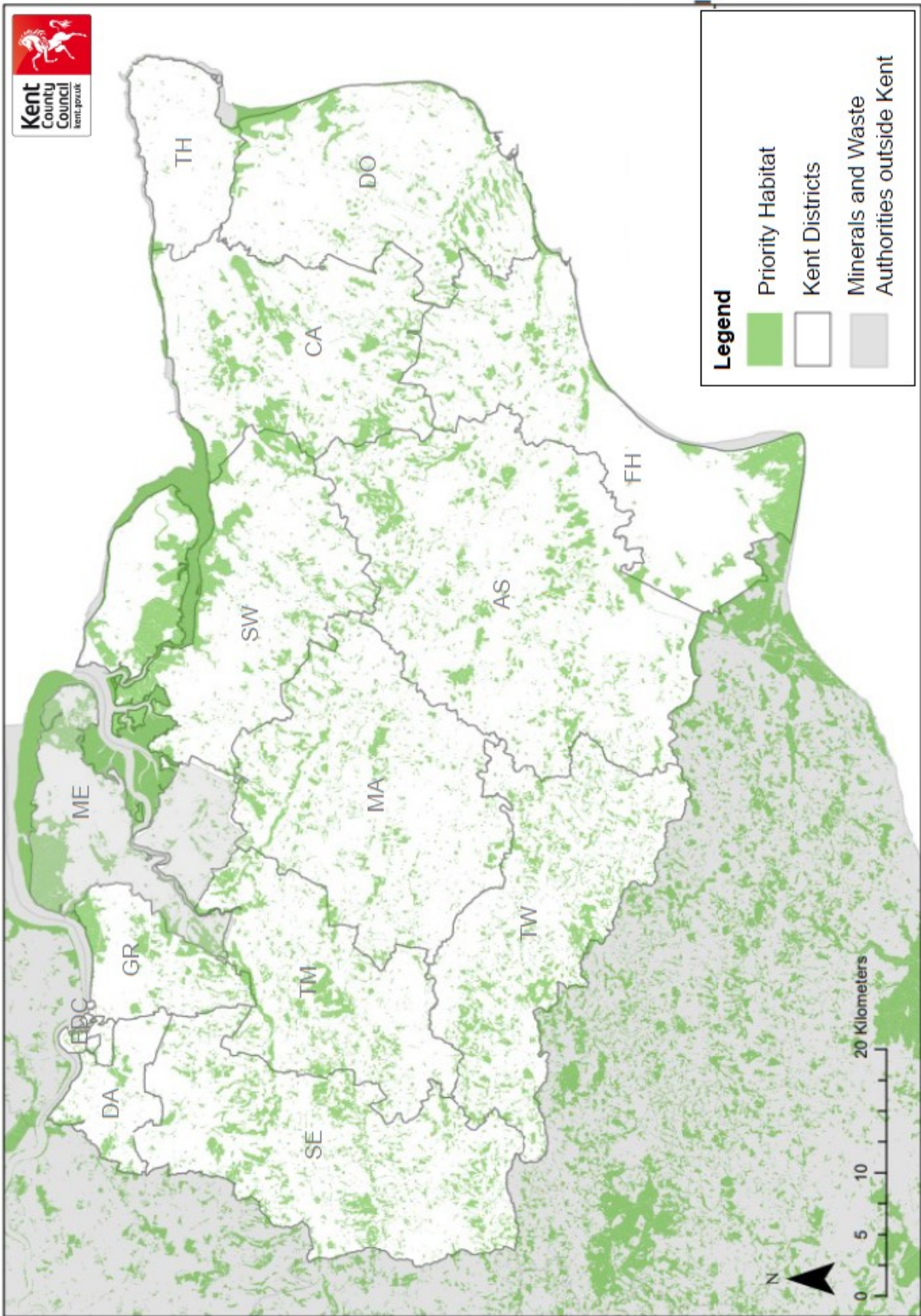
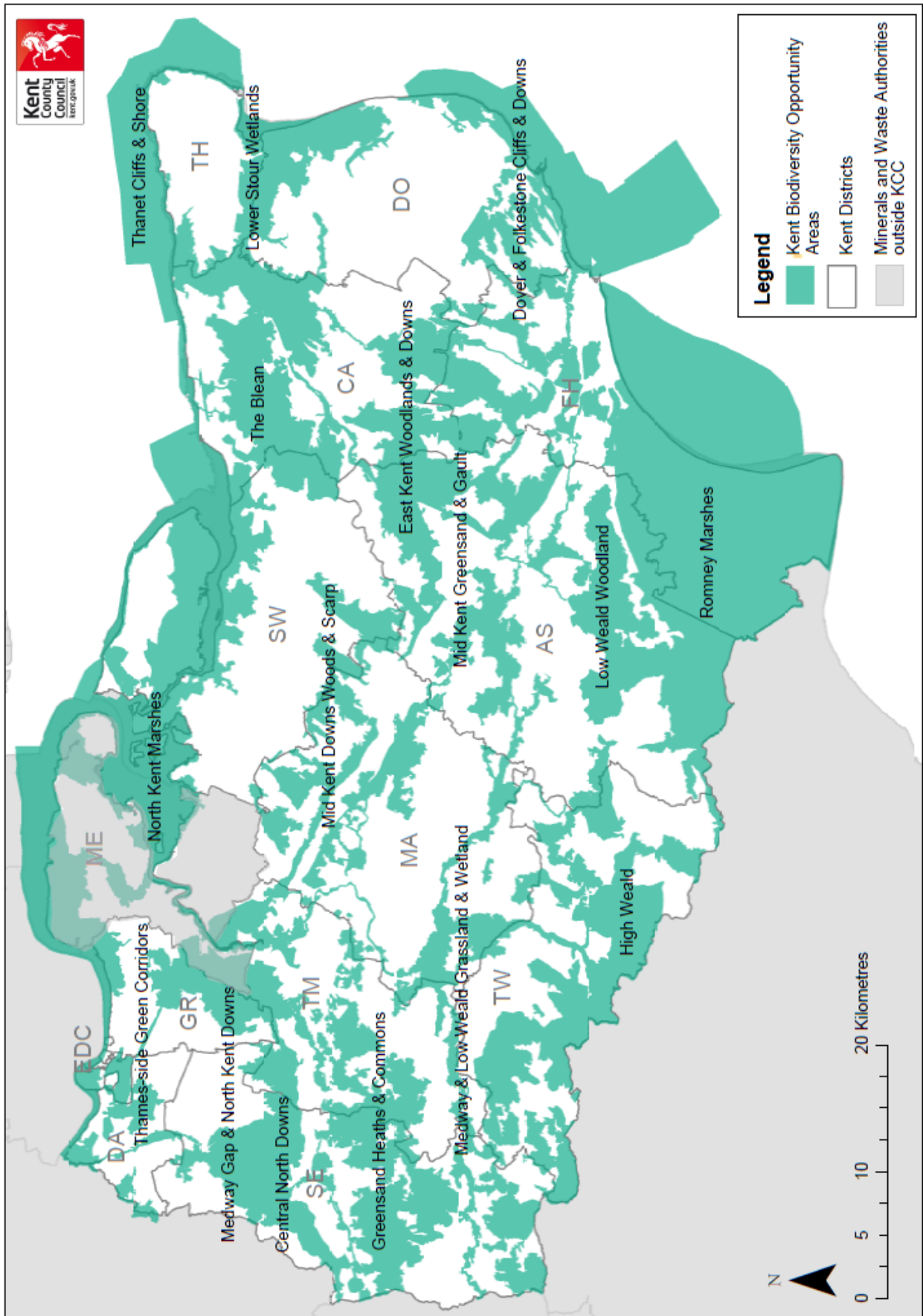


Figure 11: Biodiversity Improvement Areas



2.3 Kent's Economic Mineral Resources

2.3.1 The economic mineral resources³⁰ of Kent reflect its complex geological, economic and social history. Historically, the **Carboniferous** Coal Measures were of major economic importance until the East Kent Coal mines ceased operations by 1989. Until recently, **2010** Kent also had a thriving cement industry based on the chalk and clay deposits of the Medway Valley and north-west Kent. There are now no active cement works in Kent. Areas of Kent have also been licensed by the Government for petroleum exploration and development, **though none have been developed**.

2.3.2 Economic minerals that are extracted from Kent quarries include sand and gravel, crushed rock (**a limestone colloquially informally called Kentish Ragstone of the Hythe Formation**), **building sand**, silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses, and building stone.

2.3.3 Figure 12 shows the geology of Kent. Figures 13 and 14 shows all existing mineral extraction sites, wharves, rail depots, **and** the areas licensed for petroleum exploration and the Strategic Site for Minerals³⁴.

2.3.4 Details of operational and inactive quarries, wharves, rail depots and secondary and recycled aggregate sites in Kent are reviewed annually and listed **in alongside** the Kent Minerals and Waste Annual Monitoring Report (AMR)³².

Construction Aggregates

2.3.5 Construction aggregates consist of sand, gravel and crushed (**hard**) rock. These are the most significant in **terms of the** quantity ~~terms~~ of all of the minerals extracted in Kent.

2.3.6 Historically, sharp sand and gravel deposits have been extracted along Kent's river valleys (**River Terrace deposits**) and in the Dungeness and Romney Marsh area (**Storm Beach deposits**). The permitted reserves **have become** ~~are becoming~~ depleted **and are no longer a significant source of supply to meet objectively assessed needs as they historically once were**.

2.3.7 Soft sand or building sand, used to produce asphalt and mortar, is extracted from quarries situated on the Folkestone ~~Beeds~~ **Formation** between Charing and Sevenoaks. ~~Most~~ **Some** of these sand quarries produce a combination of soft sand (building sand which is a construction aggregate) and silica sand (a specialist sand **of higher purity that can be used in certain industrial processes, e.g., foundry sands, ceramics, and chemical production**).

2.3.8 The difference between sharp sand and soft sand is in the particulate shape, and the degree of variation of grain size. Soft sand particles are **all similar in size and shape with a** low **in** angularity **and are more equidimensional, and their**

³⁰ A resource is a concentration or occurrence of workable material of intrinsic economic interest.

³⁴ See Policy CSM 3: Strategic Site for Minerals for details.

³² All Annual Monitoring Reports are available online from: www.kent.gov.uk/mwlp.

~~particle size distribution is not high, meaning that the sand particulates generally fall within a narrow size range,~~ making them **soft sand** suitable for mortar mixes. Sharp sands are more angular and variable in size and they **which** provide ~~s the a~~ high structural strength **(tensile and compressive) useful** in concrete mixes.

2.3.9 The only type of crushed **(hard)** rock that is exploited commercially in Kent is Kentish Ragstone, found in a band crossing Kent from east to west. Currently **Kentish Ragstone** extraction is carried out to the west of Maidstone. **Another** ~~Crushed rock resources~~ also exists in **East Kent, in the form of** a Carboniferous Limestone deposit in east Kent. **This potential hard crushed rock resource is found at considerable depth below the ground surface (300m) and has not been exploited for aggregate use. The associated energy mineral, coal, ceased being mined in 1989.**

2.3.10 The use of secondary and recycled aggregates is more sustainable than extracting primary land-won aggregates. The County Council is therefore keen to increase the amount of secondary and recycled aggregates being re-processed. Recycled aggregates can replace sharp sand and gravel in concrete production. There are sites across Kent that screen and/or crush secondary and recycled aggregates for re-use. Some are located in industrial estates, or at existing quarries, wharves and rail depots.

2.3.11 As well as land-won minerals and mineral recycling, Kent handles minerals (construction aggregates and cement) through its wharves and rail depots and is the largest importer of Marine Dredged Aggregates (MDA) in the South East.

Other Minerals

2.3.12 Chalk and clay resources are very common in Kent. There are four main clay horizons in Kent: London Clay, Gault Clay, Weald Clay and Wadhurst Clay. London Clay has been extensively used as an engineering clay, particularly for sea defence works around the North Kent Marshes. Gault, Weald and Wadhurst Clay have been used, **historically**, in brick making.

2.3.13 Brick and tiles are manufactured from brickearth or clays. These industries have declined in Kent but there remains one operational brick and one operational tile works, ~~although some of the brickearth from north Kent is transported to East Sussex for brick manufacture.~~ The **Sittingbourne to** Faversham area is the original source of yellow London stock bricks. Hand-made Kent peg tiles are manufactured at a small Weald Clay site near Maidstone.

2.3.14 The chalk horizon in Kent has formed the North Downs and it forms a major **and highly recognised landscape** feature across the county from Dover in the east to Westerham in the west. It also forms the main bedrock to the Isle of Thanet. Chalk is used in agriculture, e.g. for neutralising acid soils, in construction and as a filler in industrial processes such as a whitening agent.

2.3.15 Building stone, required for specialist or conservation work, is currently provided only from the **Hythe Formation** ragstone **(a limestone that can provide**

crushed rock) quarries of mid Kent. Other types of building stone, including Tunbridge Wells Sandstone and Bethersden Paludina Limestone, have been worked for local building materials but there are currently no active quarries **in Kent.**

2.3.16 The Kent silica sand (**so called because of their high purity of silicon dioxide or quartz**) deposits found within the Folkestone Beds **Formation**, while not as pure as those in Surrey, are used for industrial processes. These include: glass manufacture, production of foundry castings, horticulture and for sports surfaces such as horse menages and golf course bunker sand. There are no sites in Kent that provide only silica sand. All such sites also produce construction aggregate³³

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³³ GWP Consultants (March 2010). A study of Silica sand Quality and End Uses in Surrey and Kent. Final Report for KCC.

Legend: Geology of Kent

<u>Superficial (Drift) Deposits of Kent</u>	<u>Solid Geology of Kent</u>
 Landslip	 Mineral & Waste Authorities outside KCC
 Blown Sand	 Lenham Beds
 Marine Beach / Tidal Flats	 Bagshot Beds
 Storm Gravel Beach Deposits	 Claygate Beds
 Marine (/Estuarine) Alluvium (Clay	 London Clay
 (Sand (Sand & Gravel)	 Blackheath / Oldhaven Beds
 Calcareous Tufa	 Woolwich Beds
 Alluvium	 Thanet Beds
 Dry Valley & Nailbourne Deposits	 Bullhead Bed
 Peat	 Upper Chalk
 Brickearth	 Middle Chalk
 Undivided Flood Plain Gravel	 Melbourne Rock
 1st Terrace River Gravel	 Lower Chalk (Glaucanitic Marl)
 2nd Terrace River Gravel	 Upper Greensand
 3rd Terrace River Gravel	 Gault Clay
 4th Terrace River Gravel	 Lower Greensand
 5th Terrace River Gravel	 Folkestone Beds
 1st/2nd Terrace River Gravel	 Sandgate Beds
 2nd/3rd Terrace River Gravel	 Hythe Beds
 4th/5th Terrace River Gravel	 Atherfield Clay
 Taplow Gravel	 Weald Clay
 Boyn Hill Gravel	 Sand in Weald Clay (/Sandstone)
 Head	 Large 'Paludina' Limestone
 Coombe Deposits	 Small 'Paludina' Limestone
 Head Brickearth	 'Cyrene' Limestone
 Head Brickearth (Older)	 Clay Ironstone
 Head Brickearth 1st Terrace	 Undifferentiated Clay & Limestone
 Head Gravel	 Hastings Beds
 Plateau Gravel	 Upper Tunbridge Wells Sand
 Clay-with-Flints	 Upper
 Sand in Clay-with-Flints	 Cuxfield Stone
 Disturbed Blackheath Beds	 Lower Grinstead Clay
	 Ardingley Sandstone
	 Lower Tunbridge Wells Sand
	 Tunbridge Wells Sand
	 Clay in Tunbridge Wells Sand
	 Grinstead Clay
	 Wadhurst Clay
	 Sand in Wadhurst Clay
	 Ironstone in Wadhurst Clay
	 Ashdown Beds

Figure 12: Geology of Kent

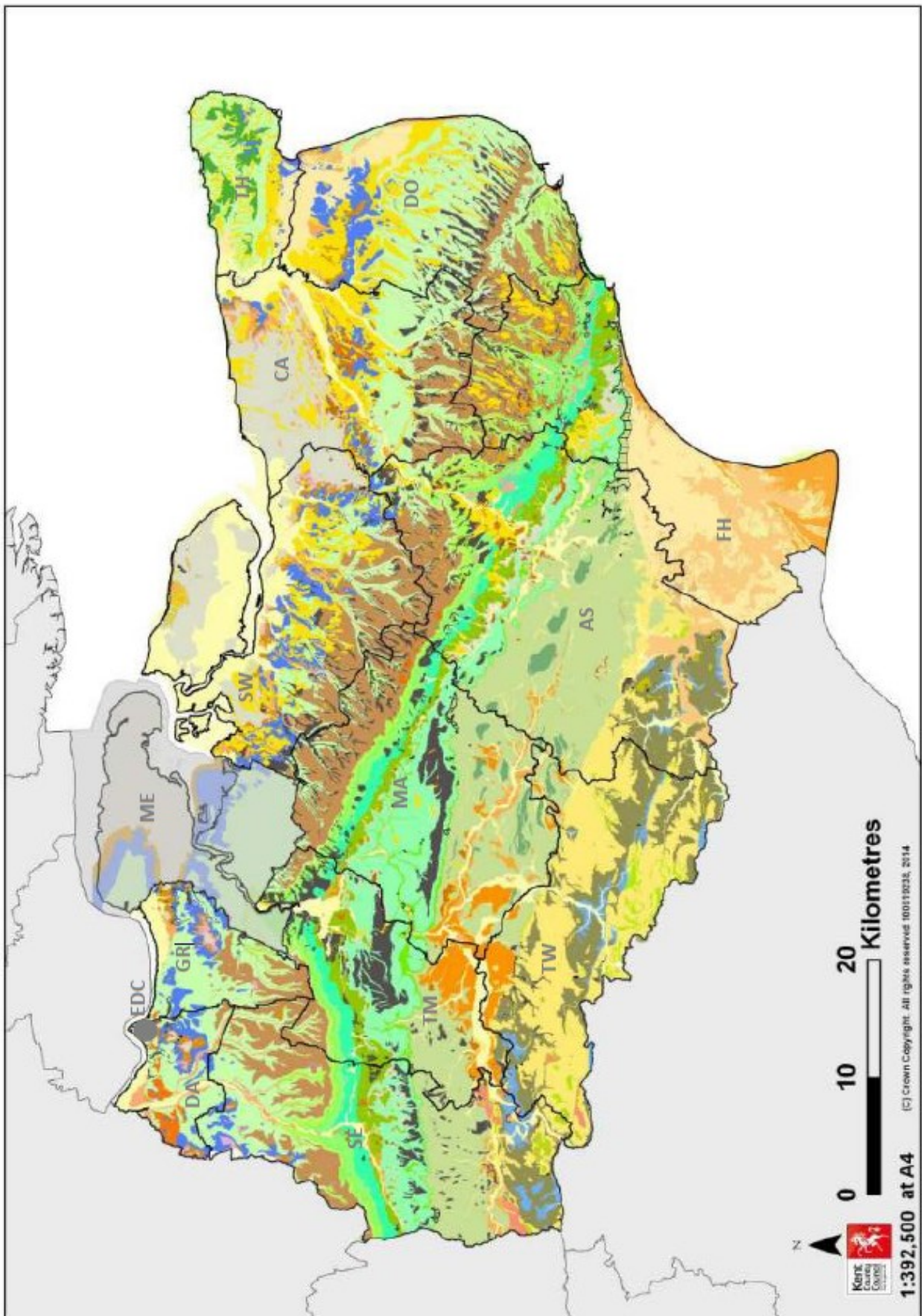
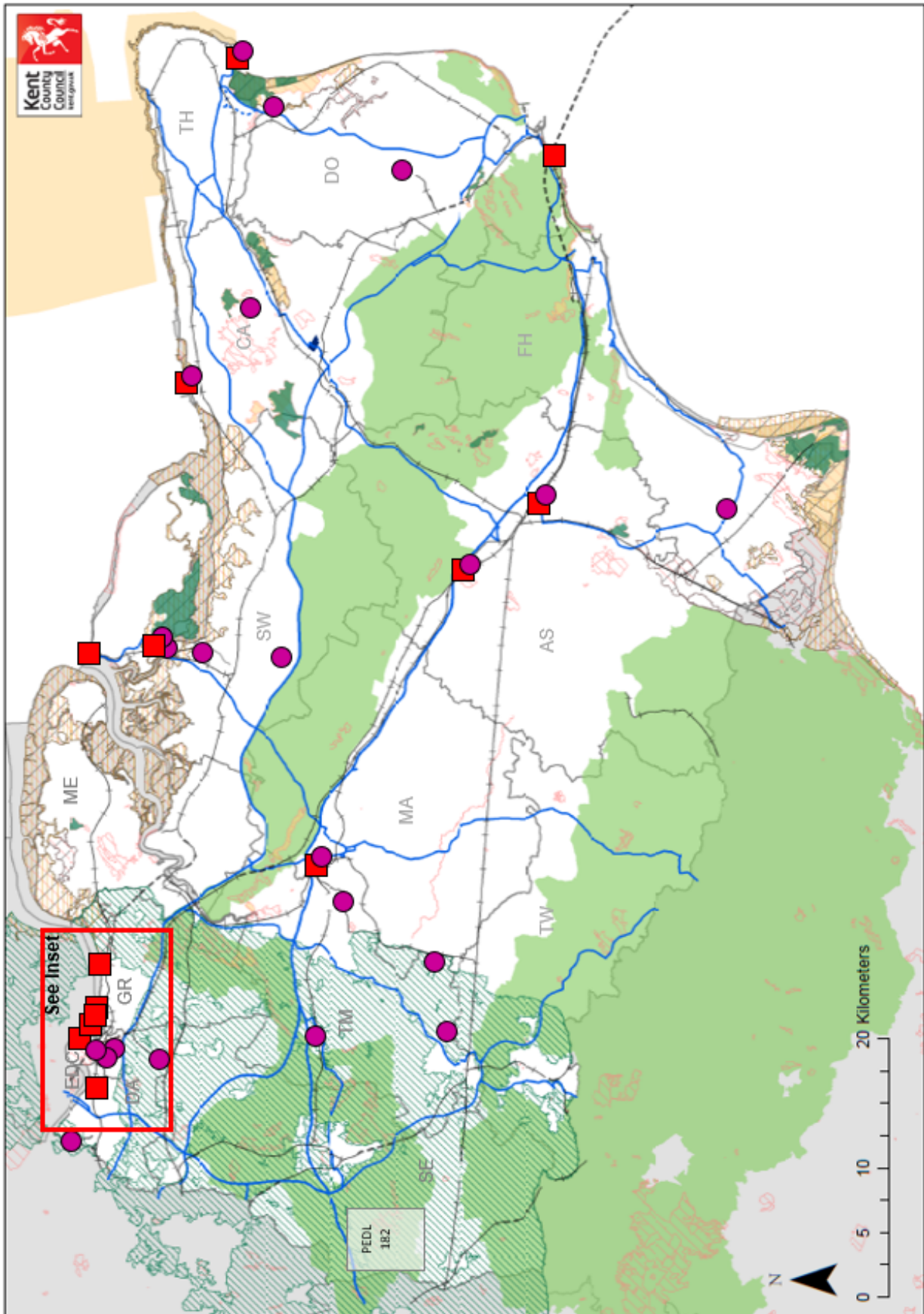
















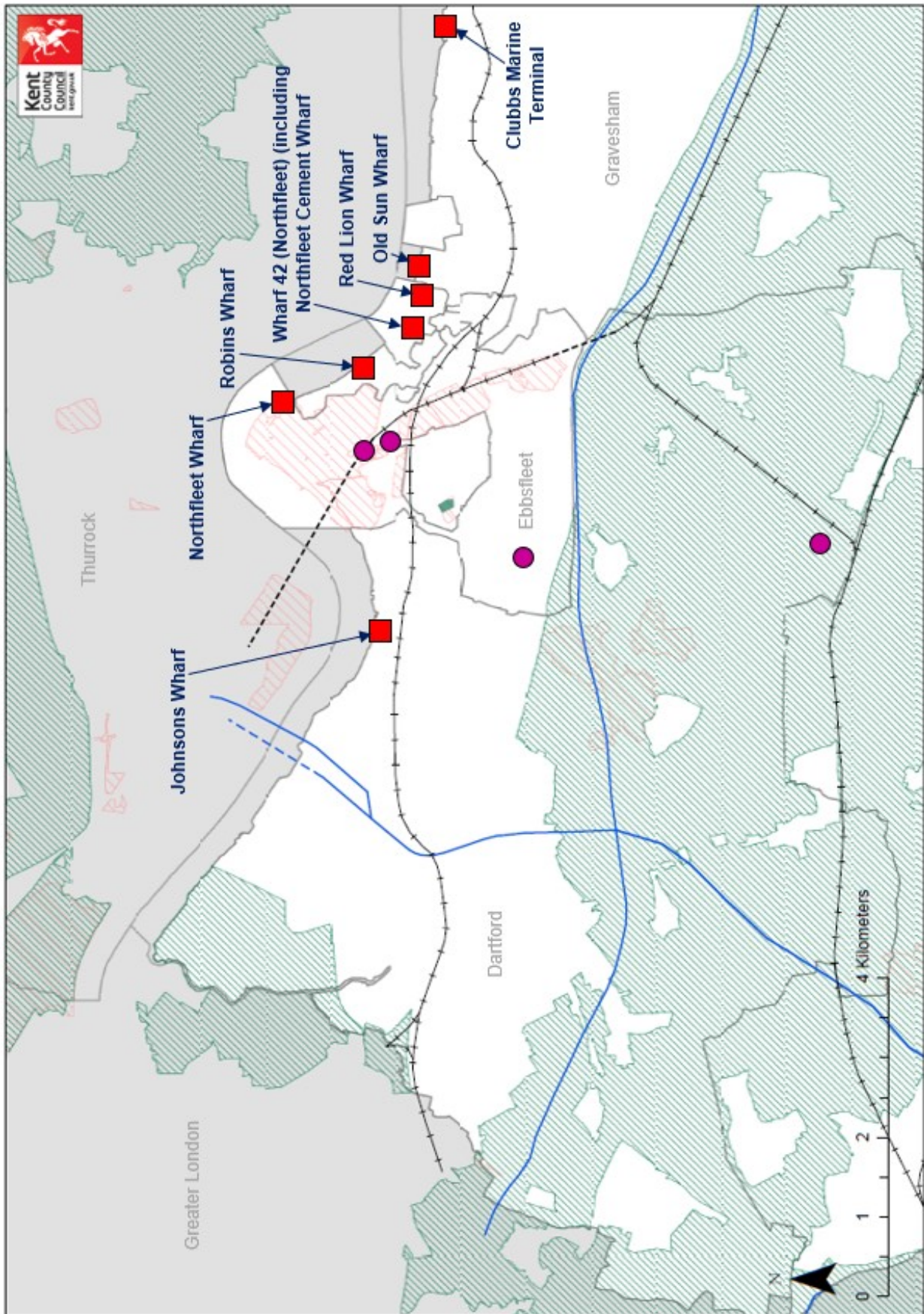
Figure 13: Minerals Key Diagram - Sustainable Mineral Supply

















Legend	
 Railway	 Safeguarded Wharves and Rail Depots
 Motorway	 Secondary and Recycled Aggregate Facilities
 Green Belt	
 National Nature Reserve	
 Ramsar	
 Special Area of Conservation	
 Special Protection Areas	
 World Heritage Sites	
 Sites of Special Scientific Interest	
 Area of Outstanding Natural Beauty	
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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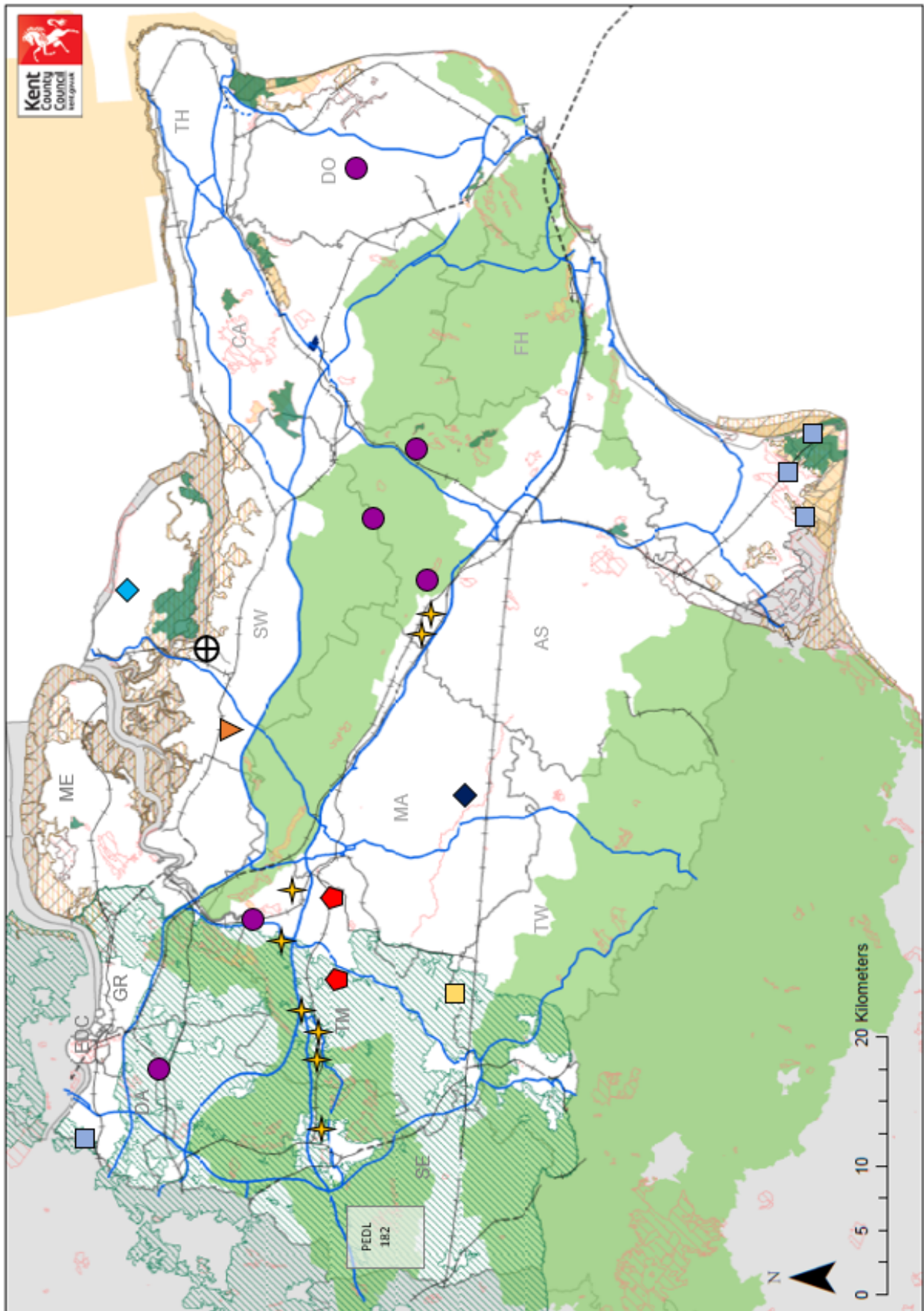
Figure 13A: Minerals Key Diagram Inset Map - Sustainable Mineral Supply





















Legend	
 Railway	 Safeguarded Wharves and Rail Depots
 Motorway	 Secondary and Recycled Aggregate Facilities
 Green Belt	
 National Nature Reserve	
 Ramsar	
 Special Area of Conservation	
 Special Protection Areas	
 World Heritage Sites	
 Sites of Special Scientific Interest	
 Area of Outstanding Natural Beauty	
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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Figure 14: Minerals Key Diagram - Land-won Supply



Legend	
	Railway
	Motorway
	Green Belt
	National Nature Reserve
	Ramsar
	Special Area of Conservation
	Special Protection Areas
	World Heritage Sites
	Sites of Special Scientific Interest
	Area of Outstanding Natural Beauty
	Kent Districts
	Minerals and Waste Authorities outside KCC
	Brickworks
	Chalk
	Clay for Tiles
	Clay for Engineering
	Brickearth
	Building Sand (soft sand)
	Crushed Rock
	Sand and Gravel (flint)
	Sand and Gravel (sandstone)

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2.4 Kent's Waste Infrastructure

2.4.1 It is estimated that Kent has a population of 1,480,200 **1,578,000**³⁴ people with major urban areas in North Kent, Maidstone, Ashford and Thanet and smaller towns throughout the county. The county is an area of sustained growth for housing, employment and infrastructure, and retains important manufacturing industries in addition to the service employment that is prevalent in the South East. This infrastructure generates large volumes of household, Commercial and Industrial (C&I), and construction waste. ~~In 2014, an additional 140,299 dwellings were forecast within the county for the period 2013 – 2033.~~ **To accommodate the forecast increase in population, local authority housing forecasts indicate that some 178,600 housing units are planned across Kent and Medway between 2011 and 2031**³⁵.

2.4.2 The district councils, as waste collection authorities (WCA), influence the rate of recycling of **Local Authority Collected Waste (LACW)** ~~Municipal Solid Waste (MSW)~~ in their areas. However, the County Council, as the **Waste Disposal Authority (WDA)** and **the** Waste Planning Authority (WPA), must achieve targets and apply policies for the county as a whole. The JMWMS³⁶, which provides guidance for the future direction of household waste management in Kent, has informed the Kent **Minerals and Waste Local Plan.**

2.4.3 The provision of waste management facilities is influenced by international and national planning constraints. Local geology and hydrology also constrain where non-hazardous and hazardous waste landfill might be sited. Areas with clay geology, outside water Source Protection Zones (SPZs) which are not liable to flooding, may be suitable for future landfill. This is subject to suitable engineering solutions and any local environmental impact being acceptable. Figure 15 shows the SPZs and Flood Zones in Kent.

2.4.4 Some of Kent's mineral workings are used for waste disposal. At the time of Plan preparation, there are two non-hazardous landfill sites and two hazardous landfill sites.

2.4.5 There are other EfW facilities in Kent including one at Kemsley. The Allington Energy from Waste (EfW) plant near Maidstone can treat residual household waste. It has additional capacity not contracted to the County Council available for **Local Authority Collected Waste (LACW)** MSW from outside Kent, or C&I waste from inside or outside Kent. It enables Kent to divert waste from landfill and to meet the national planning policy objective to move the treatment of waste up the hierarchy (see Figure 18). Blaise Farm, near West Malling has a large, modern enclosed plant for composting of green and kitchen waste. **There is also an EfW facility at Kemsley in Sittingbourne that has a waste throughput of 550,000 tonnes a year (with permission granted for a further 107,000 tonnes per year) and supplies 49.9MW of power to an adjacent paper mill.**

³⁴ Kent Statistical Bulletin, **July 2021 January 2023, 2021 Mid-year population estimates: Total population in Kent,** Kent County Council

³⁵ **Kent and Medway Growth and Infrastructure Framework 2018 Update**

³⁶ KCC (2007/18) **refreshed** Joint Municipal Waste Management Strategy.

2.4.6 Kent neighbours **Medway**, London, Essex, Surrey and East Sussex. Waste crosses the borders into and out of Kent, **this includes those areas that border Kent and beyond.**

2.4.7 Construction, **demolition and excavation** waste comes into the county from London for disposal in inert landfill sites. ~~MSW is also transported to Kent to take the spare capacity in Kent's new waste treatment infrastructure at the Allington EfW facility and the materials recycling facility in Sittingbourne.~~

2.4.8 Figures **16a and 16B** shows the location of key existing facilities. ~~This Plan aims to provide a balanced and accessible network of modern facilities.~~

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Figure 15 Flood Zones, Sources Protection Zones and Petroleum Exploration and Development Licence areas

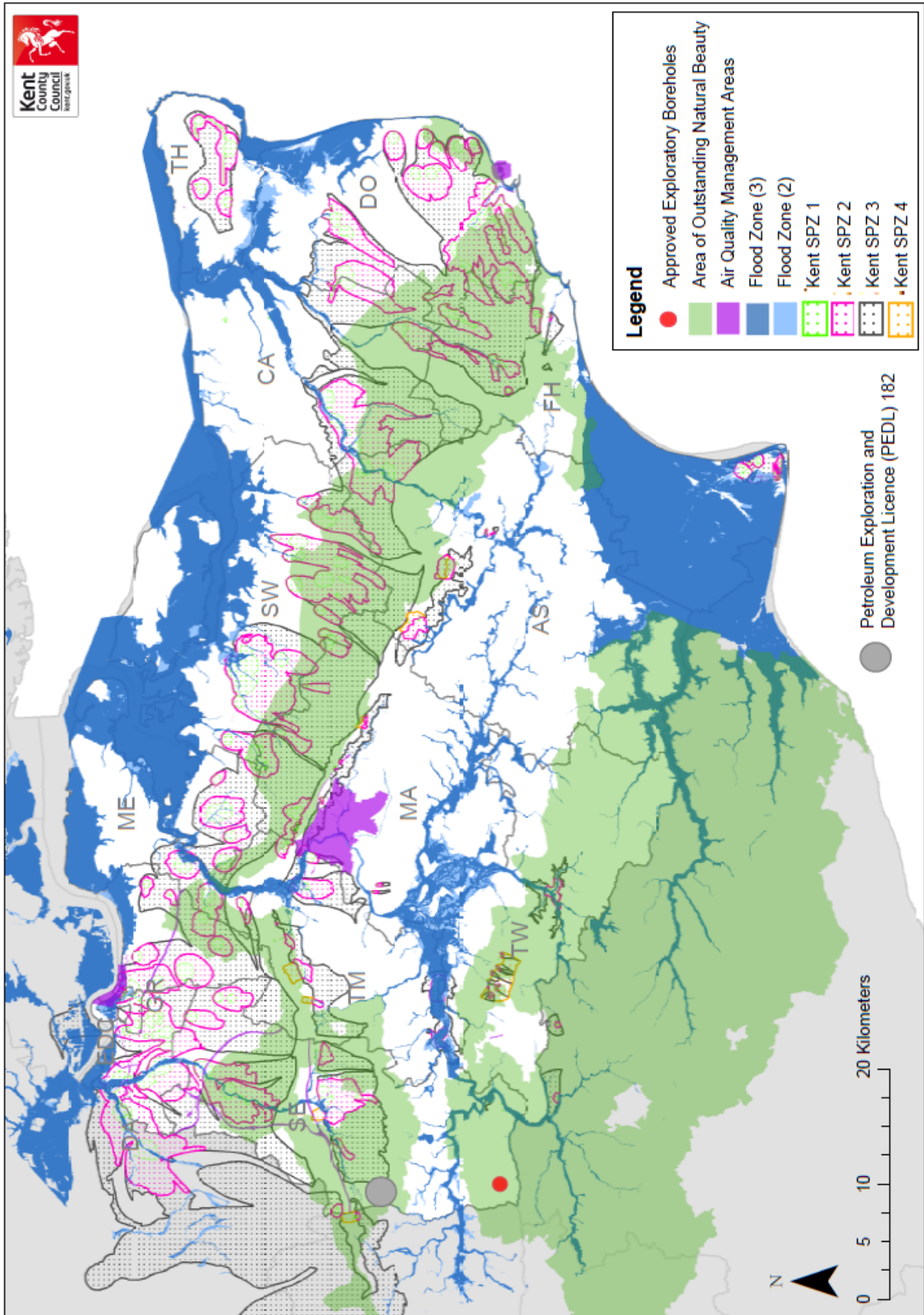
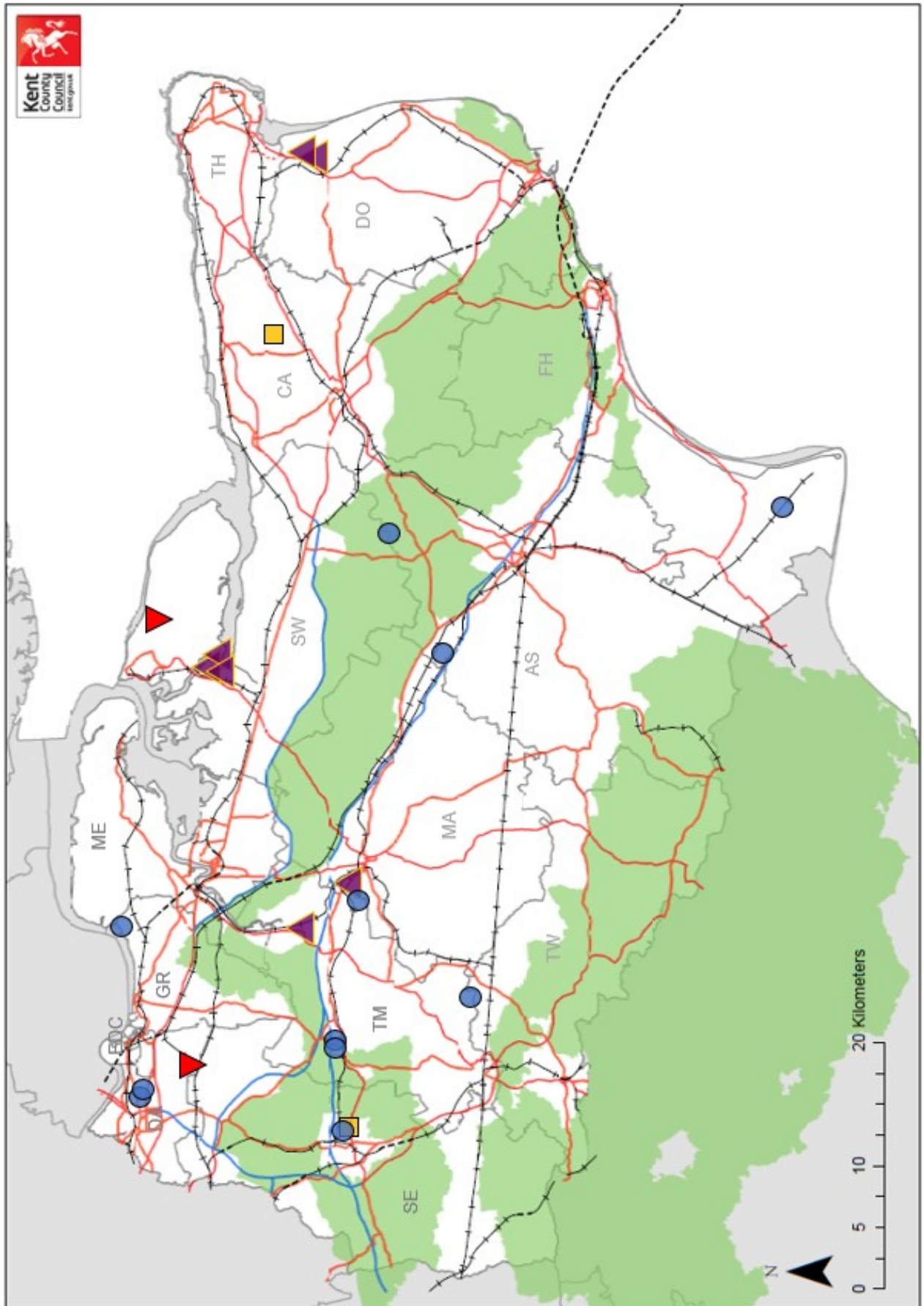












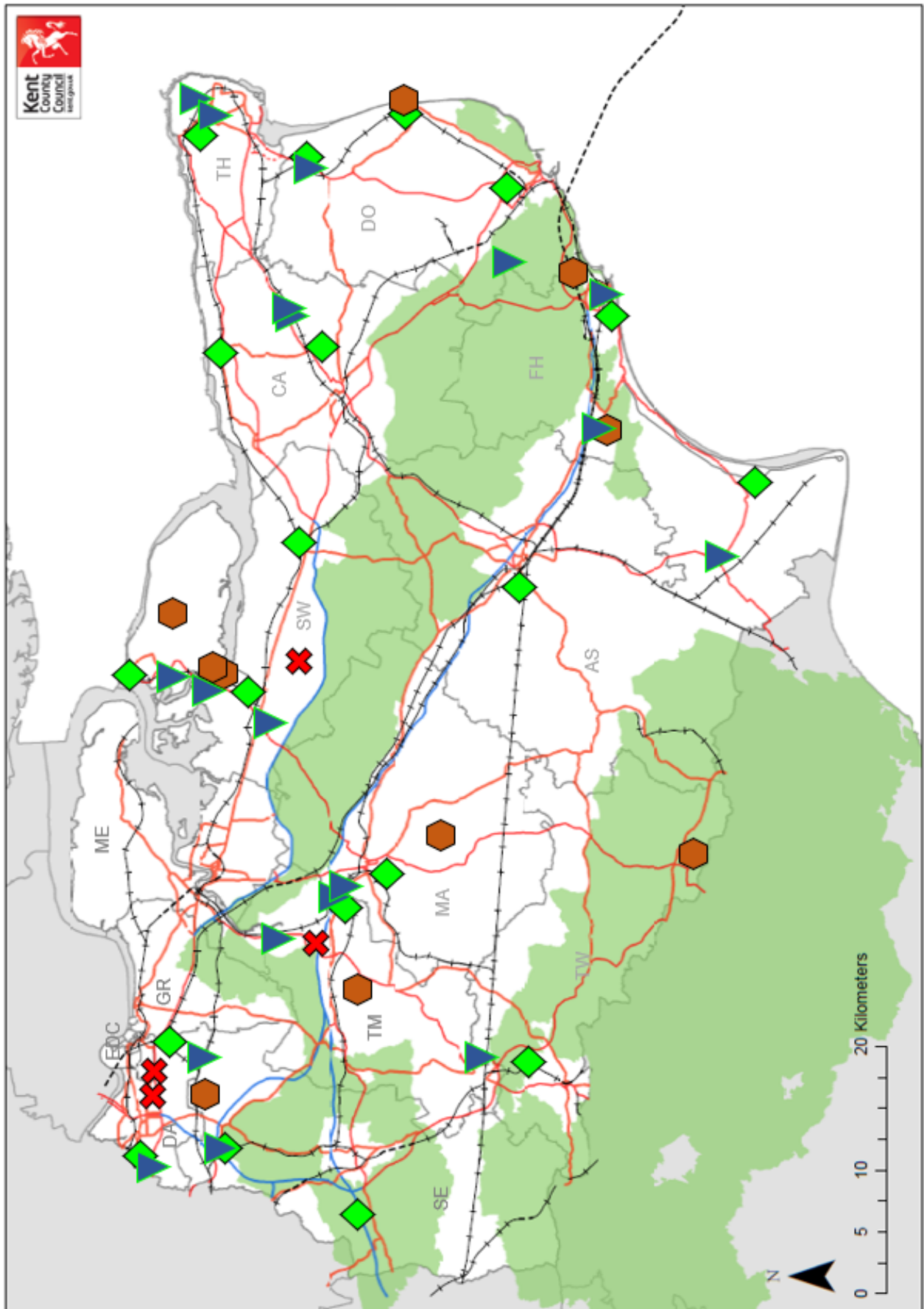
Figure 16A: Waste Key Diagram - Residual Waste Management Capacity













Legend	
 Railway	 Energy from Waste
 Motorway	 Inert Landfill
 A Road	 Non-Hazardous Landfill
 Area of Outstanding Natural Beauty	 Hazardous Landfill
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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Figure 16B - Waste Key Diagram - Reuse/Recycling and Treatment Capacity



Legend	
 Railway	 Household Waste Recycling Centre (HWRC)
 Motorway	 Organic Treatment and Composting
 A Road	 Hazardous Waste Transfer and Treatment
 Area of Outstanding Natural Beauty	 Recycling
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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3. Spatial Vision for Minerals and Waste in Kent

3.0.1 The Kent MWLP provides an opportunity to take a fresh look at minerals and waste issues and to take some bold steps towards delivering improvements in mineral supply and waste resource management based on the principles of sustainable development. Identifying a vision for minerals and waste in Kent allows us to translate broad sustainability principles and put them into a context that is relevant to our communities and businesses.

3.0.2 The main aims of the Plan are to drive waste up the Waste Hierarchy (see Figure 18) enabling waste to be considered as a valuable resource, while at the same time providing a steady supply of minerals to allow sustainable growth to take place. It will also ensure that requirements such as a Low Carbon Economy (LCE) and climate change issues are incorporated into new developments for minerals and waste development in Kent.

3.0.3 The vision outlines our ambition for sustainable resource management and mineral supply.

3.0.4 As the Kent MWLP will plan for minerals and waste in Kent up to the end of 2030~~9~~, it is important to recognise that technology will change over the plan period. Therefore, the Plan has to be robust and flexible enough to enable improvements in technology to be incorporated into future mineral supply and waste management developments.

Spatial Vision for Minerals and Waste in Kent

Throughout the Plan period 2013-30~~24-39~~, minerals and waste development will:

1. Make a positive and sustainable contribution to the Kent area and **beyond and ensure minerals and waste development contributes to the** ~~assist with~~ progression towards a low carbon economy.
2. Supports the needs arising from growth in Kent.
3. Deliver ~~cost effective and~~ sustainable solutions to **the Kent's** minerals and waste needs **of Kent and beyond** through collaborative working with communities, landowners, the minerals and waste industries, the environmental and voluntary sector and local planning authorities.
4. Embrace the naturally and historically rich and sensitive environment of the plan area, and ensure that it is conserved and enhanced for future generations to enjoy.

Planning for Minerals in Kent will:

5. Seek to deliver a sustainable, steady and adequate supply of land-won minerals including aggregates, silica sand, crushed rock, brickearth, chalk and clay, building stone and minerals for cement manufacture.
6. Facilitate the processing and use of secondary and recycled aggregates to and become less reliant on land-won construction aggregates.
7. Safeguard economic mineral resources for future generations and all existing, planned and potential mineral transportation and processing infrastructure (including wharves and rail depots and production facilities).
8. Restore minerals sites to a high standard that will deliver sustainable benefits to Kent communities.

Planning for Waste in Kent will:

9. ~~Move waste up the Waste Hierarchy~~ **Facilitate the achievement of a more circular economy in all forms of development, ensuring the maximum reuse of materials and goods, minimising waste and ensuring its management is sustainable and takes place as high up the Waste Hierarchy as possible.** ~~Reducing the amount of non-hazardous waste sent to landfill~~
10. **Extract the maximum amount of** ~~Encourage waste to be used to produce renewable energy incorporating both heat and power,~~ **from waste that cannot be re-used or recycled (i.e. unavoidable residual waste) and minimize the amount of non-hazardous waste sent to landfill.**
11. Ensure waste is managed close to its source of production.
12. ~~Make provision~~ **Allow for the development of** a variety of waste management facilities to ensure that Kent remains at the forefront of waste management with solutions for all major waste streams, while retaining flexibility to adapt to changes in technology **and legislation.**
13. Ensure sufficient capacity exists to meet the future needs for waste management.
14. Restore waste management sites to a high standard that will deliver sustainable benefits to Kent's **environment and its** communities.

4. Objectives for the Minerals and Waste Local Plan

4.0.1 The Spatial Vision outlines our ambition for sustainable resource management for minerals and waste development in the plan area up to the end of 2030~~9~~. While this vision describes what will be achieved, the objectives explain how the vision will be achieved.

4.0.2 All of the Kent MWLP objectives that follow are underpinned by an ambition to manage waste and mineral extraction and supply according to the principles of sustainable development, and in support of the National Infrastructure **Strategy Plan**³⁷ and the delivery of Kent's community strategies.

4.0.3 Through regular monitoring and review of the progress of the Plan's policies against these objectives, it will be possible to see how much progress is being made towards achieving these requirements. Monitoring will also show whether the policies are having the required effects and will help to identify what may need to be undertaken to implement improvements, or whether a review of the policies is necessary. Chapter 8 sets out a schedule for managing and monitoring the delivery of the strategy.

4.0.4 The Strategic Objectives are listed overleaf and are in no particular order of priority.

³⁷ National Infrastructure Strategy Plan (December 2014~~2014~~**November 2020**) HM Treasury

Strategic Objectives for the Minerals and Waste Local Plan

General

1. Encourage the use of sustainable, **low carbon** modes of transport for moving minerals and waste long distances and minimise road miles.
2. Ensure minerals and waste developments contribute towards the minimisation of, and adaptation to, the effects of climate change. This includes helping to shape places to secure radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy and associated infrastructure.
3. Ensure minerals and waste sites are sensitive to both their surrounding environment³⁸ and communities, and minimise their impact on them.
4. Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment, **educational and recreational** opportunities **where possible**.

4a. Ensure that waste is managed and minerals are supplied in a manner which is consistent with the achievement of a more circular economy.

Minerals

5. Seek to ensure the delivery of adequate and steady supplies of sand and gravel, chalk, brickearth, clay, **building sand**, silica sand, crushed rock, building stone and minerals for cement during the plan period, through identifying sufficient sites and safeguarding mineral bearing land for future generations.
6. Promote and encourage the use of recycled and secondary aggregates in place of **primary** land **and marine** won minerals.
7. Safeguard existing, planned and potential sites for mineral infrastructure including wharves and rail depots across Kent to enable the on-going transportation of marine dredged aggregates, crushed rock and other minerals as well as other production facilities.
8. Enable the ~~small scale, low intensity~~ extraction of building stone minerals for heritage building products.
9. Restore minerals sites **at the earliest opportunity** to the highest possible standard to sustainable after-uses that benefit the Kent community economically, socially or environmentally. Where possible, after-uses should conserve and improve local landscape character, and ~~incorporate~~ **provide**

³⁸ Surrounding environment: see the Glossary in Appendix A for details.

opportunities for **improvements in** biodiversity **which** to meet **and, where relevant, exceed** targets outlined in the Kent Biodiversity Action Plan **Nature Partnership Biodiversity Strategy 2020 to 2045**, the Biodiversity Opportunity Areas, and the Greater Thames Nature Improvement Area, **Areas of Outstanding Natural Beauty (AONB) Management Plans and Local Nature Recovery Strategies to help maximise/achieve an overall net-gain in biodiversity on restoration**

10. Encourage the sustainable use of the inert non-recyclable fraction of Construction, Demolition and Excavation for quarry restoration.

Waste

- 11 **Minimise the production of waste and increase its reuse.** Increase amounts of Kent's waste being re-used, recycled or recovered. Promote the movement of waste up the Waste Hierarchy by enabling the waste **management** industry to provide facilities that **help increase recycling, treatment and reprocessing to improve the management of resources** **and** deliver **further** a major reductions in the amount of Kent's waste being disposed of in landfill and through waste to energy.
- 12 Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and, where applicable, innovative technology, such that net self sufficiency is maintained throughout the plan period.
- 13 If it cannot be reduced, reused, recycled or composted, use waste as a fuel for the generation of renewable energy, in the form of both heat and electricity through energy from waste **including** ~~and~~ technologies such as gasification and anaerobic digestion.
- 14 ~~Provide suitable opportunities for additional waste management capacity to enable waste to be managed in a more sustainable manner.~~ Ensure sufficient capacity exists to ~~form and~~ maintain a county-wide network for the sustainable management of Kent's waste.
- 15 Restore waste management sites **at the earliest opportunity** to the highest possible standard to sustainable after-uses that benefit the Kent community economically, socially or environmentally. Where possible, after-uses should conserve and improve local landscape character and **provide** incorporate opportunities for biodiversity to meet **and where relevant, exceed** targets outlined in the Kent Biodiversity Action Plan **Nature Partnership Biodiversity Strategy 2020 to 2045**, the Biodiversity Opportunity Areas, and the Greater Thames Nature Improvement Area, **Area of Outstanding Natural Beauty Management Plans and Local Nature Recovery Strategies** to achieve **an** **maximise overall net-gain in biodiversity on restoration.**

5. Delivery Strategy for Minerals

5.0.1 Minerals are essential to support sustainable economic growth and quality of life. It is important that there is a sufficient supply of minerals to provide the infrastructure and its maintenance, buildings, energy and goods that the country needs. However, since they are a finite natural resource, and can only be worked where they are found, it is important to make the best use of them to secure their long-term conservation³⁹.

5.1 Policy CSM 1: Sustainable Development

5.1.1 The purpose of the planning system is to contribute to the achievement of sustainable development⁴⁰, there are three **overarching interdependent objectives to the delivery of sustainable mineral development. These relate to economic, social and environmental considerations and are at the heart of planning decisions. The objectives are:** dimensions to sustainable development: economic, social and environmental these require the planning system to perform three roles:

- **An economic role:** contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure.
- **A social role:** supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well being.
- **An environmental role:** contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution; and mitigate and adapt to climate change including moving to a LCE.
- **Economic - to ensure the economy is strong, responsive and competitive, such that land and resources are available in the right places and at the right time to support growth, innovation and improved productivity. Minerals provision is particularly important in identifying and coordinating the provision of infrastructure.**
- **Social - to support strong, vibrant and healthy communities, by the appropriate siting, operation and restoration of mineral development**

³⁹ DCLG (March 2012) **MHCLG (2021) DLUHC (2023)** National Planning Policy Framework, paragraph 7442

⁴⁰ DCLG (March 2012) National Planning Policy Framework Ministerial Foreword DCLG **MHCLG (2021) DLUHC (2023)** National Planning Policy Framework, paragraph 209.

including the contribution minerals makes to the delivery on new homes, buildings and infrastructure needed to support communities' health, social and cultural well-being

- **Environmental - to protect and enhance the natural, built and historic environment, making effective use of land, improving biodiversity, including contributions from net biodiversity gain, in addition to the prudent use of primary mineral and natural resources and mitigating and adapting to climate change as society moves to a low carbon economy.**

5.1.2 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in local plans should follow the approach of the presumption in favour of sustainable development. The Kent MWLP is therefore based on the principle of sustainable development. This is demonstrated in the Spatial Vision and the Strategic Objectives, and the policies that seek sustainable solutions.

5.1.3 Planning law requires planning decisions to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that it does not change the statutory status of the development plan as the starting point for decision making.

5.1.4 All references to 'community' or 'communities' in the policies that follow should be taken in the widest sense of including both economic and social roles and potential impacts on both people and business.

5.1.5 Policy CSM 1 is included in the Plan to ensure the presumption in favour of sustainable development is taken into account in KCC's approach to minerals development.

Policy CSM 1

Sustainable Development

When considering mineral development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and the associated Planning Practice Guidance.

~~Mineral development that accords with the development plan will be approved without delay, unless material considerations indicate otherwise.~~

~~Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account where either~~

- ~~1. any unacceptable adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies~~

- in the National Planning Policy Framework taken as a whole, or
2. specific policies in that Framework⁴¹ indicate that development should be restricted.

5.2 Policy CSM 2: Supply of Land-won Minerals in Kent

5.2.1 Economic minerals that are currently extracted from Kent quarries include aggregate minerals and industrial minerals. Aggregate minerals include: soft sand, sharp sand, gravel and crushed rock (ragstone); industrial minerals include: silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses and building stone. In the recent past, shale from the coal measures in East Kent has been used for brick making, clay has been used for brick-making and raw materials have been extracted for cement manufacture within Kent. Up until the late 1980s, coal was extracted from underground coal mines in East Kent⁴².

5.2.2 The NPPF requires Mineral Planning Authorities (MPAs) to aim to source minerals supplies indigenously so far as practicable, and take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to supply, before considering extraction of primary materials. For land-won primary materials the NPPF expects MPAs to identify, and include policies for the extraction of, mineral resources of national and local importance in their area.

Relevant Statements of Common Ground between Kent County Council and other MPAs are taken into account when planning for the supply of aggregate.

Aggregate

Sharp Sand and Gravel

Flint Gravels

5.2.3 High quality flint gravels (**so called given their high compressive and tensile strength properties of their quartz mineral composition**) in Kent are concentrated in the areas where flints derived from the **eroded** chalk have been deposited by river and marine action. These are sourced from the three main river valleys of the Darent, Medway and Stour, and the beach deposits along the coast (particularly at Dungeness). As far back as 1970, planning studies⁴³ identified concerns about the depletion of flint gravels in the river valleys and the constraints on availability of the coastal supply in the Dungeness area due to nature conservation and water resource protection. Flint dominant head gravel resources

⁴¹ For example, those policies relating to land within an Area of Outstanding Natural Beauty, Green Belt, sites protected under the Birds and Habitats Sites Directives and/or as Sites of Special Scientific Interest, designated heritage assets and locations at risk of flooding.

⁴² More details of non-aggregate minerals in Kent are given in: KCC (May 2011) TRM3: Other Minerals

⁴³ Evidence prepared for the Kent Structure Plan in 1975.

near Herne Bay, previously identified as Areas of Search (AoS)⁴⁴ have not proved to be sufficiently attractive for development.

Sandstone Gravels

5.2.4 The sandstone dominant gravels (so called by their brown coloration due to the occurrence of a quartz polymorph of lower compressive and tensile strength than the 'flint' gravels) in the Medway Valley upstream of Maidstone became the subject of increasing interest from operators as other deposits became worked out, although their use in the production of high-quality concreting aggregates has not normally been possible. ~~Only one Medway Valley sandstone gravel quarry was operational at the time of plan preparation; this site imports crushed rock for blending with the indigenous sandstone gravels to produce aggregates suitable to supply the concrete production market.~~

5.2.5 Recent (2020) monitoring identifies six two active (and three inactive) sharp sand and gravel sites within the County.

Soft Sand

5.2.6 Kent's soft sand reserves extracted from the Folkestone Beds continue to be important for mortar and asphalt production. Soft sand supplies in Kent are relatively abundant, whereas they are scarce in other parts of the South East of England, with supplies from ~~seven~~ five sites continuing to be important for mortar and asphalt production.

Crushed Rock

5.2.7 The only resource exploited commercially to supply crushed rock in the county is from the Hythe Formation (limestone) colloquially informally called the Kentish Ragstone which is found in a band crossing Kent from east to west. The ragstone resource to the west of Maidstone has been the focus of crushed rock supply in the recent past. Other resources capable of producing crushed rock are found in the form of the Carboniferous Limestone deposit in east Kent (see section 5.11).

Alternative Sources of Materials to Markets Supplied by Land-won Sharp Sand & Gravels

5.2.8 Secondary and recycled aggregates can, in some circumstances, provide a replacement for sharp sand and gravel in many applications. The suitability of such materials to substitute for land-won supplies has been considered in detail ~~in the preparation of this plan~~⁴⁵. Sales of secondary and recycled materials in 2014 2021 2022 were 0.84mt 0.811mt 0.802mt, although sales have been as high as 4.3mt 1.029mt in the last decade (2016). The importance of maintaining supply from this source is recognised in Policy CSM 8: Secondary and Recycled Aggregates which seeks to maintain and increase production capacity.

⁴⁴ KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement.

⁴⁵ See report: KCC (2013) Interchangeability of Construction Aggregates.

5.2.9 With its coastal location, Kent fulfils an important role in the importation of minerals including a range of construction aggregates from mainland Europe, as well as marine dredged aggregates (MDA) and imported recycled and secondary materials. Kent benefits from a number of aggregate wharves, into which significant quantities of MDA and crushed rock are landed. Kent is understood to be the largest importer of MDA in the South East of England, with 4.7 ~~1.44~~ **1.9** million tonnes (mt) being imported into its wharves in 2013 ~~2020-2022~~. ~~and~~ **Of the total of 3.13mt of MDA landed in Kent and Medway in 2009 (1.41mt into Kent), 2.5mt was consumed within Kent and Medway⁴⁶. More recent m-Monitoring shows no significant change in the importance of Kent's wharves in the supply of this material, the 10-year sales average in 2020-2022 was 1.68mt 1.65mt and in 2019 the Kent and Medway area consumed up to 70% of sales recorded in the combined area.** Land-won sharp sand and gravel is also imported by rail and road from areas beyond Kent. ~~Assurances regarding the security of these minerals imports during the Plan Period have been obtained⁴⁷.~~

Demand for Land-won Aggregates

5.2.10 The NPPF⁴⁸ requires Minerals Planning Authorities to plan for a steady and adequate supply of aggregates through preparing an annual Local Aggregates Assessment (LAA) from which future planned provision should be derived based on a rolling average of 10-years aggregates sales data⁴⁹ and an assessment of all supply options (including marine dredged, secondary and recycled sources), and other relevant local information. It also seeks for plans to make provision for the maintenance of landbanks of at least seven years for land-won sand and gravel and ten years for crushed rock. Landbanks of aggregate minerals reserves are used as the principal indicator of the future security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans.

5.2.11 The NPPF and planning practice guidance⁵⁰ also states that separate landbanks should be calculated and maintained for any aggregate materials of a specific type or quality which have a distinct and separate market. **Within Kent the economic sand and gravel resources are:**

- **the Medway Valley sandstone gravels and flint sands and gravels (collectively referred to as 'sharp sands and gravels') that are used primarily for concrete production of various specifications**
- **soft sands that are predominantly used in asphalt and mortar production**

⁴⁶ KCC (January 2015) The 2nd Local Aggregate Assessment for Kent, Table 3.

⁴⁷ KCC (2014) Duty to Co-operate Report, Table 5.

⁴⁸ DCLG (2012) National Planning Policy Framework **[2023]**, para. 415213.

⁴⁹ Data collected annually by mineral planning authorities for their AMRs and the regional aggregate working parties. Details of how the rolling 10-year average sales data and how landbanks are calculated are given in the Local Aggregate Assessment. ~~KCC (January 2015) Kent's 2nd Local Aggregate Assessment (for 2014) and in the recently updated Minerals Topic Paper 1: Construction Aggregate Assessments and Need, May 2014. Available from www.kent.gov.uk/mwlp.~~

⁵⁰ DCLG **MHCLG DLUHC** (Revised March 2014) Planning Practice Guidance: Minerals.

5.2.12 The Kent Local Aggregate Assessment (January 2015) sets out the 10-year average of sales for all aggregates and the contribution of different aggregates to overall supply. Since the sharp sands and gravels and soft sands serve predominantly different markets their supply has been assessed separately.

5.2.13 Between 2004 ~~20112~~ and 2013 ~~20201~~ sales of sharp sand and gravel from quarries in Kent dropped from around 908,000 ~~620,000 652,285~~ tonnes in 2004 ~~20112~~ to around 273,000 ~~132,000~~ tonnes in 2013 ~~2020~~, with somewhat of a recovery to ~~202,000 tonnes in 2021~~. The average of 10 years' sales of sharp sand and gravel is 0.78 million tonnes per annum (mtpa) ~~270,300 228,526 tonnes per annum as of 2021~~. If demand were at this level for the rest of the Plan period (the ~~176 years 2013213 to the end of 203037 with a 7-year landbank maintained at the end of the Plan period~~) the requirement (based on the 10-year sales average) would be 13.26mt ~~4.32 5.015mt~~.

5.2.14 Between 2004 ~~20112~~ and 2013 ~~20201~~ sales of soft (building) sand from Kent's quarries have dropped from around 780,000 ~~439,000 387,745~~ tonnes in 2004 ~~20112~~ to around 483,000 ~~393,000 202,000~~ tonnes in 2013 ~~20201~~. The average 10 years sales of soft sand is 0.65 mtpa ~~441,000 tonnes per annum, as of 2021 is 228,526 tonnes per annum~~. If demand were at this level for the rest of the Plan period (2023 to the end of 2037 with a 7-year landbank maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 10.032mt.

5.2.15 Between 2012 and 2021 sales of hard (crushed) rock have climbed from 526,281mt in 2012 to 814,859mt in 2021 (in 2020 they were as high as 1,508,859mt). The 10-year average sales figure for crushed rock is, 0.78mtpa ~~830,000tpa as of 2021 856,686tpa~~ and, as presented in the LAA, is based on assumed sales as the actual sales come from two quarries and hence data is confidential for the purposes of the annual monitoring returns. ~~If demand were at this level for the rest of the Plan period (2023 to the end of 2037 with a 10-year landbank maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 21.425mt.~~

5.2.16 Other relevant local information that may affect supply of, or demand for, aggregates is considered in the LAA⁵¹. This did not indicate that a figure higher than the 10-year average sales figures would be justified as a basis for future provision.

~~Future Supplies of Land-won Sharp Sand and Gravel~~

~~Landwon Aggregate Supply Considerations~~

5.2.17 The starting point for identifying requirements for future land release for ~~landwon aggregates sand and gravel~~ is the expected need for materials over the Plan period and beyond. ~~It takes~~ into account the material which can be supplied from sites which already exist and have planning permission, allocations in the

⁵¹ The Local Aggregates Assessment (2015) forecast a substantially lower figure for the seven year period compared with the ten year sales figure recommended by the NPPF.

Kent Mineral Sites Plan and the contribution that substitute or secondary and recycled materials would make. The Plan provides separate policies for sharp sand & gravel, soft sand and crushed rock, all of which are won from the land within Kent.

5.2.18 The sites included in the calculations of the supply of land-won **aggregates sand and gravel** are **published in the LAA and/or AMR** listed in Appendix C.

5.2.19 **The sharp sand and gravel sites allocated in the Kent Mineral Sites Plan 2020 are Stonecastle Farm Quarry Extensions, Hadlow and Land at Moat Farm, Five Oak Green. The soft sand site allocated in the Kent Minerals Sites Plan 2020 is Chapel Farm (West), Lenham.**

5.2.20 **The criteria set out in Policy CSM 2 is used to select suitable sites for allocation in the Minerals Sites Plan.**

Sharp Sand and Gravel

5.2.21 **The annual position on sharp sand and gravel in the County is reported in the Council's Local Aggregate Assessment (LAA). Between 2013 and 2022 sales of sharp sand and gravel from quarries in Kent dropped from around 376,250 tonnes in 2013 to around 124,200 tonnes in 2022. The average of 10 years' sales of sharp sand and gravel is 175,700 tonnes per annum (0.176mtpa) as of 2022. If demand were at this level for the rest of the Plan period (2024 to 2039 with a 7-year landbank of 1.232mt maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 3.872mt. Permitted reserves at the end of 2013 ~~2020~~ were 3.61mt ~~2.78~~ **1.384mt**. Initial work through the 'Call for Sites' identified potential suitable sites that supply a potential further 6.47mt of sharp sand and gravel over the Plan period. This, combined with existing permitted reserves, totals 10.08mt. **The allocation (two sites) of 2.5mt of potentially replenishing resource are identified in the Kent Mineral Sites Plan. This will not significantly alter the long term supply situation of the land-won resource over the remaining plan period (2030+7). Based on 10-year sales the potential reserves available are not sufficient to meet maintained landbank requirements.****

5.2.22 **Permitted reserves at the end of 2022 were recorded at 2.230mt. Annual sales from this sector have been reducing for several years and this has had the effect of lengthening the life of the permitted reserves projected over the Plan period which is estimated using the 10-year rolling sales average. The available reserves at commencement of year 2024 are estimated at 2.054mt. The allocation (two sites) of 2.5mt of potentially replenishing resource are identified in the Kent Mineral Sites Plan 2020. Should these sites be granted planning permission this would provide a total surplus of 0.682mt over the Plan period. If the allocations do not come forward during the Plan period, increased importation is anticipated to occur, thereby addressing the market need for this aggregate type. Managed decline is the anticipated pattern of supply of land won resources in Kent in the longer term, as sustainable resources of sharp sand and gravel are becoming depleted.**

5.2.23 It is possible that other suitable sources of aggregates may be identified, for example, currently uneconomic deposits become economic, or constraints on the release of known aggregates sources (such as land ownership) may be overcome. This could lead to proposals coming forward to be judged against Policy CSM 4: Non-identified Land-won Mineral Sites or to further sites being proposed in a review of the Mineral Sites Plan. However, the Kent Minerals and Waste Local Plan 2016 accepted that land-won sharp sands and gravel were a physically depleting resource that are unlikely to be sustainably replenished in the long term.

5.2.24 As set out above, based on 10 year sales, the requirement for the Plan period (the 17 years 2013-30) is 13.26mt. The 10.08mt potentially available is not sufficient to meet this and, indeed, a seven year landbank does not presently exist, and Even if the a potential new supply came on stream, it would still not be possible to maintain a seven year landbank for the whole of the Plan period. This is due to insufficient suitable sites for release being identified by the minerals industry. It is possible that other suitable sources of aggregates will be identified, that, for example, currently uneconomic deposits become economic, or that constraints on the release of known aggregates sources (such as land ownership) may be overcome. This could lead to proposals coming forward to be judged against Policy CSM 4: Non-identified Land-won Mineral Sites or to further sites being proposed in the a review of the Minerals Sites Plan. The Kent Minerals and Waste Local Plan 2016 accepted that land-won sharp sands and gravel were a physically depleting resource that could not be sustainably replenished.

5.2.25 Therefore, it is anticipated that the Ddiminishing land-won sharp sand and gravel supplies will increasingly be substituted over the plan period by supplies from production of alternative materials. **This would** include **inge** secondary and recycled aggregates⁵² supplies gained from **the** blending of materials to generate **a material** suitable **to** supply **to** the construction aggregate market⁵³ **together with** landings of MDA and imports of land-won aggregates from elsewhere. Indeed, there is adequate existing capacity at wharves, railheads and recycling facilities for supplies from these sources to **maintain adequate** meet the predicted shortfall in supply of **land-won** sharp sand and gravel aggregate as **landwon** resources are exhausted. The Plan provides for this flexibility in supply of aggregates as follows: Policy CSM 5 seeks to safeguard sharp sand and gravel resources that may become economic and to maximise the opportunities for the development of 'windfall' reserves which may come forward under Policy CSM 4. In addition, Policies CSM 7 and CSM 8 make provision for maintaining and developing further secondary and recycled aggregates supplies during the plan period and Policies CSM 6, CSM 7 & CSM 12 seek to ensure that the necessary minerals importation and processing infrastructure is in place **and safeguarded.**

5.2.26 In conclusion, based on 2022 aggregate monitoring data, the position for landwon sharp sand and gravel is as follows:

⁵² KCC (January 2015) Kent's 2nd Local Aggregate Assessment

⁵³ This currently occurs at two sites (Hermitage Quarry - rock and hassock & East Peckham - imported rock and extracted sandstone gravels)

- Sharp sand and gravel: at least 4.554mt of actual and potential reserves (comprising currently permitted reserves estimated at the commencement of 2024 as 2.054mt plus 2.5mt of resources from allocated sites), and a 7-year landbank of at least 1.232mt as long as resources allow. Should the allocated sites come forward, this provides a surplus of 0.682mt over the Plan period.

Soft Sand

5.2.27 The annual position of soft sand in the County is reported in the Council's Local Aggregate Assessment. Between 2013 and 2022 sales of soft (building) sand from Kent's quarries have increased from around 483,200 tonnes in 2013 to around 574,700 tonnes in 2022. The average 10 years sales of soft sand has also increased slightly, and as of 2022 is 475,038 tonnes per annum (0.475mtpa). If demand were at this level for the rest of the Plan period (2024 to 2039 with a 7-year landbank of 3.325mt maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 10.45mt. Permitted reserves at the end of 2021 were 9.34 6,224,773mt. Both the 10 and 3-year sales averages are were down, although productive capacity has increased by 0.225mtpa. There are sufficient permitted reserves for the remainder of the Plan period until 2030+7 with a landbank most recently calculated to be over 21 years. There is an allocation in the Kent Minerals Sites Plan at Chapel Farm, Lenham (3.2mt) The total soft sand requirements (sufficient for 15 years and a 7-year landbank at the end of the Plan, 22 years in all) is 10.032mt. Reserves at the end of 2021 were 6.225mt and are forecast to be 5.769mt at the beginning of the Plan period (2023) (assuming a reduction at the 10-year sales average rate). This results in a shortfall of 4.263mt in the required landbank to the end of 2037 (+7). However, a soft sand allocation in the Kent Minerals Sites Plan at Chapel Farm (West), Lenham (3.2mt) is expected to come forward during the plan period to replenish the landbank. This could allow a 7-year landbank (of 3.192mt) to be maintained until 2035. Resulting in a deficit estimated to be 1.063mt in 2037. The estimate of available reserves and sales rates will likely change over time and there is the potential for the maintained soft sand landbank requirement to increase or decrease over time. As the landbank will be around 20 years at the start of the plan period (taking account of the Chapel Farm allocation), any increase in depletion rates will be revealed by annual aggregate monitoring well ahead of the landbank decreasing below 7 years. The policy enables the matter to be reassessed well ahead of any identified supply constriction and so it is considered that further allocation of soft sand is not justified at this time. The current annual need for soft sand based on the 10-year rolling average sales figures is 0.65 million tonnes. If demand were at this level for the rest of the Plan period (the 17 years 2013-30), the requirement would be 11.05mt. In addition, provision of a landbank of seven years' supply to be available at the end of the Plan period (4.55mt) implies a total requirement of 15.60mt. At the end of 2012 there were permitted reserves of soft sand in Kent of 10.64mt and so the Plan needs to make provision for at least an additional 4.96mt of soft sand. The 'Call for Sites' from mineral companies has identified sufficient sites with estimated reserves at these sites sufficient to meet

requirements without adversely impacting on the AONB or its setting. Therefore it will be possible to meet the requirement of the NPPF to maintain a landbank of at least seven years of reserves for soft sand throughout the Plan period (4.55mt). Achieving supply in practice is dependent on sufficient satisfactory planning applications being submitted by mineral companies.

5.2.28 Permitted reserves at the end of 2022 were recorded at 5.574mt. The available reserves at commencement of year 2024 are estimated at 5.099mt. The allocation (one site) of 3.2mt of potentially replenishing resource is identified in the Kent Mineral Sites Plan 2020 and is expected to come forward during the Plan period. Should this site be granted planning permission this would provide a total of 8.299mt of reserves over the Plan period, excluding any windfall sites. This results in an estimated shortfall of 2.15mt in the maintained 7-year landbank to the end of 2039.

5.2.29 Assuming the Chapel Farm allocation comes forward as expected without any windfall sites, this indicates a 7-year landbank (of 3.325mt) to be maintained until around 2036. The estimate of available reserves and sales rates will likely change over time and there is the potential for the maintained 7-year landbank requirement to increase or decrease over time. At no time over the Plan period will the supply of soft sand be exhausted (based on current sales rolling averages and permitted reserves plus potential reserves from the Chapel Farm allocation). In addition, following the Plan's adoption, there is a subsequent statutory requirement to review the Plan every five years which provides future staged opportunities to assess if further monitored supply requirements justify any allocation of additional sites.

5.2.30 It should be noted that there can be a lack of clarity in geology between soft sand and silica sand as they occur in the ground, **as part of the same geological deposit**. In light of this, it is necessary, in consultation with the operators, to determine the degree to which sites identified as supplying soft sand and/or silica sand may supply both materials. This review process may have an effect on the overall recorded landbank for soft sand in Kent. The outcome of this review will be reported in the LAA. **This can affect the aggregate monitoring data.**

5.2.31 In conclusion, based on 2022 aggregate monitoring data, the position for landwon soft sand is as follows:

- **Soft sand: at least 8.299mt of actual and potential reserves (comprising currently permitted reserves estimated at the commencement of 2024 as 5.099mt plus 3.2mt of resources from the allocated site), and a 7-year landbank of at least 3.325mt. Should the allocated site come forward, this would result in a theoretical shortfall of 2.15mt over the Plan period, though no exhaustion of available reserves during the plan period to 2039 is indicated and no account is taken of windfall sites. In addition, following the Plan's adoption, there is a subsequent statutory requirement to review the Plan every five years which provides future**

staged opportunities to assess if further monitored supply requirements justify any allocation of additional sites.

Hard (Crushed) Rock

5.2.32 The annual position on crushed hard rock in the County is reported in the Council's Local Aggregate Assessment. Between 2013 and 2022 sales of hard (crushed) rock have increased from 722,985mt in 2013 to 1,242,839mt in 2022 (in 2020 they were as high as 1,508,859mt). Local circumstances support the use of an average 6-year sales figure. The average 6 years sales of crushed rock is, as of 2022, 1,240,913 tonnes per annum (1.24mtpa). If demand were at this level for the rest of the Plan period (2024 to 2039 with a 10-year landbank of 12.4mt maintained at the end of the Plan period) the requirement (based on the 6-year sales average) would be 31.0mt. The stock of planning permissions for crushed rock (currently Kentish Ragstone) in Kent at the time of plan preparation is considered to be insufficient based on an average supply of 0.8356mtpa throughout and beyond the end of the plan period and so no additional crushed rock (ragstone) sites are required for the plan period. The Plan expects a 10-year landbank of hard crushed rock to be maintained throughout and at the end of the plan period this equates to a period of 25 years (2023 to the end of 2037 (15 years) + 10 years). This requires 21.425mt of crushed rock supply overall. At the end of 2021 reserves were estimated as 16.10mt and, assuming extraction in 2022 at the 10-year sales average rate, reserves at the start of the Plan period (2023) are forecast to be 15.243mt overall. Therefore, additional crushed rock (ragstone) reserves of at least 6.182mt will, if possible, need to be identified in the Minerals Sites Plan as no crushed rock sites were allocated in the adopted Kent Mineral Sites Plan 2020.

5.2.33 At the time of plan preparation, Currently the Consented reserves of crushed rock are contained within two Kentish Ragstone sites. One of which contains the bulk of the permitted reserves that are generally of low quality and so their use is limited, and mineral extraction only takes place from this site intermittently on a campaign basis. In view of this, a policy covering situations where non-identified land-won mineral sites could be acceptable is included as Policy CSM 4. Soft sand (Folkestone Formation) is a strategically important aggregate mineral in the South East, using the 10-year sales averages to calculate overall needs for Kent and what it contributes to the supply of the surrounding areas ensures an adequate supply.

5.2.34 Permitted reserves at the end of 2022 were recorded at 14.85mt. The available reserves at commencement of year 2024 are estimated at 13.62mt giving an estimated 17.38mt shortfall over the Plan period.

5.2.35 The identified shortfall may be addressed by the allocation of new hard (crushed) rock potential reserves (in an updated Mineral Sites Plan) sufficient to ensure an adequate and steady supply of this type of aggregate is maintained over the Plan period 2024-2039. Any allocation would need to be acceptable in planning terms and subject to detailed examination.

5.2.36 Currently the consented reserves of crushed rock are contained within two Kentish Ragstone sites. A policy covering situations where non-identified land-won mineral sites could be acceptable is included as Policy CSM 4.

5.2.37 In conclusion, based on 2022 aggregate monitoring data, for land-won hard (crushed) rock the position is as follows:

- **Crushed rock: at least 13.62mt of reserves (comprising currently permitted reserves estimated at the commencement of 2024), and a 10-year maintained landbank of at least 12.4mt, giving an estimated 17.38mt shortfall over the Plan period. Subject to detailed assessment, the shortfall is to be addressed by an allocation(s) of new hard (crushed) rock reserves in an updated Mineral Sites Plan sufficient to ensure an adequate and steady supply of this type of aggregate is maintained over the Plan period 2024-2039.**

Overall Provision of Land-won Aggregates

5.2.38 The Plan will provide, based on 2021 aggregate monitoring data, for land-won aggregates as follows:

- **Sharp sand and gravel: at least 10.08mt 4.323.656mt of reserves (including (comprising currently permitted reserves estimated at 2023 as 1.156 mt plus 3.61mt 2.5mt of currently permitted reserves and of resources from allocated sites), and a landbank of at least 5.46 mt 1.83 1.596mt as long as resources allow.**
- **Soft sand: at least 10.64 7.056mt 8.969mt of reserves including the at least 8.899mt 5.769mt from existing permitted reserves estimated in 2023, in necessary and the resources from the allocation site at Chapel Farm (West), Lenham 3.2mt and a landbank of 3.192 3.087mt in 2030 at existing permitted sites and new allocations to provide at least 4.96mt making a total provision of 15.60mt, sufficient to provide 11.05mt for the Plan period plus a landbank of 4.55mt in 2030;**
- **Crushed rock: at least 15.77mt 15.243mt c.50mt of reserves at existing permitted sites estimated at 2023, sufficient to provide 13.26mt for the Plan period plus a landbank of 7.28mt in 2030 without the need for any new allocation plus a landbank of 8.30mt in 2030 with, if possible, an additional provision of at least 6.482mt mt to be identified as site allocation(s) in a Mineral Sites Plan, will be required over the plan period.**

5.2.39 The sharp sand and gravel sites identified in the Kent Mineral Sites Plan will include **are Stonecastle Farm Quarry Extensions, Hadlow and Land at Moat Farm, Five Oak Green. The Soft sand site identified in the Kent Minerals Sites Plan is Chapel Farm (Wwest), Lenham.** land-won sharp sand and gravel sites, and soft sand (building sand) sites.

5.2.40 Criteria that will be taken into account for In selecting and screening the suitability of sites for identification in a the Minerals Sites Plan the criteria as are set out in Policy CSM2 will be taken into account.

Industrial Minerals

5.2.41 In seeking to provide a steady and adequate supply of industrial minerals, and following national policy, the County Council will co-operate with other **Mineral Planning Authorities** to co-ordinate the planning of industrial minerals (including silica sand) to ensure adequate provision is made to support their likely use in industrial and manufacturing processes. The County Council will also seek to maintain a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment as follows:

- at least 10 years for individual silica sand sites except where significant new capital is required in which case it is 15 years;
- at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant; and
- at least 25 years for brick clay and for cement primary and secondary materials to support a new kiln.

5.2.30 This section deals with how the Plan intends to provide to meet these expectations.

Brickearth and Clay for Brick and Tile Manufacture

5.2.31 ~~At the time of plan preparation, Kent only has one operational brickworks near Sittingbourne, which is supplied by brickearth extracted from a sites in the Sittingbourne area to make yellow London stock bricks. National planning policy requires the provision of a stock of permitted reserves of at least 25 years for brick clay⁵⁴There is a need to ensure sufficient reserves are available to provide brickearth for the one operational brickwork in Kent these two brickworks to ensure that the locally characteristic yellow London stock bricks can continue to be manufactured.~~ **Currently the permitted reserves come from 2 sites: a site called Orchard Farm and Paradise Farm in the Sittingbourne area. Total permitted reserves have been reconsidered against anticipated extraction rates. Yearly production is highly variable, and can significantly reduce in any one year, the effect is to commensurately increase the landbank significantly. It is considered that available reserves sufficient for the Plan period remaining,; being up to in the 25–30 29 years range.**

5.2.32 In the past in Kent, bricks have also been made at various locations from supplies of Weald Clay, Gault Clay, London Clay, Wadhurst Clay and colliery shale. No operational brickworks that use clay and/or colliery shale remain in Kent. The

⁵⁴ **MHCLG DLUHC** (February 2010 **2023**) National Planning Policy Framework, paragraph 21408.

stock of planning permissions for clay and colliery shale for brick and tile making is sufficient for the plan period if any of the dormant or closed brickworks is re-opened or new brickworks are established⁵⁵. Therefore, there is no need to identify further reserves of brick clay or colliery shale for brickmaking in the a Mineral Sites Plan.

5.2.33 A small-scale tile manufacturer that makes traditional 'Kent Peg' tiles is **located in** the Weald of Kent at Hawkenbury. This site has a consented clay pit with reserves consented through to 2026. Permitted reserves are however sufficient to supply the tile works **well** beyond this date. **No further reserves are needed to be identified to sustain this operation during the plan period.**

Silica Sand

5.2.34 Silica sand (**a form of sand such that it is almost pure quartz, or silicon dioxide**) is considered to be a mineral of national importance due to its limited distribution. The Folkestone Beds, west of Maidstone, is the traditional extraction area for silica sand in Kent and is made up of distinct horizons of building sand and silica sand. While the quality of these silica sand deposits in Kent is not as pure as those found in the neighbouring county of Surrey, some of this material is used for industrial processes including glass manufacture and the production of foundry castings. Silica sand is also used in horticulture and for sports surfaces including horse maneges and golf course bunker sand. There are no sites in Kent that provide only silica sand. All of Kent's existing silica sand sites produce construction aggregates to some extent⁵⁶. National policy requires MPAs to plan for a steady and adequate supply of silica sand by providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment. This is carried out by providing a stock of permitted reserves of at least 10 years at established existing sites, and at least 15 years for silica sand sites where significant new capital is required, this would include entirely new sites⁵⁷.

5.2.35 **Silica sand is used in a range of applications including the manufacture of glass and production of materials used in construction.** An example of a potential local use would be in the manufacture of 'Aircrete' blocks (also known as aerated concrete blocks) where it may substitute for the current supply of Pulverised Fuel Ash (PFA). Currently the existing market need for silica sand is being met by extraction from **two three** quarries: **Igtham Quarry**, Wrotham Quarry (Addington Sand Pit) and Nepicar Sand Pit. **In 201420 2022, t**These **quarries had an esitimated** have permitted **total** reserves in the region of 2.4mt **1.86mt 1.58mt**. These quarries are identified in Appendix C and shown in Figure 13: Minerals Key Diagram **and reported in the Annual Monitoring Report**. Wrotham Quarry site has a potential extension area **but** that lies within the Kent Downs AONB. While the Plan seeks to maintain a stock of permitted reserves, in line with national policy, it is recognised that this may not be possible if it would be inconsistent with policy to

⁵⁵ KCC (May 2011) TRM3: Other Minerals

⁵⁶ GWP Consultants (March 2010) A study of silica sand quality and end uses in Surrey and Kent. Final report for KCC and Surrey County Council.

⁵⁷ DCLG **MHCLG DLUHC** (2021) National Planning Policy Framework, paragraph 2146 **footnote 74**.

conserve the landscape and scenic beauty of the AONB. In light of national policy, the Plan does not seek allocation of sites within the AONB or in locations which would have an **unacceptable** adverse impact on the setting of, and implementation of, the statutory purposes of the AONB. Proposals will be considered on their merits against policy CSM 2.

Chalk

5.2.36 Chalk is abundant in Kent. It is used for agricultural and construction purposes (primarily as a bulk fill material) across the county⁵⁸. ~~Since there are no plants dependent on the supply of chalk there is no policy requirement to make provision. However,~~ Local sales data for agricultural and engineering use combined indicates that sales vary considerably from year to year. **Total reserves are currently estimated at 0.65751-0.532 million tonnes as of the end of 2020-2022 (these figures are considered broad estimates).** **Based on the current yearly rate of extraction there is a permitted reserve life of approximately only 13 years, compared to an excess of 100 years previously monitored.** ~~However, given that the rate of extraction varies so considerably this may change. However,~~ ~~the rate of extraction also varies greatly from year to year. As the NPPF does not require specific chalk landbanks to be maintained at any particular level and taking account of the massive nature of the deposit in Kent, sites for Chalk extraction are not included in the Mineral Sites Plan.~~ The indicative Kent landbank of chalk for agricultural and engineering uses is estimated to be around 17.6 years as of 2018⁵⁹.

5.2.37 While Kent was once a major producer of cement, there are no operational cement works remaining within the county. A cement works and its associated mineral reserves (Medway Works, Holborough) has the benefit of an extant implemented planning permission with the permitted mineral resources that are required to supply the works being sufficient for at least 25 years. Policies CSM5, DM7 and DM8 safeguard the permitted mineral use and, were an application to come forward that proposed another form of use for this site, then these would need to be taken into account.

5.2.38 Reserves of chalk and rates of demand will be monitored and reported in the **successive** Annual Monitoring Reports and taken into account when any proposals for new sites come forward.

5.2.37 ~~To help facilitate future development of cement manufacture at the Medway Works, Holborough, specific reserves of chalk are safeguarded as set out in Policy CSM 3. Proposals for chalk extraction will be assessed against Policy CSM 4: Non-identified Land-won Mineral Sites.~~

Clay for Engineering Purposes

⁵⁸ KCC (May 2012) TRM3: Other Minerals.

⁵⁹ ~~KCC (2018) Kent's 12th Annual Kent Minerals and Waste Monitoring Report 2017/18.~~

5.2.39 Clay is also abundant in Kent. Other than uses in brick manufacture, the principal use for extracted clay is for land engineering purposes. Since there are no specific requirements for engineering clay for bulk fill, waterproof capping or flood defences there is no requirement to make specific provision. Local sales data indicates that sales vary significantly from year to year, however an average for the 11 years in which data was available indicates sales of approximately 27,000 tpa with a peak demand of 69,000 tonnes in 2002⁶⁰. This equates to a need over the plan period of around 459,000mt. The proposed extension areas for Norwood Quarry and Landfill Site on the Isle of Sheppey, identified as the Strategic Site for Waste in Policy CSW 5, will also be identified as an extraction site for engineering clay. Sites which come forward for the extraction of clay for engineering purposes will be assessed against Policy CSM 4: Non-identified Land-won Mineral Sites for future extraction to maintain such supply.

Policy CSM2

Supply of Land-won Minerals in Kent

Mineral working will be granted planning permission at sites identified in the Minerals Sites Plan⁶¹ subject to meeting the requirements set out in the relevant site schedule in the Mineral Sites Plan and the development plan.

1. Aggregates

Provision will be made for the supply of land-won aggregates as follows:

- **Sharp sand and gravel:** ~~At least 10.08mt and a landbank of at least seven years supply (5.46mt) will be maintained while resources allow. The rate of supply will decline through the Plan period from a supply of a 10-year average of around 0.78mtpa and resources will be progressively worked out (unless additional unallocated sites are brought forward which would be assessed against Policy CSM 4). Demand will instead be increasingly met from other sources, principally a combination of recycled and secondary aggregates, landings of MDA, blended materials and imports of crushed rock through wharves and railheads. The actual proportions will be decided by the market. A landbank of sharp sand and gravel at least equal to the 7-year landbank (as set out in the latest Local Aggregate Assessment) will be maintained throughout the Plan period for as long as reserves and potential resources allow.~~
- **Soft sand:** ~~Rolling landbanks for the whole of the Plan period and beyond of at least seven years equivalent to at least 15.6mt, comprising 10.6mt from existing permitted sources, and 5.0mt from sites allocated in the Mineral Sites~~

⁶⁰ KCC (2012) TRM3 Other Minerals, Table 4B.

⁶¹ Sites identified in the Minerals Sites Plan ~~will~~ **are** generally be where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where MPAs ~~it is~~ **is** considered ~~ed~~ that planning applications are likely to be acceptable in principle in planning terms.

Plan A landbank of soft sand at least equal to the 7-year landbank (as set out in the latest Local Aggregates Assessment) will be maintained throughout the Plan period.

- **Crushed rock: Rolling landbanks for the whole of the plan period and beyond of at least 10 years equivalent to at least 20.5mt, all from existing permitted sources. A landbank of hard crushed rock at least equal to the 10-year landbank (as set out in the latest Local Aggregates Assessment) will be maintained throughout the Plan period.**

Sites will be identified in the Mineral Sites Plan to support supplies of land-won aggregates. **Additional sites required to maintain landbanks of land-won aggregates** at the levels stated above **will be identified if possible in the** Mineral Sites Plan. A rolling average of ten years' sales data and other relevant information will be used to assess landbank requirements on an on-going basis, and this will be kept under review through the annual production of a Local Aggregates Assessment.

2. Brickearth and Clay for Brick and Tile Manufacture

The stock of existing planning permission at Paradise Farm, **Hartlip Sittingbourne**, ~~Hempstead House and Claxfield Road~~ for brickearth **for brick making and** clay for brick and tile making **at Babylon Tile Works, Hawkenbury** is sufficient for the plan period. Applications for sites supplying brickearth and clay for brick and tile making will be dealt with in accordance with the policies of this Plan. The existence of a stock of permitted reserves of at least 25 years (as reported in the latest Annual Monitoring Report) to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment will be a material consideration.

3. Silica Sand

In response to planning applications, the Mineral Planning Authority will seek to permit sites for silica sand production sufficient to provide a stock of permitted reserves of at least 10 years for individual sites of 10 years and 15 years for sites where significant new capital is required, to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment⁶². Proposals will be considered on their own merits, having regard to the policies of the Development Plan as a whole subject to them demonstrating:

- how the mineral resources meet technical specifications required for silica sand (industrial sand) end uses; **and**
- how the mineral resources will be used efficiently so that high-grade sand deposits are reserved for industrial end uses.

⁶² 'Plant and equipment' is taken to mean that used in the processing of minerals and its use in industrial and manufacturing processes.

4. Chalk for Agriculture and Engineering Purposes

The stock of existing planning permissions for chalk **is** sufficient to supply Kent's requirements for agricultural and engineering chalk over the plan period, **although monitoring data is showing a wide variation in overall permitted reserves.** Applications for sites supplying chalk for agriculture and engineering purposes will be dealt with in accordance with the policies of this Plan. The need for additional supplies of chalk will be assessed based on the latest assessment of supply and demand set out in the Annual Monitoring Report.

5. Clay for Engineering Purposes

~~A site for the extraction of clay for engineering purposes will be identified at Norwood Quarry and Landfill Site in the Minerals Sites Plan. Other sites will be identified if required in order to enable clay extraction to continue through the Plan period to supply Kent's requirements.~~

The stock of existing planning permission for engineering clay is sufficient to supply Kent's requirements for engineering clay over the plan period. Applications for sites supplying engineering clay will be dealt with in accordance with the policies of this Plan. The need for additional supplies of engineering clay will be assessed based on the latest assessment of supply and demand set out in the Annual Monitoring Report.

6. Selection of Sites for Allocation ~~in the Minerals Sites Plan~~

The criteria that will be taken into account for selecting and screening the suitability of sites for **allocation** ~~identification in the Minerals Sites Plan~~ will include:

- the requirements for minerals set out above;
- relevant policies set out in Chapter 7: Development Management Policies
- relevant policies in district local plans and neighbourhood plans;
- strategic environmental information, including landscape assessment and **Habitat Regulations Assessment (HRA)** as appropriate;
- their deliverability; **and**
- other relevant national planning policy and guidance

~~5.3 Policy CSM 3: Strategic Site for Minerals~~

~~5.3.1 While Kent was once a major producer of cement, there are no operational cement works remaining within the county. Re-establishing cement manufacture in Kent is sufficiently important to the achievement of the Plan's Spatial Vision and Strategic Objectives to warrant the identification of a proposed cement works and its associated mineral reserves as a Strategic Site. Medway Works, Holborough (shown~~

on Figure 17) has the benefit of an extant planning permission with the permitted mineral resources that are required to supply the works being sufficient for at least 25 years. However, there are likely to be significant changes needed to the approved layout and design to reflect modern requirements that would require a fresh planning application being approved prior to the development of the site. In view of the potential job opportunities and level of investment required to construct a new cement works, this site is considered sufficiently important to designate it as the only Strategic Site for minerals. Policy CSM 3 addresses the planning issues of this Strategic Site's potential for significant investment for long term cement manufacture while maintaining a sensitive protection of the environment, with particular regard to the Kent Downs AONB landscape designation.

Policy CSM 3

Strategic Site for Minerals

The site of the proposed Medway Cement Works, Holborough and its permitted mineral reserves are together identified as the Strategic Site for Minerals in Kent. The site location is shown on Figure 17.

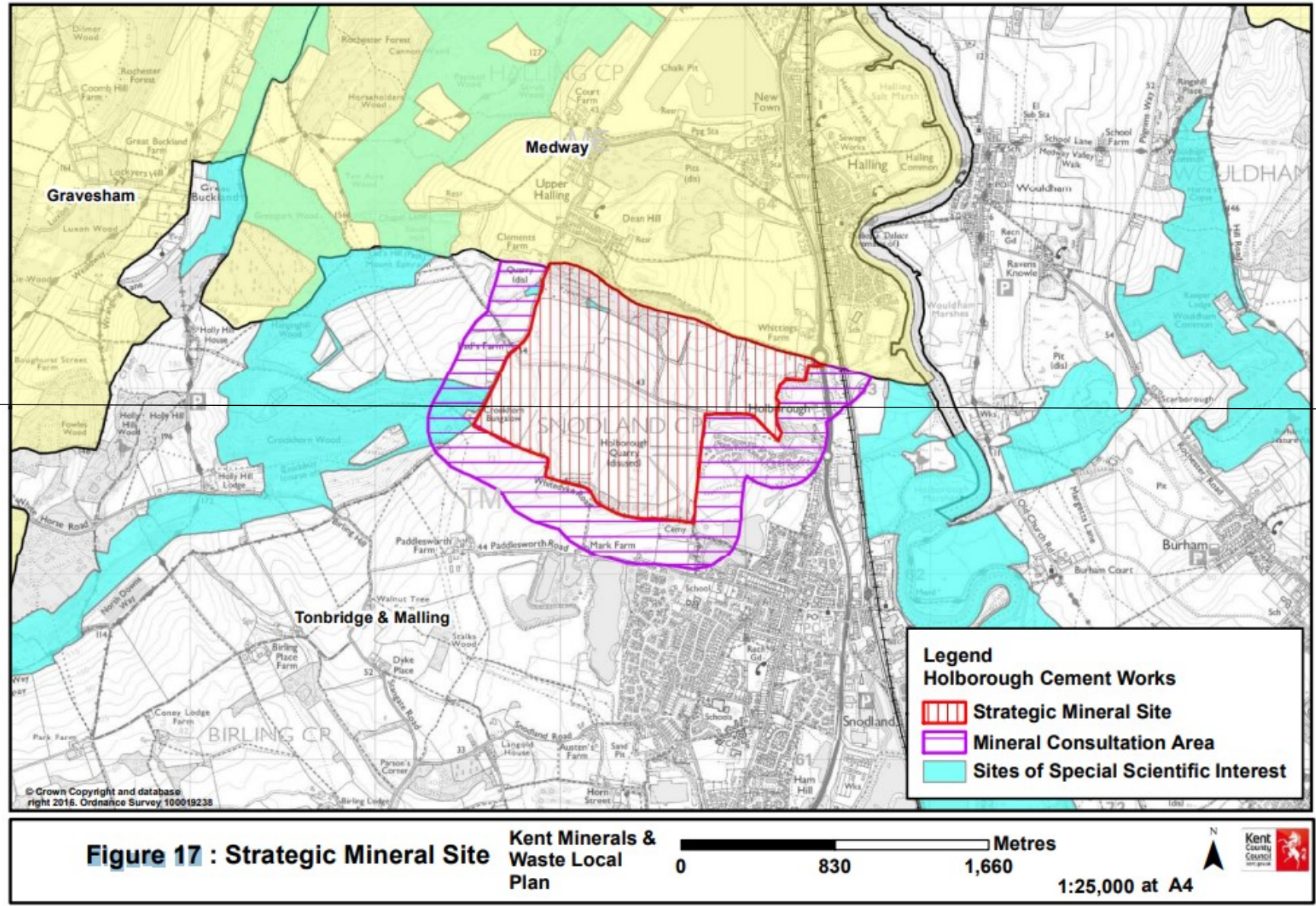
Planning permission will not be granted for any development other than chalk extraction for cement manufacture, cement manufacture and restoration of the resulting void.

Mineral working and processing at the Strategic Site for Minerals will be permitted subject to meeting the requirements of the development plan and the following criteria:

- an assessment of the impact of mineral working upon views from the Kent Downs Area of Outstanding Natural Beauty, with suitable sufficient landscaping mitigation measures to minimise the impacts upon views, protect the amenity of nearby residents and enhance and restore the landscape character
- the development not generating more traffic movements than can be accommodated without any unacceptable adverse impacts upon the local highway network
- the site and any associated land being restored to a high quality standard and where appropriate after-use that supports and enhances the long term local landscape character

This allocation is proposed to be deleted

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5.4 Policy CSM 4: Non-identified Land-won Mineral Sites

~~5.4.1 Policy CSM 3: Strategic Site for Minerals, together with the other Plan policies and the sites identified in the Mineral Sites Plan, will help~~ provide the framework that seeks to enable a stock of planning permissions for aggregates, chalk, brickearth, clay, silica sand and minerals for cement manufacture to be maintained at the required levels throughout the plan period.

~~5.4.2 The Allocated sites identified in the Minerals Sites Plan will have been~~ **are** subject to a detailed assessment that ~~will seek~~ **will seek** to balance demand for the mineral and any other benefits against potential adverse impacts, with a view to securing a steady and adequate supply of aggregates and industrial minerals, having regard to national planning policy and the objectives and policies of this plan, including sustainability objectives. The presumption is that provision will be made by means of the allocated sites coming forward and providing the mineral required at the appropriate time. Planning applications for minerals development on non-allocated sites (other than with respect to silica sand, **which is provided for under Policy CSM2** where no allocations are proposed to be made) will be considered having regard to the relevant objectives and policies of the development plan as a whole, in particular the need to plan for a steady and adequate supply of mineral.

5.4.3 Where a proposal for minerals development on a non-allocated site fails to comply with the development plan or is otherwise shown to cause harm to its objectives, planning permission will be granted only if sustainable benefits are clearly demonstrated that are sufficient to outweigh the harm identified. Examples of criteria that may justify permission being granted include:

- the possibility of prior extraction of an economic mineral ahead of other development taking place within the safeguarded mineral resource⁶³
- the possibility of borrow pit developments that can supply materials in a sustainable manner to major infrastructure developments including road, rail and ports
- locations of consented reserves and any alternative supply options⁶⁴ being remote from main market areas necessitating unduly long road journeys from the source to the market
- the nature and qualities of the mineral such as suitability for particular use
- known constraints on the availability of consented reserves that might limit output over the plan period
- the extent to which permitted reserves are within inactive sites that are unlikely to ever be worked
- the assurance that large landbanks bound up in very few sites do not stifle competition
- sites in the Minerals Sites Plan not coming forward as anticipated.

⁶³ Safeguarding of mineral resources is dealt with by Policies CSM 5, DM 7 and DM 8 and prior extraction principally by Policy DM 9.

⁶⁴ Alternative supply options include secondary or recycled materials and imports through wharves and rail depots.

Policy CSM 4

Non-identified Land-won Mineral Sites

With the exception of proposals **on land allocated in the Mineral Sites Plan and** for the extraction of silica sand provided for under Policy CSM 2, proposals for mineral extraction ~~other than the Strategic Site for Minerals~~ and **additional** sites identified **assessed for allocation** in the Minerals Sites Plan will be considered having regard to the policies of the development plan as a whole and in the context of the Vision and Objectives of this Plan, in particular the objective to plan for a steady and adequate supply of aggregates and industrial minerals. Where harm to the strategy of the development plan is shown, permission will be granted only where it has been demonstrated that there are overriding benefits that justify extraction at the exception site.

5.5 Policy CSM 5: Land-won Mineral Safeguarding

5.5.1 Protecting mineral resources from unnecessary sterilisation is a very important part of minerals planning policy, it is central to supporting sustainable development. Minerals are a finite natural resource which need to be used prudently. The purpose of safeguarding minerals is to ensure that sufficient economic minerals are available for future generations to use. The viability of extracting resources may change over time and is likely to increase as resources become more scarce. Mineral transportation infrastructure is also important because, as described in section 5.2, imported minerals make a major contribution to the County's requirements and production facilities convert materials into useable products. Such transportation infrastructure also allows for the export of minerals from Kent to other areas. The British Geological Society (BGS) Mineral Resource maps provide the best available geological data on the extent of mineral resources in Kent and so have been used as the starting point for safeguarding mineral resources in Kent.

5.5.2 Policy CSM 5 describes how land-won minerals will be safeguarded and Policies CSM 6 and CSM 7 describe how mineral infrastructure will be safeguarded. Policy DM 7 describes the circumstances in which non-mineral developments that are incompatible with safeguarding a resource ~~or a safeguarded wharf or rail depot~~ would be acceptable. Policies CSM 4 and DM 9 set out how applications for prior extraction of safeguarded mineral resources, that would otherwise be sterilised by non-minerals development, would be considered. Policy DM 8 describes the circumstances in which non-mineral developments that might be incompatible with safeguarding minerals **(such as wharfs and rail depots)** and/or waste infrastructure would be acceptable.

5.5.3 Land-won mineral safeguarding is carried out through the designation of Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs). Further explanation is provided below.

5.5.4 MSAs cover areas of known mineral resources that are, or may in future be, of sufficient value to warrant protection for future generations. MSAs ensure that such resources are adequately and effectively considered in land-use planning decisions so that they are not needlessly sterilised. The level of information used to indicate the existence of a mineral resource can vary from geological mapping to more in-depth geological investigations. Defining MSAs carries no presumption for extraction and there is no presumption that any areas within MSAs will ultimately be acceptable for mineral extraction.

5.5.5 National policy expects all MPAs, both unitary and two-tier authorities, to include policies and proposals in their local plans to safeguard mineral resources and to set out their extent on maps of MSAs. In two-tier authority areas, such as Kent, MSAs should be included on the Policies Maps of the Development Plan maintained by the District and Borough Councils. This is intended to alert prospective promoters of development and the local planning authority, to the existence of mineral resources and shows where local mineral safeguarding policies may apply.

5.5.6 Geological mapping is indicative of the existence of a mineral resource. It is possible that the mineral has already been extracted and/or that some areas may not contain any of mineral resource being safeguarded. Nevertheless, the onus will be on promoters of non-mineral development to demonstrate satisfactorily⁶⁵ at the time that the development is promoted that the indicated mineral resource does not actually exist in the location being promoted, or extraction would not be viable or practicable under the particular circumstances.

5.5.7 The MCA designation is intended to ensure that consultation takes place between county and district/borough planning authorities when mineral interests might be compromised by non-minerals development, especially in close proximity to a known mineral resource. The designation of MCAs is not obligatory, but consultation on development within an MCA is. The MCAs within Kent cover the same areas as the MSAs, ~~other than that around the safeguarded mineral reserves at Holborough Works as shown in Figure 17.~~

5.5.8 Where an application is made for non-mineral development within a MSA identified in this Plan, then the determining authority will consult the MPA for its views on the application and take them into account in its determination. For non-minerals development determined by the County Council e.g. schools and waste management, the safeguarding policies will equally apply.

5.5.9 Economic land-won minerals that are identified for safeguarding in Kent are sharp sand and gravel, soft sand, silica sand, crushed rock, building stone and brickearth. ~~As e~~Chalk and clay (other than brickearth) are abundant across the county, **and so thesey resources** are not being safeguarded. The mineral resource areas identified for safeguarding are shown in the MSAs in Chapter 9: Adopted Policies Maps. The MSAs are based on mapping of the mineral resource prepared

⁶⁵ Non-minerals development will mainly be promoted through planning applications or through proposed allocations in Local Plans. Advice will be provided by Kent County Council (as the Minerals Planning Authority).

by the BGS. Current guidance advises that mineral safeguarding should not be curtailed by any other planning designation, such as environmental designations without sound justification. The mineral resources within the Plan area are extensive and whilst they continue beneath urban areas they are already sterilised by non-mineral development with very little prospect of future working. Therefore in order for the safeguarding to be practical such areas have been excluded from the MSAs.

5.5.10 The surface working area of the proposed East Kent Limestone Mine is not identified for safeguarding. This is because there has been no advancement in the mine's development since the identification of this resource as a possible area of mining in the 1993 Minerals Subject Plan⁶⁶. There is no certainty where the built footprint for the surface aggregate processing facility is likely to be situated (if it is ever developed) and planning policies should avoid the long-term protection of sites identified for employment use where there is no reasonable prospect of a site being used for that purpose. Any proposals for prospecting the Carboniferous Limestone deposit will be considered under Policy CSM 11⁶⁷.

5.5.11 Coal, oil, and deep pennant sandstone resources are also not being safeguarded, as they are located at considerable depth underground and may potentially form extensive resources. The safeguarding of these deep underground minerals would dilute the focus of safeguarding mineral resources, access to which is more likely to be lost to built development.

5.5.12 ~~Following the adoption of this Plan, the MSAs will be reviewed and updated as necessary. Further reviews of the MSAs will take place at least every five years. Matters to be taken into account in these reviews are will be set out in a Supplementary Planning Document on minerals safeguarding to be prepared following adoption of this Plan.~~ Such matters will include the following:

- Previously worked land (provided the mineral resource is exhausted)
- Transport infrastructure
- Land within urban areas
- Proposed urban extensions and site allocations for non-minerals uses in adopted local plans
- The importance of minerals resources
- The accessibility of the minerals resource i.e. whether it can be practicably and viably worked

5.5.13 At the same time, the need to safeguard sites hosting specific infrastructure (transportation and production) will also be reviewed.

5.5.14 The process of allocating land for non-minerals uses in local plans will take into account the need to safeguard minerals resources and mineral infrastructure. The allocation of land within an MSA will only take place after consideration of the factors that would be considered if a non-minerals development were to be proposed

⁶⁶ KCC (1993) Mineral Subject Plan Construction Aggregates.

⁶⁷ ~~DCLG (March 2012)~~ **MHCLG (2021) DLUHC (2023)** National Planning Policy Framework, para. 122.

in that location, or in proximity to it, as set out in Policies DM 7, DM 8, CSM 5 and CSM 6. The Minerals Planning Authority will support the District and Borough Councils in this process.

Policy CSM 5

Land-won Mineral Safeguarding

Economic mineral resources are safeguarded from being unnecessarily sterilised by other development by the identification of:

- Mineral Safeguarding Areas for the areas of brickearth, sharp sand and gravel, soft sand (including silica sand), ragstone and building stone as defined on the Mineral Safeguarding Area Policies Maps in Chapter 9
- Mineral Consultation Areas which cover the same area as the Minerals Safeguarding Areas, ~~and a separate area adjacent to the Strategic Site for Minerals at Medway Works, Holborough as shown in Figure 17~~
- Sites for mineral working within the plan period **are** identified in ~~Appendix G~~ **the Annual Monitoring Report** and in the Mineral Sites Plan.

5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots

5.6.1 Kent has a range of mineral transportation facilities around its coast as well as inland. The importance of safeguarding these facilities to enable the on-going supply of essential minerals is identified in national planning policy. Development in proximity to a mineral transportation facility could prejudice or constrain current or future operations. It is important therefore, that the Plan ensures that wharves and rail depots are safeguarded, **given their very probable irreplaceability**, and are not put at risk by non-minerals developments. **The revival of the Dover Western Docks to regenerate the dock infrastructure includes a safeguarded wharf (Dunkirk Jetty). At this time, the safeguarding status of this mineral importation and handling infrastructure is unchanged and the wharf remains listed in Policy CSM 6.** The locations of the safeguarded wharves and rail depots are shown in Figure 13: Minerals Key Diagram and in Chapter 9: Adopted Policies Maps.

5.6.2 Policy DM 8 identifies situations where development at, or in proximity to, safeguarded infrastructure including wharves and rail depots, would be acceptable.

Policy CSM 6

Safeguarded Wharves and Rail Depots

Planning permission will not be granted for non-minerals development that may unacceptably adversely affect the operation of existing⁶⁸ planned or potential sites, such that their capacity or viability for minerals transportation purposes may be compromised.

The following sites, and the **any** allocated sites **for wharves and rail depots** included in the Minerals Sites Plan, are safeguarded:

1. Allington Rail Sidings
2. Sevington Rail Depot
3. Hothfield Work
4. East Peckham
5. Ridham Dock (both operational sites)
6. Johnson's Wharf, Greenhithe
7. Robins Wharf, Northfleet (both operational sites)
8. Clubbs Marine Terminal, Gravesend
9. East Quay, Whitstable
10. Red Lion Wharf, Gravesend
11. Ramsgate Port
12. Wharf 42, Northfleet (including Northfleet Cement Wharf)
13. Dunkirk Jetty (Dover Western Docks)
14. Sheerness
15. Northfleet Wharf
16. Old Sun Wharf, Gravesend

Their locations are shown in Figure 13: Minerals Key Diagram in Chapter 2 and their site boundaries are shown in chapter 9: Adopted Policies Maps.

The Local Planning Authorities will consult the Minerals Planning Authority and take account of its views before making a planning decision (in terms of both a planning application and an allocation in a local plan) for non-mineral related development (other than that of the type listed in policy DM 8 (clause 1)) on all development proposed at, or within 250m of, safeguarded minerals transportation facilities.

5.7 Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure

5.7.1 National policy requires other types of mineral infrastructure to be safeguarded. This includes existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate materials.

5.7.2 As there are many sites within the county, with considerable numbers being located on industrial estates identified in local plans for general industrial and

⁶⁸ Existing sites are taken as sites that have permanent planning permission for minerals transportation purposes.

commercial uses, a generic (non-site specific) policy for safeguarding these facilities and their ongoing, overall capacities is necessary. Policy CSM 7 addresses the need to safeguard mineral production infrastructure, while being flexible to the needs of the industry by enabling the loss of capacity (potentially required for the industry to remain competitive and viable) provided there is replacement capacity available elsewhere of a type that is at least equal to that provided by the original facility. Policy DM 8 identifies situations where development at, or in proximity to safeguarded mineral plant infrastructure would be acceptable.

Policy CSM 7

Safeguarding Other Mineral Plant Infrastructure

Facilities for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material in Kent are safeguarded for their on-going use.

Where these facilities are situated within a host quarry, wharf or rail depot facility, they are safeguarded for the life of the host site.

Where other development is proposed at, or within 250m of, safeguarded minerals plant infrastructure, Local Planning Authorities will consult the Minerals Planning Authority and take account of its views before making a planning decision (in terms of both a planning application and an allocation in a local plan).

5.8 Policy CSM 8: Secondary and Recycled Aggregates

5.8.1 The use of secondary and recycled aggregates is generally more sustainable than extracting primary land-won aggregates. It is for this reason that national policy expects MPAs to **so far as practicable**, take account of the contribution that secondary and recycled materials would make, before considering extraction of primary materials **so far as practicable**. As considered in Section 5.2, the replacement of primary aggregates with secondary and recycled **supplies** materials is becoming increasingly important as indigenous land-won primary supplies diminish. The County Council is therefore keen to see the quantities of secondary and recycled aggregates being produced within Kent increase.

5.8.2 **In 2016** ~~t~~The consented secondary and recycled aggregates processing capacity within Kent ~~currently exceeds~~ **exceeds** 2.7mtpa, 0.63 mtpa of which ~~was~~ **was** identified as temporary capacity. Inert Construction, Demolition and Excavation (CDE) waste is the main source of recycled aggregate and arisings of this waste in Kent ~~were~~ **are** estimated to be 2.6 mtpa which indicates that some capacity may be utilised for imported materials. In addition, arisings of materials suitable for conversion into secondary aggregates such as furnace bottom ash **will are expected to** increase **if** as more Energy from Waste capacity is developed during the plan period in line with Policy CSW 8: Recovery Facilities for Non-hazardous Waste.

5.8.3 Policy CSM 8 sets out criteria to be used in the consideration of additional secondary and recycled aggregate production capacity. Where permanent consent is being sought, to avoid adverse amenity impacts, the presumption will be that processing activities will be contained within a covered building or similar structure. While sites **with permanent** consent will be safeguarded under Policy CSM 7, to compensate for the loss of capacity located on temporary sites, sites **will may** be identified in the Minerals Sites Plan to ensure processing capacity is maintained to allow the production of at least 2.7 million tonnes per annum of secondary and recycled aggregates, throughout the Plan period.

Policy CSM 8

Secondary and Recycled Aggregates

~~Sites will be identified in the Minerals Sites Plan to ensure P~~ processing capacity **will be** maintained to allow the production of at least 2.7 million tonnes per annum **or the productive capacity value in the latest Local Aggregate Assessment (whichever is the greater)** of secondary and recycled aggregates, throughout the Plan period.

Proposals for additional capacity for secondary and recycled aggregate production including those relating to the expansion of capacity at existing facilities that increases the segregation and hence end product range/quality achieved, will be granted planning permission if they are well located in relation to the source of input materials or need for output materials, have good transport infrastructure links and accord with the other relevant policies in the development plan, at the following types of sites:

1. temporary demolition, construction, land reclamation and regeneration projects and highways developments where materials are either generated or to be used in the project or both for the duration of the project (as defined by the planning permission)
2. appropriate mineral operations (including wharves and rail depots) for the duration of the host site permission.
3. appropriate waste management operations for the duration of the host site permission.
4. industrial estates, where the proposals are compatible with other policies set out in the development plan including those relating to employment and regeneration.
5. any other **type of** site that meets the requirements cited in the second paragraph of this policy above.

The term 'appropriate' in this policy is defined in terms of the proposal demonstrating that it will not give rise to unacceptable adverse impacts on communities or the environment as a whole over and above the levels that had been considered to be acceptable for the host site when originally permitted without the additional facility.

Planning permission will be granted to re-work old inert landfills and dredging disposal sites to produce replacement aggregate material where it is demonstrated that net gains in landscape, biodiversity or amenity can be achieved by the operation and environmental impacts can be mitigated to an acceptable level.

5.9 Policy CSM 9: Building Stone in Kent

5.9.1 Only two ragstone quarries have consented reserves at the time of the preparation of this Plan: Hermitage Quarry and Blaise Farm in mid Kent. Although building stone has been produced from both quarries, only Hermitage Quarry has the ability to produce high-quality cut stone from the full sequence of ragstone beds in the Hythe Formation, and it continues to provide building stone for building conservation uses. However, in the past, small-scale quarries have provided locally distinctive stone including Paludina Limestone (found near Bethersden), Tunbridge Wells Sandstone and flint (from chalk strata). Calcareous tufa found in small outcrops near Ditton has also been used in a few buildings, including Leeds Castle in Kent. These have been popular building materials and supplies may be needed in the future to maintain and restore the buildings that use them.

5.9.2 **Small-scale Quarries** for building stone can play an important part in providing historically authentic building materials in the conservation and repair of historic and cultural buildings and structures. Policy CSM 9 addresses the potential need for granting planning permission for small-scale, local restoration building stone quarrying in Kent.

Policy CSM 9

Building Stone in Kent

Planning permission will be granted for ~~small-scale~~ proposals⁶⁹ that are needed to provide a supply of ~~suitable~~ local building stone necessary for restoration work associated with the maintenance of Kent's historic buildings and structures and new build projects ~~within conservation areas~~, subject to:

1. Development taking place in appropriate locations where the proposals do not have unacceptable adverse impacts on the local environment and communities; **and**
2. There being no other suitable, sustainable sources of the stone available;
3. ~~The site is restored to a high quality standard and appropriate after use that supports the local landscape character.~~

⁶⁹ ~~A small-scale building stone extraction site is one that produces predominantly building stone for conservation and restoration of old buildings or for new build purposes in areas where the stone provides historically authentic materials in keeping with the local built environment. Operations are likely to be intermittent and volumes produced are low.~~

5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons

~~5.10.1 Oil and gas are important mineral resources and primary sources of energy in the United Kingdom. They underpin key aspects of modern society and remain an important part of the UK's energy mix. Maximising economic production of UK oil and gas reserves to provide reliable energy supplies is a key activity the Government are taking forward to minimise international energy supply risks.~~

5.10.21 All hydrocarbons are owned by the State, in the form of the Oil and Gas Authority, the Coal Authority and the Department **for Business, Energy and Industrial Strategy** ~~of Energy and Climate Change~~. Companies who wish to exploit these minerals are invited to bid for licences by the Government. A conditional underground licence does not give an operator the power to exploit underground resources and is conditional upon planning permission (and other rights) being granted too.

5.10.32 Where possible reserves have been identified there is a need to establish, through exploratory drilling, whether or not there are sufficient recoverable quantities of unconventional hydrocarbons present to facilitate economically viable full scale production. There are three phases of onshore hydrocarbon extraction: exploration, testing (appraisal) and production.

5.10.43 In the case of appraisal wells, decisions will not take account of hypothetical future activities, since the further appraisal and production phases will be the subject of separate planning applications and assessments. When determining applications for subsequent phases, the fact that exploratory drilling has taken place on a particular site is only likely to be material in determining the suitability of continuing to use that site insofar as it establishes the presence of hydrocarbon resources. There is no presumption that because permission is granted for one phase, then permission will be granted for a subsequent one, i.e. permission granted for exploration should not be assumed to lead to permission for appraisal, nor for appraisal to production. Each application will be considered on its merits. Proposals associated with exploration, appraisal and production might reasonably include underground gas storage and associated infrastructure, for which encouragement is sought in the NPPF.

5.10.54 The Mineral Planning Authority (**MPA**) is one of four key regulators for hydrocarbon extraction. Its role is to provide clear guidance and criteria for the local assessment of hydrocarbon extraction within Petroleum Licence Areas and to grant planning permission for the location of any wells and wellpads and impose conditions to ensure that the impact on the use of land is acceptable. There are clear roles and responsibilities for each of the regulators and an expectation that the Mineral Planning Authority should assume non-planning regimes will operate effectively and should not ordinarily need to carry out its own assessments where it can rely on the assessments of other regulatory bodies. However, before granting planning permission the MPA will need to be satisfied that these issues can or will be adequately addressed by taking and considering advice from the relevant regulatory body relating to the specific risks/concerns posed by particular proposals. For example in the case of proposals involving hydraulic fracturing mitigation of seismic risks; well design and construction; well integrity during operation; operation

of surface equipment on the well pad; mining waste; chemical content of hydraulic fracturing fluid flaring or venting; final off-site disposal of water and well decommissioning/abandonment.

5.10.65 Where it is intended to utilise new or existing infrastructure, the MPA will need to be satisfied that any associated environmental and amenity impacts are mitigated to ensure that there is no unacceptable adverse impact on the local environment or communities.

Resources and Potential

Oil

5.10.76 Kent is part of the Southern Permian Basin Area, an area of potential for oil resource that stretches across northern Europe from Dorset to Yorkshire in the west, across northern France, Belgium, Holland, Denmark, Germany and Poland. On-going exploration has established a series of oil and gas fields across the Basin Area. Notable commercial discoveries in the English sector of this basin, associated with the Weald and south coast, are Wytch Farm (Dorset) which is the largest onshore oil field in western Europe, Alvington (Hampshire), Storrington (West Sussex) and Palmers Wood (Surrey). The Department of ~~Energy and Climate Change (DECC)~~ **Business, Energy and Industrial Strategy (BEIS)** issues Petroleum Exploration and Development Licenses (PEDLs). In the past, parts of west and east Kent have been included. These licensing areas are subject to periodic revision by ~~DECC~~ **BEIS**.

5.10.87 A planning permission was granted in 2012 for exploratory drilling and subsequent oil and gas field testing at Bidborough in West Kent. **This permission has not been implemented and has now lapsed.** ~~In 201522 the planning permission had not been implemented.~~ Exploratory drilling has also taken place in Cowden near Tunbridge Wells from August 1999 (planning permission SE/98/234). Subsequent extensions were granted to complete planned testing operations on the capped well at Cowden to establish the extent of productive capacity of the oil field, the last of which expired in 2012 (SE/11/1396).

Gas

5.10.98 Minor reserves of natural gas have been exploited in the past in East Sussex; however only two resources have been detected following exploration undertaken more recently as a result of licences issued.

Unconventional hydrocarbons

5.10.109 Unconventional hydrocarbons refers to oil and gas which comes from sources such as shale or coal seams which act as the reservoirs. Shale gas, shale oil and coal bed methane are often referred to as unconventional hydrocarbons as they are extracted using technologies that enable s oil and gas locked into rock formations that were previously considered to be unsuitable or uneconomic to be exploited.

5.10.140 Coal Bed Methane is methane that is trapped within the pore spaces of coal in coal seams, such as the East Kent Field. In coal, methane is held in an almost liquid state within the porous elements so that if pressure is reduced by human intervention such as mining or drilling into a coal seam, the gas is liberated. As the gas is combustible it is a potential resource. The East Kent Coalfield covers an area of 157,900 hectares beneath the Kent landmass. It was exploited for its coal reserves between 1912 and 1989. ~~Underground licence applications to investigate the East Kent Coalfield are being processed by the Coal Authority at the time of writing this Plan.~~ There is currently no information available on the potential of coal bed methane resources in Kent. However, interest has been shown in Kent and permission was granted to drill an exploratory borehole to test the in situ coals, Lower Limestone Shales and associated strata in 2011 at Woodnesborough, in East Kent. **This permission was not implemented and has now lapsed.** During the preparation of the Plan, ~~A~~ a further three planning applications for test drilling in East Kent were received by Kent CC **in 2013** but were subsequently withdrawn.

5.10.121 Underground coal gasification is a technique that gasifies coal underground and then brings the resultant gas to the surface for subsequent use in heating or power generation. It requires precision drilling of two boreholes: one to supply oxygen and water/steam and the other to bring the resulting gas back to the surface. Currently there are no commercial scale underground coal gasification processes present in the UK.

5.10.132 Hydraulic fracturing (often called fracking) is a technique used to extract gas or oil from shale rock strata whereby water (and additives) is pumped under pressure into productive shale rocks via a drilled bore to open up pore spaces releasing the gas or oil for pumping to the surface for use⁷⁰.

5.10.143 The BGS completed a resource study for the Weald Basin, which includes part of Kent. The study concluded that with the current level of geological data and information there is no significant shale gas potential within the Weald Basin. There is however potentially a significant volume of unconventional shale oil. The study estimates that the oil in place (OIP) across the whole Weald Basin, which is the resource estimate, ranges from 2.2 to 8.6 billion barrels (billion bbl). There is currently insufficient information and data to estimate how much of that oil resource is economically and technically viable to extract; further exploratory drilling, sampling and socio-economic and environmental studies would be required.

5.10.154 Section 50 of the Infrastructure Act 2015 inserts section 4A of the Petroleum Act 1998, which sets out a number of safeguards for developments involving onshore hydraulic fracturing. This includes no hydraulic fracturing within protected groundwater source areas and within "other protected areas". "Other protected areas" are defined in the secondary legislation, Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016. Section 3 of these Regulations define "other protected areas" in the following manner, as areas of land at a depth of less than 1,200 metres beneath a National Park, the Broads, Areas of Outstanding

⁷⁰ Information on unconventional hydrocarbon extraction is available in the Planning Practice Guidance website at: <http://planningguidance.planningportal.gov.uk/blog/guidance/minerals/planning-for-hydrocarbon-extraction/annex-a-shale-gas-and-coalbed-methane-coal-seam-gas>

Natural Beauty or a World Heritage site. Decisions on planning applications will be made in accordance with the Infrastructure Act and the associated secondary legislation.

5.10.165 The Act also places a duty on the Mineral Planning Authority to take account, where relevant, of the cumulative effects of an application for onshore hydraulic fracturing, and any other applications relating to exploitation of onshore oil and gas obtainable by hydraulic fracturing. It is important to examine how differences in context such as geological and environmental characteristics might lead to differing levels of risk, for example this may include consideration of the depth of shale exploration and mitigation measures such as restricting water use to wetter seasons or requiring recirculation. Each application will be considered on its merits.

5.10.176 Provision has also been made in the Infrastructure Act (in section 49) for the Secretary of State to request the Committee on Climate Change to provide advice (in accordance with section 38 of the Climate Change Act 2008) on the impact which combustion of, and fugitive emissions from, petroleum produced through onshore activity, is likely to have. The way in which minerals produced in Kent are subsequently used is not within the control of the Plan. However, the Council will review any such advice to consider whether it raises any consideration that needs to be taken into account in determining an application for planning permission relating to hydraulic fracturing and whether any review of policy CSM 10 is required. Any such reviews will take into account any relevant national planning policy and guidance.

5.10.187 There are several issues associated with the extraction of oil and gas and unconventional hydrocarbons which need careful attention at the planning application stage. The nature and significance of these issues will vary between the technology utilised and the phases of exploration, testing (appraisal) and production. These issues are set out below, together with the development management policies which ensure they are adequately addressed:

- The discharge of artesian groundwater to the surface (Policy DM 10)
- Impact on ground and surface waters (both quantity and quality) (Policy DM 10)
- Visual and amenity (e.g. noise, lighting, PROW) impacts of surface operations (including those resulting from 24 hour operations) (Policies DM 2, DM 11, DM 12, DM 14)
- Impacts of vehicles transporting staff and materials to and from the drill site (Policy DM 13)
- Impacts on biodiversity (Policy DM 3)
- Stability of land (Policy DM 18)
- Restoration of the surface operations following their cessation (Policy DM 19)
- Cumulative effects (Policy DM 12)

5.10.198 Policy CSM 10 sets out the matters that need to be taken into account when considering proposals for the exploration, appraisal and development of oil, gas and unconventional hydrocarbons.

Policy CSM 10

Oil, Gas and Unconventional Hydrocarbons

Planning permission will be granted for proposals associated with the exploration, appraisal and production of oil, gas and unconventional hydrocarbons subject to:

1. well sites and associated facilities being sited, so far as is practicable, to minimise impacts on the environment and communities
2. developments being located outside Protected Groundwater Source Areas⁷¹
3. there being no unacceptable adverse impacts (in terms of quantity and quality) upon sensitive water receptors including groundwater, water bodies and wetland habitats
4. all other environmental and amenity impacts being mitigated to ensure that there is no unacceptable adverse impact on the local environment or communities
5. exploration and appraisal operations being for an agreed, temporary length of time
6. the drilling site and any associated land being restored to a high-quality standard and appropriate after-use that reflects the local landscape character at the earliest practicable opportunity
7. it being demonstrated that greenhouse gases associated with fugitive emissions from the exploration, testing and production activities will not lead to unacceptable adverse environmental impacts

Particular consideration will be given to the location of hydrocarbon development involving hydraulic fracturing having regard to impacts on water resources, seismicity, local air quality, landscape, noise and lighting impacts. Such development will not be supported within protected groundwater source protection zones or where it might adversely affect or be affected by flood risk or within Air Quality Management Areas or protected areas for the purposes of the Infrastructure Act 2015, section 50.

5.11 Policy CSM 11: Prospecting for Carboniferous Limestone

5.11.1 While the East Kent Limestone mine has not been progressed since it was included in the *Kent Minerals Local Plan Construction Aggregates Written Statement (1993)*⁷² as a possible area of mining, it is still considered to be a possible long-term source of construction aggregates in Kent. The location of the underground limestone resource is in the vicinity of calcareous grassland which is an important habitat, being registered with both the national and Kent BAPs and as a Habitat of Principal Importance under the NERC Act 2006. There are also Natura 2000 Habitat

⁷¹ Advice will be sought from the Environment Agency.

⁷² KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement.

sites, SSSIs and LWSs throughout the area. If prospecting is proposed in the plan period, it will have to be undertaken sensitively with sufficient controls to avoid any impacts upon sensitive receptors.

5.11.2 As any application ~~would~~ ~~may~~ need to be accompanied by an Environmental Statement, details of the results of the survey and implications of such a development for the environment would need to be included in this Statement.

Policy CSM 11

Prospecting for Carboniferous Limestone

Planning permission will be granted at suitable locations for the drilling operations associated with the prospecting for underground limestone resources in East Kent subject to: ~~4~~ exploration and appraisal operations are being for an agreed, temporary length of time.

5.12 Policy CSM 12: Sustainable Transport of Minerals

5.12.1 ~~While~~ ~~st~~ there have not been any proposals for new wharves and rail depots for consideration in the Mineral Sites Plan **does not allocate any sites for mineral wharves or rail depots, the Kent Minerals and Waste Local Plan acknowledges that minimising road transport where possible plays a significant role in promoting sustainable development, aspiring to carbon neutrality and reducing harmful emissions. Therefore,** in line with the requirements of sustainable development it is important to encourage the sustainable transportation of minerals by rail and water wherever possible **and safeguard related infrastructure.** Policy CSM 12 encourages an increase in sustainable transport modes for minerals and encourages the development of new mineral importation facilities or facilities that have fallen out of use.

Policy CSM 12

Sustainable Transport of Minerals

Planning permission for any new wharf and/or rail depot importation operations, or for wharves and rail depots that have been operational in the past (having since fallen out of use), that includes the transport of minerals by sustainable means (i.e. sea, river or rail) as the dominant mode of transport will be granted planning permission where:

1. They are well located in relation to the Key Arterial Routes⁷³ across Kent; and
2. The proposals are compatible with other local employment and regeneration policies set out in the development plan.

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⁷³ These are made up of Motorways and Trunk Roads, County Primary Routes and County Principal Routes. County Primary Routes link major urban centres, including the A228/A26 between Medway and Tonbridge, the A229 between Medway and East Sussex, the A299 between Faversham and Thanet, the A28 between Thanet and East Sussex, the A256 between Dover and Thanet, the A26 between Tonbridge and Tunbridge Wells and the A25 between Wrotham and Sevenoaks. County Principal routes are generally A class roads with relatively high traffic flows, including the A225 between Sevenoaks and Dartford and the A251 between Faversham and Ashford. These are shown on Figure 2.

6. Delivery Strategy for Waste

6.0.1 The following policies give the delivery strategy for waste management development in Kent over the plan period~~up to the end of 2030~~.

6.1 Policy CSW 1: Sustainable Development

□ As stated in paragraph 5.1.1, the purpose of the planning system is to contribute to the achievement of sustainable development⁷⁴ At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in local plans should follow the approach of this presumption. The Kent MWLP is therefore based on the principle of sustainable development. This is demonstrated in the Spatial Vision, the Strategic Objectives and the policies that seek sustainable solutions.

6.1.2 Planning law requires planning decisions to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that it does not change the statutory status of the development plan as the starting point for decision making. Policy CSW 1 ensures the presumption in favour of sustainable development is taken into account in KCC's approach to waste development.

Policy CSW 1

Sustainable Development

When considering waste development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework, ~~National Planning Policy for Waste and the Waste Management Plan for England~~.

~~Waste development that accords with the development plan should be approved without delay, unless material considerations indicate otherwise.~~

~~Where there are no policies relevant to the application, or relevant policies are out of date at the time of decision making, the Council will grant permission unless material considerations indicate otherwise, taking into account where either:-~~

~~1. any unacceptable adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or~~

~~2. specific policies in that Framework⁷⁵ indicate that development should be restricted.~~

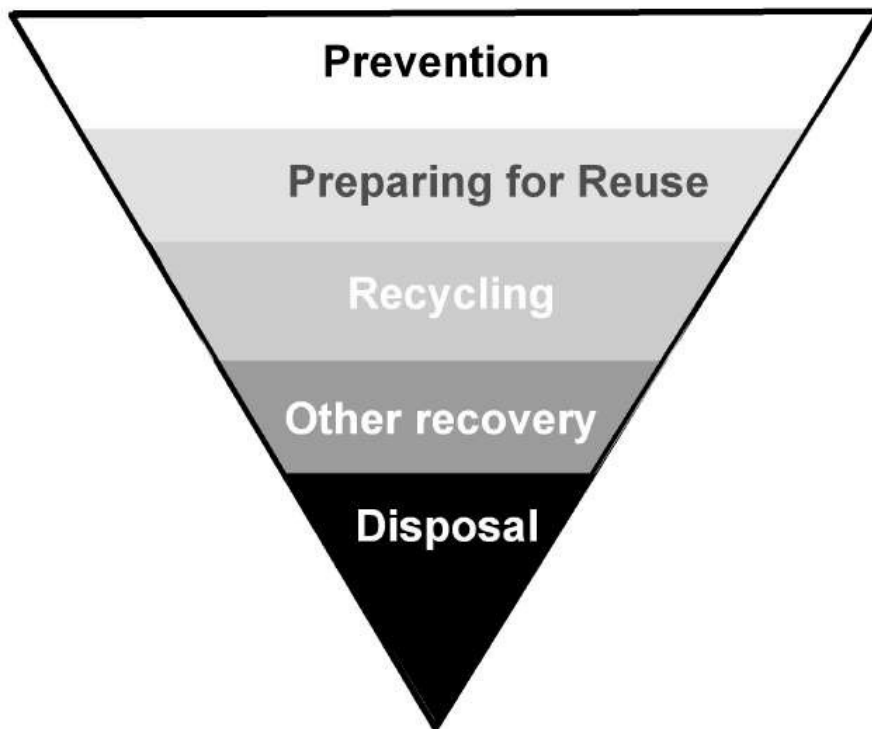
⁷⁴ ~~MHCLG (2021) DLUHC (2023)~~ National Planning Policy Framework: **Chapter 2** Ministerial Foreword.

⁷⁵ ~~For example, those policies relating to land within an Area of Outstanding Natural Beauty, Green Belt, sites protected under the Birds and Habitats Directives and/or as Sites of Special Scientific Interest, designated heritage assets, and locations at risk of flooding.~~

6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction

6.2.1 It is Government policy to break the link between economic growth and the environmental impact of waste by moving the management of waste up the Waste Hierarchy, as shown in Figure 18⁷⁶.

Figure 18 Waste Hierarchy



6.2.2 The Government has also introduced legal requirements to drive waste up the hierarchy including the following:

- plans must be in place detailing measures to ensure 65 per cent of municipal waste, including household waste and household like waste from commercial and industrial sources, is recycled by 2035⁷⁷
- the volume of residual waste per person which is not reused or recycled must be halved by 2042 from 2019 levels⁷⁸
- by 2050, avoidable waste must be eliminated by recycling or reusing any waste which possibly can be reused or recycled⁷⁹.

6.2.23 The Kent MWLP mainly implements this policy through influence over waste and minerals developments. However, the Plan also includes a policy (Policy CSW 3) seeking to influence/reduce waste arising from all forms of development. The Kent

⁷⁶ The Waste Hierarchy diagram is a copy of the version in Appendix A of [DCLG DLUHC National Planning Policy for Waste](#).

⁷⁷ [HM Government \(2020\), The Waste \(Circular Economy\) \(Amendment\) Regulations 2020](#)

⁷⁸ [Environment Act 2021](#)

⁷⁹ [Department for Environment, Food and Rural Affairs \(2023\), Environmental Improvement Plan 2023](#)

MWLP forms part of the development plan, along with the district local plans, and is therefore relevant to the determination of planning applications for all forms of development in Kent.

6.2.34 In accordance with the Waste Hierarchy, the Plan gives priority to planning for waste management developments that prepare waste for re-use or recycling. The most recent assessment of waste management capacity requirements⁽⁷⁶⁾ shows that, **overall**, Kent's current recycling and processing facilities have **sufficient adequate** capacity for the anticipated rate of usage with the exception of facilities for green and kitchen wastes. It should be appreciated that ~~these~~ **these** calculations are based upon a rate of use that should only be regarded as a minimum, as the aspiration is to encourage more of the waste that is produced in Kent to be managed by methods at this tier of the hierarchy. **Local needs may arise to enhance waste logistics on a case by case basis.**

6.2.45 Encouraging more waste to be managed via re-use or recycling will be achieved by enabling policies for the development of additional waste management capacity for recycling and processing **for reuse** including a policy presumption to grant planning permission for redevelopment or extensions to lawful existing waste management facilities to enable more waste to be recycled or processed for re-use providing the proposal is in accordance with the locational and development management policies in the Plan.

6.2.56 The application of the Waste Hierarchy is a legal requirement under the Waste (England and Wales) Regulations 2011. ~~It is anticipated that there will be a~~ **The** transition over time to forms of waste management at the higher end of the Waste Hierarchy **is ongoing and** ~~the Kent MWLP addresses this transition by~~ **seeking to rapidly provide encouraging** a more sustainable option for the mixed non-hazardous waste that is going to landfill by applying ambitious but achievable landfill diversion targets presented in Policy CSW 4. **Ambitious targets for recycling have also been applied.**

Policy CSW 2

Waste Hierarchy

~~To deliver sustainable waste management solutions for Kent, P~~ **Proposals for waste management must demonstrate how the proposed capacity will ensure that waste to be managed at the facility will be managed at the highest level of the proposal will help drive waste to ascend the Waste Hierarchy practicable, unless life cycle assessment (LCA) demonstrates otherwise.** ~~whenever possible.~~

6.2.7 In terms of the design of new buildings, application of circular economy thinking takes considerations beyond how waste is managed and places a greater emphasis on how buildings can be designed to ensure that they are less likely to result in waste being produced in the first place. Examples include using modular off site construction techniques and designing buildings in ways to make them adaptable to changes in their use. It is now

widely recognised that while old buildings may be less energy efficient in their use phase, replacing them with a new energy efficient one may have a greater impact than the carbon savings that occur during the operational phase of the new buildings. This is because of the embodied energy associated with the manufacture of the materials used in the fabric of the new building. Another example is designing with a building's 'deconstruction' in mind such that structures and building elements can be reused in other buildings.

6.2.8 Proposals for major development should be submitted with a Circular Economy Statement that demonstrates how the above matters have been taken into account. This will include a waste management audit setting out how waste is to be managed during construction (including any demolition and refurbishment) and during the occupation and use of the development. Guidance on the content of Circular Economy Statements will be prepared but in the meantime, developers should refer to related guidance published by the Greater London Authority in 2022.

6.2.9 Financial contributions from applicants for development which will rely on the use of the Council's waste management service for the collection and management of waste (mainly that from households) will be sought to assist with the provision of related infrastructure.

6.2.10 As Policy CSW3 applies to all forms of development (not just minerals and waste), it should be read alongside other policies in the Development Plan which may require consideration of waste and resource use.

6.2.11 The Environment Act 2021 requires the collection of five waste streams from premises producing household-like waste as follows: food waste; plastics; metal; glass; and paper/card, except where this is not practicable for technical or economic reasons or there is no significant environmental benefit. This will require business premises to be designed with sufficient space for the storage of materials to be separately collected.

6.2.12 In order to maximise the opportunities for new residents to reuse and recycle their household waste, except for householder applications, planning applications involving additional residential development should include the following details:

- the measures to be taken to show compliance with this policy; and
- the details of the nature and quantity of any construction, demolition and excavation waste which will arise from the development and its subsequent management.

Policy CSW 3

Waste Reduction

All new development must be designed in accordance with circular economy principles to should:

1. Minimise the production of construction, demolition and excavation waste and manage any **such** waste **arising during the development** in accordance with the objectives of Policy CSW 2;
2. **retain and upgrade/repurpose existing structures where possible;**
3. **allow for ease of redevelopment and refurbishment; and,**
4. **maximise sustainable construction methods which include the use of recycled and recyclable materials and techniques which minimize waste and allow for ease of deconstruction and reuse of building components.**

For major developments⁸⁰ the above should be demonstrated via the submission of a Circular Economy Statement.

In order to maximise the opportunities for new residents to reuse and recycle their household waste, except for householder applications, planning applications involving additional residential development should include the following details, except where such applications are made by or on behalf of a householder:

The following details shall be submitted with the planning application, except for householder applications:

1. the measures to be taken to show compliance with this policy; **and**
2. the details of the nature and quantity of any construction, demolition and excavation waste **which will arise from the development** and its subsequent management

New development should include detailed consideration of waste arising from the occupation of the development including consideration of how waste will be stored, collected and managed.

In particular proposals should ensure that:

1. there is adequate temporary storage space for waste generated by that development allowing for the separate storage of recyclable materials;
2. as necessary, there is adequate communal storage for waste, including separate recyclables, pending its collection; and
3. storage and collection systems (e.g. any dedicated **spaces** rooms, storage areas and chutes or underground waste collection systems), for waste are of high quality design and are incorporated in a manner which will ensure there is adequate and convenient access for users and waste collection operatives and will contribute to the achievement of waste management targets; and
4. adequate contingency measures are in place to manage any **mechanical breakdowns/systems failures**. All relevant proposals should be accompanied by a recycling & **and** waste management strategy which

⁸⁰ **Development requiring a Circular Economy Statement will have a total floor space of greater than 1000 square metres and/or comprise greater than 10no. units of housing and/or where the site is 1 hectare or more**

considers the above matters and demonstrates the ability to meet local authority waste management targets.

6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements

6.3.1 Kent currently achieves net self-sufficiency in waste management capacity for all waste streams. I.e. the annual capacity of the waste management facilities (excluding transfer) in Kent is sufficient to manage the equivalent quantity of waste to that predicted to arise in Kent. The continued achievement of net self-sufficiency and the management of waste close to its source are key Strategic Objectives of the Kent MWLP, because it shows that Kent is not placing any unnecessary burden on other WPAs to manage its waste. Net self-sufficiency recognises that existing (and future) waste management capacity within Kent may not necessarily be for the exclusive management of Kent's waste. Moreover, proposals that would result in more waste being managed in Kent than is produced may be acceptable if they resulted in waste moving up the hierarchy. Achievement of net self-sufficiency is the baseline aspiration and can be monitored on an annual basis and will provide an indicator as to whether the policies in the Plan need to be reviewed. The purpose in adopting the principle of net self-sufficiency is not to restrict the movement of waste as such restriction of waste catchment areas could have an adverse effect upon the viability of the development of new waste management facilities **that may be** needed to provide additional capacity for **the management of** Kent's waste arisings **in accordance with the waste hierarchy**.

6.3.2 In reality, different types of waste are managed at different types of facilities. To assess the future needs for waste **management capacity** facilities in Kent, net self-sufficiency has been studied for the individual waste streams of inert, non-inert (also called non-hazardous) **and hazardous** wastes. While Kent currently achieves net self-sufficiency **in the management of each waste stream**, this position will be monitored to ensure this remains the case throughout the plan period. ~~The purpose in adopting the principle of net self-sufficiency is not to restrict the movement of waste as such restriction of waste catchment areas could have an adverse effect upon the viability of the development of additional waste management capacity.~~

6.3.3 The Environment Act 2021 requires the separate collection of five waste streams from premises producing household-like waste as follows: food waste; plastics; metal; glass; and paper/card, except where this is not practicable for technical or economic reasons or there is no significant environmental benefit. The preferred option for businesses is to have separate collection for Dry Mixed Recyclables (DMR), with separate glass waste collections and separate food waste collections. It is assumed that all businesses transition to these arrangements by 2026 with a possible exemption for certain businesses (e.g. micro firms) from these requirements entirely or in respect of a particular waste stream, for example, food waste. This will require business premises to be designed with sufficient space for the storage of materials to be separately collected.

6.3.43 Implementation of **the Environment Act 2021** these requirements will be crucial to achievement of the recycling/composting ambitions of the Kent Minerals and Waste Local Plan. These include recycling targets for the Kent Commercial & Industrial (C&I) waste stream of 55% by 2025/26 and 60% by 2030/31.

6.3.54 Treatment capacity for food arising both from the Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) streams may be required. This pressure is additional to capacity required for the management of a growing quantity of additional household derived recyclable materials generated as a consequence of population growth and the imperative to achieve increasing recycling targets. Many of the existing facilities managing LACW have been identified as requiring upgrade, expansion or replacement by the County Council as Waste Disposal Authority (WDA).

6.3.65 The spatial distribution of capacity for the management of LACW in the form of recycling facilities (e.g. MRFs) and other recovery facilities (i.e. EfW plants) hasve also been identified as an issue by the WDA. The current distribution of waste transfer facilities receiving household waste across the county results in excessive transport especially from Folkestone and Hythe district and the Ebbsfleet Garden City area. In light of this the WDA has identified a pressing need for the development of new waste transfer facilities to serve those particular areas where collected waste can be bulked up for onward management and is working with the local WCAs to secure this. **Over the plan period it is possible that significant development elsewhere in Kent may require the provision of additional waste management facilities.**

Provision for Waste From London

6.3.3 Specific provision in the calculations for capacity required for non-hazardous waste going to landfill or EfW) has been made for waste from London. The reason for this is that, due to land constraints, London's residual waste cannot all be managed within London itself and so, as a neighbouring waste planning authority, Kent County Council has some responsibility to make provision for element of this waste. Historical data indicates the tonnage to be provided for is in the region of 35,000 tonnes per annum. It is also recognised that closure of Rainham Landfill in the London Borough of Havering in 2026 may result in the displacement of waste from Kent currently managed there. Therefore, an additional tonnage of 20,000 tpa has been planned for on a contingency basis.

6.3.86 An assessment has been made of the current profile of management of the principal waste streams. The targets applied reflect ambitious (but realistic) goals for moving waste up the hierarchy and seek to ensure that the maximum quantity of non-hazardous waste is diverted from landfill.

Policy CSW 4

Strategy for Waste Management Capacity

The strategy for waste management capacity in Kent is to provide sufficient waste

management capacity to manage at least the equivalent of the waste arising in Kent plus some **an amount of** residual non-hazardous waste from London **that takes account of London Plan targets for net self sufficiency⁸¹**. As a minimum it is to achieve the targets set out below for recycling and composting (**floor-minima**) and **landfill limits (ceiling maxima)** with the difference managed by other forms of recovery.

2015/16 Local Authority Collected Waste	2020/ 21	2025/ 26	20 30/ 31	2035/ 36	2040/ 41
Recycling/Composting minima⁸² n/a	50%	55%	60 %	65%	70%
Remainder to Landfill maxima n/a	2%	2%	2%	2%	2%
Remainder to Other Recovery maxima n/a	45%	43%	38 %	33%	28%
Commercial and Industrial Waste					
Recycling/Composting minima⁸³ n/a	50%	55%	60 %	65%	70%
Remainder to Landfill maxima n/a	15%	12.5 %	10 %	8.5%	5%
Remainder to Other Recovery maxima n/a	35%	32.5 %	30 %	26.5 %	25%

Construction and Demolition Waste (Non-inert only)

Recycling	n/a	12%	13%	14%
Composting	n/a	1%	1%	1%
Other Recovery	n/a	5%	5%	5%
Remainder to Landfill	n/a	2%	1%	0.5%

Component	Management Method	2020/21	2025/26	2030/31	2035/3	2040/41
Inert CDEW Arising	Proportion of Projected Arising taken to be Inert*	80%	80%	80%	80%	80%
	Inert waste recycling minima (as proportion of inert arisings)	60%	65%	70%	75	80
	Permanent deposit of inert waste other than for disposal to landfill**	25%	25%	25%	20	17.5

81 The London Plan 2021 expects net self sufficiency in the management of waste to be achieved by 2026. Actual progress towards meeting this target will be considered.

⁸² This is taken to include organic waste (including green and kitchen waste) treatment by Anaerobic Digestion.

⁸³ This is taken to include organic waste (including green and kitchen waste) treatment by Anaerobic Digestion.

	<u>(as proportion of inert arisings)</u>					
	<u>Landfill maxima (as proportion of inert arisings)***</u>	<u>15%</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>	<u>2.5%</u>
	<u>Total (inert CDEW arisings)</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>
<u>Non-Inert CDEW Arisings</u>	<u>Proportion of Projected Arisings taken to be Non-Inert*</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>
	<u>Composting (as proportion of non-inert arisings)</u>	<u>5%</u>	<u>5%</u>	<u>5%</u>		
	<u>Non-hazardous waste recycling minima (as proportion of non-inert arisings)</u>	<u>60%</u>	<u>65%</u>	<u>65%</u>	<u>75%</u>	<u>80%</u>
	<u>Non-hazardous residual waste treatment maxima (as proportion of non-inert arisings)</u>	<u>25%</u>	<u>30%</u>	<u>25%</u>	<u>22.5%</u>	<u>20%</u>
	<u>Landfill maxima (as proportion of non-inert arisings)***</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>	<u>2.5%</u>	<u>0%</u>
	<u>Total (non-inert CDEW arisings)</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>

It is assumed that 20% of the CDE waste stream comprises non-inert materials. The subsequent targets are proportions of the inert or non-inert elements of the CDE waste stream.

**This includes the use of inert waste in backfilling of mineral workings & operational development such as noise bund construction and flood defence works.

***These percentages are limits rather than targets but are included for completeness.

6.4 Policy CSW 5: Strategic Site for Waste

6.4.1 To meet the Kent MWLP objective of reducing the amount of waste being landfilled, the Plan is using policies to drive a major change in the way that waste is managed in Kent. Enabling the change in perception of waste from being something that has to be disposed to something that can be used as a resource will be helped by the development of such additional capacity further up the hierarchy.

6.4.2 The landfill at Norwood Quarry on the Isle of Sheppey accommodates the hazardous flue ash residues from the Allington EfW facility that features heavily in the Waste Management Unit (WMU) contracts for residual MSW, but it has limited consented void space remaining. To make provision for this waste for the duration of the Plan an extension to Norwood Quarry is identified. Enabling the continued management of hazardous flue ash within Kent has the added benefit of contributing to achieving net self-sufficiency in hazardous waste management capacity⁸⁴

⁸⁴ KCC (May 2011) TRW5: Hazardous Waste Management.

~~6.4.3 While there is a risk that identifying the extension area at Norwood Quarry as a Strategic Site for Waste could hinder the development of alternative treatment solutions for the flue ash, there is a need to make provision for this waste stream.~~

~~6.4.4 The proposed extension areas to Norwood Landfill are identified as the Strategic Site for Waste. The location of these extension areas is shown on Figure 19.~~

Policy CSW 5

Strategic Site for Waste

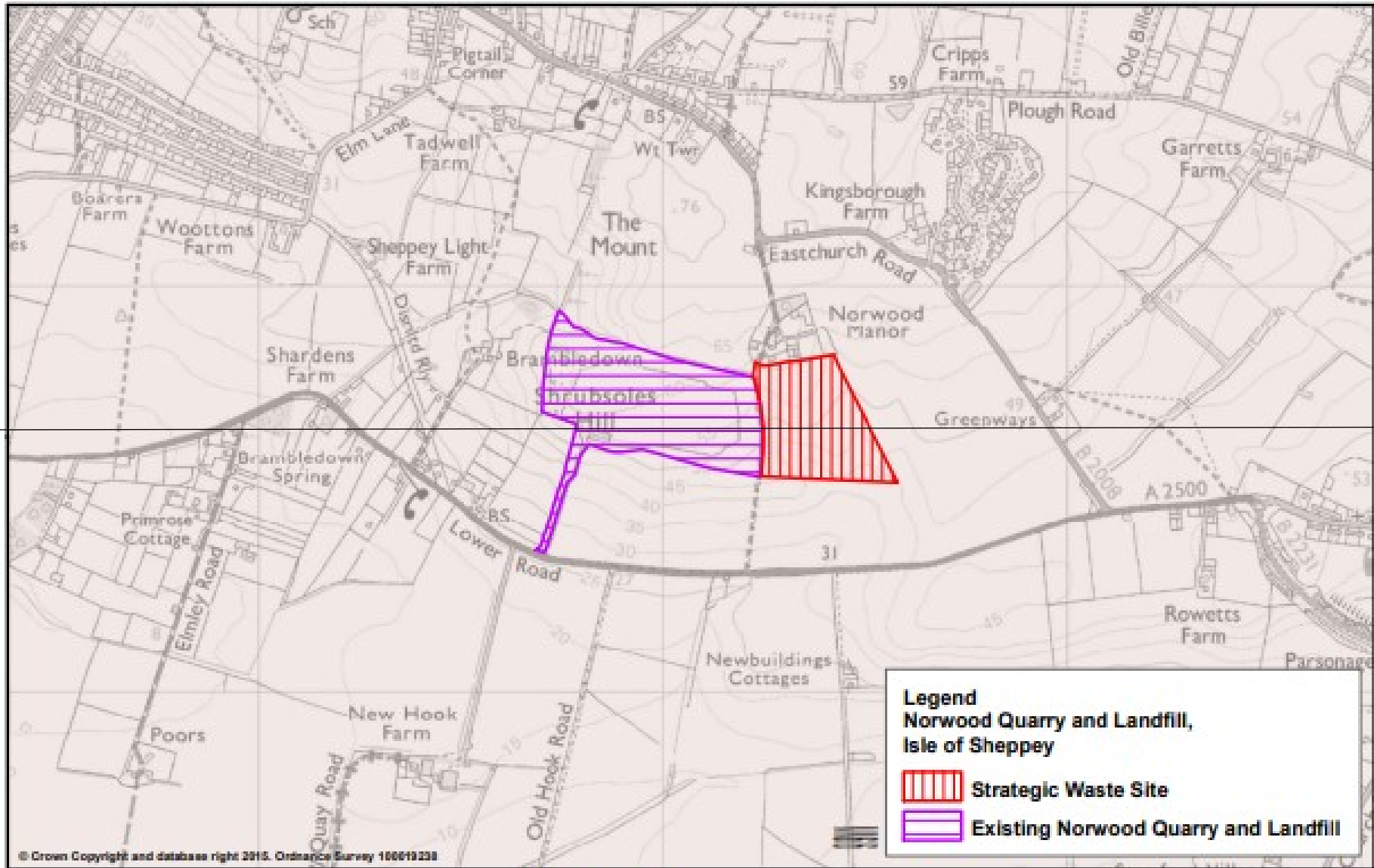
~~The proposed extension areas for Norwood Quarry and Landfill Site, Isle of Sheppey are together identified as the Strategic Site for Waste in Kent. The site location is shown on Figure 19. Unless criterion 1 below is satisfied, planning permission will not be granted for any other development other than mineral working with restoration through the landfilling of hazardous (flue) dust ash residues from Energy from Waste plants.~~

~~Mineral working and restoration by hazardous landfill and any ancillary treatment plant at the Strategic Site for Waste will be permitted subject to meeting the requirements of the development plan and the following criteria:~~

- ~~1. Demonstration that the site can be suitably restored in the event that landfilling of hazardous (flue) dust ash residues from Energy from Waste plants were to cease before completion of the final landform due to changes in treatment capacity and/or government policy that may result in the diversion of these wastes from landfill~~
- ~~2. an air quality assessment is made of the impact of the proposed development and its associated traffic movements⁸⁵ on the Medway Estuary and Marshes Special Protection Area and the Swale Special Protection Area sites and if necessary mitigation measures are required through planning condition and/or planning obligation~~
- ~~3. the site and any associated land being restored to a high quality standard and appropriate after use that accords with the local landscape character~~
- ~~4. Any proposal for this site would need to consider the requirements of other relevant policies of this Plan and in particular would need to consider any impacts on the A2500 Lower Road. Depending on the nature of any proposal it may be necessary for the developer to make a contribution to the improvement of this road.~~

⁸⁵ Traffic movements consist of the total vehicles entering and leaving the site.

This allocation is proposed to be deleted



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Figure 19: Strategic Waste Site

Kent Minerals & Waste Local Plan



1:12,000 at A4



6.5 Policy CSW 6: Location of Built Waste Management Facilities

6.5.1 The preference identified in response to earlier consultations during the formulation of the Plan was for a mix of new small and large sites for waste management. This mix gives flexibility and assists in balancing the benefits of proximity to waste arisings while enabling developers of large facilities to exploit economies of scale. National policy recognises that new facilities will need to serve catchment areas large enough to secure economic viability and this is particularly relevant when considering the possible sizing and location of facilities required to satisfy any emerging need indicated by monitoring e.g. in the relevant AMR.

6.5.2 The location of waste sites in appropriate industrial estates was also the preference identified from the consultation. This has the benefit of using previously developed land and enabling waste uses to be located proximate to waste arisings. Employment land availability is monitored by KCC and the district and borough councils⁸⁶. It should be appreciated that all industrial estate locations may not be suitable for some types of waste uses, because of their limited size or close proximity to sensitive receptors or high land and rent costs.

6.5.3 Certain types of waste or waste management facilities, such as Construction, Demolition and Excavation (CDE) recycling facilities are often co-located on mineral sites for aggregates or landfills, which are usually found in rural areas. Also, in rural areas where either the non-processed waste arisings or the processed product can be of benefit to agricultural land (as is the case with compost and anaerobic digestion), the most proximate location for the waste management facility will likely be within the rural area.

6.5.4 The development of waste management facilities on previously developed land will be given preference over the development of greenfield sites. In particular, the redevelopment of derelict or **land that is** contaminated **land** may involve treatment of soil to facilitate the redevelopment. Also, redundant agricultural or forestry buildings may be suitable for waste uses where such uses are to be located within the rural areas of the county. Waste management facilities located in the Green Belt are generally regarded as inappropriate development. Developers proposing a waste management facility within the Green Belt shall demonstrate the proposed use complies with Green Belt policy (See Policy DM4).

6.5.5 The development of built waste management facilities on greenfield sites is not precluded. This is because the goal of achieving sustainable development will lead to new development which may incorporate facilities to recycle or process the waste produced on the site, or to generate energy for use on the site.

6.5.6 Existing mineral and waste management sites may offer good locations for siting certain waste management facilities and for expansion to deliver further capacity to that which exists because of their infrastructure and location. In such cases, the developer will need to demonstrate the benefits of co-location such as connectivity with the existing use of the site while also demonstrating that any

⁸⁶ KCC (January 2013) Kent County Council & District Authorities Commercial Information Audit Summary Report for 2011/2012

cumulative impact is acceptable. For example, the co-location of CDE recycling (i.e. aggregate recycling) at an aggregate quarry that can enable the blending of recycled and virgin aggregates to increase the marketability of the product or the addition of a facility that will move waste further up the hierarchy at an existing EfW site.

6.5.7 Proposals for new waste management facilities (including changes to capacity at existing sites) should consider potential impacts on the water environment at the earliest stage of planning having regard to this policy and the requirements of Policy DM10: Water Environment, so that the full implications of the location for waste resources and flood risk are fully assessed and satisfied.

6.5.78 Policy CSW 6 applies to all proposals for built waste management facilities.

Policy CSW 6

Location of Built Waste Management Facilities

Planning permission will be granted for proposals that:

- a. ~~do not give rise to significant adverse impacts upon national and international designated sites, including Areas of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPAs), Ramsar sites, **and heritage assets**. Ancient Monuments and registered Historic Parks and Gardens (See Figures 4, 5 & 6).~~
- b. do not give rise to significant adverse impacts upon Local Wildlife Sites (LWS), Local Nature Reserves (LNR), Ancient Woodland, Air Quality Management Areas (AQMAs) and groundwater resources. (See Figures 7, 8, 10 & 15)
- c. are well located in relation to Kent's Key Arterial Routes, **and/or railheads and wharves** avoiding proposals which would give rise to **significant numbers of lorry movements through unacceptable adverse impacts on local roads and/or** villages ~~or on unacceptable stretches of road.~~
- d. do not represent inappropriate development in the Green Belt.
- e. avoid Groundwater Source Protection Zone, ~~or Flood Risk Zone 3b~~
- f. **avoid Flood Risk Zone 3b⁸⁷.**
- g. avoid sites on or in proximity to land where alternative development exists/has planning permission or is identified in an adopted Local Plan for alternate uses that may prove to be incompatible with the proposed waste

⁸⁷ Land that has a 3.3% or greater annual probability of flooding

management uses on the site.

- h. for energy producing facilities - sites are in proximity to **existing or planned** potential heat users.
- i. for facilities that may involve prominent structures (including chimney stacks) - the ability of the landscape to accommodate the structure (including any associated emission plume) after mitigation.
- j. for facilities involving operations that may give rise to bioaerosols (e.g. composting) to locate at least 250m away from any potentially sensitive receptors.

Where it is demonstrated that waste will be dealt with further up the hierarchy, or it is replacing capacity lost at existing sites, facilities that satisfy the relevant criteria above on land in the following locations will be granted consent, providing there is no **unacceptable** adverse impact on the environment and communities and where such uses are compatible with the development plan:

1. within or adjacent to an existing mineral development or waste management use
2. forming part of a new major development for B8 employment or mixed uses
3. within existing industrial estates
4. other previously developed, contaminated or derelict land not allocated for another use
5. redundant agricultural and forestry buildings and their curtilages
6. **within farm units where the proposal is for composting or anaerobic digestion and the compost / digestate is to be used within that unit.**

Proposals on greenfield land will only be permitted if it can be demonstrated that there are no suitable locations identifiable from categories 1 to ~~5~~6 above within the intended catchment area of waste arisings. Particular regard will be given to whether the nature of the proposed waste management activity requires an isolated location.

6.6 Identifying Sites for Household Waste Recycling Centres

6.6.1 The county has an existing well-established network of facilities for MSW for receiving household waste delivered by residents of Kent. These Household Waste Recycling Centres (HWRC) play an important role in meeting waste recovery and landfill diversion targets. The intention for the Plan period is to ensure facilities are provided to meet local population needs accounting for economic and projected housing growth. During the lifetime of the Plan, there **is a need for HWRCs and other**

household waste management infrastructure will be reviewed by the WDA ~~is an intention to rationalise facilities.~~ Proposals for Household Waste Recycling Centres will be considered against Policy CSW6: Location of Built Waste Management Facilities and relevant Development Management Policies.

6.7 Policy CSW 7: Waste Management for Non-hazardous Waste

6.7.1 Policy CSW 7 provides a strategy for the provision of new waste management capacity for non-hazardous waste. The policy will allow the provision of new waste management capacity recognising the need to drive waste up the hierarchy.

6.7.2 The term non-hazardous waste is regarded, for purposes of the Plan, as being synonymous with **LACW**⁸⁸ and C&I⁸⁹ waste and the non inert, non-hazardous, component of CDEW.

6.7.3 There is no intention to restrict the amount of new capacity for waste management for recycling or preparation of waste for reuse or recycling⁹⁰, or for the provision of additional capacity for green and/or kitchen waste treatment since the sooner it is delivered, the greater the impact will be on reducing organic waste going to landfill, the most significant source of methane production.

6.7.4 Implementing Policy CSW 7 will result in reducing the amount of Kent non-hazardous waste going for disposal to landfill and by doing so conserve existing non-hazardous landfill capacity in Kent for any non-hazardous waste that cannot be reused, recycled, composted or recovered.

Policy CSW 7

Waste Management for Non-hazardous Waste

Waste management capacity for non-hazardous waste that assists Kent in continuing to be net self-sufficient while providing for a reducing quantity of London's waste, will be granted planning permission provided that:

1. it moves waste up the hierarchy,
2. recovery of by-products and residues is maximised
3. energy recovery is maximised (utilising both heat and power); and
4. any residues produced can be managed or disposed of in accordance with the objectives of Policy CSW 2.
- ~~5. sites for the management of green waste and/or kitchen waste in excess of 100 tonnes per week are Animal By Product Regulation compliant (such as in vessel composting or anaerobic digestion)~~
- ~~6. sites for small scale open composting of green waste (facilities of less than 100 tonnes per week) that are located within a farm unit and the compost is used~~

⁸⁸ MSW is Municipal Solid Waste **LACW is Local Authority Collected Waste.**

⁸⁹ C&I is Commercial and Industrial waste.

⁹⁰ A definition of recycling is included in the glossary. Recycling includes composting

within that unit.

6.8 Policy CSW 8: Other Recovery Facilities for Non-hazardous Waste

6.8.1 One of the fundamental aims of the Plan is to reduce the amount of MSW Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste being sent to non-hazardous landfill. Other recovery capacity, such as Energy from Waste, is that which diverts residual waste from landfill by means lower down the waste hierarchy than recycling and composting.

6.8.2 Given that the Waste Hierarchy is to be applied in priority order i.e. from the top down, waste that could be practicably managed by a means higher up the waste hierarchy should not be managed by other recovery (see Policy CSW 2). Therefore, proposals for 'other recovery' need to be accompanied by a 'Waste Hierarchy Statement'. Waste Hierarchy Statements must set out the arrangements that will be put in place to ensure that only unavoidable residual waste is managed by 'other recovery'. This must include listings of the types of waste that would be subject to recovery and the reason why they cannot be managed further up the hierarchy. To this end, the Waste Hierarchy Statement must include the following details:

- a. the type of information that will be collected and retained on the sources of the residual waste after recyclable and reusable waste has been removed;
- b. the arrangements to be put in place to ensure that as much reusable and recyclable waste as is reasonably possible is removed from waste to be managed by other recovery at the consented development, including contractual measures to encourage as much reusable and recyclable waste as possible to be removed prior to its use as a fuel/feedstock;
- c. the arrangements to be put in place to ensure that suppliers of residual waste work to a written environmental management system which includes establishing a baseline for recyclable and reusable waste removed from residual waste and setting and working to specific targets for continuously improving and reporting on the percentage of such reusable and recyclable waste removed;
- d. the arrangements to be put in place for suspending and/or discontinuing supply arrangements from suppliers who fail to work to and report on compliance with any environmental management systems relating to waste reporting;
- e. the provision of an annual waste composition analysis of the fuel/feedstock taken at the point of management by the operator, with the findings submitted to the Council within one month of sampling being undertaken; and,
- f. the form of records to be kept for the purpose of demonstrating compliance with 'a' to 'e' above and the arrangements in place for provision of data to the Council and inspection of such records by the Council.

6.8.23 Other recovery capacity generally takes the form of energy from waste facilities (EfW plants) which involve the combustion of waste to produce energy in the form of heat and electricity. Whilst emissions of carbon usually result from this process, where waste with a low fossil fuel derived content (e.g. organic waste with plastics removed ('biogenic' waste) is managed, this can be considered a form of renewable energy production. To ensure maximum utilisation of the energy value of waste managed at such facilities, Proposals for additional other recovery capacity will need to be designed to harness the maximum practicable quantity of energy produced. This can only be achieved where the 'surplus' heat produced by the facility is utilised. This requires such facilities to be developed in locations where a demand for the heat already exists or it is known will exist in the near future. This type of facility is known as combined heat and power or 'CHP'. Proposals for developments designed only to be 'CHP ready', with no obvious use of the heat identified, will not be permitted.

6.8.4 Where some element of the waste stream comprises non organic material, non-biogenic carbon emissions will result and so consideration must be given to the capture, utilisation and storage of these emissions. The waste management industry has a stated intention for all new EfW plants to be built with Carbon Capture Utilisation and Storage (CCUS) fitted or developed to be 'CCUS-ready' from 2025 onwards⁹¹. This is consistent with the Climate Change Committee's Sixth Carbon Budget recommendations to Government that all EfW facilities will need to have CCUS in place by 2040. Given the lead in time for the construction of such facilities it is expected that provision for CCUS be included in any proposals for additional EfW capacity in Kent.

6.8.35 Such **other recovery** capacity might be developed in conjunction with waste processing facilities on the same site, or as standalone plants where the waste is processed to produce a fuel off-site. In order to avoid the risk of under provision by double counting both fuel preparation capacity and fuel use capacity, only one of the two facility contributions will be counted towards meeting any emerging need identified by annual monitoring in future. Where fuel preparation takes place as a stand-alone activity, e.g. Mechanical Biological Treatment, the recovery contribution will only be counted as the difference between the input quantity and the output quantity unless the output fuel has a proven market. Where that is the case, if the output fuel is to be used in a combustion plant beyond Kent, then this contribution will also be counted⁹²

⁹¹ **Applicable to biogenic and non-biogenic waste materials.**

⁹² For example, if 100 tonnes is fed into the plant: 20 tonnes are lost as moisture; 30 tonnes are diverted as recyclate; 50 tonnes of waste is converted into material that may be suited for use as a fuel. Unless that fuel has a proven market then the contribution counted will be 50 tonnes as the remaining material may end up going to landfill. If the 50 tonnes of fuel goes to a plant built within Kent the recovery contribution will be counted at the combustion plant rather than the fuel preparation plant. If the 50 tonnes of fuel is exported beyond the county then the recovery contribution will be counted at the fuel preparation plant.

Policy CSW 8

Other Recovery Facilities for Non-hazardous Waste

Facilities using waste as a fuel will only be permitted if:

- a. they qualify as recovery operations as defined by the **R**evised Waste Framework Directive⁹³.
- b) **the waste used to fuel the facility is that which cannot practically be reused, recycled or composted i.e. is unavoidable residual waste. This shall be demonstrated in the Waste Hierarchy Statement.**;**
- c) **solid residues arising from the process will be utilised as a raw material;**
- d) **the maximum amount of energy from the process will be utilised including the requirement for the use of any surplus heat; and,**
- e) **the facility is designed to ensure that non biogenic gaseous carbon emissions are minimised, and those produced are captured and utilized, or, if utilisation is not possible, stored.**

When an application for a combined heat and power facility has no proposals for use of the heat when electricity production is commenced, the development will only be granted planning permission if the applicant and landowner enter into a planning agreement to market the heat and to produce an annual public report on the progress being made toward finding users for the heat.

**** This also applies to facilities that use waste to produce a fuel i.e. RDF**

6.9 Policy CSW 9: Non Inert Waste Landfill in Kent

6.9.1 The fact that there have been no applications for new non inert landfill sites in Kent since 2005 lack of response to the call for sites for non-hazardous landfill is indicative of a lack of demand by the waste industry to develop non-hazardous landfill. Nevertheless, a proposed development might come forward during the plan period and if so it will be granted permission providing it complies with both Policy CSW 9 and the DM policies in this Plan. In addition, proposed additional capacity for hazardous waste landfill will be assessed against this policy.

6.9.2 Following the completion of a non-inert waste landfill site, the site will need to be restored and there will be a considerable period of aftercare during which such sites need to be managed in order to prevent unacceptable adverse impacts to the environment. Aftercare management can require new development in order to either prepare the site for re-use or to manage the landfill gas or leachate

⁹³ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives

production. Policy DM 19 sets out the Plan's provisions with regard to restoration, aftercare and after-use.

6.9.3 Additional landfill capacity will only be considered acceptable if it is demonstrated that suitable alternative management capacity is not available. This is intended to ensure that the availability of such capacity is kept to a minimum to discourage the management of waste by a means that sits at the bottom of the waste hierarchy.

6.9.4 As detailed in section 6.8 above, a Waste Hierarchy Statement will also need to be submitted with any application to demonstrate that the waste to be received at the non-inert landfill could not be practically managed by a means further up the waste hierarchy.

Policy CSW 9

Non Inert Waste Landfill in Kent

Planning permission will only be granted for non inert⁹⁴ waste landfill if:

1. it can be demonstrated, **in a waste hierarchy statement,** that the waste stream that needs to be landfilled cannot be managed in accordance with the objectives of Policy CSW2 and for which no **alternative suitable capacity for its management** disposal capacity exists; **and**
2. environmental or other benefits will result from the development;
3. the site and any associated land **are to be** restored to a high quality standard and **an** appropriate after-use that accords with the local landscape character as required by Policy DM 19; **and**
4. **at least 85% of any landfill gas produced will be captured and utilised using best practice techniques.**

6.10 Policy CSW 10: Development at Closed Landfill Sites

6.10.1 Following the completion of a landfill there needs to a considerable period of aftercare during which the site needs to be managed in order to prevent unacceptable adverse impacts to the environment and to bring the site into use. A 5-year aftercare programme following site restoration is normally required as part of the planning permission for the development of **a** landfill site. However, potential problems can occur after the 5-year aftercare period, such as differential settlement,

⁹⁴ Non inert waste landfill includes non hazardous waste landfill, separate cells within a non hazardous waste landfill provided to accept stable hazardous waste and dedicated hazardous waste landfill.

which can have an adverse effect upon land drainage. In particular, any landfill sites that contain biodegradable wastes need to be managed in order to prevent unacceptable adverse impacts to the environment from leachate or gas for a period considerably longer than five years. While the management of closed landfill sites is regulated by the Environment Agency (EA), there may be a need for new development at the site to ensure that the protection of the environment is continued. Policy CSW 10: Development at Closed Landfill Sites should be read in conjunction with Policy CSW 11: Permanent Deposit of Inert Waste, and any development at a closed landfill that includes the bringing of additional waste on to the site will need to demonstrate that the amount of waste being used is kept to a minimum. **Any new development at a closed landfill site should ensure that there are no unacceptable adverse impacts (e.g. on local amenity or emissions to air) from the development, or any other impacts that are not outweighed by the need for the non-waste development.**

6.10.2 As landfill gas is a potent greenhouse gas its maximum capture must be sought. The maximum use (e.g. by power production or compression for use as a vehicle fuel) of the energy potential of captured landfill gas should also be sought to achieve optimum displacement of fossil fuels.

Policy CSW 10

Development at Closed Landfill Sites

Planning permission will be granted for development for any of the following purposes:

1. development for the improvement of or restoration for an identified after use for the site; ~~or~~
2. development for the reduction of emissions of gases or leachate to the environment; ~~or~~
3. development making maximum use of gases being emitted and ~~which will reduce~~ing the emission of gases to the environment.

6.11 Policy CSW 11: Permanent Deposit of Inert Waste

6.11.1 The most recent capacity assessment shows that there is currently permitted capacity at permanent **Construction and Demolition** (CD) recycling sites of over 2 mtpa **where recycled aggregate is produced**. It is considered more sustainable to use recycled aggregates than to extract primary aggregates. ~~The term CD recycling is synonymous with the term aggregate recycling and~~ **T**he criteria for assessing further site proposals for such sites can be read in Policy CSM 8: Secondary and Recycled Aggregates in Chapter 5.

6.11.2 The most recent capacity assessment shows ~~that Kent has existing consented inert waste landfill capacity~~ **for the permanent deposit of inert waste**

~~in Kent may only be~~ ~~is more than sufficient~~ to meet Kent's need for the plan period. ~~While sites in~~ ~~It is known that Kent~~ **currently** receives a lot of **inert** waste originating out of the county, particularly from London, ~~which goes into inert waste landfill in Kent. It has been concluded that~~ **the** continuation of this waste import throughout the plan period **would likely require development of additional capacity to accommodate this waste** at a rate of 300,000 tpa can be ~~accommodated by the existing consented capacity.~~ **In light of this Policy CSW 11 provides support to operations involving the permanent deposit of inert waste.**

6.11.3 Another important issue is that without the import of inert waste the ability to restore existing permitted mineral workings would take a lot longer. Policy CSW 11: Permanent Deposit of Inert Waste seeks to ensure that a high priority is given to using inert waste that cannot be recycled in the restoration of existing permitted mineral workings, in preference to uses where inert waste is deposited on land (e.g. bund formation or raising land to improve drainage etc).

Policy CSW 11

Permanent Deposit of Inert Waste

Planning permission for the **permanent deposit** ~~disposal~~ of inert waste will be granted where:

- a) **the inert waste is being deposited for a beneficial use such as** ~~it is for the restoration of landfill sites and mineral workings~~ **and not as part of a disposal operation;**
- b) **if the waste is to be used in an engineering operation, other than the restoration of landfill sites and mineral workings, where it is demonstrated that there is no local Kent demand for its use in such restoration operations; and,**
- c) **The development involves the minimum quantity of waste necessary to achieve the benefit sought.** ~~environmental benefits will result from the development, in particular the creation of priority habitat~~
- d) ~~sufficient material is available to restore the site within agreed timescales.~~

6.12 Policy CSW 12: Identifying Sites for Hazardous Waste Management

6.12.1 Hazardous waste arising in Kent is one of the smaller streams of waste. The management of hazardous waste is typically characterised by the following: Hazardous waste is often produced in small quantities and hazardous waste management facilities are often highly specialised with regional or even national catchment areas involving movement of hazardous waste with both waste

originating in Kent going outside the county for management and hazardous waste coming into the county for management.

6.12.2 ~~When Net self sufficiency in hazardous waste~~ **is not a practical aspiration however when management in Kent is** viewed as a whole, net self-sufficiency in hazardous waste management is achieved **in Kent. Pressures in the need for additional** ~~However, Kent could cease to be net self-sufficient in~~ hazardous waste capacity **in Kent might arise in future** if changes in the production and management profile of hazardous waste occur as follows:

- ~~the continued~~ demand for disposal capacity for flue residues from Allington EfW facility
- ~~the likely any~~ increase in hazardous residues from air pollution control from additional EfW capacity requiring management
- if the existing asbestos landfill closes then a significant amount of asbestos based hazardous waste will cease to be imported into the county.

6.12.3 ~~The former issue is partly dealt with through the identification of a Strategic Site for Waste in Policy CSW 5. The need for~~ **additional hazardous waste** management capacity ~~of additional EfWAPC residues~~ can be addressed through Policy CSW 12 should it be required.

6.12.4 Any proposals for future provision for **landfill capacity for** asbestos **and/or hazardous residues from air pollution control** landfill capacity will be **considered against other policies of this Plan including** ~~addressed using~~ Policy CSW9.

Policy CSW 12

Hazardous Waste Management

~~To maintain net self-sufficiency in the management of hazardous waste throughout the plan period,~~ **D** development proposals for built hazardous waste management facilities will be granted planning permission in locations consistent with Policy CSW 6 **and for landfill sites in accordance with Policy CSW 9**, regardless of whether their catchment areas for waste extend beyond Kent.

6.13 Policy CSW 13: Remediation of Brownfield Land

6.13.1 ~~Recent changes in T~~ the environment permitting regime has enabled soil decontamination and the subsequent reuse in the redevelopment of the decontaminated soil within ~~the a~~ site. Policy CSW 13 seeks to ensure that **land that is** contaminated **land** is treated in situ or in combination with other **land that is** contaminated **land** when those sites are to be redeveloped.

Policy CSW 13

Remediation of Brownfield Land

Planning permission will be granted for a temporary period for waste related developments on brownfield land that facilitate its redevelopment by reducing or removing contamination from previous development, where:

1. the site is identified in a local plan for redevelopment or has planning permission for redevelopment, or
2. the site is part of a network of brownfield sites that are identified in a local plan or local plans for redevelopment or that have planning permission for redevelopment and is to receive waste for treatment from those sites as well as treating the land within the site.

6.14 Policy CSW 14: Disposal of Dredgings

6.14.1 Retaining the navigable channels within the estuaries within Kent is the statutory duty of the Port of London Authority (PLA) and the Medway Ports Authority. When the dredged materials do not consist of aggregates or cannot be accommodated within projects to enhance the biodiversity of the estuaries, then landfill is the only option currently available. **The PLA is reviewing its 'Vision for the Tidal Thames (The Thames Vision)' in 2021. Any sites that would require planning permission for the disposal of dredged materials to land will be considered against the policies of the Plan as a whole. Specifically, Policy CSW 14 should ensure that such waste development would be the most sustainable option for the management of this material and that it affords increased opportunities for enhanced biodiversity in the Kent estuaries.**

6.14.2 **Currently the Plan makes no allocation for a site for the disposal of marine dredgings. This situation will be kept under review should the need for a specific site with river access arise.**

Policy CSW 14

Disposal of Dredgings

Planning permission will be granted for new sites for the disposal of dredging materials where it can be demonstrated that:

1. the re-use of the material to be disposed of is not practicable
2. there are no opportunities to use the material to enhance the biodiversity of the Kent estuaries.

6.15 Policy CSW 15: Wastewater Development

6.15.1 Water treatment undertakers have a range of rights to carry out development without the need to obtain planning permission under the *Town and Country (General Permitted Development) Order 1995* (GPDO). However, new proposals for wastewater treatment works, sludge treatment and disposal facilities as well as extensions and some modifications to existing facilities will invariably require planning permission. ~~In view of the need to locate new wastewater treatment works where they can service other developments and to connect to the existing wastewater network, the locational criteria Policy CSW 6 will not always be appropriate.~~

6.15.2 Such proposals may also need an Environmental Permit and developers are advised to contact the Environment Agency about this matter at the earliest opportunity. Developers should also have regard to the need to address issues relating to nutrient neutrality as required.

Policy CSW 15

Wastewater Development

Wastewater treatment works and sewage sludge treatment and disposal facilities (**including extensions**) will be granted planning permission, subject to:

1. there being a proven need for the proposed facility; **and**
2. **biogas resulting from any anaerobic digestion of sewage sludge, being recovered effectively for use as an energy source using best practice techniques⁹⁵.**

6.16 Policy CSW 16: Safeguarding of Existing Waste Management Facilities

6.16.1 The current stock of waste management facilities are important to maintaining net self-sufficiency. The loss of annual capacity at an existing permitted waste site could have an adverse effect upon delivering the waste strategy and so the protection of the existing stock of sites with permanent waste permission is as important to achieving the aims of the Plan as identifying new sites. Existing permitted sites with permanent permission for waste facilities can be protected through refusing permission for the redevelopment of these sites to non-waste uses. A list of waste sites is updated and published each year in the Kent MWLP AMR⁹⁶ Policy DM 8 identifies situations where development at, or in proximity to safeguarded waste management facilities would be acceptable.

⁹⁵ **As set out by the Environment Agency and industry standards.**

⁹⁶ Available online from: www.kent.gov.uk/mwlp.

Policy CSW 16

Safeguarding of Existing Waste Management Facilities

Capacity at sites with that have permanent planning permission for waste management, or are allocated in the Waste Sites Plan are **is** safeguarded from being developed for non-waste management uses⁹⁷

Capacity at sites with temporary planning permissions tied to the life of the mineral working will be similarly safeguarded for no longer than the duration of that permission.

Where other development is proposed at, or within 250m of, **sites hosting** safeguarded waste management **capacity** facilities Local Planning Authorities will consult the Waste Planning Authority and take account of its views **on how the safeguarded capacity may be affected** before making a planning decision (in terms of both a planning application and an allocation in a local plan).

6.17 Radioactive Waste Management

6.17.1 The subject of radioactive waste is complex as it covers waste arisings from nuclear power stations as well as small quantities of radioactive waste that arise from hospitals and other medical activities and research establishments. Details of national policy on this subject, as well as the details of Kent arisings and current management routes are given in the evidence base topic paper on radioactive wastes⁹⁸. The following paragraphs define the various types of radioactive waste.

6.17.2 High Level Wastes (HLW) are defined as wastes in which the temperature may rise significantly as a result of their radioactivity, so that this factor has to be taken into account in designing storage or disposal facilities⁹⁹.

6.17.3 Intermediate Level Wastes (ILW) are wastes with radioactivity levels exceeding the upper boundaries for low level wastes, but which do not require heating to be taken into account in the design of storage or disposal facilities¹⁰⁰. ILW is retrieved and processed to make it passively safe and then stored pending the availability of the Geological Disposal Facility (GDF).

6.17.4 Low Level Wastes (LLW) are radioactive wastes, other than those suitable

⁹⁷ **A list of sites hosting safeguarded capacity is maintained in the Annual Monitoring Report.**

⁹⁸ KCC (Updated January 2013) TRW6: Radioactive Waste **Topic Paper, January 2024**.

⁹⁹ Defra, BERR and the Devolved Administrations for Wales and Northern Ireland (June 2008) Managing Radioactive Waste Safely: A framework for Implementing Geological Disposal. HLW is largely a by-product from the reprocessing of spent fuel.

¹⁰⁰ Defra, BERR and the Devolved Administrations for Wales and Northern Ireland (June 2008). Managing Radioactive Waste Safely: A framework for Implementing Geological Disposal.

for disposal with ordinary refuse, but not exceeding 4 gigabecquerels per tonne of alpha activity, or 12 gigabecquerels per tonne of beta or gamma activity¹⁰¹. LLW does not normally require shielding during handling or transport. LLW consists largely of paper, plastics and scrap metal items that have been used in hospitals, research establishments and the nuclear industry. Across the UK, large volumes of soil, concrete and steel will need to be managed as nuclear power plants are decommissioned. LLW makes up more than 90% by volume of UK radioactive wastes (but contains less than 0.1% of the radioactivity)¹⁰². Historically most of LLW from the nuclear industry was transferred to the Low Level Waste Repository (LLWR) in Cumbria. In recent years it has been recognised that the capacity of the LLWR is limited and that most types of LLW do not require the level of protection offered by such a highly engineered facility. Not all LLW needs to be transferred to the LLWR for subsequent disposal there. Some types of solid LLW arising from nuclear power stations can be disposed of at suitably licensed landfill sites¹⁰³, or can be incinerated¹⁰⁴. The Waste Hierarchy has to be considered in order to deal with LLW in the most effective way, so minimising the use of the capacity at the LLWR in order to extend its life. Some LLW arisings are incinerated and some metals are recycled, so there are a number of routes that these waste streams take.

6.17.5 Very Low Level Waste (VLLW) is a subcategory of LLW that contains limited amounts of solid radioactive waste that can be disposed of conveniently and without causing unacceptable environmental impacts, provided that it is mixed with large quantities of non-radioactive wastes which are themselves being disposed of¹⁰⁵.

6.17.6 The term higher activity waste embraces ILW and any LLW that requires disposal to a GDF. This waste stream has no disposal routes at the time of writing the Plan. Legacy waste refers to all of the radioactive waste streams that arise from the nuclear power stations across the UK.

6.18 Policy CSW 17: Policy CSW 17: Nuclear Waste Treatment and Storage Management at the Dungeness Nuclear Licensed Sites Estate

6.18.1 Kent has two nuclear power stations sites (Dungeness A and B) located on **the Dungeness Peninsula** (Figure 20 shows their location). Dungeness A (a twin reactor Magnox power station) operated from 1965 to the end of 2006 and is

¹⁰¹ A becquerel is the unit of radioactivity, representing one disintegration per second. A gigabecquerel is 1000 million becquerels.

¹⁰² DECC, the Welsh Government, DOE and the Scottish Government (12 March 2012). Strategy for the management of solid low level radioactive waste from the non nuclear industry in the UK. Part1 - Anthropogenic radionuclide.

¹⁰³ There are no radioactive waste landfills in Kent at the time of plan preparation **update**.

¹⁰⁴ Source: Note from the EA (October 2012) attached to KCC (January 2013) Update Note to Dungeness Site Stakeholder Group on the Kent Minerals and Waste Plan.

¹⁰⁵ NIEA, SEPA and EA. (September 2011) The Radioactive Substances Act 1993. The Environmental Permitting (England and Wales) (Amendment) Regulations 2011. VLLW Guidance Version 1.0.

undergoing decommissioning that will continue until around 2097. Dungeness B (an Advanced Gas Cooled twin reactor) started operation in 1983 and **formally is scheduled to end power generation in 20218 and is currently defueling prior to the commencement of decommissioning activities**, but operations may continue beyond then. The decommissioning of Dungeness B is likely to take up to 2111¹⁰⁶. **The decommissioning of Dungeness A is managed by the Nuclear Decommissioning Authority (NDA) and Magnox. Dungeness B is currently the responsibility of EDF Energy but will transfer to NDA/Magnox upon obtainment of fuel free verification and licence transfer.**

6.18.2 Both stations lie within an environmentally sensitive area adjacent to sites of international and national importance designated for their geology and biodiversity interests. Dungeness is the largest shingle **structure (buried and exposed ridged cusped foreland)** site in Europe comprising approximately 2000 hectares of vegetated shingle, approximately half the English shingle habitat resource. The extent and compositions of shingle **ridge 'desert'** habitats found at Dungeness is unique in the UK and rare in northwest Europe. Designated **Habitat European Sites** which form part of the **'National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017**, protected by the Habitats and Wild Birds Directives, cover large parts of the Dungeness Peninsula. **To enable the competent authority under the Habitats Regulations to: i) Determine the need for appropriate assessment of applications for waste management and disposal at the Dungeness nuclear sites; and ii) undertake such assessment where it is deemed necessary, sufficient relevant information will be required to accompany each planning application, including baseline data and monitoring of, where relevant, vehicle movements, air quality and bird populations.**

6.18.3 If Dungeness C power station is built it will need storage facilities for radioactive wastes until the GDF is available, as well as facilities for the storage and/or management of other radioactive waste streams. Policy CSW 17 for the management of nuclear waste at Dungeness does not preclude Dungeness C being planned and constructed. **There are currently no plans to build another nuclear power station at Dungeness. If a nuclear power station were ever proposed, it would be considered as a 'Nationally Significant Infrastructure Project' (NSIP) and so its suitability would be considered by the Secretary of State.**

6.18.4 **The Nuclear Decommissioning Authority (NDA) is required to produce a strategy for decommissioning nuclear legacy sites in the UK every five years. The 2016 Nuclear Decommissioning Authority Strategy¹⁰⁷ (which was subject to prior public consultation) included a commitment to prepare a single radioactive waste strategy for the NDA which was published in 2019 ("The Integrated Waste Management Radioactive Waste Strategy").** Policy CSW 17 does not foreclose possible future solutions for consolidation and waste movements between sites (for treatment and/or storage). At the time of plan preparation, **e**Each Magnox site **may** is currently planned to have its own ILW store and be 'self-

¹⁰⁶ KCC (May 2011) TRW6 **Topic Paper on Nuclear Wastes**, quoting information from both Magnox Ltd and EDF Energy

¹⁰⁷ **The latest Nuclear Decommissioning Authority Strategy effective from April 2016 was published in March 2021**

sufficient' but the best options for consideration in the future may be for movements of waste between sites for **consolidation and** storage. The nuclear power companies are looking at options for local, regional or national storage consolidation to compare these with the current plans. Options include co-locating waste from both Dungeness power stations (A and B) on one of those sites. The study looking at these issues was initiated in 2012. The nuclear power operators are required to make best use of processing facilities **nationwide** to minimise the overall impact of radioactive waste processing and disposal subject to due process and Best Available Techniques (BAT) assessment. **Policy CSW 17 does not foreclose possible future solutions for consolidation and waste movements between all Magnox sites (for treatment and/or storage). However, at present the NDA and Magnox Ltd do not anticipate any import of radioactive waste for disposal at Dungeness (though movement between Dungeness A and B may occur).**

6.18.5 On-site disposal related to the decommissioning of nuclear sites can take a number of forms, but chiefly concerns leaving sub-surface radioactively contaminated (mainly concrete) structures in place indefinitely and filling unwanted below-ground voids with site-derived radioactively contaminated demolition arisings (mainly concrete and masonry), under a radioactive substances regulation (RSR) environmental permit granted by the Environment Agency in accordance with the requirements of the 'Guidance on the Requirements for Release from Radioactive Substances Regulation' (known as the GRR)¹⁰⁸. A permit would only be issued if it can be demonstrated that any on site disposal management option, when considered in combination with the management options for all other radioactive wastes and radioactive contamination at the site, ensures overall exposures of people are 'As Low As Reasonably Achievable' (ALARA). Also, where any disposal option has been demonstrated to be optimal, the Operator must consider how the design, construction and implementation of that disposal ensures exposures are ALARA.

6.18.6 The GRR advises that operators must prepare and maintain a Waste Management Plan (WMP) and 'Site Wide Environmental Safety Case' (SWESC). The WMP is required to manage the programme of disposals of radioactive waste until work involving radioactive substances is completed and to demonstrate how waste management has been optimised. The SWESC is required to demonstrate that the health of members of the public and the integrity of the environment will be adequately protected, both during and after radioactive substances regulation. The WMP and SWESC are closely aligned and a WMP and SWESC may need to be in place before any application for on-site disposal at site as it is a specific permit requirement to produce these documents by the dates outlined in the RSR permit.

¹⁰⁸ Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation, July 2018. Published by the UK environment agencies.

6.18.6 Other guidance on the management of radioactive waste arising from decommissioning of nuclear sites¹⁰⁹ notes that, as well as planning permission, an Environmental Permit, issued by the Environment Agency, is needed before such development can take place. An application for an Environmental Permit needs to include a waste management plan (WMP) and a site wide environmental safety case (SWESC). A SWESC should demonstrate how the nuclear site as a whole will achieve the required standard of environmental safety. Where relevant, the SWESC includes the environmental safety case (ESC) for any proposed on-site disposal facility. Separate EA guidance¹⁴⁰ relating to the in situ disposal of radioactive waste in a dedicated disposal facility needs to be followed when preparing the ESC for such a facility. The SWESC also takes account of contributions to the combined impact on representative persons from adjacent nuclear sites, and from areas of contamination and previously permitted disposals outside the site. A WMP is required to provide a comprehensive description of how radioactive substances will be managed on or adjacent to the site and to demonstrate how waste management has been optimized.

6.18.7 The Government is currently preparing Planning Guidance for on-site disposal of suitable 'low level' and 'very low level' radioactive waste on nuclear and decommissioned sites.

6.18.58 In 2012, Shepway District Council (now Folkestone and Hythe District Council) considered whether to submit an expression of interest to host the Geological Disposal Facility (GDF) in the district Shepway. As part of this consideration, Shepway District Council held a public referendum and on 19th September 2012 decided to recommend not to submit an expression of interest for hosting the GDF. There are currently no plans to build a GDF at Dungeness and if one were ever proposed, it would be considered as a Nationally Significant Infrastructure Project (NSIP) and a decision would be made taking account of the National Policy Statement for Geological Disposal Infrastructure. Policy CSW 17 specifically precludes the management of waste from anywhere other than the nuclear power stations at this location and other policies of this Plan would be taken into account in any decision on a proposal to preclude the development of a GDF at Dungeness.

Policy CSW 17

Nuclear Waste Treatment and Storage Management at the Dungeness Nuclear Estate Licensed Sites

¹⁰⁹ Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation, Environment Agency, July 2018

¹⁴⁰ Near-surface Disposal Facilities on Land for Solid Radioactive Wastes: Guidance on Requirements for Authorisation' (NS-GRA) (EA et al., 2009)

Part A: General Requirements

Facilities for the storage and/or management **(including storage, treatment or disposal (subject to Part B of this policy))** of radioactive waste will be acceptable within the **Dungeness Nuclear Licensed Sites** area at Dungeness where:

1. this is consistent with the national strategy¹¹¹ for managing radioactive waste and discharges; and
2. the outcome of environmental assessments justify it being managed on **Dungeness Nuclear Licensed Sites**.

Part B: Disposal of Waste at the Dungeness Nuclear Licensed Sites

The only wastes arising from Dungeness Nuclear Licensed sites that will be acceptable **for disposal use** as fill material for the back-filling of voids within the **Dungeness Nuclear Licensed Sites** are inert (non-radioactive) **low-level and inert very low-level radioactive wastes, or other inert (non-radioactive) wastes**, generated by the demolition of existing buildings and structures.

The types of disposal of such wastes that would be acceptable are:

- **In situ disposal of inground structures and foundations (including contaminated below-ground structures, foundations and redundant drains);**
- **The back-filling of voids within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures; and**
- **Purpose built landfill or landraise activities within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures.**

Landfill or landraise activities that use radioactive wastes within the nuclear licensed site will not be granted **planning permission for the disposal of waste arisings as described above on the Dungeness Nuclear Licensed Sites will be granted only** if it can be demonstrated that:

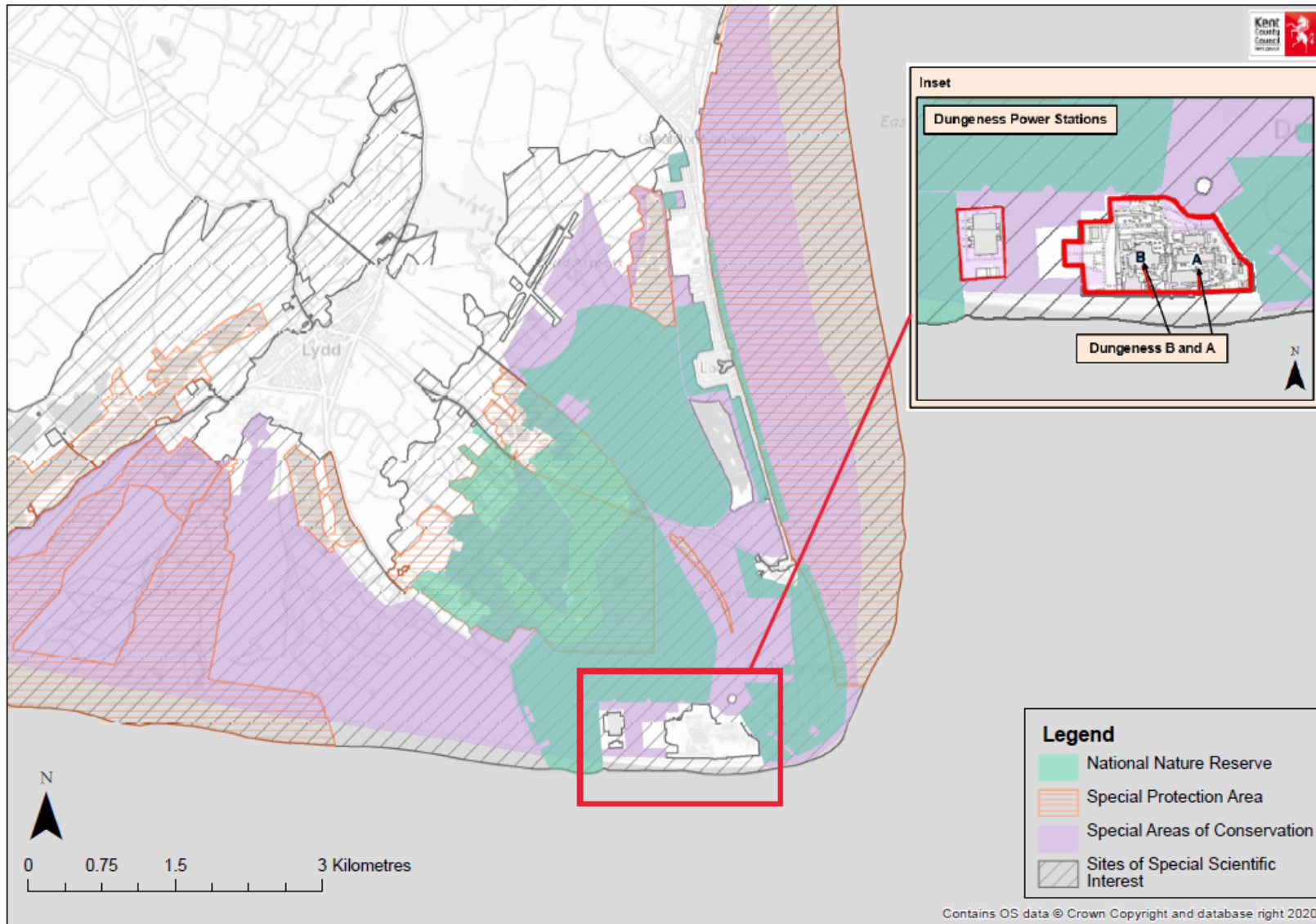
- I. **the development is the optimum waste management approach for the radioactive waste concerned;**
- II. **impacts on the sustainability, including environment, of the area can be mitigated to an acceptable level as demonstrated with reference to baseline data; and**
- III. **for the disposal of imported low-level and very low-level radioactive demolition waste from other nuclear sites:**
 - a. **there is an on-site land engineering need that can be met using**

¹¹¹ National strategy for radioactive wastes is the NDA Strategy at the time of **any application** this plan preparation.

- these imported wastes, e.g. the in-filling of voids; and
- b. there is insufficient suitable radioactive waste and/or non-radioactive material that would be generated from the demolition of buildings and structures on the Dungeness sites themselves available on the required timescales that would meet the engineering need; and
 - c. if importation of radioactive demolition wastes from other nuclear sites were not to be carried out then an approximately equivalent quantity of other materials would still be required to be imported to meet the identified engineering need; and
 - d. the type and number of vehicle movements associated with the disposal of imported low-level and very low-level radioactive demolition waste to meet the identified engineering need, would be equivalent to, or would have a lesser impact than, those which would be associated with any import of engineering material that would be used to meet the identified engineering need.

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Figure 20: Dungeness Power Stations & Romney Marsh Nature Designations



6.19 Policy CSW 18: Non-nuclear Radioactive Low Level Waste (LLW) Management Facilities

6.19.1 There may also be a need for new facilities for the storage and/or treatment of non-nuclear sources of LLW (including VLLW) from institutions such as research establishments, universities and hospitals. At the time of plan preparation, there is no data on these waste arisings in Kent. They are likely to be in low volumes. However, to address the requirements of **Government** DCLG's, guidance on the EU WFD 2008/98/EC¹¹², an enabling policy for sites that will manage this waste stream is required.

Policy CSW 18

Non-nuclear Industry Radioactive Low Level Waste Management

Planning permission will be granted for facilities that manage non-nuclear industry low level waste and very low-level waste arisings where they meet the requirements of all relevant development plan policies, in the following circumstances:

1. where there is a proven need for the facility, **and**
2. ~~some~~ of the source material to be managed arises from within Kent **and from areas outside that would be consistent with the principle of proximity in terms of the management of non-nuclear industry low level waste and very low-level waste.**

¹¹² **DCLG DLUHC** (December 2012) Guidance on the EU Waste Framework Directive.

7. Development Management Policies

7.0.1 The **Development Management** (DM) policies in this chapter address a range of subjects relevant to minerals and waste developments in Kent. Together with the minerals and waste delivery strategy policies, and the ~~Minerals and Waste Sites Plans~~, the policies form a robust DM framework for the determination of minerals and waste applications. These policies should also be considered in the context of the relevant local plan for the district or borough where the proposal is situated.

7.0.2 The DM policies in the Plan avoid duplication with other regulatory functions, such as the environmental permitting regime carried out by the **Environment Agency** (EA).

7.1 Policy DM 1: Sustainable Design

7.1.1 It is important that all minerals and waste developments are designed to minimise the impact upon the environment and Kent's communities. There is a need to reduce the amount of greenhouse gas emissions and other forms of emissions, minimise energy and water consumption, reduce waste production and reuse or recycle materials. **Emissions arising from construction include those embedded in the materials used in the development, and low carbon materials should therefore be used.**

7.1.2 Sustainable design initiatives can be achieved by a variety of means such as the incorporation of renewable energy, energy management systems, grey water recycling systems, sustainable drainage systems, **solar panels, electric vehicle charging points**, energy efficient appliances and the use of recycled and recyclable building materials. Policy DM 1 supports some of the key priorities in the County Council's environmental strategy¹¹³.

7.1.3 **Proposals for development above a certain size¹¹⁴ will be expected to demonstrate, within a 'Circular Economy Statement', how the development will achieve a BREEAM 'Very Good' rating or equivalent standard.**

7.1.4 **The importance placed on the biodiversity within soils, as well as its potential to store carbon, has significantly increased. Both waste and minerals development can result in a large amount of soil disturbance. Planning applications should therefore include details of how soil disturbance is to be minimised. Best practice examples are set out in the Defra publication 'Construction Code of Practice for the Sustainable Use of**

¹¹³ KCC (July ~~March~~ 2014~~6~~) Growing the Garden of England: A Strategy for **Kent** Environment **Strategy** and Economy in Kent.

¹¹⁴ **Development requiring a Circular Economy Statement will have a total floor space of greater than 1000 square metres and/or comprise greater than 10no. units of housing and/or where the site is 1 hectare or more.**

Soils on Construction Sites'

Policy DM 1

Sustainable Design

Proposals for minerals and waste development will be required to demonstrate that they have been designed **in accordance with best practice** to:

1. minimise greenhouse gas emissions **which may arise from the construction and operation of the development;**
2. **minimise** and other emissions **of pollutants which may arise from construction and operation;**
3. minimise energy and water consumption **during their construction and operation** and incorporate measures for water recycling and **utilisation of low carbon** renewable energy. ~~technology and design in new facilities where possible;~~
4. **minimise waste and** maximise the re-use or recycling of materials **during their construction and operation;**
5. **incorporate climate change adaptation measures including** ~~utilise~~ sustainable **urban** drainage systems, **suitable shading of pedestrian routes and open spaces and drought resistant landscaping** ~~wherever practicable~~ **unless there is clear evidence that this would be inappropriate;**
6. protect and enhance the character and quality of the site's setting ~~and its biodiversity interests~~ or mitigate and if necessary compensate ~~ing~~ for any predicted loss;
7. **maxmise opportunities to contribute to green and blue infrastructure, to include benefits to communities (including Public Rights of Way), and to help achieve contribute to biodiversity net gain;**
8. minimise the loss of Best and Most Versatile Agricultural Land **and protect soils more generally;**
9. **achieve a BREEAM 'Very Good' standard or equivalent where appropriate; and**
10. **where possible, utilise existing buildings and achieve an efficient re-use or land.**

7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment

7.2.1 Minerals and waste developments can have adverse impacts on sites of international, national and local importance. Kent has a wide range of landscapes and habitats that play an important role in supporting a variety of flora and fauna. **The county also has an abundance of important heritage assets.**

7.2.2 Significant weight in planning terms is given to conserving **and enhancing** landscape and scenic beauty of AONBs in which the conservation **and enhancement** of wildlife and cultural heritage are important considerations. **Development within the setting of AONBs should also be sensitively located and designed to avoid or minimise impacts on the designated areas. Policy DM 2 recognises that some sites are designated due to their importance in terms of geodiversity.**

7.2.23 Locally important sites are also designated in recognition of their significance at the local level¹¹⁵ **as contained in the Kent State of the Environment Report 2015 and the Kent Environment Strategy 2016**, but do not normally carry the same level of protection as international or nationally designated sites. These sites include **Local Wildlife Sites (LWSs)**, priority habitat identified in **the Kent BAP**, Local Geological Sites, Locally Listed Heritage Assets, **Local Nature Reserves (LNRs)**, Country Parks, **Ancient Woodland** and aged or veteran trees, waterbodies and other green infrastructure features. **Alongside other nature designations, these sites will play an important role in the success of the Local Nature Recovery Strategy.**

7.2.34 Policy DM 2 relates to these sites of international, national, and local environmental and landscape importance. The policy aims to ensure that there are no unacceptable adverse impacts on these important assets and sets out the circumstances where impacts upon them would be acceptable. In the case of a demonstrated overriding need for the development, any impacts would be required to be mitigated or compensated for in order to provide a net gain or improvement to their condition. **Buffers have a role to play in mitigation.**

7.2.45 In addition to Policy DM 2, Policy DM 3 seeks to **protect Kent's important biodiversity assets**, ensure that **minerals and waste applications are supported by appropriate** **an adequate level of** ecological assessments **will be undertaken for Kent's biodiversity assets**, and ensure that **a biodiversity net gain is maximised. While a statutory target of at least 10% biodiversity net gain for all development has been introduced, the Kent Nature Partnership expects at least 20% to be achieved. The restoration of mineral sites frequently provides excellent opportunities for the development of habitat and the expectation is that they should be maximised such that, where practicable, greater than 20% biodiversity net gain will be achieved. Separate guidance on the application of the biodiversity net gain requirements to minerals and waste developments**

¹¹⁵ As contained in the Kent State of the Environment Report 2015 and the Kent Environment Strategy 2016.

as set out in Policy DM3 will be published.

7.2.56 In terms of selecting and screening the suitability of sites for identification in **any** the Minerals and Waste Sites Plans, the following criteria will be taken into account:

- The requirements set out in Policy CSM 2: Supply of Land-won Minerals, Policy CSW 6: Location of Built Waste Management Facilities and Policy CSW 7: Waste management for Non-hazardous Waste
- all policies set out in Chapter 7: Development Management Policies
- relevant policies in district local plans
- strategic environmental information, including landscape assessment and HRA as appropriate

The scope of the above information to be considered will be appropriate for a Strategic site selection process. More detailed information will be required for consideration at the planning applications stage.

Policy DM 2

Environmental and Landscape Sites of International, National and Local Importance

Proposals for minerals and/or waste development will be required to ensure that there is no unacceptable adverse impact on the integrity, character, appearance and function, biodiversity **and geodiversity** interests, **or geological interests of sites of international, national and local importance, such that these proposals accord with the avoid, mitigate, compensate hierarchy.**

1. International Sites

Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on international designated sites, including Ramsar, Special Protection Areas and Special Areas of Conservation (**'National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017** and **'Habitat Sites' as defined by the NPPF**¹¹⁶ ~~European Sites~~), will need to be evaluated in combination with other projects and plans **and be in accordance with established management objectives for the national sites network ('network objectives'**¹¹⁷). Before any such proposal will be granted planning permission or identified in the Minerals and Waste Sites Plan, it will need to be

¹¹⁶ **NPPF defines 'habitat sites' as 'any site which would be included within the definition at Regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites'**

¹¹⁷ **Changes to the Conservation of Habitats and Species Regulations 2017 - <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017>**

demonstrated that:

- a. there are no alternatives;
- b. there is a robust case established as to why there are imperative reasons of overriding public interest; **and**
- c. there is sufficient provision for adequate timely compensation.

2. National Sites

Designated Areas of Outstanding Natural Beauty (AONB)¹¹⁸ have the highest status of protection in relation to landscape and scenic beauty. Regard must be had to the purpose of the designation when exercising or performing any functions in relation to, or so as to affect land, in an AONB. For the purposes of this policy, such functions include the determination of planning applications and the allocation of sites in a development plan.

Planning permission for major minerals and waste development in a designated AONB will be refused except in exceptional circumstances and where it can be demonstrated that it is in **the** public interest. In relation to other minerals or waste proposals in an AONB, great weight will be given to conserving **and enhancing** its landscape and scenic beauty. Proposals ~~outside, but~~ within the setting of an AONB **should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.** ~~Will be considered having regard to the effect on the purpose of conserving and enhancing the natural beauty of the AONB.~~

Consideration of such applications will assess;

- a. the need for the development, including in terms of any national considerations and the impact of granting, or refusing, the proposal upon the local economy;
- b. the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way; **and**
- c. any detrimental impact on the environment, the landscape and recreational opportunities, and the extent to which the impact could be moderated taking account of the relevant AONB Management Plan.

Sites put forward for allocation for minerals or waste development in **updates to the Minerals Sites Plan or any the Waste Sites Plan** will be considered having regard to the above tests. Those that the Minerals and Waste Planning Authority **considers** ~~to be~~ unlikely to meet the relevant test(s) will not be allocated.

¹¹⁸ The purpose of an AONB is set out in Section 82(1) of the Countryside and Rights of Way Act 2000 states as follows: the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Proposals for minerals and/or waste developments within or outside of designated Sites of Special Scientific Interest **or National Nature Reserves**, that are considered likely to have any unacceptable adverse impact on a Site of Special Scientific Interest **or National Nature Reserve**, will not be granted planning permission or identified **in updates** to the Minerals **Sites Plan** and **any** Waste Sites Plans except in exceptional circumstances where it can be demonstrated that **there is an overriding need for the development and any impacts can be mitigated or compensated for, and:**

- a. the benefits of the development outweigh any impacts that it is likely to have on the features of the site that make it of special scientific interest; **and**
- b. the benefits of the development outweigh any impacts that it is likely to have on the national network of Sites of Special Scientific Interest.

Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on **irreplaceable habitat such as** Ancient Woodland **and ancient or veteran trees** will not be granted planning permission or identified in **updates to** the Minerals **Sites Plan** and **any Waste** Sites Plans unless the need for, and the benefits of the development in that location clearly outweigh any loss, **justified by wholly exceptional reasons, and a suitable compensation strategy is in place.**

3. Local Sites

Minerals and/or waste proposals within **or likely to have an unacceptable adverse impact on,** the Local Sites listed below will not be granted planning permission, or identified in **updates to** the Minerals **Sites Plan** and **any Waste** Sites Plans, unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning benefit:

- a. Local Wildlife Sites;
- b. Local Nature Reserves;
- c. Priority Habitats and Species;
- d. land that is of regional or local importance as a wildlife corridor or for the conservation **and enhancement** of **geodiversity and biodiversity;**
- e. Local Geological Sites;
- f. irreplaceable habitat including aged and veteran trees;
- g. Country Parks, common land and village greens and other important

areas of open space or green areas within built-up areas.

h. Marine Conservation Zones

Policy DM 3

Ecological Impact Assessment

Proposals for minerals and waste developments will be required to ensure that they result in no unacceptable adverse impacts on Kent's important biodiversity assets. These include internationally, nationally and locally designated sites, European internationally and nationally protected species, and habitats and species of principal importance for the conservation, protection and enhancement of biodiversity, geodiversity and Biodiversity Action Plan habitats and species identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045.

Proposals that are likely to have unacceptable adverse impacts upon important geodiversity and biodiversity assets will need to demonstrate that an adequate level of ecological assessment has been undertaken and should provide a positive contribution to the protection, enhancement, creation and management of biodiversity. Such proposals will only be granted planning permission following:

1. an ecological assessment of the site, including preliminary ecological appraisal and, where likely presence is identified, specific protected species surveys;
2. consideration of the need for, and benefits of, the development and the reasons for locating the development in its proposed location;
3. the identification and securing of measures to mitigate any adverse impacts (direct, indirect and cumulative); and,
4. the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for;
5. the identification and securing of opportunities to make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Notwithstanding the statutory requirement for all development to achieve at least 10% biodiversity net gain, all proposals shall demonstrate how maximum practicable on site biodiversity net gain shall result from the development.

Restoration of mineral extraction sites for end uses that do not maximise

biodiversity gain on site, but still achieve the mandatory minimum 10%, may be acceptable if it is demonstrated that the benefits of the restoration would help achieve other objectives of the Development Plan that in the view of the planning authority outweigh the achievement of maximum biodiversity net gain

All development shall achieve a net gain in biodiversity value in accordance with the requirements of the NPPF. All major development shall deliver at least a 10% net gain in biodiversity value with an expectation that the maximum practicable net gain is achieved. All planning applications must be supported by a Biodiversity Net Gain Plan and relevant supporting reports that demonstrate net gain will be achieved, implemented, managed and maintained.

Restoration of mineral extraction sites for end uses that limit options to maximise biodiversity gain, may still be acceptable, provided the restoration achieves the minimum requirements and it can be demonstrated that the benefits of the restoration proposed would help achieve other objectives within the Development Plan that can be balanced against the need to maximise biodiversity net gain.

7.3 Policy DM 4: Green Belt

7.3.1 The western area of Kent is situated within the Green Belt around London (see Figure 6 in Chapter 2.2). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

7.3.2 Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, national policy and the National Planning Policy Framework.

7.3.3 There is a presumption against inappropriate development within the Green Belt. Inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, the planning authority will ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.3.4 The National Planning Policy Framework provides guidance on the purposes of the Green Belt and what constitutes inappropriate development. It states that minerals extraction, engineering operations and the re-use of buildings provided that the buildings are of permanent and substantial construction are not inappropriate development in the Green Belt provided that they preserve the openness of the Green Belt and proposals do not conflict with the purpose of including land in the Green Belt. Processing plant, although commonly associated

with mineral extraction, is unlikely to preserve openness, owing to its size, height and industrial appearance and would therefore be inappropriate development. Elements of many renewable energy projects will also comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

7.3.5 Within the Green Belt, the planning authority will plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Policy DM 4

Green Belt

Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, and shall comply with national policy and the NPPF.

7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment

7.4.1 Kent's historic environment requires protection for the enjoyment and benefit of future generations. The historic environment covers all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged as well as landscaped and planted or managed flora¹¹⁹. The NPPF identifies the conservation of such heritage assets as one of the core land-use planning principles that underpin both plan-making and decision-taking; it states that heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life by today's and future generations¹²⁰.

7.4.2 The 'Historic England (2015) Historic Environment Good Practice Advice in Planning Notes 1 to 3' also provides information on the implementation of historic environment policy, and emphasises that all information requirements and assessment work, in support of heritage protection, needs to be proportionate to the significance of the heritage assets affected and the impact on the significance of those heritage assets. The Historic England Advice Note 13 on Mineral Extraction and Archaeology also provides advice about

¹¹⁹ As defined by MHCLG (2024) DLUHC (2023) National Planning Policy Framework, para. 52.

¹²⁰ MHCLG (2024) DLUHC (2023) National Planning Policy Framework, Chapter 16 para. 17.

archaeology as part of mineral development.

7.4.3 Consideration should be given to the NPPG and NPPF on the Historic Environment in that applications should describe the significance of any heritage assets affected by development, including any contribution made by their setting and should include analysis of the significance of the asset and its setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of any development on its significance.

Policy DM 5

Heritage Assets

Proposals for minerals and waste developments will be required to ensure that Kent's heritage assets and their settings, including ~~locally listed~~ **non-designated** heritage assets, registered historic parks and gardens, Listed Buildings, conservation areas, World Heritage Sites, Scheduled Ancient Monuments, archaeological sites and features and defined heritage coastline¹²¹, are conserved in a manner appropriate to their significance.

Proposals should result in no unacceptable adverse impact on Kent's historic environment and, wherever possible, opportunities **should must** be sought to ~~maintain or~~ enhance historic assets affected by the proposals. Minerals and/or waste proposals that would ~~have an unacceptable adverse impact on~~ **harm the significance of** a heritage asset will not be granted planning permission unless it can be demonstrated that there is an overriding need for development and any impacts can be mitigated or compensated for, such that there is a net planning benefit, **as set out in national policy for the historic environment.**

Policy DM 6

Historic Environment Assessment

Proposals for minerals and waste development that are likely to affect important heritage assets **and non-designated heritage assets** will only be granted planning permission following:

1. preliminary historic environment assessment, including field archaeological investigation **and assessment of contribution towards setting** where appropriate, to determine the nature and significance of the heritage assets
2. appropriate provision has been secured for preservation in situ, and/or

¹²¹ Two sites in Kent: (1.) South Foreland and (2.) Dover – Folkestone.

archaeological excavation and recording and/or other historic environment recording as appropriate, including post-excavation analysis and reporting, archive deposition and access, and interpretation of the results for the local community, in accordance with the significance of the finds

3. agreement of mitigation of the impacts on the significance of the heritage assets, including their fabric, their setting, their amenity value and arrangements for reinstatement

7.5 Policy DM 7: Safeguarding Mineral Resources

7.5.1 As set out in section 5.5, it is important that certain mineral resources in Kent are safeguarded for potential use by future generations. However, from time to time, proposals to develop areas overlying safeguarded minerals resources for non-minerals purposes will come forward where for genuine planning reasons it would not be practicable to extract the otherwise economic underlying reserves before surface development is carried out.

7.5.2 In such circumstances, when determining proposals, a judgement will be required which weighs up the need for such development against the need to avoid sterilisation of the underlying mineral taking account of the objectives and policies of the development plans as a whole. ~~will need to be considered when determining proposals.~~

7.5.3 Policy DM 7 sets out the circumstances when non-minerals development maybe acceptable at a location within a Minerals Safeguarding Area. This policy recognises that the aim of safeguarding is to avoid unnecessary sterilisation of resources and encourage prior extraction of the mineral where practicable and viable before non-mineral development occurs.

7.5.4 The process of Local Plan formulation, including consultation, independent examination and subsequent adoption provides the opportunity to take account of, and address, the need for the safeguarding of mineral resources. In doing so, it can make a clear judgement that where land is allocated in a Local Plan for surface development, such as housing, the presence of a mineral resource, and the need for its safeguarding, has been factored into the consideration of whether the allocation is appropriate. For sites allocated for non-mineral development it will therefore usually be the case that an assessment of the relevant considerations (criteria 1 to 6 in Policy DM7) has already taken place. In some cases, the assessment will conclude that an allocated site should be exempt from mineral safeguarding. The approach to be taken to mineral assessment during the plan-making stage ~~is~~ will be set out in the Safeguarding SPD¹²².

¹²² The Supplementary Planning Document **or associated guidance** will be maintained by the County Council and updated as required.

7.5.5 However, applications for non-mineral development located in MSAs, which are promoted as a 'windfall site' (sites not allocated in a development plan) or which are being promoted on allocated sites that have not been the subject of a 'Minerals Assessment', will usually need to be accompanied by such an assessment. This assessment will be prepared by the promoter and will include information concerning the availability of the mineral, its scarcity, the timescale for the development, the practicability and the viability of the prior extraction of the mineral. Guidance on undertaking Minerals Assessments is included in the **British Geological Society's** (BGS) Good Practice Advice on Safeguarding

7.5.6 In certain cases, it is possible that the need for a particular type of development in a particular location is so important that it overrides the need to avoid sterilisation of the safeguarded mineral resource. Such cases will be exceptional, and it will be necessary to demonstrate, amongst other things, why the identified need cannot practically be met elsewhere.

7.5.7 Criterion 7 of Policy DM7 recognises that the allocation of land in adopted Local Plans for non-mineral development, such as housing, should have considered the presence of an economic mineral resource and the need for its safeguarding at this time, and, where that is shown to be the case to the satisfaction of the Mineral Planning Authority, there is no need to revisit mineral safeguarding considerations at the planning application stage. The Mineral Planning Authority and the district/borough planning authority will consider mineral safeguarding during the preparation of Local Plans including during preparation of Strategic Housing Land Availability Assessments.

7.5.8 Where proposals are determined by a district/borough planning authority, the Mineral Planning Authority will work with the relevant authority and/or the promoter to assess the viability and practicability of prior extraction of the minerals resource. As necessary the Minerals Planning Authority will provide information that helps determine the economic viability of the resource.

7.5.9 In the case of the Sandstone-Sandgate Formation and the Limestone Hythe Formation (Kentish Ragstone) the low probability of utility of the Sandgate Beds and the significant available reserves (in 2019) of the Kentish Ragstone, it is anticipated that any future allocations in local plans for non-mineral development that are coincident with these safeguarded minerals will be unlikely to be found to be in conflict with the presumption to safeguard these minerals. This will need to be evidenced by a Minerals Assessment prepared to a proportionate level of detail. Further guidance **is available in the Safeguarding** will be provided in a revised SPD¹²³.

¹²³ **The Supplementary Planning Document or associated guidance will be maintained by the County Council and updated as required.**

Policy DM 7

Safeguarding Mineral Resources

Planning permission will only be granted for non-mineral development that is incompatible with minerals safeguarding¹²⁴ where it is demonstrated that either:

1. the mineral is not of economic value or does not exist; or
2. that extraction of the mineral would not be viable or practicable; or
3. the mineral can be extracted satisfactorily, having regard to Policy DM9, prior to the non-minerals development taking place without adversely affecting the viability or deliverability of the non-minerals development; or
4. the incompatible development is of a temporary nature that can be completed, and the site returned to a condition that does not prevent mineral extraction within the timescale that the mineral is likely to be needed; or
5. material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction; or
6. it constitutes development that is exempt from mineral safeguarding policy, namely householder applications, infill development of a minor nature in existing built-up areas, advertisement applications, reserved matters applications, minor extensions and changes of use of buildings, minor works, non-material amendments to current planning permissions; or
7. it constitutes development on a site allocated in the adopted development plan where consideration of the above factors (1-6) concluded that mineral resources will not be needlessly sterilised.

Further guidance on the application of this policy is included in a Supplementary Planning Document.

7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities

7.6.1 It is essential to the delivery of this Plan's minerals and waste strategy that existing facilities¹²⁵ used for the management of minerals (including wharves and rail depots) and waste are safeguarded for the future, in order to enable them to continue to be used to produce and transport the minerals needed by society and manage its waste. Policy DM 8 sets out the circumstances when safeguarded minerals and waste development may be replaced by non-waste and minerals uses.

¹²⁴ In this context 'mineral safeguarding' should be taken to mean safeguarding certain minerals identified within a Mineral Safeguarding Area shown in the policies maps in Chapter 9 and allocations in the Minerals Sites Plan.

¹²⁵ 'Existing facilities' are taken as those have permanent planning permission for minerals and waste uses.

This includes ensuring that any replacement facility is at least equivalent to that which it is replacing and it specifies how this should be assessed.

7.6.2 In the case of mineral wharves the factors to be considered include the depths of water at the berth, accessibility of the wharf at various states of the tide, length of the berth, the size and suitability of adjacent land for processing plant, weighbridges and stockpiles, and existing, planned or proposed development that may constrain operations at the replacement site at the required capacity.

7.6.3 There also are circumstances when development proposals in the vicinity of safeguarded facilities will come forward. The need for such development will be weighed against the need to retain the facility and the objectives and policies of the development plan as a whole will need to be considered when determining proposals. Policy DM 8 sets out the circumstances when development may be acceptable in a location proximate to such facilities. The policy recognises that the aim of safeguarding is to avoid **both the unnecessary direct loss of facilities due to development and from those which** may impair the effectiveness and acceptability of the infrastructure, **given the probable irreplaceability of such facilities.**

7.6.4 Certain types of development which require a high quality amenity environment (e.g. residential) may not always be compatible with minerals production or waste management activities which are industrial in nature. Policy DM 8 therefore expects the presence of waste and minerals infrastructure to be taken into account in decisions on proposals for non-waste and minerals development (known as 'agents of change') made in the vicinity of such infrastructure.

7.6.5 Criterion 2 of Policy DM8 recognises that the allocation of land in adopted Local Plans for development, such as housing, should have considered the presence of waste management and minerals supply infrastructure and the need for its safeguarding at that time, and, where this has been shown to be the case to the satisfaction of the Mineral Planning Authority, there is no need to revisit the safeguarding considerations at planning application stage.

7.6.6 **It should be recognised that early engagement with the mineral planning authority regarding development that may potentially pose a safeguarding risk to safeguarded facilities is advantageous in ensuring that development can occur without compromising the presumption to safeguard.** Further guidance on the implementation of this policy is included in a Supplementary Planning Document **and any of its future revisions.**

Policy DM 8

Safeguarding Minerals Management, Transportation Production & Waste Management Facilities

Planning permission will only be granted for development that is incompatible with safeguarded minerals management, transportation or waste management facilities, where it is demonstrated that either:

1. it constitutes development of the following nature: advertisement applications; reserved matters applications; minor extensions and changes of use and buildings; minor works; and non-material amendments to current planning permissions; or
2. it constitutes development on the site that has been allocated in the adopted development plan where consideration of the other criteria (1, 3-7) can be demonstrated to have taken place in formulation of the plan and allocation of the site which concluded that the safeguarding of minerals management, transportation, production and waste management facilities has been fully considered and it was concluded that certain types non-mineral and waste development in those locations would be acceptable; or
3. replacement capacity, of the similar type, is available at a suitable alternative site, which is at least equivalent or better than to that offered by the facility that it is replacing; or
4. it is for a temporary period and will not compromise its potential in the future for minerals transportation; or
5. the facility is not viable or capable of being made viable; or
6. material considerations indicate that the need for development overrides the presumption for safeguarding; or
7. It has been demonstrated that the capacity of the facility to be lost is not required.

Replacement capacity must be at least equivalent in terms of tonnage, accessibility, location in relation to the market, suitability, availability of land for processing and stockpiling of waste (and materials/residues resulting from waste management processes) and minerals, and:

- in the case of wharves, the size of the berth for dredgers, barges or ships
- in the case of waste facilities, replacement capacity must be at least at an equivalent level of the waste hierarchy and capacity may be less if the development is at a higher level of the hierarchy

There must also be no existing, planning or proposed developments that could constrain the operation of the replacement site at the required capacity.

Planning application for development within 250m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be

constrained by the development proposed.

Further guidance on the application of this policy will be included in a Supplementary Planning document.

7.7 Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development

7.7.1 When development is proposed within an **Mineral Safeguarding Area (MSA)**, promoters will be encouraged to extract the mineral in advance of the main development. Policy DM 9 aims to manage situations where built development located on a safeguarded mineral resource is to be permitted, so as to avoid the needless sterilisation of economic mineral resources (in accordance with Policy DM 7).

Policy DM 9

Prior Extraction of Minerals in Advance of Surface Development

Planning permission for, or incorporating, mineral extraction in advance of development will be granted where the resources would otherwise be permanently sterilised provided that:

the mineral extraction operations are only for a temporary period **linked to the timing of the associated surface development**; and, the proposal will not cause unacceptable adverse impacts to the environment or communities

Where planning permission is granted for the prior extraction of minerals, conditions will be imposed **and if appropriate, legal agreements will be entered into** to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

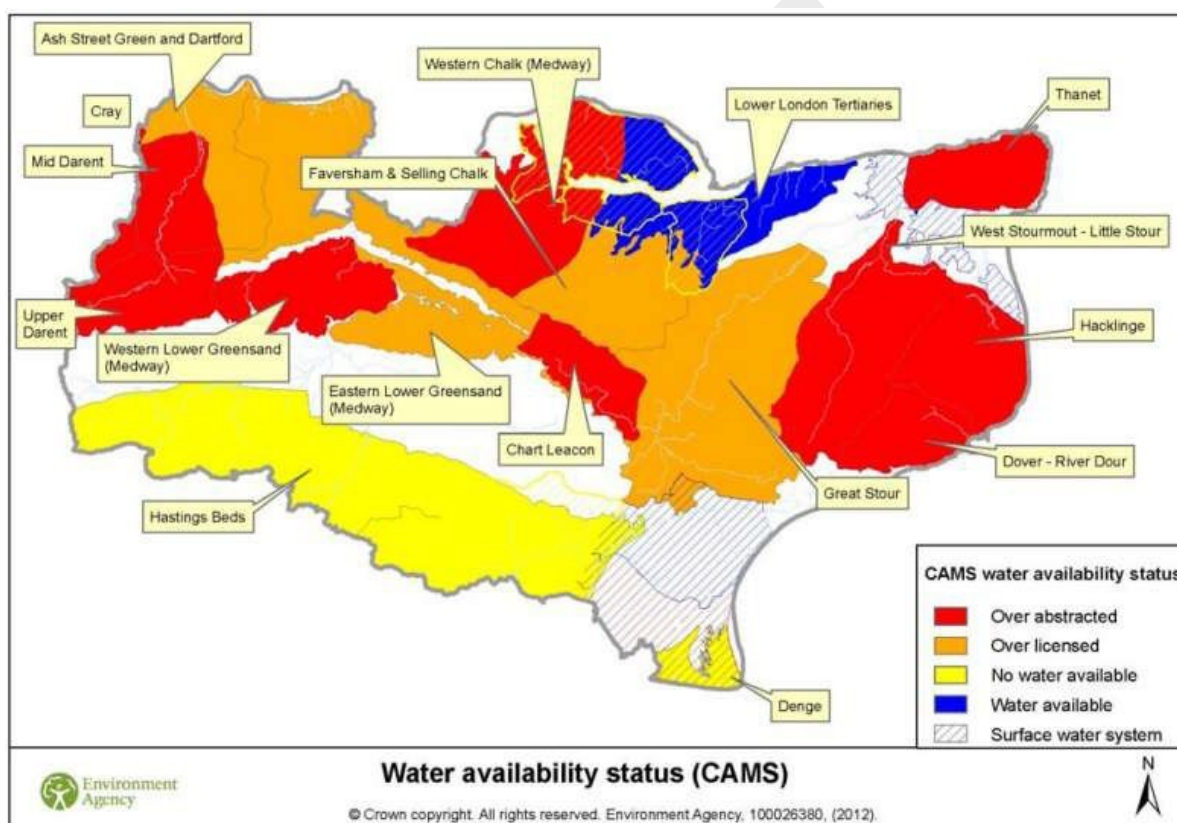
7.8 Policy DM 10: Water Environment

7.8.1 Minerals and waste development can have significant impacts on flooding and water quantity and water quality. In Kent there are many catchments where there is little or no water available for abstraction during dry periods. Pressures are particularly notable in Kent as it is one of the driest parts of England and Wales, coupled with high population density and household water use (see Figure 21). Areas of mineral can often provide opportunities for water storage at times of flood and therefore

mitigate against the effects of flooding. There are five sources of flooding that are considered in the SFRA¹²⁶:

- flooding from rivers
- flooding from the sea
- flooding from rainfall
- flooding from groundwater
- flooding from sewers

Figure 21 Water Availability Status (Source: Environment Agency, State of Water in Kent, 2012)



7.8.1 Flood zones are used to determine the probability of land experiencing flooding from a river or the sea. The aim of national flood policy is to steer development towards areas with the lowest probability of flooding. The **Environment Agency (EA)** has identified four flood zones:

- **Flood Zone 1:** Land within this zone has been assessed as having a low probability of experiencing flooding from the rivers and sea (less than a 1 in 1000 annual probability of river or sea flooding (<0.1%). Any land-use is appropriate in this zone. Flood Zone 1 is normally shown as unshaded on flood maps

¹²⁶ Barton Willmore (June 2013) Mineral and Waste Plan 2013-2030 Strategic Flood Risk Assessment (on Behalf of KCC).

- **Flood Zone 2:** Land within this flood zone has been assessed as having a medium probability of experiencing flooding from rivers and the sea (i.e. having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1%-0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5%-0.1%) in any year). Sand and gravel workings, wharves, mineral workings and processing, waste treatment and landfill sites are appropriate developments for land within this floodzone.
- **Flood Zone 3:** Land within this zone has been assessed as having a high probability of experiencing flooding from rivers and the sea (between a 1 in 100 or greater annual probability of river flooding (>1%), or between a 1 in 200 or greater annual probability of sea flooding (>0.5%) in any year). Development within this flood zone should seek opportunities to reduce the overall level of flood risk through layout and form and appropriate use of sustainable drainage systems, relocating existing development to land in zones with lower risks of flooding and creating space for flooding to occur by restoring functional floodplain and flood flow pathways and by identifying and safeguarding open space for flood storage. Sand and gravel workings, wharves, mineral workings and the processing and treatment of waste (except landfill and hazardous waste facilities) are considered suitable for land-use in this zone.
- **Flood Zone 3b (The Functional Floodplain):** Land within this zone has been assessed as land where water has to flow or be stored in times of flood. Development within this zone should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems, or to relocate existing development to land with a lower probability of flooding. Sand and gravel workings and wharves are considered appropriate land-uses within this zone.

7.8.2 Both flood water and groundwater may become contaminated if it comes into contact with certain types of wastes. It is therefore necessary for waste sites to be managed to ensure that the risk of water contamination from waste is minimised. Planning applications for sites located in areas prone to flooding must be accompanied by a suitable Flood Risk Assessment.

7.8.3 Groundwater Source Protection Zones (SPZ) for Kent are set out in Figure 15. Groundwater accounts for over 70% of public water supply in Kent. This reliance on groundwater resources makes it important that mineral and waste developments do not adversely affect groundwater supplies in any way.

- **SPZ 1** is the inner zone which is within the 50-day travel time from any point below the water table to the source. This zone around the groundwater supply abstraction point has a minimum radius of 50 metres.
- **SPZ 2** is the outer protection zone and refers to the 400-day travel time from a point below the water table.
- **SPZ 3** is the Source Protection Catchment Zone and refers to the area around a source within which all groundwater recharge is presumed to be discharged

at the source.

- **SPZ 4** is a surface water catchment which drains into the aquifer feeding groundwater supply

7.8.4 To ensure compliance with the Water FD¹²⁷ minerals and waste developments must not cause any unacceptable adverse impact on local water bodies. Applications for minerals and waste proposals within **Source Protection Zones (SPZ) and Groundwater Vulnerability and Aquifer Designation areas** should be accompanied by a hydrogeological **and/or hydrological** assessment(s) **that investigate the potential present and future risks of unacceptable adverse impacts on the water environment associated with the proposed development and how these will be adequately mitigated to prevent such impacts.** Waste operations are not usually considered compatible within SPZ1.

7.8.5 **The County Council, as Lead Local Flood Authority and statutory consultee, has prepared a Drainage and Planning Policy Statement. Which This statement sets out the drainage strategies and surface water management provisions which that are required in association with applications for major development.**

7.8.67 Policy DM 10 embraces issues of flood, groundwater, SPZs and the protection of waterbodies.

Policy DM 10

Water Environment

Planning permission will be granted for minerals or waste development where it does not:

- result in the deterioration of physical state, water quality or ecological status of any water resource and waterbody, including **aquifers**, rivers, streams, lakes and ponds;
- have an unacceptable impact on groundwater Source Protection Zones (as shown in Figure 15) **or threaten the development of future groundwater abstraction and associated source protection zones in overlying principal principles or secondary aquifers; and**
- exacerbate flood risk in areas prone to flooding (as shown in Figure 15) and elsewhere, both now and in the future. **Measures to reduce flood risk where possible are encouraged.**

All minerals and waste proposals must include measures to ensure the achievement

¹²⁷ EU Water Framework Directive 2000/60/EC **and equivalent legislation following exit from the European Union.**

of both no deterioration and improved ecological status of all waterbodies within the site and/or hydrologically or **hydrogeologically** connected to the site. **Hydrogeological and/or hydrological assessment(s)** may be required to demonstrate the effects of the proposed development on the water environment and how these may be mitigated to an acceptable level.

7.9 Policy DM 11: Health and Amenity

7.9.1 Minerals and waste development can have unacceptable adverse impacts on the environment and local communities. The use of machinery and lighting can result in noise, light and air pollution and also affect the amenity of nearby communities and businesses and other land uses such as sport, recreation or tourism. It is important that the minerals and waste industry in Kent does not **result in unacceptable** adversely impacts upon the health and amenity of surrounding environment and communities, and **where** appropriate suitable mitigation measures are used to reduce the risk of unacceptable adverse impacts occurring.

7.9.2 This may include production of an air quality assessment of the impact of the proposed development and its associated traffic movements and necessary mitigation measures required through planning condition and/or planning obligation. This will be a particular requirement where a proposal might adversely affect the air quality in an AQMA (See Figure 15). It may also include the preparation of a Health Impact Assessment¹²⁸(HIA). The need for a HIA to accompany a planning application will take into account the likelihood of emissions occurring due to the operation of the site, the proximity to sensitive land uses and the scale of risk to health.

Policy DM 11

Health and Amenity

Minerals and waste developments will be permitted **if where** it can be demonstrated that **they the development is** are unlikely to generate unacceptable adverse impacts from noise, dust, **litter, vermin,** vibration **(including vibration from blasting),** odour, emissions **(including emissions from vehicles movements associated with the development),** bioaerosols, **illumination external lighting,** visual intrusion, traffic or **exposure to associated health risks to** and associated damage to the **qualities quality** of life, **the health and wellbeing of local** communities and the environment. **This may include production of an air quality assessment of the impact of the proposed development and its associated traffic movements and necessary mitigation measures required**

¹²⁸ **Guidance on Health Impact Assessments has been issued by Public Health England** https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929230/HIA_in_Planning_Guide_Sept2020.pdf

through planning condition and/or planning obligation. This will be a particular requirement where a proposal might adversely affect the air quality in an AQMA. (See Figure 15) **It may also include the preparation of a Health Impact Assessment¹²⁹.**

Proposals for minerals and waste development will also be required to ensure that there is no unacceptable adverse impact on **the use of other other permitted land uses on surrounding land (including waterbodies).** for other purposes **and associated permitted land uses.**

7.10 Policy DM 12: Cumulative Impact

7.10.1 Impacts from one development in any particular area may give rise to impacts that, when controlled by mitigation are acceptable and do not give rise to any unacceptable adverse impacts. However, two or more developments of a similar nature within close proximity to each other may act together to cause impacts that are not acceptable, even with mitigation incorporated into the design for each development.

7.10.2 Proposals likely to have a significant effect on internationally important interest features **of or** internationally important wildlife sites, will need to be assessed through consideration of the possible effects of any other plans and projects, as well as the minerals and/or waste development proposed.

7.10.3 The following policy requires cumulative impacts to be considered when two or more developments are potentially capable of causing significant effects on the environment (including climate change), biodiversity interests or on the amenity of the local community. **This includes cumulative impacts by way of vehicle movements and associated emissions, particularly if the development is within or near to an AQMA.** It is also relevant where a new development may affect communities or the environment cumulatively with existing developments.

Policy DM 12

Cumulative Impact

Planning permission will be granted for minerals and waste development where it does not result in an unacceptable adverse, cumulative impact on the environment or communities. This is in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring concurrently and/or successively.

¹²⁹ **Guidance on Health Impact Assessments has been issued by Public Health England https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929230/HIA_in_Planning_Guide_Sept2020.pdf**

7.11 Policy DM 13: Transportation of Minerals and Waste

7.11.1 **It is recognised that some 12% of harmful particulates in the atmosphere are as a result of road transportation (Clean Air Strategy, 2019).**

One of the roles of the Kent MWLP is to encourage the use of sustainable transportation methods including rail and water. However, in view of the limited opportunities that are available within the county to increase the use of sustainable transportation methods, it is acknowledged that most minerals and waste movements across Kent will continue to be made by road.

7.11.2 **Notwithstanding this, the Plan recognises the importance of reducing vehicle movements and facilitating more sustainable technologies (such as electric vehicles) in achieving the objectives of sustainable development. This has benefits in terms of reducing greenhouse emissions and improving air quality. It is recognised that some 12% of harmful particulates in the atmosphere are as a result of road transportation (Clean Air Strategy, 2019).**

7.11.23 Any minerals or waste developments that are likely to result in an increase of more than 200 Heavy Duty Vehicles (HDVs)/day¹³⁰ (400 movements) on any road that lies within 200m of a designated **Habitat** European Site will need to be subject to **Habitats Regulation Assessment (HRA)** HRA screening to evaluate air quality impacts. It will be necessary for the applicant to demonstrate that either:

- the increased traffic **either alone or in combination with other existing and committed projects**, will not lead to an increase in nitrogen **or acid** deposition within all European Sites that lie within 200m that constitutes more than 1% of the critical load for the most sensitive habitat **designated features** within the site, or
- If the increase in deposition will be greater than 1% of the critical load it ~~will nonetheless be sufficiently small~~ **can be demonstrated** that no adverse effect on the interest features and integrity of the **Habitat** European Site will result

7.11.24 The aim of the Policy DM 13 is to minimise road miles **and harmful emissions** in relation to the transportation of minerals and waste across Kent. **Road miles may also be reduced by providing a network of facilities including sites such as transfer stations where waste can be bulked up for onward transport.**

¹³⁰ Department for Transport (May 2007) The design manual for Roads and Bridges, Volume 11, Section 3, Part 1; regarding air quality Environmental Impact Assessment from roads indicates that if the increase in traffic will amount to less than 200 HDVs per day the development can be scoped out of further assessment. A Heavy Goods Vehicle is a vehicle with over 3.5 tonnes maximum permissible gross weight (mgw).

Policy DM 13

Transportation of Minerals and Waste

Minerals and waste development will be required to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. Where development requires road transport, proposals will be required to demonstrate that:

- 1 the proposed access arrangements are safe and appropriate to the scale and nature of movements associated with the proposed development such that the impact of traffic generated is not detrimental to road safety;
- 2 the highway network is able to accommodate the traffic flows that would be generated, as demonstrated through a transport assessment, and the impact of traffic generated does not have an unacceptable adverse impact on the environment or local community; **and**
- 3 emission control and reduction measures, such as deployment of low emission vehicles **and environmentally sustainable vehicle technologies, installation of electric vehicle charging points (where appropriate)** and vehicle scheduling to avoid movements in peak hours. Particular emphasis will be given to such measures where development is proposed within an AQMA **or in a location where impacts on an AQMA will result.** (Figure 15).

7.12 Policy DM 14: Public Rights of Way

7.12 1 **As Green Infrastructure, including** Public Rights of Way (PROW) play an important role in enabling access to the countryside **and can benefit the County socially, environmentally and economically and where possible development should improve the PROW network**¹³¹. Minerals and waste sites can often be located close to a PROW or a PROW may cross an area of mineral bearing land. It is important that PROWs remain accessible to users throughout the lifetime of the minerals and waste operations and that users' safety is not compromised by any activity on site. New sites or extended sites should not have an adverse impact on the network of PROWs. In some circumstances it will be necessary for a PROW to be diverted during operations. Temporary diversions will only be acceptable if the restoration scheme provides routes to the same standard of surface level as the original PROW. If this is not possible, it may be preferable to divert the route permanently.

¹³¹ **In line with the County Council's Right of Way Improvement Plan 2018-2028.**

Policy DM 14

Public Rights of Way

Planning permission will only be granted for minerals and waste development that adversely affect a Public Right of Way, if:

satisfactory prior provisions for its diversion **or stopping up** are made which are both convenient and safe for users of the Public Rights of Way

provision is created for an acceptable alternative route **both** during operations **and following restoration of the site.**

opportunities are taken wherever possible to secure appropriate, improved access into **and within** the countryside.

7.13 Policy DM 15: Safeguarding of Transportation Infrastructure

7.13.1 Non-hazardous landfill and water-filled mineral operations attract birds which may give rise to the possibility of increased hazard to air traffic due to bird strike. EfW plants can cause air turbulence in the vicinity of the site which together with the physical structures necessary for these operations can cause obstruction to air safety, in particular to light aircraft. Local planning authorities are required to consult local aerodromes before granting planning permission for development that might endanger the safety of aircraft. Such developments include buildings and structures that exceed certain heights and development that is likely to attract birds within the relevant radius of aerodromes as identified on safeguarding maps provided by the Civil Aviation Authority or Ministry of Defence.

7.13.2 The Port of London Authority has a network of navigational equipment that needs to be maintained to ensure the continued safety of vessels navigating on the River Thames, in addition to the existing, varied operations that currently take place. It is important that this network of equipment is not compromised by other developments.

7.13.3 If, following consultation with relevant organisations, the nature of the mineral extraction or waste management development is considered to give rise to new or increased risks to aerodromes and their associated uses, or increased hazards to rail, river, sea, waterways or road transport then planning permission will not be granted.

Policy DM 15

Safeguarding of Transport Infrastructure

Minerals and waste proposals will be granted planning permission where development would not give rise to unacceptable impacts on aviation, rail, river, sea, other waterways or road transport or where these impacts are mitigated.

7.14 Policy DM 16: Information Required in Support of an Application

7.14.1 The minerals and waste planning authority is entitled to request appropriate information from applicants when the required information is a material consideration in the determination of the planning application. If the additional information is not supplied, the application may be refused planning permission on the grounds of insufficient information.

7.14.2 The planning authority carefully considers all aspects of a planning application to establish whether planning permission should be granted. It involves using the available information to consider the merits of proposals against any potential impacts; a judgement is made regarding the need for the development weighed against any residual impacts after mitigation is taken into consideration. A system of planning controls can be established through the imposition of conditions or planning obligations to further ensure that the development proposals do not have an unacceptable adverse impact on local communities or the environment.

7.14.3 The details of the information required within a planning application can be determined through pre-application discussions and meetings with the Minerals and Waste Planning Authority, which applicants are strongly encouraged to undertake. Applications that are not supported by suitable, sufficient material information will invariably take longer to determine and are at risk of being refused.

7.14.4 Certain types of minerals and waste developments may require an Environmental Statement (ES) to accompany the planning application¹³². The information contained within the ES will be taken into account in determining the application. If applicants consider that their proposals are likely to require an ES, they should seek guidance at an early stage on the need for and scope of the ES. All submitted applications will be screened and applicants advised if an ES is required, if one has not already been submitted.

7.14.5 European **Habitat** Sites (including SPAs, Ramsar sites and SACs and **SSSIs that are sensitive to air quality**) are protected by European legislation. **Habitat Regulations Assessments** (HRAs) are required to be carried out where

¹³² Required under the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended)*.

proposals may have a significant impact upon the EuropeanHabitat Site. To assess whether a proposal will have likely significant effects upon a designated site, the criteria in the following paragraphs 7.14.6 - 7.14.8 are used to determine when a HRA will be required for a development project.

7.14.6 Any proposal for an EfW facility should undertake HRA screening with regard to all EuropeanHabitat Sites within 10 km. It will be necessary for the applicant to demonstrate that either:

- increases in nitrogen or acid deposition **from the proposed development along and in combination with other projects** within all EuropeanHabitat Sites that lie within 10 km constitute less than 1% of the critical load for the most sensitive habitat within the site or
- if the increase in nitrogen deposition will be greater than 1% of the critical load, it ~~will nonetheless be sufficiently small~~ **can be demonstrated** that no adverse effect on the designated interest features and integrity of the EuropeanHabitat Site will result.

7.14.7 Any minerals or waste development that is likely to result in an increase of HDVs on any road that lies within 200 m of a EuropeanHabitat Site should also be subject to HRA **to HRA** screening in order to evaluate air quality impacts within the context of the critical load, ~~or critical level~~, and the 1% criterion cited above, **in any air quality assessment**.

Table 2 Indicative screening distances for considering whether a Habitat Regulations Assessment is required for a development.

Pathway	Screening Distance from a <u>EuropeanHabitat</u> Site¹³³
Air Quality - Energy from Waste	10 km
Air Quality - Landfill Gas Flares	1 km
Air Quality - Biopathogens	1 km
Air Quality - Dust	500 m
Air Quality - Vehicle ExhaustEmissions	200 m
Water Quality and Flow	No standard distance (use source/pathway/receptor approach)

¹³³ International Designated Sites, Special Areas of Conservation, Special Protection Areas and Ramsar sites.

Disturbance (noise/visual)	1 km from a <u>EuropeanHabitat</u> Site supporting disturbance sensitive species/populations
Gull/Corvid (rooks and crows)predation	5 km from a <u>EuropeanHabitat</u> site supporting sensitive ground nesting breeding species
Coastal Squeeze	No standard distance - evaluate on a case-by-case basis

7.14.8 Table 42 identifies the screening distances from EuropeanHabitat Sites associated with particular impact pathways. Development projects that will lead to the pathways and fall within these zones will require HRA. The table does not preclude HRA being required in other circumstances.

Policy DM 16

Information Required In Support of an Application

Planning applications for minerals or waste management development must be supported by sufficient, relevant drawings, plans and information, including the information specified in the County Council's guidance notes for minerals and waste applications¹³⁴.

7.15 Policy DM 17: Planning Obligations

7.15.1 Where the use of planning conditions is not possible, in some circumstances, development proposals could be considered to be acceptable if planning obligations are used. These can either take the form of legal agreements entered into by planning authorities or a unilateral undertaking made by the developer and any person with an interest in the development and the relevant land. The types of matters that may need to be covered in planning obligations are listed in Policy DM 17, which is neither exhaustive nor are the listed matters relevant to every development.

Policy DM 17

Planning Obligations

Planning obligations will be sought where appropriate, to achieve suitable control over, and to mitigate and/or compensate for, the effects of minerals and waste

¹³⁴ Applicants should refer to the following website for the most recent guidance on local information requirements and validation of applications: <http://www.kent.gov.uk/planningapplications>. Guidance will be reviewed and updated periodically.

development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development:

1. revocation and consolidation of planning permissions
2. highways and access improvements
3. traffic management measures including the regulation of lorry traffic
4. provision and management of off-site or advance tree planting and screening
5. extraction in advance of future development
6. environmental enhancement and the delivery of Local Biodiversity Action Plan Targets **in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045 and the Local Nature Recovery Strategies, as well as securing the implementation and long-term management of biodiversity net gain**
7. protection and enhancement of internationally, nationally and locally important sites
8. landscape enhancement
9. protection, **conservation and enhancement** of internationally, nationally and locally notable and protected species, **and habitats**
10. long term management and monitoring of mitigation or compensation sites and their protection from further development
11. provision and long term maintenance of an alternative water supply should existing supplies be affected
12. archaeological investigation, analysis, reporting, publication and archive deposition
13. establishment of a liaison committee
14. long-term site management provision to establish and/or maintain beneficial after-use
15. Improvement to the public rights of way network **in accordance with Actions identified within the KCC Public Rights of Way Improvement Plan 2018-2028**
16. financial guarantees to ensure restoration and long term maintenance is undertaken

17. measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of minerals and waste development
18. codes of construction practice for large¹³⁵ waste developments that incorporate the requirement for the majority of the construction workforce to be recruited locally. Opportunities for modern apprenticeships to be made available for a proportion of the construction workforce
19. the majority of the operational staff at large waste developments to be sourced from the local area and opportunities for modern apprenticeships and other nationally recognised training schemes to be available for a proportion of the workforce.

20. measures to reduce flood risk where practicable

21. measures to protect and enhance other heritage assets and avoidance of light pollution

22. measures to encourage use of non-road modes of transport where practicable

23. measures to protect and improve water quality and levels

7.16 Policy DM 18: Land Stability

7.16.1 Land instability can be an issue resulting from both minerals and waste development leading to landslides, subsidence and ground heave. Such situations can be a result of unsafe ground conditions caused by water movement including changes in groundwater levels through dewatering. Proposals should demonstrate measures to ensure that quarry faces and slopes are stable and will not result in landslip, either within the site or on adjoining land, both during and after the lifetime of the development and during restoration and aftercare. All minerals and waste proposals that could give rise to land instability, especially quarries and landfill, must include a stability report and measures to ensure land stability.

7.16.2 Minerals and waste development can give rise to land instability if proposals are not properly planned and implemented. The issue Land instability needs to be considered and satisfactorily addressed when planning applications are determined. Where there is the possibility of land instability, applications for minerals and waste development should be accompanied by a stability report to ensure that adequate and environmentally acceptable mitigation measures are identified. Such a report should assesses the physical capability of the land,

¹³⁵ A large waste development is one that has a capacity of over 100,000 tpa.

possible adverse impacts of any instability, possible adverse impacts on adjacent land, possible impacts on local amenity and conservation interests and any proposed remedial or precautionary measures.

7.16.3 The aim of Policy DM 18 is to ensure that land stability is properly addressed during the operational phase(s) of minerals and waste development. Policy DM 19 addresses the issue in so far as it relates to restoration, aftercare and after-use.

Policy DM 18

Land Stability

Planning permission will be granted for minerals or waste development where it is demonstrated that it will not result in land instability.

7.17 Policy DM 19: Restoration, Aftercare and After-use

7.17.1 The nature of restoration activity depends on the choice of after-use, which is influenced by a variety of factors including the aspirations of the landowner(s) and the local community, the present characteristics of the site and its environs, any strategies for the area (e.g. biodiversity priorities), the nature, scale and duration of the proposed development and the availability and quality of soil resources. Where the proposal is to restore the site to agricultural use at existing ground levels, ensuring the availability of clean inert fill material is important to the deliverability of the scheme as is the availability of suitable topsoil (Policy CSW 10: Development at Closed Landfill Sites seeks to address this). Quarries have been restored through importation of non-hazardous and/or hazardous waste and the acceptability of this in principle would be considered against Policy CSW 9: Non Inert Landfill in Kent. It may be appropriate to retain some industrial archaeological features, geological exposures or landscapes within a quarry.

7.17.2 Where new development is proposed, Restoration, aftercare and after-use will usually seek to assure that the land is restored back to a quality that is at a level at least equivalent to that which it was prior to development commencing and wherever possible provide for the enhancement of the quality of the landscape, local environment, biodiversity or the setting of historic assets to the benefit of the local or wider community. Restoration plans should have regard to priorities for landscape enhancements identified in the Landscape Characterisation Assessments and for green space in the Kent Growth and Infrastructure Strategy. Restoration of mineral sites to a water body may be appropriate and provide opportunity for biodiversity and habitat enhancement or recreational uses. Wherever possible, restoration schemes should include measures to improve biodiversity interests whatever the proposed after-use of the site. Restoration, aftercare and after-use may be secured through Planning Obligations as set out in Policy DM 17. Notwithstanding the statutory

requirement for all development to achieve at least 10% biodiversity net gain, there is an expectation that all proposals for restoration, aftercare and after-use shall demonstrate how the maximum on site practicable biodiversity net gain shall result from can be achieved by the development. In developing restoration plans, regard shall be had to Kent County Council's Plan Bee Pollinator Action Plan July 2021. This seeks to assist in the recovery of pollinator populations which will support biodiversity and the agricultural needs of the county. Where appropriate, provision shall be made for additional tree cover to support climate change and biodiversity objectives in accordance with the Government's England Trees Action Plan 2021-2024 (May 2021) and the County Council's emerging Plan Tree - Kent County Council's Tree Establishment Strategy 2022-2032¹³⁶.

7.17.3 Restoration of mineral extraction sites for end uses that do not limit options to maximise biodiversity gain, but still achieve the mandatory minimum, may still be acceptable, provided the restoration achieves the minimum requirements and if it is demonstrated that the benefits of the restoration proposed would help achieve other objectives of within the Development Plan that outweigh can be balanced against the need to maximise achievement of maximum biodiversity net gain.

7.13.34 To achieve high-quality restoration to an agricultural use or certain leisure uses (e.g. to parkland), a supply of suitable soils is normally required. In such cases all soil resources should be retained and managed on site for use in restoration. The way that soils are handled is also a key element for successful restoration to these uses. Details of the management and storage of soils, including timing and means of soil movements and types of machinery to be used will be required.

7.17.45 In cases where insufficient soils exist on site the applicant will need to make provision for the supply of soils or soil making materials within an agreed timescale to ensure the timely restoration of the site. Planning consent will only be granted for the importation and processing of such materials (where soil making materials require prior processing) if proven necessary to ensure timely restoration. Stockpiles will need to be controlled such that soil quality is not adversely affected and there are no unintended adverse impacts resulting from, for example, visual appearance and drainage. No subsequent export of material will be allowed.

7.17.56 For the initial years following restoration (usually a 5-year period but this may be extended e.g. when restoration is to a particular wildlife habitat) site aftercare measures are required to ensure that the reinstatement of soils and the planting or seeding carried out to meet restoration requirements is being managed so that the site will return to its intended after-use in a timely manner. These measures involve improving the structure, stability and nutrient value of soils, ensuring adequate drainage is available and securing the establishment and management of the grass sward, crop or planting areas, together with any other maintenance as may be required. The aftercare scheme normally requires two

¹³⁶ **in draft as of August 2022**

levels of details to be provided, these are:

- the outline strategy for the whole of the aftercare period
- a detailed strategy for the forthcoming year

7.17.7 Restoration involving infilling may impact groundwater, both in terms of its quality, levels and flow paths. Restoration and aftercare plans should therefore carefully consider the local groundwater regime to avoid unacceptable impacts on its quantity, quality and on flood risk.

7.17.68 Restoration and aftercare plans should take into consideration community needs and aspirations. Local interest groups and community representatives should be consulted and their viewpoints incorporated into the proposals wherever possible and appropriate. Restoration and aftercare plans for mineral development need to be reviewed and updated periodically, in accordance with legislation¹³⁷ Policy DM 19 identifies the issues that need to be addressed in relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development.

Policy DM 19

Restoration, Aftercare and After-use

Planning permission for minerals extraction and temporary waste management development will be granted where satisfactory provision has been made for **the highest possible standards** of restoration and aftercare such that the intended after-use of the site is achieved in a timely manner, including where necessary for its long-term management.

Restoration plans should be submitted with the planning application which reflect the proposed after-use, be carried out to a standard that reflects best practice and provides for restoration and aftercare at the earliest opportunity, Restoration proposals must **deliver sustainable afteruses that benefit the Kent community, economically, socially or environmentally. All development should achieve at least 10% biodiversity net gain and demonstrate how maximum practicable on site biodiversity net gain shall result from the development.** ~~include measures to provide biodiversity gains.~~

Restoration of mineral extraction sites for end uses that do not maximise biodiversity gain, but still achieve the mandatory minimum, may be acceptable if it is demonstrated that the benefits of the restoration would

¹³⁷ The Environment Act (1995) introduced a requirement for an initial review and updating of ~~of~~ all old mineral planning permissions (known as the 'Review of Mineral Permissions' or 'ROMP' process). There is no fixed period when periodic reviews should take place so long as the first review is no earlier than 15 years after planning permission is granted or, in the case of an old permission, 15 years of the date of the initial review. Any further reviews should be at least 15 years after the date of the last review.

help achieve other objectives of the Development Plan that in the view of the planning authority outweigh the achievement of maximum biodiversity net gain.

Where appropriate, restoration plans should ~~be submitted with the planning application which reflect the proposed after-use and, where appropriate, include the details set out below:~~ **address the following issues in relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development:**

1. a site-based landscape strategy for the restoration scheme;
2. the key landscape and biodiversity opportunities and constraints ensuring connectivity with surrounding landscape and habitats;
3. the geological, archaeological and historic heritage and landscape features and their settings;
4. the site boundaries and areas identified for soil and overburden storage;
5. an assessment of soil resources and their removal, handling and storage;
6. an assessment of the overburden to be removed and stored;
7. the type and depth of workings and information relating to the water table;
8. storage locations and quantities of waste/fill materials and quantities and types of waste/fill involved;
9. proposed infilling operations, sources and types of fill material;
10. the arrangements for monitoring and the control and management of landfill gas;
11. consideration of land stability after restoration;
12. directions and phasing of working and restoration and how they are integrated into the working scheme;
13. the need for and provision of additional screening taking account of degrees of visual exposure;
14. details of the proposed final landform including pre and post settlement levels
15. types, quantities and source of soils or soil making materials to be used;
16. a methodology for management of soils to ensure that the pre-development soil quality is maintained;

17. proposals for meeting targets **and where relevant exceeding, the biodiversity net gain targets, including those outlined in the Kent Nature Partnership Biodiversity Strategy 2020-45, Biodiversity Opportunity Areas, Areas of Outstanding Natural Beauty Management Plans and the Local Nature Recovery Strategy;** ~~or biodiversity gain in relation to the Kent Priority Habitats (or its replacement), the Kent Biodiversity Opportunity Areas and the Greater Thames Marshes Nature Improvement area;~~
18. removal of all buildings, plant, structures, accesses and hardstanding not required for long term management of the site;
19. planting of new native woodlands;
20. installation of drainage to enable high quality restoration and after-use;
21. measures to incorporate flood risk mitigation opportunities **and avoid unacceptable impacts on groundwater;**
22. details of the seeding of grass or other crops and planting of trees, shrubs and hedges;
23. a programme ~~of~~ **for the long-term management and** aftercare **of the restored sites** to include details of vegetation establishment, vegetation management, biodiversity habitat management, field drainage, irrigation and watering facilities;
24. the restoration of the majority of the site back to agriculture, if the site consists of the best and most versatile agricultural land;
25. **the potential for financial guarantees such as bonds in exceptional circumstances where their use can be justified to secure restoration objectives.**

Aftercare schemes should incorporate an aftercare period of at least five years. Where appropriate, voluntary longer periods for certain uses will be sought through agreement between the applicant and minerals planning authority.

7.18 Policy DM 20: Ancillary Development

7.18.1 Policy DM 20 seeks to provide certainty that proposals for ancillary development within or close to minerals and waste development will be permitted, even when there may be an adverse environmental impact, so long as it is possible to demonstrate that there are environmental benefits in providing the close link with the existing site that outweighs the likely environmental impacts.

Policy DM 20

Ancillary Development

Proposals for ancillary development¹³⁸ within or in close proximity to mineral and waste development will be granted planning permission provided that:

1. the proposal is necessary to enable the main development to proceed **or operate successfully;**
2. it has been demonstrated that there are environmental benefits in providing a close link **between the ancillary development and with the existing permitted uses at the** site that outweigh **the any** environmental **and community** impacts **from the proposed development.**

Where permission is granted, the operation and retention of the **associated ancillary** development will be limited to the life of the **linked-main** mineral or waste facility **and shall be removed to enable the agreed site restoration.**

7.19 Policy DM 21: Incidental Mineral Extraction

7.19.1 Policy DM 21 seeks to provide certainty that proposals for incidental mineral extraction will be permitted provided that operations do not cause unacceptable adverse impacts to the environment or communities. **Such proposals will typically be a matter for District and Borough Council's to determine.**

Policy DM 21

Incidental Mineral Extraction

Planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary period. Where planning permission is granted, conditions will be imposed to ensure that the site can be restored to an alternative after-use in accordance with Policy DM 19 should the main development be delayed or not implemented.

7.20 Policy DM 22: Enforcement

7.20.1 The Plan seeks to promote sustainable development within Kent. Positive and balanced policies have been designed to help support and encourage this principle.

¹³⁸ "Ancillary Development" is defined in the Town and Country Planning Act S90. In relation to minerals and waste developments "ancillary development" only includes development that is directly related to the minerals or waste development proposed.

Hand-in-hand with this objective is the need to ensure a general upholding of planning law. Within this context, informal and negotiated solutions to planning control problems are sought, acting with discretion and in a proportionate way. However, there will be occasions when determined planning breaches cause significant environmental and amenity issues and may threaten the integrity of the planning system. To fully meet such challenges requires the actions of a local control and management regime and the support of a recognised policy base.

Policy DM 22

Enforcement

The County Council will carry out its planning enforcement functions within the terms of its own Enforcement Plan/Protocols (and any subsequent variations) and specifically for waste-related matters, in light of the European Union **policies subsumed into UK law.** ~~Waste Framework Directive 2008/98/EC.~~

8. Managing and Monitoring the Delivery of the Strategy

8.0.1 Monitoring is an important part of evidence-based policy making. The NPPF states that local planning authorities should ensure that the local plan is based on adequate, up-to-date and relevant evidence¹³⁹. The Kent MWLP therefore **includes** a monitoring schedule to ensure it remains based on up-to-date evidence and to measure the effectiveness of its vision and objectives.

8.0.2 The monitoring and implementation framework set out in this section shows how the Strategic Objectives of the Kent MWLP will be achieved by monitoring data indicators relevant to each of the Plan's policies. The framework includes targets against which the performance of the policies can be monitored, plus associated 'trigger points' to indicate when corrective action may be required. The monitoring of each indicator will be carried out as part of the production of the Kent Annual Monitoring Report. Policies may be subject to review if annual monitoring indicates that significant, adverse trends are likely to continue.

8.0.3 **Following the enactment of the Localism Act 2011** it is **now** the responsibility of each local authority to decide what to include in its monitoring reports, while satisfying the information requirements of relevant UK and **retained** EU legislation. KCC still attaches importance to the former core national output indicators, used as the basis for monitoring in previous years, and will continue to report on these indicators. These are:

- production of primary land-won aggregates
- production of secondary and recycled aggregates
- capacity of waste management facilities by type
- amount of municipal waste arising and managed, by management type and the percentage each management type represents of the total waste managed.

8.0.4 In addition, KCC also monitors local output indicators as follows:

- new mineral reserves granted permission
- construction aggregate landbanks
- other minerals landbanks
- safeguarding of wharves and rail depots
- sales of construction aggregates at wharves and rail depots
- waste growth rate
- exports and imports of waste
- capacity for managing waste in Kent

8.0.5 Data for many of the mineral related indicators is supplied by the South East England Aggregate Working Party (SEEAWP). KCC intends to include these local output indicators in the AMR and/or the Local Aggregate Assessment (LAA) for as long as the data remains available. In accordance with the agreements with industry and their trade

¹³⁹ **DCLG DLUHC (2012 September 2023)** National Planning Policy Framework, para. 158

associations, this information is only available in a collated form, so individual site information cannot be easily identified. This can cause problems for planning for minerals, especially where there is a limited number of suppliers of particular types of mineral such as brickearth or crushed rock. The SEEAWP reports also provide a limited amount of information on secondary and recycled aggregates. The potential problem with this source of material is that some operators are reluctant to provide survey returns and so the values obtained are considered likely to be an under-representation of the actual amount of secondary and recycled aggregates produced in Kent in any one year.

8.0.6 The National Planning Policy for Waste¹⁴⁰ also refers to specific parameters being monitored to inform the determination of planning applications. In particular:

- take-up in allocated sites and areas;
- existing stock and changes in the stock of waste management facilities, and their capacity (including changes to capacity); and
- the amounts of waste recycled, recovered or going for disposal.

8.0.7 The supporting Planning Practice Guidance¹⁴¹ also refers to the need to monitor annual arisings to allow for review of the forecasts that underpin the strategy.

8.0.8 Data on Local Authority Collected Waste is readily available and reported to central Government on an annual basis. Data on C&I waste arisings is less readily available. Similarly, until now there has not been any regular reporting of hazardous waste arisings in Kent and the amount of hazardous waste managed in the county. This information was collated as part of the evidence base for the Plan¹⁴². It is proposed to include the following additional new local output indicators **are also used** to monitor the effectiveness of the Kent MWLP policies regarding **C&I and hazardous waste management streams in future AMRs**:

- C&I waste generated in Kent that is landfilled within Kent and outside Kent
- hazardous waste arising in Kent that is managed within Kent and outside Kent

8.0.9 The following monitoring schedule **includes** considers how each of the Plan's Strategic Objectives will be implemented through the Plan's policies and how their achievement will be monitored.

¹⁴⁰ **DCLG DLUHC** (October 2014) National Planning Policy for Waste, para.9

¹⁴¹ **DCLG DLUHC** (updated October 2014) National Planning Policy Framework Planning Practice Guidance on Waste, para. 054.

¹⁴² **KCC (May 2011) TRW5: Hazardous Waste Management**

Monitoring Schedule: Sustainable Development Policies

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Policy	Indicator(s)	Who?	How?		When?	Target	Trigger	Link to Strategic Objective
CSM 1 & CSW 1: Sustainable Development	1. Mineral and waste applications granted contrary to national policy and guidance.	KCC	DM decisions		On-going (annual monitoring)	No application granted planning permission contrary to national policy and guidance	One application permitted contrary to national policy and guidance	SO1; SO2
	2. Minerals and waste applications determined within 13 / 16 weeks. ¹⁴³	KCC	DM decisions		On-going (annual monitoring)	100% within the target/ agreed timescale	One application determined beyond the agreed timescale	SO1; SO2
DM 1: Sustainable Design	1. Minerals and waste applications granted that accord with the Kent Design Guide and/or KCC's environmental strategy.	KCC District authorities	District authority local plan adoption		On-going (annual monitoring)	100% of major applications granted planning permission	One application permitted contrary to the cited guidance	SO1; SO2; SO3; SO5; SO14 0 <u>1</u> ; SO12 1 <u>1</u>
	2. Adoption of the Kent Design Guide by district authorities	KCC District authorities	District authority local plan adoption		On-going (annual monitoring)	100% adoption as supplementary planning guidance	One authority without the adopted supplementary guidance	

¹⁴³ For applications without an extension of time agreed with the applicant. 16 weeks for applications accompanied by an Environmental Statement

Monitoring Schedule: Delivery Strategy for Minerals

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 2: Supply of Land-won Minerals in Kent	Reserve data for sharp sand and gravel	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain supply equal to at least 10.08mt and at least a 7 year landbank (5.46mt) as set out in the LAA while resources allow	Permitted reserves equivalent to 10% above supply target	SO5;
	Reserve data for soft sand	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain a rolling landbank of at least 7 years supply as set out in the LAA equivalent to 11.05mt	Permitted reserves equivalent to 10% above landbank target	SO5;
	Reserve data for crushed rock (confidential) ¹⁴⁴	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain a rolling landbank of at least 10 years supply as set out in the LAA equivalent to at least 20.5mt	Permitted reserves equivalent to 10% above landbank target	SO5;

¹⁴⁴ The sales and reserves of land-won crushed rock are not published as there are only two sites currently producing crushed rock in Kent; the total sales data from three or more sites are required in order to protect commercial confidentiality

	Reserve data for brickearth and clay for brick and tile manufacture	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Stock of permitted reserves of at least 25 years for brickearth Maintenance of sufficient reserves of clay based on past sales and market demand	Permitted reserves equivalent to less than three years above the minimum stock of permitted reserves target	SO5;
Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
	Reserve data for silica sand	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Stock of permitted reserves for individual sites of at least 10 years and 15 years for sites where significant new capital is required	Permitted reserves equivalent to less than three years above the minimum stock of permitted reserves target	SO5;
	Reserve data for chalk for agricultural and engineering purposes	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Maintenance of sufficient reserves to meet supply requirements for the plan period	Permitted reserves equivalent to less than three years of reserves at current (annual) rates	SO5;
	Reserve data for clay engineering purposes	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Maintenance of sufficient reserves to meet supply requirements for the plan period	Permitted reserves equivalent to less than three years of reserves at current (annual) rates	SO5;

<p>CSM 3: Strategic Site for Minerals</p>	<p>Planning applications granted for alternative development within the Strategic Site for Minerals at Medway Cement Works and the Minerals Consultation Area.</p>	<p>KCC Tonbridge & Malling Borough Council</p>	<p>DM decisions</p>	<p>On-going (annual monitoring)</p>	<p>100% refusal for proposals with an objection from the County Council</p>	<p>One application permitted with an objection from the County Council</p>	<p>SO5;</p>
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Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 4: Non-identified Land-won Mineral Sites	Planning applications granted for mineral extraction at alternative sites outside allocated sites	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5;
CSM 8: Secondary and Recycled Aggregates	Identification of secondary and recycled aggregate capacity in the Minerals Sites Plan.	KCC Secondary and recycled aggregate operators	Mineral Sites Plan	Adoption of the Mineral Sites Plan On-going (annual monitoring)	To maintain at least 2.7mtpa for the productive capacity value in the latest LAA of processing capacity throughout the plan period	Processing capacity falls by the equivalent to 10% below the target capacity	SO2; SO6; SO10
	Planning applications granted for secondary and recycled aggregate production.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 9: Building Stone in Kent	Planning applications granted for building stone extraction.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5; SO8;
CSM 10: Oil, Gas and Unconventional Hydrocarbons	Planning applications granted associated with the exploration, appraisal and development of oil, gas and unconventional hydrocarbons.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO2; SO3; SO9
CSM 11: Prospecting for Carboniferous Limestone	Planning applications granted for underground limestone prospecting.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5;
CSM 12: Sustainable Transport of Minerals	Planning applications granted for the sustainable transport of minerals (e.g.water or rail).	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO2; SO3; SO5; SO7; SO12 1 ; SO14 3 ;

Monitoring Schedule: Delivery Strategy for Waste

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 2: Waste Hierarchy	Existing waste capacity by facility type and Waste Hierarchy category.	KCCEA	EA waste management facility data DM information	On-going (annual monitoring, when data is made public)	Increasing the proportions of waste management capacity further up the waste hierarchy	Relative and total fall in the proportion of waste capacity provided further up the waste hierarchy	SO2; SO3; SO14 0 SO12 1 SO13 2
	Planning applications for waste management to include information on how the proposal will help drive waste to ascend the Waste Hierarchy wherever possible and practicable	KCC Waste operators	DM decisions and information	On-going (annual monitoring)	100% of proposals granted planning permission providing the required information where relevant	One application permitted without the required information	

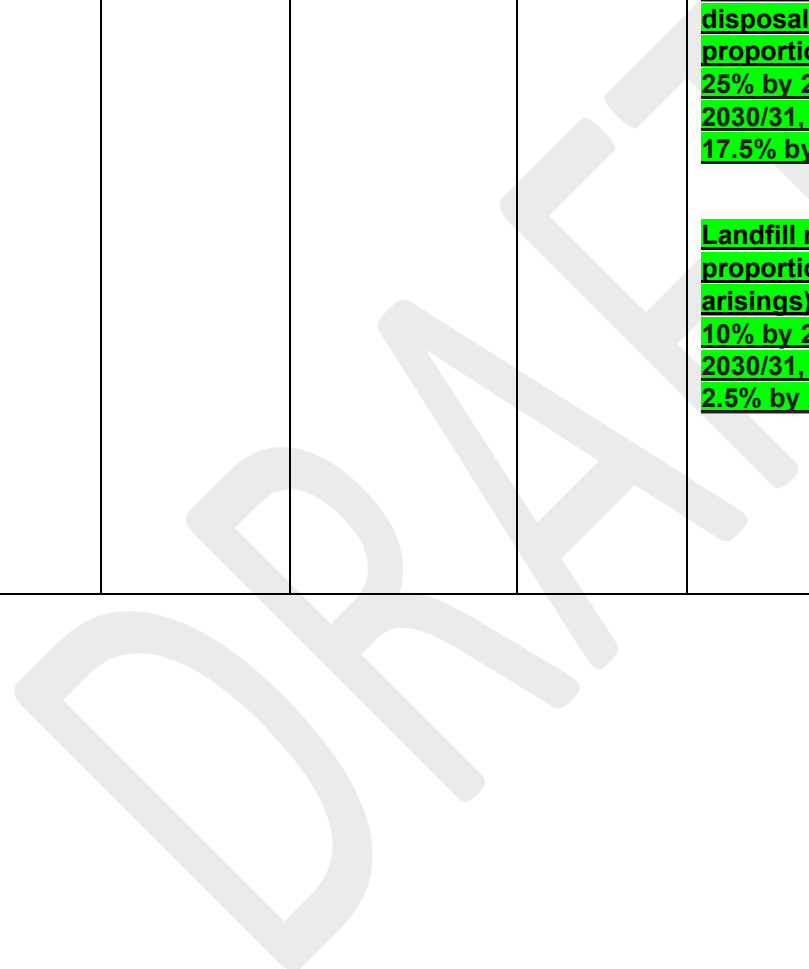
Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 3: Waste Reduction	All development applications ¹⁴⁵ submitted with details of the compliance to policy CSW 3 as applicable	KCC District authorities	DM decisions	On-going (annual monitoring)	100% of applications granted planning permission providing the required information where relevant	One application permitted without the required information	SO2; SO3; SO6; SO40; SO140; SO132
CSW 3: Waste Reduction	Annual waste arisings	KCC	EA waste management data	On-going (annual monitoring)	Declining trend year on year	Increasing trend	SO2; SO3; SO6; SO10; SO12

¹⁴⁵ Except householder applications.

<p>CSW 4: Strategy for Waste Management Capacity</p>	<p>Annual capacity of waste management facilities.</p>	<p>KCC EA</p>	<p>Planning permission data Data on flows to and from permitted waste management facilities of waste arising from Kent</p>	<p>On-going (annual monitoring)</p>	<p>LACW: Recycling/ composting rates: at least 50% by 2020/21, 55% by 2025/26, and 60% by 2030/31. 65% by 2035/36, and 70% by 2040/41; Landfilling no more than 2% by 2020/21, 2% in 2025/26 and 2% in 2030/31. 2% in 2035/36, and 2% in 2040/41 C&I Waste: Recycling/ composting rates at least 50% by</p>	<p>Capacity fallen to 10% above the target capacity beyond the years stated</p>	<p>SO1; SO6; SO40; SO140; SO132</p>
<p>Policy</p>	<p>Indicator(s)</p>	<p>Who?</p>	<p>How?</p>	<p>When?</p>	<p>Target</p>	<p>Trigger</p>	<p>Link to Strategic Objective</p>

					<p>2020/21, 55% by 2025/26 and 60% by 2030/31, 65% by 2035/36, and 70% by 2040/41;</p> <p>Landfilling no more than 15% by 2020/21, 12.5% in 2025/26 and 10% in 2030/31, 8.5% in 2035/36, and 5% in 2040/41</p> <p>C&D Waste (Non-inert):</p> <p>Recycling rates at least 12% by 2020/21, 13.65% by 2025/26 and 14.70% by 2030/31, 75% by 2035/36 and 80% by 2040/41.</p> <p>Composting rates at least 1% by 2020/21, 1% in 2025/26 and 1% in 2030/31</p> <p>Landfilling no more than 2% by 2020/21, 1.5% in 2025/26 and 0.5% in 2030/31, 5% in 2035/36 and 2.5 in 2040/41.</p> <p>C&D waste (inert):</p> <p>inert waste recycling minima (as proportion of inert arisings): 65% by</p>	
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					<p>2025/26, 70% by 2030/31, 75% by 2035/36, 80% by 2040/41</p> <p>Permanent deposit of inert waste other than for disposal of landfill (as proportion of inert risings): 25% by 2025/26, 25% by 2030/31, 20% by 2035/36, 17.5% by 2040/41</p> <p>Landfill maxima (as proportion of inert arisings) 10% by 2025/26, 5% by 2030/31, 5% by 2035/36, 2.5% by 2040/41</p>		
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Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
	Net self-sufficiency plus proportion of London's waste.	KCC EA	Data on flows to and from permitted waste management facilities in Kent	On-going (annual monitoring)	Tonnages of waste arisings from Kent equivalent to the tonnages of waste managed within Kent Capacity for residual waste from London	More than -10% difference in the annual levels of imports and exports Spare consented capacity falls below forecast need for Kent by 10%	
CSW 5: Strategic Site for Waste	Planning decisions resulting in development (other than mineral) working with restoration through the landfilling of hazardous flue dust from Energy from Waste plants in Kent ¹⁴⁶ , on or near the Strategic Site for Waste that could adversely affect development of required capacity to serve Allington EfW.	Swale Borough Council	DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO132, SO143

¹⁴⁶ Note that in the event that government policy changes such that hazardous flue dust from Energy from Waste plants can no longer be landfilled, restoration by other means may be possible.

	An appropriate planning application granted on the Strategic Site for Waste	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	
CSW 6: Location of Built Waste Management Facilities	Planning applications granted for built waste management facilities.	KCC	DM decisions and conditions	On-going (annual monitoring)	100% of applications meeting criteria a to j and 1 to 6 (as appropriate) granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO11; SO12; SO13
Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 7: Waste Management for Non-Hazardous Waste	Planning applications granted for non-hazardous waste developments	KCC	DM decisions and conditions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO14 0 ; SO13 2 ; SO14 3
CSW 8: Recovery Facilities for Non-hazardous Waste ¹⁴⁷	Percentage of waste managed in Kent diverted from landfill.	KCC WMU KCCEA	EA waste management facility data National survey data	On-going (annual monitoring-when national data is made public)	Landfilling of no more than 52 % of household waste by 2020/21 LACW by 2030/31	Within 10% of the target maximum for the household waste landfill diversion target at or beyond the dates stated in Policy CSW4	SO2; SO3; SO14 0 ; SO12 1 ; SO13 2 ; SO14 3

¹⁴⁷ N.B. Monitoring indicators to this policy are proposed to be updated to provide clarification and ensure their effectiveness.

	<p>Remaining capacity of non-hazardous landfill.</p> <p>Planning applications granted for EfW Facilities and their capacity.</p>	<p>KCC WMU</p> <p>KCCEA</p>	<p>EA waste management facility data</p> <p>DM information and decisions</p>	<p>On-going (annual monitoring)</p>	<p>Maintain sufficient voidspace for residual waste to the end of the plan period</p> <p>Planning permission granted for a maximum of 437,500 tonnes of</p>	<p>Sufficient capacity for net self sufficiency (import and export levels) for non-inert management capacity plus 10%</p> <p>Insufficient capacity for non hazardous landfill to manage predicted level of non hazardous waste</p>	
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Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
					<p>non hazardous waste recovery facility</p> <p>100% of applications meeting all policy criteria granted planning permission</p>	<p>requiring final disposal plus 10% at end of the plan period</p> <p>One application permitted that does not meet all policy criteria</p>	
CSW 9: Non-Inert Waste Landfill in Kent	Planning decisions resulting in non-inert waste landfilling	KCC District authorities	KCC & District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO14 0 ; SO14 3 ; SO15 4
CSW 10: Development at Closed Landfill Sites	Planning applications granted on closed Biodegradable Landfill Sites for the developments listed in Policy CSW 10	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO40 ; SO14 0 ; SO15 4

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 11: Permanent Deposit of Inert Waste	Annual volume of CDE waste arisings.	KCC	National survey data DM decisions and information	On-going (annual monitoring -when national data available)	Timely restoration of landfills and mineral working where their restoration requires fill material	Delay in restoration timetable of landfills and mineral workings due to lack of available suitable fill material Delay in development of mineral extraction sites where phasing requires progressive restoration.	SO3; SO10; SO140; SO143; SO154
	Annual CDE waste recycling capacity.	KCC	National survey data DM decisions and information	On-going (annual monitoring -when national data available)	Suitable sites allocated in the Waste Sites Plan to maintain the minimum capacities maintained to enable recycling rates stated in CSW 48 throughout the Plan period	More than 10% deficit in the actual capacity provided at or beyond the dates stated in CSW 48	
	Planning applications granted for permanent deposit of inert waste.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 12: Identifying Sites for Hazardous Waste	Capacity of hazardous waste management facilities.	KCCEA	DM information EA data on hazardous waste movements	On-going (annual monitoring)	Annual net self-sufficiency in hazardous waste	Capacity fallen to 90% of capacity for net self sufficiency	SO10 ; SO3; SO143 ;
	Planning decisions resulting in permitted built hazardous waste management facilities	KCC District authorities	KCC & District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all relevant policy criteria in CSW 6, and for landfill sites in accordance with Policy CSW9, granted planning permission	One application permitted that does not meet all policy criteria	
CSW 13: Remediation of Brownfield Land	Temporary waste related planning applications granted on brownfield land that facilitate its redevelopment	KCC District authorities	DM decisions Sites identified in an adopted district local plan	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO4; SO143 ; SO154
CSW 14: Disposal of Dredgings	Planning applications granted for the disposal of dredgings.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO143

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 15: Wastewater Development	Wastewater treatment works, sewage sludge treatment and disposal facilities granted planning permission.	KCC	Sites identified in the Waste Sites Plan	Adoption of the Waste Sites Plan	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO3; SO12 1 <u>1</u> ; SO14 3 <u>3</u> ;
CSW 17: Nuclear Waste Treatment and Storage at Dungeness	Planning applications granted for storage and/or management of radioactive waste in the licensed area at Dungeness.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO12 1 <u>1</u> ; SO14 3 <u>3</u> ;
CSW 18: Non-nuclear Industry Radioactive Low Level (LLW) Waste Management	Planning applications granted for facilities managing non-nuclear LLW and VLLW waste.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO12 1 <u>1</u> ; SO14 3 <u>3</u> ;
	Monitoring of waste material source.	KCC	Planning application information	On-going (annual monitoring)	100% of applications granted planning permission providing the required information	One application permitted without the required information	

Monitoring Schedule: Minerals and Waste Safeguarding Strategy

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
CSM 5: Land-won Mineral Safeguarding	Decisions resulting in non mineral development permitted within Kent MSAs.	KCC District authorities	District/ Borough Council DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO3; SO5
	Decisions resulting in non-mineral development permitted within the separate MCA adjacent to the Strategic Site for Minerals at Medway Works, Holborough.	KCC District authorities	District/ Borough Council DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	
	Decisions resulting in non-mineral development permitted on sites for mineral working within the plan period identified in <u>Appendix C the AMR and/or LAA</u> , and in the Minerals Sites Plan.	KCC District authorities	District/ Borough Council DM decisions Mineral Sites Plan	On-going (annual monitoring) Adoption of the Mineral Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	
	Review of Minerals Safeguarding Areas (MSAs)	KCC	KCC	On-going (annual monitoring)	The need to revise the boundaries of the MSAs has been reviewed at least once each year	MSAs not reviewed in any one year	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
CSM 6: Safeguarded Wharves and Rail Depots	Decisions resulting in non-mineral development permitted within 250m of safeguarded minerals transportation facilities listed in Policy CSM 6 ¹⁴⁸ and allocated sites in the Mineral Sites Plan (other than the developments listed in Policy DM8 criteria 1)	KCC District authorities	District authority DM decisions	On-going (annual monitoring) Adoption of the Minerals Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO2; SO7
CSM 7: Safeguarding Other Mineral Plant Infrastructure	Decisions resulting in other development permitted on, or within 250m of, sites safeguarding for other mineral plant infrastructure	KCC District authorities	KCC & District authority DM decisions	On-going (annual monitoring)	100% refusal for proposals with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO2; SO6; SO7
CSW 16: Safeguarding of Existing Waste Facilities	Decisions resulting in non-waste management uses permitted on, or within 250m of, sites with permanent planning permission for waste management uses and sites allocated in the Waste Sites Plan	KCC District authorities	District DM decisions	On-going (annual monitoring) Adoption of the Waste Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO4; SO12

¹⁴⁸ Boundaries of the safeguarding facilities are shown in Chapter 9.1 Adopted Policies Maps - Safeguarded Wharves and Rail Importation Depot.

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
DM 7: Safeguarding Mineral Resources	Decisions resulting in incompatible non-mineral development permitted in mineral safeguarded areas(as defined in Policy CSM5).	District authorities KCC	District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that doesnot meet all policy criteria with an objection from the County Council	SO3; SO5
	Adoption of a Supplementary Planning Document (SPD) or associated guidance setting out further information about the approach to Minerals Safeguarding	KCC	KCC	2015 - 2017	SPD adopted by of end of 2016	Failure to adopt SPDby of end 2016	SO3; SO5
	Allocations in adopted Local Plans for development incompatible with the presumption to safeguard minerals within mineral safeguarded areas (as definedby CSM 5).	District Authorities and KCC	District authority planning policy decisions	No Change	100% of local plan allocations meeting all policy criteria (except criterion 7)	An allocation in a localPlan that does not meet all policy criteria(except criterion 7) with an objection fromthe County Council	SO3

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
DM 8: Safeguarding Minerals Management, Transportation & Waste Management Facilities	Decisions resulting in incompatible non-minerals or waste development permitted within, or in the vicinity of, existing safeguarded minerals management, transportation or waste management facilities.	District authorities KCC	District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria with an objection from the County Council	SO1; SO2; SO4; SO7; SO12 <u>1</u>
	Allocations in adopted Local Plans considered incompatible with the presumption to safeguard minerals and waste facilities from direct loss and/or within 250m of a safeguarded facility where there will be the high probability of incompatibility that may lead to the lawful operation of the safeguarded facility to cease or be compromised such that will affect its lawful operational viability	District Authorities and KCC	District Authority planning policy decisions	On-going (annual monitoring)	100% of local plan allocations meeting all policy criteria (except criterion 2)	An allocation in a local Plan that does not meet all policy criteria (except criterion 2) with an objection from the County Council	SO1; SO2; SO4; SO7; SO12 <u>1</u>
DM 9: Prior Extraction of Minerals in Advance of Surface Development	Planning applications granted / decisions resulting in, or incorporating, mineral extraction in advance of built development where the resources would otherwise be permanently sterilised.	KCC District authorities	KCC and/or District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria (with an objection from the County Council in the case of District decisions)	SO3; SO5

Approach to the Monitoring of Development Management Policies

8.0.10 The Plan's Development Management policies will be monitored using the relevant planning applications data as an indicator. The performance of each policy will be monitored on an annual basis and recorded in the AMR in accordance with the following strategy:

- **Target:** 100% of applications meeting all applicable policy criteria granted planning permission. To include the submission of the required information where relevant.
- **Trigger:** One application permitted that does not meet all relevant policy criteria and requirements, unless clearly justified.

8.0.11 Policy DM 2 applies to both proposals for minerals and waste development and the identification of sites in **anythe** Kent Minerals and Waste Sites Plans:

- **Target:** 100% of applications/ proposed site allocations meeting all applicable policy criteria granted planning permission / allocated in **anythe** Minerals or Waste Sites Plan. To include the submission of the required policy information where relevant.
- **Trigger:** One application permitted / adopted site allocation that does not meet all policy criteria, unless clearly justified.

Policy	Who?	How?	Link to Strategic Objective
DM 2: Environmental and Landscape Sites of International, National and Local Importance	KCC	DM decisions Adoption of Mineral and Waste Sites Plans	SO2; SO3; SO9; SO15 <u>4</u>
DM 3: Ecological Impact Assessment	KCC	DM decisions	SO2; SO3; SO9; SO15 <u>4</u>
DM 4: Green Belt	KCC	DM decisions	SO1; SO2; SO3; SO9; SO15 <u>4</u>
DM 5: Heritage Assets	KCC	DM decisions	SO3;

DM 6: Historic Environment Assessment	KCC	DM decisions	SO3;
DM 10: Water Environment	KCC	DM decisions	SO2; SO3;
DM 11: Health and Amenity	KCC	DM decisions	SO1; SO2; SO3; SO4; SO9; SO154
DM 12: Cumulative Impact	KCC	DM decisions	SO1; SO2; SO3; SO121; SO143
DM 13: Transportation of Minerals and Waste	KCC	DM decisions	SO1; SO2; SO3; SO6; SO7; SO10;SO121; SO143
DM 14: Public Rights of Way	KCC Minerals/ waste operators	DM decisions	SO3; SO9; SO154
DM 15: Safeguarding of Transport Infrastructure	KCC	DM decisions	SO1; SO2; SO3; SO7;
DM 16: Information Required In Support of an Application	KCC Minerals/ waste operators	DM decisions	SO2; SO3; SO4; SO9; SO140; SO132;SO154
DM 18: Land Stability	KCC Minerals/ waste operators	DM decisions	SO3;
DM 19: Restoration, Aftercare and After-use	KCC Minerals/ waste operators	DM decisions	SO2; SO3; SO4; SO9; SO154
DM 20: Ancillary Development	KCC	DM decisions	SO1; SO2; SO3; SO6; SO9 SO10;SO140; SO121; SO154

DM 21: Incidental Mineral Extraction	KCC District authorities	KCC and district authority DMdecisions	SO3; SO4; SO5; SO9
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8.0.12 The performance of Development Management policies DM 17 and DM 22 will be monitored as follows:

Policy	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
DM 17: Planning Obligations	KCC	DM decisions	On-going (annual Monitoring)	100% of Planning Obligations agreed and implemented on a case by case basis	One unimplemented legal agreement within 3 years of consent being implemented	SO2; SO3; SO4
DM 22: Enforcement	KCC	DM decisions	On-going (annual monitoring)	100% of cases reported to the Regulation Committee on a quarterly basis	Any alleged breaches being resolved within 6 months of detection	SO2; SO3; SO4

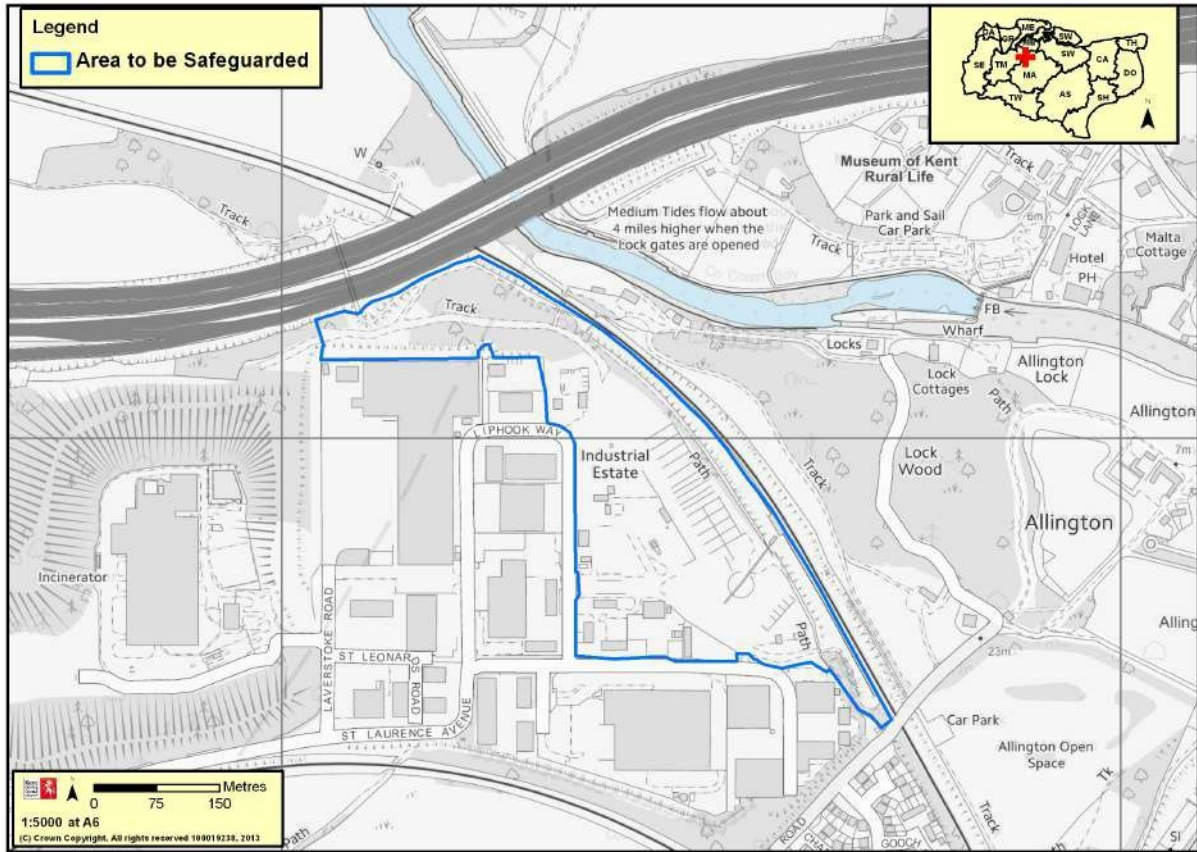
9. Adopted Policies Maps

9.1 Safeguarded Wharves and Rail Transportation Depots

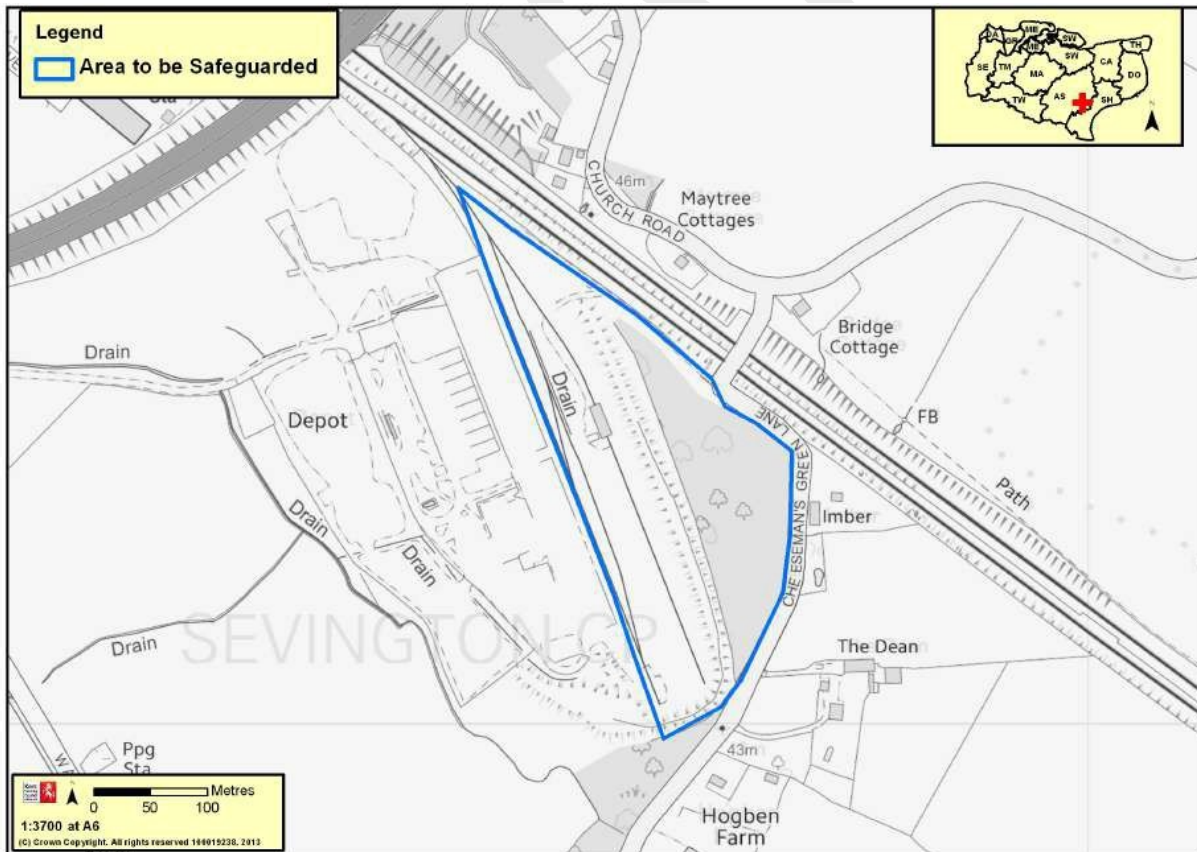
Safeguarded Wharves and Rail Transportation Adopted Policies Maps¹⁴⁹

Site Name	Operator	Site Code
Allington Rail Depot	Hanson	A
Sevington Rail Depot	Brett	B
Hothfield Works Rail Depot	Tarmac	C
East Peckham Rail Depot	Clubb	D
Ridham Dock	Brett & Tarmac	E
Johnsons Wharf	Lafarge Tarmac	F
Robin's Wharf, Northfleet	Aggregate Industries & Brett	G
Clubbs Marine Terminal	Clubb	H
East Quay, Whitstable	Brett	J
Red Lion Wharf	Stema Shipping Ltd	K
Ramsgate Port	Brett	L
Dunkirk Jetty, Dover Western Docks	Brett	M
Wharf 42, Northfleet (including Northfleet Cement Wharf)	Lafarge Tarmac	N
Sheerness	Aggregate Industries	O
Northfleet Wharf	Cemex	P
Old Sun Wharf	Fleetmix Ltd	Q

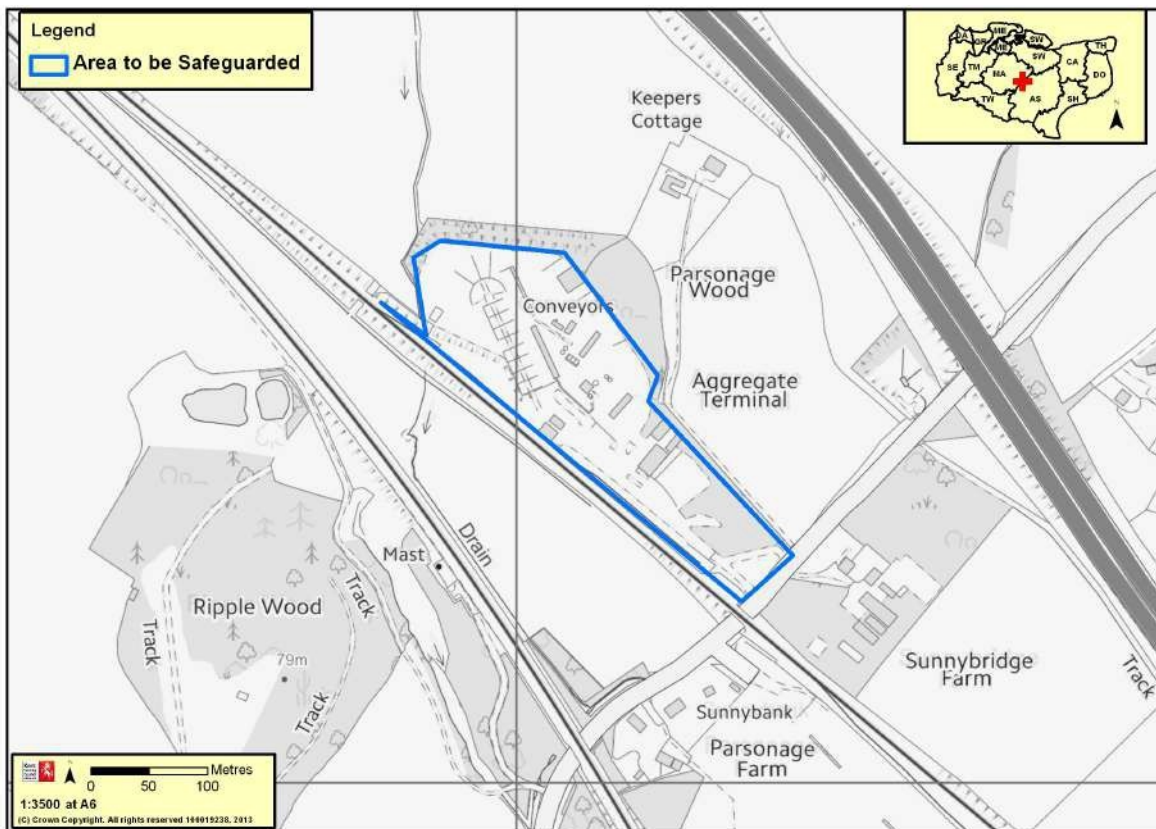
Site A: Allington Rail Depot



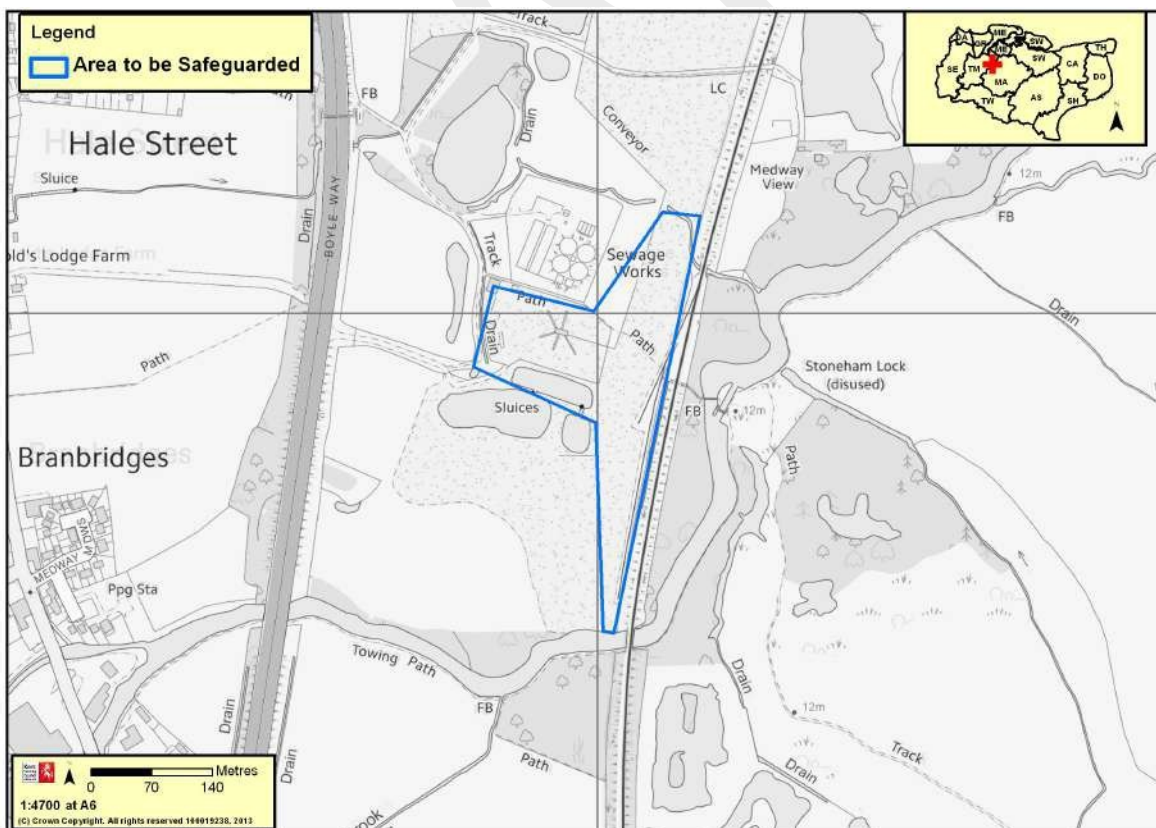
Site B: Sevington Rail Depot



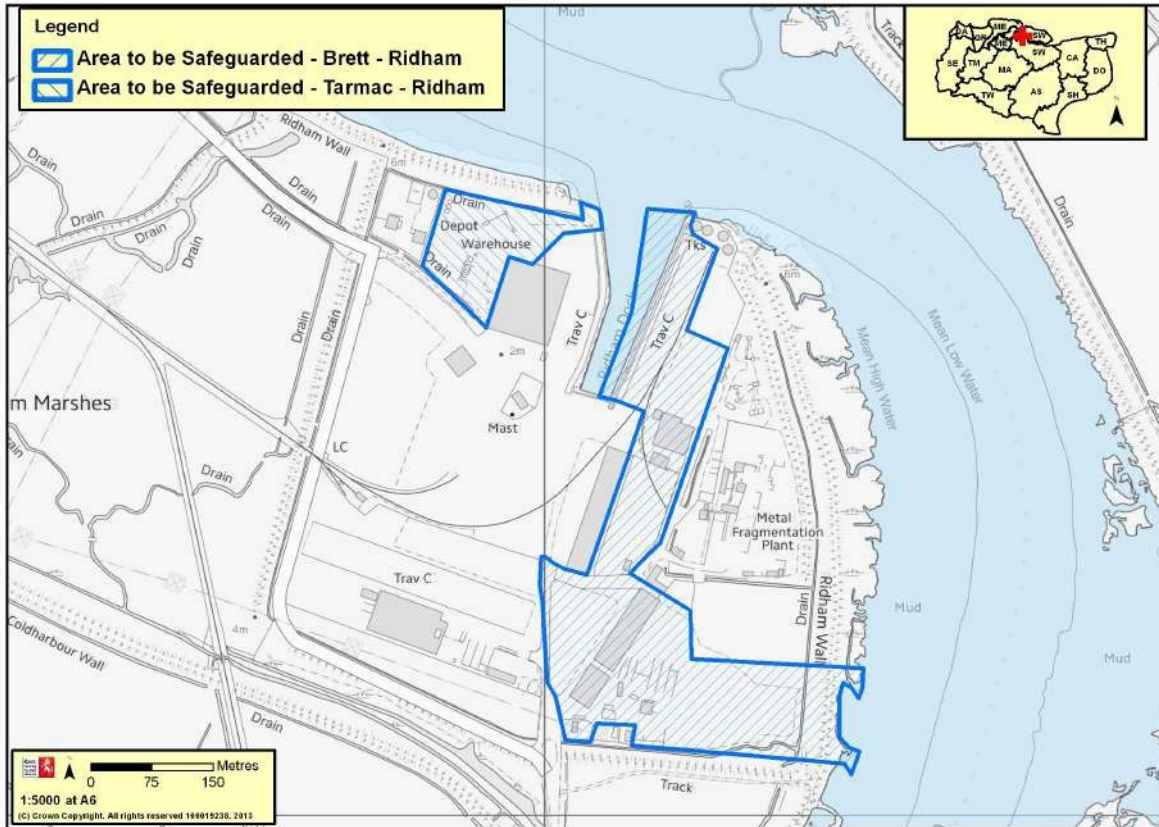
Site C: Hothfield Works



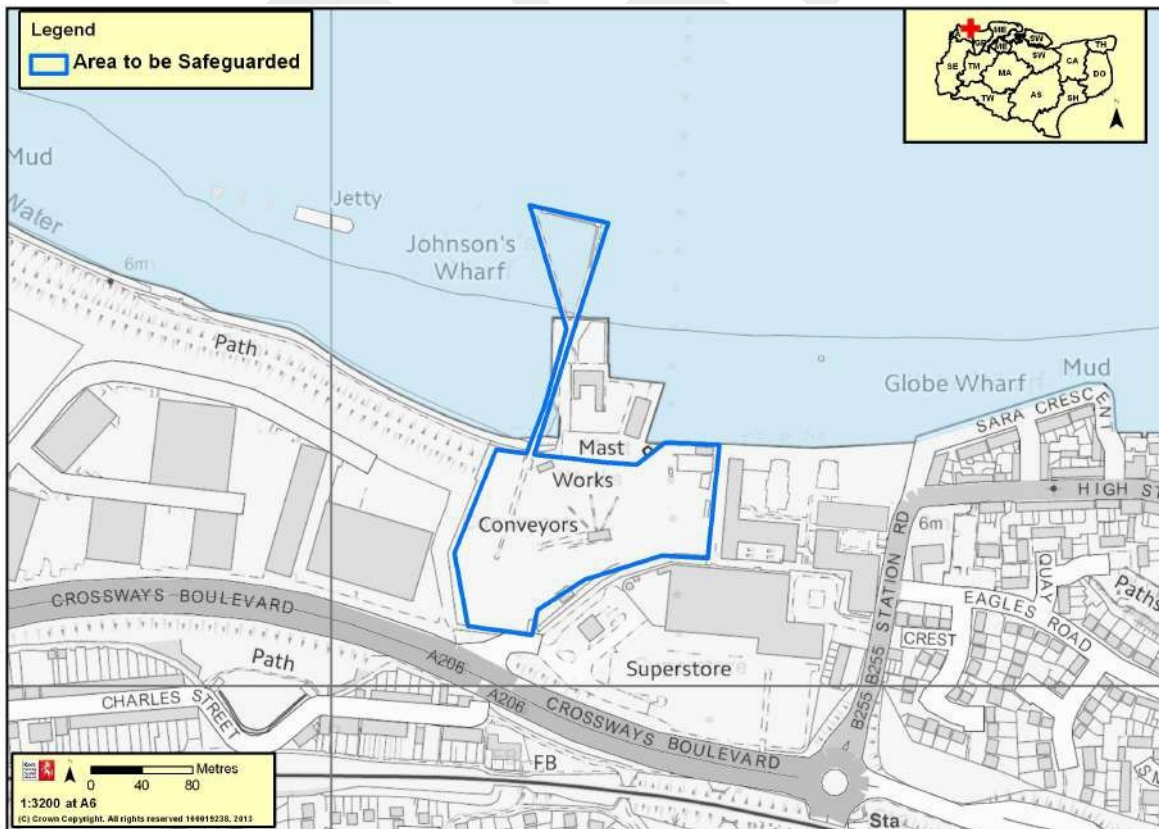
Site D: East Peckham



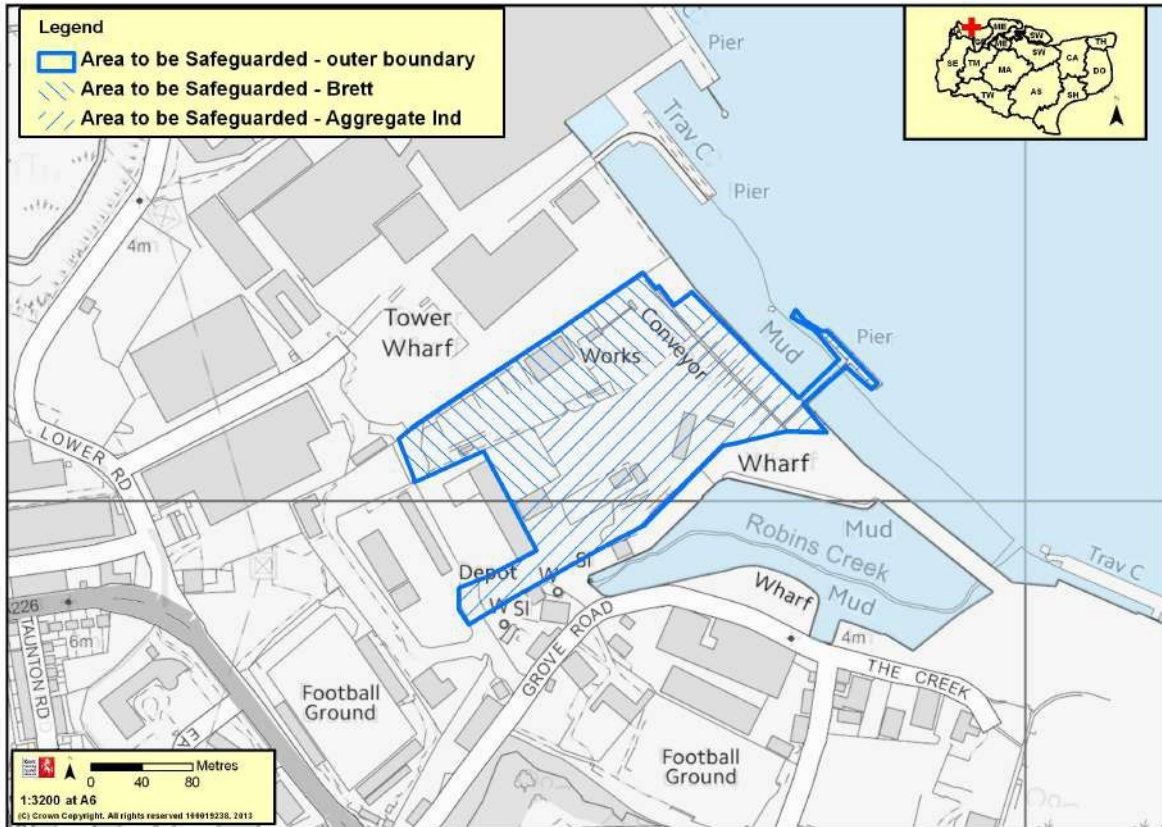
Site E: Ridham Dock



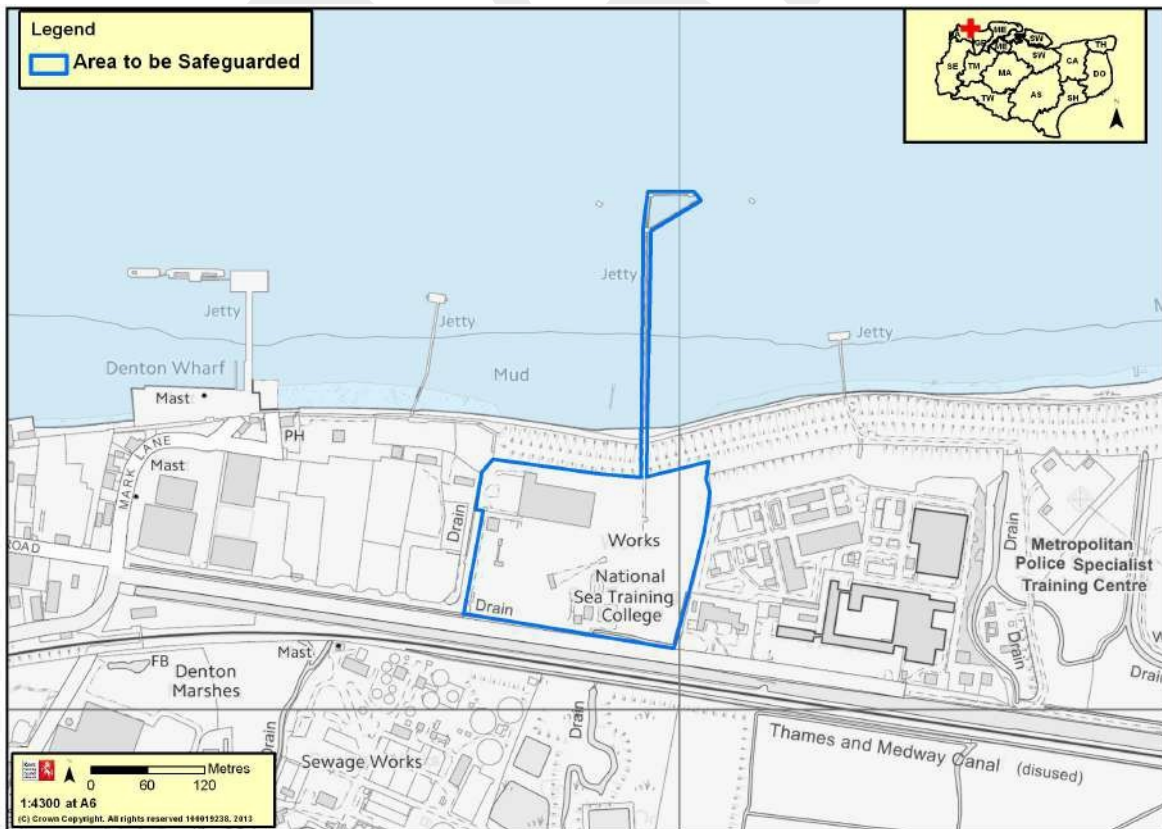
Site F: Johnsons Wharf



Site G: Robins Wharf, Northfleet



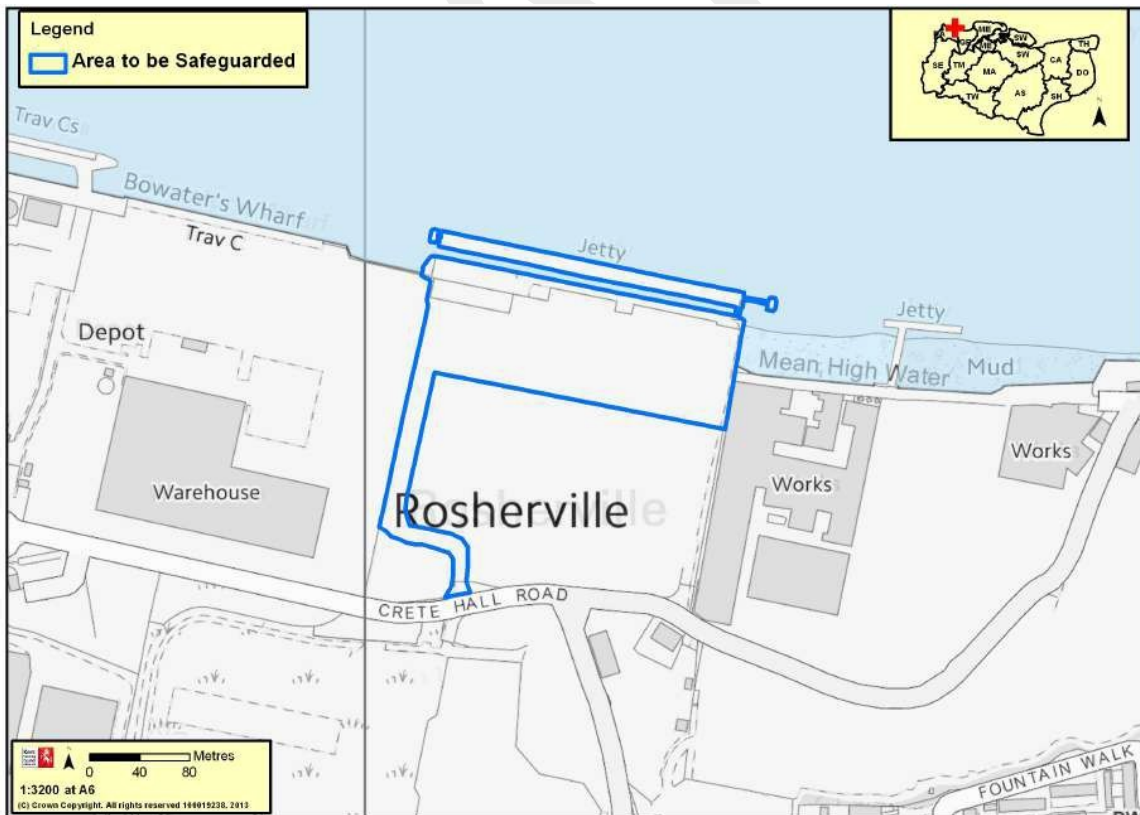
Site H: Clubbs Marine Terminal



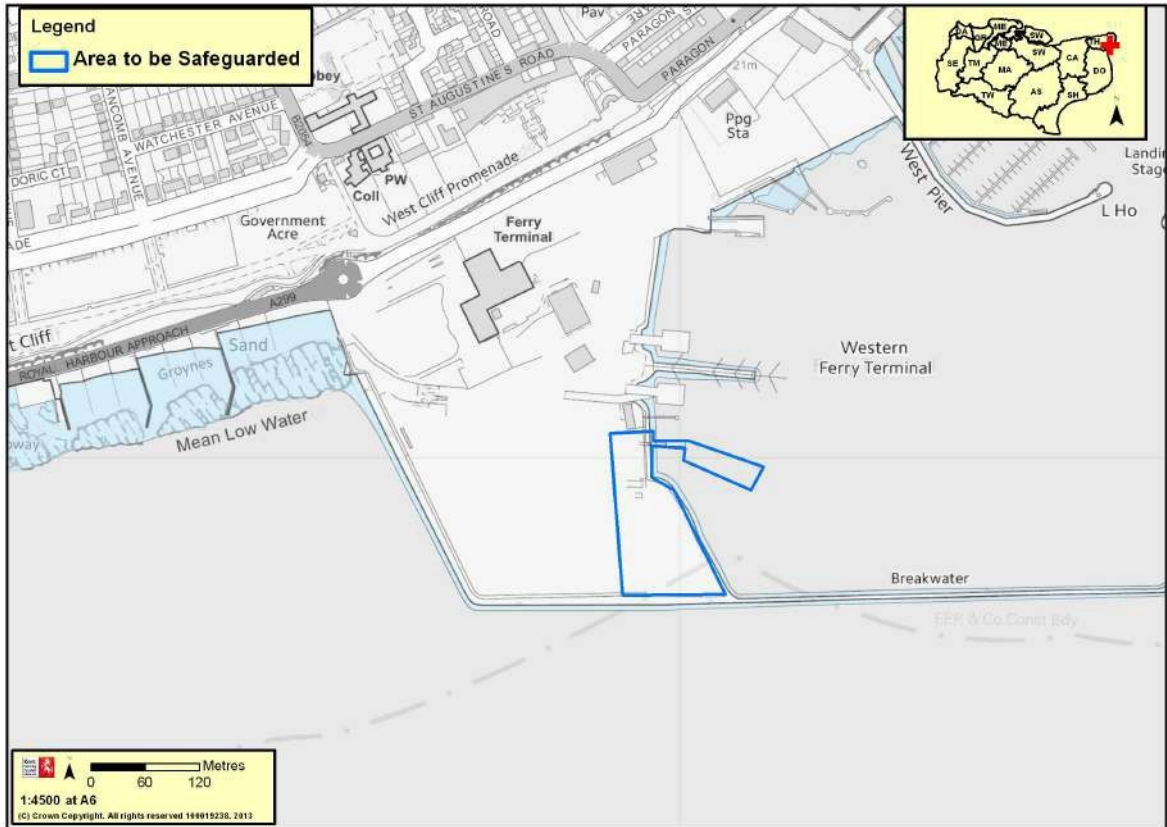
Site J: East Quay, Whitstable



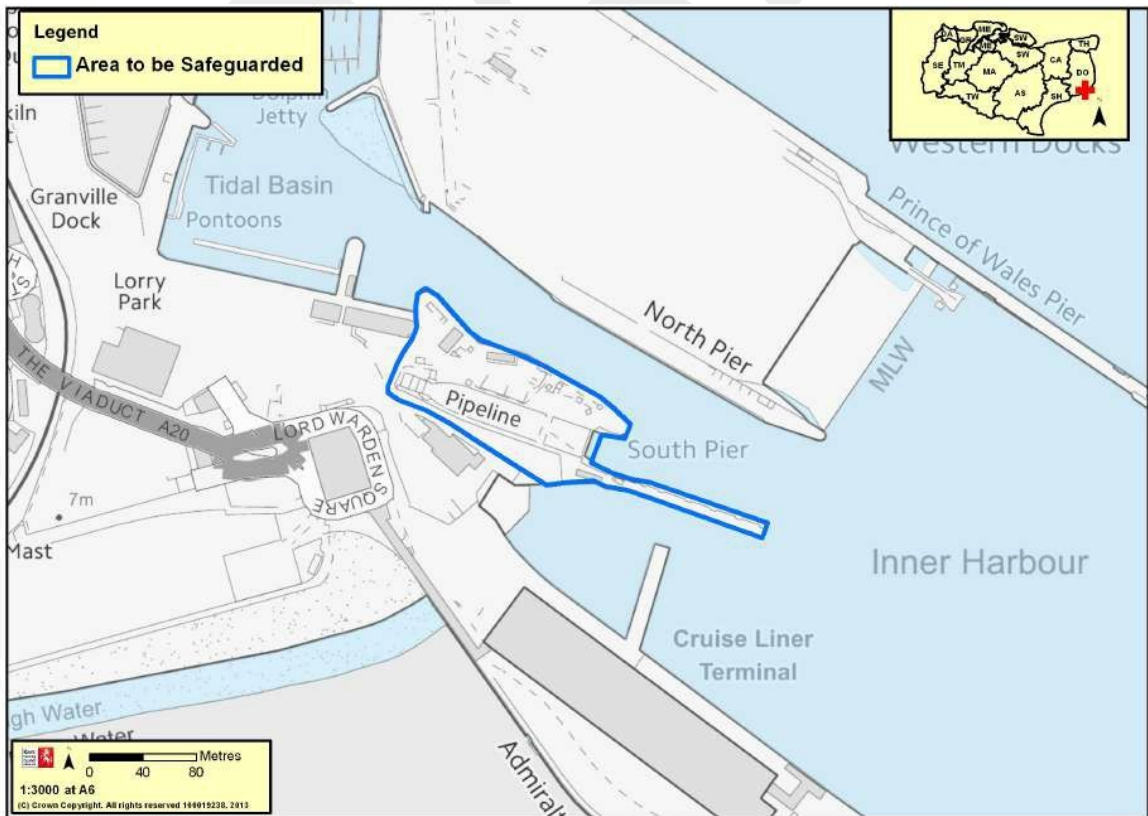
Site K: Red Lion Wharf



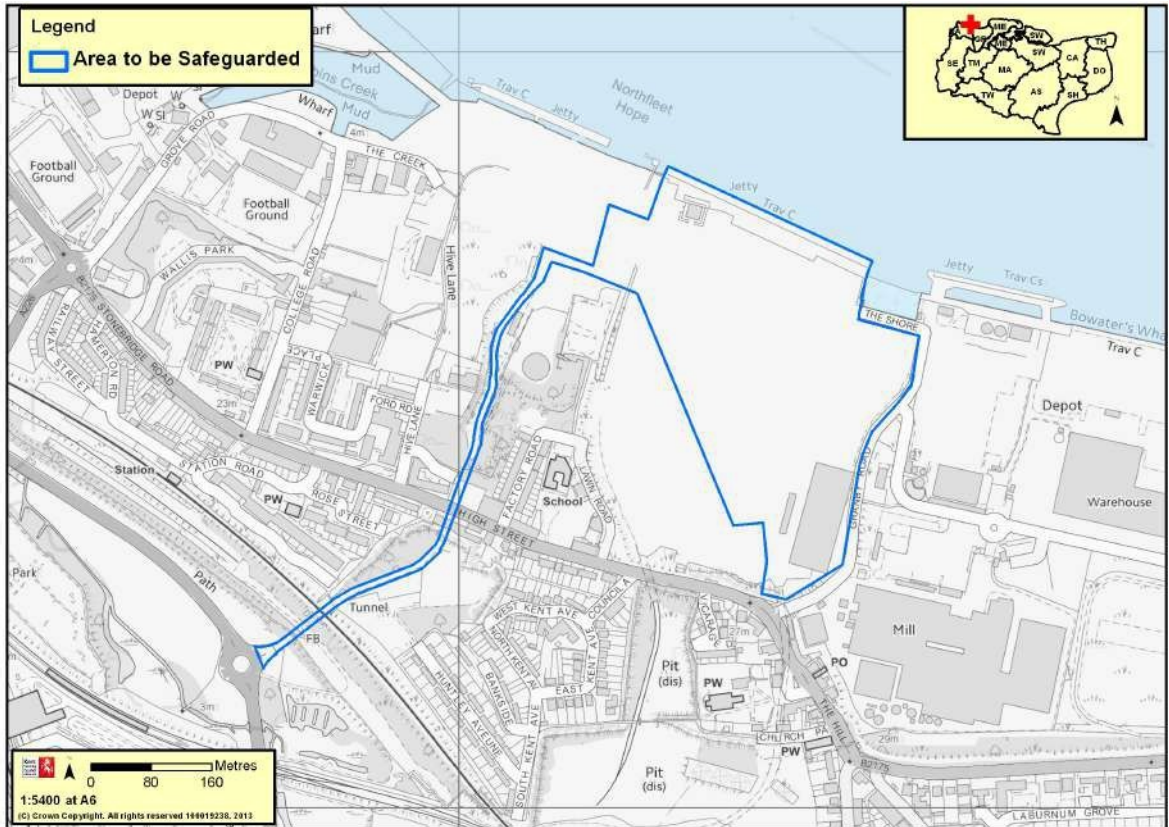
Site L: Ramsgate Port



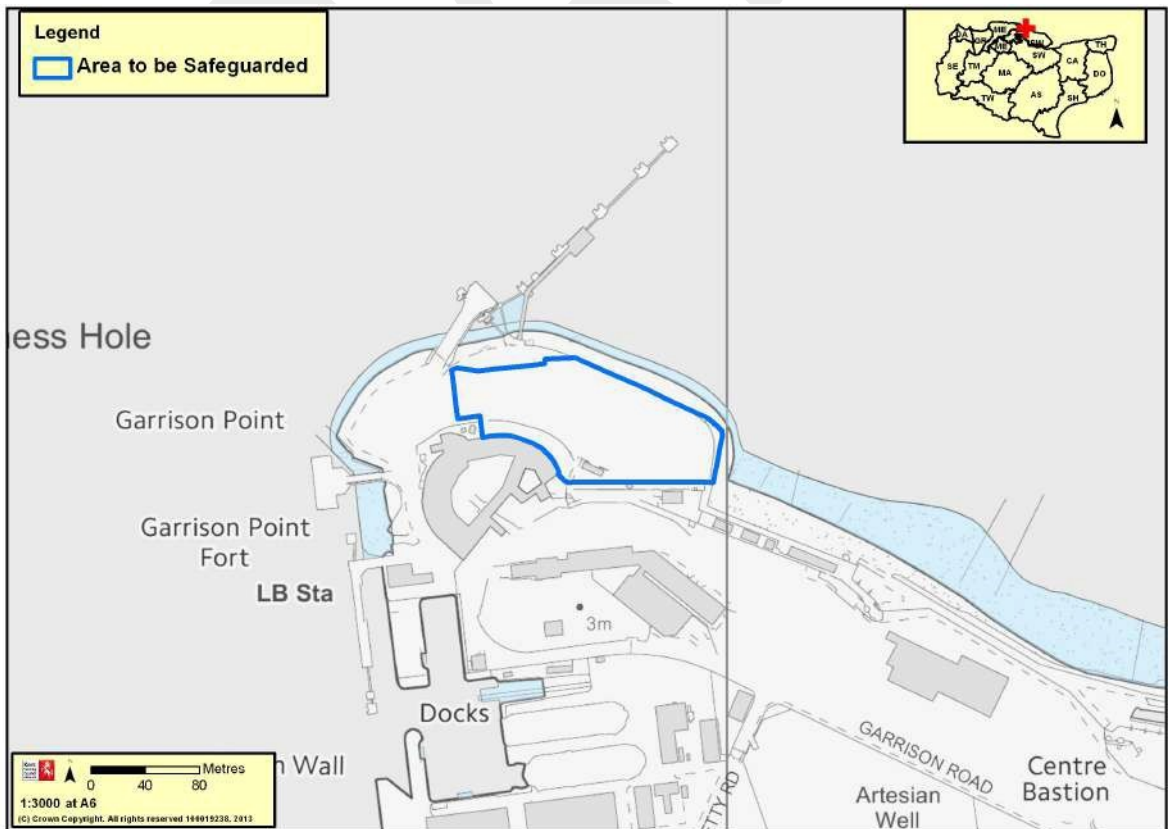
Site M: Dunkirk Jetty, Dover Western Docks



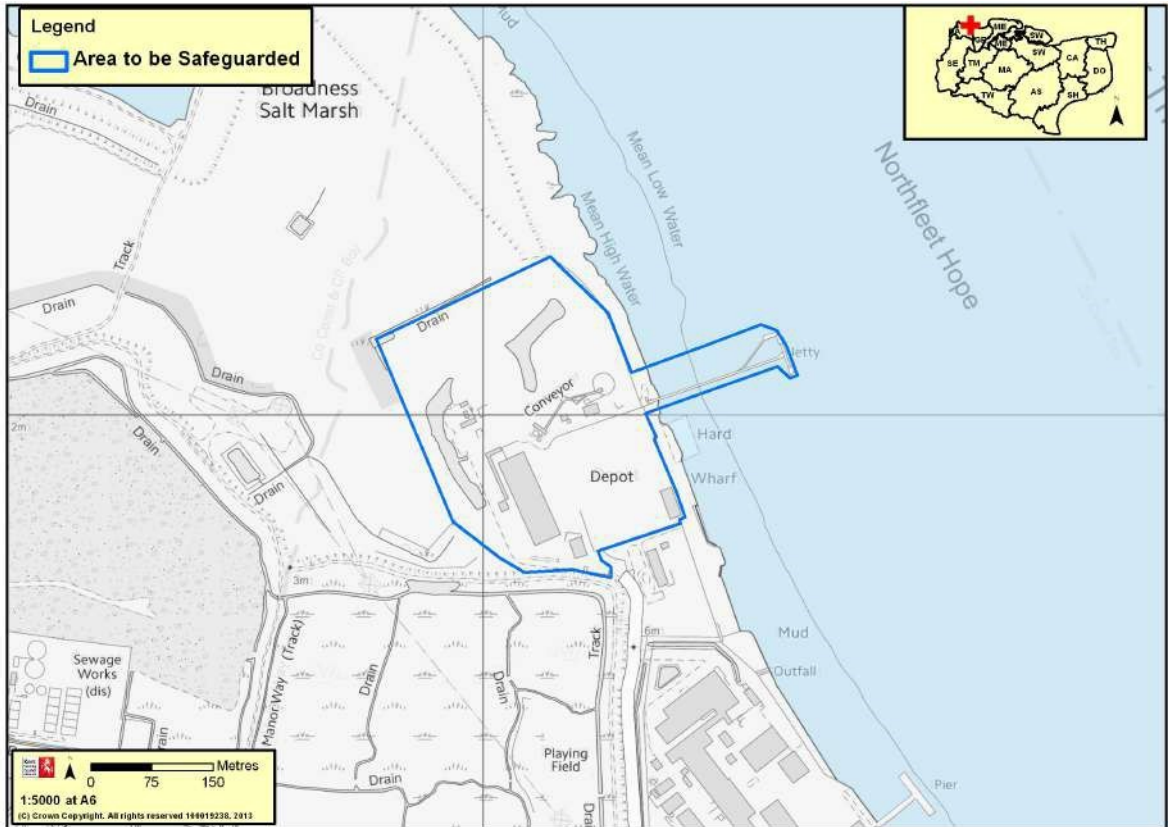
Site N: Wharf 42, Northfleet



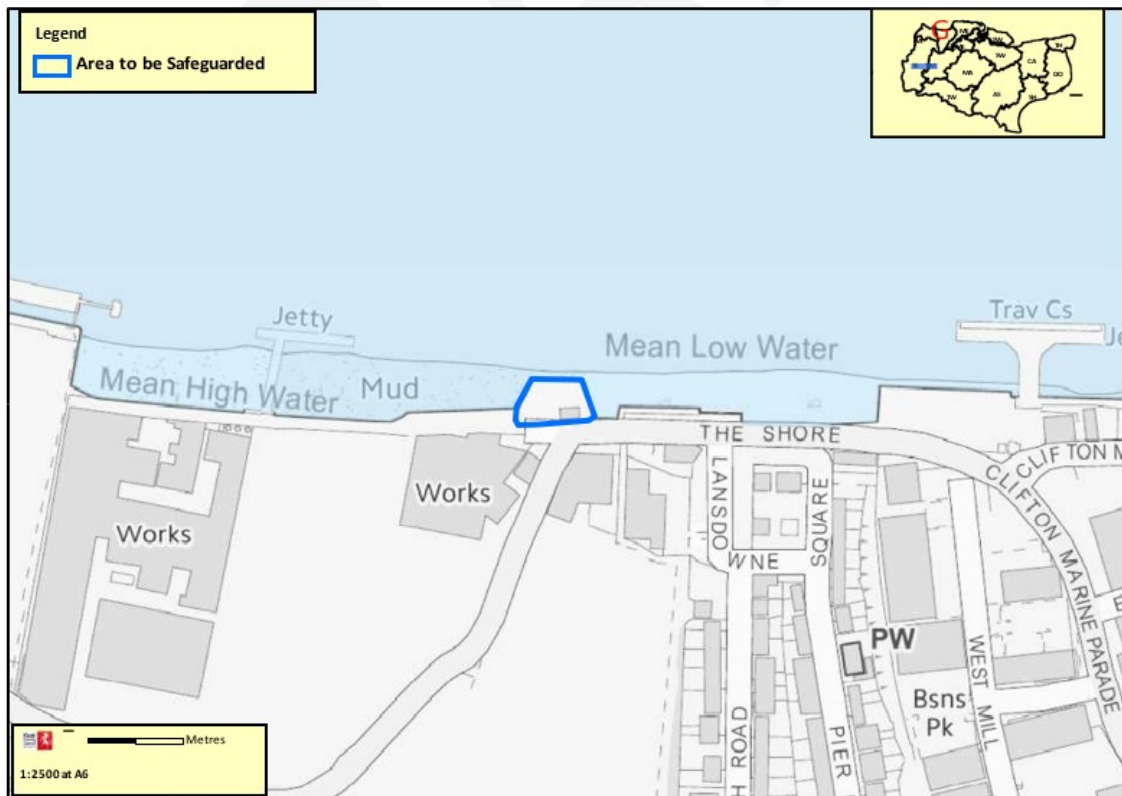
Site O: Sheerness



Site P: Northfleet Wharf



Site Q: Old Sun Wharf

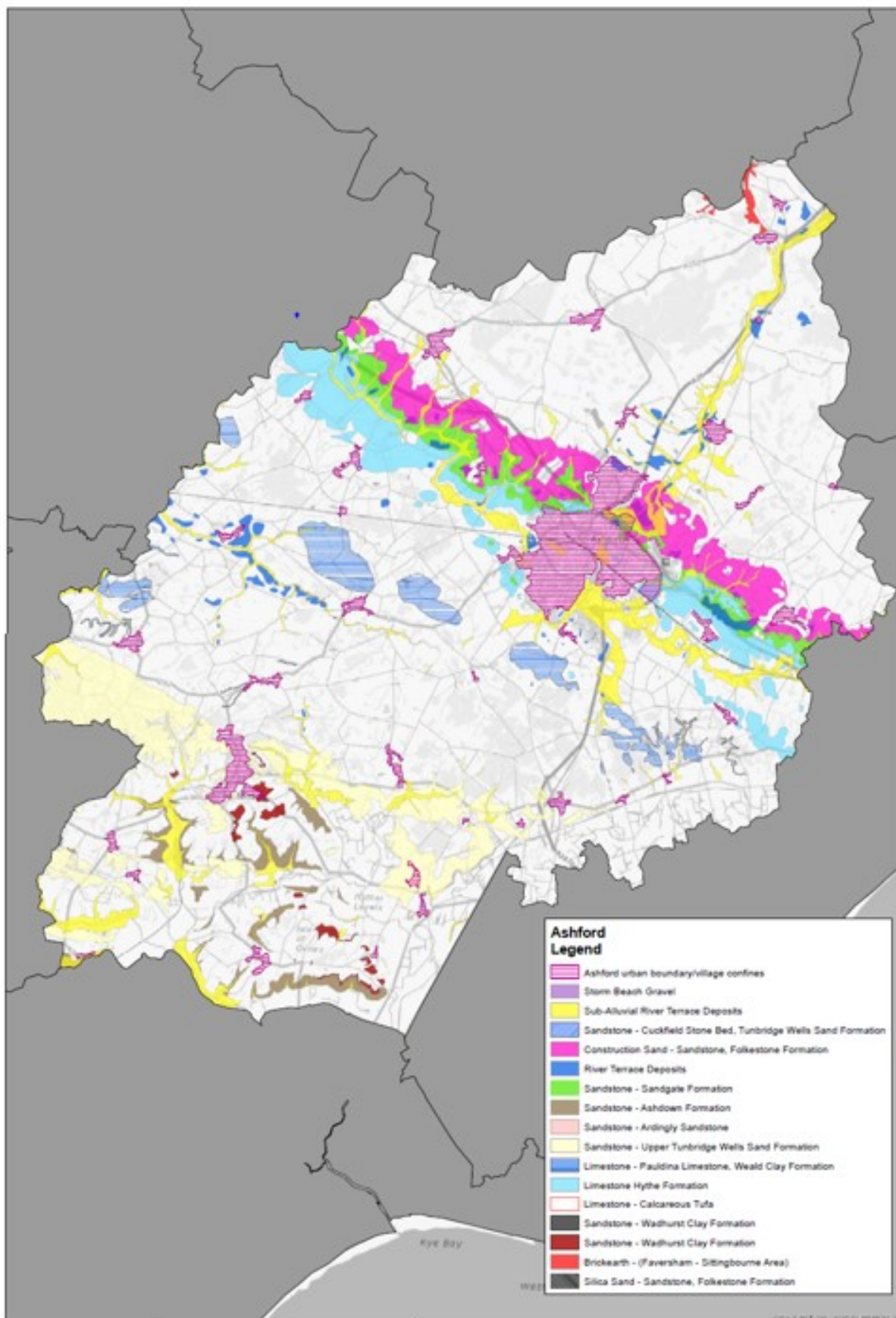


9.2 Mineral Safeguarding Areas

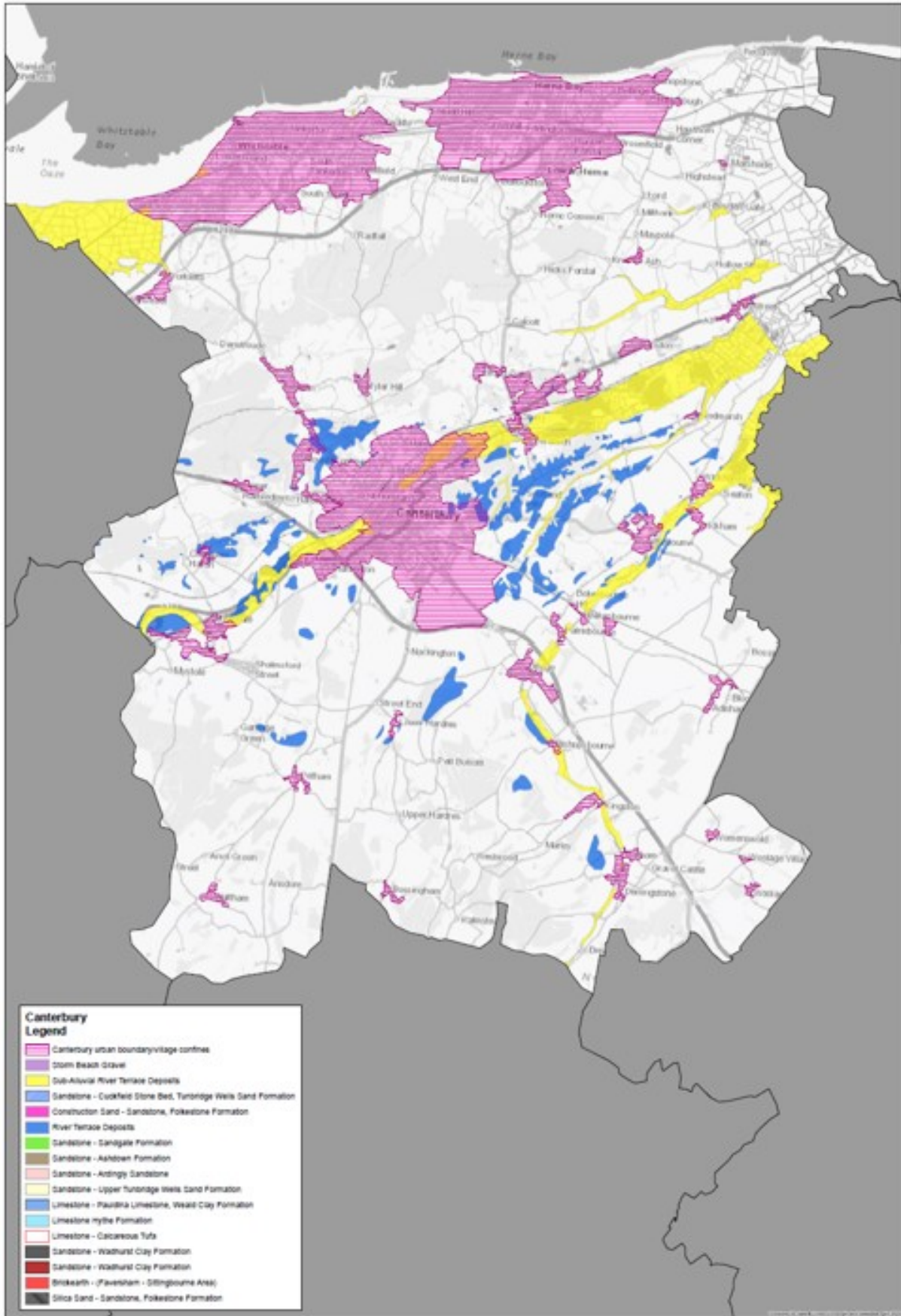
9.2.1 The following Policies Maps display the Mineral Safeguarding Areas (MSAs) in Kent. The maps cover the following authority's areas in Kent:

- Ashford Borough Council
- Canterbury City Council
- Dartford Borough Council
- Dover District Council
- Gravesham Borough Council
- Maidstone Borough Council
- Sevenoaks District Council
- Shepway District Council **(now Folkstone and Hythe District Council)**
- Swale Borough Council
- Thanet District Council
- Tonbridge & Malling Borough Council
- Tunbridge Wells Borough Council

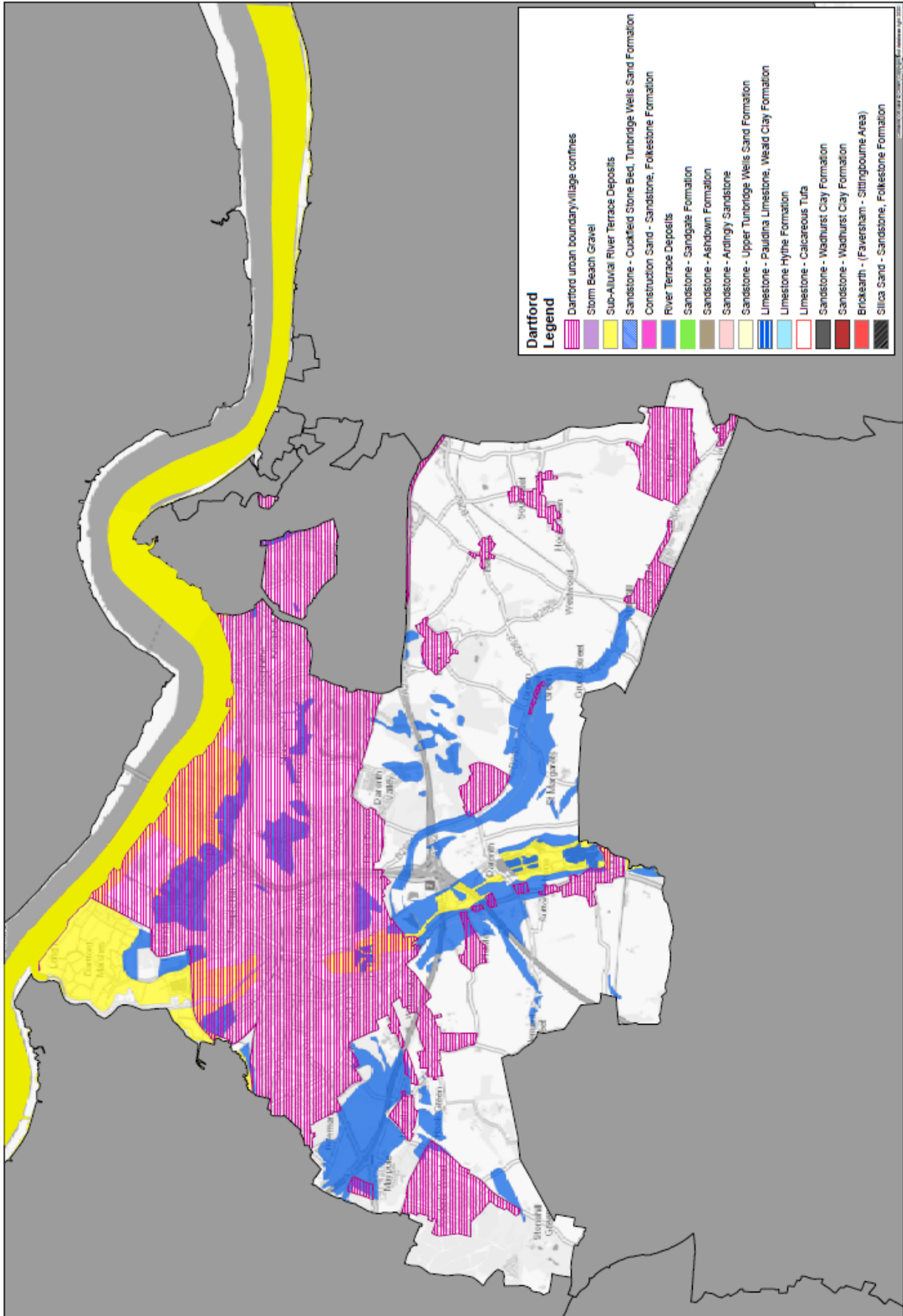
Ashford Mineral Safeguarding Areas



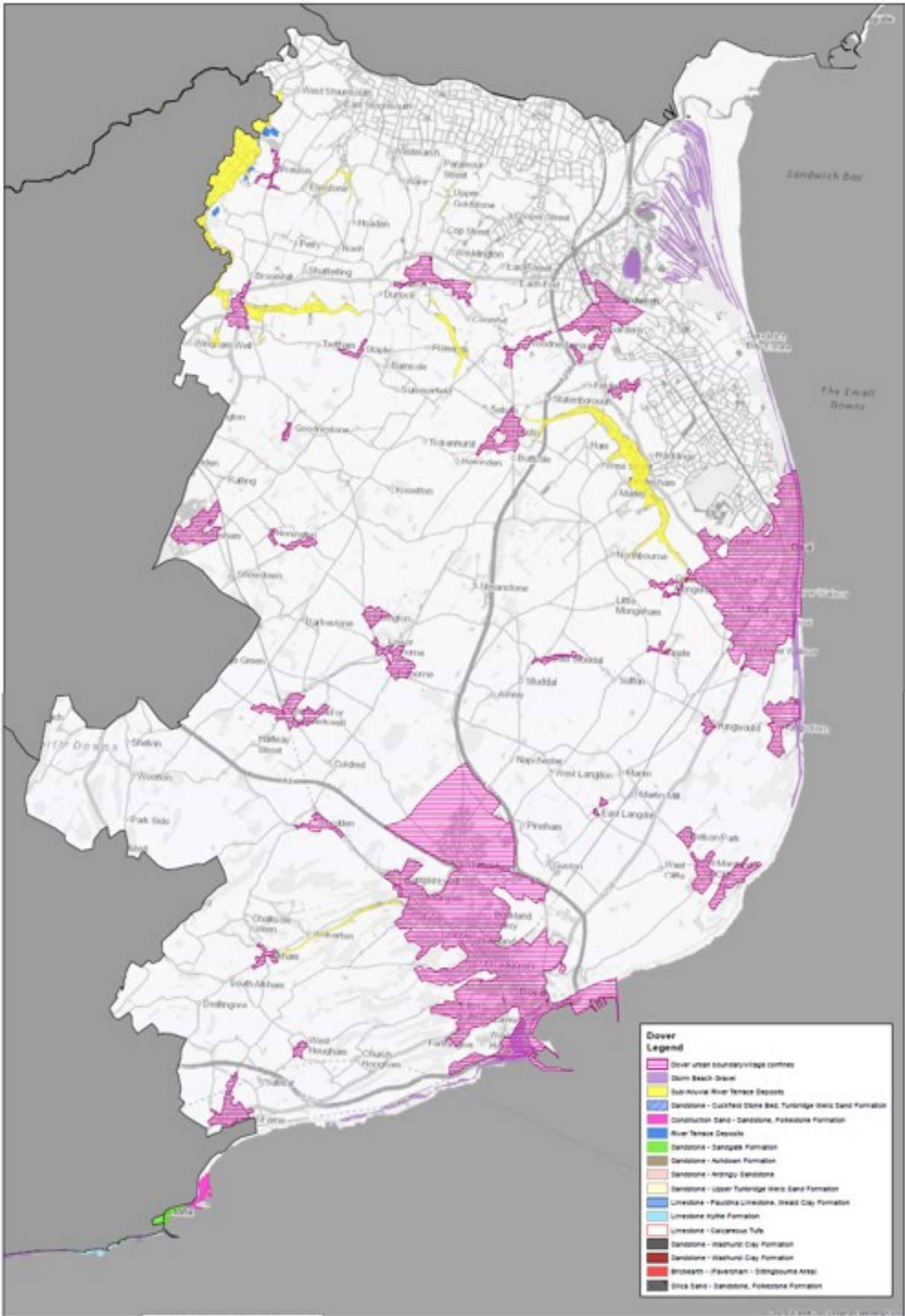
Canterbury Mineral Safeguarding Areas



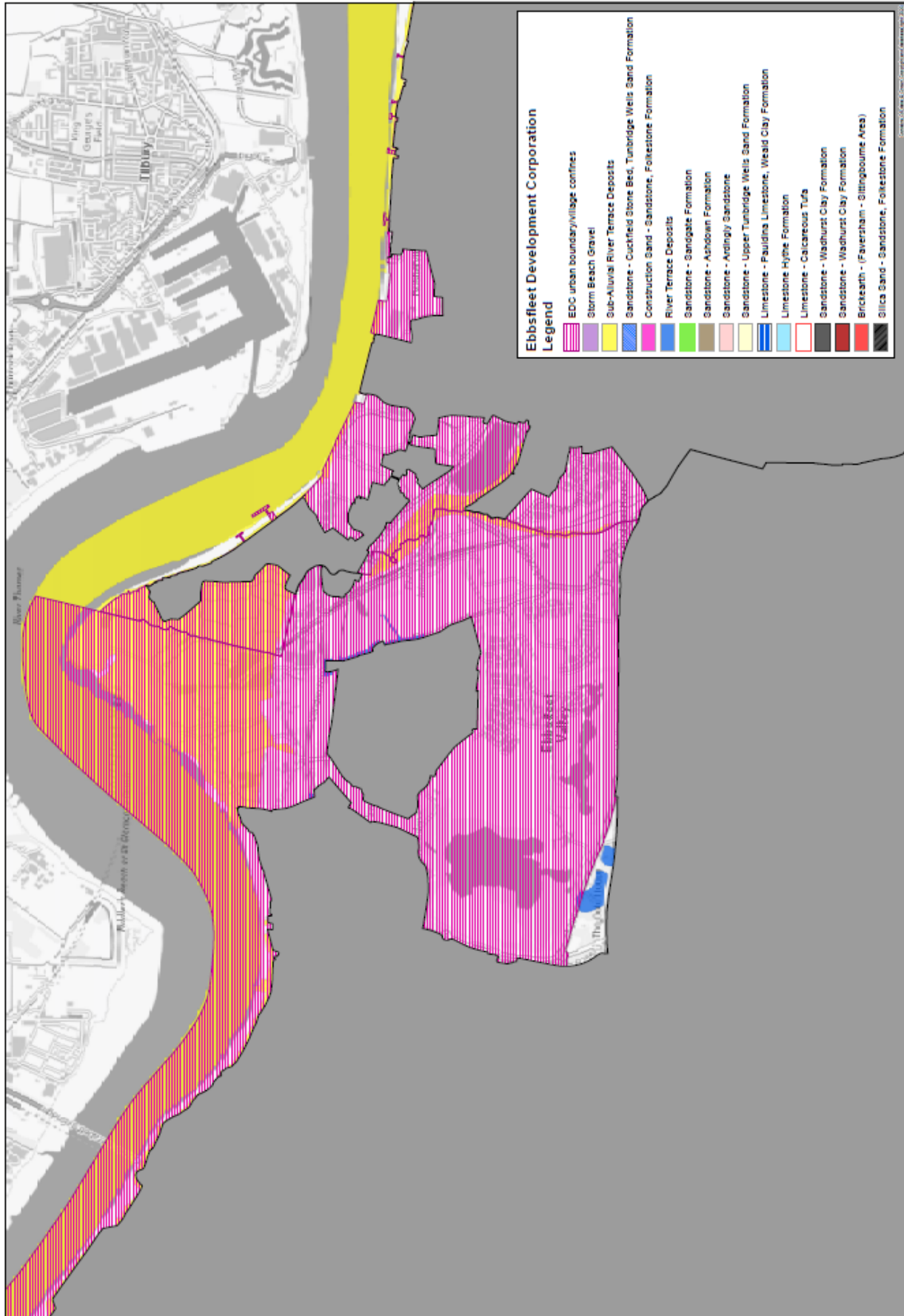
Dartford Mineral Safeguarding Areas



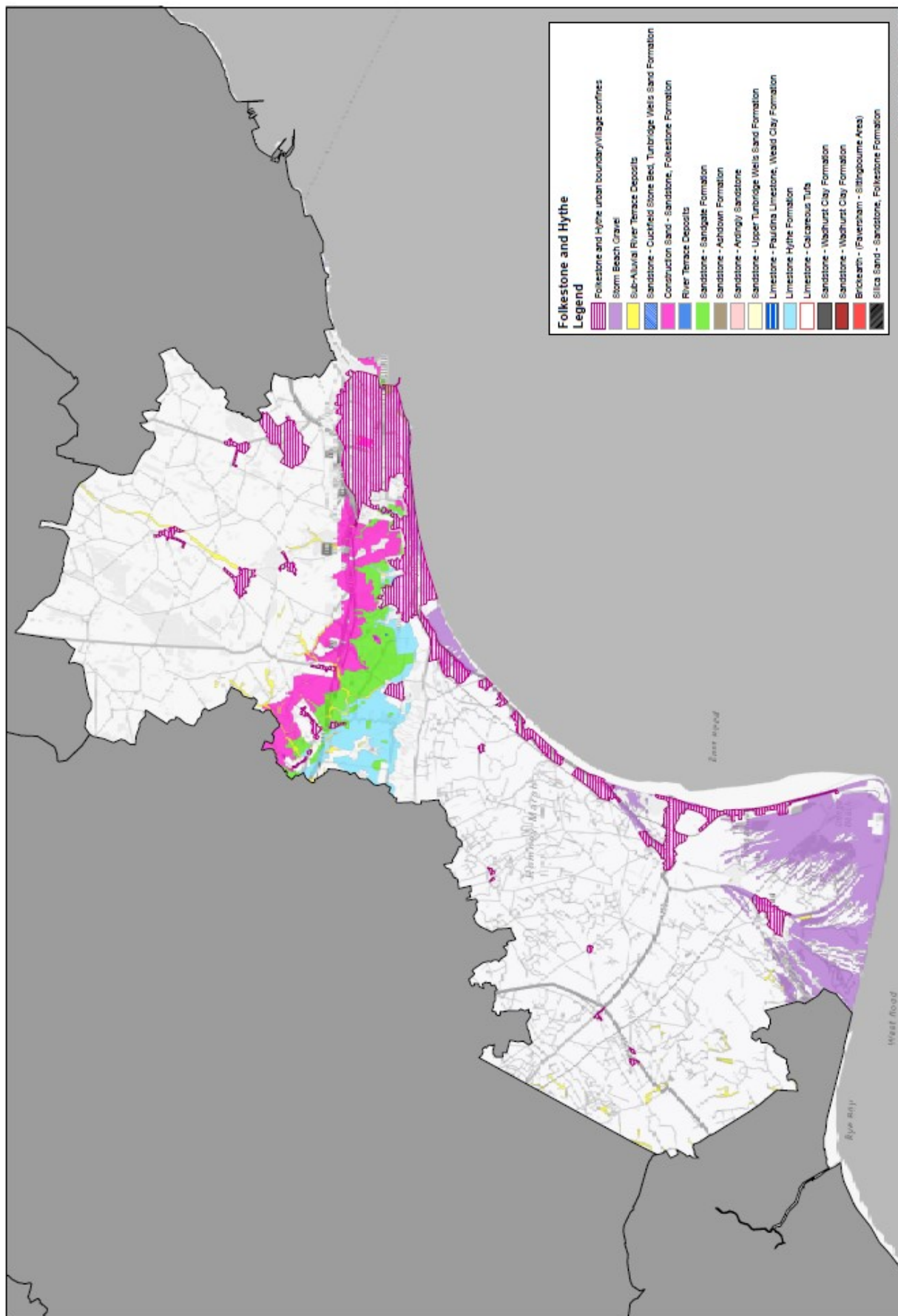
Dover Mineral Safeguarding Areas



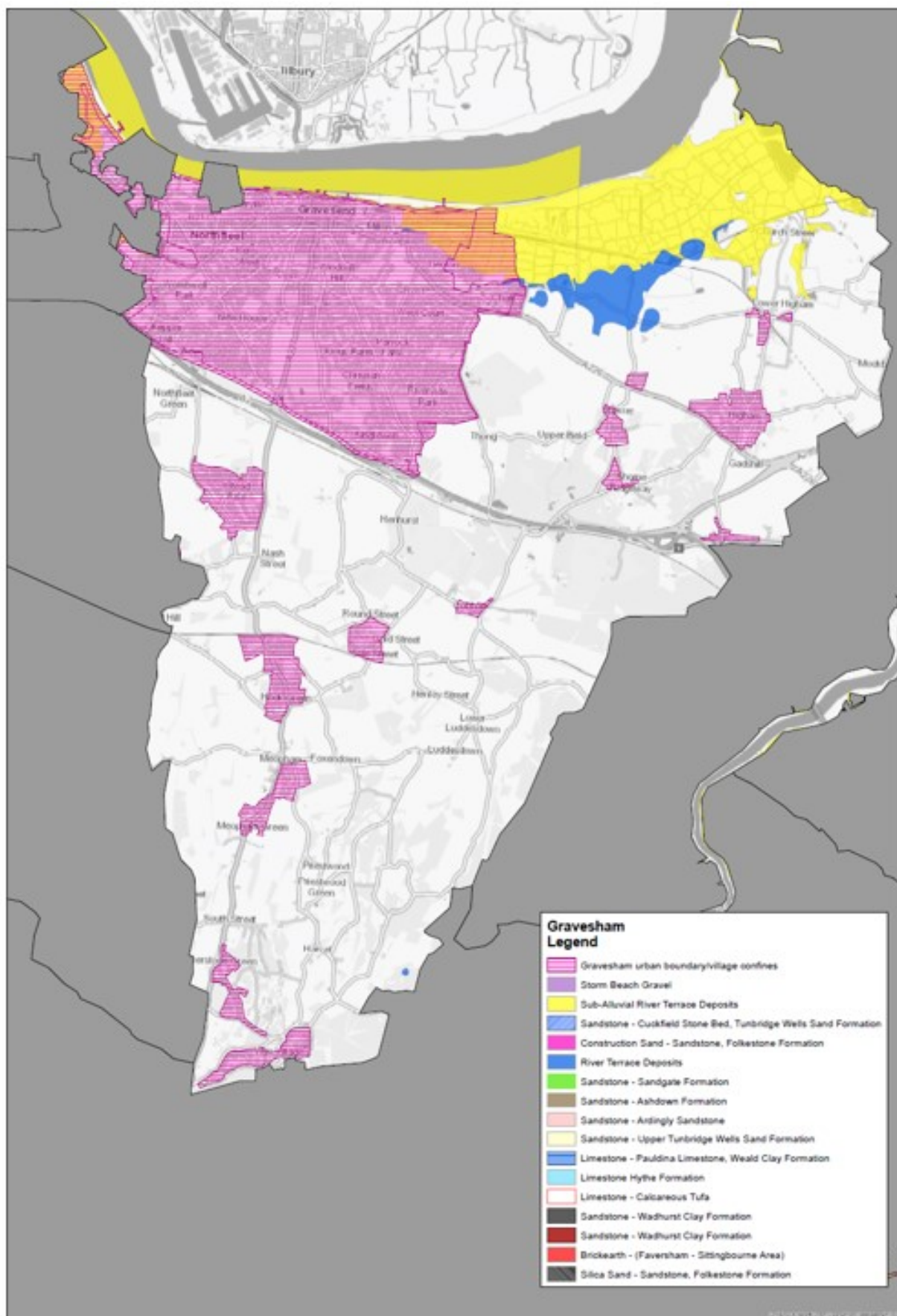
Ebbsfleet Development Corporation Mineral Safeguarding Areas



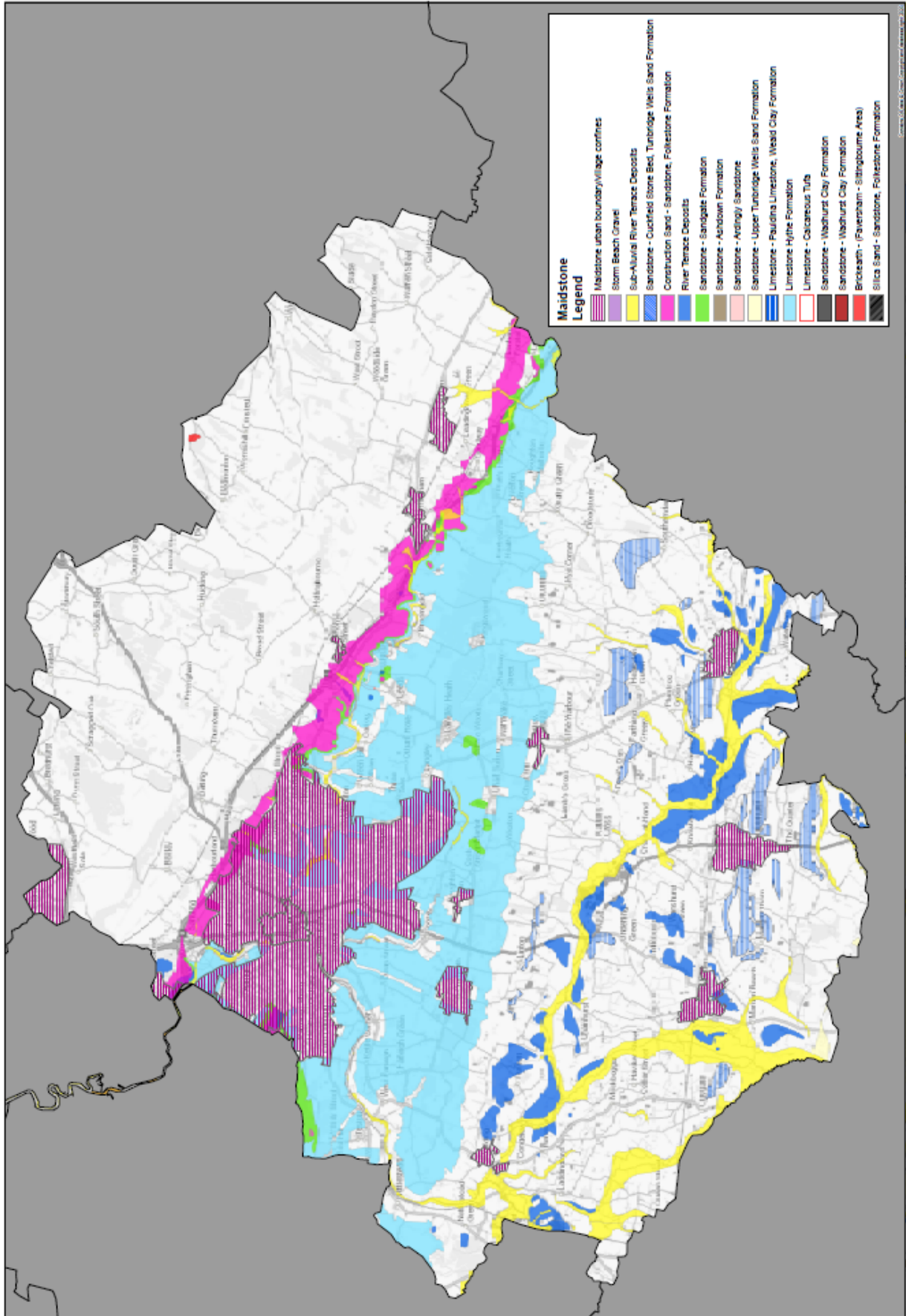
Folkestone and Hythe Mineral Safeguarding Areas



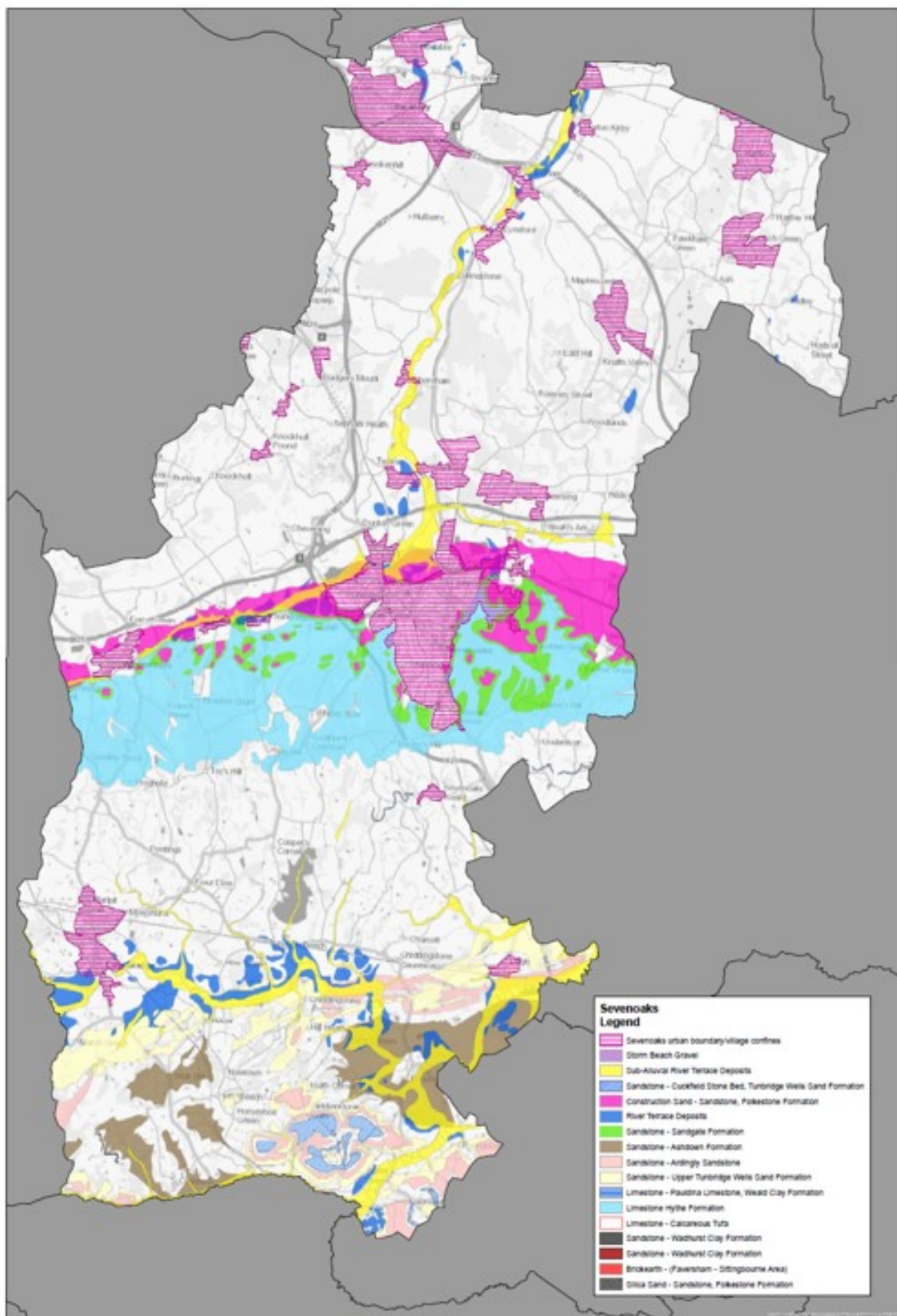
Gravesham Mineral Safeguarding Areas



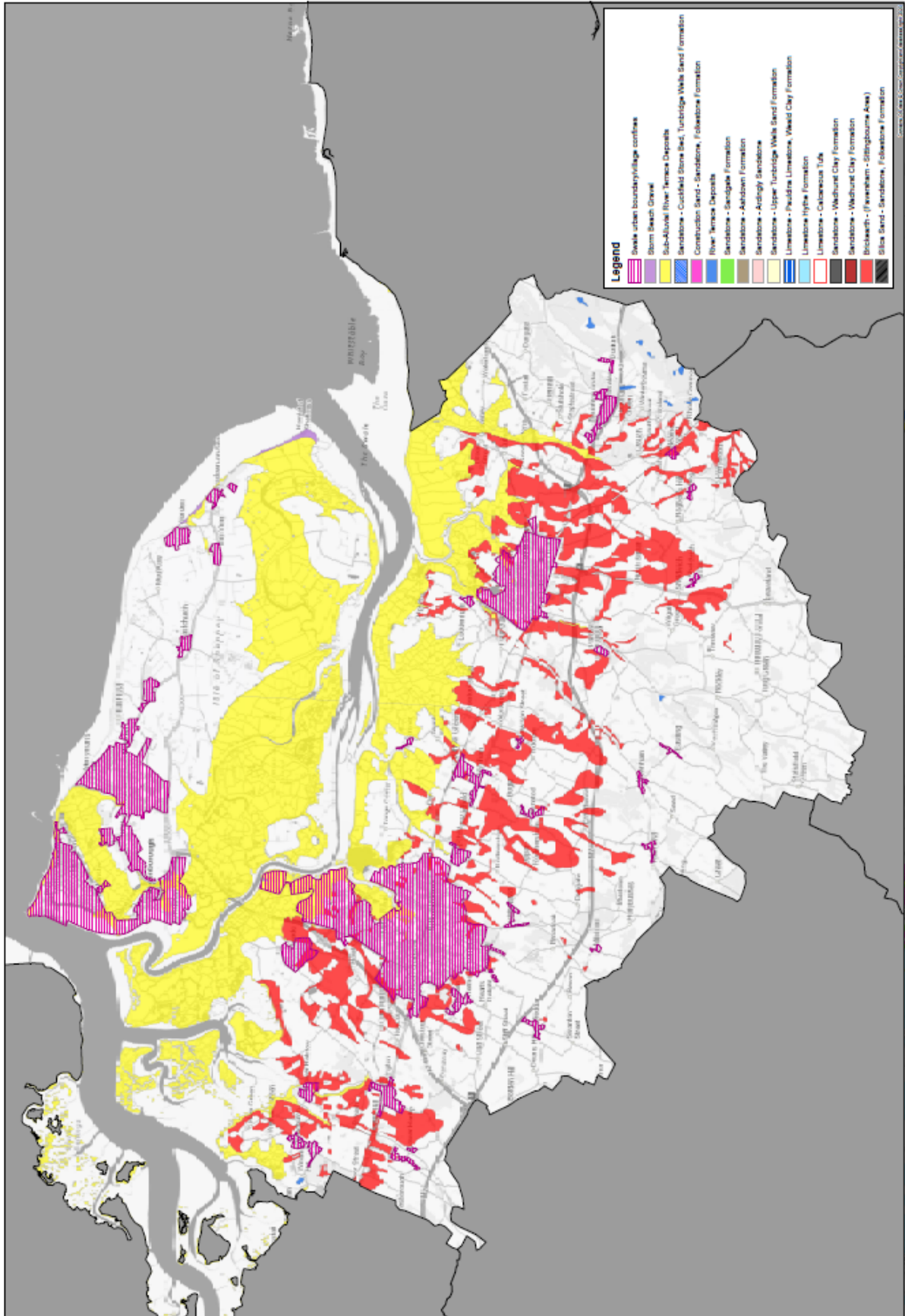
Maidstone Mineral Safeguarding Areas



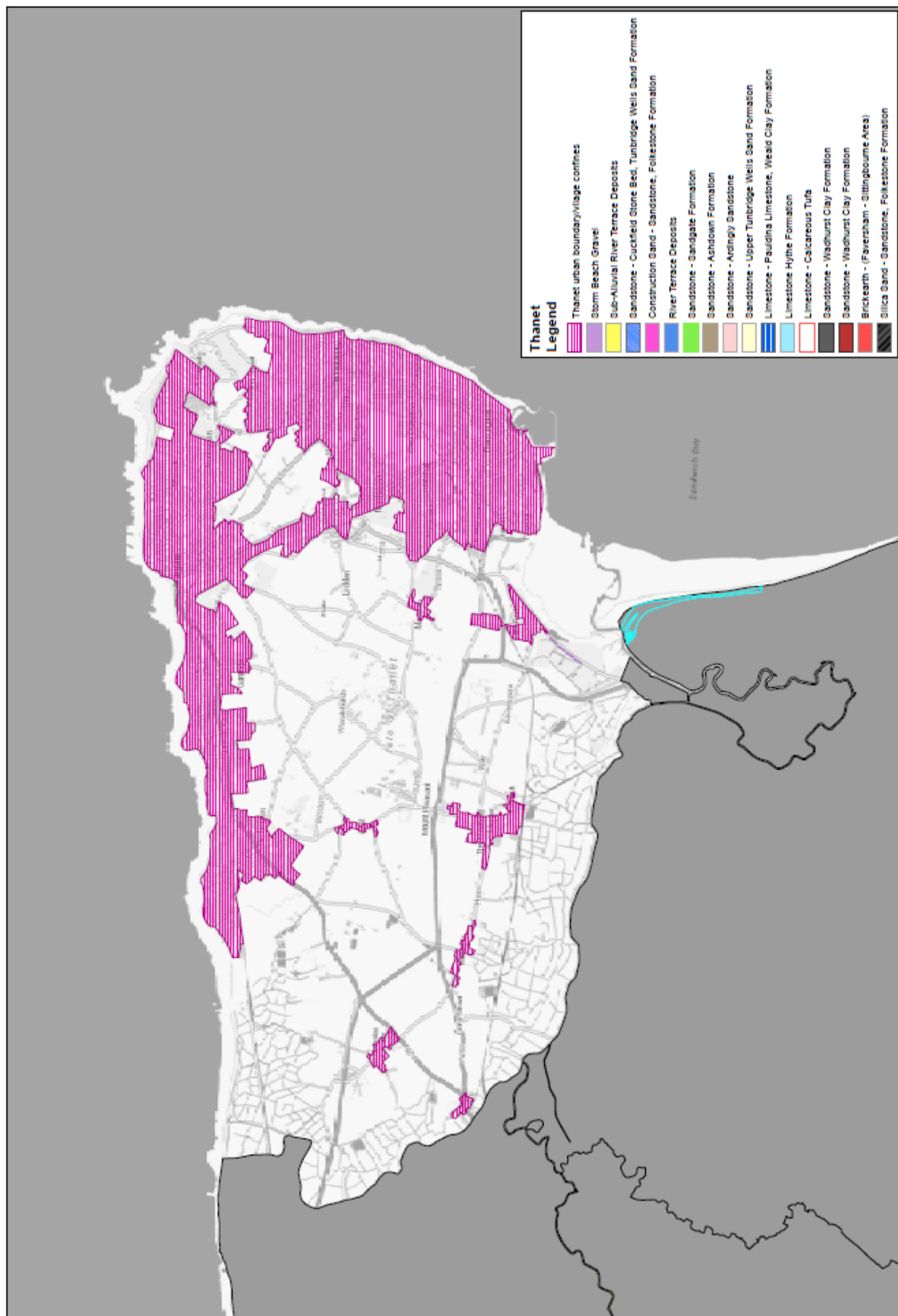
Sevenoaks Mineral Safeguarding Areas



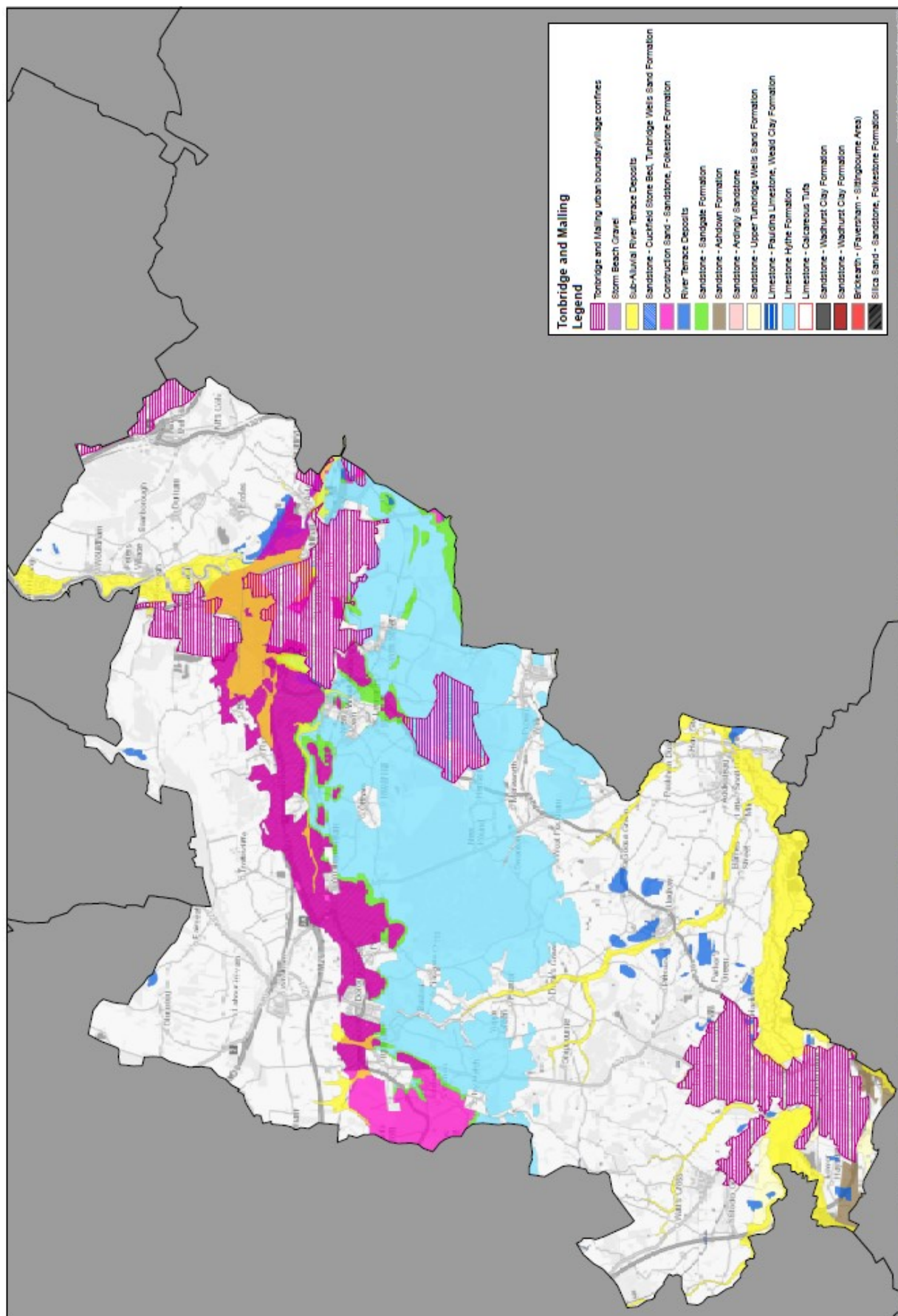
Swale Mineral Safeguarding Areas



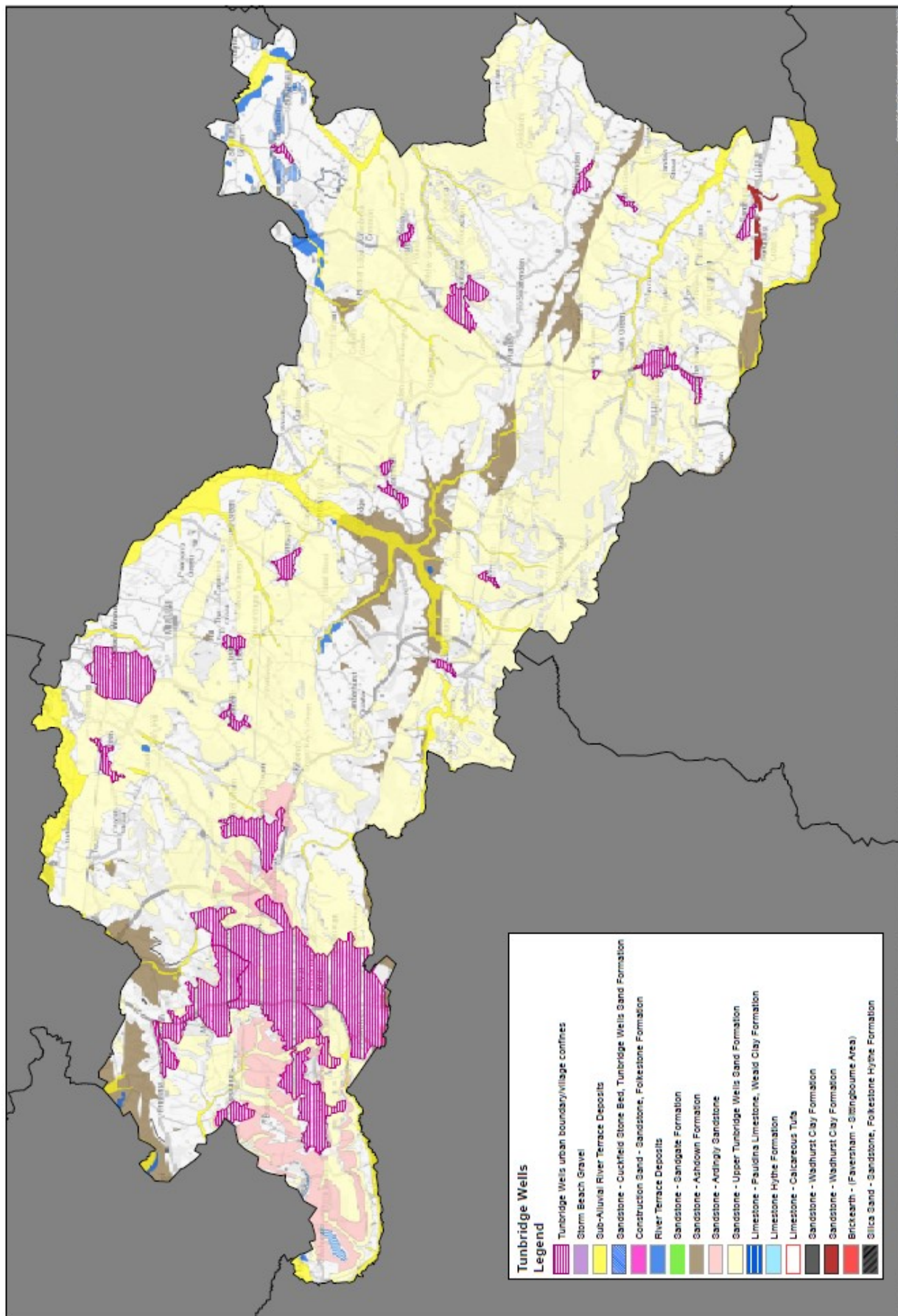
Thanet Mineral Safeguarding Areas



Tonbridge & Malling Mineral Safeguarding Areas



Tunbridge Wells Mineral Safeguarding Areas



Appendix A: Glossary

A	
Aftercare	Measures to bring land up to the required standard following restoration which enables it to be used for the intended after-use. The aftercare period normally extends for 5 years following compliance with restoration conditions but may be extended where agreed between the applicant and the minerals planning authority.
After-use	The use to which a quarry or landfill site is put following its restoration, such as forestry, agriculture, recreation or biodiversity.
<u>Agent of change</u>	<u>A developer proposing new development within an area that is of such a nature that it might be impacted by existing development or impact on that development (e.g. housing proposed within an industrial area). The 'agent of change principle' sets out a position that a person or business (i.e. the 'agent of change') introducing a new land use is responsible for managing the impact of that change.</u>
Aggregate	Inert particulate matter that is suitable for use (on its own or with the addition of cement or bituminous material) in construction as concrete, mortar, finishes, road stone, asphalt, or drainage course, or for use as constructional fill or railway ballast.
Aggregate Monitoring Survey	An annual survey undertaken by the MPAs in England to gather data on aggregate sales and reserves on behalf of the regional aggregate working parties. Each regional aggregate working party prepares an annual report which includes the results of the aggregate monitoring survey and which is submitted to the Government. The data from the aggregate monitoring survey is also used by the MPAs in their AMRs and their LAAs.
Aggregates and soils recycling	Rubble, hardcore and soil from construction and demolition projects can often be re-used on-site. Alternatively, it can be taken to purpose-built facilities for crushing, screening and re-sale. There are also temporary facilities at some quarries and landfill sites where material can be recovered for re-sale or use on-site.
Agricultural waste	This mostly covers animal slurry/by products and organic waste, but also scrap metals, plastics, batteries, oils, tyres, etc. The regulations for this waste stream have been altered meaning farmers can no longer manage all of their own waste within the farm. The agricultural waste regulations affect whether or not waste can be burnt, buried, stored, used on the farm or sent elsewhere.

Amenity	Amenity is a broad concept and is not specifically defined in Planning legislation. It is a matter of interpretation by the local planning authority and is usually understood to be the pleasant or normally satisfactory aspects of a location which contribute to its overall character and the enjoyment of residents, business users and visitors. A land-use that is not productive agriculture, forestry or industrial development. This can include formal and informal recreation and nature conservation.
Anaerobic Digestion (AD)	A natural process comprising the breakdown of organic material in the absence of air. It is carried out in an enclosed vessel and produces methane that powers an engine used to produce electricity. The useful outcomes of AD are electricity, heat, and the solid material left over called the digestate. Both the heat and the electricity can be sold if there is a market and the digestate can either be sold or used for agricultural purposes (landspread). Its use is currently small-scale and it can only be used for part of the waste stream e.g. sewage sludge, agricultural waste and some organic municipal and industrial waste.
Annual Monitoring Report (AMR)	The AMR documents progress in meeting the milestones of the adopted Minerals and Waste Development Scheme and will monitor the impact of policies when the plans are adopted. <u>The AMR is formally known in legislation as the 'Authority Monitoring Report'.</u>
Apportionment	Related to Kent's share of the regional South East Plan's waste management capacity to be provided and Kent's share of the regional SEP's aggregate provision. The regional planning function has been repealed by the <i>Localism Act 2011</i> and the Regional Plan has been substantially revoked (certain habitat conservation elements still being in force) to date.
Appraisal of hydrocarbon extraction	This phase follows exploration when the existence of oil or gas has been proven, and the operator needs further information about the extent of the deposit or its production characteristics to establish whether it can be economically exploited.
Area of Search (AoS)	Broad areas where certainty of knowledge of mineral resources may be less than in other types of site allocations. Within these areas, planning permissions could be granted to meet any shortfall in mineral supply, if suitable applications are made. AoS are no longer being used in strategic planning in Kent.
B	
Becquerel	A Becquerel is a unit of radioactivity, representing one disintegration per second.
Biodegradable waste	Any waste that is capable of undergoing natural decomposition, such as food and garden waste, paper and cardboard.
Biodiversity	The variety of all life on earth (mammals, birds, fish, invertebrates, plants etc).

Biodiversity Action Plan (BAP)	A plan that sets objectives and actions for the conservation of biodiversity, with measurable targets.
Biodiversity Net Gain (BNG)	<u>Biodiversity net gain is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand.</u>
<u>Biodiversity Opportunity Areas (BOAs)</u>	<u>The BOAs show where the greatest gains can be made from habitat enhancement, restoration and recreation, as these areas offer the best opportunities for establishing or contributing to large habitat areas and/or networks of wildlife habitats.</u>
<u>Blue Infrastructure</u>	<u>Urban water infrastructure such as ponds, lakes, streams, rivers and storm water provision.</u>
Brownfield site	Site previously used for or affected by development. It may be abandoned or in a derelict condition.
Buffer zone	A zone or area that separates minerals and/or waste management facilities from other land-uses to safeguard local amenity.
Building sand or soft sand	A naturally formed deposit where the sand grains are rounded in shape. The individual grains tend towards being equidimensional and the particle size variation is low. When soft sands are mixed with cement the mixture (called mortar) can be easily smoothed by hand to facilitate brick and block laying in construction.
C	
Call for sites	The call for sites is an early opportunity for individuals and organisations to suggest sites within the administrative area of a local planning authority which could be identified for development in a local plan. The call for sites exercise does not in itself determine whether a site should be allocated for development. This is determined by the local planning authority and the sites promoted in the call for sites exercise have no status until they are identified in an adopted local plan.
Certificate of Lawful Use	This is also known as a Lawful Development Certificate. These certificates exist in two forms: <ol style="list-style-type: none"> 1. a determination by a local planning authority as to whether an unauthorised development or use has become lawful through the passage of time, and can be continued without the need for planning permission 2. 3. a determination by a local planning authority as to whether a proposed use or building can occur or be built without the need for planning permission
<u>Circular Economy</u>	<u>The circular economy is a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products for as long as possible. In this way, the</u>

	<u>lifecycle of products is extended. In practice, it implies reducing waste to a minimum. In a circular economy, when a product reaches the end of its life, its materials are kept within the economy wherever possible. These can be productively used again and again, thereby creating further value.</u>
Combined Heat and Power	A technology producing power (electricity) while capturing the usable heat produced in the process.
Commercial waste	Waste from premises used mainly for trade, business, sport, recreation or entertainment, as defined under Section 5.75(7) of the <i>Environmental Protection Act 1990</i> . For example, it is likely to include timber, metal, paints, textiles, chemicals, oils and food waste, as well as paper, card, plastic and glass.
Composting	The breakdown of plant matter by the action of micro-organisms and other organisms into usable end-products. It is an important method of processing organic waste because it reduces the amount of potentially polluting waste going to landfill or incineration.
Conformity	In conformity means being in compliance.
Construction waste (also see demolition and excavation waste)	Unwanted material arising from construction and demolition and excavation projects. It includes vegetation and soils from land clearance and excavation , discarded materials and off-cuts from building sites, road schemes and landscaping projects. It is mostly made up of inert materials such as stone, concrete, rubble and soils but may include timber, metal and glass.
Critical load or Level	Critical load or level as the threshold below which emissions from a facility or changes in road emissions can be considered to be sufficiently small as to be essentially trivial whether alone or in combination with other projects and plans.
D	
Degradable or putrescible waste	This is also called non-hazardous waste. This is a waste that will biodegrade or decompose, releasing environmental pollutants. For example this includes wood and wood products, paper, plasterboard, cardboard, vegetable matter, food processing wastes and vegetation.
Demolition waste	This is also called construction waste. This is a waste arising from any development, redevelopment, or demolition of existing schemes. It includes vegetation and soils from land clearance, discarded materials and off-cuts from building sites, road schemes and landscaping projects. It is mostly made up of stone, concrete, rubble and soils but may include timber, metal and glass.
Development Plan	The Kent MWLP forms part of the statutory Development Plan for Kent together with the adopted local plans prepared by the Kent district planning authorities. The development plan has statutory status as the starting point for decision making. Section 38(6) of the <i>Planning and Compulsory Purchase Act 2004</i> and Section 70(2) of the <i>TCPA 1990</i> require that planning applications should be determined in accordance with the development plan unless material

	considerations indicate otherwise.
E	
Energy from Waste (EfW)	The use of waste to generate energy (power and/or heat) or produce a gas that can be used as a fuel including the processing of waste to produce a fuel suitable for use in such plants.
Environmental Impact Assessment (EIA)	The process by which the impact on the environment of a proposed development can be assessed. Certain types and scale of waste proposals will require an Environmental Statement (ES) to be prepared. <i>The Town and Country Planning (Environmental Impact Assessment) Regulations 2011</i> (as amended) and the <i>Planning Practice Guidance on Environmental Impact Assessment</i> set out the circumstances when planning applications will be required to be accompanied by an EIA. The information contained in the EIA will be taken into account when local planning authorities determine such proposals.
European Sites	<p>These are defined by Regulation 8 of the <i>Habitat Regulations 2010</i> and originate from a list of designated areas produced by the European Community which can be amended. These include fully designated Special Areas of Conservation (SAC) and Sites of Community Importance (SCIs). Also included in the list of such sites are: sites hosting a priority habitat or species during the period in which the EC is consulting the UK Government as to its inclusion in the list of SCIs and pending a decision of the Council of the EU as to its inclusion, classified Special Protection Areas (SPAs), sites submitted by the UK government or the EC as eligible for identification as an SCI until such time as it is placed on the list of SCIs (usually referred to as candidate SACs).</p> <p>In England, as a matter of Government policy, the following sites should be given the same protection as statutory European Sites: a potential SPA, a possible or proposed SAC, a listed or a proposed Ramsar site, and sites identified or required as compensatory measures for adverse effects on (statutory) European Sites, SPAs, SAC and listed or proposed Ramsar sites.</p>
Examination in Public	The process in which all local plans are subject to an independent examination by a planning inspector before they can be adopted.
Exempt sites	Sites of small-scale waste management activities that do not require a licence or permit from the Environment Agency. They still require planning permission before they can operate and are subject to general rules (e.g. types and quantities of waste).
Exploratory phase of hydrocarbon extraction	The exploratory phase seeks to acquire geological data to establish whether hydrocarbons are present. It may involve seismic surveys, exploratory drilling and in the case of shale gas, (possibly) hydraulic fracturing.
F	Page 284

Flood Risk Zone 3b	Land that has a 3.3% or greater annual probability of flooding.
G	
Gasification	A technology that converts carbon containing material into gas (mostly methane). The gas can either be used as a substitute for natural gas or used to power electricity generation.
Geodiversity	The variety of rocks, minerals, fossils, soils and landforms, together with the natural processes that shape the landscape.
Geological Disposal Facility (GDF)	This is a secure facility which the Government is working towards finding a location for and which will be used for either the long-term storage or disposal of higher-activity radioactive wastes. Site selection is a process to determine sites where the geological conditions are suitable to contain the wastes and to find a site where the local community are in agreement with the development of a GDF.
Geomorphological	The scientific study of landforms and the processes that shape them.
Gigabecquerel	A becquerel is a unit of radioactivity, representing one disintegration per second. A gigabecquerel is 1,000 becquerels.
Green Infrastructure	Green infrastructure assets include open spaces such as parks and gardens, allotments, woodlands, fields, hedges, lakes, ponds, playing fields, coastal habitats, as well as footpaths, cycleways or rivers.
Greenhouse gas	Gases such as carbon dioxide and methane which when their atmospheric concentrations exceed certain levels can contribute to climate change by forming a barrier in the earth's atmosphere that traps the sun's heat.
Gross Value Added (GVA)	A measure of output i.e. the value of the goods and services produced in the economy. It is primarily used to monitor the performance of the national economy and is now the measure preferred by the Office for National Statistics to measure the overall economic wellbeing of an area. While the Gross Domestic Product and the GVA are both measures of value, the GVA excludes taxes and subsidies.
Groundwater	Water contained within underground strata (aquifers) of various types across the country. Groundwater is usually of high quality and often requires little treatment prior to use. It is however vulnerable to contamination from pollutants. Aquifer remediation is difficult, prolonged and expensive and therefore the prevention of pollution is important.
H	
Habitats Site	<u>Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.</u>
Hazardous waste	Controlled waste that is dangerous or difficult to treat, keep, store or dispose of, so that special provision is required for

	dealing with it. Hazardous wastes are the more dangerous wastes and include toxic wastes, acids, alkaline solutions, asbestos, fluorescent tubes, batteries, oil, fly ash (flue ash), industrial solvents, oily sludges, pesticides, pharmaceutical compounds, photographic chemicals, waste oils, wood preservatives. If improperly handled, treated or disposed of, a waste that, by virtue of its composition, carries the risk of death, injury or impairment of health, to humans or animals, the pollution of waters, or could have an unacceptable environmental impact. It should be used only to describe wastes that contain sufficient of these materials to render the waste as a whole hazardous within the definition given above.
Heritage assets	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets includes designated heritage assets and assets identified by the local planning authority (including local listing).
Heritage Coast	Areas of undeveloped coastline that are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.
High Level Wastes (HLW)	One of four broad categories of radioactive waste, HLW are wastes in which the temperature may rise significantly as a result of their radioactivity, so that this factor has to be considered in designing storage and disposal facilities.
Household waste	This falls within the category of is also known as Municipal Solid Waste (MSW). This is a waste from a domestic property, caravan, residential home or from premises forming part of a university or school or other educational establishment and premises forming part of a hospital or nursing home. Household waste collected by a local authority is known as 'Local Authority Collected Waste'.
I	
Impact pathways	In carrying out a Habitat Regulations Assessment it is important to determine the various ways in which land-use plans can impact on Habitat European Sites by following the pathways along which development can be connected with Habitat European Sites. Impact pathways are routes by which a change in activity associated with a development can lead to an effect upon a Habitat European Site.
Imported minerals	Minerals imported through wharves and rail depots. In Kent this includes Marine Dredged Aggregates, crushed rock, sand and gravel, secondary aggregates and cement.
Industrial waste	Waste from any of the following premises: factory, provision of transport services (land, water and air), purpose of connection of the supply of gas, water, electricity, provision of sewerage services, provision of postal or telecommunication services.
Inert waste	Waste that will not biodegrade or decompose (or will only do so at a very slow rate). Types of materials include uncontaminated topsoil, subsoil, clay, sand, brickwork, stone, silica and glass

Intermediate Level Wastes (ILW)	One of four broad categories of radioactive waste, ILW are wastes with radioactivity levels exceeding the upper boundaries of LLW that are retrieved and processed to make them passively safe and then stored pending the availability of the GDF.
L	
Landbank	A stock of mineral reserves with planning permission for their winning and working.
Landfill	The deposition of waste onto hollow or void space in the land, usually below the level of the surrounding land or original ground level in such a way that pollution or harm to the environment is prevented. Former mineral workings have historically been used for this purpose.
Landfill gas	A by-product from the digestion by anaerobic bacteria (rotting) of biodegradable matter present in waste deposited on landfilled sites. The gas is predominantly methane together with carbon dioxide and trace concentrations of a range of other vapours and gases.
Land-won minerals	Mineral extracted from a quarry situated on the mainland, as opposed to off-shore mineral supplies such as MDAs.
Life Cycle Assessment (LCA)	A methodology for assessing environmental impacts associated with all the stages of the life cycle of a commercial product, process, or service.
Local Aggregate Assessment (LAA)	A public report prepared annually by MPAs to gather together up-to-date information on aggregate sales and reserves from land-won sources together with data on secondary and recycled aggregates and mineral imports.
Local Development Scheme	The timetable for the preparation of the local plans.
Local Geological Sites	Any geological or geomorphological sites, excluding SSSIs, that are considered worthy of protection for their educational, research, historical or aesthetic importance. They are broadly analogous to non-statutory wildlife sites and are often referred to locally by the same name. They can include important teaching sites, wildlife trust reserves, LNRs and a wide range of other sites. They are not regarded as inferior to SSSIs but as sites of regional importance in their own right.
<u>Local Nature Recovery Strategy</u>	<u>The Local Nature Recovery Strategy (LNRS) are a requirement of the Environment Act and are expected to supersede Biodiversity Opportunity Areas (BOAs). They will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. At the time of writing (August 2022), the secondary legislation and statutory guidance relating to LNRS that will provide the detail and instruct the commencement of their development is awaited.</u>

Local Plan	A Local Plan is a Development Plan Document that includes planning policies for a local area. A Local Plan forms part of the Development Plan for an Area.
Low-carbon Economy (LCE) or low-fossil-fuel economy	An economy that has a minimal output of greenhouse gas emissions into the biosphere, but specifically refers to the greenhouse gas carbon dioxide.
Low Level Radioactive Waste (LLW)	One of four broad categories of radioactive waste that reflect the degree of radioactivity and hazard. LLW does not normally require shielding during handling or transport. It consists largely of paper, plastics and scrap metal items that have been used in hospitals, research establishments and the nuclear industry.
M	
Marine Conservation Zone (MCZ)	Marine Conservation Zones are areas that protect a range of nationally important, rare or threatened habitats and species.
Marine Dredged Aggregates (MDA)	Aggregates excavated from the seabed, as opposed to aggregate minerals extracted from the earth on the mainland.
Materials Recovery Facility	A facility where waste can be taken in bulk for separation, recycling or recovery of waste materials. This is usually Municipal Solid Waste, but some sites take Commercial & Industrial waste. Some may also take Construction and Demolition waste to be crushed and screened.
Methane	A colourless, odourless, flammable gas, formed during the decomposition of biodegradable waste.
Mineral Consultation Area (MCA)	An area identified in order to ensure consultation between the relevant local planning authority and the MPA before certain non-mineral planning applications made within the area are determined.
Mineral resources	Natural concentrations of minerals or bodies of rock that are, or may become, of potential economic interest due to their inherent properties.
Mineral Safeguarded Area (MSA)	Known areas of mineral resources that are of sufficient economic value to warrant protection for generations to come. There is no presumption that any areas within an MSA will ultimately be environmentally acceptable for mineral extraction. The purpose of MSAs is not to automatically preclude other forms of development, but to make sure that mineral reserves are considered in land-use planning decisions.

Municipal Solid Waste (MSW)	Waste collected and disposed of by or on behalf of a local authority. It will generally consist of household waste, some commercial waste, and waste taken to Household Waste Recycling Centres (HWRCs) by the general public. In addition, it may include road and pavement sweepings, gully emptying wastes, and some construction and demolition waste arising from local authority activities. It is typically made up of card, paper, plastic, glass, kitchen and garden waste. <u>In this Plan the term Municipal Solid Waste has largely been replaced by the term Local Authority Collected Waste.</u>
N	
Natura 2000 Sites	All EU member states are required to create a network of protected wildlife areas, known as Natura 2000 Sites, consisting of SACs and SPAs, established to protect wild birds under the European Birds Directive. These sites are part of a range of measures aimed at conserving important or threatened habitats and species. In the UK <u>SACs and Special Protection Areas (SPAs) no longer form part of the EU's Natura 2000 ecological network</u> they are also known as European Sites.
Natural Improvement Areas (NIAs)	Areas designated for creating more and better-connected habitats, recreational opportunities, flood protection, cleaner water and carbon storage as well as uniting local stakeholders.
<u>Net planning benefit</u>	<u>The genuine improvement of a site or area, for example, because adverse effects are limited in scope and scale, and the development includes measures to improve the physical state or management of landscapes or habitats, or new landscape features or habitats, which are better than they are at present.</u>
Non-hazardous Waste (Non-inert Waste)	This is also called non-inert waste. This is a waste that will biodegrade or decompose, releasing environmental pollutants. Examples include wood and wood products, paper and cardboard, vegetation and vegetable matter, leather, rubber and food processing wastes.
O	
Operation Stack	The process used to park lorries on a part of the M20 when cross channel services from the Port of Dover or through the Channel Tunnel are disrupted.
<u>Other Recovery</u>	<u>Recovery of value (materials or energy) from waste by means other than reuse, recycling and composting, and often by Energy from Waste. 'Other recovery' sits above disposal but below recycling and composting in the waste hierarchy.</u>

P	
Permitted reserves	Saleable minerals in the ground with planning permission for winning and working. Usually expressed in million tonnes.
Planning conditions	Conditions attached to a planning permission for the purpose of regulating and controlling the development.
Primary aggregates	Naturally occurring sand, gravel and crushed rock used for construction purposes, which have either been extracted from the sea bed or the earth's crust.
Production phase of Hydrocarbon Extraction	This normally involves the drilling of a number of wells. This may be wells used at the sites at the exploratory and/or appraisal phases of hydrocarbon development, or from a new site. Associated equipment such as pipelines, processing facilities and temporary storage tanks are also likely to be required.
Prospecting	Prospecting is the first stage of the geological analysis of a territory or area. It includes the physical search for minerals, fossils, precious metals or mineral specimens. Prospecting can be a small-scale form of mineral exploration that can extend to an organised, large scale effort undertaken by commercial mineral companies to find economically viable materials such as ores, gas, oil, coal and aggregates.
Protected Groundwater Source Areas	Any land at a depth of less than 1,200 metres beneath a relevant surface area. I.e. and land at the surface that is within 50 metres of a point at the surface at which water is abstracted from underground strata and is used to supply water for domestic or food production purposes, or within or above a zone defined by a 50-day travel time for groundwater to reach a groundwater abstraction point that is used to supply water for domestic or food production purposes.
Public Right of Way (PROW)	The generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways open to all traffic.
Putrescible waste	Waste readily able to be decomposed by bacterial action. Landfill gas and leachate can occur as by-products of decomposition.
Pyrolysis and Gasification	Both systems involve heating the waste in varying amounts of oxygen to produce a gas. The gas could either be used as a substitute for natural gas or used to power electricity generation.
R	
Ramsar sites	Sites of international importance to birds that inhabit wetlands. Ramsar is the name of the place where the Wetlands Convention was signed.

Reclamation of mineral workings	The combined processes of restoration and aftercare following completion of mineral working.
Recovery	The collection, reclamation and separation of materials from the waste stream.
Recovery facilities	A facility that recovers value, such as resources and energy, from waste prior to disposal, includes recycling, thermal treatment, biological treatment and composting facilities.
Recycled aggregates	Aggregates produced from recycled CD waste such as crushed concrete and planings from road surfacing.
Recycling	The collection and separation of materials from waste and subsequent processing to produce new marketable products.
Reduction	The use of technology requiring less waste generation from production, or the production of longer lasting products with lower pollution potential, or the removal of material from the waste stream, e.g. paper being taken straight from a waste producer to a paper re-processing facility, avoiding it being handled at anywaste management operation.
Reserve	The remaining concentration or occurrence of workable material of intrinsic economic interest. Generally used for those economic mineral deposits that have the benefit of planning permission.
Resource	A concentration or occurrence of material of intrinsic economic interest in or on the Earth's crust in such a form, quality and quantity that they are reasonable prospects for eventual economic extraction.
Residual waste	The elements of the waste streams that remain following recovery, recycling or composting operations.
Resource recovery	The extraction of useful materials or energy from solid waste.
Restoration	Operations designed to return an area to an acceptable environmental state, whether for the resumption of the former land-use or for a new use following mineral working. Involves the reinstatement of land by contouring, the spreading of soils or soil making materials, etc.
Reuse	Reuse of waste is encouraged by the Government's national waste policy requirements. Typically it involves re-using materials so that they can be used again without further processing.
S	
Safeguarding	The process of protecting sites and areas that have potential for relevant development (minerals and waste) from other forms of development.
Saved policies	Retaining a local plan (or policies from it) until replacement by a new local plan. Normally lasts for three years only, but

	extended saving can occur if policies need to stay in place for a longer period.
Scheduled Ancient Monument	Nationally important monuments and archaeological areas that are protected under the Ancient Monuments and Archaeological Areas Act 1979.
Secondary aggregates	Construction materials that are produced as by-products of other processes and used instead of primary aggregates. Secondary aggregates include boiler ashes, colliery shale, burned clay, pulverised fuel ash, chalk and shale.
Self-sufficiency	A key aim of sustainable waste management is self-sufficiency in waste disposal, i.e. the waste generated within the region can be disposed or managed within the same region.
Sensitive receptors	Habitable residential accommodation including, but not limited to, hospitals, schools, childcare facilities, elderly housing, churches and convalescent facilities.
Shale gas	Mostly methane (CH ₄) and is found in the pore spaces of shale, a fine grained sedimentary rock, that contains hydrocarbon materials. Methane, often referred to as natural gas has an occurrence that is geologically variable in that it can be found in a reservoir as well as held within the source rock such as shale. It is combustible and is used to generate electricity and for domestic heating and cooking. Shale gas is often referred to as an unconventional hydrocarbon as it is extracted using technologies developed since the 1940s that has enabled gas to be recovered from shale (a fine grained sedimentary rock mainly of marine origin) that were previously considered to be unsuitable or uneconomic for the extraction of natural gas. One process, hydraulic fracturing (often called fracking) is a technique where water (and additives) is pumped under pressure into productive shale rocks via a drilled bore to open up pore spaces and allow the shale gas to be pumped to the surface for collection ¹⁵⁰ .
Sharp sand and gravel	A naturally occurring mineral deposit found in Kent and elsewhere. When extracted it is mainly used in the production of concrete products.
Silica sand or industrial sand	A naturally occurring mineral deposit that is extracted and used in industrial processes including glass manufacture and the production of foundry castings. It is also used in horticulture and for sports surfaces including horse menages and golf course bunker sand. It is also known as industrial sand. It is a mineral of national importance.

¹⁵⁰ Information on unconventional hydrocarbon extraction is on the following DECC website at: <https://www.gov.uk/government/publications/about-shale-gas-and-hydraulic-fracturing-fracking>

Sites of Special Scientific Interest (SSSIs)	<p>These sites are notified under Section 28 of the <i>Wildlife and Countryside Act 1981</i> by English Nature (now Natural England) whose responsibility is to protect these areas. These are important areas for nature conservation i.e. valuable flora, fauna or geological strata. Natural England needs to be notified of planning proposals in or adjacent to the designated areas.</p> <p>National Nature Reserves, terrestrial Ramsar sites, SPAs and SACs are also SSSIs under national legislation.</p>
Soft sand	See Building sand.
Source Protection Zone (SPZ)	Indicate those areas where groundwater supplies are at risk from potentially polluting activities and accidental releases of pollutants. SPZs are primarily a policy tool used to control activities close to water supplies intended for human consumption. SPZs are not statutory and are mainly for guidance but they do relate to distances and zones defined in legislation where certain activities are restricted.
Statement of Community Involvement	A document setting out how a local authority is to ensure that suitable sufficient consultation occurs for different elements of the planning process. This is a requirement as amended under the <i>Planning and Compulsory Purchase Act 2004</i> .
Sterilisation	When a change of use or the development of land on or near a minerals or waste facility prevents possible mineral extraction or continued use of a wharf, rail depot or other facility in the foreseeable future.
Strategic Environmental Assessment	An evaluation process for assessing the environmental impacts of plans and programmes. This is a statutory requirement of the Kent MWLP system.
Submission	A stage of the plan preparation process where the document is submitted to the Secretary of State for independent examination by a planning inspector. The document is published for public consultation prior to submission.
Surrounding environment	Aspects of the surrounding environment include such features as water resources including surface water, groundwater and rivers and their settings, heritage interests including listed buildings, conservation areas and their settings, and World Heritage Sites, nature reserves, local sites designated for biodiversity and geodiversity, species and habitats of importance for conservation and biodiversity, nationally designated areas including SSSIs and AONBs and their setting, internationally designated sites including SPAs, SACs, Ramsar sites, Heritage Coast and NIAs. The surrounding environment also includes those areas that are non designated but contribute to the whole environment.
Sustainability	An evaluation process for assessing the environmental, social, economic and other sustainability effects of plans and

Appraisal (SA)	programmes from the outset of the preparation process. This is a statutory requirement.
Sustainable development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The definition also encompasses the efficient use of natural resources.
T	
Transfer stations	Facilities that receive waste (normally from a local area), where the waste is bulked up and transported further afield in larger lorries for disposal or recovery. Some transfer stations sort out the recoverable wastes, such as CD waste and scrap metal prior to onward transportation for disposal or processing.
V	
Very Low Level Radioactive Waste (VLLW)	One of four broad categories of radioactive waste that reflect the degree of radioactivity and hazard. The radioactive concentration of VLLW is similar to the natural activity of soils and is well within the normal range of natural radioactivity in the Earth's crust.
Void space	A hole created by mineral working or nature that may have potential for landfilling with waste.
W	
Waste	The TCPA 1990 has been amended so there is no dispute over whether waste, in terms of the planning regime, is defined in accordance with European law. It states that: Waste includes anything that is waste for the purposes of Directive 2006/12/EC of the European Parliament and of the Council on waste, and that is not excluded from the scope of that Directive by Article 2(1) of that Directive. Waste is therefore defined as any substance or object that the holder or the possessor either discards or intends or is required to discard ¹⁵¹ .
Waste arisings	The amount of waste generated in a given locality over a given period of time.
Waste Collection Authority (WCA)	A local authority with a statutory responsibility to provide a waste collection service to each household in its area, and on request, to local businesses.
Waste	A local authority that is legally responsible for the safe disposal of household waste collected by the WCAs. Long-

¹⁵¹ This definition is inserted into s.336(1) of the TCPA 1990, as part of the consequential amendments made by the Environmental Permitting (England and Wales) Regulations 2007 SI 2007/3528 (the EPR 2007), as from 6 April 2008. See Schedule 21, para 19 of the EPR 2007 (and its commencement- see reg.1)

Disposal Authority	term contracts are let to private sector companies who provide the facilities to handle this waste. These contracts are awarded on the basis of detailed cost and environmental criteria as well as specific targets for recycling and reducing landfill.
Waste electrical and electronic equipment	Discarded electrical or electronic equipment, including all components, sub-assemblies and consumables that are part of the product at the time of discarding.
Waste hierarchy	A concept devised by EUWFD (2008/98/EC) conveying waste management options in order of preference; waste prevention (most preferred) followed by reduction, recycling, recovery and disposal (least preferred). Figure 18 shows the Waste Hierarchy in Chapter 6.
<u>Waste Hierarchy Statement</u>	<u>A statement to be submitted with a planning application for other recovery and waste disposal activity that demonstrates how only unavoidable residual waste will be managed at such facilities.</u>
Waste management permit	A permit granted by the Environment Agency (EA) authorising treatment, keeping or disposal of any specified description of controlled waste in or on specified land by means of specified plant.
Waste Management Unit (WMU)	A KCC department that manages all aspects of <u>LACWMSW</u> (household waste) arisings in Kent.
Waste minimisation	The reduction of unwanted outputs from the manufacturing and construction processes that are likely to result in less waste being produced.
Waste Planning Authority (WPA)	A local authority with responsibility for waste planning, including the determination of waste related planning applications. In areas with two tiers of local government (counties and districts), the county councils are the WPAs. National Parks are also WPAs. Unitary authorities, such as Medway Council, deal with waste planning and all other planning issues within their areas.
Waste reduction	To make waste production and waste management practices more sustainable. Key national objectives are to reduce the amount of waste that is produced, make the best use of waste produced and choose practices which minimise the risks of pollution and harm to human health. Waste reduction is concerned with reducing the quantity of solid waste that is produced and reducing the degree of hazard represented by such waste.
Wastewater	Water <u>emanating from the internal drainage of dwellings and business</u> that is discharged to the sewers and includes MSW, C&I waste in addition to surface water run off. This raw wastewater is collected in sewers and transferred to

	wastewater treatment works where it is treated in such a way that it produces largely reusable sewage sludge and effluent that is discharged to watercourses.
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Appendix B: List of Replaced and, Deleted and Retained Policies

B.1—All the previously adopted minerals and waste policies are replaced by the Kent MWLP 2013-30 and the Mineral Sites Plans. The Kent Minerals and Waste Plans previously in force are listed below:

- Kent Minerals Local Plan: Brickearth (1986)
- Kent Minerals Local Plan Construction Aggregates (1993)
- Kent Minerals Local Plan Chalk and Clay (1997)
- Kent Minerals Local Plan Oil and Gas (1997)
- Kent Waste Local Plan (1998)

B.2—All of these plans were prepared before Medway Council was formed and these plans therefore covered areas which are now within Medway.

B.3 The Secretary of State for the Government Office for the South East wrote separately to both KCC and Medway Council on 21 September 2007 providing a direction on the policies in the previously adopted minerals and waste plans. Any policies not listed by the Secretary of State expired and those listed in the Direction are known as the 'saved policies'. It is the saved policies that are deleted by the Minerals and Waste Plan, and the Mineral Sites Plan once adopted. KCC and Medway Council have separate letters of direction from the Secretary of State and therefore the deletion of saved policies by KCC has no effect on Medway Council's saved policies.

List of Saved Policies in Previously Adopted Plans which have been to be Deleted

This list identifies the saved policies within the previously adopted minerals and waste plans for Kent alongside the new policies in the Kent MWLP 2013-2030 that will replace them. These policies were will be deleted upon the adoption of the Kent MWLP 2013-2030.

Saved Policies being Deleted

~~Kent Minerals Local Plan Construction Aggregates (1993)~~ ~~Equivalent Policies in the Kent MWLP 2013-2030~~ ~~Saved Policies~~

A1	Access Considerations (for aggregate wharves and rail depots)	C5M 12	Sustainable Transport of Minerals
CA2C	Primary Planning Constraints (for aggregate wharves and rail depots)	-	No new sites came forward in the call for sites but Policy CSM 11 identifies safeguarded sites for wharves and rail depots for the plan period
CA3	Local Considerations (for aggregate wharves and depots)	C5M 12	Sustainable Transport of Minerals
CA4	Proposed Locations (for aggregate wharves and depots)	-	No new sites came forward in the call for sites but Policy CSM 11 identifies safeguarded sites for wharves and rail depots for the plan period
CA7	Provision of Geological Information in Support of an Application	DM 16	Information Required in Support of an Application
CA8D	Exceptions to Areas of Search	C5M 4	Non-identified Land-won Mineral Sites
CA9	Borrow Pits	-	Policy will be deleted. However borrow pits can be considered as part of Policy CSM 4

CA10	Mineral Consultation Areas (safeguarding mineral resources and potential supply points)	GSM 5, GSM 11 DM 7	Land-won Mineral Safeguarding, Safeguarded Wharves and Rail Depots, and Safeguarding Mineral Resources and Importation Infrastructure
CA12	The Structure Plan (regarding silica sand)	GSM 2	Supply of Land-won Minerals in Kent
CA13	Location for Mining and Processing Carboniferous Limestone	GSM 11	Prospecting for Carboniferous Limestone
CA16	Traffic Considerations	DM 13	Transportation of Minerals and Waste
CA18	Noise, Vibration and Dust	DM 11	Health and Amenity
CA19	Plant and Building	DM 1	Sustainable Design
CA20	Plant and Building	DM 11	Health and Amenity
CA20A	Ancillary Operations	DM 20	Ancillary Development
CA21	Public Rights of Way	DM 13 <u>4</u>	Public Rights of Way
CA22	Landscaping	DM 19	Restoration, Aftercare and After-use
CA23	Working and Reclamation	DM 19	Restoration, Aftercare and After-use

Kent Minerals Local Plan Chalk and Clay (1997) Saved Policies – Equivalent Policies in the Kent MWLP 2013-2030

CC1	Provision for Development	GSM 2	Supply of Land-won Minerals in Kent
CC1A	Provision for Development (secondary or waste material re-use)	-	Policy is deleted. There is no need for a policy supporting the preparation of suitable secondary or waste chalk or clay materials for re-use. It is considered that this is related to potential supply of recycled or secondary materials for cement workings
CC5	Safeguarding existing working areas in the south-eastern and western parts of Eastern Quarry	-	All potential reserves are now exhausted. Policy will be deleted
CC9 Page 300	Cement Wharves (safeguarding)	GSM 6 DM 7 DM 8	Safeguarded Wharves and Rail Depots and Safeguarding Mineral Resources Safeguarding Minerals Management, Transportation & Waste Management Facilities
CC10A	Minerals Consultation Areas (safeguarding)	GSM 5	Land-won Mineral Safeguarding
CC12	Noise, Vibration and Dust	DM 11	Health and Amenity
CC14	Land Drainage, Flood Control and Land Stability	DM 10	Water Environment
CC15	Nature Conservation	DM 19	Restoration, Aftercare and After-use
CC16	Plant and Buildings	DM 1	Sustainable Design
CC18	Ancillary Operations	DM 20	Ancillary Development

CG20	Public Rights of Way	DM 14	Public Rights of Way
CG24	Road, Traffic and Access	DM 13	Transportation of Minerals and Waste
CG26	Landscaping	DM 19	Restoration, Aftercare and After-use
CG27	Aftercare	DM 19	Restoration, Aftercare and After-use

Kent Minerals Local Plan Oil and Gas(1997) Saved Policies – Equivalent Policies in the Kent MWLP 2013-2030

OG1AA	Coastal Planning		Policy will be deleted
OG2	Exploration	CSM 10	Oil, Gas and Coal-bed Methane
OG3	Appraisal	CSM 10	Oil, Gas and Coal-bed Methane
OG4	Development	CSM 10	Oil, Gas and Coal-bed Methane
OG5	Noise, Vibration, Dust and Gas	DM 11	Health and Amenity
OG7	Land Drainage, Flood Control and Unstable Land	DM 10	Water Environment
OG8	Nature Conservation	CSM 10 DM 19	Oil, Gas and Coal-bed Methane Restoration, Aftercare and After-use
OG9	Plant and Buildings	DM 4	Sustainable Design
OG10	Hours of Working	DM 16 DM 11	Information required in Support of an Application and Health and Amenity
OG11	Public Rights of Way	DM 14	Public Rights of Way
OG15	Road, Traffic and Access	DM 13	Transportation of Minerals and Waste
OG16	Road, Traffic and Access	DM 11	Health and Amenity
OG17	Landscaping	DM 19	Restoration, Aftercare and After-use

OG18	Working and Restoration/Aftercare	DM 19	Restoration, Aftercare and After-use
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Kent Minerals Local Plan: Brickearth (1986) Saved Policies – Equivalent Policies in the Kent MWLP 2013-2030

B2	Safeguarded Land	CSM 5 DM 7	Land-won Mineral Safeguarding Safeguarding Mineral Resources
B3	Development Land	DM 9	Extraction of Minerals in Advance of Surface Development
B4	Economically Workable Reserves	DM 16	Information Required in Support of an Application
B5	Material Required for Restoration (soil depths)	DM 16	Information Required in Support of an Application
B6	Working and Restoration Scheme Requirements	DM 19	Restoration, Aftercare and After-use
B7	Agricultural Aftercare	DM 19	Restoration, Aftercare and After-use
B9	Access	DM 12	Transportation of Minerals and Waste
B10	Mud and Stones on the Public Highway	DM 16	Information Required in Support of an Application
B11	General Policy on Environmental Impact	DM 11	Health and Amenity
B12	Noise, Dust and Traffic	DM 11 DM 13	Health and Amenity and Transportation of Minerals and Waste
B13	Landscaping	DM 16 DM 19	Information required in Support of an Application, Restoration, Aftercare and After-use
B14	Public Rights of Way	DM 14	Public Rights of Way

Kent Waste Local Plan (1998) Saved Policies		Equivalent Policies in the Kent MWLP 2013-2030	
W3	Locational Criteria	CSW 6	Location of Built Waste Management Sites Facilities
W5	Land Raising	CSW 9 CSW 11	Non Inert Waste Landfill in Kent Permanent Deposit Inert Waste
W6	Need (for waste facilities outside identified locations)	CSW 6	Location of Built Waste Management Sites Facilities
W7	Locations Suitable in Principle for Inert Waste to be Prepared for Recycling or Reuse	N/A	Policy Deleted
W8A	River Dredgings	CSW 14	Disposal of Dredgings
W9	Locations Suitable in Principle for Waste Separation and Transfer Proposals	N/A	Policy Deleted
W10	Composting and Digestion	CSW 7	Waste Management for Non-hazardous Waste
W11	Locations with Potential for EfW Proposals	N/A	Policy Deleted
W12	Landfill of Mineral Voids	CSW 9 CSW 10	Non Inert Waste Landfill in Kent Development at Closed Landfill Sites
W13	PFA	DM 1	Sustainable Design
W17	Incineration	DM 11	Health and Amenity
W18	Noise, Dust, Odours etc	DM 11	Health and Amenity
W19	Water Resources/ Leachate/ Groundwater	DM 10	Water Environment
W20	Landfill: Surcharging/Unstable Land/Land Water, Drainage and Flood Control	DM 10 DM 19	Water Environment Restoration, Aftercare and After-use

W21	Nature Conservation Policy	DM 19	Restoration, Aftercare and After-use
W22	Road Traffic and Access	DM 12	Transportation of Minerals and Waste
W25	Plant and Buildings	DM 1	Sustainable Design
W25A	Plant and Buildings	CSW 6	Location of Built Waste Management Sites Facilities
W27	Public Rights of Way	DM 14	Public Rights of Way
W31	Landscaping	DM 19	Restoration, Aftercare and After-use
W32	Restoration/Aftercare	DM 19	Restoration, Aftercare and After-use

~~Saved Policy CA6 — ‘Areas of Search within which the Extraction of minerals is Acceptable in Principle’ is deleted and replaced by the Kent Mineral Sites Plan~~

~~Saved Policy B1 — ‘Locations Suitable in Principle for the Extraction of Brickearth’ is deleted.~~

~~Note that the proposed deletion of saved policies CA6 and B1 is a result of the preparation of the Mineral Sites Plan that will provide updated policy on the allocation of land for minerals extraction.~~

Appendix C: List of Mineral Sites that are included in Landbank Calculations

C.1 The table below lists the permitted land-won mineral working sites in Kent included in landbank calculations at the time of plan preparation. Sites that have been inactive for more than 10 years are not included in the landbank calculations. Sites that were inactive in 2013 are shown in *italics*.

Table 3 Land-Won Mineral Sites in Kent included in calculations of permitted reserves

Sites	Predominant Aggregate Type	Operator Details
1. Aggregate Sites		
Hermitage Quarry, Maidstone	Crushed Rock	Gallagher Aggregates Ltd
Blaise Farm, West Malling	Crushed Rock	Hanson Aggregates Ltd
<i>Stone Castle Farm, Whetsted</i>	<i>Sandstone Sand and Gravel</i>	<i>Lafarge Aggregates Ltd</i>
Faversham Quarries, Faversham	Sharp Sand and Gravel	Brett Aggregates Ltd
Lydd Quarry (Scotney Court Farm), Lydd	Sharp Sand and Gravel	Brett Aggregates Ltd
<i>Allens Bank, Lydd</i>	<i>Sharp Sand and Gravel</i>	<i>Brett Aggregates Ltd</i>
<i>Gonningbrook Quarry</i>	<i>Sharp Sand and Gravel</i>	<i>Brett Aggregates Ltd</i>
<i>Highstead Quarry, Chislet</i>	<i>Sharp Sand and Gravel</i>	<i>Brett Aggregates Ltd</i>
Denge Quarry, Lydd	Sharp Sand and Gravel	GEMEX UK
Darenth & Joyce Green Quarry, Dartford	Sharp Sand and Gravel	J-Clubb Ltd

Sites	Predominant Aggregate Type	Operator Details
East Peckham Quarry, East Peckham	Sandstone Sand and Gravel	J-Clubb Ltd
<i>Joyce Green Quarry, Dartford</i>	<i>Sharp Sand and Gravel</i>	<i>Hanson (Joyce Green Aggregates) Ltd</i>
<i>Aylesford Quarry, Aylesford</i>	<i>Soft Sand</i>	<i>Aylesford Heritage Ltd</i>
Borough Green Sand Pit, Sevenoaks	Soft Sand	Borough Green Sandpits Ltd
Charing Quarry, Charing	Soft Sand	Brett Aggregates Ltd
Lenham Quarry, Maidstone	Soft Sand	Brett Aggregates Ltd
Ightham Sand Pit, Sevenoaks	Soft Sand	H&H Ltd
Wrotham Quarry (Addington Sand Pit), Wrotham	Soft Sand	Hanson Aggregates
Nepicar Sand Quarry, Sevenoaks	Soft Sand	J-Clubb Ltd
Greatness Farm, Sevenoaks	Soft Sand	Tarmac Ltd
2. Silica Sand		
Nepicar Sand Pit, Wrotham	Silica sand	J-Clubb Ltd
Addington Sand Pit (Wrotham Quarry), Addington	Silica sand	Hanson Aggregates Ltd
3. Brickearth and Brickclays		
Claxfield Farm, Sittingbourne	Brickearth	Wienerberger Ltd
Hempstead House, Sittingbourne	Brickearth	Ibstock Brick Ltd
Babylon Tileworks, Tonbridge	Tiles (Weald Clay)	Mr M Gash

4. Clay		
Norwood Quarry, Isle of Sheppey	Engineering (London Clay)	FCC Environment (UK) Ltd
5. Chalk		
<i>Medway Works, Holborough</i>	<i>Cement</i>	<i>Lafarge Cement Ltd</i>
Darenth Rd Quarry, Dartford	Agricultural uses	J Clubb Ltd
Pinden Quarry, Dartford	Agricultural uses	SBS Ltd
Detling Quarry, Maidstone	Agricultural uses	John Bourne & Co Ltd
Beacon Hill Quarry, Ashford	Agricultural uses	John Bourne & Co Ltd
Crundale Quarry, Ashford	Agricultural uses	G Peach
Hegdale Quarry, Ashford	Agricultural uses	R H Ovenden Ltd
Rowling Quarry, Dover	Agricultural uses	R H Ovenden Ltd

C.2 — Table 3 gives the sand and gravel and agricultural chalk permitted reserve calculations based on the data for the 2013 calendar year. The total permitted reserve figure per mineral type is given where data is available. Reserve details for the individual sites cannot be published due to operator confidentiality requirements. Table 4 shows hard rock, clay and brick earth quarries where there is commercial sensitivity due to there being less than three operational sites (or simply limited data). These reserves are expressed as an estimated supply in years rather than an available tonnage¹⁵².

C.3 — Permitted reserve figures for all the economic minerals in Kent are reviewed annually in the Kent AMR. Further details of these calculations are given in the Kent LAA (updated annually) and in topic report TRM3: Other Minerals¹⁵³.

¹⁵² The years of supply are estimates based on the data from ten year sales averages, operator surveys or planning application information.

¹⁵³ Available from: www.kent.gov.uk/mwlp

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Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024- 39

Regulation 19 - clean untracked
version

November 2023

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Abbreviations

AD	Anaerobic Digestion
AQMA	Air Quality Management Area
AoS	Area of Search
AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
AWP	Aggregate Working Party
BAP	Biodiversity Action Plan
BAT	Best Available Techniques (Assessment)
BERR	Department for Business, Enterprise and Regulatory Reform
BGS	British Geological Society
BIS	Department for Business, Innovation and Skills
BNG	Biodiversity Net Gain
BOA	Biodiversity Opportunity Area
CD	Construction and Demolition Waste
CDE	Construction, Demolition and Excavation Waste
CSM	Core Strategy Minerals
CSW	Core Strategy Waste
C&I	Commercial and Industrial Waste
DCLG	Department for Communities and Local Government
DECC	Department of Energy and Climate Change
DEFRA	Department for Environment Food and Rural Affairs
DLUHC	Department for Levelling Up, Housing and Communities
DM	Development Management
DMR	Dry Mixed Recyclate
DOE	Department of the Environment
EA	Environment Agency
EC	European Commission

EfW	Energy from Waste
EIA	Environmental Impact Assessment
EPR	Early Partial Review
ES	Environmental Statement
ESC	Environmental safety case
EU	European Union
GDF	Geological Disposal Facility
GPDO	Town and Country (General Permitted Development) Order
GVA	Gross Value Added
HDV	Heavy Duty Vehicle
HGV	Heavy Goods Vehicle
HLW	High Level Waste (Radioactive Waste Classification)
HRA	Habitat Regulations Assessment
HWRC	Household Waste Recycling Centre
ILW	Intermediate Level Waste (Radioactive Waste Classification)
JMWMS	Joint Municipal Waste Management Strategy
KCC	Kent County Council
km	Kilometres
KRP	Kent Resource Partnership
LAA	Local Aggregate Assessment
LCA	Life Cycle Assessment
LCE	Low-Carbon Economy
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LLW	Low Level Waste (Radioactive Waste Classification)
LLWR	Low Level Waste Repository
LNR	Local Nature Reserve
LNRS	Local Nature Recovery Strategy

LWS	Local Wildlife Site
m	Metres
MCA	Mineral Consultation Area
MDA	Marine Dredged Aggregates
MPA	Mineral Planning Authority
MCZ	Marine Conservation Zone
MPS	Marine Policy Statement
MSA	Mineral Safeguarding Area
MSW	Municipal Solid Waste
mt	Million tonnes
mtpa	Million tonnes per annum
MWLP	Minerals and Waste Local Plan
NDA	Nuclear Decommissioning Authority
NERC	Natural Environment and Rural Communities
NIEA	Northern Ireland Environment Agency
NNR	National Nature Reserve
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste 2014
ODPM	Office of the Deputy Prime Minister
PEDL	Petroleum Exploration and Development Licence
PLA	Port of London Authority
PROW	Public Rights of Way
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Site of Community Importance
SEEAWP	South East England Aggregate Working Party
SELEP	South East Local Enterprise Partnership

SEP	South East Plan
SEPA	Scottish Environment Protection Agency
SFRA	Strategic Flood Risk Assessment
SPA	Special Protection Area
SPZ	Source Protection Zone
SSSI	Site of Special Scientific Interest
SWESC	Site wide environmental safety case
TCPA	Town and Country Planning Act
tpa	Tonnes per annum
TRW	Topic Report on Waste
UNESCO	United Nations Educational, Scientific and Cultural Organisation
VLLW	Very Low Level Waste (Radioactive Waste Classification)
Water FD	Water Framework Directive
WCA	Waste Collection Authority
WFD	Waste Framework Directive
WMP	Waste Management Plan
WMU	Waste Management Unit
WPA	Waste Planning Authority

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1. Introduction

1.0.1 The County Council has a statutory responsibility to plan for future minerals supply and waste management in Kent. This is fulfilled through the *Kent Minerals and Waste Local Plan* (MWLP).

1.1 The Kent Minerals and Waste Local Plan 2024-39

1.1.1 This document, the Kent Minerals and Waste Local Plan 2024-39, is the main Local Plan document pertaining to minerals supply and waste management in Kent. It describes:

- the overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent, and
- the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.

1.1.2 This Plan identifies and sets out the following subjects for the period up to, and including, the year 2039:

- the long term Spatial Vision and Strategic Objectives for Kent's minerals and waste
- the delivery strategy for minerals and waste planning that identifies how the objectives will be achieved in the plan period
- the area where strategic waste development is likely to occur
- the Development Management (DM) policies that will be used when the County Council makes decisions on planning applications
- the framework to enable annual monitoring of the policies within the Plan

1.1.3 The specific sites for mineral developments are set out in the separate Kent Mineral Sites Plan. The site selection process for the final sites included in the Mineral Sites Plan was based on the policies in the Kent MWLP.

1.1.4 Preparing the Plan has involved engagement and collaboration with communities, local organisations and businesses. Public consultation was held for each stage of the plan-making process. It has also been prepared in cooperation with Kent's districts, neighbouring authorities and other minerals and waste planning authorities that may be affected by the strategies and policies in the Plan. This has ensured that effective cooperation has been undertaken where there are cross-boundary impacts.

1.1.5 This Plan is accompanied by the following:

- *Sustainability Appraisal (SA)*
- *Habitat Regulations Assessment (HRA)*
- *Strategic Flood Risk Assessment (SFRA)*
- *Strategic Landscape Assessment*
- *Strategic Transport Assessment*
- *Equalities Impact Assessment (EqIA)*¹

1.2 The Status of the Kent Minerals and Waste Local Plan 2024-39

1.2.1 The Plan is part of the statutory development plan for Kent together with the adopted Local Plans prepared by the twelve Kent district and borough planning authorities and relevant Neighbourhood Plans prepared by local communities. Proposals for waste and mineral developments will be considered against the policies contained in the development plan as whole, not just those included in this Plan.

1.2.2 The policies in this Plan update policies in the Kent Minerals and Waste Local Plan 2013-30.

1.2.3 This Plan will be mainly used by the County Council and the Ebbsfleet Development Corporation when determining applications for minerals and waste facilities. The Plan is also relevant to the determination of non-minerals and waste applications which may be determined by the District and Borough Councils and the County Council (in terms of other County matters such as schools). It is envisaged that the main policies that will be implemented when non-minerals and waste applications are being determined are as follows:

- Policy CSM 6: Safeguarded Wharves and Rail Depots
- Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure
- Policy CSM 8: Secondary and Recycled Aggregates
- Policy CSW 3: Waste Reduction
- Policy CSW 16: Safeguarding of Existing Waste Management Facilities
- Policy DM 7: Safeguarding Mineral Resources
- Policy DM 8: Safeguarding Minerals Management, Transportation Production & Waste Management Facilities
- Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development
- Policy DM 20: Ancillary Development
- Policy DM 21: Incidental Minerals Extraction

1.2.4 Section 38(6) of the *Planning and Compulsory Purchase Act 2004* and Section 70(2) of the *Town and Country Planning Act (TCPA) 1990* requires that planning applications "must be made in accordance with the [development] plan unless material considerations indicate otherwise."

¹ These documents form part of our evidence base and are available online from www.kent.gov.uk/mwlp.

1.2.5 This document was prepared in accordance with national legislation². It has also been prepared to be in general conformity with the *National Planning Policy Framework (NPPF)*³, *National Planning Policy for Waste (NPPW)*⁴ and the *Waste Management Plan for England*⁵.

1.2.6 The Kent MWLP only applies to the administrative county of Kent. Medway Council maintain their own local plan.

1.2.7 Annual monitoring will determine when it is necessary to trigger a review of the adopted plans and their policies. The monitoring schedule in Chapter 8 identifies when, where and by whom, actions will be taken to implement the Plan. The timetable for the preparation and review of Kent's minerals and waste plans is set out in the Kent MWLP Scheme⁶.

1.2.8 A list of the abbreviations used can be found on page 5 and Appendix A lists a glossary of terms.

1.3 The Links with Legislation, Other Policies and Strategies

1.3.1 When preparing plans, minerals and waste planning authorities must take account of international and national legislation and national planning policy. Until 2013, regional planning policy formed part of the development plan and was required to be taken into account in the preparation of local plans. The *Regional Spatial Strategy (RSS)* for the South East of England was substantially revoked⁷. The remaining part of the RSS relates to a policy about new residential development near the Thames Basin Heaths Special Protection Area (SPA), which is not in Kent.

National Legislation

1.3.2 Following the departure of the UK from the European Union (EU), the text of EU Directives currently still provides much of the legislative context for minerals and waste plan-making.

1.3.3 The Waste (Circular Economy) (Amendment) Regulations 2020 (*SI 2020/904*), transpose the European Union's 2020 Circular Economy Package (2020 CEP) in England and Wales, and were made on 25 August 2020. These Regulations implement six amending EU Directives in the field of waste concerning:

² The Town and Country Planning (Local Development) (England) Regulations 2004, The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act (2011), Environmental Assessment of Plans and Programmes Regulations 2004.

³ Department for Levelling Up, Housing and Communities (DLUHC) National Planning Policy Framework (September 2023).

⁴ DLUHC (October 2014) National Planning Policy for Waste

⁵ DEFRA (January 2021) Waste Management Plan for England.

⁶ Available online from: www.kent.gov.uk/mwlp.

⁷ Statutory Instruments 2013 No. 427: The Regional Strategy for the South East (Partial Revocation) Order 2013.

- The Waste Framework Directive;
- packaging and packaging waste;
- landfill of waste;
- end-of life vehicles;
- batteries and accumulators and waste batteries and accumulators; and,
- waste electrical and electronic equipment.

1.3.4 The changes are intended to increase the prevention, reuse and recycling of waste in accordance with the Waste Hierarchy⁸ e.g. by strengthening requirements for the separate collection of paper, metal, plastic or glass. The Regulations also put the Government commitments in the 2018 Resources and Waste Strategy to recycle 65% of municipal waste and to have no more than 10% of municipal waste going to landfill by 2035 into law.

1.3.5 Other important EU Directives which are currently retained as UK legislation include:

- **Landfill Directive (1999/31/EC)** which requires reductions in the quantity of biodegradable waste that is landfilled, and encourages diversion of non-recyclable and non-usable waste to other methods of treatment.
- **Water Framework Directive (Water FD) (2000/60/EC)** which aims to improve the local water environment for people and wildlife, and promote the sustainable use of water. It applies to all surface water bodies, including lakes, streams and rivers as well as groundwater. The aim of the Water FD is for all water bodies to reach good status by 2027. This means improving their physical state, and preventing deterioration in water quality and ecology. The Water FD introduced the concept of integrated river basin management planning. Kent lies within the Thames River Basin District and South East River Basin District⁹.

National Planning Policy and Guidance

1.3.6 The Government originally published the NPPF in March 2012. The NPPF has been amended several times and most recently in September 2023. The NPPF describes the Government's planning policies for England and how to apply them. It provides a framework for people and their councils to produce distinctive local and neighbourhood plans that reflect local needs and priorities. It includes policies on plan-making and planning for minerals.

1.3.7 Specific policies on waste are described in the *National Waste Management Plan for England*¹⁰ and the *National Planning Policy for Waste 2014*¹¹. Local authorities preparing waste plans are also advised to consider relevant NPPF

⁸ The Waste Hierarchy is defined in the Glossary in Appendix A and is shown diagrammatically in the text supporting Policy CSW 2.

⁹ Environment Agency (December 2015) Thames River Basin Management Plan (RBMP) and the South East RBMP.

¹⁰ DEFRA (January 2021) Waste Management Plan for England.

¹¹ DLUHC (October 2014) National Planning Policy for Waste.

policies. The National Waste Management Plan for England (2021) notes that National Planning Policy for Waste will be updated to align with the changes to the National Planning Policy Framework and the Resources and Waste Strategy.

1.3.8 Since the publication of the NPPF, Government has published the following additional guidance notes which are relevant to minerals and waste plan-making:

- *Guidance for Local Planning Authorities on Implementing Planning Requirements of the EU WFD (2008/98/EC)*¹²
- Planning Practice Guidance on Minerals to accompany the NPPF, including guidance on the Managed Aggregate Supply System and Planning Practice Guidance on Waste¹³

1.3.9 The *Marine and Coastal Access Act 2009* introduced measures to enable the sustainable management and use of marine resources, including the requirement for a Marine Policy Statement (MPS). The UK MPS contains minerals policy relating to offshore mineral interests. All public authorities taking authorisation or enforcement decisions that affect, or might affect, the UK marine area must do so in accordance with the UK MPS, unless relevant considerations indicate otherwise. The MPS guides the development of Marine Plans across the UK. The South East Inshore Marine Plan provides guidance for sustainable development from Felixstowe in Suffolk to near Folkestone. The South Marine Plan covers an area of around 20,000 square kilometres of inshore and offshore waters across 1,000 kilometres of coast line from Folkestone to the river Dart. The County Council continues to work with the Marine Management Organisation (MMO) to aid the implementation of policies and ensure there is no conflict with the KMWLP and the Marine Plan.

Local Plans and Strategies

1.3.10 The Plan is also informed by the County Council's Strategic Statement, which sets out the priorities for the Council and considers other relevant local policies and strategies.

Kent Joint Municipal Waste Strategy

1.3.11 As Waste Disposal Authority (WDA), in 2007 the County Council prepared the original Joint Municipal Waste Management Strategy (JMWMS) with the districts in Kent, which was adopted by the Kent Resource Partnership (KRP). The partnership, which comprises 12 district/borough councils and KCC, is a forum for WDA and Waste Collection Authorities (WCA) co-operation.

1.3.12 The key objectives of the KRP are as follows:

¹² DLUHC (December 2012) Guidance for local planning authorities on implementing planning requirements of the EU Waste Framework Directive (2008/98/EC).

¹³ Planning Practice Guidance: Web-based resource available from: <http://planningguidance.planningportal.gov.uk/>

- Maximising the 'value' of resources that we manage from households, in terms of realising the social, environmental and economic opportunities;
- Providing the best possible value for money service to the Kent taxpayer, taking into account whole service costs;
- Realising opportunities to improve services now and in the future through engagement, collaboration and working in partnership with the supply chain; and
- Supporting future thinking through ongoing research and evidence that will facilitate the transition to a circular economy for Kent.

1.3.13 Since 2007 the following targets have been achieved:

- 40% recycling and composting across Kent
- KCC's Household Waste Recycling Centres (HWRCs) achieved a 60% recycling and composting rate

1.3.14 In addition, the amount of waste sent to landfill reduced from around 72% in 2005/06 to 2.8% in 2016/17.

1.3.15 A refreshed Kent JMWMS was agreed by the KRP in 2018 which sets out new objectives and policies being implemented across Kent. These include a recycling rate of 50% and a landfill target of no more than 2% by 2020/21 and a year on year reduction in residual waste per household.

Kent Waste Disposal Strategy

1.3.16 The County Council as Waste Disposal Authority (WDA) is conducting a five-year review of its Waste Disposal Strategy originally adopted in July 2017. This strategy is the guiding document for the WDA's assessment of current and future infrastructure operational requirements in Kent for the ongoing management of local authority collected waste arising in Kent.

Kent County Council Climate Emergency Statement

1.3.17 In 2019 the County Council adopted a Climate Emergency Statement which states:

“Through the framework of the Energy and Low Emissions Strategy, we will facilitate the setting and agreement of a target of net zero emissions by 2050 for Kent and Medway.”

The Kent and Medway Energy and Low Emissions Strategy

1.3.18 The Kent and Medway Energy and Low Emissions Strategy sets out how Kent County Council, in Partnership with Medway Council, and Kent district and borough councils, will respond to the UK climate emergency and drive clean, resilient economic recovery across the county. Priorities set out in the document include ensuring that climate change and circular economy principles are integrated into Local Plans, including environmental considerations, reducing carbon emissions,

and ensuring management of resource sustainably. The Strategy includes the following statement:

‘Principles of Clean Growth (growing our economy whilst reducing greenhouse gas emissions), must be factored into all planning and development policies and decisions, whilst not becoming a barrier to new development.’

The Strategy also expects a clean growth and climate change strategic planning framework for Local Plans and development to be prepared in the short term (by 2023) and clean growth and climate change to be fully integrated into Local Plans in the long term (by 2030).

Strategic Transport Plans

1.3.19 The County Council has a statutory duty to prepare and update its Strategic Transport Plan. The Local Transport Plan for Kent 2016-2031 was adopted in 2017. This Plan explains how the council will work towards its transport vision over the coming years using the funding that it receives from Government, bringing together KCC transport policies, looking at local schemes and issues as well as those at a countywide and national significance. KCC also prepared a 20-year transport delivery plan, Growth Without Gridlock, which focuses on the key strategic transport improvement areas required in Kent, including the Thames Gateway. This aims to relieve the pressure on the Channel Corridor, cut congestion in West Kent along the A21, find a solution in East Kent for Operation Stack¹⁴ and provide an integrated public transport network.

1.3.20 The Freight Action Plan for Kent was adopted in 2017. It contains KCC's objectives to tackle key issues and find solutions to the following problems related to lorry movements in Kent:

- overnight lorry parking
- Operation Stack
- managing the routing of Heavy Goods Vehicles to ensure that they remain on the Strategic Road Network for as much of their journey as possible
- impacts of freight traffic on communities and the environment
- encouraging sustainable distribution

District Local Plans

1.3.21 The Kent district local plans form part of the development plan and these have been considered in the preparation of the Kent MWLP.

¹⁴ Operation Stack is the name given to the process used to stack lorries on the M20 when cross channel services from the Port of Dover or through the Channel Tunnel are disrupted.

1.4 The Evidence Base

1.4.1 The evidence base required for plan-making must be: *proportionate*¹⁵, kept up-to-date and address all of the relevant legislative and policy requirements.

1.4.2 An adequate and relevant evidence base on the economic, social and environmental characteristics and prospects of the area has been available to inform the preparation of the Plan.

1.4.3 The Sustainability Appraisal (SA) identifies and evaluates the impacts that are expected to arise from the Plan's policies regarding social, environmental and economic factors. The SA process is *iterative*¹⁶ and prepared in parallel with the Kent MWLP. The SA influences the production of the Plan and ensures that plan-making is carried out in accordance with the principles of sustainable development. The SA report for the Plan was prepared independently by Amey Consultants. Each stage of plan-making has been accompanied by an SA.

1.4.4 Kent contains sites of international importance for wildlife including Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites¹⁷. The Plan is accompanied by a Habitats Regulation Assessment (HRA) which considers the impacts of the plan policies on the international sites and assesses whether the policies will have a significant impact. The Plan must comply with the requirements of the Habitat Regulations¹⁸ to minimise the possibility of impacts on internationally designated sites.

1.4.5 When the Plan was adopted in 2016 it was accompanied by the following assessments:

- Strategic Flood Risk Assessment (SFRA) describing the impacts of the plan policies on flooding and identifying where mitigation measures could be needed
- *Strategic Landscape Assessment* describing the landscape impact of the Strategic Site for Minerals and the Strategic Site for Waste identified in the Plan
- *Strategic Transport Assessment* describing the potential effects on Kent's transport network (see Figure 2) as a result of the Plan's policies

These assessments remain relevant to the updated Plan. Additional assessments accompanied the Mineral Sites Plan that was adopted in 2020.

1.4.6 Parts of the Kent MWLP evidence base were developed in conjunction with other adjoining local authorities, including:

¹⁵ Proportionate means being in due proportion, so that there is sufficient evidence (facts and figures) to justify the decisions made in the Plan.

¹⁶ Iterative means that there is repetitive on-going discussion and resolution of issues.

¹⁷ Ramsar sites are sites designated under The Ramsar Convention as Wetlands of international importance Sites.

¹⁸ The Conservation of Habitats & Species Regulations 2010.

- the KCC and Medway Council collaboration on a study of mineral imports into the county in 2010¹⁹
- the Kent and Surrey County Council collaboration on an evidence base for their plans for silica sand²⁰

1.4.7 The evidence base topic reports and other documents that have been prepared to inform and support the preparation of the Plan adopted in 2016 and its review and information on public consultation undertaken are available online²¹.

1.5 Planning and Permitting Interface

1.5.1 When determining planning applications, local planning authorities establish whether a development should go ahead in the particular location proposed. In arriving at its decision, the County Council and its partner planning authorities will:

- seek to establish the development is an appropriate use of the particular land, and, in doing so, that the development will not result in unacceptable risks from pollution.
- respect the fact that the primary role of controlling pollution falls to the respective pollution regimes.
- pay due regard to the fact that certain activities may be subject to non-planning consenting regimes and securing such consents may be critical in delivering the particular development.
- seek advice from other relevant consenting bodies, such as the Environment Agency, around issues that might affect whether a development is acceptable.
- Where any significant issues are identified, it is recommended that other consents needed, such as environmental permits, be sought in parallel to submission of the planning application so that any issues can be resolved as early as possible.

1.5.2 The NPPF (and NPPW) states that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities²².

¹⁹ KCC and Medway Council (May 2011) MTR7: Kent and Medway Mineral Imports Study.

²⁰ GWP Consultants Ltd (2010) Silica Sand Report for KCC and Surrey County Council.

²¹ See www.kent.gov.uk/mwlp.

²² DLUHC (2023) National Planning Policy Framework, para. 188.

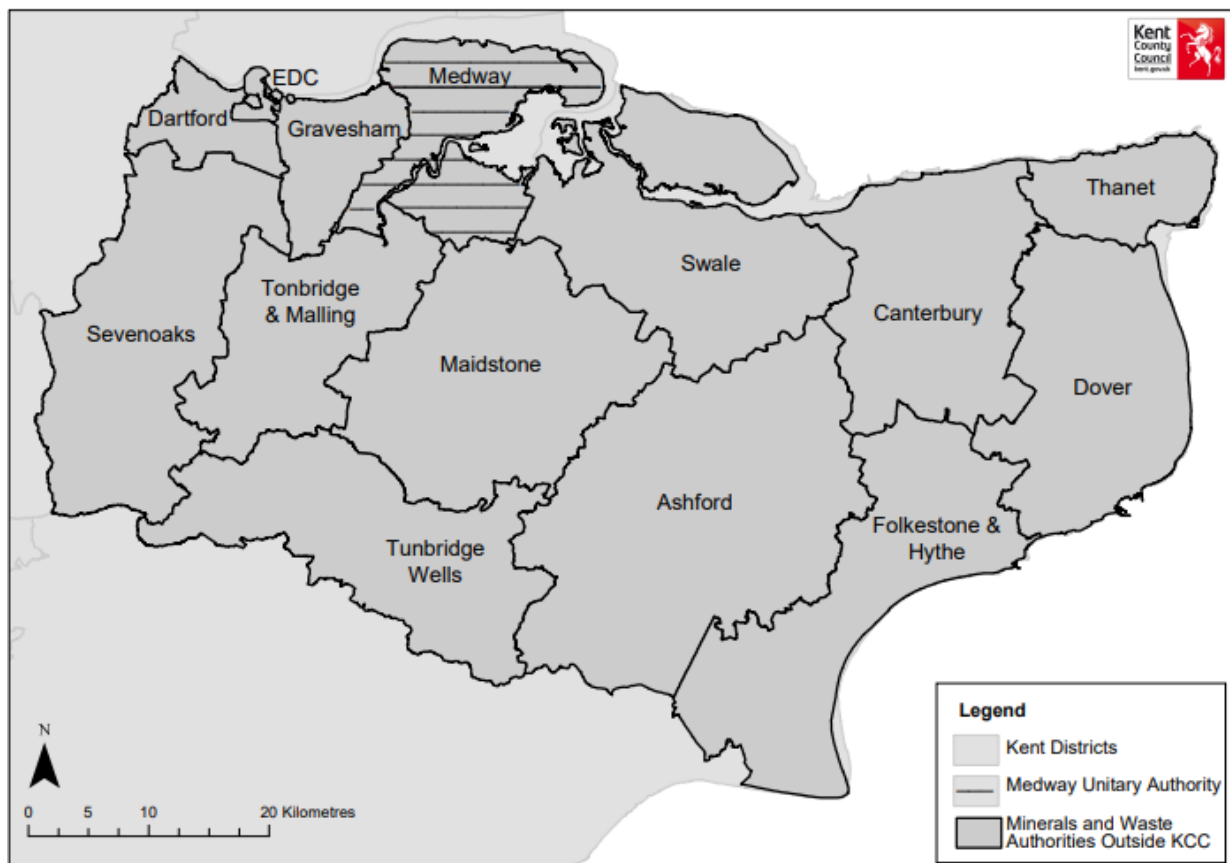
2. Minerals and Waste Development in Kent: A Spatial Portrait

2.1 Introduction

2.1.1 Kent is located in the south east corner of the United Kingdom (UK). The county consists of 12 districts, as shown in Figure 1. It is surrounded on two sides by water: the River Thames to the north and the English Channel to the south-east. It also neighbours London on its north-west perimeter. It has excellent transportation links by road, rail and water with northern France, London, Essex and the South East of England (see Figure 2). 85% of Kent is defined as rural.

2.1.2 With an estimated population of 1,589,100 people²³, Kent is the largest non-metropolitan local authority area by population in England. Projected population growth for Kent is a 7.5% increase between 2018 and 2028, with the total population of the county expected to be over 1.7 million people by 2028²⁴.

Figure 1: Kent Districts



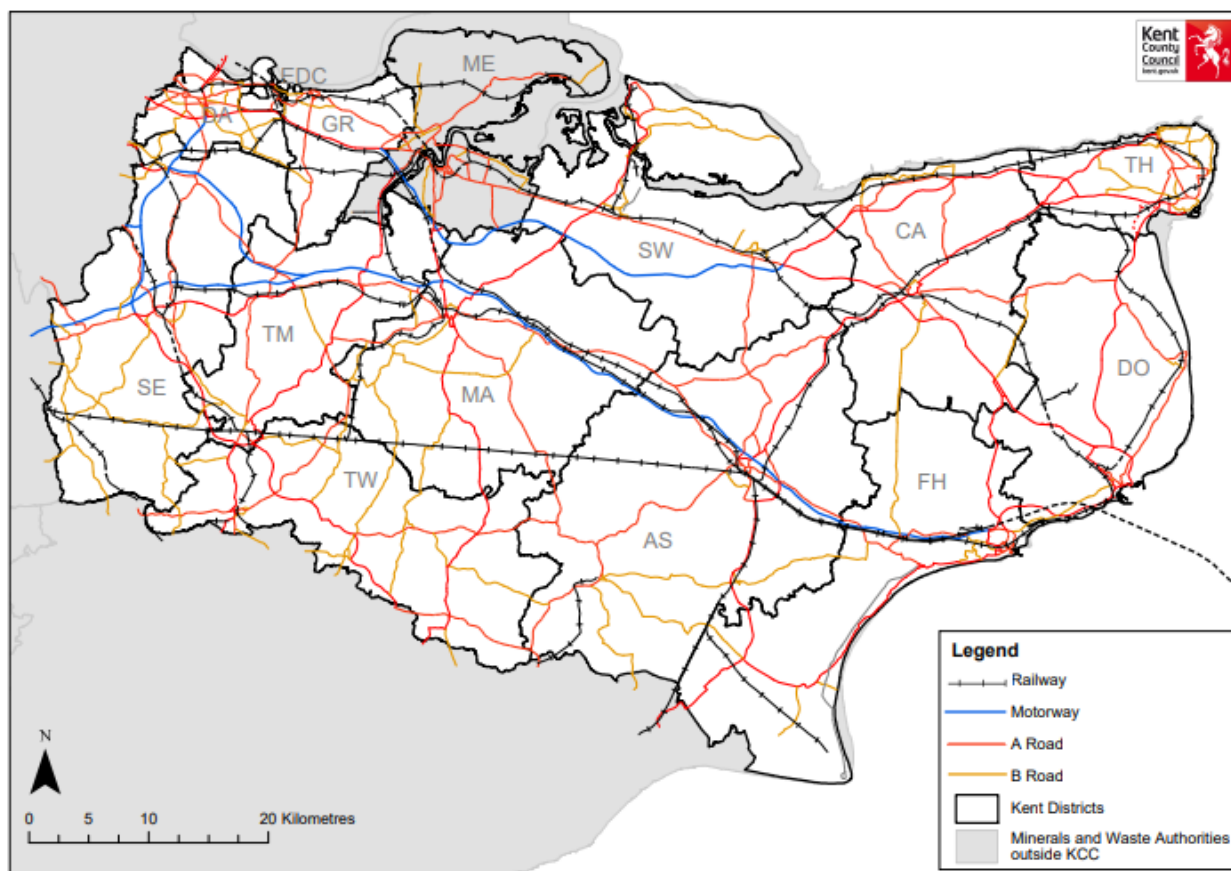
2.1.3 The population of Kent is spread unevenly throughout the county. North-west Kent is the main urban area as part of the Thames Gateway area. The Thames Gateway stretches along the River Thames from Stratford and Lewisham in London

²³ In September 2021, Office for National Statistics.

²⁴ KCC (2020) Strategic Commissioning Statistical Bulletin 2018 – Based Subnational Population Projections.

out to Sittingbourne, Kent and Southend, Essex. Within Kent, it contains parts of Dartford, Gravesham and Swale Districts and Medway Council.

Figure 2: Transport Links



2.1.4 Kent is a member of The South East Local Enterprise Partnership (SE LEP). This encompasses East Sussex, Essex, Kent, Medway, Southend and Thurrock. LEPs are voluntary partnerships between local authorities and businesses which were formed in 2011 by the former Department for Business, Innovation and Skills (BIS) to help determine local economic priorities and lead economic growth and job creation within the local areas. LEPs are responsible for some of the functions previously carried out by the regional development agencies which were abolished in March 2012. There were 38 LEPs in operation in October 2021.

2.1.5 Figure 3 shows the extent of the SE LEP and the Thames Gateway area. The SE LEP area has 156,000 businesses and 3.9 million people. 1,526,000 people work within the LEP area, contributing £63bn Gross Value Added (GVA)²⁵. This represents 5% of the national contribution²⁶. The SE LEP's aim is to ensure the survival and stability of our economy in the short term and to drive sustainable economic renewal and growth in the medium to long term. The SE LEP has identified four strategic priorities which reflect the unique geography, assets and opportunities:

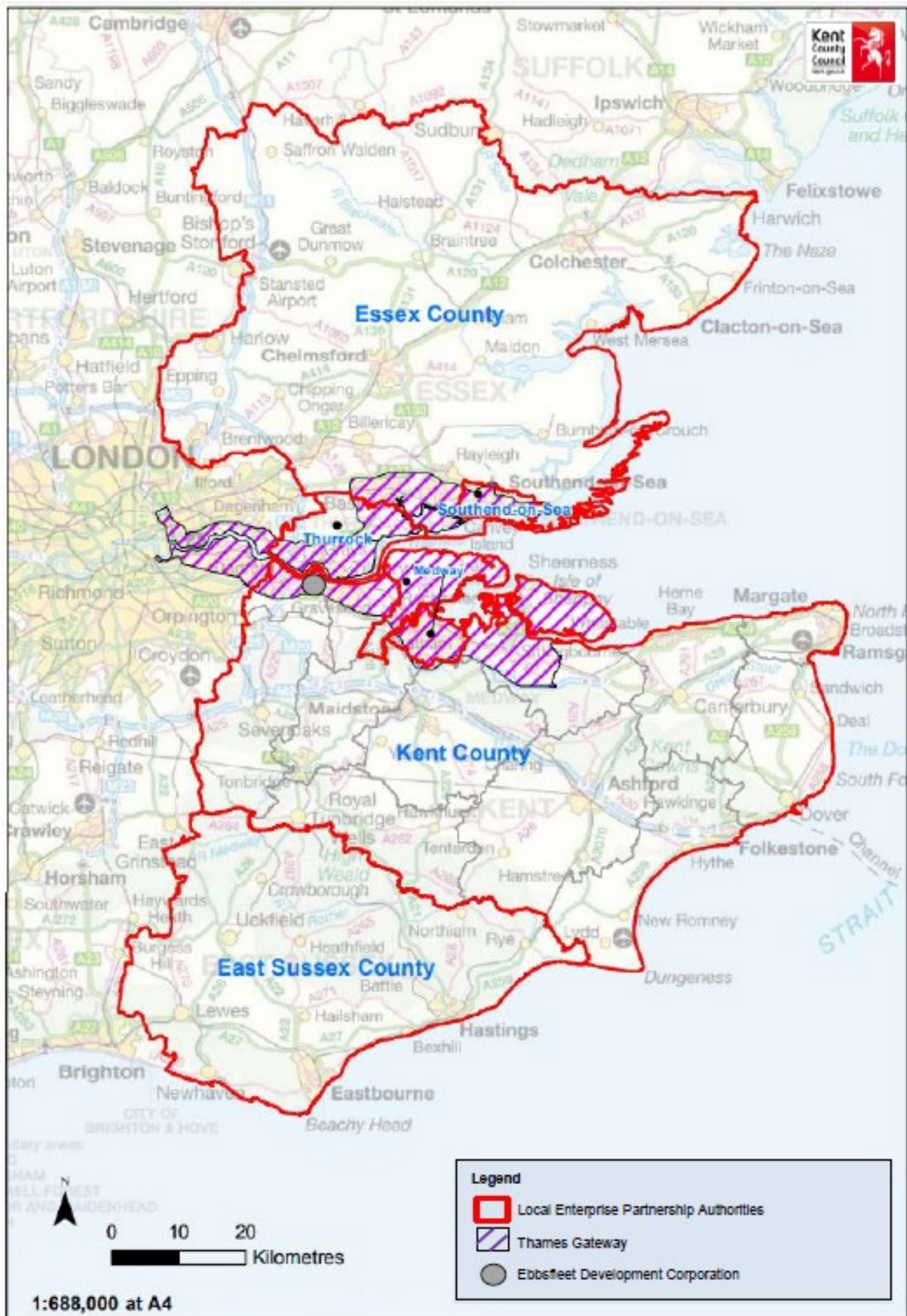
²⁵ GVA is explained in the Glossary in Appendix A.

²⁶ South East Local Enterprise Partnership Strategic Economic Plan.

1. business resilience and growth
2. UK's global gateway
3. communities for the future
4. coastal catalyst

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Figure 3 SELEP and the Thames Gateway Area



2.2 Kent's Environmental and Landscape Assets

2.2.1 Some of Kent's natural environment and features are formally identified as being of international, national and local importance. Kent also has statutorily protected species, under both international and national legislation. These formal designations include the following:

International Importance (see Figure 4):

- Ramsar sites
- Special Protection Areas for Conservation (SPAs)
- Special Areas for Conservation (SACs)
- UNESCO World Heritage Sites: Canterbury Cathedral, St Augustine's Abbey and St Martin's Church in Canterbury

National Importance (See Figures 5 & 6):

- almost a third of Kent is protected by two Areas of Outstanding Natural Beauty (AONB): the Kent Downs AONB and High Weald AONB
- Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs)
- nationally important archaeological sites (most of which are Scheduled Ancient Monuments), Registered Parks and Gardens of Historic Interest and Listed Buildings²⁷
- Kent areas of Heritage Coast including South Foreland and Dover to Folkestone
- Green Belt
- species and habitats listed as being of principal importance for the conservation of biodiversity in the UK (Section 41 of the *Natural Environment and Rural Communities (NERC) Act 2006*)⁽²⁸⁾
- Ancient Woodland (Figure 10)
- Marine Conservation Zones

Local Importance:

2.2.2 Kent's wildlife, geological, geomorphological, landscape and historic environmental areas and features that are of particular importance at county level, or that make a contribution to biodiversity and geological conservation, include:

- Local Geological Sites and Local Wildlife Sites (LWSs) (see Figure 7)
- Local Nature Reserves (LNRs) (see Figure 8) and Roadside Nature Reserves
- Species and habitats identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045
- the setting of the World Heritage Site (Canterbury Cathedral, St Augustine's Abbey and St Martin's Church) and Locally Listed buildings, conservation

²⁷ Listed Buildings in Kent are shown on The National Heritage List for England on the Natural England website.

²⁸ DLUHC (2000) Countryside and Rights of Way Act 2000.

areas and their settings, Historic Environment Records and archaeological assets

- landscape features of importance for wildlife that are essential for migration and dispersal, and which enable the protection, conservation and expansion of native flora and fauna
- Kent rivers and waterways and their settings (Figure 9)
- Biodiversity Opportunity Areas (BOA) (Figure 11)
- Groundwater in Kent (Flood Zones, Source Protection Zones) (Figure 15)

Biodiversity Opportunity Areas and Local Nature Recovery Strategy

2.2.3 The identification of BOAs present opportunities to contribute to large-scale biodiversity conservation in Kent.

2.2.4 Kent's network of BOAs has been identified to implement the Kent Nature Partnership Biodiversity Strategy 2020 to 2045. The BOAs show where the greatest gains can be made from habitat enhancement, restoration and recreation, as these areas offer the best opportunities for establishing or contributing to large habitat areas and/or networks of wildlife habitats. The BOAs include a range of biodiversity interests. BOA targets reflect the specific landscape, geology and key habitats that are present within each area.

2.2.5 The BOAs are not constraints to development. They are areas where minerals and waste sites will best be able to support the strategic aims for biodiversity conservation in Kent. Sites that are outside of the BOAs can still contribute to the delivery of BAP targets and the enhancement of Kent's biodiversity.

2.2.6 Whilst the BOAs remain current they are likely to be superseded by the Local Nature Recovery Strategy, a requirement of the Environment Act 2021. The Local Nature Recovery Strategy (LNRS) will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. Whilst the LNRS is not expected to be a constraint to development, they will be an important source of evidence for local planning and public authorities will have a duty to "have regard" to the LNRS. At the time of writing, the secondary legislation and statutory guidance relating to LNRS that will provide the detail and instruct the commencement of their development is awaited.

Figure 4 International Designations

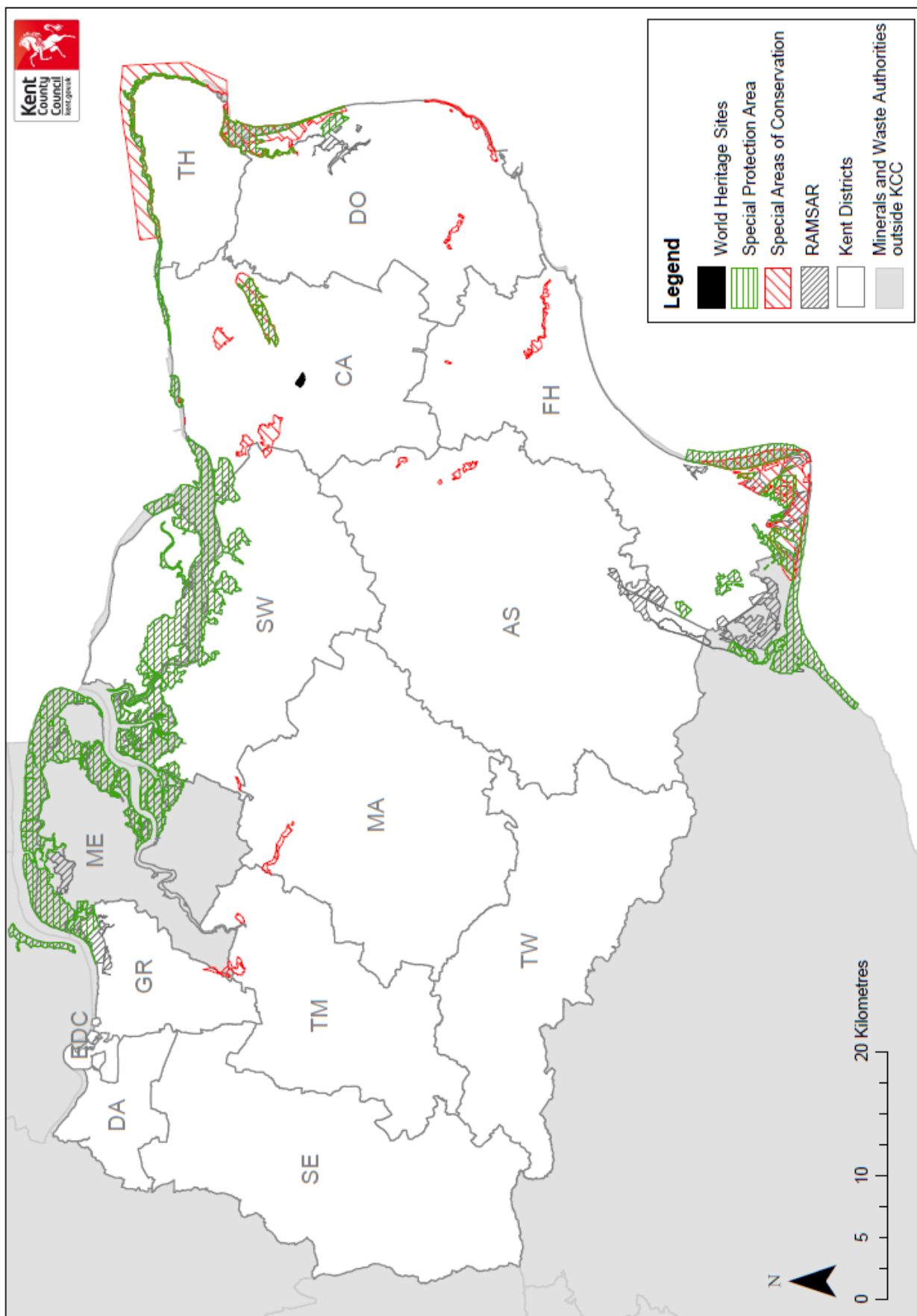


Figure 5: Nationally Important Designations: Landscape

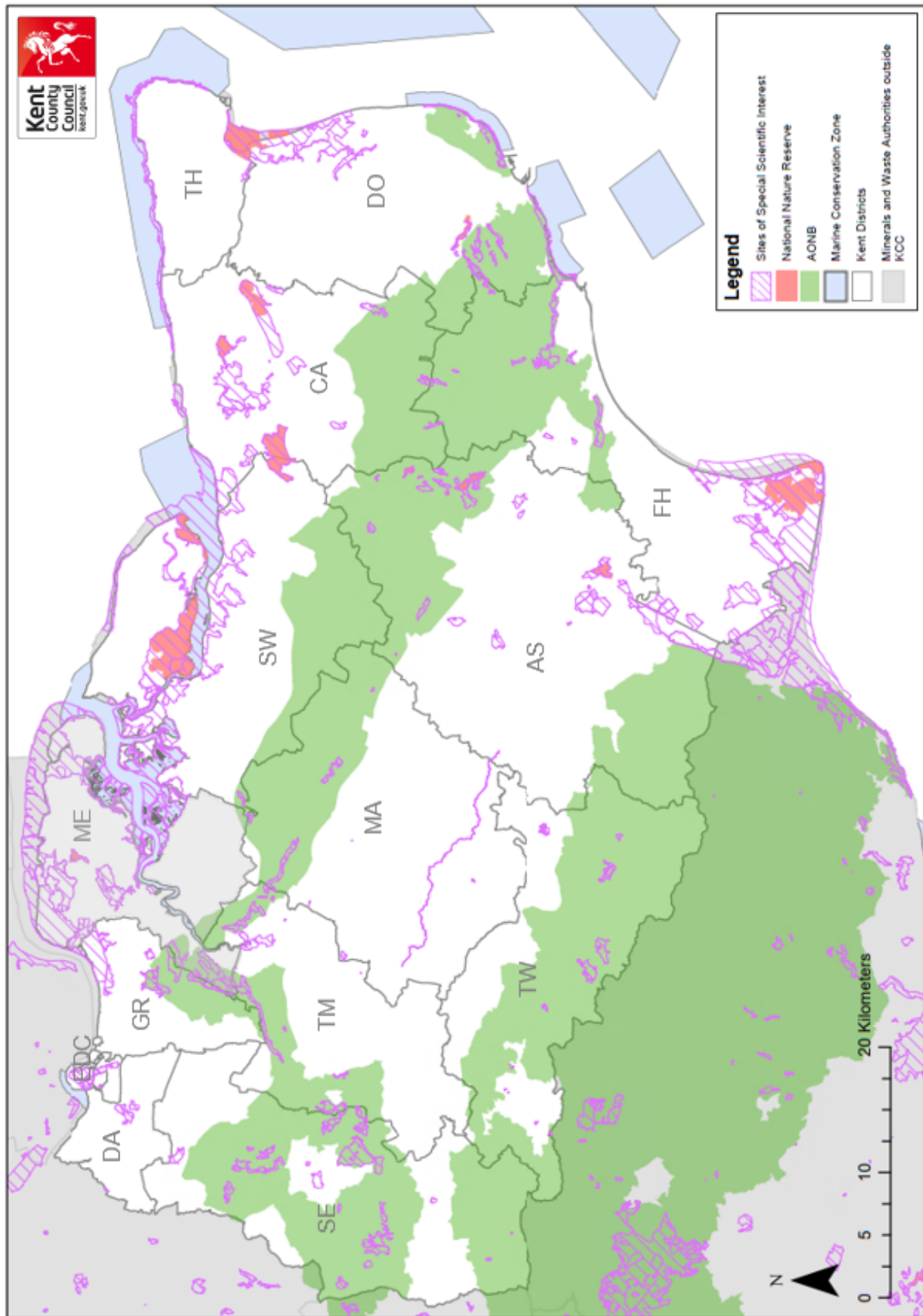


Figure 6: Nationally Important Designations: Heritage and Green Belt

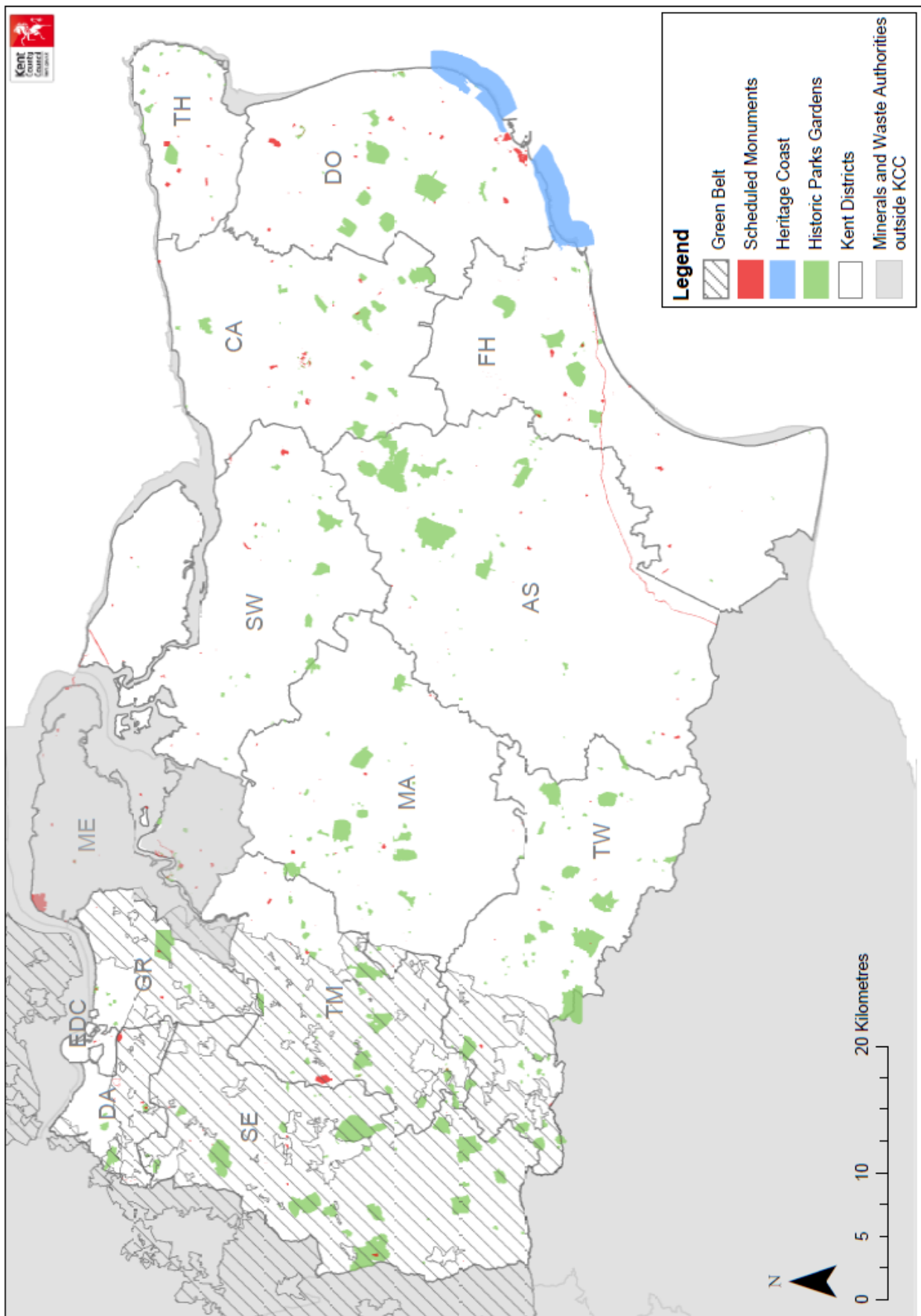


Figure 7: Local Geological Sites and Local Wildlife Sites

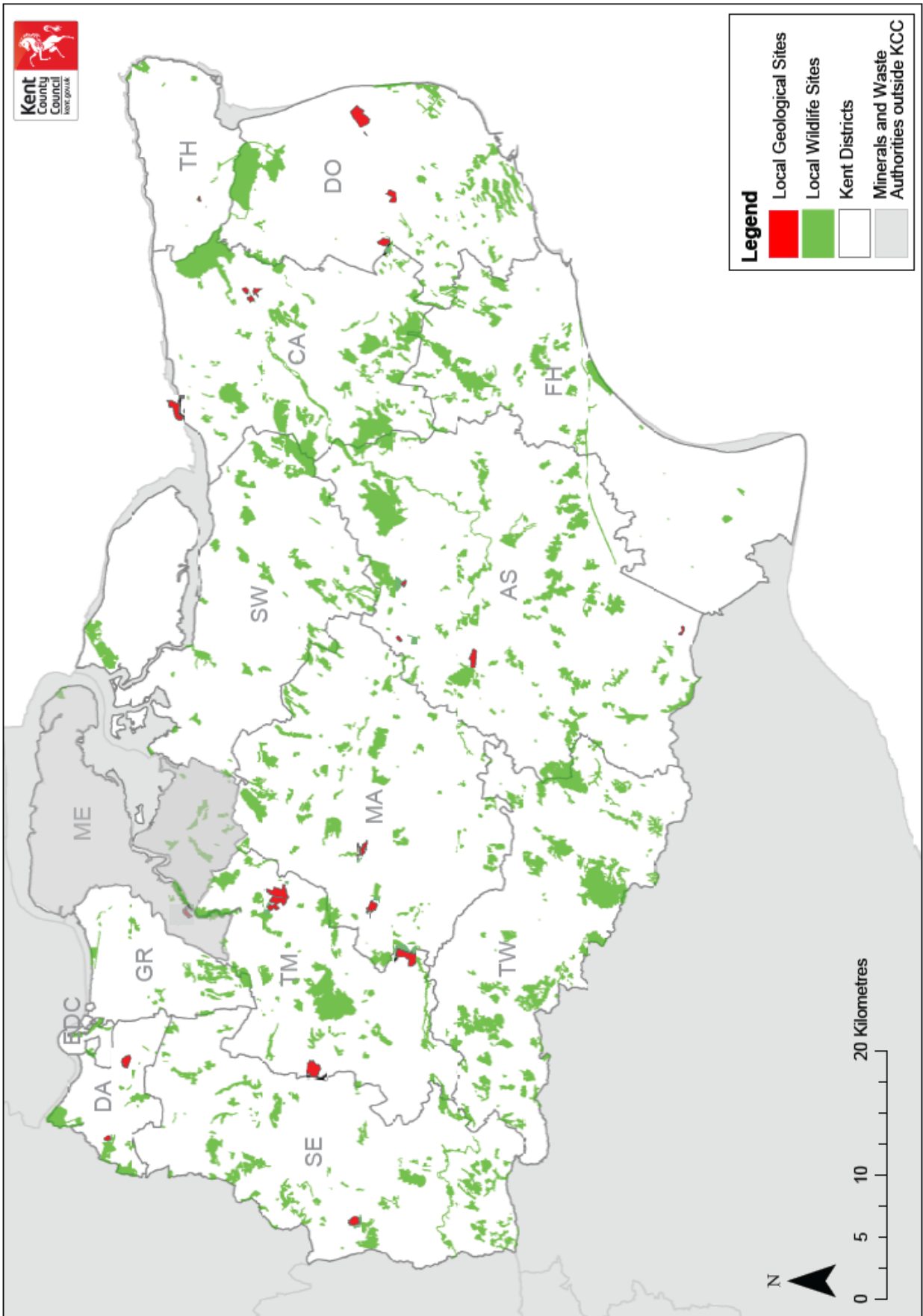


Figure 8: Local Nature Reserves

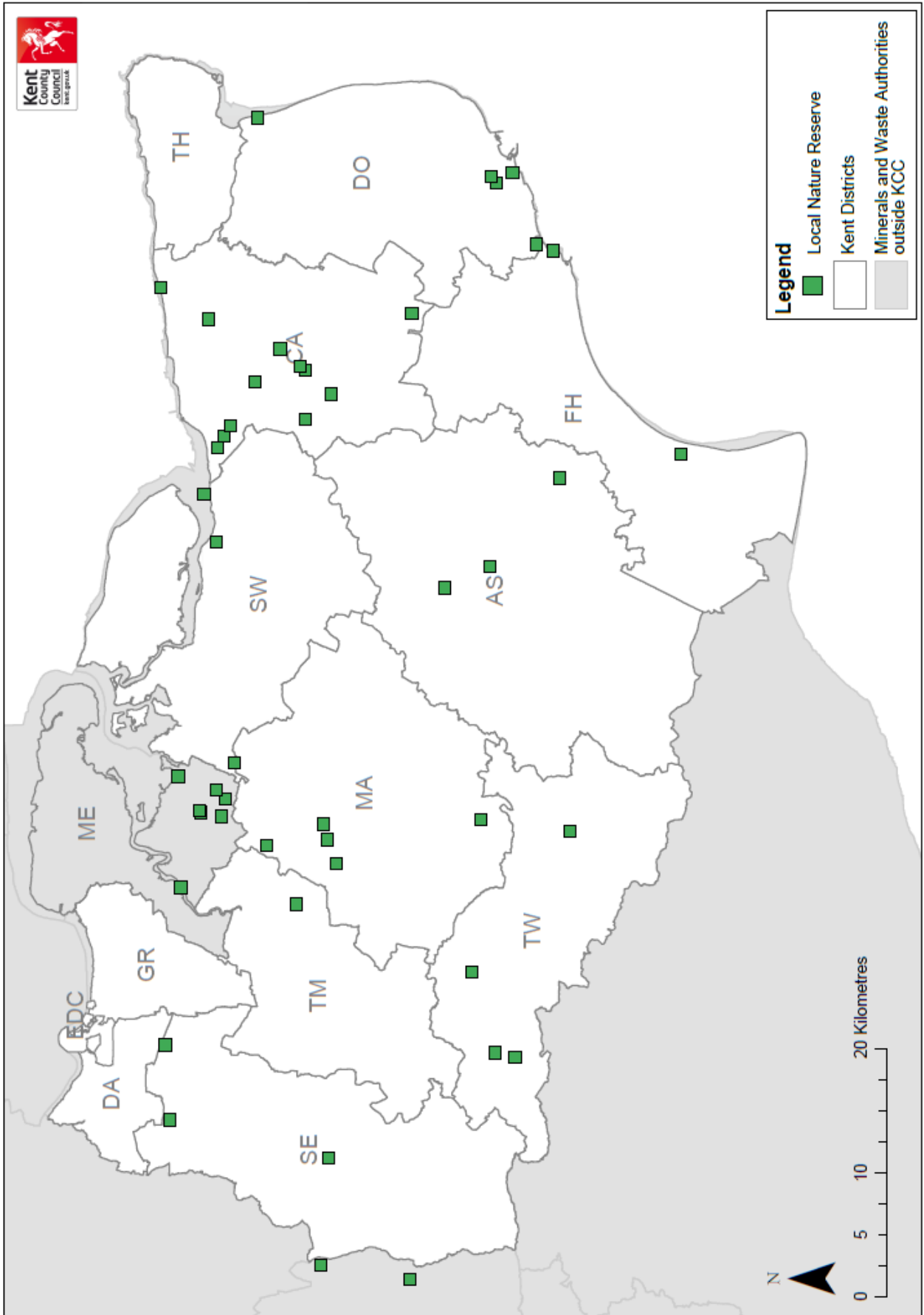


Figure 9: Kent Main Rivers and Waterways

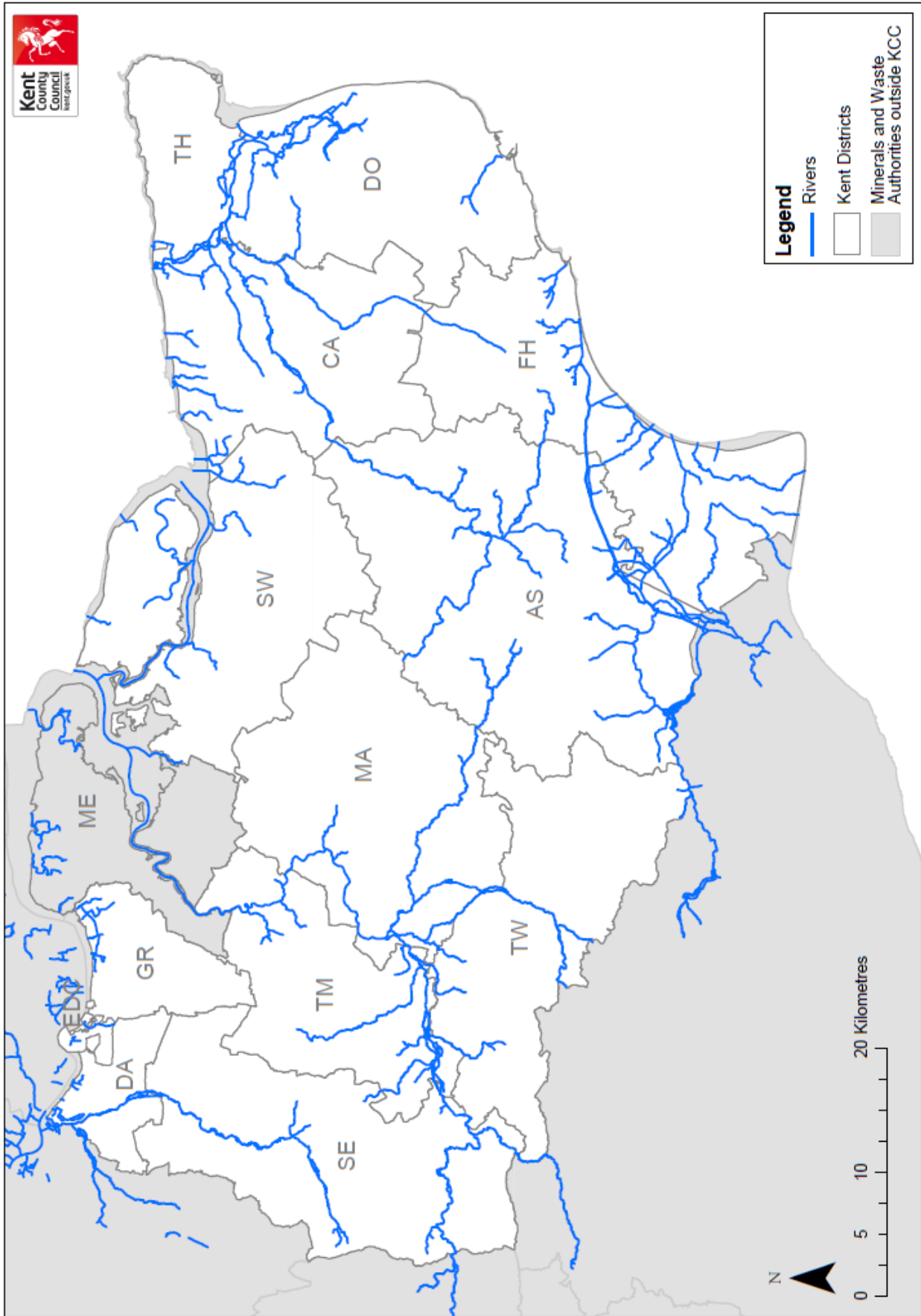


Figure 10: Ancient Woodland

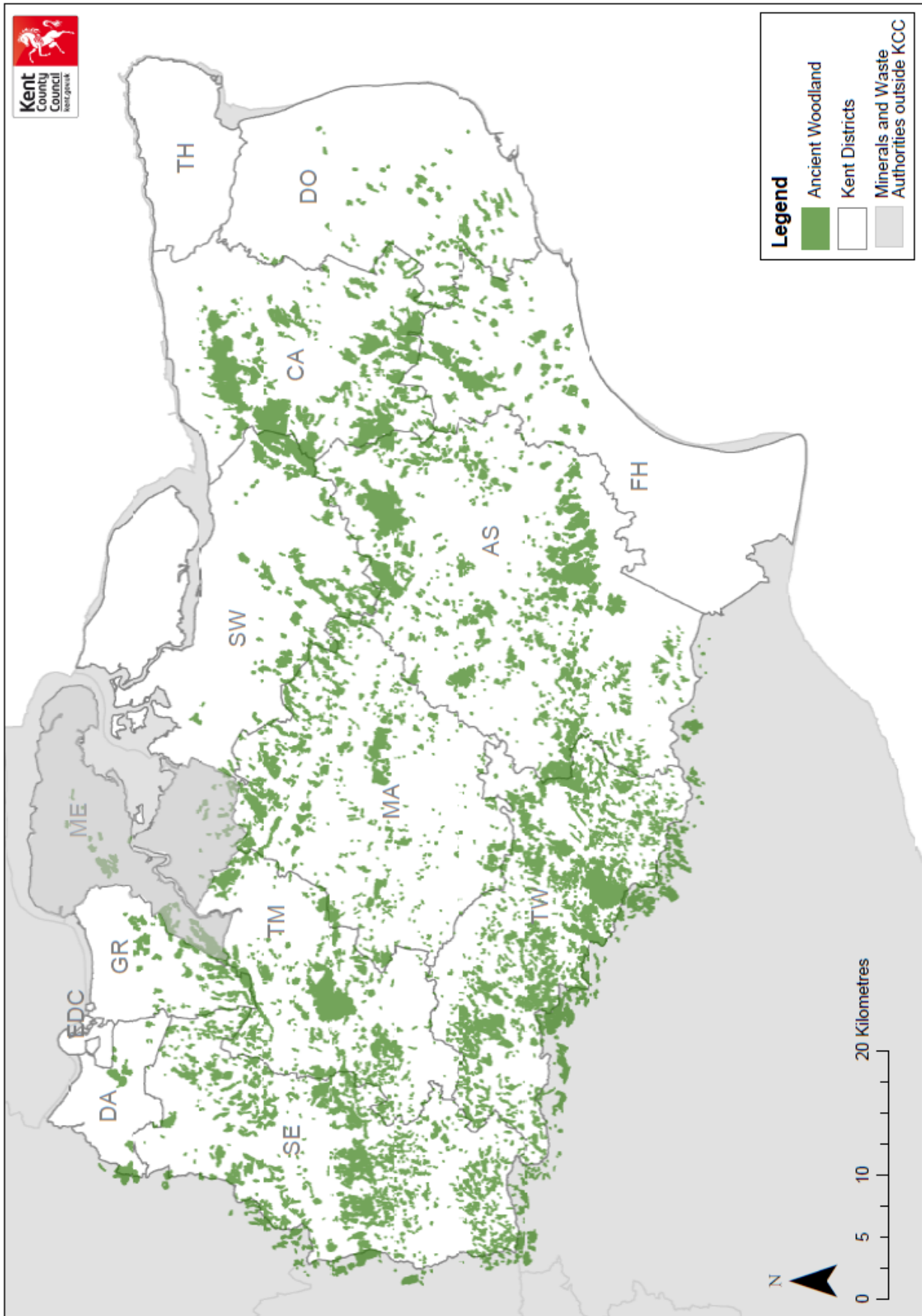


Figure 10A: Priority Habitats

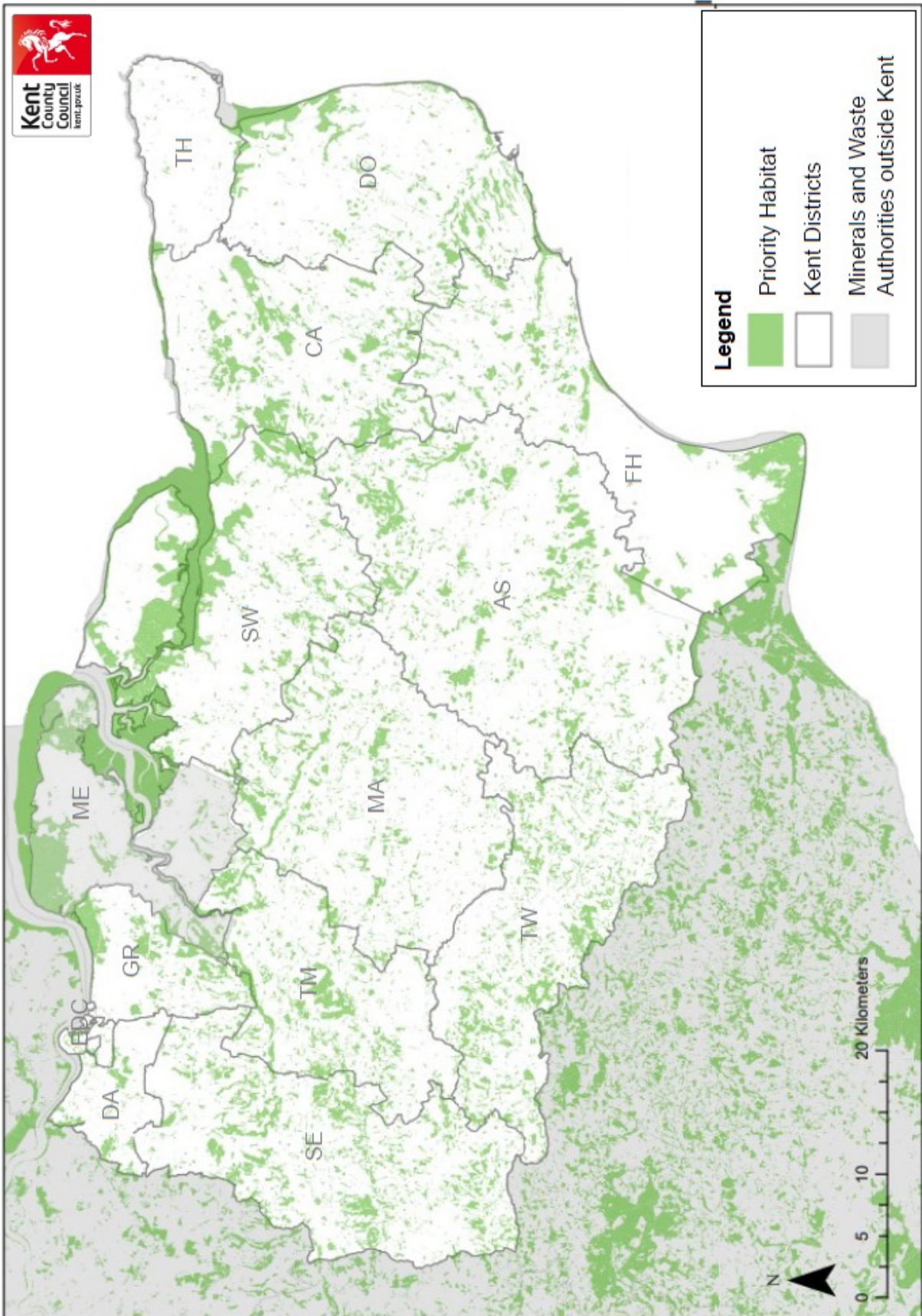
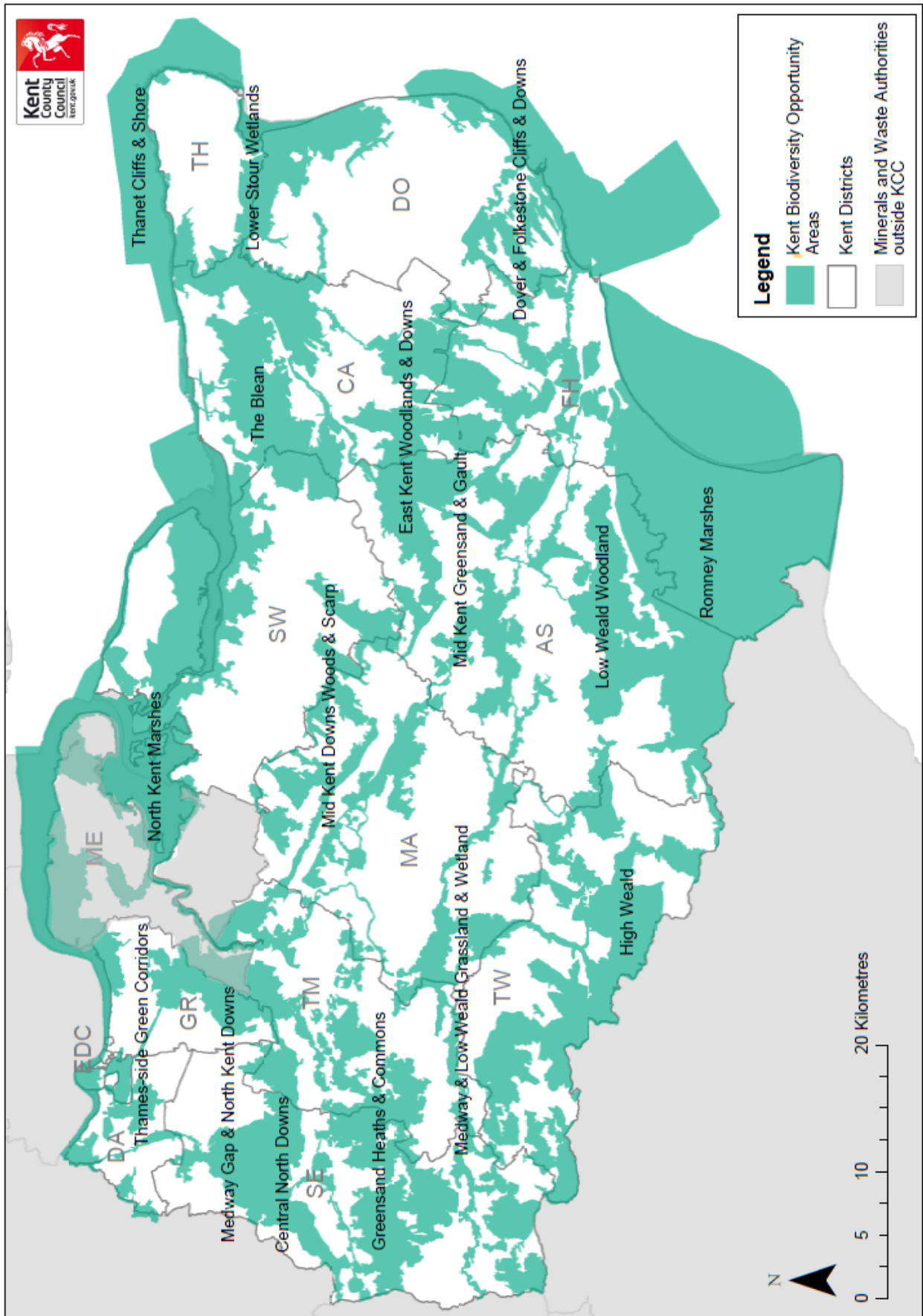


Figure 11: Biodiversity Improvement Areas



2.3 Kent's Economic Mineral Resources

2.3.1 The economic mineral resources²⁹ of Kent reflect its complex geological, economic and social history. Historically, the Carboniferous Coal Measures were of major economic importance until the East Kent Coal mines ceased operations by 1989. Until 2010 Kent also had a thriving cement industry based on the chalk and clay deposits of the Medway Valley and north-west Kent. There are now no active cement works in Kent. Areas of Kent have also been licensed by the Government for petroleum exploration and development, though none have been developed.

2.3.2 Economic minerals that are extracted from Kent quarries include sand and gravel, crushed rock (a limestone informally called Kentish Ragstone of the Hythe Formation), building sand, silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses, and building stone.

2.3.3 Figure 12 shows the geology of Kent. Figures 13 and 14 shows all existing mineral extraction sites, wharves, rail depots and the areas licensed for petroleum exploration.

2.3.4 Details of operational and inactive quarries, wharves, rail depots and secondary and recycled aggregate sites in Kent are reviewed annually and listed alongside the Kent Minerals and Waste Annual Monitoring Report (AMR)³⁰.

Construction Aggregates

2.3.5 Construction aggregates consist of sand, gravel and crushed (hard) rock. These are the most significant in terms of the quantity of all of the minerals extracted in Kent.

2.3.6 Historically, sharp sand and gravel deposits have been extracted along Kent's river valleys (River Terrace deposits) and in the Dungeness and Romney Marsh area (Storm Beach deposits). The permitted reserves have become depleted and are no longer a significant source of supply to meet objectively assessed needs as they historically once were.

2.3.7 Soft sand or building sand, used to produce asphalt and mortar, is extracted from quarries situated on the Folkestone Formation between Charing and Sevenoaks. Some of these sand quarries produce a combination of soft sand (building sand which is a construction aggregate) and silica sand (a specialist sand of higher purity that can be used in certain industrial processes, e.g., foundry sands, ceramics, and chemical production).

2.3.8 The difference between sharp sand and soft sand is in the particulate shape, and the degree of variation of grain size. Soft sand particles are all similar in size and shape with a low angularity making soft sand suitable for mortar mixes. Sharp sands

²⁹ A resource is a concentration or occurrence of workable material of intrinsic economic interest.

³⁰ All Annual Monitoring Reports are available online from: www.kent.gov.uk/mwlp.

are more angular and variable in size which provides a high structural strength (tensile and compressive) useful in concrete mixes.

2.3.9 The only type of crushed (hard) rock that is exploited commercially in Kent is Kentish Ragstone, found in a band crossing Kent from east to west. Currently Kentish Ragstone extraction is carried out to the west of Maidstone. Another crushed rock resource exists in East Kent, in the form of a Carboniferous Limestone deposit. This potential hard crushed rock resource is found at considerable depth below the ground surface (300m) and has not been exploited for aggregate use.

2.3.10 The use of secondary and recycled aggregates is more sustainable than extracting primary land-won aggregates. The County Council is therefore keen to increase the amount of secondary and recycled aggregates being re-processed. Recycled aggregates can replace sharp sand and gravel in concrete production. There are sites across Kent that screen and/or crush secondary and recycled aggregates for re-use. Some are located in industrial estates, or at existing quarries, wharves and rail depots.

2.3.11 As well as land-won minerals and mineral recycling, Kent handles minerals (construction aggregates and cement) through its wharves and rail depots and is the largest importer of Marine Dredged Aggregates (MDA) in the South East.

Other Minerals

2.3.12 Chalk and clay resources are very common in Kent. There are four main clay horizons in Kent: London Clay, Gault Clay, Weald Clay and Wadhurst Clay. London Clay has been extensively used as an engineering clay, particularly for sea defence works around the North Kent Marshes. Gault, Weald and Wadhurst Clay have been used, historically, in brick making.

2.3.13 Brick and tiles are manufactured from brickearth or clays. These industries have declined in Kent but there remains one operational brick and one operational tile works. The Sittingbourne to Faversham area is the original source of yellow London stock bricks. Hand-made Kent peg tiles are manufactured at a small Weald Clay site near Maidstone.

2.3.14 The chalk horizon in Kent has formed the North Downs and it forms a major and highly recognised landscape feature across the county from Dover in the east to Westerham in the west. It also forms the main bedrock to the Isle of Thanet. Chalk is used in agriculture, e.g. for neutralising acid soils, in construction and as a filler in industrial processes such as a whitening agent.

2.3.15 Building stone, required for specialist or conservation work, is currently provided only from the Hythe Formation (a limestone that can provide crushed rock) quarries of mid Kent. Other types of building stone, including Tunbridge Wells Sandstone and Bethersden Paludina Limestone, have been worked for local building materials but there are currently no active quarries in Kent.

2.3.16 The Kent silica sand (so called because of their high purity of silicon dioxide or quartz) deposits found within the Folkestone Formation, while not as pure as

those in Surrey, are used for industrial processes. These include: glass manufacture, production of foundry castings, horticulture and for sports surfaces such as horse menages and golf course bunker sand. There are no sites in Kent that provide only silica sand. All such sites also produce construction aggregate³¹.

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³¹ GWP Consultants (March 2010). A study of Silica sand Quality and End Uses in Surrey and Kent. Final Report for KCC.

Legend: Geology of Kent

<u>Superficial (Drift) Deposits of Kent</u>	<u>Solid Geology of Kent</u>
 Landslip	 Mineral & Waste Authorities outside KCC
 Blown Sand	 Lenham Beds
 Marine Beach / Tidal Flats	 Bagshot Beds
 Storm Gravel Beach Deposits	 Claygate Beds
 Marine (/Estuarine) Alluvium (Clay	 London Clay
 (Sand (Sand & Gravel)	 Blackheath / Oldhaven Beds
 Calcareous Tufa	 Woolwich Beds
 Alluvium	 Thanet Beds
 Dry Valley & Nailbourne Deposits	 Bullhead Bed
 Peat	 Upper Chalk
 Brickearth	 Middle Chalk
 Undivided Flood Plain Gravel	 Melbourne Rock
 1st Terrace River Gravel	 Lower Chalk (Glaucouitic Marl)
 2nd Terrace River Gravel	 Upper Greensand
 3rd Terrace River Gravel	 Gault Clay
 4th Terrace River Gravel	 Lower Greensand
 5th Terrace River Gravel	 Folkestone Beds
 1st/2nd Terrace River Gravel	 Sandgate Beds
 2nd/3rd Terrace River Gravel	 Hythe Beds
 4th/5th Terrace River Gravel	 Atherfield Clay
 Taplow Gravel	 Weald Clay
 Boyn Hill Gravel	 Sand in Weald Clay (/Sandstone)
 Head	 Large 'Paludina' Limestone
 Coombe Deposits	 Small 'Paludina' Limestone
 Head Brickearth	 'Cyrene' Limestone
 Head Brickearth (Older)	 Clay Ironstone
 Head Brickearth 1st Terrace	 Undifferentiated Clay & Limestone
 Head Gravel	 Hastings Beds
 Plateau Gravel	 Upper Tunbridge Wells Sand
 Clay-with-Flints	 Upper
 Sand in Clay-with-Flints	 Cuxfield Stone
 Disturbed Blackheath Beds	 Lower Grinstead Clay
	 Ardingley Sandstone
	 Lower Tunbridge Wells Sand
	 Tunbridge Wells Sand
	 Clay in Tunbridge Wells Sand
	 Grinstead Clay
	 Wadhurst Clay
	 Sand in Wadhurst Clay
	 Ironstone in Wadhurst Clay
	 Ashdown Beds

Figure 12: Geology of Kent

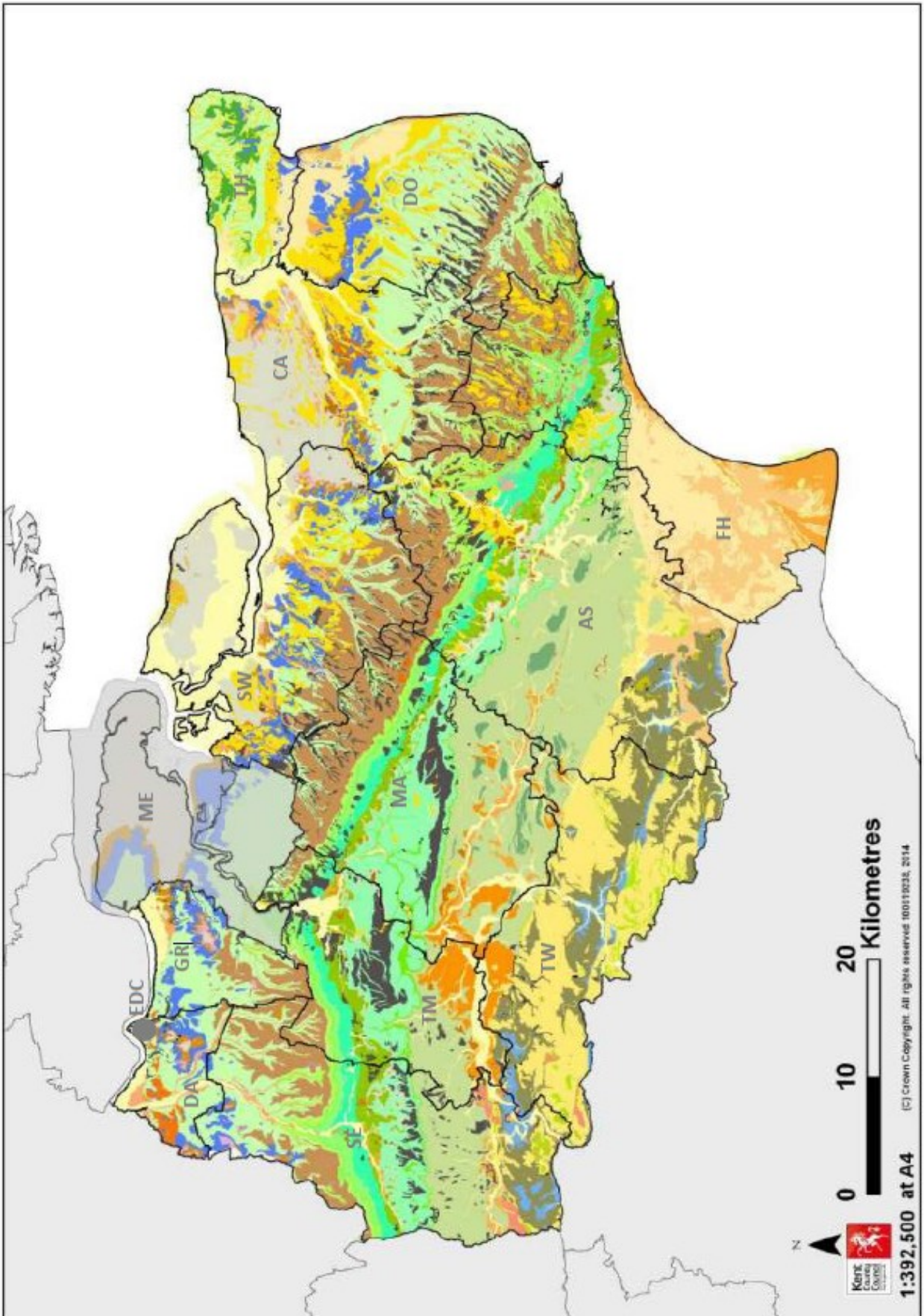
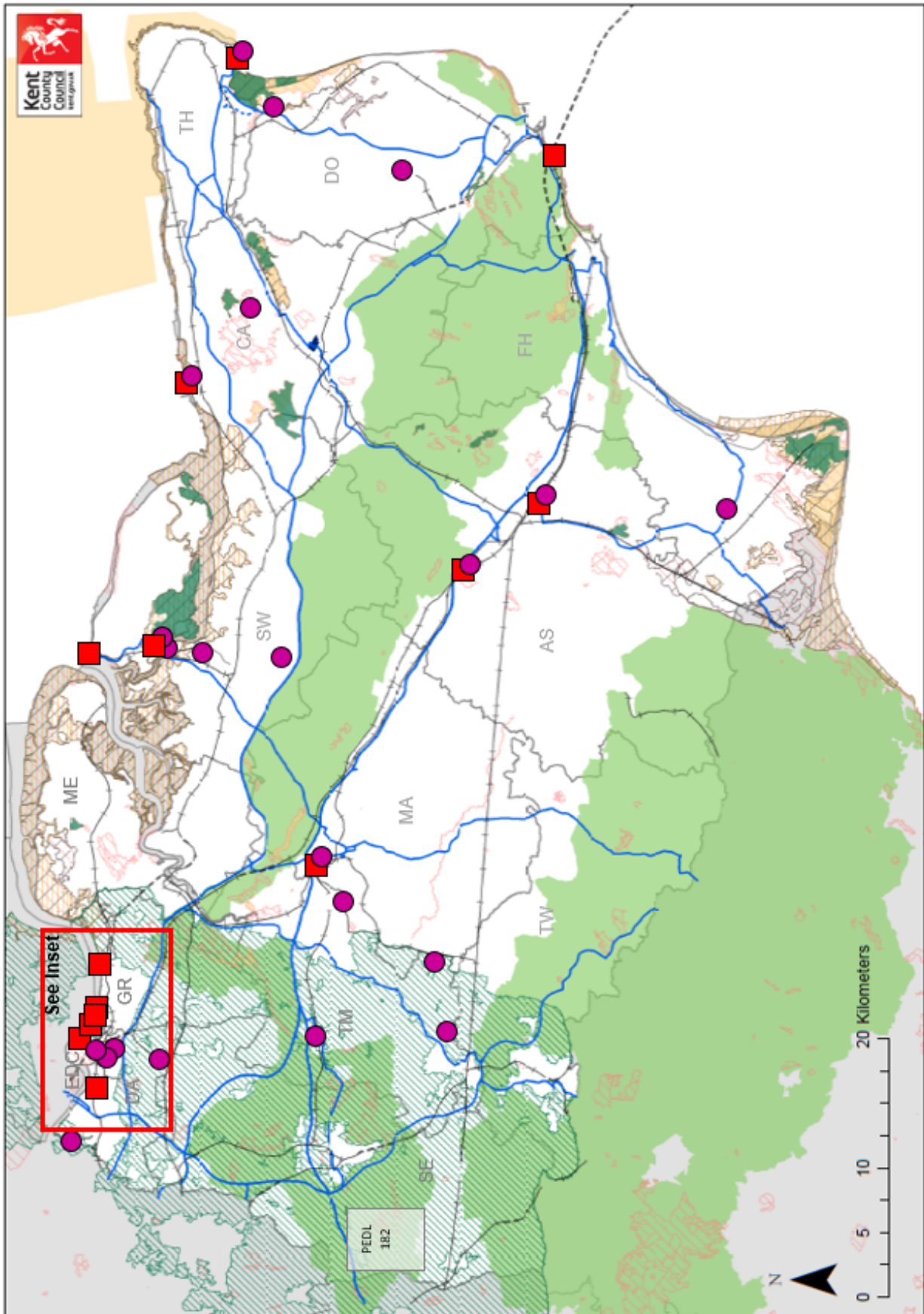







Figure 13: Minerals Key Diagram - Sustainable Mineral Supply

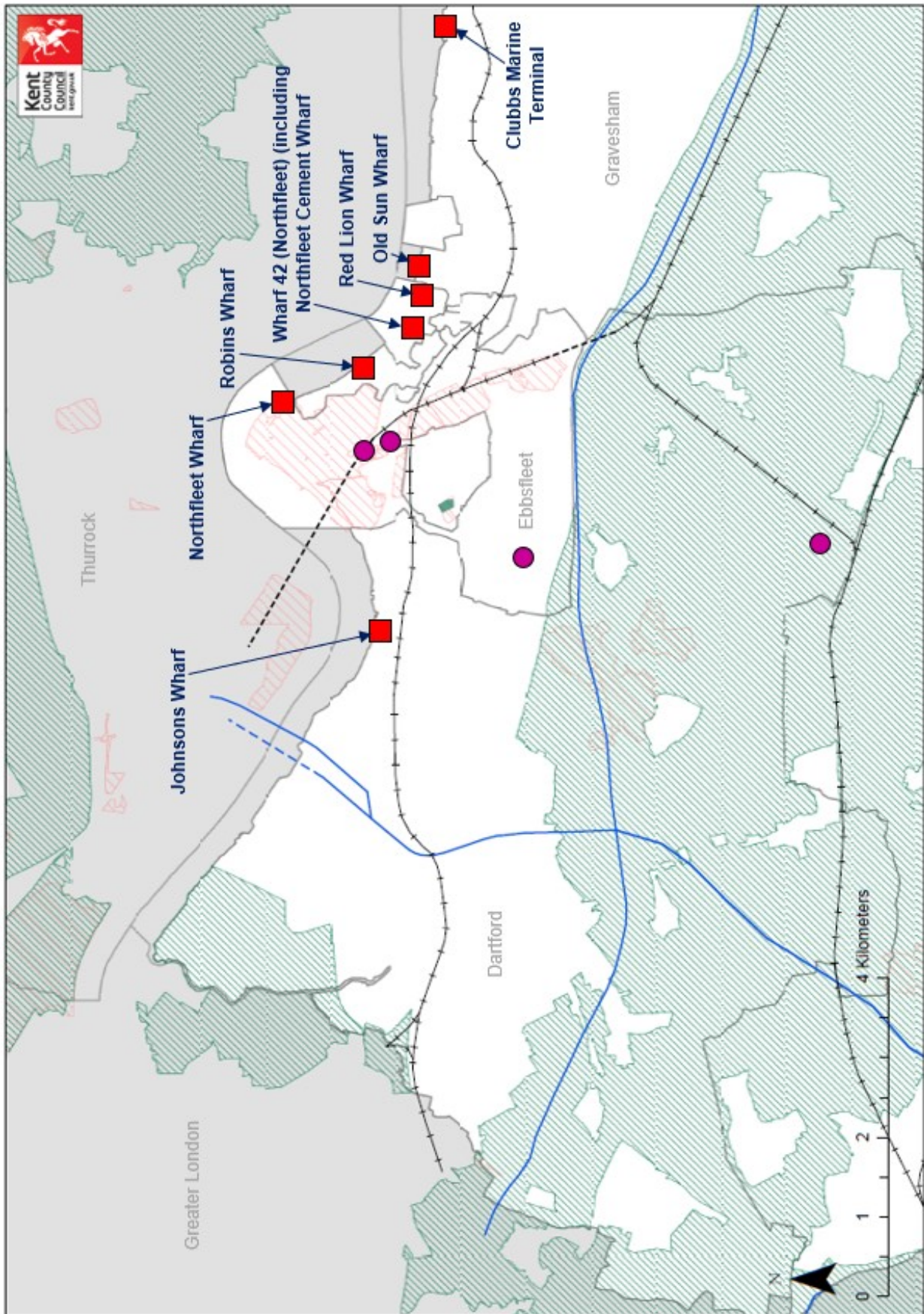
















Legend

- | | |
|--|---|
|  Railway |  Safeguarded Wharves and Rail Depots |
|  Motorway |  Secondary and Recycled Aggregate Facilities |
|  Green Belt | |
|  National Nature Reserve | |
|  Ramsar | |
|  Special Area of Conservation | |
|  Special Protection Areas | |
|  World Heritage Sites | |
|  Sites of Special Scientific Interest | |
|  Area of Outstanding Natural Beauty | |
|  Kent Districts | |
|  Minerals and Waste Authorities outside KCC | |

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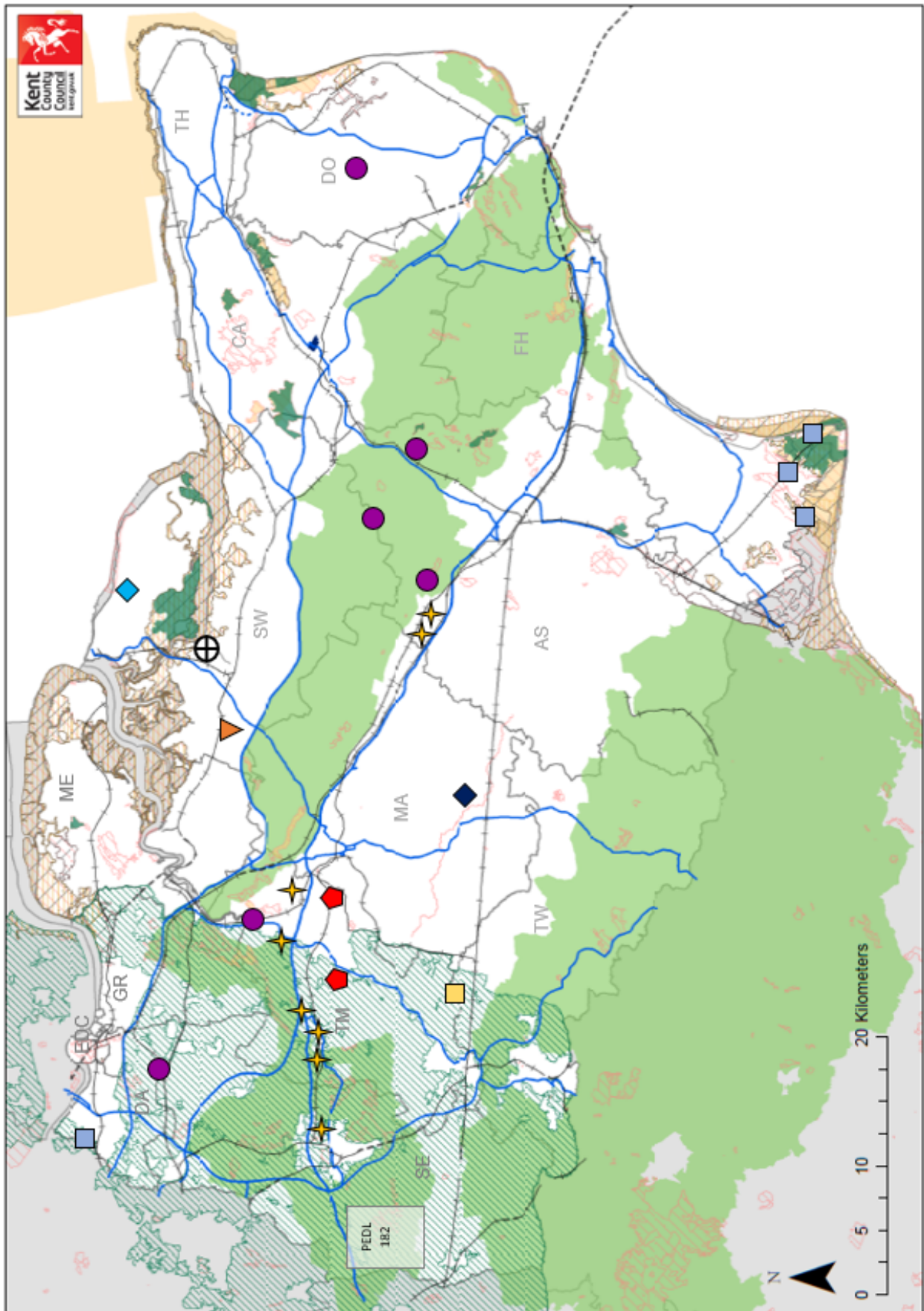
Figure 13A: Minerals Key Diagram Inset Map - Sustainable Mineral Supply
























Legend	
 Railway	 Safeguarded Wharves and Rail Depots
 Motorway	 Secondary and Recycled Aggregate Facilities
 Green Belt	
 National Nature Reserve	
 Ramsar	
 Special Area of Conservation	
 Special Protection Areas	
 World Heritage Sites	
 Sites of Special Scientific Interest	
 Area of Outstanding Natural Beauty	
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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Figure 14: Minerals Key Diagram - Land-won Supply



Legend

 Railway	 Brickworks
 Motorway	 Chalk
 Green Belt	 Clay for Tiles
 National Nature Reserve	 Clay for Engineering
 Ramsar	 Brickearth
 Special Area of Conservation	 Building Sand (soft sand)
 Special Protection Areas	 Crushed Rock
 World Heritage Sites	 Sand and Gravel (flint)
 Sites of Special Scientific Interest	 Sand and Gravel (sandstone)
 Area of Outstanding Natural Beauty	
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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2.4 Kent's Waste Infrastructure

2.4.1 It is estimated that Kent has a population of 1,578,000³² people with major urban areas in North Kent, Maidstone, Ashford and Thanet and smaller towns throughout the county. The county is an area of sustained growth for housing, employment and infrastructure, and retains important manufacturing industries in addition to the service employment that is prevalent in the South East. This infrastructure generates large volumes of household, Commercial and Industrial (C&I), and construction waste. To accommodate the forecast increase in population, local authority housing forecasts indicate that some 178,600 housing units are planned across Kent and Medway between 2011 and 2031³³.

2.4.2 The district councils, as waste collection authorities (WCA), influence the rate of recycling of Local Authority Collected Waste (LACW) in their areas. However, the County Council, as the Waste Disposal Authority (WDA) and the Waste Planning Authority (WPA), must achieve targets and apply policies for the county as a whole. The JMWMS³⁴, which provides guidance for the future direction of household waste management in Kent, has informed the Kent Minerals and Waste Local Plan.

2.4.3 The provision of waste management facilities is influenced by international and national planning constraints. Local geology and hydrology also constrain where non-hazardous and hazardous waste landfill might be sited. Areas with clay geology, outside water Source Protection Zones (SPZs) which are not liable to flooding, may be suitable for future landfill. This is subject to suitable engineering solutions and any local environmental impact being acceptable. Figure 15 shows the SPZs and Flood Zones in Kent.

2.4.4 Some of Kent's mineral workings are used for waste disposal. At the time of Plan preparation, there are two non-hazardous landfill sites and two hazardous landfill sites.

2.4.5 There are other EfW facilities in Kent including one at Kemsley. The Allington Energy from Waste (EfW) plant near Maidstone can treat residual household waste. It has additional capacity not contracted to the County Council available for Local Authority Collected Waste (LACW) from outside Kent, or C&I waste from inside or outside Kent. It enables Kent to divert waste from landfill and to meet the national planning policy objective to move the treatment of waste up the hierarchy (see Figure 18). Blaise Farm, near West Malling has a large, modern enclosed plant for composting of green and kitchen waste. There is also an EfW facility at Kemsley in Sittingbourne that has a waste throughput of 550,000 tonnes a year (with permission granted for a further 107,000 tonnes per year) and supplies 49.9MW of power to an adjacent paper mill.

³² Kent Statistical Bulletin, January 2023, 2021 Mid-year population estimates: Total population in Kent, Kent County Council

³³ Kent and Medway Growth and Infrastructure Framework 2018 Update

³⁴ KCC (2018) refreshed Joint Municipal Waste Management Strategy.

2.4.6 Kent neighbours Medway, London, Essex, Surrey and East Sussex. Waste crosses the borders into and out of Kent, this includes those areas that border Kent and beyond.

2.4.7 Construction, demolition and excavation waste comes into the county from London for disposal in inert landfill sites.

2.4.8 Figures 16a and 16B show the location of key existing facilities.

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Figure 15 Flood Zones, Source Protection Zones and Petroleum Exploration and Development Licence areas

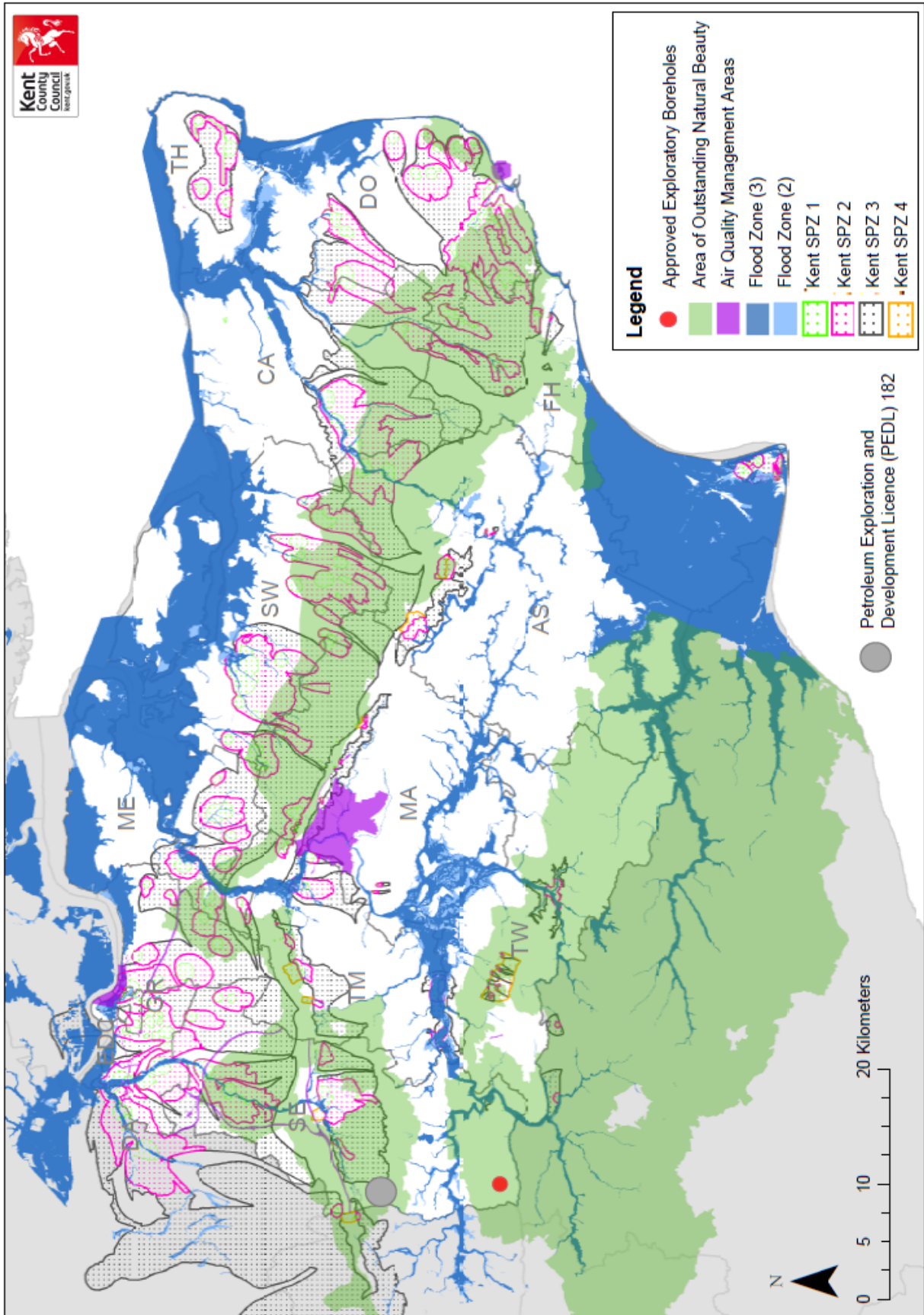
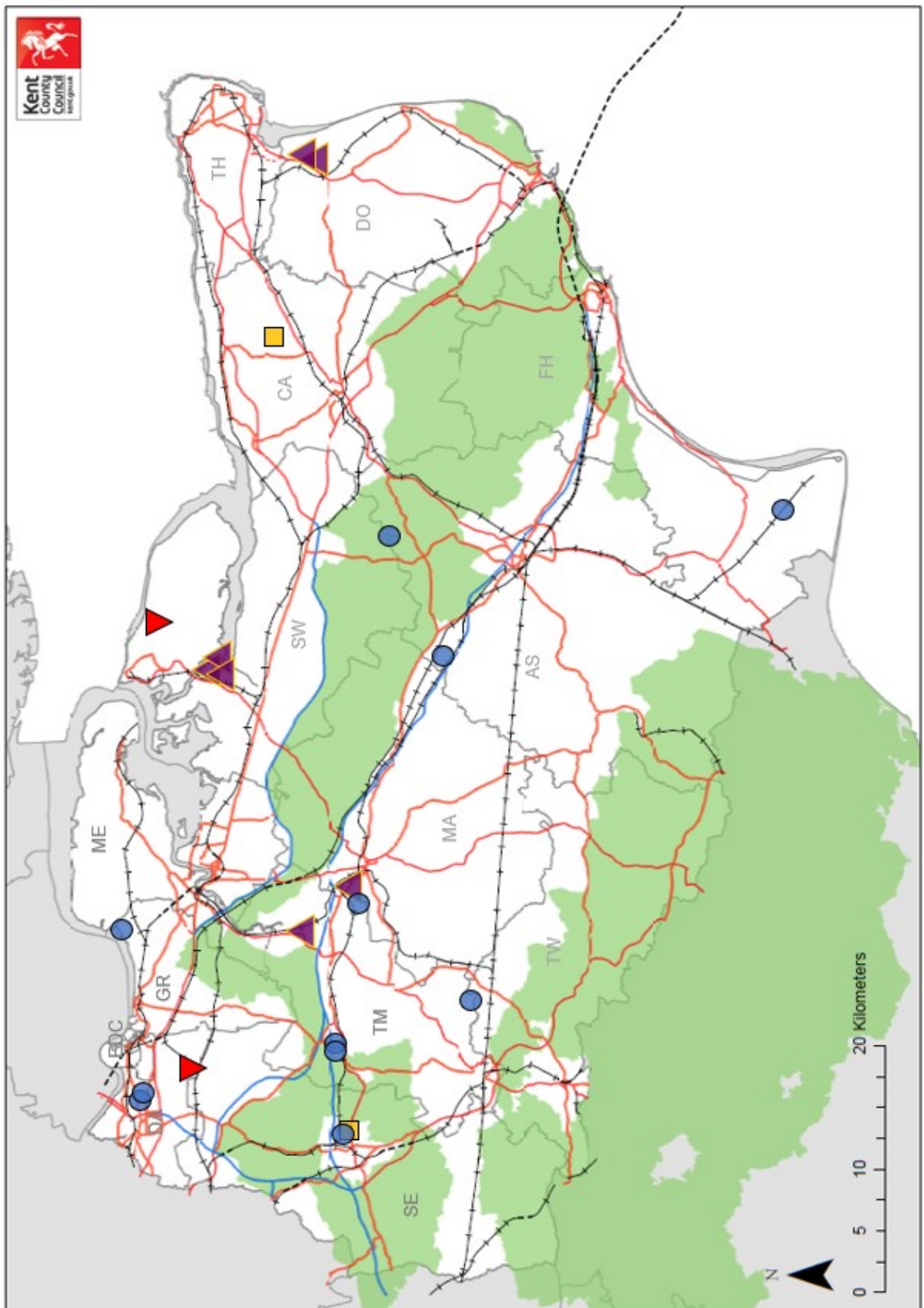












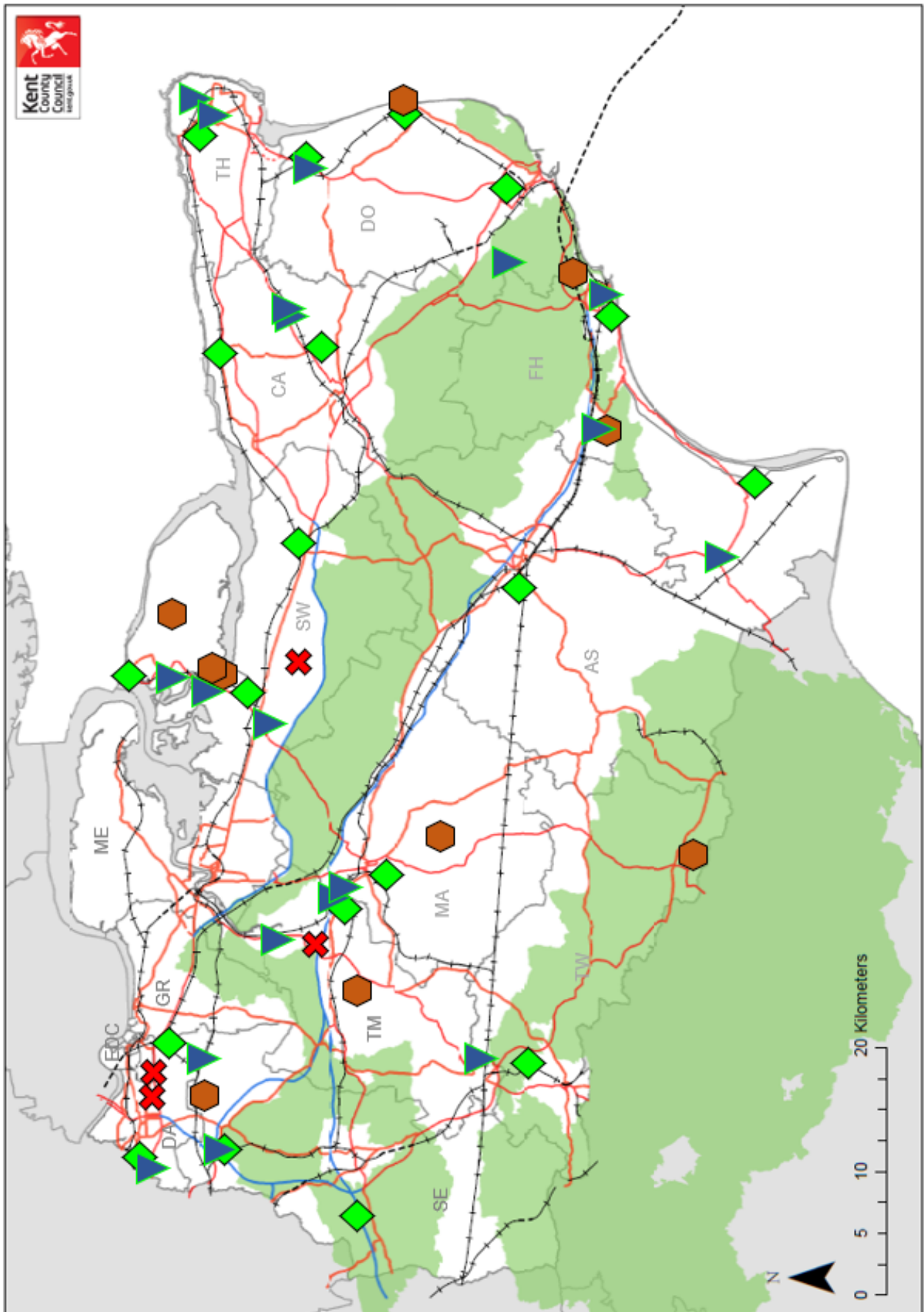
Figure 16A: Waste Key Diagram - Residual Waste Management Capacity













Legend	
 Railway	 Energy from Waste
 Motorway	 Inert Landfill
 A Road	 Non-Hazardous Landfill
 Area of Outstanding Natural Beauty	 Hazardous Landfill
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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Figure 16B - Waste Key Diagram - Reuse/Recycling and Treatment Capacity



Legend	
 Railway	 Household Waste Recycling Centre (HWRC)
 Motorway	 Organic Treatment and Composting
 A Road	 Hazardous Waste Transfer and Treatment
 Area of Outstanding Natural Beauty	 Recycling
 Kent Districts	
 Minerals and Waste Authorities outside KCC	

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3. Spatial Vision for Minerals and Waste in Kent

3.0.1 The Kent MWLP provides an opportunity to take a fresh look at minerals and waste issues and to take some bold steps towards delivering improvements in mineral supply and waste resource management based on the principles of sustainable development. Identifying a vision for minerals and waste in Kent allows us to translate broad sustainability principles and put them into a context that is relevant to our communities and businesses.

3.0.2 The main aims of the Plan are to drive waste up the Waste Hierarchy (see Figure 18) enabling waste to be considered as a valuable resource, while at the same time providing a steady supply of minerals to allow sustainable growth to take place. It will also ensure that requirements such as a Low Carbon Economy (LCE) and climate change issues are incorporated into new developments for minerals and waste development in Kent.

3.0.3 The vision outlines our ambition for sustainable resource management and mineral supply.

3.0.4 As the Kent MWLP will plan for minerals and waste in Kent up to the end of 2039, it is important to recognise that technology will change over the plan period. Therefore, the Plan has to be robust and flexible enough to enable improvements in technology to be incorporated into future mineral supply and waste management developments.

Spatial Vision for Minerals and Waste in Kent

Throughout the Plan period 2024-39, minerals and waste development will:

1. Make a positive and sustainable contribution to the Kent area and beyond and ensure minerals and waste development contributes to the progression towards a low carbon economy.
2. Supports the needs arising from growth in Kent.
3. Deliver sustainable solutions to the minerals and waste needs of Kent and beyond through collaborative working with communities, landowners, the minerals and waste industries, the environmental and voluntary sector and local planning authorities.
4. Embrace the naturally and historically rich and sensitive environment of the plan area, and ensure that it is conserved and enhanced for future generations to enjoy.

Planning for Minerals in Kent will:

5. Seek to deliver a sustainable, steady and adequate supply of land-won minerals including aggregates, silica sand, crushed rock, brickearth, chalk and clay, building stone and minerals for cement manufacture.
6. Facilitate the processing and use of secondary and recycled aggregates to become less reliant on land-won construction aggregates.
7. Safeguard economic mineral resources for future generations and all existing, planned and potential mineral transportation and processing infrastructure (including wharves and rail depots and production facilities).
8. Restore minerals sites to a high standard that will deliver sustainable benefits to Kent communities.

Planning for Waste in Kent will:

9. Facilitate the achievement of a more circular economy in all forms of development, ensuring the maximum reuse of materials and goods, minimising waste and ensuring its management is sustainable and takes place as high up the Waste Hierarchy as possible.
10. Extract the maximum amount of renewable energy incorporating both heat and power, from waste that cannot be re-used or recycled (i.e. unavoidable residual waste) and minimise the amount of non-hazardous waste sent to landfill.
11. Ensure waste is managed close to its source of production.
12. Allow for the development of a variety of waste management facilities to ensure that Kent remains at the forefront of waste management with solutions for all major waste streams, while retaining flexibility to adapt to changes in technology and legislation.
13. Ensure sufficient capacity exists to meet the future needs for waste management.
14. Restore waste management sites to a high standard that will deliver sustainable benefits to Kent's environment and its communities.

4. Objectives for the Minerals and Waste Local Plan

4.0.1 The Spatial Vision outlines our ambition for sustainable resource management for minerals and waste development in the plan area up to the end of 2039. While this vision describes what will be achieved, the objectives explain how the vision will be achieved.

4.0.2 All of the Kent MWLP objectives that follow are underpinned by an ambition to manage waste and mineral extraction and supply according to the principles of sustainable development, and in support of the National Infrastructure Strategy³⁵ and the delivery of Kent's community strategies.

4.0.3 Through regular monitoring and review of the progress of the Plan's policies against these objectives, it will be possible to see how much progress is being made towards achieving these requirements. Monitoring will also show whether the policies are having the required effects and will help to identify what may need to be undertaken to implement improvements, or whether a review of the policies is necessary. Chapter 8 sets out a schedule for managing and monitoring the delivery of the strategy.

4.0.4 The Strategic Objectives are listed overleaf and are in no particular order of priority.

³⁵ National Infrastructure Strategy (November 2020) HM Treasury

Strategic Objectives for the Minerals and Waste Local Plan

General

1. Encourage the use of sustainable, low carbon modes of transport for moving minerals and waste long distances and minimise road miles.
2. Ensure minerals and waste developments contribute towards the minimisation of, and adaptation to, the effects of climate change. This includes helping to shape places to secure radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy and associated infrastructure.
3. Ensure minerals and waste sites are sensitive to both their surrounding environment³⁶ and communities, and minimise their impact on them.
4. Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment, educational and recreational opportunities where possible.
- 4a. Ensure that waste is managed and minerals are supplied in a manner which is consistent with the achievement of a more circular economy.

Minerals

5. Seek to ensure the delivery of adequate and steady supplies of sand and gravel, chalk, brickearth, clay, building sand, silica sand, crushed rock, building stone and minerals for cement during the plan period, through identifying sufficient sites and safeguarding mineral bearing land for future generations.
6. Promote and encourage the use of recycled and secondary aggregates in place of primary land and marine won minerals.
7. Safeguard existing, planned and potential sites for mineral infrastructure including wharves and rail depots across Kent to enable the on-going transportation of marine dredged aggregates, crushed rock and other minerals as well as other production facilities.
8. Enable the extraction of building stone minerals for heritage building products.
9. Restore minerals sites at the earliest opportunity to the highest possible standard to sustainable after-uses that benefit the Kent community economically, socially or environmentally. Where possible, after-uses should conserve and improve local landscape character, and provide opportunities for improvements in biodiversity which meet and, where relevant, exceed

³⁶ Surrounding environment: see the Glossary in Appendix A for details.

targets outlined in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045, the Biodiversity Opportunity Areas, Areas of Outstanding Natural Beauty (AONB) Management Plans and Local Nature Recovery Strategies to help maximise overall net-gain in biodiversity on restoration

10. *Not in use.*

Waste

- 11 Minimise the production of waste and increase its reuse. Promote the movement of waste up the Waste Hierarchy by enabling the waste management industry to provide facilities that increase recycling, treatment and reprocessing to improve the management of resources and deliver further reductions in the amount of Kent's waste being disposed of in landfill and through waste to energy.
- 12 Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and, where applicable, innovative technology, such that net self sufficiency is maintained throughout the plan period.
- 13 If it cannot be reduced, reused, recycled or composted, use waste as a fuel for the generation of renewable energy, in the form of both heat and electricity through energy from waste including technologies such as gasification and anaerobic digestion.
- 14 Ensure sufficient capacity exists to maintain a county-wide network for the sustainable management of Kent's waste.
- 15 Restore waste management sites at the earliest opportunity to the highest possible standard to sustainable after-uses that benefit the Kent community economically, socially or environmentally. Where possible, after-uses should conserve and improve local landscape character and provide opportunities for biodiversity to meet and where relevant, exceed targets outlined in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045, the Biodiversity Opportunity Areas, Greater Thames Nature Improvement Area, Area of Outstanding Natural Beauty Management Plans and Local Nature Recovery Strategies to maximise overall net-gain in biodiversity on restoration.

5. Delivery Strategy for Minerals

5.0.1 Minerals are essential to support sustainable economic growth and quality of life. It is important that there is a sufficient supply of minerals to provide the infrastructure and its maintenance, buildings, energy and goods that the country needs. However, since they are a finite natural resource, and can only be worked where they are found, it is important to make the best use of them to secure their long-term conservation³⁷.

5.1 Policy CSM 1: Sustainable Development

5.1.1 The purpose of the planning system is to contribute to the achievement of sustainable development³⁸, there are three overarching interdependent objectives to the delivery of sustainable mineral development. These relate to economic, social and environmental considerations and are at the heart of planning decisions. The objectives are:

- **Economic** - to ensure the economy is strong, responsive and competitive, such that land and resources are available in the right places and at the right time to support growth, innovation and improved productivity. Minerals provision is particularly important in identifying and coordinating the provision of infrastructure.
- **Social** - to support strong, vibrant and healthy communities, by the appropriate siting, operation and restoration of mineral development including the contribution minerals makes to the delivery on new homes, buildings and infrastructure needed to support communities' health, social and cultural well-being
- **Environmental** - to protect and enhance the natural, built and historic environment, making effective use of land, improving biodiversity, including contributions from net biodiversity gain, in addition to the prudent use of primary mineral and natural resources and mitigating and adapting to climate change as society moves to a low carbon economy.

5.1.2 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in local plans should follow the approach of the presumption in favour of sustainable development. The Kent MWLP is therefore based on the principle of sustainable development. This is demonstrated in the Spatial Vision and the Strategic Objectives, and the policies that seek sustainable solutions.

5.1.3 Planning law requires planning decisions to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF

³⁷ DLUHC (2023) National Planning Policy Framework, paragraph 7

³⁸ DLUHC (2023) National Planning Policy Framework, paragraph 209.

states that it does not change the statutory status of the development plan as the starting point for decision making.

5.1.4 All references to 'community' or 'communities' in the policies that follow should be taken in the widest sense of including both economic and social roles and potential impacts on both people and business.

5.1.5 Policy CSM 1 is included in the Plan to ensure the presumption in favour of sustainable development is taken into account in KCC's approach to minerals development.

Policy CSM 1

Sustainable Development

When considering mineral development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

5.2 Policy CSM 2: Supply of Land-won Minerals in Kent

5.2.1 Economic minerals that are currently extracted from Kent quarries include aggregate minerals and industrial minerals. Aggregate minerals include: soft sand, sharp sand, gravel and crushed rock (ragstone); industrial minerals include: silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses and building stone. In the recent past, shale from the coal measures in East Kent has been used for brick making, clay has been used for brick-making and raw materials have been extracted for cement manufacture within Kent. Up until the late 1980s, coal was extracted from underground coal mines in East Kent³⁹.

5.2.2 The NPPF requires Mineral Planning Authorities (MPAs) to aim to source minerals supplies indigenously so far as practicable, and take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to supply, before considering extraction of primary materials. For land-won primary materials the NPPF expects MPAs to identify, and include policies for the extraction of, mineral resources of national and local importance in their area. Relevant Statements of Common Ground between Kent County Council and other MPAs are taken into account when planning for the supply of aggregate.

Aggregate

Sharp Sand and Gravel

Flint Gravels

³⁹ More details of non-aggregate minerals in Kent are given in: KCC (May 2011) TRM3: Other Minerals

5.2.3 High quality flint gravels (so called given their high compressive and tensile strength properties of their quartz mineral composition) in Kent are concentrated in the areas where flints derived from the eroded chalk have been deposited by river and marine action. These are sourced from the three main river valleys of the Darent, Medway and Stour, and the beach deposits along the coast (particularly at Dungeness). As far back as 1970, planning studies⁴⁰ identified concerns about the depletion of flint gravels in the river valleys and the constraints on availability of the coastal supply in the Dungeness area due to nature conservation and water resource protection. Flint dominant head gravel resources near Herne Bay, previously identified as Areas of Search (AoS)⁴¹ have not proved to be sufficiently attractive for development.

Sandstone Gravels

5.2.4 The sandstone dominant gravels (so called by their brown coloration due to the occurrence of a quartz polymorph of lower compressive and tensile strength than the 'flint' gravels) in the Medway Valley upstream of Maidstone became the subject of increasing interest from operators as other deposits became worked out, although their use in the production of high-quality concreting aggregates has not normally been possible.

5.2.5 Recent (2022) monitoring identifies two active (and three inactive) sharp sand and gravel sites within the County.

Soft Sand

5.2.6 Kent's soft sand reserves extracted from the Folkestone Beds continue to be important for mortar and asphalt production. Soft sand supplies in Kent are relatively abundant, whereas they are scarce in other parts of the South East of England, with supplies from five sites continuing to be important for mortar and asphalt production.

Crushed Rock

5.2.7 The only resource exploited commercially to supply crushed rock in the county is from the Hythe Formation (limestone) informally called the Kentish Ragstone which is found in a band crossing Kent from east to west. The ragstone resource to the west of Maidstone has been the focus of crushed rock supply in the recent past. Other resources capable of producing crushed rock are found in the form of the Carboniferous Limestone deposit in east Kent (see section 5.11).

Alternative Sources of Materials to Markets Supplied by Land-won Sharp Sand & Gravels

5.2.8 Secondary and recycled aggregates can, in some circumstances, provide a replacement for sharp sand and gravel in many applications. The suitability of such

⁴⁰ Evidence prepared for the Kent Structure Plan in 1975.

⁴¹ KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement.

materials to substitute for land-won supplies has been considered in detail⁴². Sales of secondary and recycled materials in 2022 were 0.802mt, although sales have been as high as 1.029mt in the last decade (2016). The importance of maintaining supply from this source is recognised in Policy CSM 8: Secondary and Recycled Aggregates which seeks to maintain and increase production capacity.

5.2.9 With its coastal location, Kent fulfils an important role in the importation of minerals including a range of construction aggregates from mainland Europe, as well as marine dredged aggregates (MDA) and imported recycled and secondary materials. Kent benefits from a number of aggregate wharves, into which significant quantities of MDA and crushed rock are landed. Kent is understood to be the largest importer of MDA in the South East of England, with 1.9 million tonnes (mt) being imported into its wharves in 2022. Monitoring shows no significant change in the importance of Kent's wharves in the supply of this material, the 10-year sales average in 2022 was 1.65mt and in 2019 the Kent and Medway area consumed up to 70% of sales recorded in the combined area. Land-won sharp sand and gravel is also imported by rail and road from areas beyond Kent.

Demand for Land-won Aggregates

5.2.10 The NPPF⁴³ requires Minerals Planning Authorities to plan for a steady and adequate supply of aggregates through preparing an annual Local Aggregates Assessment (LAA) from which future planned provision should be derived based on a rolling average of 10-years aggregates sales data⁴⁴ and an assessment of all supply options (including marine dredged, secondary and recycled sources), and other relevant local information. It also seeks for plans to make provision for the maintenance of landbanks of at least seven years for land-won sand and gravel and ten years for crushed rock. Landbanks of aggregate minerals reserves are used as the principal indicator of the future security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans.

5.2.11 The NPPF and planning practice guidance⁴⁵ also states that separate landbanks should be calculated and maintained for any aggregate materials of a specific type or quality which have a distinct and separate market.

5.2.12 The Kent Local Aggregate Assessment sets out the 10-year average of sales for all aggregates and the contribution of different aggregates to overall supply. Since the sharp sands and gravels and soft sands serve predominantly different markets their supply has been assessed separately.

⁴² See report: KCC (2013) Interchangeability of Construction Aggregates.

⁴³ National Planning Policy Framework (Sept 2023), para.213.

⁴⁴ Data collected annually by mineral planning authorities for their AMRs and the regional aggregate working parties. Details of how the rolling 10-year average sales data and how landbanks are calculated are given in the Local Aggregate Assessment.

⁴⁵ DLUCH Planning Practice Guidance: Minerals.

Landwon Aggregate Supply Considerations

5.2.13 The starting point for identifying requirements for future land release for landwon aggregates is the expected need for materials over the Plan period and beyond. It takes into account the material which can be supplied from sites which already exist and have planning permission, allocations in the Kent Mineral Sites Plan and the contribution that substitute or secondary and recycled materials would make. The Plan provides separate policies for sharp sand & gravel, soft sand and crushed rock, all of which are won from the land within Kent.

5.2.14 The sites included in the calculations of the supply of land-won aggregates are published in the LAA and/or AMR.

5.2.15 The sharp sand and gravel sites allocated in the Kent Mineral Sites Plan 2020 are Stonecastle Farm Quarry Extensions, Hadlow and Land at Moat Farm, Five Oak Green. The soft sand site allocated in the Kent Minerals Sites Plan 2020 is Chapel Farm (West), Lenham.

5.2.16 The criteria set out in Policy CSM 2 is used to select suitable sites for allocation in the Minerals Sites Plan.

Sharp Sand & Gravel

5.2.17 The annual position on sharp sand and gravel in the County is reported in the Council's Local Aggregate Assessment (LAA). Between 2013 and 2022 sales of sharp sand and gravel from quarries in Kent dropped from around 376,250 tonnes in 2013 to around 124,200 tonnes in 2022. The average of 10 years' sales of sharp sand and gravel is 175,700 tonnes per annum (0.176mtpa) as of 2022. If demand were at this level for the rest of the Plan period (2024 to 2039 with a 7-year landbank of 1.232mt maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 3.872mt.

5.2.18 Permitted reserves at the end of 2022 were recorded at 2.230mt. Annual sales from this sector have been reducing for several years and this has had the effect of lengthening the life of the permitted reserves projected over the Plan period which is estimated using the 10-year rolling sales average. The available reserves at commencement of year 2024 are estimated at 2.054mt. The allocation (two sites) of 2.5mt of potentially replenishing resource are identified in the Kent Mineral Sites Plan 2020. Should these sites be granted planning permission this would provide a total surplus of 0.682mt over the Plan period. If the allocations do not come forward during the Plan period, increased importation is anticipated to occur, thereby addressing the market need for this aggregate type. Managed decline is the anticipated pattern of supply of land won resources in Kent in the longer term, as sustainable resources of sharp sand and gravel are becoming depleted.

5.2.19 It is possible that other suitable sources of aggregates may be identified, for example, currently uneconomic deposits become economic, or constraints on the release of known aggregates sources (such as land ownership) may be overcome. This could lead to proposals coming forward to be judged against Policy CSM 4: Non-identified Land-won Mineral Sites or to further sites being proposed in a review

of the Mineral Sites Plan. However, the Kent Minerals and Waste Local Plan 2016 accepted that land-won sharp sands and gravel were a physically depleting resource that are unlikely to be sustainably replenished in the long term.

5.2.20 Therefore, it is anticipated that the diminishing land-won sharp sand and gravel supplies will increasingly be substituted over the plan period by supplies from production of alternative materials. This would include secondary and recycled aggregate⁴⁶ supplies gained from the blending of materials to generate a suitable supply to the construction aggregate market⁴⁷, together with landings of MDA and imports of land-won aggregates from elsewhere. Indeed, there is adequate existing capacity at wharves, railheads and recycling facilities for supplies from these sources to maintain adequate supply of sharp sand and gravel aggregate as landwon resources are exhausted. The Plan provides for flexibility in supply of aggregates as follows: Policy CSM 5 seeks to safeguard sharp sand and gravel resources that may become economic and to maximise the opportunities for the development of 'windfall' reserves which may come forward under Policy CSM 4. In addition, Policies CSM 7 and CSM 8 make provision for maintaining and developing further secondary and recycled aggregates supplies during the plan period, and Policies CSM 6, CSM 7 & CSM 12 seek to ensure that the necessary minerals importation and processing infrastructure is in place and safeguarded.

5.2.21 In conclusion, based on 2022 aggregate monitoring data, the position for landwon sharp sand and gravel is as follows:

- Sharp sand and gravel: at least 4.554mt of actual and potential reserves (comprising currently permitted reserves estimated at the commencement of 2024 as 2.054mt plus 2.5mt of resources from allocated sites), and a 7-year landbank of at least 1.232mt as long as resources allow. Should the allocated sites come forward, this provides a surplus of 0.682mt over the Plan period.

Soft Sand

5.2.22 The annual position of soft sand in the County is reported in the Council's Local Aggregate Assessment. Between 2013 and 2022 sales of soft (building) sand from Kent's quarries have increased from around 483,200 tonnes in 2013 to around 574,700 tonnes in 2022. The average 10 years sales of soft sand has also increased slightly, and as of 2022 is 475,038 tonnes per annum (0.475mtpa). If demand were at this level for the rest of the Plan period (2024 to 2039 with a 7-year landbank of 3.325mt maintained at the end of the Plan period) the requirement (based on the 10-year sales average) would be 10.45mt.

5.2.23 Permitted reserves at the end of 2022 were recorded at 5.574mt. The available reserves at commencement of year 2024 are estimated at 5.099mt. The allocation (one site) of 3.2mt of potentially replenishing resource is identified in the Kent Mineral Sites Plan 2020 and is expected to come forward during the Plan period. Should this site be granted planning permission this would provide a

⁴⁶ KCC (January 2015) Kent's 2nd Local Aggregate Assessment

⁴⁷ This currently occurs at two sites (Hermitage Quarry - rock and hassock & East Peckham - imported rock and extracted sandstone gravels)

total of 8.299mt of reserves over the Plan period, excluding any windfall sites. This results in an estimated shortfall of 2.15mt in the maintained 7-year landbank to the end of 2039.

5.2.24 Assuming the Chapel Farm allocation comes forward as expected without any windfall sites, this indicates a 7-year landbank (of 3.325mt) to be maintained until around 2036. The estimate of available reserves and sales rates will likely change over time and there is the potential for the maintained 7-year landbank requirement to increase or decrease over time. At no time over the Plan period will the supply of soft sand be exhausted (based on current sales rolling averages and permitted reserves plus potential reserves from the Chapel Farm allocation). In addition, following the Plan's adoption, there is a subsequent statutory requirement to review the Plan every five years which provides future staged opportunities to assess if further monitored supply requirements justify any allocation of additional sites.

5.2.25 It should be noted that there can be a lack of clarity in geology between soft sand and silica sand as they occur in the ground, as part of the same geological deposit. In light of this, it is necessary, in consultation with the operators, to determine the degree to which sites identified as supplying soft sand and/or silica sand may supply both materials. This can affect the aggregate monitoring data.

5.2.26 In conclusion, based on 2022 aggregate monitoring data, the position for landwon soft sand is as follows:

- Soft sand: at least 8.299mt of actual and potential reserves (comprising currently permitted reserves estimated at the commencement of 2024 as 5.099mt plus 3.2mt of resources from the allocated site), and a 7-year landbank of at least 3.325mt. Should the allocated site come forward, this would result in a theoretical shortfall of 2.15mt over the Plan period, though no exhaustion of available reserves during the plan period to 2039 is indicated and no account is taken of windfall sites. In addition, following the Plan's adoption, there is a subsequent statutory requirement to review the Plan every five years which provides future staged opportunities to assess if further monitored supply requirements justify any allocation of additional sites.

Hard (Crushed) Rock

5.2.27 The annual position on crushed hard rock in the County is reported in the Council's Local Aggregate Assessment. Between 2013 and 2022 sales of hard (crushed) rock have increased from 722,985mt in 2013 to 1,242,839mt in 2022 (in 2020 they were as high as 1,508,859mt). Local circumstances support the use of an average 6-year sales figure. The average 6 years sales of crushed rock is, as of 2022, 1,240,913 tonnes per annum (1.24mtpa). If demand were at this level for the rest of the Plan period (2024 to 2039 with a 10-year landbank of 12.4mt maintained at the end of the Plan period) the requirement (based on the 6-year sales average) would be 31.0mt.

5.2.28 Permitted reserves at the end of 2022 were recorded at 14.85mt. The available reserves at commencement of year 2024 are estimated at 13.62mt giving an estimated 17.38mt shortfall over the Plan period.

5.2.29 The identified shortfall may be addressed by the allocation of new hard (crushed) rock potential reserves (in an updated Mineral Sites Plan) sufficient to ensure an adequate and steady supply of this type of aggregate is maintained over the Plan period 2024-2039. Any allocation would need to be acceptable in planning terms and subject to detailed examination.

5.2.30 Currently the consented reserves of crushed rock are contained within two Kentish Ragstone sites. A policy covering situations where non-identified land-won mineral sites could be acceptable is included as Policy CSM 4.

5.2.31 In conclusion, based on 2022 aggregate monitoring data, for land-won hard (crushed) rock the position is as follows:

- Crushed rock: at least 13.62mt of reserves (comprising currently permitted reserves estimated at the commencement of 2024), and a 10-year maintained landbank of at least 12.4mt, giving an estimated 17.38mt shortfall over the Plan period. Subject to detailed assessment, the shortfall is to be addressed by an allocation(s) of new hard (crushed) rock reserves in an updated Mineral Sites Plan sufficient to ensure an adequate and steady supply of this type of aggregate is maintained over the Plan period 2024-2039.

Industrial Minerals

5.2.32 In seeking to provide a steady and adequate supply of industrial minerals, and following national policy, the County Council will co-operate with other Mineral Planning Authorities to co-ordinate the planning of industrial minerals (including silica sand) to ensure adequate provision is made to support their likely use in industrial and manufacturing processes. The County Council will also seek to maintain a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment as follows:

- at least 10 years for individual silica sand sites except where significant new capital is required in which case it is 15 years;
- at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant; and
- at least 25 years for brick clay and for cement primary and secondary materials to support a new kiln.

5.2.30 This section deals with how the Plan intends to provide to meet these expectations.

Brickearth and Clay for Brick and Tile Manufacture

5.2.31 Kent has one operational brickworks near Sittingbourne, which is supplied by brickearth extracted from a site in the Sittingbourne area to make yellow London stock bricks. National planning policy requires the provision of a stock of permitted reserves of at least 25 years for brick clay⁴⁸. There is a need to ensure sufficient reserves are available to provide brickearth for the operational brickwork in Kent to ensure that the locally characteristic yellow London stock bricks can continue to be manufactured. Currently the permitted reserves come from Paradise Farm in the Sittingbourne area. Total permitted reserves have been reconsidered against anticipated extraction rates. Yearly production is highly variable, and can significantly reduce in any one year, the effect is to commensurately increase the landbank significantly. It is considered that available reserves sufficient for the Plan period remain; being up to 29 years.

5.2.32 In the past in Kent, bricks have also been made at various locations from supplies of Weald Clay, Gault Clay, London Clay, Wadhurst Clay and colliery shale. No operational brickworks that use clay and/or colliery shale remain in Kent. The stock of planning permissions for clay and colliery shale for brick and tile making is sufficient for the plan period if any of the dormant or closed brickworks is re-opened or new brickworks are established⁴⁹. Therefore, there is no need to identify further reserves of brick clay or colliery shale for brickmaking in a Mineral Sites Plan.

5.2.33 A small-scale tile manufacturer that makes traditional 'Kent Peg' tiles is located in the Weald of Kent at Hawkenbury. This site has a consented clay pit with reserves consented through to 2026. Permitted reserves are however sufficient to supply the tile works well beyond this date.

Silica Sand

5.2.34 Silica sand (a form of sand such that it is almost pure quartz, or silicon dioxide) is considered to be a mineral of national importance due to its limited distribution. The Folkestone Beds, west of Maidstone, is the traditional extraction area for silica sand in Kent and is made up of distinct horizons of building sand and silica sand. While the quality of these silica sand deposits in Kent is not as pure as those found in the neighbouring county of Surrey, some of this material is used for industrial processes including glass manufacture and the production of foundry castings. Silica sand is also used in horticulture and for sports surfaces including horse maneges and golf course bunker sand. There are no sites in Kent that provide only silica sand. All of Kent's existing silica sand sites produce construction aggregates to some extent⁵⁰. National policy requires MPAs to plan for a steady and adequate supply of silica sand by providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment. This is carried out by providing a stock of permitted reserves of at least 10 years at

⁴⁸ DLUHC (2023) National Planning Policy Framework, paragraph 214.

⁴⁹ KCC (May 2011) TRM3: Other Minerals

⁵⁰ GWP Consultants (March 2010) A study of silica sand quality and end uses in Surrey and Kent. Final report for KCC and Surrey County Council.

established existing sites, and at least 15 years for silica sand sites where significant new capital is required, this would include entirely new sites⁵¹.

5.2.35 An example of a potential local use would be in the manufacture of 'Aircrete' blocks (also known as aerated concrete blocks) where it may substitute for the current supply of Pulverised Fuel Ash (PFA). Currently the existing market need for silica sand is being met by extraction from three quarries Igtham Quarry, Wrotham Quarry (Addington Sand Pit) and Nepicar Sand Pit. In 2022, these quarries had an estimated permitted total reserve in the region of 1.58mt. These quarries are shown in Figure 13: Minerals Key Diagram and reported in the Annual Monitoring Report. Wrotham Quarry has a potential extension area that lies within the Kent Downs AONB. While the Plan seeks to maintain a stock of permitted reserves, in line with national policy, it is recognised that this may not be possible if it would be inconsistent with policy to conserve the landscape and scenic beauty of the AONB. In light of national policy, the Plan does not seek allocation of sites within the AONB or in locations which would have an unacceptable adverse impact on the setting of, and implementation of, the statutory purposes of the AONB. Proposals will be considered on their merits against policy CSM 2.

Chalk

5.2.36 Chalk is abundant in Kent. It is used for agricultural and construction purposes (primarily as a bulk fill material) across the county⁵². Local sales data for agricultural and engineering use combined indicates that sales vary considerably from year to year. Total reserves are currently estimated at 0.532 million tonnes as of the end of 2022 (these figures are considered broad estimates). Based on the current rate of extraction there is a permitted reserve life of approximately only 13 years, compared to an excess of 100 years as previously monitored. However, the rate of extraction varies greatly from year to year. As the NPPF does not require specific chalk landbanks to be maintained at any particular level and taking account of the massive nature of the deposit in Kent, sites for Chalk extraction are not included in the Mineral Sites Plan.

5.2.37 While Kent was once a major producer of cement, there are no operational cement works remaining within the county. A cement works and its associated mineral reserves (Medway Works, Holborough) has the benefit of an extant implemented planning permission with the permitted mineral resources that are required to supply the works being sufficient for at least 25 years. Policies CSM5, DM7 and DM8 safeguard the permitted mineral use and, were an application to come forward that proposed another form of use for this site, then these would need to be taken into account.

5.2.38 Reserves of chalk and rates of demand will be monitored and reported in the successive Authority Monitoring Reports and taken into account when any proposals for new sites come forward.

⁵¹ DLUHC (2023) National Planning Policy Framework, paragraph 214 footnote 74.

⁵² KCC (May 2012) TRM3: Other Minerals.

5.2.39 Any proposals for new chalk extraction will be assessed against Policy CSM 4: Non-identified Land-won Mineral Sites.

Clay for Engineering Purposes

5.2.39 Clay is abundant in Kent. Other than uses in brick manufacture, the principal use for extracted clay is for land engineering purposes. Since there are no specific requirements for engineering clay for bulk fill, waterproof capping or flood defences there is no requirement to make specific provision. Local sales data indicates that sales vary significantly from year to year, however an average for the 11 years in which data was available indicates sales of approximately 27,000 tpa with a peak demand of 69,000 tonnes in 2002⁵³. Sites which come forward for the extraction of clay for engineering purposes will be assessed against Policy CSM 4: Non-identified Land-won Mineral Sites for future extraction to maintain such supply.

Policy CSM 2

Supply of Land-won Minerals in Kent

Mineral working will be granted planning permission at sites identified in the Minerals Sites Plan⁵⁴ subject to meeting the requirements set out in the relevant site schedule in the Mineral Sites Plan and the development plan.

1. Aggregates

Provision will be made for the supply of land-won aggregates as follows:

- **Sharp sand and gravel:** A landbank of sharp sand and gravel at least equal to the 7-year landbank (as set out in the latest Local Aggregate Assessment) will be maintained throughout the Plan period for as long as reserves and potential resources allow.
- **Soft sand:** A landbank of soft sand at least equal to the 7-year landbank (as set out in the latest Local Aggregates Assessment) will be maintained throughout the Plan period.
- **Crushed rock:** A landbank of hard crushed rock at least equal to the 10-year landbank (as set out in the latest Local Aggregates Assessment) will be maintained throughout the Plan period.

Additional sites required to maintain landbanks of land-won aggregates at the levels stated above will be identified if possible, in the Mineral Sites Plan. A rolling average of ten years' sales data and other relevant information will be used to

⁵³ KCC (2012) TRM3 Other Minerals, Table 4B.

⁵⁴ Sites identified in the Minerals Sites Plan are generally where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where it is considered that planning applications are likely to be acceptable in principle in planning terms.

assess landbank requirements on an on-going basis, and this will be kept under review through the annual production of a Local Aggregates Assessment.

2. Brickearth and Clay for Brick and Tile Manufacture

The stock of existing planning permission at Paradise Farm, Hartlip Sittingbourne for brickearth for brick making and clay for brick and tile making at Babylon Tile Works, Hawkenbury is sufficient for the plan period. Applications for sites supplying brickearth and clay for brick and tile making will be dealt with in accordance with the policies of this Plan. The existence of a stock of permitted reserves of at least 25 years (as reported in the latest Annual Monitoring Report) to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment will be a material consideration.

3. Silica Sand

In response to planning applications, the Mineral Planning Authority will seek to permit sites for silica sand production sufficient to provide a stock of permitted reserves of at least 10 years for individual sites of 10 years and 15 years for sites where significant new capital is required, to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment⁵⁵. Proposals will be considered on their own merits, having regard to the policies of the Development Plan as a whole subject to them demonstrating:

- how the mineral resources meet technical specifications required for silica sand (industrial sand) end uses; and
- how the mineral resources will be used efficiently so that high-grade sand deposits are reserved for industrial end uses.

4. Chalk for Agriculture and Engineering Purposes

The stock of existing planning permissions for chalk is sufficient to supply Kent's requirements for agricultural and engineering chalk over the plan period, although monitoring data is showing a wide variation in overall permitted reserves. Applications for sites supplying chalk for agriculture and engineering purposes will be dealt with in accordance with the policies of this Plan. The need for additional supplies of chalk will be assessed based on the latest assessment of supply and demand set out in the Annual Monitoring Report.

5. Clay for Engineering Purposes

The stock of existing planning permission for engineering clay is sufficient to supply Kent's requirements for engineering clay over the plan period. Applications

⁵⁵ 'Plant and equipment' is taken to mean that used in the processing of minerals and its use in industrial and manufacturing processes.

for sites supplying engineering clay will be dealt with in accordance with the policies of this Plan. The need for additional supplies of engineering clay will be assessed based on the latest assessment of supply and demand set out in the Annual Monitoring Report.

6. Selection of Sites for Allocation

The criteria that will be taken into account for selecting and screening the suitability of sites for allocation will include:

- the requirements for minerals set out above;
- relevant policies set out in Chapter 7: Development Management Policies
- relevant policies in district local plans and neighbourhood plans;
- strategic environmental information, including landscape assessment and Habitat Regulations Assessment (HRA) as appropriate;
- their deliverability; and
- other relevant national planning policy and guidance.

5.3 Policy CSM 3: Not in use - This Policy was deleted as part of the full review in 2023.

Policy CSM 3: Not in use

Figure 17: Not in use

5.4 Policy CSM 4: Non-identified Land-won Mineral Sites

5.4.1 Sites identified in the Mineral Sites Plan, help provide the framework that seeks to enable a stock of planning permissions for aggregates, chalk, brickearth, clay, silica sand and minerals for cement manufacture to be maintained at the required levels throughout the plan period.

5.4.2 Allocated sites are subject to a detailed assessment that seeks to balance demand for the mineral and any other benefits against potential adverse impacts, with a view to securing a steady and adequate supply of aggregates and industrial minerals, having regard to national planning policy and the objectives and policies of this plan, including sustainability objectives. The presumption is that provision will be made by means of the allocated sites coming forward and providing the mineral required at the appropriate time. Planning applications for minerals development on non-allocated sites (other than with respect to silica sand, which is provided for under Policy CSM2 where no allocations are proposed to be made) will be considered having regard to the relevant objectives and policies of the development plan as a whole, in particular the need to plan for a steady and adequate supply of mineral.

5.4.3 Where a proposal for minerals development on a non-allocated site fails to comply with the development plan or is otherwise shown to cause harm to its objectives, planning permission will be granted only if sustainable benefits are clearly demonstrated that are sufficient to outweigh the harm identified. Examples of criteria that may justify permission being granted include:

- the possibility of prior extraction of an economic mineral ahead of other development taking place within the safeguarded mineral resource⁵⁶
- the possibility of borrow pit developments that can supply materials in a sustainable manner to major infrastructure developments including road, rail and ports
- locations of consented reserves and any alternative supply options⁵⁷ being remote from main market areas necessitating unduly long road journeys from the source to the market
- the nature and qualities of the mineral such as suitability for particular use
- known constraints on the availability of consented reserves that might limit output over the plan period
- the extent to which permitted reserves are within inactive sites that are unlikely to ever be worked
- the assurance that large landbanks bound up in very few sites do not stifle competition
- sites in the Mineral Sites Plan not coming forward as anticipated.

Policy CSM 4

Non-identified Land-won Mineral Sites

With the exception of proposals on land allocated in the Mineral Sites Plan and for the extraction of silica sand provided for under Policy CSM 2, proposals for mineral extraction and additional sites assessed for allocation in the Minerals Sites Plan will be considered having regard to the policies of the development plan as a whole and in the context of the Vision and Objectives of this Plan, in particular the objective to plan for a steady and adequate supply of aggregates and industrial minerals. Where harm to the strategy of the development plan is shown, permission will be granted only where it has been demonstrated that there are overriding benefits that justify extraction at the exception site.

5.5 Policy CSM 5: Land-won Mineral Safeguarding

5.5.1 Protecting mineral resources from unnecessary sterilisation is a very important part of minerals planning policy, it is central to supporting sustainable

⁵⁶ Safeguarding of mineral resources is dealt with by Policies CSM 5, DM 7 and DM 8 and prior extraction principally by Policy DM 9.

⁵⁷ Alternative supply options include secondary or recycled materials and imports through wharves and rail depots.

development. Minerals are a finite natural resource which need to be used prudently. The purpose of safeguarding minerals is to ensure that sufficient economic minerals are available for future generations to use. The viability of extracting resources may change over time and is likely to increase as resources become more scarce. Mineral transportation infrastructure is also important because, as described in section 5.2, imported minerals make a major contribution to the County's requirements and production facilities convert materials into useable products. Such transportation infrastructure also allows for the export of minerals from Kent to other areas. The British Geological Society (BGS) Mineral Resource maps provide the best available geological data on the extent of mineral resources in Kent and so have been used as the starting point for safeguarding mineral resources in Kent.

5.5.2 Policy CSM 5 describes how land-won minerals will be safeguarded and Policies CSM 6 and CSM 7 describe how mineral infrastructure will be safeguarded. Policy DM 7 describes the circumstances in which non-mineral developments that are incompatible with safeguarding a resource would be acceptable. Policies CSM 4 and DM 9 set out how applications for prior extraction of safeguarded mineral resources, that would otherwise be sterilised by non-minerals development, would be considered. Policy DM 8 describes the circumstances in which non-mineral developments that might be incompatible with safeguarding minerals (such as wharfs and rail depots) and/or waste infrastructure would be acceptable.

5.5.3 Land-won mineral safeguarding is carried out through the designation of Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs). Further explanation is provided below.

5.5.4 MSAs cover areas of known mineral resources that are, or may in future be, of sufficient value to warrant protection for future generations. MSAs ensure that such resources are adequately and effectively considered in land-use planning decisions so that they are not needlessly sterilised. The level of information used to indicate the existence of a mineral resource can vary from geological mapping to more in-depth geological investigations. Defining MSAs carries no presumption for extraction and there is no presumption that any areas within MSAs will ultimately be acceptable for mineral extraction.

5.5.5 National policy expects all MPAs, both unitary and two-tier authorities, to include policies and proposals in their local plans to safeguard mineral resources and to set out their extent on maps of MSAs. In two-tier authority areas, such as Kent, MSAs should be included on the Policies Maps of the Development Plan maintained by the District and Borough Councils. This is intended to alert prospective promoters of development and the local planning authority, to the existence of mineral resources and shows where local mineral safeguarding policies may apply.

5.5.6 Geological mapping is indicative of the existence of a mineral resource. It is possible that the mineral has already been extracted and/or that some areas may not contain any of mineral resource being safeguarded. Nevertheless, the onus will be

on promoters of non-mineral development to demonstrate satisfactorily⁵⁸ at the time that the development is promoted that the indicated mineral resource does not actually exist in the location being promoted, or extraction would not be viable or practicable under the particular circumstances.

5.5.7 The MCA designation is intended to ensure that consultation takes place between county and district/borough planning authorities when mineral interests might be compromised by non-minerals development, especially in close proximity to a known mineral resource. The designation of MCAs is not obligatory, but consultation on development within an MCA is. The MCAs within Kent cover the same areas as the MSAs.

5.5.8 Where an application is made for non-mineral development within a MSA identified in this Plan, then the determining authority will consult the MPA for its views on the application and take them into account in its determination. For non-minerals development determined by the County Council e.g. schools and waste management, the safeguarding policies will equally apply.

5.5.9 Economic land-won minerals that are identified for safeguarding in Kent are sharp sand and gravel, soft sand, silica sand, crushed rock, building stone and brickearth. Chalk and clay (other than brickearth) are abundant across the county and so these resources are not being safeguarded. The mineral resource areas identified for safeguarding are shown in the MSAs in Chapter 9: Adopted Policies Maps. The MSAs are based on mapping of the mineral resource prepared by the BGS. Current guidance advises that mineral safeguarding should not be curtailed by any other planning designation, such as environmental designations without sound justification. The mineral resources within the Plan area are extensive and whilst they continue beneath urban areas they are already sterilised by non-mineral development with very little prospect of future working. Therefore in order for the safeguarding to be practical such areas have been excluded from the MSAs.

5.5.10 The surface working area of the proposed East Kent Limestone Mine is not identified for safeguarding. This is because there has been no advancement in the mine's development since the identification of this resource as a possible area of mining in the 1993 Minerals Subject Plan⁵⁹. There is no certainty where the built footprint for the surface aggregate processing facility is likely to be situated (if it is ever developed) and planning policies should avoid the long-term protection of sites identified for employment use where there is no reasonable prospect of a site being used for that purpose. Any proposals for prospecting the Carboniferous Limestone deposit will be considered under Policy CSM 11⁶⁰.

5.5.11 Coal, oil, and deep pennant sandstone resources are also not being safeguarded, as they are located at considerable depth underground and may potentially form extensive resources. The safeguarding of these deep underground

⁵⁸ Non-minerals development will mainly be promoted through planning applications or through proposed allocations in Local Plans. Advice will be provided by Kent County Council (as the Minerals Planning Authority).

⁵⁹ KCC (1993) Mineral Subject Plan Construction Aggregates.

⁶⁰ DLUHC (2023) National Planning Policy Framework, para. 122.

minerals would dilute the focus of safeguarding mineral resources, access to which is more likely to be lost to built development.

5.5.12 MSAs will be reviewed and updated as necessary. Further reviews of the MSAs will take place at least every five years. Matters to be taken into account in these reviews are set out in a Supplementary Planning Document on minerals safeguarding. Such matters will include the following:

- Previously worked land (provided the mineral resource is exhausted)
- Transport infrastructure
- Land within urban areas
- Proposed urban extensions and site allocations for non-minerals uses in adopted local plans
- The importance of minerals resources
- The accessibility of the minerals resource i.e. whether it can be practicably and viably worked

5.5.13 At the same time, the need to safeguard sites hosting specific infrastructure (transportation and production) will also be reviewed.

5.5.14 The process of allocating land for non-minerals uses in local plans will take into account the need to safeguard minerals resources and mineral infrastructure. The allocation of land within an MSA will only take place after consideration of the factors that would be considered if a non-minerals development were to be proposed in that location, or in proximity to it, as set out in Policies DM 7, DM 8, CSM 5 and CSM 6. The Minerals Planning Authority will support the District and Borough Councils in this process.

Policy CSM 5

Land-won Mineral Safeguarding

Economic mineral resources are safeguarded from being unnecessarily sterilised by other development by the identification of:

- Mineral Safeguarding Areas for the areas of brickearth, sharp sand and gravel, soft sand (including silica sand), ragstone and building stone as defined on the Mineral Safeguarding Area Policies Maps in Chapter 9
- Mineral Consultation Areas which cover the same area as the Minerals Safeguarding Areas.
- Sites for mineral working within the plan period are identified in the Annual Monitoring Report and in the Mineral Sites Plan.

5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots

5.6.1 Kent has a range of mineral transportation facilities around its coast as well as inland. The importance of safeguarding these facilities to enable the on-going supply of essential minerals is identified in national planning policy. Development in proximity to a mineral transportation facility could prejudice or constrain current or future operations. It is important therefore, that the Plan ensures that wharves and rail depots are safeguarded, given their very probable irreplaceability, and are not put at risk by non-minerals developments. The revival of the Dover Western Docks to regenerate the dock infrastructure includes a safeguarded wharf (Dunkirk Jetty). At this time, the safeguarding status of this mineral importation and handling infrastructure is unchanged and the wharf remains listed in Policy CSM 6. The locations of the safeguarded wharves and rail depots are shown in Figure 13: Minerals Key Diagram and in Chapter 9: Adopted Policies Maps.

5.6.2 Policy DM 8 identifies situations where development at, or in proximity to, safeguarded infrastructure including wharves and rail depots, would be acceptable.

Policy CSM 6

Safeguarded Wharves and Rail Depots

Planning permission will not be granted for non-minerals development that may unacceptably adversely affect the operation of existing⁶¹ planned or potential sites, such that their capacity or viability for minerals transportation purposes may be compromised.

The following sites, and any allocated sites for wharves and rail depots included in the Minerals Sites Plan, are safeguarded:

1. Allington Rail Sidings
2. Sevington Rail Depot
3. Hothfield Work
4. East Peckham
5. Ridham Dock (both operational sites)
6. Johnson's Wharf, Greenhithe
7. Robins Wharf, Northfleet (both operational sites)
8. Clubbs Marine Terminal, Gravesend
9. East Quay, Whitstable
10. Red Lion Wharf, Gravesend
11. Ramsgate Port
12. Wharf 42, Northfleet (including Northfleet Cement Wharf)
13. Dunkirk Jetty (Dover Western Docks)
14. Sheerness
15. Northfleet Wharf

⁶¹ Existing sites are taken as sites that have permanent planning permission for minerals transportation purposes.

16. Old Sun Wharf, Gravesend

Their locations are shown in Figure 13: Minerals Key Diagram in Chapter 2 and their site boundaries are shown in chapter 9: Adopted Policies Maps.

The Local Planning Authorities will consult the Minerals Planning Authority and take account of its views before making a planning decision (in terms of both a planning application and an allocation in a local plan) for non-mineral related development (other than that of the type listed in policy DM 8 (clause 1)) on all development proposed at, or within 250m of, safeguarded minerals transportation facilities.

5.7 Policy CSM 7: Safeguarding Other Mineral Plant Infrastructure

5.7.1 National policy requires other types of mineral infrastructure to be safeguarded. This includes existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate materials.

5.7.2 As there are many sites within the county, with considerable numbers being located on industrial estates identified in local plans for general industrial and commercial uses, a generic (non-site specific) policy for safeguarding these facilities and their ongoing, overall capacities is necessary. Policy CSM 7 addresses the need to safeguard mineral production infrastructure, while being flexible to the needs of the industry by enabling the loss of capacity (potentially required for the industry to remain competitive and viable) provided there is replacement capacity available elsewhere of a type that is at least equal to that provided by the original facility. Policy DM 8 identifies situations where development at, or in proximity to safeguarded mineral plant infrastructure would be acceptable.

Policy CSM 7

Safeguarding Other Mineral Plant Infrastructure

Facilities for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material in Kent are safeguarded for their on-going use.

Where these facilities are situated within a host quarry, wharf or rail depot facility, they are safeguarded for the life of the host site.

Where other development is proposed at, or within 250m of, safeguarded minerals plant infrastructure, Local Planning Authorities will consult the Minerals Planning Authority and take account of its views before making a planning decision (in terms of both a planning application and an allocation in a local plan).

5.8 Policy CSM 8: Secondary and Recycled Aggregates

5.8.1 The use of secondary and recycled aggregates is generally more sustainable than extracting primary land-won aggregates. It is for this reason that national policy expects MPAs to, so far as practicable, take account of the contribution that secondary and recycled materials would make, before considering extraction of primary materials. As considered in Section 5.2, the replacement of primary aggregates with secondary and recycled materials is becoming increasingly important as indigenous land-won primary supplies diminish. The County Council is therefore keen to see the quantities of secondary and recycled aggregates being produced within Kent increase.

5.8.2 In 2016 the consented secondary and recycled aggregates processing capacity within Kent exceeded 2.7mtpa, 0.63 mtpa of which was identified as temporary capacity. Inert Construction, Demolition and Excavation (CDE) waste is the main source of recycled aggregate and arisings of this waste in Kent were estimated to be 2.6 mtpa which indicates that some capacity may be utilised for imported materials. In addition, arisings of materials suitable for conversion into secondary aggregates such as furnace bottom ash will increase if more Energy from Waste capacity is developed during the plan period in line with Policy CSW 8: Recovery Facilities for Non-hazardous Waste.

5.8.3 Policy CSM 8 sets out criteria to be used in the consideration of additional secondary and recycled aggregate production capacity. Where permanent consent is being sought, to avoid adverse amenity impacts, the presumption will be that processing activities will be contained within a covered building or similar structure. While sites with permanent consent will be safeguarded under Policy CSM 7, to compensate for the loss of capacity located on temporary sites, sites may be identified in the Minerals Sites Plan to ensure processing capacity is maintained to allow the production of at least 2.7 million tonnes per annum of secondary and recycled aggregates, throughout the Plan period.

Policy CSM 8

Secondary and Recycled Aggregates

Processing capacity will be maintained to allow the production of at least 2.7 million tonnes per annum or the productive capacity value in the latest Local Aggregate Assessment (whichever is the greater) of secondary and recycled aggregates, throughout the Plan period.

Proposals for additional capacity for secondary and recycled aggregate production including those relating to the expansion of capacity at existing facilities that increases the segregation and hence end product range/quality achieved, will be granted planning permission if they are well located in relation to the source of input materials or need for output materials, have good transport infrastructure links and accord with the other relevant policies in the development plan, at the following types of sites:

1. temporary demolition, construction, land reclamation and regeneration projects and highways developments where materials are either generated or to be used in the project or both for the duration of the project (as defined by the planning permission)
2. appropriate mineral operations (including wharves and rail depots) for the duration of the host site permission.
3. appropriate waste management operations for the duration of the host site permission.
4. industrial estates, where the proposals are compatible with other policies set out in the development plan including those relating to employment and regeneration.
5. any other type of site that meets the requirements cited in the second paragraph of this policy above.

The term 'appropriate' in this policy is defined in terms of the proposal demonstrating that it will not give rise to unacceptable adverse impacts on communities or the environment as a whole over and above the levels that had been considered to be acceptable for the host site when originally permitted without the additional facility.

Planning permission will be granted to re-work old inert landfills and dredging disposal sites to produce replacement aggregate material where it is demonstrated that net gains in landscape, biodiversity or amenity can be achieved by the operation and environmental impacts can be mitigated to an acceptable level.

5.9 Policy CSM 9: Building Stone in Kent

5.9.1 Only two ragstone quarries have consented reserves at the time of the preparation of this Plan: Hermitage Quarry and Blaise Farm in mid Kent. Although building stone has been produced from both quarries, only Hermitage Quarry has the ability to produce high-quality cut stone from the full sequence of ragstone beds in the Hythe Formation, and it continues to provide building stone for building conservation uses. However, in the past, small-scale quarries have provided locally distinctive stone including Paludina Limestone (found near Bethersden), Tunbridge Wells Sandstone and flint (from chalk strata). Calcareous tufa found in small outcrops near Ditton has also been used in a few buildings, including Leeds Castle in Kent. These have been popular building materials and supplies may be needed in the future to maintain and restore the buildings that use them.

5.9.2 Quarries for building stone can play an important part in providing historically authentic building materials in the conservation and repair of historic and cultural buildings and structures. Policy CSM 9 addresses the potential need for granting planning permission for small-scale, local restoration building stone quarrying in Kent.

Policy CSM 9

Building Stone in Kent

Planning permission will be granted for proposals that are needed to provide a supply of local building stone necessary for restoration work associated with the maintenance of historic buildings and structures and new build projects, subject to:

1. Development taking place in appropriate locations where the proposals do not have unacceptable adverse impacts on the local environment and communities; and
2. There being no other suitable, sustainable sources of the stone available.

5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons

5.10.1 All hydrocarbons are owned by the State, in the form of the Oil and Gas Authority, the Coal Authority and the Department for Business, Energy and Industrial Strategy. Companies who wish to exploit these minerals are invited to bid for licences by the Government. A conditional underground licence does not give an operator the power to exploit underground resources and is conditional upon planning permission (and other rights) being granted too.

5.10.2 Where possible reserves have been identified there is a need to establish, through exploratory drilling, whether or not there are sufficient recoverable quantities of unconventional hydrocarbons present to facilitate economically viable full scale production. There are three phases of onshore hydrocarbon extraction: exploration, testing (appraisal) and production.

5.10.3 In the case of appraisal wells, decisions will not take account of hypothetical future activities, since the further appraisal and production phases will be the subject of separate planning applications and assessments. When determining applications for subsequent phases, the fact that exploratory drilling has taken place on a particular site is only likely to be material in determining the suitability of continuing to use that site insofar as it establishes the presence of hydrocarbon resources. There is no presumption that because permission is granted for one phase, then permission will be granted for a subsequent one, i.e. permission granted for exploration should not be assumed to lead to permission for appraisal, nor for appraisal to production. Each application will be considered on its merits. Proposals associated with exploration, appraisal and production might reasonably include underground gas storage and associated infrastructure, for which encouragement is sought in the NPPF.

5.10.4 The Mineral Planning Authority (MPA) is one of four key regulators for hydrocarbon extraction. Its role is to provide clear guidance and criteria for the local assessment of hydrocarbon extraction within Petroleum Licence Areas and to grant planning permission for the location of any wells and wellpads and impose conditions to ensure that the impact on the use of land is acceptable. There are clear roles and responsibilities for each of the regulators and an expectation that the Mineral Planning Authority should assume non-planning regimes will operate effectively and should not ordinarily need to carry out its own assessments where it

can rely on the assessments of other regulatory bodies. However, before granting planning permission the MPA will need to be satisfied that these issues can or will be adequately addressed by taking and considering advice from the relevant regulatory body relating to the specific risks/concerns posed by particular proposals. For example in the case of proposals involving hydraulic fracturing mitigation of seismic risks; well design and construction; well integrity during operation; operation of surface equipment on the well pad; mining waste; chemical content of hydraulic fracturing fluid flaring or venting; final off-site disposal of water and well decommissioning/abandonment.

5.10.5 Where it is intended to utilise new or existing infrastructure, the MPA will need to be satisfied that any associated environmental and amenity impacts are mitigated to ensure that there is no unacceptable adverse impact on the local environment or communities.

Resources and Potential

Oil

5.10.6 Kent is part of the Southern Permian Basin Area, an area of potential for oil resource that stretches across northern Europe from Dorset to Yorkshire in the west, across northern France, Belgium, Holland, Denmark, Germany and Poland. On-going exploration has established a series of oil and gas fields across the Basin Area. Notable commercial discoveries in the English sector of this basin, associated with the Weald and south coast, are Wytch Farm (Dorset) which is the largest onshore oil field in western Europe, Alvington (Hampshire), Storrington (West Sussex) and Palmers Wood (Surrey). The Department of Business, Energy and Industrial Strategy (BEIS) issues Petroleum Exploration and Development Licenses (PEDLs). In the past, parts of west and east Kent have been included. These licensing areas are subject to periodic revision by BEIS.

5.10.7 A planning permission was granted in 2012 for exploratory drilling and subsequent oil and gas field testing at Bidborough in West Kent. This permission has not been implemented and has now lapsed. Exploratory drilling has also taken place in Cowden near Tunbridge Wells from August 1999 (planning permission SE/98/234). Subsequent extensions were granted to complete planned testing operations on the capped well at Cowden to establish the extent of productive capacity of the oil field, the last of which expired in 2012 (SE/11/1396).

Gas

5.10.8 Minor reserves of natural gas have been exploited in the past in East Sussex; however only two resources have been detected following exploration undertaken more recently as a result of licences issued.

Unconventional hydrocarbons

5.10.9 Unconventional hydrocarbons refers to oil and gas which comes from sources such as shale or coal seams which act as the reservoirs. Shale gas, shale oil and coal bed methane are often referred to as unconventional hydrocarbons as they are

extracted using technologies that enable oil and gas locked into rock formations that were previously considered to be unsuitable or uneconomic to be exploited.

5.10.10 Coal Bed Methane is methane that is trapped within the pore spaces of coal in coal seams, such as the East Kent Field. In coal, methane is held in an almost liquid state within the porous elements so that if pressure is reduced by human intervention such as mining or drilling into a coal seam, the gas is liberated. As the gas is combustible it is a potential resource. The East Kent Coalfield covers an area of 157,900 hectares beneath the Kent landmass. It was exploited for its coal reserves between 1912 and 1989. There is currently no information available on the potential of coal bed methane resources in Kent. However, interest has been shown in Kent and permission was granted to drill an exploratory borehole to test the in situ coals, Lower Limestone Shales and associated strata in 2011 at Woodnesborough, in East Kent. This permission was not implemented and has now lapsed. A further three planning applications for test drilling in East Kent were received by Kent CC in 2013 but were subsequently withdrawn.

5.10.11 Underground coal gasification is a technique that gasifies coal underground and then brings the resultant gas to the surface for subsequent use in heating or power generation. It requires precision drilling of two boreholes: one to supply oxygen and water/steam and the other to bring the resulting gas back to the surface. Currently there are no commercial scale underground coal gasification processes present in the UK.

5.10.12 Hydraulic fracturing (often called fracking) is a technique used to extract gas or oil from shale rock strata whereby water (and additives) is pumped under pressure into productive shale rocks via a drilled bore to open up pore spaces releasing the gas or oil for pumping to the surface for use⁶².

5.10.13 The BGS completed a resource study for the Weald Basin, which includes part of Kent. The study concluded that with the current level of geological data and information there is no significant shale gas potential within the Weald Basin. There is however potentially a significant volume of unconventional shale oil. The study estimates that the oil in place (OIP) across the whole Weald Basin, which is the resource estimate, ranges from 2.2 to 8.6 billion barrels (billion bbl). There is currently insufficient information and data to estimate how much of that oil resource is economically and technically viable to extract; further exploratory drilling, sampling and socio-economic and environmental studies would be required.

5.10.14 Section 50 of the Infrastructure Act 2015 inserts section 4A of the Petroleum Act 1998, which sets out a number of safeguards for developments involving onshore hydraulic fracturing. This includes no hydraulic fracturing within protected groundwater source areas and within "other protected areas". "Other protected areas" are defined in the secondary legislation, Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016. Section 3 of these Regulations define "other protected areas" in the following manner, as areas of land at a depth of less than

⁶² Information on unconventional hydrocarbon extraction is available in the Planning Practice Guidance website at: <http://planningguidance.planningportal.gov.uk/blog/guidance/minerals/planning-for-hydrocarbon-extraction/annex-a-shale-gas-and-coalbed-methane-coal-seam-gas>

1,200 metres beneath a National Park, the Broads, Areas of Outstanding Natural Beauty or a World Heritage site. Decisions on planning applications will be made in accordance with the Infrastructure Act and the associated secondary legislation.

5.10.15 The Act also places a duty on the Mineral Planning Authority to take account, where relevant, of the cumulative effects of an application for onshore hydraulic fracturing, and any other applications relating to exploitation of onshore oil and gas obtainable by hydraulic fracturing. It is important to examine how differences in context such as geological and environmental characteristics might lead to differing levels of risk, for example this may include consideration of the depth of shale exploration and mitigation measures such as restricting water use to wetter seasons or requiring recirculation. Each application will be considered on its merits.

5.10.16 Provision has also been made in the Infrastructure Act (in section 49) for the Secretary of State to request the Committee on Climate Change to provide advice (in accordance with section 38 of the Climate Change Act 2008) on the impact which combustion of, and fugitive emissions from, petroleum produced through onshore activity, is likely to have. The way in which minerals produced in Kent are subsequently used is not within the control of the Plan. However, the Council will review any such advice to consider whether it raises any consideration that needs to be taken into account in determining an application for planning permission relating to hydraulic fracturing and whether any review of policy CSM 10 is required. Any such reviews will take into account any relevant national planning policy and guidance.

5.10.17 There are several issues associated with the extraction of oil and gas and unconventional hydrocarbons which need careful attention at the planning application stage. The nature and significance of these issues will vary between the technology utilised and the phases of exploration, testing (appraisal) and production. These issues are set out below, together with the development management policies which ensure they are adequately addressed:

- The discharge of artesian groundwater to the surface (Policy DM 10)
- Impact on ground and surface waters (both quantity and quality) (Policy DM 10)
- Visual and amenity (e.g. noise, lighting, PROW) impacts of surface operations (including those resulting from 24 hour operations) (Policies DM 2, DM 11, DM 12, DM 14)
- Impacts of vehicles transporting staff and materials to and from the drill site (Policy DM 13)
- Impacts on biodiversity (Policy DM 3)
- Stability of land (Policy DM 18)
- Restoration of the surface operations following their cessation (Policy DM 19)
- Cumulative effects (Policy DM 12)

5.10.18 Policy CSM 10 sets out the matters that need to be taken into account when considering proposals for the exploration, appraisal and development of oil, gas and unconventional hydrocarbons.

Policy CSM 10

Oil, Gas and Unconventional Hydrocarbons

Planning permission will be granted for proposals associated with the exploration, appraisal and production of oil, gas and unconventional hydrocarbons subject to:

1. well sites and associated facilities being sited, so far as is practicable, to minimise impacts on the environment and communities
2. developments being located outside Protected Groundwater Source Areas⁶³
3. there being no unacceptable adverse impacts (in terms of quantity and quality) upon sensitive water receptors including groundwater, water bodies and wetland habitats
4. all other environmental and amenity impacts being mitigated to ensure that there is no unacceptable adverse impact on the local environment or communities
5. exploration and appraisal operations being for an agreed, temporary length of time
6. the drilling site and any associated land being restored to a high-quality standard and appropriate after-use that reflects the local landscape character at the earliest practicable opportunity
7. it being demonstrated that greenhouse gases associated with fugitive emissions from the exploration, testing and production activities will not lead to unacceptable adverse environmental impacts

Particular consideration will be given to the location of hydrocarbon development involving hydraulic fracturing having regard to impacts on water resources, seismicity, local air quality, landscape, noise and lighting impacts. Such development will not be supported within protected groundwater source protection zones or where it might adversely affect or be affected by flood risk or within Air Quality Management Areas or protected areas for the purposes of the Infrastructure Act 2015, section 50.

5.11 Policy CSM 11: Prospecting for Carboniferous Limestone

5.11.1 While the East Kent Limestone mine has not been progressed since it was included in the *Kent Minerals Local Plan Construction Aggregates Written Statement (1993)*⁶⁴ as a possible area of mining, it is still considered to be a possible long-term source of construction aggregates in Kent. The location of the underground limestone resource is in the vicinity of calcareous grassland which is an important habitat, being registered with both the national and Kent BAPs and as a Habitat of Principal Importance under the NERC Act 2006. There are also Habitat sites, SSSIs

⁶³ Advice will be sought from the Environment Agency.

⁶⁴ KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement.

and LWSs throughout the area. If prospecting is proposed in the plan period, it will have to be undertaken sensitively with sufficient controls to avoid any impacts upon sensitive receptors.

5.11.2 As any application may need to be accompanied by an Environmental Statement, details of the results of the survey and implications of such a development for the environment would need to be included in this Statement.

Policy CSM 11

Prospecting for Carboniferous Limestone

Planning permission will be granted at suitable locations for the drilling operations associated with the prospecting for underground limestone resources in East Kent subject to exploration and appraisal operations being for an agreed, temporary length of time.

5.12 Policy CSM 12: Sustainable Transport of Minerals

5.12.1 Whilst the Mineral Sites Plan does not allocate any sites for mineral wharves or rail depots, the Kent Minerals and Waste Local Plan acknowledges that minimising road transport where possible plays a significant role in promoting sustainable development, aspiring to carbon neutrality and reducing harmful emissions. Therefore, it is important to encourage the sustainable transportation of minerals by rail and water wherever possible and safeguard related infrastructure. Policy CSM 12 encourages an increase in sustainable transport modes for minerals and encourages the development of new mineral importation facilities or facilities that have fallen out of use.

Policy CSM 12

Sustainable Transport of Minerals

Planning permission for any new wharf and/or rail depot importation operations, or for wharves and rail depots that have been operational in the past (having since fallen out of use), that includes the transport of minerals by sustainable means (i.e. sea, river or rail) as the dominant mode of transport will be granted planning permission where:

1. They are well located in relation to the Key Arterial Routes⁶⁵ across Kent; and

⁶⁵ These are made up of Motorways and Trunk Roads, County Primary Routes and County Principal Routes. County Primary Routes link major urban centres, including the A228/A26 between Medway and Tonbridge, the A229 between Medway and East Sussex, the A299 between Faversham and Thanet, the A28 between Thanet and East Sussex, the A256 between Dover and Thanet, the A26

2. The proposals are compatible with other local employment and regeneration policies set out in the development plan.

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between Tonbridge and Tunbridge Wells and the A25 between Wrotham and Sevenoaks. County Principal routes are generally A class roads with relatively high traffic flows, including the A225 between Sevenoaks and Dartford and the A251 between Faversham and Ashford. These are shown on Figure 2.

6. Delivery Strategy for Waste

6.0.1 The following policies give the delivery strategy for waste management development in Kent over the plan period.

6.1 Policy CSW 1: Sustainable Development

6.1.1 As stated in paragraph 5.1.1, the purpose of the planning system is to contribute to the achievement of sustainable development⁶⁶ At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in local plans should follow the approach of this presumption. The Kent MWLP is therefore based on the principle of sustainable development. This is demonstrated in the Spatial Vision, the Strategic Objectives and the policies that seek sustainable solutions.

6.1.2 Planning law requires planning decisions to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that it does not change the statutory status of the development plan as the starting point for decision making. Policy CSW 1 ensures the presumption in favour of sustainable development is taken into account in KCC's approach to waste development.

Policy CSW 1

Sustainable Development

When considering waste development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

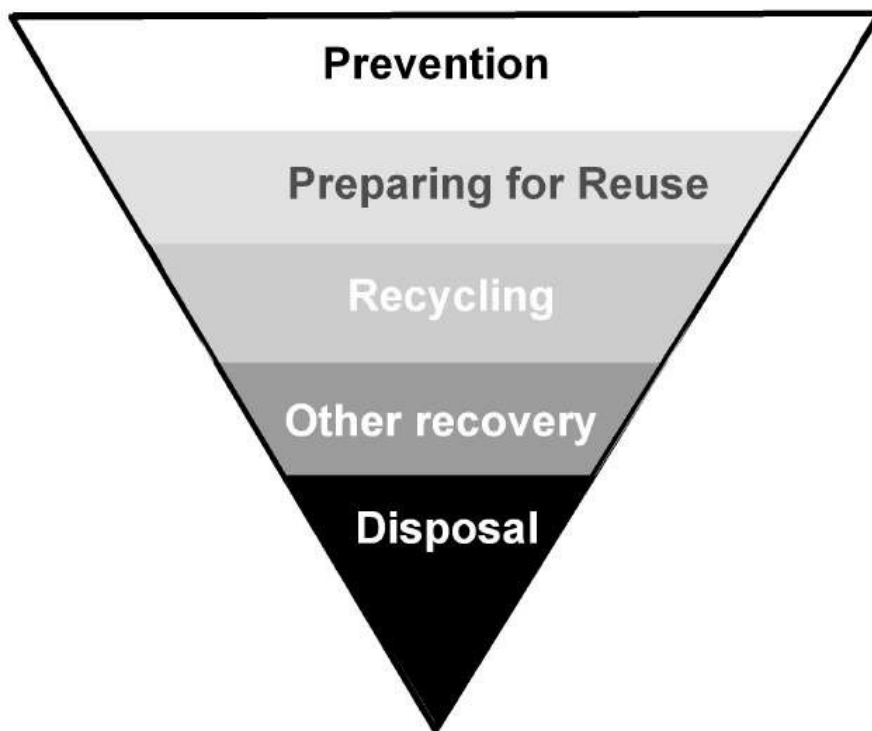
6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction

6.2.1 It is Government policy to break the link between economic growth and the environmental impact of waste by moving the management of waste up the Waste Hierarchy, as shown in Figure 18⁶⁷.

⁶⁶ DLUHC (2023) National Planning Policy Framework: Chapter 2

⁶⁷ The Waste Hierarchy diagram is a copy of the version in Appendix A of DLUHC National Planning Policy for Waste.

Figure 18 Waste Hierarchy



6.2.2 The Government has also introduced legal requirements to drive waste up the hierarchy including the following:

- plans must be in place detailing measures to ensure 65 per cent of municipal waste, including household waste and household like waste from commercial and industrial sources, is recycled by 2035⁶⁸
- the volume of residual waste per person which is not reused or recycled must be halved by 2042 from 2019 levels⁶⁹
- by 2050, avoidable waste must be eliminated by recycling or reusing any waste which possibly can be reused or recycled⁷⁰.

6.2.3 The Kent MWLP mainly implements this policy through influence over waste and minerals developments. However, the Plan also includes a policy (Policy CSW 3) seeking to influence/reduce waste arising from all forms of development. The Kent MWLP forms part of the development plan, along with the district local plans, and is therefore relevant to the determination of planning applications for all forms of development in Kent.

6.2.4 In accordance with the Waste Hierarchy, the Plan gives priority to planning for waste management developments that prepare waste for re-use or recycling. The most recent assessment of waste management capacity requirements⁽⁷⁶⁾ shows that,

68 HM Government (2020), The Waste (Circular Economy) (Amendment) Regulations 2020

69 Environment Act 2021

70 Department for Environment, Food and Rural Affairs (2023), Environmental Improvement Plan 2023

overall, Kent's current recycling and processing facilities have adequate capacity for the anticipated rate of usage. These calculations are based upon a rate of use that should only be regarded as a minimum, as the aspiration is to encourage more of the waste produced in Kent to be managed by methods at this tier of the hierarchy. Local needs may arise to enhance waste logistics on a case by case basis.

6.2.5 Encouraging more waste to be managed via re-use or recycling will be achieved by enabling policies for the development of additional waste management capacity for recycling and processing for reuse including a policy presumption to grant planning permission for redevelopment or extensions to lawful existing waste management facilities to enable more waste to be recycled or processed for re-use providing the proposal is in accordance with the locational and development management policies in the Plan.

6.2.6 The application of the Waste Hierarchy is a legal requirement under the Waste (England and Wales) Regulations 2011. The transition to forms of waste management at the higher end of the Waste Hierarchy is ongoing and the Kent MWLP addresses this transition by encouraging a more sustainable option for the mixed non-hazardous waste that is going to landfill by applying ambitious but achievable landfill diversion targets presented in Policy CSW 4. Ambitious targets for recycling have also been applied.

Policy CSW 2

Waste Hierarchy

Proposals for waste management must demonstrate how the proposed capacity will ensure that waste to be managed at the facility will be managed at the highest level of the Waste Hierarchy practicable, unless life cycle assessment (LCA) demonstrates otherwise.

6.2.7 In terms of the design of new buildings, application of circular economy thinking takes considerations beyond how waste is managed and places a greater emphasis on how buildings can be designed to ensure that they are less likely to result in waste being produced in the first place. Examples include using modular off site construction techniques and designing buildings in ways to make them adaptable to changes in their use. It is now widely recognised that while old buildings may be less energy efficient in their use phase, replacing them with a new energy efficient one may have a greater impact than the carbon savings that occur during the operational phase of the new buildings. This is because of the embodied energy associated with the manufacture of the materials used in the fabric of the new building. Another example is designing with a building's 'deconstruction' in mind such that structures and building elements can be reused in other buildings.

6.2.8 Proposals for major development should be submitted with a Circular Economy Statement that demonstrates how the above matters have been taken into account. This will include a waste management audit setting out how waste is to be managed during construction (including any demolition and refurbishment) and

during the occupation and use of the development. Guidance on the content of Circular Economy Statements will be prepared but in the meantime, developers should refer to related guidance published by the Greater London Authority in 2022.

6.2.9 Financial contributions from applicants for development which will rely on the use of the Council's waste management service for the collection and management of waste (mainly that from households) will be sought to assist with the provision of related infrastructure.

6.2.10 As Policy CSW3 applies to all forms of development (not just minerals and waste), it should be read alongside other policies in the Development Plan which may require consideration of waste and resource use.

6.2.11 The Environment Act 2021 requires the collection of five waste streams from premises producing household-like waste as follows: food waste; plastics; metal; glass; and paper/card, except where this is not practicable for technical or economic reasons or there is no significant environmental benefit. This will require business premises to be designed with sufficient space for the storage of materials to be separately collected.

6.2.12 In order to maximise the opportunities for new residents to reuse and recycle their household waste, except for householder applications, planning applications involving additional residential development should include the following details:

- the measures to be taken to show compliance with this policy; and
- the details of the nature and quantity of any construction, demolition and excavation waste which will arise from the development and its subsequent management.

Policy CSW 3

Waste Reduction

All new development must be designed in accordance with circular economy principles to:

1. Minimise the production of construction, demolition and excavation waste and manage any such waste arising during the development in accordance with Policy CSW 2;
2. retain and repurpose existing structures where possible;
3. allow for ease of redevelopment and refurbishment; and,
4. maximise sustainable construction methods which include the use of recycled and recyclable materials and techniques which minimise waste and allow for ease of deconstruction and reuse of building components.

For major developments⁷¹ the above should be demonstrated via the submission of a Circular Economy Statement.

New development should include detailed consideration of waste arising from the occupation of the development including consideration of how waste will be stored, collected and managed.

In particular proposals should ensure that:

1. there is adequate temporary storage space for waste generated by that development allowing for the separate storage of recyclable materials;
2. as necessary, there is adequate communal storage for waste, including separate recyclables, pending its collection; and
3. storage and collection systems (e.g. any dedicated spaces, storage areas and chutes or underground waste collection systems), for waste are of high quality design and are incorporated in a manner which will ensure there is adequate and convenient access for users and waste collection operatives and will contribute to the achievement of waste management targets; and
4. adequate contingency measures are in place to manage any systems failures. All relevant proposals should be accompanied by a recycling and waste management strategy which considers the above matters and demonstrates the ability to meet local authority waste management targets.

6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements

6.3.1 Kent currently achieves net self-sufficiency in waste management capacity for all waste streams. I.e. the annual capacity of the waste management facilities (excluding transfer) in Kent is sufficient to manage the equivalent quantity of waste to that predicted to arise in Kent. The continued achievement of net self-sufficiency and the management of waste close to its source are key Strategic Objectives of the Kent MWLP, because it shows that Kent is not placing any unnecessary burden on other WPAs to manage its waste. Net self-sufficiency recognises that existing (and future) waste management capacity within Kent may not necessarily be for the exclusive management of Kent's waste. Moreover, proposals that would result in more waste being managed in Kent than is produced may be acceptable if they result in waste moving up the hierarchy. Achievement of net self-sufficiency is the baseline aspiration and can be monitored on an annual basis and will provide an indicator as to whether the policies in the Plan need to be reviewed. The purpose in adopting the principle of net self-sufficiency is not to restrict the movement of waste as such restriction of waste catchment areas could have an adverse effect upon the viability of the development of new waste management facilities that may be needed to provide additional capacity for the management of Kent's waste arisings in accordance with the waste hierarchy.

⁷¹ Development requiring a Circular Economy Statement will have a total floor space of greater than 1000 square metres and/or comprise greater than 10no. units of housing and/or where the site is 1 hectare or more

6.3.2 In reality, different types of waste are managed at different types of facilities. To assess the future needs for waste management capacity in Kent, net self-sufficiency has been studied for the individual waste streams of inert, non-inert (also called non-hazardous) wastes. While Kent currently achieves net self-sufficiency in the management of each waste stream, this position will be monitored to ensure this remains the case throughout the plan period.

6.3.3 Implementation of the Environment Act 2021 requirements will be crucial to achievement of the recycling/composting ambitions of the Kent Minerals and Waste Local Plan. These include recycling targets for the Kent Commercial & Industrial (C&I) waste stream of 55% by 2025/26 and 60% by 2030/31.

6.3.4 Treatment capacity for food arising both from the Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) streams may be required. This pressure is additional to capacity required for the management of a growing quantity of additional household derived recyclable materials generated as a consequence of population growth and the imperative to achieve increasing recycling targets. Many of the existing facilities managing LACW have been identified as requiring upgrade, expansion or replacement by the County Council as Waste Disposal Authority (WDA).

6.3.5 The spatial distribution of capacity for the management of LACW in the form of recycling facilities (e.g. MRFs) and other recovery facilities (i.e. EfW plants) has also been identified as an issue by the WDA. The current distribution of waste transfer facilities receiving household waste across the county results in excessive transport especially from Folkestone and Hythe district and the Ebbsfleet Garden City area. In light of this the WDA has identified a pressing need for the development of new waste transfer facilities to serve those particular areas where collected waste can be bulked up for onward management-and is working with the local WCAs to secure this. Over the plan period it is possible that significant development elsewhere in Kent may require the provision of additional waste management facilities.

6.3.6 An assessment has been made of the current profile of management of the principal waste streams. The targets applied reflect ambitious (but realistic) goals for moving waste up the hierarchy and seek to ensure that the maximum quantity of non-hazardous waste is diverted from landfill.

Policy CSW 4

Strategy for Waste Management Capacity

The strategy for waste management capacity in Kent is to provide sufficient waste management capacity to manage at least the equivalent of the waste arising in Kent plus an amount of residual non-hazardous waste from London that takes account of London Plan targets for net self sufficiency⁷². As a minimum it is to

⁷² The London Plan 2021 expects net self sufficiency in the management of waste to be achieved by 2026. Actual progress towards meeting this target will be considered.

achieve the targets set out below for recycling and composting (minima) and landfill limits (maxima) with the difference managed by other forms of recovery.

Local Authority Collected Waste	2020/ 21	2025/2 6	2030/ 31	2035/ 36	2040/ 41
Recycling/Composting minima ⁷³	50%	55%	60%	65%	70%
Landfill maxima	2%	2%	2%	2%	2%
Remainder to Other Recovery maxima	45%	43%	38%	33%	28%
Commercial and Industrial Waste					
Recycling/Composting minima ⁷⁴	50%	55%	60%	65%	70%
Landfill maxima	15%	12.5%	10%	8.5%	5%
Remainder to Other Recovery maxima	35%	32.5%	30%	26.5 %	25%

Component	Management Method	2020/21	2025/26	2030/31	2035/3 6
Inert CDEW Arisings	Proportion of Projected Arisings taken to be Inert*	80%	80%	80%	80%
	Inert waste recycling minima (as proportion of inert arisings)	60%	65%	70%	75
	Permanent deposit of inert waste other than for disposal to landfill** (as proportion of inert arisings)	25%	25%	25%	20
	Landfill maxima (as proportion of inert arisings)***	15%	10%	5%	5%
	Total (inert CDEW arisings)	100%	100%	100%	100%
Non-Inert CDEW Arisings	Proportion of Projected Arisings taken to be Non-Inert*	20%	20%	20%	20%
	Non-hazardous waste recycling minima (as proportion of non-inert arisings)	60%	65%	6570%	75%
	Non-hazardous residual waste treatment maxima (as proportion of non-inert arisings)	30%	30%	25%	22.5%
	Landfill maxima (as proportion of non-inert arisings)***	10%	5%	5%	2.5%
	Total (non-inert CDEW arisings)	100%	100%	100%	100%

It is assumed that 20% of the CDE waste stream comprises non-inert materials The subsequent targets are proportions of the inert or non-inert elements of the CDE waste

⁷³ This is taken to include organic waste (including green and kitchen waste) treatment by Anaerobic Digestion.

⁷⁴ This is taken to include organic waste (including green and kitchen waste) treatment by Anaerobic Digestion.

stream.

**This includes the use of inert waste in backfilling of mineral workings & operational development such as noise bund construction and flood defence works.

***These percentages are limits rather than targets.

6.4 Policy CSW 5: Not in use - This Policy was deleted as part of the full review in 2023.

Policy CSW 5: Not in use

Figure 19: Not in use

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6.5 Policy CSW 6: Location of Built Waste Management Facilities

6.5.1 The preference identified in response to earlier consultations during the formulation of the Plan was for a mix of new small and large sites for waste management. This mix gives flexibility and assists in balancing the benefits of proximity to waste arisings while enabling developers of large facilities to exploit economies of scale. National policy recognises that new facilities will need to serve catchment areas large enough to secure economic viability and this is particularly relevant when considering the possible sizing and location of facilities required to satisfy any emerging need indicated by monitoring e.g. in the relevant AMR.

6.5.2 The location of waste sites in appropriate industrial estates was also the preference identified from the consultation. This has the benefit of using previously developed land and enabling waste uses to be located proximate to waste arisings. Employment land availability is monitored by KCC and the district and borough councils⁷⁵. It should be appreciated that all industrial estate locations may not be suitable for some types of waste uses, because of their limited size or close proximity to sensitive receptors or high land and rent costs.

6.5.3 Certain types of waste or waste management facilities, such as Construction, Demolition and Excavation (CDE) recycling facilities are often co-located on mineral sites for aggregates or landfills, which are usually found in rural areas. Also, in rural areas where either the non-processed waste arisings or the processed product can be of benefit to agricultural land (as is the case with compost and anaerobic digestion), the most proximate location for the waste management facility will likely be within the rural area.

6.5.4 The development of waste management facilities on previously developed land will be given preference over the development of greenfield sites. In particular, the redevelopment of derelict or land that is contaminated may involve treatment of soil to facilitate the redevelopment. Also, redundant agricultural or forestry buildings may be suitable for waste uses where such uses are to be located within the rural areas of the county. Waste management facilities located in the Green Belt are generally regarded as inappropriate development. Developers proposing a waste management facility within the Green Belt shall demonstrate the proposed use complies with Green Belt policy (See Policy DM4).

6.5.5 The development of built waste management facilities on greenfield sites is not precluded. This is because the goal of achieving sustainable development will lead to new development which may incorporate facilities to recycle or process the waste produced on the site, or to generate energy for use on the site.

6.5.6 Existing mineral and waste management sites may offer good locations for siting certain waste management facilities and for expansion to deliver further capacity to that which exists because of their infrastructure and location. In such cases, the developer will need to demonstrate the benefits of co-location such as connectivity with the existing use of the site while also demonstrating that any

⁷⁵ KCC (January 2013) Kent County Council & District Authorities Commercial Information Audit Summary Report for 2011/2012

cumulative impact is acceptable. For example, the co-location of CDE recycling (i.e. aggregate recycling) at an aggregate quarry that can enable the blending of recycled and virgin aggregates to increase the marketability of the product or the addition of a facility that will move waste further up the hierarchy at an existing EfW site.

6.5.7 Proposals for new waste management facilities (including changes to capacity at existing sites) should consider potential impacts on the water environment at the earliest stage of planning having regard to this policy and the requirements of Policy DM10: Water Environment, so that the full implications of the location for waste resources and flood risk are fully assessed and satisfied.

6.5.8 Policy CSW 6 applies to all proposals for built waste management facilities.

Policy CSW 6

Location of Built Waste Management Facilities

Planning permission will be granted for proposals that:

- a. Do not give rise to significant adverse impacts upon national and international designated sites, including Areas of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPAs), Ramsar sites, and heritage assets. (See Figures 4, 5 & 6).
- b. do not give rise to significant adverse impacts upon Local Wildlife Sites (LWS), Local Nature Reserves (LNR), Ancient Woodland, Air Quality Management Areas (AQMAs) and groundwater resources. (See Figures 7, 8, 10 & 15)
- c. are well located in relation to Kent's Key Arterial Routes, and/or railheads and wharves avoiding proposals which would give rise to unacceptable adverse impacts on local roads and/or villages.
- d. do not represent inappropriate development in the Green Belt.
- e. avoid Groundwater Source Protection Zone.
- f. avoid Flood Risk Zone 3b⁷⁶.
- g. avoid sites on or in proximity to land where alternative development exists/has planning permission or is identified in an adopted Local Plan for alternate uses that may prove to be incompatible with the proposed waste management uses on the site.
- h. for energy producing facilities - sites are in proximity to existing or planned

⁷⁶ Land that has a 3.3% or greater annual probability of flooding

heat users.

- i. for facilities that may involve prominent structures (including chimney stacks) the ability of the landscape to accommodate the structure (including any associated emission plume) after mitigation.
- j. for facilities involving operations that may give rise to bioaerosols (e.g. composting) to locate at least 250m away from any potentially sensitive receptors.

Where it is demonstrated that waste will be dealt with further up the hierarchy, or it is replacing capacity lost at existing sites, facilities that satisfy the relevant criteria above on land in the following locations will be granted consent, providing there is no unacceptable adverse impact on the environment and communities and where such uses are compatible with the development plan:

1. within or adjacent to an existing mineral development or waste management use
2. forming part of a new major development for B8 employment or mixed uses
3. within existing industrial estates
4. other previously developed, contaminated or derelict land not allocated for another use
5. redundant agricultural and forestry buildings and their curtilages
6. within farm units where the proposal is for composting or anaerobic digestion and the compost / digestate is to be used within that unit.

Proposals on greenfield land will only be permitted if it can be demonstrated that there are no suitable locations identifiable from categories 1 to 6 above within the intended catchment area of waste arisings. Particular regard will be given to whether the nature of the proposed waste management activity requires an isolated location.

6.6 Identifying Sites for Household Waste Recycling Centres

6.6.1 The county has an existing well-established network of facilities for receiving household waste delivered by residents of Kent. These Household Waste Recycling Centres (HWRC) play an important role in meeting waste recovery and landfill diversion targets. The intention for the Plan period is to ensure facilities are provided to meet local population needs accounting for economic and projected housing growth. During the lifetime of the Plan, the need for HWRCs and other household waste management infrastructure will be reviewed by the WDA. Proposals for Household Waste Recycling Centres will be considered against Policy

CSW6: Location of Built Waste Management Facilities and relevant Development Management Policies.

6.7 Policy CSW 7: Waste Management for Non-hazardous Waste

6.7.1 Policy CSW 7 provides a strategy for the provision of new waste management capacity for non-hazardous waste. The policy will allow the provision of new waste management capacity recognising the need to drive waste up the hierarchy.

6.7.2 The term non-hazardous waste is regarded, for purposes of the Plan, as being synonymous with LACW and C&I⁷⁷ waste and the non inert, non-hazardous, component of CDEW.

6.7.3 There is no intention to restrict the amount of new capacity for waste management for recycling or preparation of waste for reuse or recycling⁷⁸, or for the provision of additional capacity for green and/or kitchen waste treatment since the sooner it is delivered, the greater the impact will be on reducing organic waste going to landfill, the most significant source of methane production.

6.7.4 Implementing Policy CSW 7 will result in reducing the amount of Kent non-hazardous waste going for disposal to landfill and by doing so conserve existing non-hazardous landfill capacity in Kent for any non-hazardous waste that cannot be reused, recycled, composted or recovered.

Policy CSW 7

Waste Management for Non-hazardous Waste

Waste management capacity for non-hazardous waste that assists Kent in continuing to be net self-sufficient while providing for a reducing quantity of London's waste, will be granted planning permission provided that:

1. it moves waste up the hierarchy,
2. recovery of by-products and residues is maximised
3. energy recovery is maximised (utilising both heat and power); and
4. any residues produced can be managed or disposed of in accordance with the objectives of Policy CSW 2.

6.8 Policy CSW 8: Other Recovery Facilities for Non-hazardous Waste

6.8.1 One of the fundamental aims of the Plan is to reduce the amount of Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste being sent to non-hazardous landfill. Other recovery capacity, such as Energy from Waste,

⁷⁷ C&I is Commercial and Industrial waste.

⁷⁸ A definition of recycling is included in the glossary. Recycling includes composting

is that which diverts residual waste from landfill by means lower down the waste hierarchy than recycling and composting.

6.8.2 Given that the Waste Hierarchy is to be applied in priority order i.e. from the top down, waste that could be practicably managed by a means higher up the waste hierarchy should not be managed by other recovery (see Policy CSW 2). Therefore, proposals for 'other recovery' need to be accompanied by a 'Waste Hierarchy Statement'. Waste Hierarchy Statements must set out the arrangements that will be put in place to ensure that only unavoidable residual waste is managed by 'other recovery'. This must include listings of the types of waste that would be subject to recovery and the reason why they cannot be managed further up the hierarchy. To this end, the Waste Hierarchy Statement must include the following details:

- a. the type of information that will be collected and retained on the sources of the residual waste after recyclable and reusable waste has been removed;
- b. the arrangements to be put in place to ensure that as much reusable and recyclable waste as is reasonably possible is removed from waste to be managed by other recovery at the consented development, including contractual measures to encourage as much reusable and recyclable waste as possible to be removed prior to its use as a fuel/feedstock;
- c. the arrangements to be put in place to ensure that suppliers of residual waste work to a written environmental management system which includes establishing a baseline for recyclable and reusable waste removed from residual waste and setting and working to specific targets for continuously improving and reporting on the percentage of such reusable and recyclable waste removed;
- d. the arrangements to be put in place for suspending and/or discontinuing supply arrangements from suppliers who fail to work to and report on compliance with any environmental management systems relating to waste reporting;
- e. the provision of an annual waste composition analysis of the fuel/feedstock taken at the point of management by the operator, with the findings submitted to the Council within one month of sampling being undertaken; and,
- f. the form of records to be kept for the purpose of demonstrating compliance with 'a' to 'e' above and the arrangements in place for provision of data to the Council and inspection of such records by the Council.

6.8.3 Other recovery capacity generally takes the form of energy from waste facilities (EfW plants) which involve the combustion of waste to produce energy in the form of heat and electricity. Whilst emissions of carbon usually result from this process, where waste with a low fossil fuel derived content (e.g. organic waste with plastics removed ('biogenic' waste) is managed, this can be considered a form of renewable energy production. To ensure maximum utilisation of the energy value of waste managed at such facilities, proposals for additional other recovery capacity need to be designed to harness the maximum practicable quantity of energy produced. This can only be achieved where the 'surplus' heat produced by the facility is utilised. This requires such facilities to be developed in locations where a demand for the heat already exists or it is known will exist in the near future. This type of facility is known as combined heat and power or 'CHP'. Proposals for developments designed only to be 'CHP ready', with no obvious use of the heat identified, will not be permitted.

6.8.4 Where some element of the waste stream comprises non organic material, non-biogenic carbon emissions will result and so consideration must be given to the capture, utilisation and storage of these emissions. The waste management industry has a stated intention for all new EfW plants to be built with Carbon Capture Utilisation and Storage (CCUS) fitted or developed to be ‘CCUS-ready’ from 2025 onwards⁷⁹. This is consistent with the Climate Change Committee’s Sixth Carbon Budget recommendations to Government that all EfW facilities will need to have CCUS in place by 2040. Given the lead in time for the construction of such facilities it is expected that provision for CCUS be included in any proposals for additional EfW capacity in Kent.

6.8.5 Such other recovery capacity might be developed in conjunction with waste processing facilities on the same site, or as standalone plants where the waste is processed to produce a fuel off-site. In order to avoid the risk of under provision by double counting both fuel preparation capacity and fuel use capacity, only one of the two facility contributions will be counted towards meeting any emerging need identified by annual monitoring in future. Where fuel preparation takes place as a stand-alone activity, e.g. Mechanical Biological Treatment, the recovery contribution will only be counted as the difference between the input quantity and the output quantity unless the output fuel has a proven market. Where that is the case, if the output fuel is to be used in a combustion plant beyond Kent, then this contribution will also be counted⁸⁰

Policy CSW 8

Other Recovery Facilities for Non-hazardous Waste

Facilities using waste as a fuel will only be permitted if:

- a. they qualify as recovery operations as defined by the revised Waste Framework Directive⁸¹.
- b) the waste used to fuel the facility is that which cannot practically be reused, recycled or composted i.e. is unavoidable residual waste. This shall be demonstrated in the Waste Hierarchy Statement.**;
- c) solid residues arising from the process will be utilised as a raw material;
- d) the maximum amount of energy from the process will be utilised including the requirement for the use of any surplus heat; and,

⁷⁹ Applicable to biogenic and non-biogenic waste materials.

⁸⁰ For example, if 100 tonnes is fed into the plant: 20 tonnes are lost as moisture; 30 tonnes are diverted as recyclate; 50 tonnes of waste is converted into material that may be suited for use as a fuel. Unless that fuel has a proven market then the contribution counted will be 50 tonnes as the remaining material may end up going to landfill. If the 50 tonnes of fuel goes to a plant built within Kent the recovery contribution will be counted at the combustion plant rather than the fuel preparation plant. If the 50 tonnes of fuel is exported beyond the county then the recovery contribution will be counted at the fuel preparation plant.

⁸¹ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives

- e) the facility is designed to ensure that non biogenic gaseous carbon emissions are minimised, and those produced are captured and utilized, or, if utilisation is not possible, stored.

** This also applies to facilities that use waste to produce a fuel i.e. RDF

6.9 Policy CSW 9: Non Inert Waste Landfill in Kent

6.9.1 The fact that there have been no applications for new non inert landfill sites in Kent since 2005 is indicative of a lack of demand by the waste industry to develop non-hazardous landfill. Nevertheless, a proposed development might come forward during the plan period and if so it will be granted permission providing it complies with both Policy CSW 9 and the DM policies in this Plan. In addition, proposed additional capacity for hazardous waste landfill will be assessed against this policy.

6.9.2 Following the completion of a non-inert waste landfill site, the site will need to be restored and there will be a considerable period of aftercare during which such sites need to be managed in order to prevent unacceptable adverse impacts to the environment. Aftercare management can require new development in order to either prepare the site for re-use or to manage the landfill gas or leachate production. Policy DM 19 sets out the Plan's provisions with regard to restoration, aftercare and after-use.

6.9.3 Additional landfill capacity will only be considered acceptable if it is demonstrated that suitable alternative management capacity is not available. This is intended to ensure that the availability of such capacity is kept to a minimum to discourage the management of waste by a means that sits at the bottom of the waste hierarchy.

6.9.4 As detailed in section 6.8 above, a Waste Hierarchy Statement will also need to be submitted with any application to demonstrate that the waste to be received at the non-inert landfill could not be practically managed by a means further up the waste hierarchy.

Policy CSW 9

Non Inert Waste Landfill in Kent

Planning permission will only be granted for non inert⁸² waste landfill if:

⁸² Non inert waste landfill includes non hazardous waste landfill, separate cells within a non hazardous waste landfill provided to accept stable hazardous waste and dedicated hazardous waste landfill.

1. it can be demonstrated, in a waste hierarchy statement, that the waste stream that needs to be landfilled cannot be managed in accordance with the objectives of Policy CSW 2 and no alternative suitable capacity for its management exists; and
2. environmental or other benefits will result from the development;
3. the site and any associated land are to be restored to a high quality standard and an appropriate after-use that accords with the local landscape character as required by Policy DM 19; and
4. at least 85% of any landfill gas produced will be captured and utilised using best practice techniques.

6.10 Policy CSW 10: Development at Closed Landfill Sites

6.10.1 Following the completion of a landfill there needs to be a considerable period of aftercare during which the site needs to be managed in order to prevent unacceptable adverse impacts to the environment and to bring the site into use. A 5-year aftercare programme following site restoration is normally required as part of the planning permission for the development of a landfill site. However, potential problems can occur after the 5-year aftercare period, such as differential settlement, which can have an adverse effect upon land drainage. In particular, any landfill sites that contain biodegradable wastes need to be managed in order to prevent unacceptable adverse impacts to the environment from leachate or gas for a period considerably longer than five years. While the management of closed landfill sites is regulated by the Environment Agency (EA), there may be a need for new development at the site to ensure that the protection of the environment is continued. Policy CSW 10: Development at Closed Landfill Sites should be read in conjunction with Policy CSW 11: Permanent Deposit of Inert Waste, and any development at a closed landfill that includes the bringing of additional waste on to the site will need to demonstrate that the amount of waste being used is kept to a minimum. Any new development at a closed landfill site should ensure that there are no unacceptable adverse impacts (e.g. on local amenity or emissions to air) from the development, or any other impacts that are not outweighed by the need for the non-waste development.

6.10.2 As landfill gas is a potent greenhouse gas its maximum capture must be sought. The maximum use (e.g. by power production or compression for use as a vehicle fuel) of the energy potential of captured landfill gas should also be sought to achieve optimum displacement of fossil fuels.

Policy CSW 10

Development at Closed Landfill Sites

Planning permission will be granted for development for any of the following purposes:

1. the improvement or restoration for an identified after use for the site;
2. the reduction of emissions of gases or leachate to the environment;
3. making maximum use of gases being emitted and reducing the emission of gases to the environment.

6.11 Policy CSW 11: Permanent Deposit of Inert Waste

6.11.1 The most recent capacity assessment shows that there is currently permitted capacity at permanent Construction and Demolition (CD) recycling sites of over 2 mtpa where recycled aggregate is produced. It is considered more sustainable to use recycled aggregates than to extract primary aggregates. The criteria for assessing further site proposals for such sites can be read in Policy CSM 8: Secondary and Recycled Aggregates in Chapter 5.

6.11.2 The most recent capacity assessment shows consented capacity for the permanent deposit of inert waste in Kent may only be sufficient to meet Kent's need for the plan period. While sites in Kent currently receives a lot of inert waste originating out of the county, particularly from London, the continuation of this waste import throughout the plan period would likely require development of additional capacity to accommodate this waste. In light of this Policy CSW 11 provides support to operations involving the permanent deposit of inert waste.

6.11.3 Another important issue is that without the import of inert waste the ability to restore existing permitted mineral workings would take a lot longer. Policy CSW 11: Permanent Deposit of Inert Waste seeks to ensure that a high priority is given to using inert waste that cannot be recycled in the restoration of existing permitted mineral workings, in preference to uses where inert waste is deposited on land (e.g. bund formation or raising land to improve drainage etc).

Policy CSW 11

Permanent Deposit of Inert Waste

Planning permission for the permanent deposit of inert waste will be granted where:

- a) the inert waste is being deposited for a beneficial use such as the restoration of landfill sites and mineral workings and not as part of a disposal operation;
- b) the waste is to be used in an engineering operation, other than the restoration of landfill sites and mineral workings, where it is demonstrated that there is no local Kent demand for its use in such restoration operations; and,

- c) The development involves the minimum quantity of waste necessary to achieve the benefit sought.

6.12 Policy CSW 12: Hazardous Waste Management

6.12.1 Hazardous waste arising in Kent is one of the smaller streams of waste. The management of hazardous waste is typically characterised by the following: Hazardous waste is often produced in small quantities and hazardous waste management facilities are often highly specialised with regional or even national catchment areas involving movement of hazardous waste with both waste originating in Kent going outside the county for management and hazardous waste coming into the county for management.

6.12.2 Net self sufficiency in hazardous waste is not a practical aspiration however when viewed as a whole, net self-sufficiency in hazardous waste management is achieved in Kent. Pressures in the need for additional hazardous waste capacity in Kent might arise in future if changes in the production and management profile of hazardous waste occur as follows:

- demand for disposal capacity for flue residues from Allington EfW facility
- any increase in hazardous residues from air pollution control from additional EfW capacity requiring management
- if the existing asbestos landfill closes then a significant amount of asbestos based hazardous waste will cease to be imported into the county.

6.12.3 The need for additional hazardous waste management capacity can be addressed through Policy CSW 12 should it be required.

6.12.4 Any proposals for future provision for landfill capacity for asbestos and/or hazardous residues from air pollution control will be considered against other policies of this Plan including Policy CSW 9.

Policy CSW 12

Hazardous Waste Management

Development proposals for built hazardous waste management facilities will be granted planning permission in locations consistent with Policy CSW 6 and for landfill sites in accordance with Policy CSW 9, regardless of whether their catchment areas for waste extend beyond Kent.

6.13 Policy CSW 13: Remediation of Brownfield Land

6.13.1 The environment permitting regime has enabled soil decontamination and the subsequent reuse in the redevelopment of the decontaminated soil within a site. Policy CSW 13 seeks to ensure that land that is contaminated is treated in situ or in combination with other land that is contaminated when those sites are to be redeveloped.

Policy CSW 13

Remediation of Brownfield Land

Planning permission will be granted for a temporary period for waste related developments on brownfield land that facilitate its redevelopment by reducing or removing contamination from previous development, where:

1. the site is identified in a local plan for redevelopment or has planning permission for redevelopment, or
2. the site is part of a network of brownfield sites that are identified in a local plan or local plans for redevelopment or that have planning permission for redevelopment and is to receive waste for treatment from those sites as well as treating the land within the site.

6.14 Policy CSW 14: Disposal of Dredgings

6.14.1 Retaining the navigable channels within the estuaries within Kent is the statutory duty of the Port of London Authority (PLA) and the Medway Ports Authority. When the dredged materials do not consist of aggregates or cannot be accommodated within projects to enhance the biodiversity of the estuaries, then landfill is the only option currently available. The PLA is reviewing its 'Vision for the Tidal Thames (The Thames Vision)' in 2021. Any sites that would require planning permission for the disposal of dredged materials to land will be considered against the policies of the Plan as a whole. Specifically, Policy CSW 14 should ensure that such waste development would be the most sustainable option for the management of this material and that it affords increased opportunities for enhanced biodiversity in the Kent estuaries.

6.14.2 Currently the Plan makes no allocation for a site for the disposal of marine dredgings. This situation will be kept under review should the need for a specific site with river access arise.

Policy CSW 14

Disposal of Dredgings

Planning permission will be granted for new sites for the disposal of dredging materials where it can be demonstrated that:

1. the re-use of the material to be disposed of is not practicable
2. there are no opportunities to use the material to enhance the biodiversity of the Kent estuaries.

6.15 Policy CSW 15: Wastewater Development

6.15.1 Water treatment undertakers have a range of rights to carry out development without the need to obtain planning permission under the *Town and Country (General Permitted Development) Order 1995* (GPDO). However, new proposals for wastewater treatment works, sludge treatment and disposal facilities as well as extensions and some modifications to existing facilities will invariably require planning permission.

6.15.2 Such proposals may also need an Environmental Permit and developers are advised to contact the Environment Agency about this matter at the earliest opportunity. Developers should also have regard to the need to address issues relating to nutrient neutrality as required.

Policy CSW 15

Wastewater Development

Wastewater treatment works and sewage sludge treatment facilities (including extensions) will be granted planning permission, subject to:

1. there being a proven need for the proposed facility; and
2. biogas resulting from any anaerobic digestion of sewage sludge, being recovered effectively for use as an energy source using best practice techniques⁸³.

6.16 Policy CSW 16: Safeguarding of Existing Waste Management Facilities

6.16.1 The current stock of waste management facilities are important to maintaining net self-sufficiency. The loss of annual capacity at an existing permitted waste site could have an adverse effect upon delivering the waste strategy and so the protection of the existing stock of sites with permanent waste permission is as important to achieving the aims of the Plan as identifying new sites. Existing permitted sites with permanent permission for waste facilities can be protected

⁸³ As set out by the Environment Agency and industry standards.

through refusing permission for the redevelopment of these sites to non-waste uses. A list of waste sites is updated and published each year in the Kent MWLP AMR⁸⁴ Policy DM 8 identifies situations where development at, or in proximity to safeguarded waste management facilities would be acceptable.

Policy CSW 16

Safeguarding of Existing Waste Management Facilities

Capacity at sites with permanent planning permission for waste management is safeguarded from being developed for non-waste management uses⁸⁵

Capacity at sites with temporary planning permissions tied to the life of the mineral working will be similarly safeguarded for no longer than the duration of that permission.

Where other development is proposed at, or within 250m of, sites hosting safeguarded waste management capacity Local Planning Authorities will consult the Waste Planning Authority and take account of its views on how the safeguarded capacity may be affected before making a planning decision (in terms of both a planning application and an allocation in a local plan).

6.17 Radioactive Waste Management

6.17.1 The subject of radioactive waste is complex as it covers waste arisings from nuclear power stations as well as small quantities of radioactive waste that arise from hospitals and other medical activities and research establishments. Details of national policy on this subject, as well as the details of Kent arisings and current management routes are given in the evidence base topic paper on radioactive wastes⁸⁶. The following paragraphs define the various types of radioactive waste.

6.17.2 High Level Wastes (HLW) are defined as wastes in which the temperature may rise significantly as a result of their radioactivity, so that this factor has to be taken into account in designing storage or disposal facilities⁸⁷.

6.17.3 Intermediate Level Wastes (ILW) are wastes with radioactivity levels exceeding the upper boundaries for low level wastes, but which do not require heating to be taken into account in the design of storage or disposal facilities⁸⁸. ILW is

⁸⁴ Available online from: www.kent.gov.uk/mwlp.

⁸⁵ A list of sites hosting safeguarded capacity is maintained in the Annual Monitoring Report.

⁸⁶ KCC Radioactive Waste Topic Paper, January 2024.

⁸⁷ Defra, BERR and the Devolved Administrations for Wales and Northern Ireland (June 2008) Managing Radioactive Waste Safely: A framework for Implementing Geological Disposal. HLW is largely a by-product from the reprocessing of spent fuel.

⁸⁸ Defra, BERR and the Devolved Administrations for Wales and Northern Ireland (June 2008).

retrieved and processed to make it passively safe and then stored pending the availability of the Geological Disposal Facility (GDF).

6.17.4 Low Level Wastes (LLW) are radioactive wastes, other than those suitable for disposal with ordinary refuse, but not exceeding 4 gigabecquerels per tonne of alpha activity, or 12 gigabecquerels per tonne of beta or gamma activity⁸⁹. LLW does not normally require shielding during handling or transport. LLW consists largely of paper, plastics and scrap metal items that have been used in hospitals, research establishments and the nuclear industry. Across the UK, large volumes of soil, concrete and steel will need to be managed as nuclear power plants are decommissioned. LLW makes up more than 90% by volume of UK radioactive wastes (but contains less than 0.1% of the radioactivity)⁹⁰. Historically most of LLW from the nuclear industry was transferred to the Low Level Waste Repository (LLWR) in Cumbria. In recent years it has been recognised that the capacity of the LLWR is limited and that most types of LLW do not require the level of protection offered by such a highly engineered facility. Not all LLW needs to be transferred to the LLWR for subsequent disposal there. Some types of solid LLW arisings from nuclear power stations can be disposed of at suitably licensed landfill sites⁹¹, or can be incinerated⁹². The Waste Hierarchy has to be considered in order to deal with LLW in the most effective way, so minimising the use of the capacity at the LLWR in order to extend its life. Some LLW arisings are incinerated and some metals are recycled, so there are a number of routes that these waste streams take.

6.17.5 Very Low Level Waste (VLLW) is a subcategory of LLW that contains limited amounts of solid radioactive waste that can be disposed of conveniently and without causing unacceptable environmental impacts, provided that it is mixed with large quantities of non-radioactive wastes which are themselves being disposed of⁹³.

6.17.6 The term higher activity waste embraces ILW and any LLW that requires disposal to a GDF. This waste stream has no disposal routes at the time of writing the Plan. Legacy waste refers to all of the radioactive waste streams that arise from the nuclear power stations across the UK.

Managing Radioactive Waste Safely: A framework for Implementing Geological Disposal.

⁸⁹ A becquerel is the unit of radioactivity, representing one disintegration per second. A gigabecquerel is 1000 million becquerels.

⁹⁰ DECC, the Welsh Government, DOE and the Scottish Government (12 March 2012). Strategy for the management of solid low level radioactive waste from the non nuclear industry in the UK. Part1 - Anthropogenic radionuclide.

⁹¹ There are no radioactive waste landfills in Kent at the time of plan update.

⁹² Source: Note from the EA (October 2012) attached to KCC (January 2013) Update Note to Dungeness Site Stakeholder Group on the Kent Minerals and Waste Plan.

⁹³ NIEA, SEPA and EA. (September 2011) The Radioactive Substances Act 1993. The Environmental Permitting (England and Wales) (Amendment) Regulations 2011. VLLW Guidance Version 1.0.

6.18 Policy CSW 17: Policy CSW 17: Waste Management at the Dungeness Nuclear Licensed Sites

6.18.1 Kent has two nuclear power stations sites (Dungeness A and B) located on the Dungeness Peninsula (Figure 20 shows their location). Dungeness A (a twin reactor Magnox power station) operated from 1965 to the end of 2006 and is undergoing decommissioning that will continue until around 2097. Dungeness B (an Advanced Gas Cooled twin reactor) started operation in 1983 and formally ended power generation in 2021 and is currently defueling prior to the commencement of decommissioning activities. The decommissioning of Dungeness B is likely to take up until 2111. The decommissioning of Dungeness A is managed by the Nuclear Decommissioning Authority (NDA) and Magnox. Dungeness B is currently the responsibility of EDF Energy but will transfer to NDA/Magnox upon obtainment of fuel free verification and licence transfer.

6.18.2 Both stations lie within an environmentally sensitive area adjacent to sites of international and national importance designated for their geology and biodiversity interests. Dungeness is the largest shingle structure (buried and exposed ridged cusped foreland) in Europe comprising approximately 2000 hectares of vegetated shingle, approximately half the English shingle habitat resource. The extent and compositions of shingle ridge 'desert' habitats found at Dungeness is unique in the UK and rare in northwest Europe. Designated Habitat Sites which form part of the 'National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017, cover large parts of the Dungeness Peninsula. To enable the competent authority under the Habitats Regulations to: i) Determine the need for appropriate assessment of applications for waste management and disposal at the Dungeness nuclear sites; and ii) undertake such assessment where it is deemed necessary, sufficient relevant information will be required to accompany each planning application, including baseline data and monitoring of, where relevant, vehicle movements, air quality and bird populations.

6.18.3 There are currently no plans to build another nuclear power station at Dungeness. If a nuclear power station were ever proposed, it would be considered as a 'Nationally Significant Infrastructure Project' (NSIP) and so its suitability would be considered by the Secretary of State.

6.18.4 The Nuclear Decommissioning Authority (NDA) is required to produce a strategy for decommissioning nuclear legacy sites in the UK every five years. The 2016 Nuclear Decommissioning Authority Strategy⁹⁴ (which was subject to prior public consultation) included a commitment to prepare a single radioactive waste strategy for the NDA which was published in 2019 ("The Integrated Waste Management Radioactive Waste Strategy"). Each Magnox site may have its own ILW store and be 'self-sufficient' but the best options for consideration in the future may be for movements of waste between sites for consolidation and storage. Options include co-locating waste from both Dungeness power stations (A and B) on one of those sites. The nuclear power operators are required to make best use of processing facilities nationwide to minimise the overall impact of radioactive waste processing and disposal subject to due process and Best Available

⁹⁴ The latest Nuclear Decommissioning Authority Strategy was published in March 2021

Techniques (BAT) assessment. Policy CSW 17 does not foreclose possible future solutions for consolidation and waste movements between all Magnox sites (for treatment and/or storage). However, at present the NDA and Magnox Ltd do not anticipate any import of radioactive waste for disposal at Dungeness (though movement between Dungeness A and B may occur).

6.18.5 On-site disposal related to the decommissioning of nuclear sites can take a number of forms, but chiefly concerns leaving sub-surface radioactively contaminated (mainly concrete) structures in place indefinitely and filling unwanted below-ground voids with site-derived radioactively contaminated demolition arisings (mainly concrete and masonry), under a radioactive substances regulation (RSR) environmental permit granted by the Environment Agency in accordance with the requirements of the 'Guidance on the Requirements for Release from Radioactive Substances Regulation' (known as the GRR)⁹⁵. A permit would only be issued if it can be demonstrated that any on site disposal management option, when considered in combination with the management options for all other radioactive wastes and radioactive contamination at the site, ensures overall exposures of people are 'As Low As Reasonably Achievable' (ALARA). Also, where any disposal option has been demonstrated to be optimal, the Operator must consider how the design, construction and implementation of that disposal ensures exposures are ALARA.

6.18.6 The GRR advises that operators must prepare and maintain a Waste Management Plan (WMP) and 'Site Wide Environmental Safety Case' (SWESC). The WMP is required to manage the programme of disposals of radioactive waste until work involving radioactive substances is completed and to demonstrate how waste management has been optimised. The SWESC is required to demonstrate that the health of members of the public and the integrity of the environment will be adequately protected, both during and after radioactive substances regulation. The WMP and SWESC are closely aligned and a WMP and SWESC may need to be in place before any application for on-site disposal at site as it is a specific permit requirement to produce these documents by the dates outlined in the RSR permit.

6.18.7 The Government is currently preparing Planning Guidance for on-site disposal of suitable 'low level' and 'very low level' radioactive waste on nuclear and decommissioned sites.

6.18.8 In 2012, Shepway District Council (now Folkestone and Hythe District Council) considered whether to submit an expression of interest to host a Geological Disposal Facility (GDF) in the district. As part of this consideration, Shepway District Council held a public referendum and on 19th September 2012 decided to recommend not to submit an expression of interest for hosting the GDF. There are currently no plans to build a GDF at Dungeness and if one were ever proposed, it would be considered as a Nationally Significant Infrastructure Project (NSIP) and a decision would be made taking account of the National Policy Statement for

⁹⁵ Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation, July 2018. Published by the UK environment agencies.

Geological Disposal Infrastructure. Policy CSW 17 and other policies of this Plan would be taken into account in any decision on a proposal to develop a GDF at Dungeness.

Policy CSW 17

Waste Management at the Dungeness Nuclear Licensed Sites

Part A: General Requirements

Facilities for the management (including storage, treatment or disposal (subject to Part B of this policy)) of radioactive waste will be acceptable within the Dungeness Nuclear Licensed Sites where:

1. this is consistent with the national strategy⁹⁶ for managing radioactive waste and discharges; and
2. the outcome of environmental assessments justify it being managed on Dungeness Nuclear Licensed Sites.

Part B: Disposal of Waste at the Dungeness Nuclear Licensed Sites

The only wastes that will be acceptable for disposal within the Dungeness Nuclear Licensed Sites are low-level and very low-level radioactive wastes, or other inert (non-radioactive) wastes. The types of disposal of such wastes that would be acceptable are:

- In situ disposal of inground structures and foundations (including contaminated below-ground structures, foundations and redundant drains);
- The back-filling of voids within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures; and
- Purpose built landfill or land raise activities within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures.

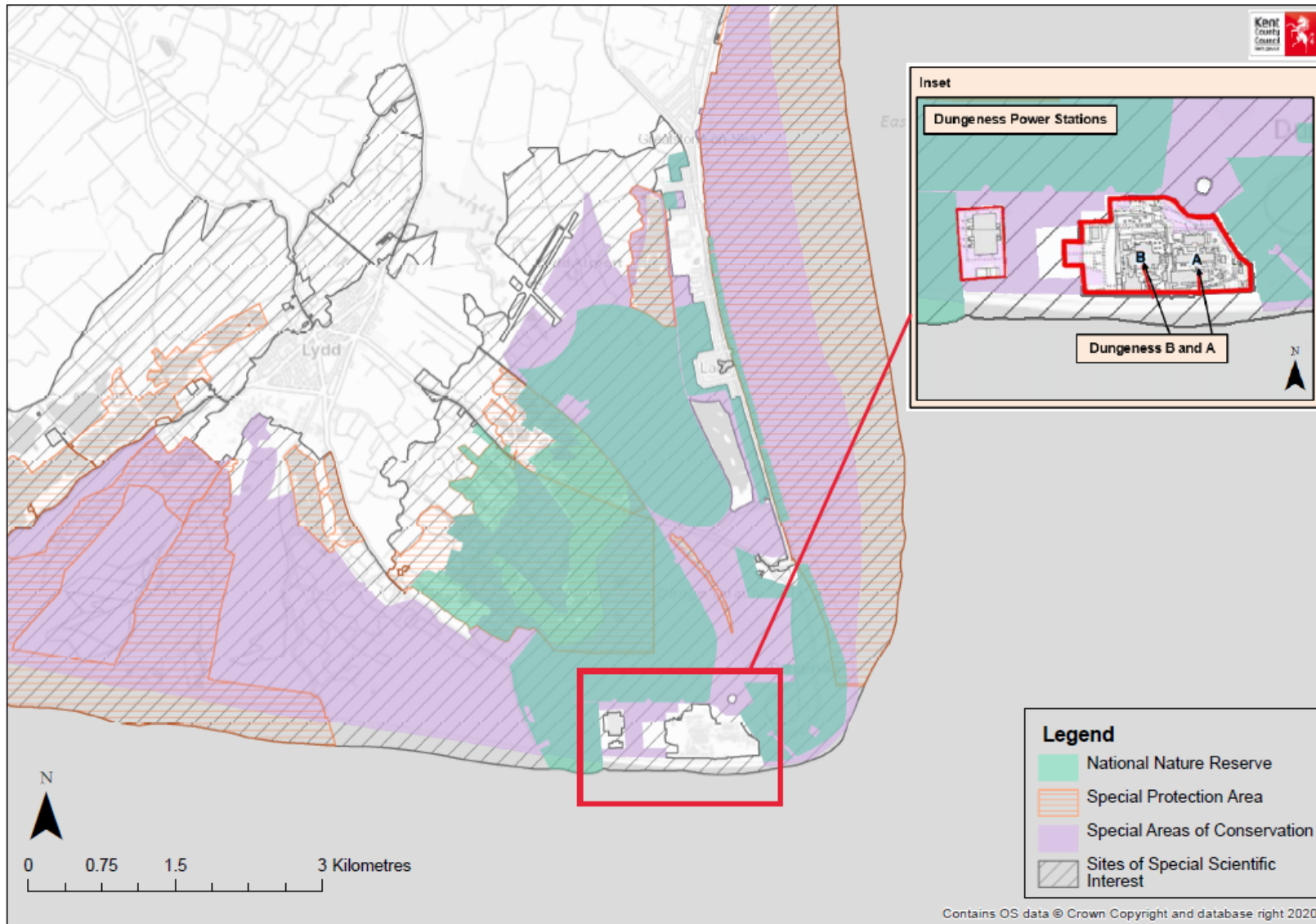
Planning permission for the disposal of waste arisings as described above on the Dungeness Nuclear Licensed Sites will be granted only if it can be demonstrated that:

- I. the development is the optimum waste management approach for the radioactive waste concerned;
- II. impacts on the sustainability, including environment, of the area can be mitigated to an acceptable level as demonstrated with reference to baseline data; and,

⁹⁶ National strategy for radioactive wastes is the NDA Strategy at the time of any application

- III. for the disposal of imported low-level and very low-level radioactive demolition waste from other nuclear sites:
- a. there is an on-site land engineering need that can be met using these imported wastes, e.g. the in-filling of voids; and
 - b. there is insufficient suitable radioactive waste and/or non-radioactive material that would be generated from the demolition of buildings and structures on the Dungeness sites themselves available on the required timescales that would meet the engineering need; and
 - c. if importation of radioactive demolition wastes from other nuclear sites were not to be carried out then an approximately equivalent quantity of other materials would still be required to be imported to meet the identified engineering need; and
 - d. the type and number of vehicle movements associated with the disposal of imported low-level and very low-level radioactive demolition waste to meet the identified engineering need, would be equivalent to, or would have a lesser impact than, those which would be associated with any import of engineering material that would be used to meet the identified engineering need.

Figure 20: Dungeness Power Stations & Romney Marsh Nature Designations



6.19 Policy CSW 18: Non-nuclear Radioactive Low Level Waste (LLW) Management Facilities

6.19.1 There may also be a need for new facilities for the storage and/or treatment of non-nuclear sources of LLW (including VLLW) from institutions such as research establishments, universities and hospitals. At the time of plan preparation, there is no data on these waste arisings in Kent. They are likely to be in low volumes. However, to address the requirements of Government guidance on the EU WFD 2008/98/EC⁹⁷, an enabling policy for sites that will manage this waste stream is required.

Policy CSW 18

Non-nuclear Industry Radioactive Low Level Waste Management

Planning permission will be granted for facilities that manage non-nuclear industry low level waste and very low-level waste arisings where they meet the requirements of all relevant development plan policies, in the following circumstances:

1. where there is a proven need for the facility, and
2. the source material to be managed arises from within Kent and from areas outside that would be consistent with the principle of proximity in terms of the management of non-nuclear industry low level waste and very low-level waste.

⁹⁷ DLUHC (December 2012) Guidance on the EU Waste Framework Directive.

7. Development Management Policies

7.0.1 The Development Management (DM) policies in this chapter address a range of subjects relevant to minerals and waste developments in Kent. Together with the minerals and waste delivery strategy policies, and the Mineral Sites Plan, the policies form a robust DM framework for the determination of minerals and waste applications. These policies should also be considered in the context of the relevant local plan for the district or borough where the proposal is situated.

7.0.2 The DM policies in the Plan avoid duplication with other regulatory functions, such as the environmental permitting regime carried out by the Environment Agency (EA).

7.1 Policy DM 1: Sustainable Design

7.1.1 It is important that all minerals and waste developments are designed to minimise the impact upon the environment and Kent's communities. There is a need to reduce the amount of greenhouse gas emissions and other forms of emissions, minimise energy and water consumption, reduce waste production and reuse or recycle materials. Emissions arising from construction include those embedded in the materials used in the development, and low carbon materials should therefore be used.

7.1.2 Sustainable design initiatives can be achieved by a variety of means such as the incorporation of renewable energy, energy management systems, grey water recycling systems, sustainable drainage systems, solar panels, electric vehicle charging points, energy efficient appliances and the use of recycled and recyclable building materials. Policy DM 1 supports some of the key priorities in the County Council's environmental strategy⁹⁸.

7.1.3 Proposals for development above a certain size⁹⁹ will be expected to demonstrate, within a 'Circular Economy Statement', how the development will achieve a BREEAM 'Very Good' rating or equivalent standard.

7.1.4 The importance placed on the biodiversity within soils, as well as its potential to store carbon, has significantly increased. Both waste and minerals development can result in a large amount of soil disturbance. Planning applications should therefore include details of how soil disturbance is to be minimised. Best practice examples are set out in the Defra publication 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites'.

⁹⁸ KCC (March 2016) Kent Environment Strategy

⁹⁹ Development requiring a Circular Economy Statement will have a total floor space of greater than 1000 square metres and/or comprise greater than 10no. units of housing and/or where the site is 1 hectare or more.

Policy DM 1

Sustainable Design

Proposals for minerals and waste development will be required to demonstrate that they have been designed in accordance with best practice to:

1. minimise greenhouse gas emissions which may arise from the construction and operation of the development;
2. minimise other emissions of pollutants which may arise from construction and operation;
3. minimise energy and water consumption during their construction and operation and incorporate measures for water recycling and utilisation of low carbon renewable energy;
4. minimise waste and maximise the re-use or recycling of materials during their construction and operation;
5. incorporate climate change adaptation measures including sustainable urban drainage systems, suitable shading of pedestrian routes and open spaces and drought resistant landscaping unless there is clear evidence that this would be inappropriate;
6. protect and enhance the character and quality of the site's setting or mitigate and if necessary compensate for any predicted loss;
7. maximise opportunities to contribute to green and blue infrastructure, to include benefits to communities (including Public Rights of Way), and to contribute to biodiversity net gain;
8. minimise the loss of Best and Most Versatile Agricultural Land and protect soils more generally;
9. achieve a BREEAM 'Very Good' standard or equivalent where appropriate; and
10. where possible, utilise existing buildings and achieve an efficient re-use of land.

7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment

7.2.1 Minerals and waste developments can have adverse impacts on sites of international, national and local importance. Kent has a wide range of landscapes and habitats that play an important role in supporting a variety of flora and fauna.

7.2.2 Significant weight in planning terms is given to conserving and enhancing landscape and scenic beauty of AONBs in which the conservation and enhancement of wildlife and cultural heritage are important considerations. Development within the setting of AONBs should also be sensitively located and designed to avoid or minimise impacts on the designated areas. Policy DM 2 recognises that some sites are designated due to their importance in terms of geodiversity.

7.2.3 Locally important sites are also designated in recognition of their significance at the local level¹⁰⁰, but do not normally carry the same level of protection as international or nationally designated sites. These sites include Local Wildlife Sites (LWSs), priority habitat identified in the Kent BAP, Local Geological Sites, Locally Listed Heritage Assets, Local Nature Reserves (LNRs), Country Parks, and aged or veteran trees, waterbodies and other green infrastructure features. Alongside other nature designations, these sites will play an important role in the success of the Local Nature Recovery Strategy.

7.2.4 Policy DM 2 relates to these sites of international, national, and local environmental and landscape importance. The policy aims to ensure that there are no unacceptable adverse impacts on these important assets and sets out the circumstances where impacts upon them would be acceptable. In the case of a demonstrated overriding need for the development, any impacts would be required to be mitigated or compensated for in order to provide a net gain or improvement to their condition. Buffers have a role to play in mitigation.

7.2.5 In addition to Policy DM 2, Policy DM 3 seeks to protect Kent's important biodiversity assets, ensure that minerals and waste applications are supported by appropriate ecological assessments, and ensure that a biodiversity net gain is maximised. While a statutory target of at least 10% biodiversity net gain for all development has been introduced, the Kent Nature Partnership expects at least 20% to be achieved. The restoration of mineral sites frequently provides excellent opportunities for the development of habitat and the expectation is that they should be maximised such that, where practicable, greater than 20% biodiversity net gain will be achieved. Separate guidance on the application of the biodiversity net gain requirements to minerals and waste developments as set out in Policy DM3 will be published.

7.2.6 In terms of selecting and screening the suitability of sites for identification in any Minerals and Waste Sites Plans, the following criteria will be taken into account:

- The requirements set out in Policy CSM 2: Supply of Land-won Minerals, Policy CSW 6: Location of Built Waste Management Facilities and Policy CSW 7: Waste management for Non-hazardous Waste
- all policies set out in Chapter 7: Development Management Policies
- relevant policies in district local plans
- strategic environmental information, including landscape assessment and HRA

¹⁰⁰ As contained in the Kent State of the Environment Report 2015 and the Kent Environment Strategy 2016.

as appropriate.

The scope of the above information to be considered will be appropriate for a Strategic site selection process. More detailed information will be required for consideration at the planning applications stage.

Policy DM 2

Environmental and Landscape Sites of International, National and Local Importance

Proposals for minerals and/or waste development will be required to ensure that there is no unacceptable adverse impact on the integrity, character, appearance and function, biodiversity and geodiversity interests of sites of international, national and local importance, such that these proposals accord with the avoid, mitigate, compensate hierarchy.

1. International Sites

Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on international designated sites, including Ramsar, Special Protection Areas and Special Areas of Conservation ('National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017 and 'Habitat Sites' as defined by the NPPF¹⁰¹), will need to be evaluated in combination with other projects and plans and be in accordance with established management objectives for the national sites network ('network objectives'¹⁰²). Before any such proposal will be granted planning permission or identified in the Minerals and Waste Sites Plan, it will need to be demonstrated that:

- a. there are no alternatives;
- b. there is a robust case established as to why there are imperative reasons of overriding public interest; and
- c. there is sufficient provision for adequate timely compensation.

2. National Sites

Designated Areas of Outstanding Natural Beauty (AONB)¹⁰³ have the highest

¹⁰¹ NPPF defines 'habitat sites' as 'any site which would be included within the definition at Regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites'

¹⁰² Changes to the Conservation of Habitats and Species Regulations 2017 - <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017>

¹⁰³ The purpose of an AONB is set out in Section 82(1) of the Countryside and Rights of Way Act 2000 states as follows: the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

status of protection in relation to landscape and scenic beauty. Regard must be had to the purpose of the designation when exercising or performing any functions in relation to, or so as to affect land, in an AONB. For the purposes of this policy, such functions include the determination of planning applications and the allocation of sites in a development plan.

Planning permission for major minerals and waste development in a designated AONB will be refused except in exceptional circumstances and where it can be demonstrated that it is in the public interest. In relation to other minerals or waste proposals in an AONB, great weight will be given to conserving and enhancing its landscape and scenic beauty. Proposals within the setting of an AONB should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Consideration of such applications will assess;

- a. the need for the development, including in terms of any national considerations and the impact of granting, or refusing, the proposal upon the local economy;
- b. the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way; and
- c. any detrimental impact on the environment, the landscape and recreational opportunities, and the extent to which the impact could be moderated taking account of the relevant AONB Management Plan.

Sites put forward for allocation for minerals or waste development in updates to the Minerals Sites Plan or any Waste Sites Plan will be considered having regard to the above tests. Those that the Minerals and Waste Planning Authority considers unlikely to meet the relevant test(s) will not be allocated.

Proposals for minerals and/or waste developments within or outside of designated Sites of Special Scientific Interest or National Nature Reserves, that are considered likely to have any unacceptable adverse impact on a Site of Special Scientific Interest or National Nature Reserve, will not be granted planning permission or identified in updates to the Minerals Sites Plan and any Waste Sites Plans except in exceptional circumstances where it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, and:

- a. the benefits of the development outweigh any impacts that it is likely to have on the features of the site that make it of special scientific interest; and
- b. the benefits of the development outweigh any impacts that it is likely to have on the national network of Sites of Special Scientific Interest.

Minerals and/or waste proposals located within or considered likely to have any

unacceptable adverse impact on irreplaceable habitat such as Ancient Woodland and ancient or veteran trees will not be granted planning permission or identified in updates to the Minerals Sites Plan and any Waste Sites Plans unless the need for, and the benefits of the development in that location clearly outweigh any loss, justified by wholly exceptional reasons, and a suitable compensation strategy is in place.

3. Local Sites

Minerals and/or waste proposals within, or likely to have an unacceptable adverse impact on, the Local Sites listed below will not be granted planning permission, or identified in updates to the Minerals Sites Plan and any Waste Sites Plans, unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning benefit:

- a. Local Wildlife Sites;
- b. Local Nature Reserves;
- c. Priority Habitats and Species;
- d. land that is of regional or local importance as a wildlife corridor or for the conservation and enhancement of geodiversity and biodiversity;
- e. Local Geological Sites;
- f. irreplaceable habitat including aged and veteran trees;
- g. Country Parks, common land and village greens and other important areas of open space or green areas within built-up areas.
- h. Marine Conservation Zones

Policy DM 3

Ecological Impact Assessment

Proposals for minerals and waste developments will be required to ensure that they result in no unacceptable adverse impacts on Kent's important biodiversity assets. These include internationally, nationally and locally designated sites, internationally and nationally protected species, and habitats and species of principal importance for the conservation, protection and enhancement of biodiversity, geodiversity and habitats and species identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045.

Proposals that are likely to have unacceptable adverse impacts upon important geodiversity and biodiversity assets will need to demonstrate that an adequate level of ecological assessment has been undertaken and should provide a positive contribution to the protection, enhancement, creation and management of biodiversity. Such proposals will only be granted planning permission following:

1. an ecological assessment of the site, including preliminary ecological appraisal and, where likely presence is identified, specific protected species surveys;
2. consideration of the need for, and benefits of, the development and the reasons for locating the development in its proposed location;
3. the identification and securing of measures to mitigate any adverse impacts (direct, indirect and cumulative); and,
4. the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for.

All development shall achieve a net gain in biodiversity value in accordance with the requirements of the NPPF. All major development shall deliver at least a 10% net gain in biodiversity value with an expectation that the maximum practicable net gain is achieved. All planning applications must be supported by a Biodiversity Net Gain Plan and relevant supporting reports that demonstrate net gain will be achieved, implemented, managed and maintained.

Restoration of mineral extraction sites for end uses that limit options to maximise biodiversity gain, may still be acceptable, provided the restoration achieves the minimum requirements and it can be demonstrated that the benefits of the restoration proposed would help achieve other objectives within the Development Plan that can be balanced against the need to maximise biodiversity net gain.

7.3 Policy DM 4: Green Belt

7.3.1 The western area of Kent is situated within the Green Belt around London (see Figure 6 in Chapter 2.2). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

7.3.2 Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, national policy and the National Planning Policy Framework.

7.3.3 There is a presumption against inappropriate development within the Green Belt. Inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. When considering any

planning application, the planning authority will ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.3.4 The National Planning Policy Framework provides guidance on the purposes of the Green Belt and what constitutes inappropriate development. It states that minerals extraction, engineering operations and the re-use of buildings provided that the buildings are of permanent and substantial construction are not inappropriate development in the Green Belt provided that they preserve the openness of the Green Belt and proposals do not conflict with the purpose of including land in the Green Belt. Processing plant, although commonly associated with mineral extraction, is unlikely to preserve openness, owing to its size, height and industrial appearance and would therefore be inappropriate development. Elements of many renewable energy projects will also comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

7.3.5 Within the Green Belt, the planning authority will plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Policy DM 4

Green Belt

Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, and shall comply with national policy and the NPPF.

7.4 Policy DM 5: Heritage Assets and Policy DM 6: Historic Environment Assessment

7.4.1 Kent's historic environment requires protection for the enjoyment and benefit of future generations. The historic environment covers all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged as well as landscaped and planted or managed flora¹⁰⁴. The NPPF identifies the conservation of such heritage assets as one of the core land-use

¹⁰⁴ As defined by DLUHC (2023) National Planning Policy Framework

planning principles that underpin both plan-making and decision-taking; it states that heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life by today's and future generations¹⁰⁵.

7.4.2 The 'Historic England (2015) Historic Environment Good Practice Advice in Planning Notes 1 to 3' provide information on the implementation of historic environment policy, and emphasises that all information requirements and assessment work, in support of heritage protection, needs to be proportionate to the significance of the heritage assets affected and the impact on the significance of those heritage assets. The Historic England Advice Note 13 on Mineral Extraction and Archaeology also provides advice about archaeology as part of mineral development.

7.4.3 Consideration should be given to the NPPG and NPPF on the Historic Environment in that applications should describe the significance of any heritage assets affected by development, including any contribution made by their setting and should include analysis of the significance of the asset and its setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of any development on its significance.

Policy DM 5

Heritage Assets

Proposals for minerals and waste developments will be required to ensure that Kent's heritage assets and their settings, including non-designated heritage assets, registered historic parks and gardens, Listed Buildings, conservation areas, World Heritage Sites, Scheduled Ancient Monuments, archaeological sites and features and defined heritage coastline¹⁰⁶, are conserved in a manner appropriate to their significance.

Proposals should result in no unacceptable adverse impact on Kent's historic environment and, wherever possible, opportunities should be sought to enhance historic assets affected by the proposals. Minerals and/or waste proposals that would harm the significance of a heritage asset will not be granted planning permission unless it can be demonstrated that there is an overriding need for development and any impacts can be mitigated or compensated for, such that there is a net planning benefit, as set out in national policy for the historic environment.

Policy DM 6

Historic Environment Assessment

¹⁰⁵ DLUHC (2023) National Planning Policy Framework, Chapter 16

¹⁰⁶ Two sites in Kent: (1.) South Foreland and (2.) Dover – Folkestone.

Proposals for minerals and waste development that are likely to affect important heritage assets and non-designated heritage assets will only be granted planning permission following:

1. preliminary historic environment assessment, including field archaeological investigation and assessment of contribution towards setting where appropriate, to determine the nature and significance of the heritage assets
2. appropriate provision has been secured for preservation in situ, and/or archaeological excavation and recording and/or other historic environment recording as appropriate, including post-excavation analysis and reporting, archive deposition and access, and interpretation of the results for the local community, in accordance with the significance of the finds
3. agreement of mitigation of the impacts on the significance of the heritage assets, including their fabric, their setting, their amenity value and arrangements for reinstatement

7.5 Policy DM 7: Safeguarding Mineral Resources

7.5.1 As set out in section 5.5, it is important that certain mineral resources in Kent are safeguarded for potential use by future generations. However, from time to time, proposals to develop areas overlying safeguarded minerals resources for non-minerals purposes will come forward where for genuine planning reasons it would not be practicable to extract the otherwise economic underlying reserves before surface development is carried out.

7.5.2 In such circumstances, when determining proposals, a judgement will be required which weighs up the need for such development against the need to avoid sterilisation of the underlying mineral taking account of the objectives and policies of the development plans as a whole.

7.5.3 Policy DM 7 sets out the circumstances when non-minerals development maybe acceptable at a location within a Minerals Safeguarding Area. This policy recognises that the aim of safeguarding is to avoid unnecessary sterilisation of resources and encourage prior extraction of the mineral where practicable and viable before non-mineral development occurs.

7.5.4 The process of Local Plan formulation, including consultation, independent examination and subsequent adoption provides the opportunity to take account of, and address, the need for the safeguarding of mineral resources. In doing so, it can make a clear judgement that where land is allocated in a Local Plan for surface development, such as housing, the presence of a mineral resource, and the need for its safeguarding, has been factored into the consideration of whether the allocation is appropriate. For sites allocated for non-mineral development it will therefore

usually be the case that an assessment of the relevant considerations (criteria 1 to 6 in Policy DM7) has already taken place. In some cases, the assessment will conclude that an allocated site should be exempt from mineral safeguarding. The approach to be taken to mineral assessment during the plan-making stage is set out in the Safeguarding SPD¹⁰⁷.

7.5.5 However, applications for non-mineral development located in MSAs, which are promoted as a 'windfall site' (sites not allocated in a development plan) or which are being promoted on allocated sites that have not been the subject of a 'Minerals Assessment', will usually need to be accompanied by such an assessment. This assessment will be prepared by the promoter and will include information concerning the availability of the mineral, its scarcity, the timescale for the development, the practicability and the viability of the prior extraction of the mineral. Guidance on undertaking Minerals Assessments is included in the British Geological Society's (BGS) Good Practice Advice on Safeguarding

7.5.6 In certain cases, it is possible that the need for a particular type of development in a particular location is so important that it overrides the need to avoid sterilisation of the safeguarded mineral resource. Such cases will be exceptional, and it will be necessary to demonstrate, amongst other things, why the identified need cannot practically be met elsewhere.

7.5.7 Criterion 7 of Policy DM7 recognises that the allocation of land in adopted Local Plans for non-mineral development, such as housing, should have considered the presence of an economic mineral resource and the need for its safeguarding at this time, and, where that is shown to be the case to the satisfaction of the Mineral Planning Authority, there is no need to revisit mineral safeguarding considerations at the planning application stage. The Mineral Planning Authority and the district/borough planning authority will consider mineral safeguarding during the preparation of Local Plans including during preparation of Strategic Housing Land Availability Assessments.

7.5.8 Where proposals are determined by a district/borough planning authority, the Mineral Planning Authority will work with the relevant authority and/or the promoter to assess the viability and practicability of prior extraction of the minerals resource. As necessary the Minerals Planning Authority will provide information that helps determine the economic viability of the resource.

7.5.9 In the case of the Sandstone-Sandgate Formation and the Limestone Hythe Formation (Kentish Ragstone) the low probability of utility of the Sandgate Beds and the significant available reserves (in 2019) of the Kentish Ragstone, it is anticipated that any future allocations in local plans for non-mineral development that are coincident with these safeguarded minerals will be unlikely to be found to be in conflict with the presumption to safeguard these minerals. This will need to be

¹⁰⁷ The Supplementary Planning Document or associated guidance will be maintained by the County Council and updated as required.

evidenced by a Minerals Assessment prepared to a proportionate level of detail. Further guidance is available in the Safeguarding SPD¹⁰⁸.

Policy DM 7

Safeguarding Mineral Resources

Planning permission will only be granted for non-mineral development that is incompatible with minerals safeguarding¹⁰⁹ where it is demonstrated that either:

1. the mineral is not of economic value or does not exist; or
2. that extraction of the mineral would not be viable or practicable; or
3. the mineral can be extracted satisfactorily, having regard to Policy DM9, prior to the non-minerals development taking place without adversely affecting the viability or deliverability of the non-minerals development; or
4. the incompatible development is of a temporary nature that can be completed, and the site returned to a condition that does not prevent mineral extraction within the timescale that the mineral is likely to be needed; or
5. material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction; or
6. it constitutes development that is exempt from mineral safeguarding policy, namely householder applications, infill development of a minor nature in existing built-up areas, advertisement applications, reserved matters applications, minor extensions and changes of use of buildings, minor works, non-material amendments to current planning permissions; or
7. it constitutes development on a site allocated in the adopted development plan where consideration of the above factors (1-6) concluded that mineral resources will not be needlessly sterilised.

Further guidance on the application of this policy is included in a Supplementary Planning Document.

7.6 Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities

7.6.1 It is essential to the delivery of this Plan's minerals and waste strategy that existing facilities¹¹⁰ used for the management of minerals (including wharves and rail

¹⁰⁸ The Supplementary Planning Document or associated guidance will be maintained by the County Council and updated as required.

¹⁰⁹ In this context 'mineral safeguarding' should be taken to mean safeguarding certain minerals identified within a Mineral Safeguarding Area shown in the policies maps in Chapter 9 and allocations in the Minerals Sites Plan.

¹¹⁰ 'Existing facilities' are taken as those have permanent planning permission for minerals and waste uses.

depots) and waste are safeguarded for the future, in order to enable them to continue to be used to produce and transport the minerals needed by society and manage its waste. Policy DM 8 sets out the circumstances when safeguarded minerals and waste development may be replaced by non-waste and minerals uses. This includes ensuring that any replacement facility is at least equivalent to that which it is replacing and it specifies how this should be assessed.

7.6.2 In the case of mineral wharves the factors to be considered include the depths of water at the berth, accessibility of the wharf at various states of the tide, length of the berth, the size and suitability of adjacent land for processing plant, weighbridges and stockpiles, and existing, planned or proposed development that may constrain operations at the replacement site at the required capacity.

7.6.3 There also are circumstances when development proposals in the vicinity of safeguarded facilities will come forward. The need for such development will be weighed against the need to retain the facility and the objectives and policies of the development plan as a whole will need to be considered when determining proposals. Policy DM 8 sets out the circumstances when development may be acceptable in a location proximate to such facilities. The policy recognises that the aim of safeguarding is to avoid both the unnecessary direct loss of facilities due to development and from those which may impair the effectiveness and acceptability of the infrastructure, given the probable irreplaceability of such facilities.

7.6.4 Certain types of development which require a high quality amenity environment (e.g. residential) may not always be compatible with minerals production or waste management activities which are industrial in nature. Policy DM 8 therefore expects the presence of waste and minerals infrastructure to be taken into account in decisions on proposals for non-waste and minerals development (known as 'agents of change') made in the vicinity of such infrastructure.

7.6.5 Criterion 2 of Policy DM8 recognises that the allocation of land in adopted Local Plans for development, such as housing, should have considered the presence of waste management and minerals supply infrastructure and the need for its safeguarding at that time, and, where this has been shown to be the case to the satisfaction of the Mineral Planning Authority, there is no need to revisit the safeguarding considerations at planning application stage.

7.6.6 It should be recognised that early engagement with the mineral planning authority regarding development that may potentially pose a safeguarding risk to safeguarded facilities is advantageous in ensuring that development can occur without compromising the presumption to safeguard. Further guidance on the implementation of this policy is included in a Supplementary Planning Document and any of its future revisions.

Policy DM 8

Safeguarding Minerals Management, Transportation Production & Waste Management Facilities

Planning permission will only be granted for development that is incompatible with safeguarded minerals management, transportation or waste management facilities, where it is demonstrated that either:

1. it constitutes development of the following nature: advertisement applications; reserved matters applications; minor extensions and changes of use and buildings; minor works; and non-material amendments to current planning permissions; or
2. it constitutes development on the site that has been allocated in the adopted development plan where consideration of the other criteria (1, 3-7) can be demonstrated to have taken place in formulation of the plan and allocation of the site which concluded that the safeguarding of minerals management, transportation, production and waste management facilities has been fully considered and it was concluded that certain types non-mineral and waste development in those locations would be acceptable; or
3. replacement capacity, of the similar type, is available at a suitable alternative site, which is at least equivalent or better than to that offered by the facility that it is replacing; or
4. it is for a temporary period and will not compromise its potential in the future for minerals transportation; or
5. the facility is not viable or capable of being made viable; or
6. material considerations indicate that the need for development overrides the presumption for safeguarding; or
7. It has been demonstrated that the capacity of the facility to be lost is not required.

Replacement capacity must be at least equivalent in terms of tonnage, accessibility, location in relation to the market, suitability, availability of land for processing and stockpiling of waste (and materials/residues resulting from waste management processes) and minerals, and:

- in the case of wharves, the size of the berth for dredgers, barges or ships
- in the case of waste facilities, replacement capacity must be at least at an equivalent level of the waste hierarchy and capacity may be less if the development is at a higher level of the hierarchy

There must also be no existing, planning or proposed developments that could constrain the operation of the replacement site at the required capacity.

Planning application for development within 250m of safeguarded facilities need to

demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be constrained by the development proposed.

Further guidance on the application of this policy will be included in a Supplementary Planning document.

7.7 Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development

7.7.1 When development is proposed within a Mineral Safeguarding Area (MSA), promoters will be encouraged to extract the mineral in advance of the main development. Policy DM 9 aims to manage situations where built development located on a safeguarded mineral resource is to be permitted, so as to avoid the needless sterilisation of economic mineral resources (in accordance with Policy DM 7).

Policy DM 9

Prior Extraction of Minerals in Advance of Surface Development

Planning permission for, or incorporating, mineral extraction in advance of development will be granted where the resources would otherwise be permanently sterilised provided that:

the mineral extraction operations are only for a temporary period linked to the timing of the associated surface development; and, the proposal will not cause unacceptable adverse impacts to the environment or communities

Where planning permission is granted for the prior extraction of minerals, conditions will be imposed, and if appropriate, legal agreements will be entered into to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

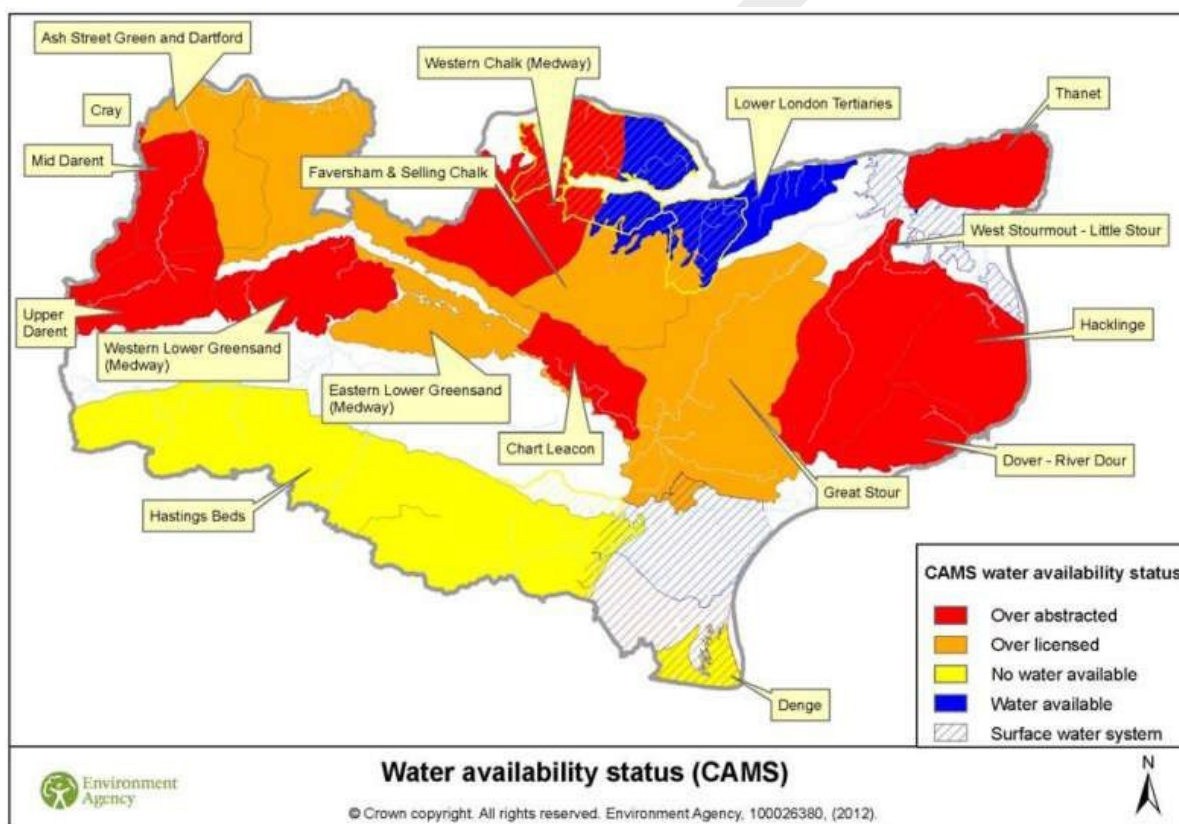
7.8 Policy DM 10: Water Environment

7.8.1 Minerals and waste development can have significant impacts on flooding and water quantity and water quality. In Kent there are many catchments where there is little or no water available for abstraction during dry periods. Pressures are particularly notable in Kent as it is one of the driest parts of England and Wales, coupled with high population density and household water use (see Figure 21). Areas of

mineral can often provide opportunities for water storage at times of flood and therefore mitigate against the effects of flooding. There are five sources of flooding that are considered in the SFRA¹¹¹:

- flooding from rivers
- flooding from the sea
- flooding from rainfall
- flooding from groundwater
- flooding from sewers

Figure 21 Water Availability Status (Source: Environment Agency, State of Water in Kent, 2012)



7.8.1 Flood zones are used to determine the probability of land experiencing flooding from a river or the sea. The aim of national flood policy is to steer development towards areas with the lowest probability of flooding. The Environment Agency (EA) has identified four flood zones:

- **Flood Zone 1:** Land within this zone has been assessed as having a low probability of experiencing flooding from the rivers and sea (less than a 1 in 1000 annual probability of river or sea flooding (<0.1%). Any land-use is appropriate in this zone. Flood Zone 1 is normally shown as unshaded on flood maps

¹¹¹ Barton Willmore (June 2013) Mineral and Waste Plan 2013-2030 Strategic Flood Risk Assessment (on Behalf of KCC).

- Flood Zone 2:** Land within this flood zone has been assessed as having a medium probability of experiencing flooding from rivers and the sea (i.e. having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1%-0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5%-0.1%) in any year). Sand and gravel workings, wharves, mineral workings and processing, wastetreatment and landfill sites are appropriate developments for land within this floodzone.
- Flood Zone 3:** Land within this zone has been assessed as having a high probability of experiencing flooding from rivers and the sea (between a 1 in 100 or greater annual probability of river flooding (>1%), or between a 1 in 200 or greater annual probability of sea flooding (>0.5%) in any year). Development within this flood zone should seek opportunities to reduce the overall level of flood risk through layout and form and appropriate use of sustainable drainage systems, relocating existing development to land in zones with lower risks of flooding and creating space for flooding to occur by restoring functional floodplain and flood flow pathways and by identifying and safeguarding open space for flood storage. Sand and gravel workings, wharves, mineral workings and the processing and treatment of waste (except landfill and hazardous waste facilities) are considered suitable for land-use in this zone.
- Flood Zone 3b (The Functional Floodplain):** Land within this zone has been assessed as land where water has to flow or be stored in times of flood. Development within this zone should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems, or to relocate existing development to land with a lower probability of flooding. Sand and gravel workings and wharves are considered appropriate land-uses within this zone.

7.8.2 Both flood water and groundwater may become contaminated if it comes into contact with certain types of wastes. It is therefore necessary for waste sites to be managed to ensure that the risk of water contamination from waste is minimised. Planning applications for sites located in areas prone to flooding must be accompanied by a suitable Flood Risk Assessment.

7.8.3 Groundwater Source Protection Zones (SPZ) for Kent are set out in Figure 15. Groundwater accounts for over 70% of public water supply in Kent. This reliance on groundwater resources makes it important that mineral and waste developments do not adversely affect groundwater supplies in any way.

- SPZ 1** is the inner zone which is within the 50-day travel time from any point below the water table to the source. This zone around the groundwater supply abstraction point has a minimum radius of 50 metres.
- SPZ 2** is the outer protection zone and refers to the 400-day travel time from a point below the water table.
- SPZ 3** is the Source Protection Catchment Zone and refers to the area around

a source within which all groundwater recharge is presumed to be discharged at the source.

- **SPZ 4** is a surface water catchment which drains into the aquifer feeding groundwater supply

7.8.4 To ensure compliance with the Water FD¹¹² minerals and waste developments must not cause any unacceptable adverse impact on local water bodies. Applications for minerals and waste proposals within Source Protection Zones (SPZ) and Groundwater Vulnerability and Aquifer Designation areas should be accompanied by a hydrogeological and/or hydrological assessment(s) that investigate the potential present and future risks of unacceptable adverse impacts on the water environment associated with the proposed development and how these will be adequately mitigated to prevent such impacts. Waste operations are not usually considered compatible within SPZ1.

7.8.5 The County Council, as Lead Local Flood Authority and statutory consultee, has prepared a Drainage and Planning Policy Statement. This statement sets out the drainage strategies and surface water management provisions that are required in association with applications for major development.

7.8.6 Policy DM 10 embraces issues of flood, groundwater, SPZs and the protection of waterbodies.

Policy DM 10

Water Environment

Planning permission will be granted for minerals or waste development where it does not:

- result in the deterioration of physical state, water quality or ecological status of any water resource and waterbody, including aquifers, rivers, streams, lakes and ponds;
- have an unacceptable impact on groundwater Source Protection Zones (as shown in Figure 15) or threaten the development of future groundwater abstraction and associated source protection zones overlying principal or secondary aquifers; and
- exacerbate flood risk in areas prone to flooding (as shown in Figure 15) and elsewhere, both now and in the future. Measures to reduce flood risk where possible are encouraged.

All minerals and waste proposals must include measures to ensure the achievement

¹¹² EU Water Framework Directive 2000/60/EC and equivalent legislation following exit from the European Union.

of both no deterioration and improved ecological status of all waterbodies within the site and/or hydrologically or hydrogeologically connected to the site. Hydrogeological and/or hydrological assessment(s) may be required to demonstrate the effects of the proposed development on the water environment and how these may be mitigated to an acceptable level.

7.9 Policy DM 11: Health and Amenity

7.9.1 Minerals and waste development can have unacceptable adverse impacts on the environment and local communities. The use of machinery and lighting can result in noise, light and air pollution and also affect the amenity of nearby communities and businesses and other land uses such as sport, recreation or tourism. It is important that the minerals and waste industry in Kent does not result in unacceptable adverse impacts upon the health and amenity of surrounding environment and communities, and where appropriate suitable mitigation measures are used to reduce the risk of unacceptable adverse impacts occurring.

7.9.2 This may include production of an air quality assessment of the impact of the proposed development and its associated traffic movements and necessary mitigation measures required through planning condition and/or planning obligation. This will be a particular requirement where a proposal might adversely affect the air quality in an AQMA (See Figure 15). It may also include the preparation of a Health Impact Assessment¹¹³(HIA). The need for a HIA to accompany a planning application will take into account the likelihood of emissions occurring due to the operation of the site, the proximity to sensitive land uses and the scale of risk to health.

Policy DM 11

Health and Amenity

Minerals and waste development will be permitted where it can be demonstrated that the development is unlikely to generate unacceptable adverse impacts from noise, dust, litter, vermin, vibration (including vibration from blasting), odour, emissions (including emissions from vehicle movements associated with the development), bioaerosols, external lighting, visual intrusion, traffic or associated risks to quality of life, the health and wellbeing of local communities and the environment.

Proposals for minerals and waste development will also be required to ensure that there is no unacceptable adverse impact on other permitted land uses on surrounding

¹¹³ Guidance on Health Impact Assessments has been issued by Public Health England https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929230/HIA_in_Planning_Guide_Sept2020.pdf

land (including waterbodies).

7.10 Policy DM 12: Cumulative Impact

7.10.1 Impacts from one development in any particular area may give rise to impacts that, when controlled by mitigation are acceptable and do not give rise to any unacceptable adverse impacts. However, two or more developments of a similar nature within close proximity to each other may act together to cause impacts that are not acceptable, even with mitigation incorporated into the design for each development.

7.10.2 Proposals likely to have a significant effect on internationally important interest features or internationally important wildlife sites, will need to be assessed through consideration of the possible effects of any other plans and projects, as well as the minerals and/or waste development proposed.

7.10.3 The following policy requires cumulative impacts to be considered when two or more developments are potentially capable of causing significant effects on the environment (including climate change), biodiversity interests or on the amenity of the local community. This includes cumulative impacts by way of vehicle movements and associated emissions, particularly if the development is within or near to an AQMA. It is also relevant where a new development may affect communities or the environment cumulatively with existing developments.

Policy DM 12

Cumulative Impact

Planning permission will be granted for minerals and waste development where it does not result in an unacceptable adverse, cumulative impact on the environment or communities. This is in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring concurrently and/or successively.

7.11 Policy DM 13: Transportation of Minerals and Waste

7.11.1 It is recognised that some 12% of harmful particulates in the atmosphere are as a result of road transportation (Clean Air Strategy, 2019). One of the roles of the Kent MWLP is to encourage the use of sustainable transportation methods including rail and water. However, in view of the limited opportunities that are available within the county to increase the use of sustainable transportation methods, it is acknowledged that most minerals and waste movements across Kent will continue to be made by road.

7.11.2 The Plan recognises the importance of reducing vehicle movements and facilitating more sustainable technologies (such as electric vehicles) in achieving the objectives of sustainable development. This has benefits in terms of reducing greenhouse emissions and improving air quality.

7.11.3 Any minerals or waste developments that are likely to result in an increase of more than 200 Heavy Duty Vehicles (HDVs)/day¹¹⁴ (400 movements) on any road that lies within 200m of a designated Habitat Site will need to be subject to Habitats Regulation Assessment (HRA) screening to evaluate air quality impacts. It will be necessary for the applicant to demonstrate that either:

- the increased traffic either alone or in combination with other existing and committed projects, will not lead to an increase in nitrogen or acid deposition that constitutes more than 1% of the critical load for the designated features within the site, or
- If the increase in deposition will be greater than 1% of the critical load it be demonstrated that no adverse effect on the interest features and integrity of the Habitat Site will result

7.11.4 The aim of Policy DM 13 is to minimise road miles and harmful emissions in relation to the transportation of minerals and waste across Kent. Road miles may also be reduced by providing a network of facilities including sites such as transfer stations where waste can be bulked up for onward transport.

Policy DM 13

Transportation of Minerals and Waste

Minerals and waste development will be required to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. Where development requires road transport, proposals will be required to demonstrate that:

- 1 the proposed access arrangements are safe and appropriate to the scale and nature of movements associated with the proposed development such that the impact of traffic generated is not detrimental to road safety;
- 2 the highway network is able to accommodate the traffic flows that would be generated, as demonstrated through a transport assessment, and the impact of traffic generated does not have an unacceptable adverse impact on the environment or local community; and

¹¹⁴ Department for Transport (May 2007) The design manual for Roads and Bridges, Volume 11, Section 3, Part 1; regarding air quality Environmental Impact Assessment from roads indicates that if the increase in traffic will amount to less than 200 HDVs per day the development can be scoped out of further assessment. A Heavy Goods Vehicles is a vehicle with over 3.5 tonnes maximum permissible gross weight (mgw).

- 3 emission control and reduction measures, such as deployment of low emission vehicles and environmentally sustainable vehicle technologies, installation of electric vehicle charging points (where appropriate) and vehicle scheduling to avoid movements in peak hours. Particular emphasis will be given to such measures where development is proposed within an AQMA or in a location where impacts on an AQMA will result. (Figure 15).

7.12 Policy DM 14: Public Rights of Way

7.12 1 Green Infrastructure, including Public Rights of Way (PROW) play an important role in enabling access to the countryside and can benefit the County socially, environmentally and economically and where possible development should improve the PROW network¹¹⁵. Minerals and waste sites can often be located close to a PROW or a PROW may cross an area of mineral bearing land. It is important that PROWs remain accessible to users throughout the lifetime of the minerals and waste operations and that users' safety is not compromised by any activity on site. New sites or extended sites should not have an adverse impact on the network of PROWs. In some circumstances it will be necessary for a PROW to be diverted during operations. Temporary diversions will only be acceptable if the restoration scheme provides routes to the same standard of surface level as the original PROW. If this is not possible, it may be preferable to divert the route permanently.

Policy DM 14

Public Rights of Way

Planning permission will only be granted for minerals and waste development that adversely affect a Public Right of Way, if:

- satisfactory prior provisions for its diversion or stopping up are made which are both convenient and safe for users of the Public Rights of Way
- provision is created for an acceptable alternative route both during operations and following restoration of the site.
- opportunities are taken wherever possible to secure appropriate, improved access into and within the countryside.

¹¹⁵ In line with the County Council's Right of Way Improvement Plan 2018-2028.

7.13 Policy DM 15: Safeguarding of Transportation Infrastructure

7.13.1 Non-hazardous landfill and water-filled mineral operations attract birds which may give rise to the possibility of increased hazard to air traffic due to bird strike. EfW plants can cause air turbulence in the vicinity of the site which together with the physical structures necessary for these operations can cause obstruction to air safety, in particular to light aircraft. Local planning authorities are required to consult local aerodromes before granting planning permission for development that might endanger the safety of aircraft. Such developments include buildings and structures that exceed certain heights and development that is likely to attract birds within the relevant radius of aerodromes as identified on safeguarding maps provided by the Civil Aviation Authority or Ministry of Defence.

7.13.2 The Port of London Authority has a network of navigational equipment that needs to be maintained to ensure the continued safety of vessels navigating on the River Thames, in addition to the existing, varied operations that currently take place. It is important that this network of equipment is not compromised by other developments.

7.13.3 If, following consultation with relevant organisations, the nature of the mineral extraction or waste management development is considered to give rise to new or increased risks to aerodromes and their associated uses, or increased hazards to rail, river, sea, waterways or road transport then planning permission will not be granted.

Policy DM 15

Safeguarding of Transport Infrastructure

Minerals and waste proposals will be granted planning permission where development would not give rise to unacceptable impacts on aviation, rail, river, sea, other waterways or road transport or where these impacts are mitigated.

7.14 Policy DM 16: Information Required in Support of an Application

7.14.1 The minerals and waste planning authority is entitled to request appropriate information from applicants when the required information is a material consideration in the determination of the planning application. If the additional information is not supplied, the application may be refused planning permission on the grounds of insufficient information.

7.14.2 The planning authority carefully considers all aspects of a planning application to establish whether planning permission should be granted. It involves using the available information to consider the merits of proposals against any potential impacts; a judgement is made regarding the need for the development weighed against any residual impacts after mitigation is taken into consideration. A

system of planning controls can be established through the imposition of conditions or planning obligations to further ensure that the development proposals do not have an unacceptable adverse impact on local communities or the environment.

7.14.3 The details of the information required within a planning application can be determined through pre-application discussions and meetings with the Minerals and Waste Planning Authority, which applicants are strongly encouraged to undertake. Applications that are not supported by suitable, sufficient material information will invariably take longer to determine and are at risk of being refused.

7.14.4 Certain types of minerals and waste developments may require an Environmental Statement (ES) to accompany the planning application¹¹⁶. The information contained within the ES will be taken into account in determining the application. If applicants consider that their proposals are likely to require an ES, they should seek guidance at an early stage on the need for and scope of the ES. All submitted applications will be screened and applicants advised if an ES is required, if one has not already been submitted.

7.14.5 Habitat Sites (including SPAs, Ramsar sites, SACs and SSSIs that are sensitive to air quality) are protected by legislation. Habitat Regulations Assessments (HRAs) are required to be carried out where proposals may have a significant impact upon the Habitat Site. To assess whether a proposal will have likely significant effects upon a designated site, the criteria in the following paragraphs 7.14.6 - 7.14.8 are used to determine when a HRA will be required for a development project.

7.14.6 Any proposal for an EfW facility should undertake HRA screening with regard to all Habitat Sites within 10 km. It will be necessary for the applicant to demonstrate that either:

- increases in nitrogen or acid deposition from the proposed development along and in combination with other projects within all Habitat Sites that lie within 10 km constitute less than 1% of the critical load for the most sensitive habitat within the site or
- if the increase in deposition will be greater than 1% of the critical load, it can be demonstrated that no adverse effect on the designated interest features and integrity of the Habitat Site will result.

7.14.7 Any minerals or waste development that is likely to result in an increase of HDVs on any road that lies within 200m of a Habitat Site should also be subject to HRA screening in order to evaluate air quality impacts within the context of the critical load, and the 1% criterion cited above, in any air quality assessment.

¹¹⁶ Required under the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended)*.

Table 2 Indicative screening distances for considering whether a Habitat Regulations Assessment is required for a development.

Pathway	Screening Distance from a Habitat Site¹¹⁷
Air Quality - Energy from Waste	10 km
Air Quality - Landfill Gas Flares	1 km
Air Quality - Biopathogens	1 km
Air Quality - Dust	500 m
Air Quality - Vehicle Exhaust Emissions	200 m
Water Quality and Flow	No standard distance (use source/pathway/receptor approach)
Disturbance (noise/visual)	1 km from a Habitat Site supporting disturbance sensitive species/populations
Gull/Corvid (rooks and crows) predation	5 km from a Habitat site supporting sensitive ground nesting breeding species
Coastal Squeeze	No standard distance - evaluate on a case-by-case basis

7.14.8 Table 2 identifies the screening distances from Habitat Sites associated with particular impact pathways. Development projects that will lead to the pathways and fall within these zones will require HRA. The table does not preclude HRA being required in other circumstances.

Policy DM 16

Information Required In Support of an Application

Planning applications for minerals or waste management development must be supported by sufficient, relevant drawings, plans and information, including the information specified in the County Council's guidance notes for minerals and waste applications¹¹⁸.

¹¹⁷ International Designated Sites, Special Areas of Conservation, Special Protection Areas and Ramsar sites.

¹¹⁸ Applicants should refer to the following website for the most recent guidance on local information requirements and validation of applications: <http://www.kent.gov.uk/planningapplications>. Guidance will be reviewed and updated periodically.

7.15 Policy DM 17: Planning Obligations

7.15.1 Where the use of planning conditions is not possible, in some circumstances, development proposals could be considered to be acceptable if planning obligations are used. These can either take the form of legal agreements entered into by planning authorities or a unilateral undertaking made by the developer and any person with an interest in the development and the relevant land. The types of matters that may need to be covered in planning obligations are listed in Policy DM 17, which is neither exhaustive nor are the listed matters relevant to every development.

Policy DM 17

Planning Obligations

Planning obligations will be sought where appropriate, to achieve suitable control over, and to mitigate and/or compensate for, the effects of minerals and waste development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development:

1. revocation and consolidation of planning permissions
2. highways and access improvements
3. traffic management measures including the regulation of lorry traffic
4. provision and management of off-site or advance tree planting and screening
5. extraction in advance of future development
6. environmental enhancement and the delivery of targets in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045 and the Local Nature Recovery Strategies, as well as securing the implementation and long-term management of biodiversity net gain
7. protection and enhancement of internationally, nationally and locally important sites
8. landscape enhancement
9. protection, conservation and enhancement of notable and protected species, and habitats
10. long term management and monitoring of mitigation or compensation sites and their protection from further development
11. provision and long term maintenance of an alternative water supply should

existing supplies be affected

12. archaeological investigation, analysis, reporting, publication and archive deposition
13. establishment of a liaison committee
14. long-term site management provision to establish and/or maintain beneficial after-use
15. Improvement to the public rights of way network in accordance with Actions identified within the KCC Public Rights of Way Improvement Plan 2018-2028
16. financial guarantees to ensure restoration and long term maintenance is undertaken
17. measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of minerals and waste development
18. codes of construction practice for large¹¹⁹ waste developments that incorporate the requirement for the majority of the construction workforce to be recruited locally. Opportunities for modern apprenticeships to be made available for a proportion of the construction workforce
19. the majority of the operational staff at large waste developments to be sourced from the local area and opportunities for modern apprenticeships and other nationally recognised training schemes to be available for a proportion of the workforce.
20. measures to reduce flood risk where practicable
21. measures to protect and enhance other heritage assets and avoidance of light pollution
22. measures to encourage use of non-road modes of transport where practicable
23. measures to protect and improve water quality and levels

7.16 Policy DM 18: Land Stability

7.16.1 Land instability can be an issue resulting from both minerals and waste development leading to landslides, subsidence and ground heave. Such situations can be a result of unsafe ground conditions caused by water movement including

¹¹⁹ A large waste development is one that has a capacity of over 100,000 tpa.

changes in groundwater levels through dewatering. Proposals should demonstrate measures to ensure that quarry faces and slopes are stable and will not result in landslip, either within the site or on adjoining land, both during and after the lifetime of the development and during restoration and aftercare. All minerals and waste proposals that could give rise to land instability, especially quarries and landfill, must include a stability report and measures to ensure land stability.

7.16.2 Land instability needs to be considered and satisfactorily addressed when planning applications are determined. Where there is the possibility of land instability, applications for minerals and waste development should be accompanied by a stability report to ensure that adequate and environmentally acceptable mitigation measures are identified. Such a report should assess the physical capability of the land, possible adverse impacts of any instability, possible adverse impacts on adjacent land, possible impacts on local amenity and conservation interests and any proposed remedial or precautionary measures.

7.16.3 The aim of Policy DM 18 is to ensure that land stability is properly addressed during the operational phase(s) of minerals and waste development. Policy DM 19 addresses the issue in so far as it relates to restoration, aftercare and after-use.

Policy DM 18

Land Stability

Planning permission will be granted for minerals or waste development where it is demonstrated that it will not result in land instability.

7.17 Policy DM 19: Restoration, Aftercare and After-use

7.17.1 The nature of restoration activity depends on the choice of after-use, which is influenced by a variety of factors including the aspirations of the landowner(s) and the local community, the present characteristics of the site and its environs, any strategies for the area (e.g. biodiversity priorities), the nature, scale and duration of the proposed development and the availability and quality of soil resources. Where the proposal is to restore the site to agricultural use at existing ground levels, ensuring the availability of clean inert fill material is important to the deliverability of the scheme as is the availability of suitable topsoil (Policy CSW 10: Development at Closed Landfill Sites seeks to address this). Quarries have been restored through importation of non-hazardous and/or hazardous waste and the acceptability of this in principle would be considered against Policy CSW 9: Non Inert Landfill in Kent. It may be appropriate to retain some industrial archaeological features, geological exposures or landscapes within a quarry.

7.17.2 Where new development is proposed, restoration, aftercare and after-use will usually seek to assure that the land is restored back to a quality that is at least equivalent to that which it was prior to development commencing and wherever

possible provide for the enhancement of the quality of the landscape, local environment, biodiversity or the setting of historic assets to the benefit of the local or wider community. Restoration plans should have regard to priorities for landscape enhancements identified in the Landscape Characterisation Assessments and for green space in the Kent Growth and Infrastructure Strategy. Restoration of mineral sites to a water body may be appropriate and provide opportunity for biodiversity and habitat enhancement or recreational uses. Notwithstanding the statutory requirement for all development to achieve biodiversity net gain, there is an expectation that all proposals for restoration, aftercare and after-use shall demonstrate how the maximum on site practicable biodiversity net gain can be achieved by the development. In developing restoration plans, regard shall be had to Kent County Council's Plan Bee Pollinator Action Plan July 2021. This seeks to assist in the recovery of pollinator populations which will support biodiversity and the agricultural needs of the county. Where appropriate, provision shall be made for additional tree cover to support climate change and biodiversity objectives in accordance with the Government's England Trees Action Plan 2021-2024 (May 2021) and the County Council's emerging Plan Tree - Kent County Council's Tree Establishment Strategy 2022-2032¹²⁰.

7.17.3 Restoration of mineral extraction sites for end uses that limit options to maximise biodiversity gain, may still be acceptable, provided the restoration achieves the minimum requirements and it is demonstrated that the benefits of the restoration proposed would help achieve other objectives within the Development Plan that can be balanced against the need to maximise biodiversity net gain.

7.13.4 To achieve high-quality restoration to an agricultural use or certain leisure uses (e.g. to parkland), a supply of suitable soils is normally required. In such cases all soil resources should be retained and managed on site for use in restoration. The way that soils are handled is also a key element for successful restoration to these uses. Details of the management and storage of soils, including timing and means of soil movements and types of machinery to be used will be required.

7.17.5 In cases where insufficient soils exist on site the applicant will need to make provision for the supply of soils or soil making materials within an agreed timescale to ensure the timely restoration of the site. Planning consent will only be granted for the importation and processing of such materials (where soil making materials require prior processing) if proven necessary to ensure timely restoration. Stockpiles will need to be controlled such that soil quality is not adversely affected and there are no unintended adverse impacts resulting from, for example, visual appearance and drainage. No subsequent export of material will be allowed.

7.17.6 For the initial years following restoration (usually a 5-year period but this may be extended e.g. when restoration is to a particular wildlife habitat) site aftercare measures are required to ensure that the reinstatement of soils and the planting or seeding carried out to meet restoration requirements is being managed so that the site will return to its intended after-use in a timely manner. These

¹²⁰ In draft as of August 2022

measures involve improving the structure, stability and nutrient value of soils, ensuring adequate drainage is available and securing the establishment and management of the grass sward, crop or planting areas, together with any other maintenance as may be required. The aftercare scheme normally requires two levels of details to be provided, these are:

- the outline strategy for the whole of the aftercare period
- a detailed strategy for the forthcoming year

7.17.7 Restoration involving infilling may impact groundwater, both in terms of its quality, levels and flow paths. Restoration and aftercare plans should therefore carefully consider the local groundwater regime to avoid unacceptable impacts on its quantity, quality and on flood risk.

7.17.8 Restoration and aftercare plans should take into consideration community needs and aspirations. Local interest groups and community representatives should be consulted and their viewpoints incorporated into the proposals wherever possible and appropriate. Restoration and aftercare plans for mineral development need to be reviewed and updated periodically, in accordance with legislation¹²¹ Policy DM 19 identifies the issues that need to be addressed in relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development.

Policy DM 19

Restoration, Aftercare and After-use

Planning permission for minerals extraction and temporary waste management development will be granted where satisfactory provision has been made for the highest possible standard of restoration and aftercare such that the intended after-use of the site is achieved in a timely manner, including where necessary for its long-term management.

Restoration plans should be submitted with the planning application which reflect the proposed after-use, be carried out to a standard that reflects best practice and provides for restoration and aftercare at the earliest opportunity, Restoration proposals must deliver sustainable afteruses that benefit the Kent community, economically, socially or environmentally. All development should achieve at least 10% biodiversity net gain and demonstrate how maximum practicable on site biodiversity net gain shall result from the development.

¹²¹ The Environment Act (1995) introduced a requirement for an initial review and updating of ~~of~~ all old mineral planning permissions (known as the 'Review of Mineral Permissions' or 'ROMP' process). There is no fixed period when periodic reviews should take place so long as the first review is no earlier than 15 years after planning permission is granted or, in the case of an old permission, 15 years of the date of the initial review. Any further reviews should be at least 15 years after the date of the last review.

Restoration of mineral extraction sites for end uses that do not maximise biodiversity gain, but still achieve the mandatory minimum, may be acceptable if it is demonstrated that the benefits of the restoration would help achieve other objectives of the Development Plan that in the view of the planning authority outweigh the achievement of maximum biodiversity net gain.

Where appropriate, restoration plans should address the following issues in relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development:

1. a site-based landscape strategy for the restoration scheme;
2. the key landscape and biodiversity opportunities and constraints ensuring connectivity with surrounding landscape and habitats;
3. the geological, archaeological and historic heritage and landscape features and their settings;
4. the site boundaries and areas identified for soil and overburden storage;
5. an assessment of soil resources and their removal, handling and storage;
6. an assessment of the overburden to be removed and stored;
7. the type and depth of workings and information relating to the water table;
8. storage locations and quantities of waste/fill materials and quantities and types of waste/fill involved;
9. proposed infilling operations, sources and types of fill material;
10. the arrangements for monitoring and the control and management of landfill gas;
11. consideration of land stability after restoration;
12. directions and phasing of working and restoration and how they are integrated into the working scheme;
13. the need for and provision of additional screening taking account of degrees of visual exposure;
14. details of the proposed final landform including pre and post settlement levels
15. types, quantities and source of soils or soil making materials to be used;
16. a methodology for management of soils to ensure that the pre-development soil quality is maintained;

17. proposals for meeting and where relevant exceeding, biodiversity net gain targets, including those outlined in the Kent Nature Partnership Biodiversity Strategy 2020-45, Biodiversity Opportunity Areas, Areas of Outstanding Natural Beauty Management Plans and the Local Nature Recovery Strategy;
18. removal of all buildings, plant, structures, accesses and hardstanding not required for long term management of the site;
19. planting of new native woodlands;
20. installation of drainage to enable high quality restoration and after-use;
21. measures to incorporate flood risk mitigation opportunities and avoid unacceptable impacts on groundwater;
22. details of the seeding of grass or other crops and planting of trees, shrubs and hedges;
23. a programme for the long-term management and aftercare of the restored sites to include details of vegetation establishment, vegetation management, biodiversity habitat management, field drainage, irrigation and watering facilities;
24. the restoration of the majority of the site back to agriculture, if the site consists of the best and most versatile agricultural land;
25. the potential for financial guarantees such as bonds in exceptional circumstances where their use can be justified to secure restoration objectives.

Aftercare schemes should incorporate an aftercare period of at least five years. Where appropriate, voluntary longer periods for certain uses will be sought through agreement between the applicant and minerals planning authority.

7.18 Policy DM 20: Ancillary Development

7.18.1 Policy DM 20 seeks to provide certainty that proposals for ancillary development within or close to minerals and waste development will be permitted, even when there may be an adverse environmental impact, so long as it is possible to demonstrate that there are environmental benefits in providing the close link with the existing site that outweighs the likely environmental impacts.

Policy DM 20

Ancillary Development

Proposals for ancillary development¹²² within or in close proximity to mineral and waste development will be granted planning permission provided that:

1. the proposal is necessary to enable the main development to proceed or operate successfully;
2. it has been demonstrated that there are environmental benefits in providing a close link between the ancillary development and the existing permitted uses at the site that outweigh any environmental and community impacts from the proposed development.

Where permission is granted, the operation and retention of the ancillary development will be limited to the life of the main mineral or waste facility and shall be removed to enable the agreed site restoration.

7.19 Policy DM 21: Incidental Mineral Extraction

7.19.1 Policy DM 21 seeks to provide certainty that proposals for incidental mineral extraction will be permitted provided that operations do not cause unacceptable adverse impacts to the environment or communities. Such proposals will typically be a matter for District and Borough Council's to determine.

Policy DM 21

Incidental Mineral Extraction

Planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary period. Where planning permission is granted, conditions will be imposed to ensure that the site can be restored to an alternative after-use in accordance with Policy DM 19 should the main development be delayed or not implemented.

7.20 Policy DM 22: Enforcement

7.20.1 The Plan seeks to promote sustainable development within Kent. Positive and balanced policies have been designed to help support and encourage this principle. Hand-in-hand with this objective is the need to ensure a general upholding of planning law. Within this context, informal and negotiated solutions to planning

¹²² "Ancillary Development" is defined in the Town and Country Planning Act S90. In relation to minerals and waste developments "ancillary development" only includes development that is directly related to the minerals or waste development proposed.

control problems are sought, acting with discretion and in a proportionate way. However, there will be occasions when determined planning breaches cause significant environmental and amenity issues and may threaten the integrity of the planning system. To fully meet such challenges requires the actions of a local control and management regime and the support of a recognised policy base.

Policy DM 22

Enforcement

The County Council will carry out its planning enforcement functions within the terms of its own Enforcement Plan/Protocols (and any subsequent variations) and specifically for waste-related matters, in light of the European Union policies subsumed into UK law.

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8. Managing and Monitoring the Delivery of the Strategy

8.0.1 Monitoring is an important part of evidence-based policy making. The NPPF states that local planning authorities should ensure that the local plan is based on adequate, up-to-date and relevant evidence¹²³. The Kent MWLP therefore includes a monitoring schedule to ensure it remains based on up-to-date evidence and to measure the effectiveness of its vision and objectives.

8.0.2 The monitoring and implementation framework set out in this section shows how the Strategic Objectives of the Kent MWLP will be achieved by monitoring data indicators relevant to each of the Plan's policies. The framework includes targets against which the performance of the policies can be monitored, plus associated 'trigger points' to indicate when corrective action may be required. The monitoring of each indicator will be carried out as part of the production of the Kent Annual Monitoring Report. Policies may be subject to review if annual monitoring indicates that significant, adverse trends are likely to continue.

8.0.3 It is the responsibility of each local authority to decide what to include in its monitoring reports, while satisfying the information requirements of relevant UK and retained EU legislation. KCC still attaches importance to the former core national output indicators, used as the basis for monitoring in previous years, and will continue to report on these indicators. These are:

- production of primary land-won aggregates
- production of secondary and recycled aggregates
- capacity of waste management facilities by type
- amount of municipal waste arising and managed, by management type and the percentage each management type represents of the total waste managed.

8.0.4 In addition, KCC also monitors local output indicators as follows:

- new mineral reserves granted permission
- construction aggregate landbanks
- other minerals landbanks
- safeguarding of wharves and rail depots
- sales of construction aggregates at wharves and rail depots
- waste growth rate
- exports and imports of waste
- capacity for managing waste in Kent

8.0.5 Data for many of the mineral related indicators is supplied by the South East England Aggregate Working Party (SEEAWP). KCC intends to include these local output indicators in the AMR and/or the Local Aggregate Assessment (LAA) for as long as the data remains available. In accordance with the agreements with industry and their trade associations, this information is only available in a collated form, so individual site

¹²³ DLUHC National Planning Policy Framework (2023), para. 158

information cannot be easily identified. This can cause problems for planning for minerals, especially where there is a limited number of suppliers of particular types of mineral such as brickearth or crushed rock. The SEEAWP reports also provide a limited amount of information on secondary and recycled aggregates. The potential problem with this source of material is that some operators are reluctant to provide survey returns and so the values obtained are considered likely to be an under-representation of the actual amount of secondary and recycled aggregates produced in Kent in any one year.

8.0.6 The National Planning Policy for Waste¹²⁴ also refers to specific parameters being monitored to inform the determination of planning applications. In particular:

- take-up in allocated sites and areas;
- existing stock and changes in the stock of waste management facilities, and their capacity (including changes to capacity); and
- the amounts of waste recycled, recovered or going for disposal.

8.0.7 The supporting Planning Practice Guidance¹²⁵ also refers to the need to monitor annual arisings to allow for review of the forecasts that underpin the strategy.

8.0.8 Data on Local Authority Collected Waste is readily available and reported to central Government on an annual basis. Data on C&I waste arisings is less readily available. The following local output indicators are also used to monitor the effectiveness of the Kent MWLP policies regarding C&I and hazardous waste management:

- C&I waste generated in Kent that is landfilled within Kent and outside Kent
- hazardous waste arising in Kent that is managed within Kent and outside Kent

8.0.9 The following monitoring schedule considers how each of the Plan's Strategic Objectives will be implemented through the Plan's policies and how their achievement will be monitored.

¹²⁴ DLUHC (October 2014) National Planning Policy for Waste, para.9

¹²⁵ DLUHC (updated October 2014) National Planning Policy Framework Planning Practice Guidance on Waste, para. 054

Monitoring Schedule: Sustainable Development Policies

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Policy	Indicator(s)	Who?	How?		When?	Target	Trigger	Link to Strategic Objective
CSM 1 & CSW 1: Sustainable Development	1. Mineral and waste applications granted contrary to national policy and guidance.	KCC	DM decisions		On-going (annual monitoring)	No application granted planning permission contrary to national policy and guidance	One application permitted contrary to national policy and guidance	SO1; SO2
	2. Minerals and waste applications determined within 13 / 16 weeks. ¹²⁶	KCC	DM decisions		On-going (annual monitoring)	100% within the target/ agreed timescale	One application determined beyond the agreed timescale	SO1; SO2
DM 1: Sustainable Design	1. Minerals and waste applications granted that accord with the Kent Design Guide and/or KCC's environmental strategy.	KCC District authorities	District authority local plan adoption		On-going (annual monitoring)	100% of major applications granted planning permission	One application permitted contrary to the cited guidance	SO1; SO2; SO3; SO5; SO10; SO11
	2. Adoption of the Kent Design Guide by district authorities	KCC District authorities	District authority local plan adoption		On-going (annual monitoring)	100% adoption as supplementary planning guidance	One authority without the adopted supplementary guidance	

¹²⁶ For applications without an extension of time agreed with the applicant. 16 weeks for applications accompanied by an Environmental Statement

Monitoring Schedule: Delivery Strategy for Minerals

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 2: Supply of Land-won Minerals in Kent	Reserve data for sharp sand and gravel	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain supply equal to at least a 7 year landbank as set out in the LAA while resources allow	Permitted reserves equivalent to 10% above supply target	SO5;
	Reserve data for soft sand	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain a rolling landbank of at least 7 years supply as set out in the LAA	Permitted reserves equivalent to 10% above landbank target	SO5;
	Reserve data for crushed rock (confidential) ¹²⁷	KCC Minerals operators	Aggregates Monitoring Survey	Annual data collection from the previous calendar year	Maintain a rolling landbank of at least 10 years supply as set out in the LAA	Permitted reserves equivalent to 10% above landbank target	SO5;
	Reserve data for brickearth and clay for brick and tile manufacture	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Stock of permitted reserves of at least 25 years for brickearth Maintenance of sufficient reserves of clay based on past sales and market demand	Permitted reserves equivalent to less than three years above the minimum stock of permitted reserves target	SO5;

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¹²⁷ The sales and reserves of land-won crushed rock are not published as there are only two sites currently producing crushed rock in Kent; the total sales data from three or more sites are required in order to protect commercial confidentiality

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
	Reserve data for silica sand	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Stock of permitted reserves for individual sites of at least 10 years and 15 years for sites where significant new capital is required	Permitted reserves equivalent to less than three years above the minimum stock of permitted reserves target	SO5;
	Reserve data for chalk for agricultural and engineering purposes	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Maintenance of sufficient reserves to meet supply requirements for the plan period	Permitted reserves equivalent to less than three years of reserves at current (annual) rates	SO5;
	Reserve data for clay engineering purposes	KCC Minerals operators	KCC Survey	Annual data collection from the previous calendar year	Maintenance of sufficient reserves to meet supply requirements for the plan period	Permitted reserves equivalent to less than three years of reserves at current (annual) rates	SO5;

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 4: Non-identified Land-won Mineral Sites	Planning applications granted for mineral extraction at alternative sites outside allocated sites	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5;
CSM 8: Secondary and Recycled Aggregates	Identification of secondary and recycled aggregate capacity in the Minerals Sites Plan.	KCC Secondary and recycled aggregate operators	Mineral Sites Plan	Adoption of the Mineral Sites Plan On-going (annual monitoring)	To maintain at least 2.7mtpa (or the productive capacity value in the latest LAA) of processing capacity throughout the plan period	Processing capacity falls by the equivalent to 10% below the target capacity	SO2; SO6;
	Planning applications granted for secondary and recycled aggregate production.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSM 9: Building Stone in Kent	Planning applications granted for building stone extraction.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5; SO8;
CSM 10: Oil, Gas and Unconventional Hydrocarbons	Planning applications granted associated with the exploration, appraisal and development of oil, gas and unconventional hydrocarbons.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO2; SO3; SO9
CSM 11: Prospecting for Carboniferous Limestone	Planning applications granted for underground limestone prospecting.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO5;
CSM 12: Sustainable Transport of Minerals	Planning applications granted for the sustainable transport of minerals (e.g.water or rail).	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO2; SO3; SO5; SO7; SO11; SO13;

Monitoring Schedule: Delivery Strategy for Waste

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 2: Waste Hierarchy	Existing waste capacity by facility type and Waste Hierarchy category.	KCCEA	EA waste management facility data DM information	On-going (annual monitoring, when data is made public)	Increasing the proportions of waste management capacity further up the waste hierarchy	Relative and total fall in the proportion of waste capacity provided further up the waste hierarchy	SO2; SO3; SO10; SO11; SO12
	Planning applications for waste management to include information on how the proposal will help drive waste to ascend the Waste Hierarchy wherever possible and practicable	KCC Waste operators	DM decisions and information	On-going (annual monitoring)	100% of proposals granted planning permission providing the required information where relevant	One application permitted without the required information	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 3: Waste Reduction	All development applications ¹²⁸ submitted with details of the compliance to policy CSW 3 as applicable	KCC District authorities	DM decisions	On-going (annual monitoring)	100% of applications granted planning permission providing the required information where relevant	One application permitted without the required information	SO2; SO3; SO6; SO10; SO12
CSW 3: Waste Reduction	Annual waste arisings	KCC	EA waste management data	On-going (annual monitoring)	Declining trend year on year	Increasing trend	SO2; SO3; SO6; SO10; SO12
CSW 4: Strategy for Waste Management Capacity	Annual capacity of waste management facilities.	KCC EA	Planning permission data Data on flows to and from permitted waste management facilities of waste arising from Kent	On-going (annual monitoring)	LACW: Recycling/ composting rates: at least 50% by 2020/21, 55% by 2025/26, 60% by 2030/31, 65% by 2035/36, and 70% by 2040/41; Landfilling no more than 2% by 2020/21, 2% in 2025/26, 2% in 2030/31, 2% in 2035/36, and 2% in 2040/41 C&I Waste: Recycling/ composting rates at least	Capacity fallen to 10% above the target capacity beyond the years stated	SO1; SO6; SO10; SO12

¹²⁸ Except householder applications.

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
					<p>55% by 2025/26 60% by 2030/31, 65% by 2035/36, and 70% by 3040/41;</p> <p>Landfilling no more than 12.5% in 2025/26 10% in 2030/31, 8.5% in 2035/36, and 5% in 2040/41</p> <p>C&D Waste(Non-inert):</p> <p>Recycling rates at least 65% by 2025/26 70% by 2030/31, 75% by 2035/36 and 80% by 2040/41.</p> <p>Landfilling no more than 15% in 2025/26 5% in 2030/31, 5% in 2035/36 and 2.5 in 2040/41.</p> <p>C&D waste (inert):</p> <p>Inert waste recycling minima (as proportion of inert arisings): 65% by 2025/26, 70% by 2030/31, 75% by 2035/36, 80% by 2040/41</p> <p>Permanent deposit of inert waste other than for disposal of landfill (as proportion of inert risings): 25% by 2025/26, 25% by 2030/31, 20% by 2035/36, 17.5% by</p>		

					2040/41 Landfill maxima (as proportion of inert arisings) 10% by 2025/26, 5% by 2030/31, 5% by 2035/36, 2.5% by 2040/41		
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Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
	Net self-sufficiency	KCC EA	Data on flows to and from permitted waste management facilities in Kent	On-going (annual monitoring)	Tonnes of waste arisings from Kent equivalent to the tonnages of waste managed within Kent Capacity for residual waste from London	More than -10% difference in the annual levels of imports and exports Spare consented capacity falls below forecast need for Kent by 10%	
CSW 6: Location of Built Waste Management Facilities	Planning applications granted for built waste management facilities.	KCC	DM decisions and conditions	On-going (annual monitoring)	100% of applications meeting criteria a to j and 1 to 6 (as appropriate) granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO11; SO12; SO13

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 7: Waste Management for Non-Hazardous Waste	Planning applications granted for non-hazardous waste developments	KCC	DM Decisions and conditions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO10; SO12; SO13
CSW 8: Recovery Facilities for Non-hazardous Waste ¹²⁹	Percentage of waste managed in Kent diverted from landfill.	KCC WMU KCCEA	EA waste management facility data National survey data	On-going (annual monitoring-when national data is made public)	Landfilling of no more than-2% of LACW by 2030/31	Within 10% of the target maximum for the household waste landfill diversion target at or beyond the dates stated in Policy CSW4	SO2; SO3; SO10 SO11; SO12; SO13
	Remaining capacity of non-hazardous landfill. Planning applications granted for EfW Facilities and their capacity.	KCC WMU KCCEA	EA waste management facility data DM information and decisions	On-going (annual monitoring)	Maintain sufficient void space for residual waste to the end of the plan period	Sufficient capacity for net self sufficiency (import and export levels) for non-inert management capacity plus 10% Insufficient capacity for non hazardous landfill to manage predicted level of non hazardous waste	

¹²⁹ N.B. Monitoring indicators to this policy are proposed to be updated to provide clarification and ensure their effectiveness.

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
					100% of applications meeting all policy criteria granted planning permission	requiring final disposal plus 10% at end of the plan period One application permitted that does not meet all policy criteria	
CSW 9: Non-Inert Waste Landfill in Kent	Planning decisions resulting in non-inert waste landfilling	KCC District authorities	KCC & District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO10; SO13; SO14
CSW 10: Development at Closed Landfill Sites	Planning applications granted on closed Biodegradable Landfill Sites for the developments listed in Policy CSW 10	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO10; SO14

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 11: Permanent Deposit of InertWaste	Annual volume of CDE waste arisings.	KCC	National survey data DM decisions and information	On-going (annual monitoring -when national data available)	Timely restoration of landfills and mineral working where their restoration requires fill material	Delay in restoration timetable of landfills and mineral workings due to lack of available suitable fill material Delay in development of mineral extraction sites where phasing requires progressive restoration.	SO3 SO10; SO13; SO14
	Annual CDE waste recycling capacity.	KCC	National survey data DM decisions and information	On-going (annual monitoring -when national data available)	Minimum capacities maintained to enable recycling rates stated in CSW 4 throughout the Plan period	More than 10% deficit in the actual capacity provided at or beyond the dates stated in CSW 4	
	Planning applications granted for permanent deposit of inert waste.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 12: Identifying Sites for Hazardous Waste	Capacity of hazardous waste management facilities.	KCCEA	DM information EA data on hazardous waste movements	On-going (annual monitoring)	Annual net self-sufficiency in hazardous waste	Capacity fallen to 90% of capacity for net self sufficiency	SO3; SO13;
	Planning decisions resulting in permitted built hazardous waste management facilities	KCC District authorities	KCC & District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all relevant policy criteria in CSW 6, and for landfill sites in accordance with Policy CSW9, granted planning permission	One application permitted that does not meet all policy criteria	
CSW 13: Remediation of Brownfield Land	Temporary waste related planning applications granted on brownfield land that facilitate its redevelopment	KCC District authorities	DM decisions Sites Identified in an adopted district local plan	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO4; SO13; SO14
CSW 14: Disposal of Dredgings	Planning applications granted for the disposal of dredgings.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO13

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
CSW 15: Wastewater Development	Wastewater treatment works, sewage sludge treatment and disposal facilities granted planning permission.	KCC	Sites identified in the Waste Sites Plan	Adoption of the Waste Sites Plan	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO1; SO3; SO11; SO13;
CSW 17: Nuclear Waste Treatment and Storage at Dungeness	Planning applications granted for storage and/or management of radioactive waste in the licensed area at Dungeness.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO2; SO3; SO11; SO13;
CSW 18: Non-nuclear Industry Radioactive Low Level (LLW) Waste Management	Planning applications granted for facilities managing non-nuclear LLW and VLLW waste.	KCC	DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria	SO3; SO11; SO13;
	Monitoring of waste material source.	KCC	Planning application information	On-going (annual monitoring)	100% of applications granted planning permission providing the required information	One application permitted without the required information	

Monitoring Schedule: Minerals and Waste Safeguarding Strategy

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
CSM 5: Land-won Mineral Safeguarding	Decisions resulting in non mineral development permitted within Kent MSAs.	KCC District authorities	District/ Borough Council DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO3; SO5
	Decisions resulting in non-mineral development permitted within the separate MCA adjacent to the Strategic Site for Minerals at Medway Works, Holborough.	KCC District authorities	District/ Borough Council DM decisions	On-going (annual monitoring)	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	
	Decisions resulting in non-mineral development permitted on sites for mineral working within the plan period identified in the AMR and/or LAA, and in the Minerals Sites Plan.	KCC District authorities	District/ Borough Council DM decisions Mineral Sites Plan	On-going (annual monitoring) Adoption of the Mineral Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	
	Review of Minerals Safeguarding Areas (MSAs)	KCC	KCC	On-going (annual monitoring)	The need to revise the boundaries of the MSAs has been reviewed at least once each year	MSAs not reviewed in any one year	

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
CSM 6: Safeguarded Wharves and Rail Depots	Decisions resulting in non-mineral development permitted within 250m of safeguarded minerals transportation facilities listed in Policy CSM 6 ¹³⁰ and allocated sites in the Mineral Sites Plan (other than the developments listed in Policy DM8 criteria 1)	KCC District authorities	District authority DM decisions	On-going (annual monitoring) Adoption of the Minerals Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO2; SO7
CSM 7: Safeguarding Other Mineral Plant Infrastructure	Decisions resulting in other development permitted on, or within 250m of, sites safeguarding for other mineral plant infrastructure	KCC District authorities	KCC & District authority DM decisions	On-going (annual monitoring)	100% refusal for proposals with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO2; SO6; SO7
CSW 16: Safeguarding of Existing Waste Facilities	Decisions resulting in non-waste management uses permitted on, or within 250m of, sites with permanent planning permission for waste management uses and sites allocated in the Waste Sites Plan	KCC District authorities	District DM decisions	On-going (annual monitoring) Adoption of the Waste Sites Plan	100% refusal for applications with an objection from the County Council	One application permitted with an objection from the County Council	SO1; SO4; SO12

¹³⁰ Boundaries of the safeguarding facilities are shown in Chapter 9.1 Adopted Policies Maps - Safeguarded Wharves and Rail Importation Depot.

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
DM 7: Safeguarding Mineral Resources	Decisions resulting in incompatible non-mineral development permitted in mineral safeguarded areas(as defined in Policy CSM5).	District authorities KCC	District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria with an objection from the County Council	SO3; SO5
	Adoption of a Supplementary Planning Document (SPD) or associated guidance setting out further information about the approach to Minerals Safeguarding	KCC	KCC	2015 - 2017	SPD adopted by end of 2016	Failure to adopt SPD by end of 2016	SO3; SO5
	Allocations in adopted Local Plans for development incompatible with the presumption to safeguard minerals within mineral safeguarded areas (as defined by CSM 5).	District Authorities and KCC	District authority planning policy decisions	No Change	100% of local plan allocations meeting all policy criteria (except criterion 7)	An allocation in a local Plan that does not meet all policy criteria (except criterion 7) with an objection from the County Council	SO3

Policy	Indicator(s)	Who?	How?	When?	Target	Trigger	Relevant Strategic Objective
DM 8: Safeguarding Minerals Management, Transportation & Waste Management Facilities	Decisions resulting in incompatible non-minerals or waste development permitted within, or in the vicinity of, existing safeguarded minerals management, transportation or waste management facilities.	District authorities KCC	District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria with an objection from the County Council	SO1; SO2; SO4; SO7; SO11
	Allocations in adopted Local Plans considered incompatible with the presumption to safeguard minerals and waste facilities from direct loss and/or within 250m of a safeguarded facility where there will be the high probability of incompatibility that may lead to the lawful operation of the safeguarded facility to cease or be compromised such that will affect its lawful operational viability	District Authorities and KCC	District Authority planning policy decisions	On-going (annual monitoring)	100% of local plan allocations meeting all policy criteria (except criterion 2)	An allocation in a local Plan that does not meet all policy criteria (except criterion 2) with an objection from the County Council	SO1; SO2; SO4; SO7; SO11
DM 9: Prior Extraction of Minerals in Advance of Surface Development	Planning applications granted / decisions resulting in, or incorporating, mineral extraction in advance of built development where the resources would otherwise be permanently sterilised.	KCC District authorities	KCC and/or District authority DM decisions	On-going (annual monitoring)	100% of applications meeting all policy criteria granted planning permission	One application permitted that does not meet all policy criteria (with an objection from the County Council in the case of District decisions)	SO3; SO5

Approach to the Monitoring of Development Management Policies

8.0.10 The Plan's Development Management policies will be monitored using the relevant planning applications data as an indicator. The performance of each policy will be monitored on an annual basis and recorded in the AMR in accordance with the following strategy:

- **Target:** 100% of applications meeting all applicable policy criteria granted planning permission. To include the submission of the required information where relevant.
- **Trigger:** One application permitted that does not meet all relevant policy criteria and requirements, unless clearly justified.

8.0.11 Policy DM 2 applies to both proposals for minerals and waste development and the identification of sites in any Kent Minerals and Waste Sites Plans:

- **Target:** 100% of applications/ proposed site allocations meeting all applicable policy criteria granted planning permission / allocated in any Minerals or Waste Sites Plan. To include the submission of the required policy information where relevant.
- **Trigger:** One application permitted / adopted site allocation that does not meet all policy criteria, unless clearly justified.

Policy	Who?	How?	Link to Strategic Objective
DM 2: Environmental and Landscape Sites of International, National and Local Importance	KCC	DM decisions Adoption of Mineral and Waste Sites Plans	SO2; SO3; SO9; SO14
DM 3: Ecological Impact Assessment	KCC	DM decisions	SO2; SO3; SO9; SO14
DM 4: Green Belt	KCC	DM decisions	SO1; SO2; SO3; SO9; SO14
DM 5: Heritage Assets	KCC	DM decisions	SO3;

DM 6: Historic Environment Assessment	KCC	DM decisions	SO3;
DM 10: Water Environment	KCC	DM decisions	SO2; SO3;
DM 11: Health and Amenity	KCC	DM decisions	SO1; SO2; SO3; SO4; SO9; SO14
DM 12: Cumulative Impact	KCC	DM decisions	SO1; SO2; SO3; SO11; SO13
DM 13: Transportation of Minerals and Waste	KCC	DM decisions	SO1; SO2; SO3; SO6; SO7; SO11; SO13
DM 14: Public Rights of Way	KCC Minerals/ waste operators	DM decisions	SO3; SO9; SO14
DM 15: Safeguarding of Transport Infrastructure	KCC	DM decisions	SO1; SO2; SO3; SO7;
DM 16: Information Required In Support of an Application	KCC Minerals/ waste operators	DM decisions	SO2; SO3; SO4; SO9; SO10; SO12; SO14
DM 18: Land Stability	KCC Minerals/ waste operators	DM decisions	SO3;
DM 19: Restoration, Aftercare and After-use	KCC Minerals/ waste operators	DM decisions	SO2; SO3; SO4; SO9; SO14
DM 20: Ancillary Development	KCC	DM decisions	SO1; SO2; SO3; SO6; SO9; SO10; SO11; SO14

DM 21: Incidental Mineral Extraction	KCC District authorities	KCC and district authority DM decisions	SO3; SO4; SO5; SO9
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8.0.12 The performance of Development Management policies DM 17 and DM 22 will be monitored as follows:

Policy	Who?	How?	When?	Target	Trigger	Link to Strategic Objective
DM 17: Planning Obligations	KCC	DM decisions	On-going (annual Monitoring)	100% of Planning Obligations agreed and implemented on a case by case basis	One unimplemented legal agreement within 3 years of consent being implemented	SO2; SO3; SO4
DM 22: Enforcement	KCC	DM decisions	On-going (annual monitoring)	100% of cases reported to the Regulation Committee on a quarterly basis	Any alleged breaches being resolved within 6 months of detection	SO2; SO3; SO4

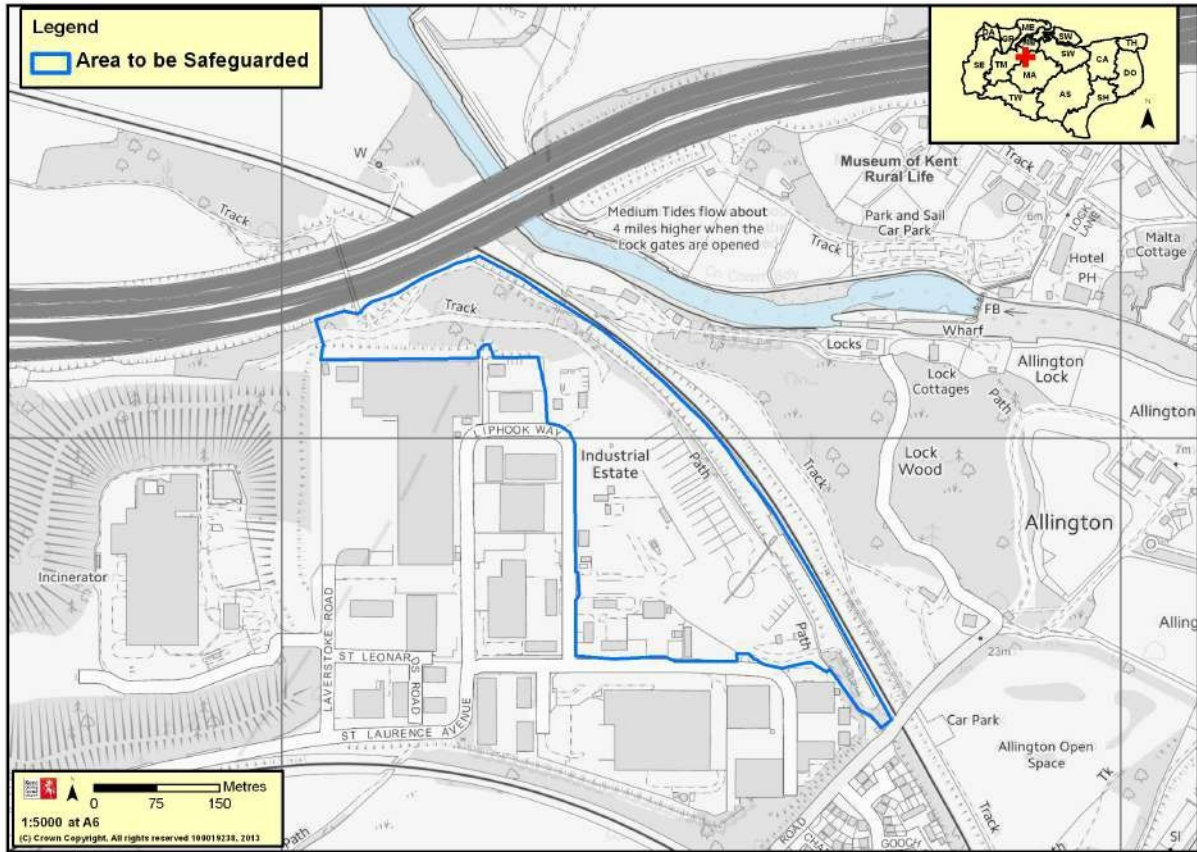
9. Adopted Policies Maps

9.1 Safeguarded Wharves and Rail Transportation Depots

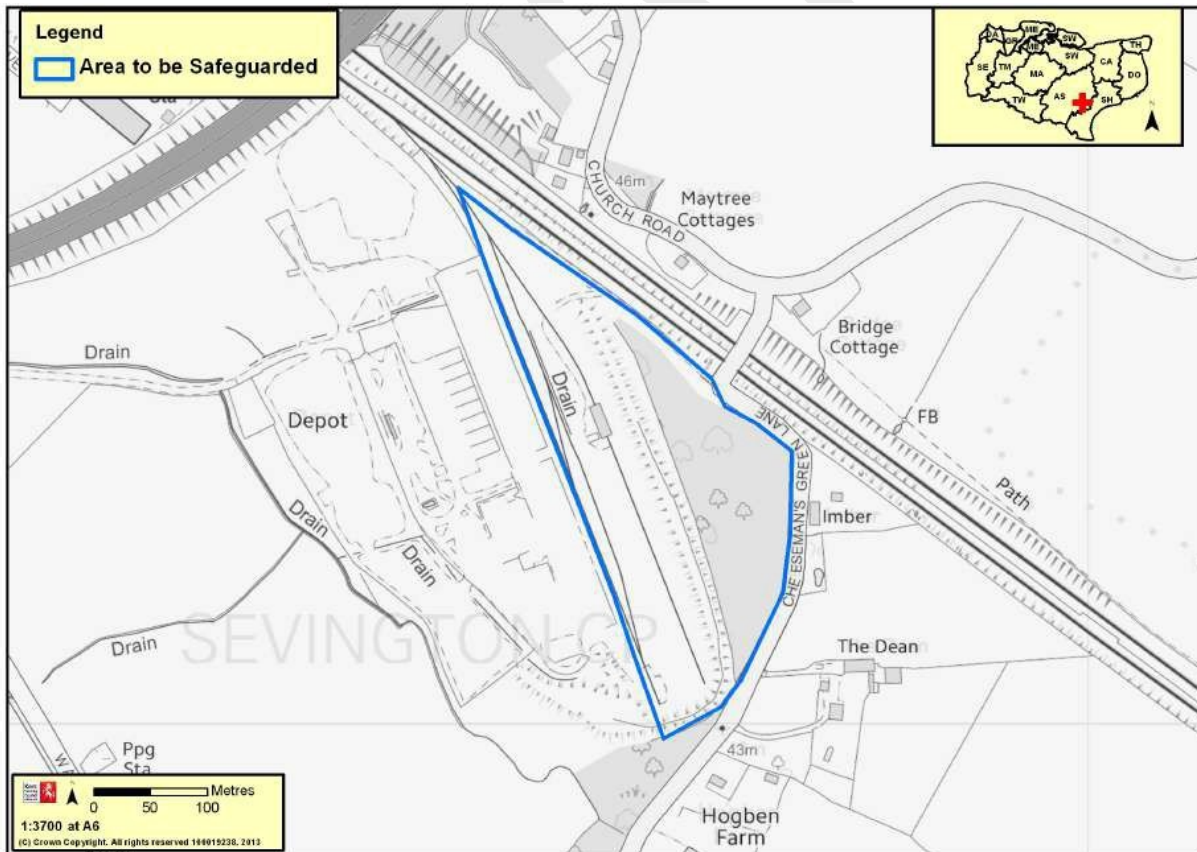
Safeguarded Wharves and Rail Transportation Adopted Policies Maps¹³¹

Site Name	Operator	Site Code
Allington Rail Depot	Hanson	A
Sevington Rail Depot	Brett	B
Hothfield Works Rail Depot	Tarmac	C
East Peckham Rail Depot	Clubb	D
Ridham Dock	Brett & Tarmac	E
Johnsons Wharf	Tarmac	F
Robin's Wharf, Northfleet	Aggregate Industries & Brett	G
Clubbs Marine Terminal	Clubb	H
East Quay, Whitstable	Brett	J
Red Lion Wharf	Stema Shipping Ltd	K
Ramsgate Port	Brett	L
Dunkirk Jetty, Dover Western Docks	Brett	M
Wharf 42, Northfleet (including Northfleet Cement Wharf)	Tarmac	N
Sheerness	Aggregate Industries	O
Northfleet Wharf	Cemex	P
Old Sun Wharf	Fleetmix Ltd	Q

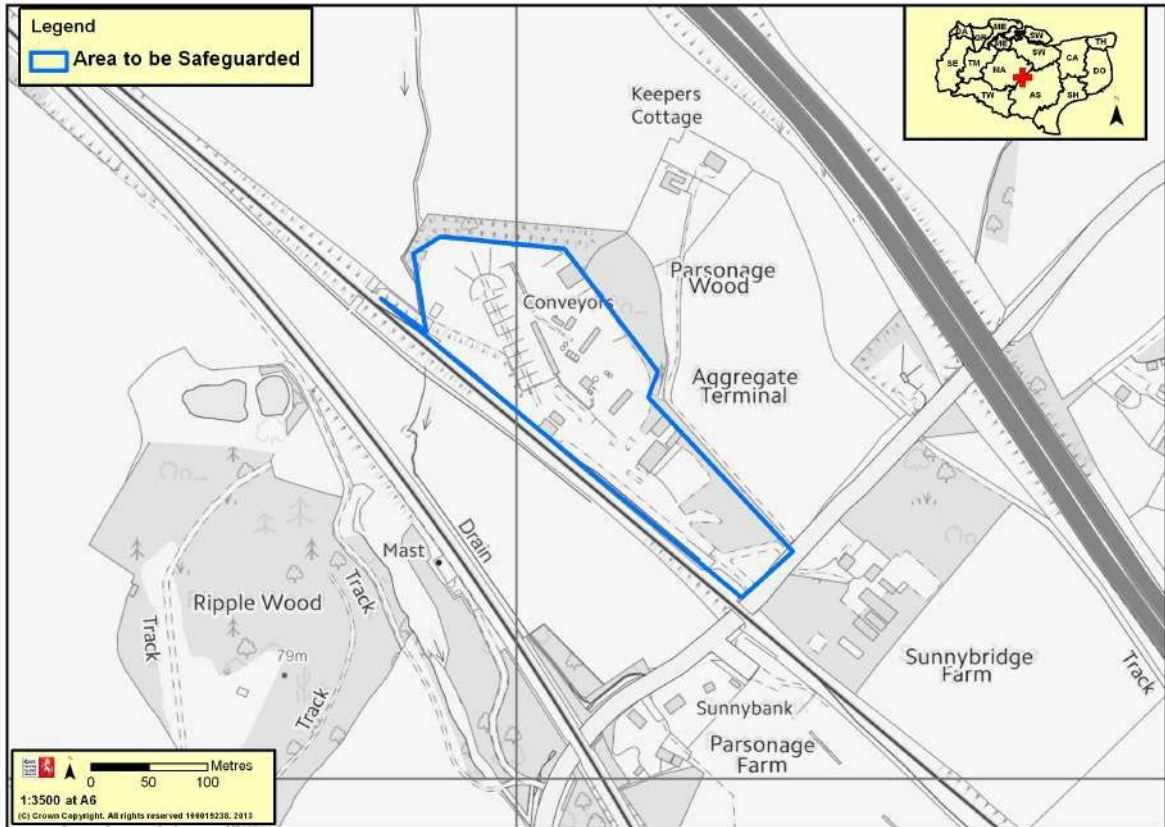
Site A: Allington Rail Depot



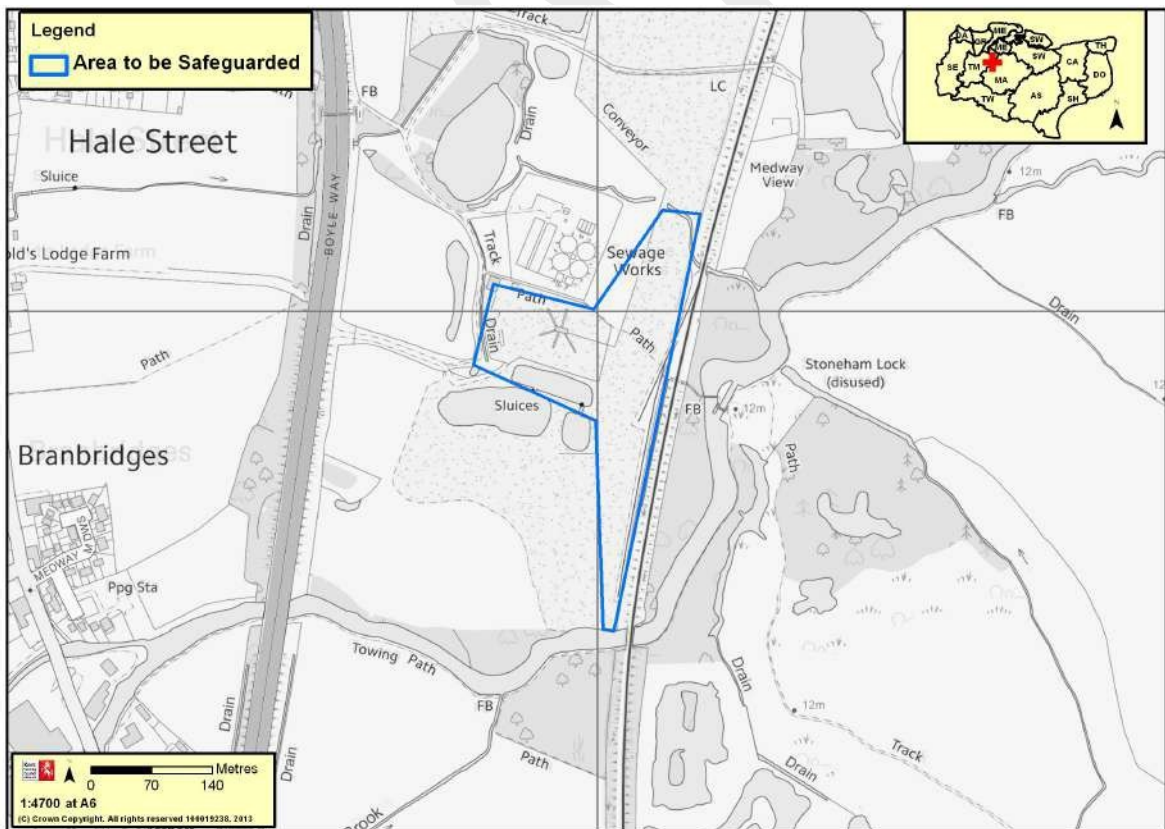
Site B: Sevington Rail Depot



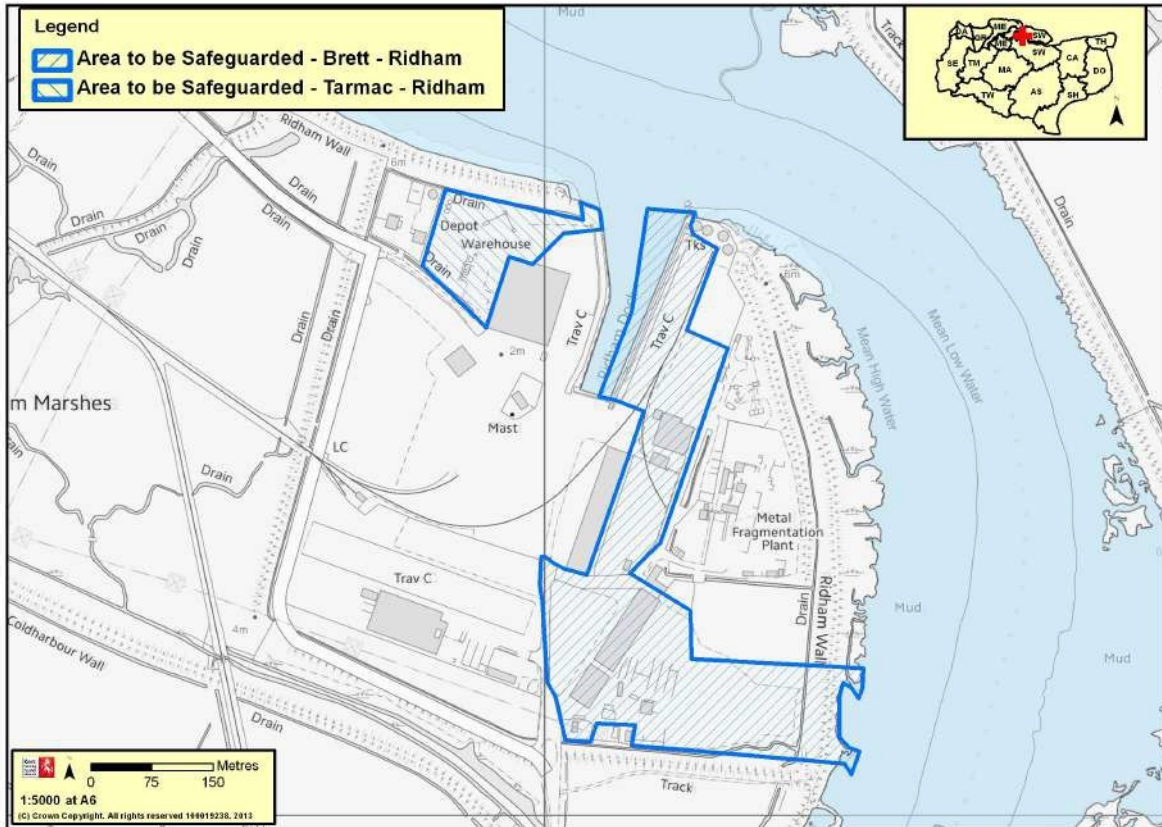
Site C: Hothfield Works



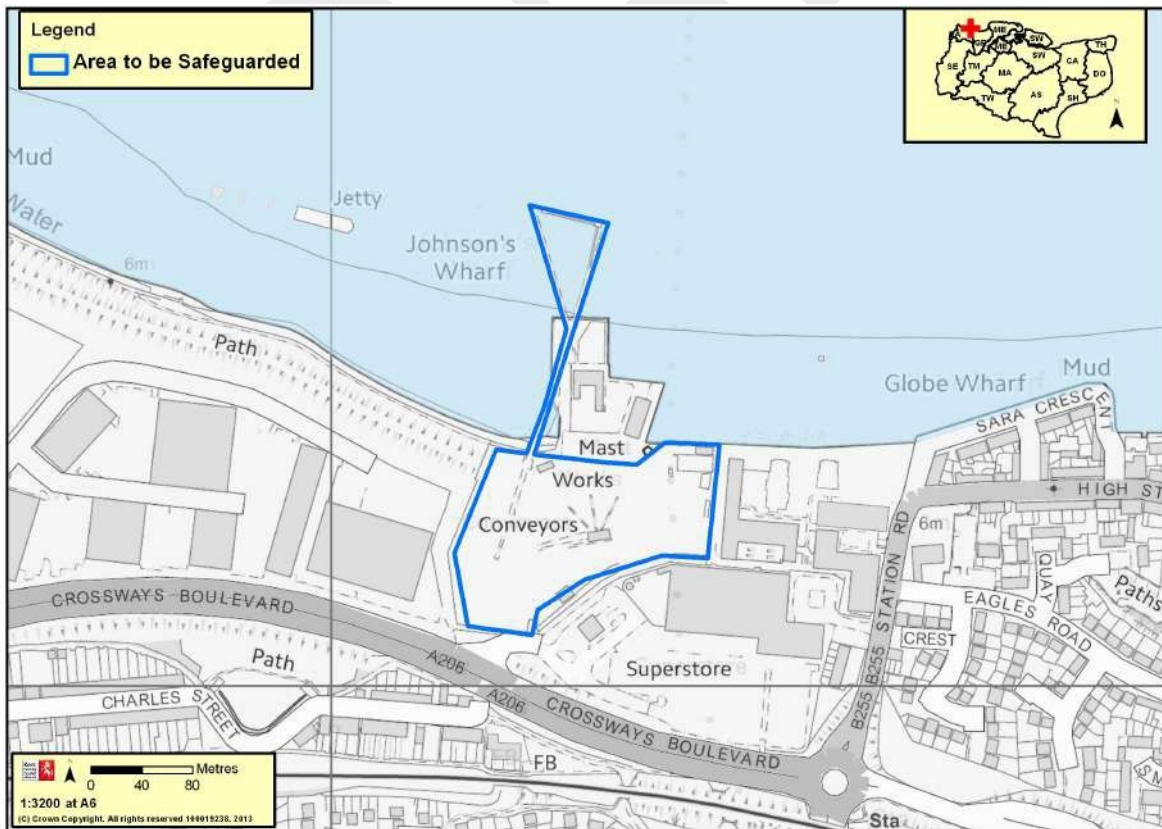
Site D: East Peckham



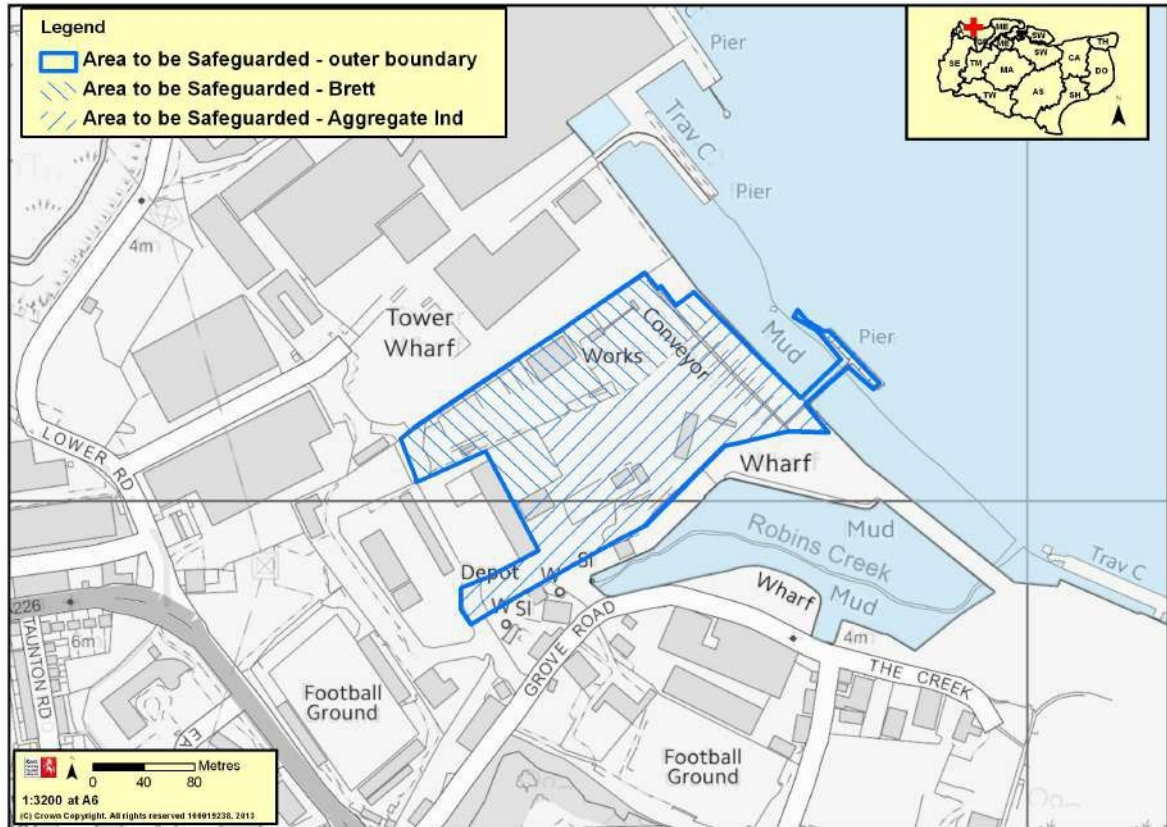
Site E: Ridham Dock



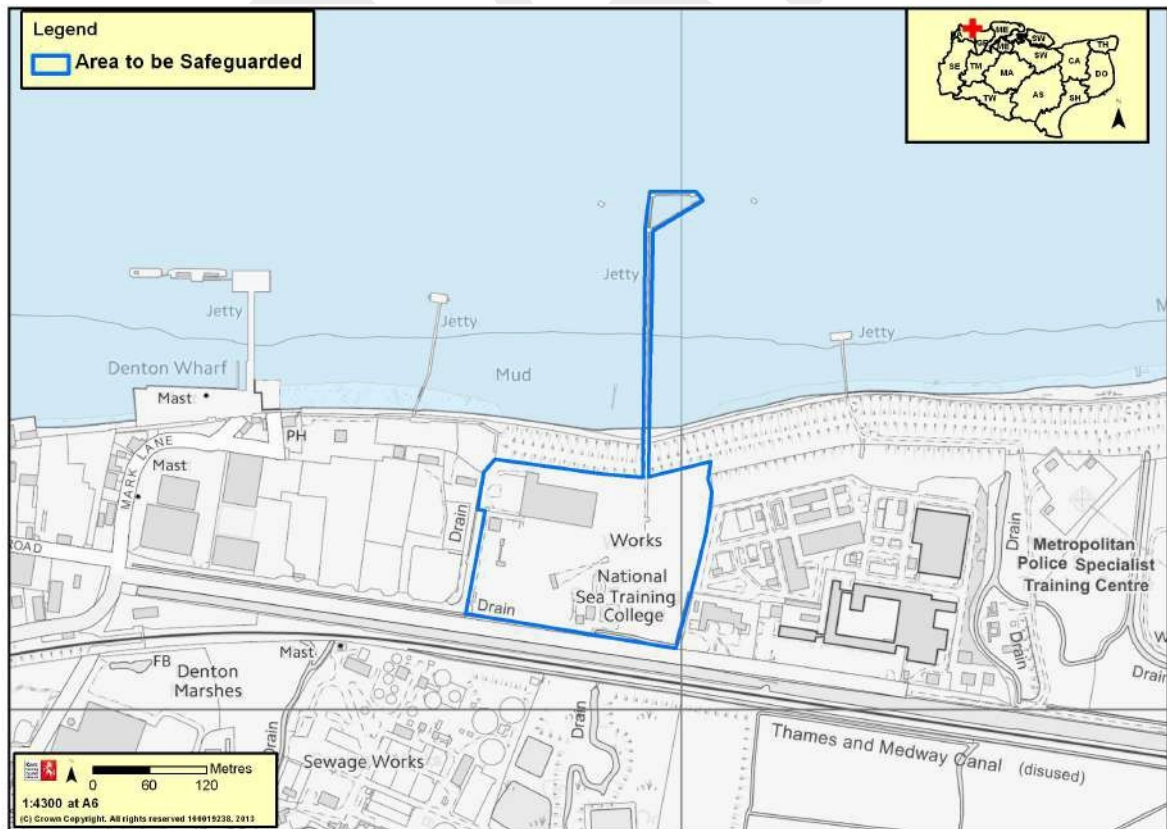
Site F: Johnsons Wharf



Site G: Robins Wharf, Northfleet



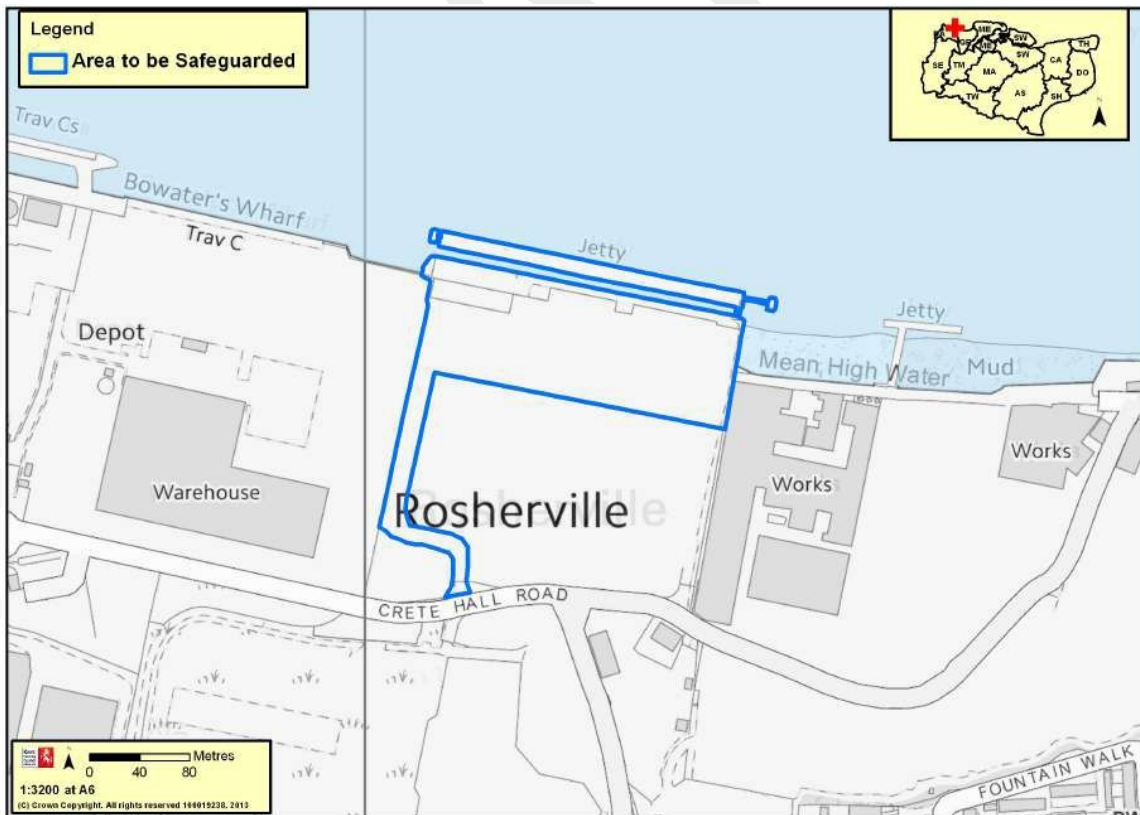
Site H: Clubbs Marine Terminal



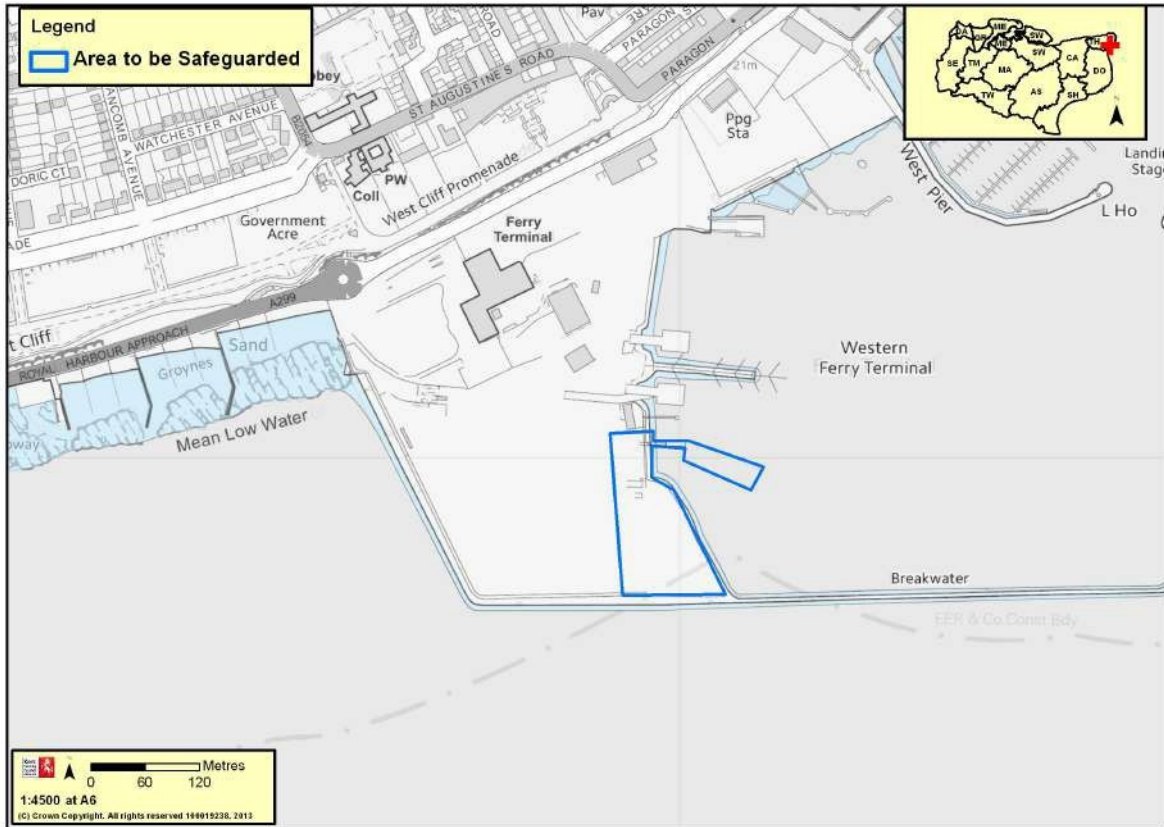
Site J: East Quay, Whitstable



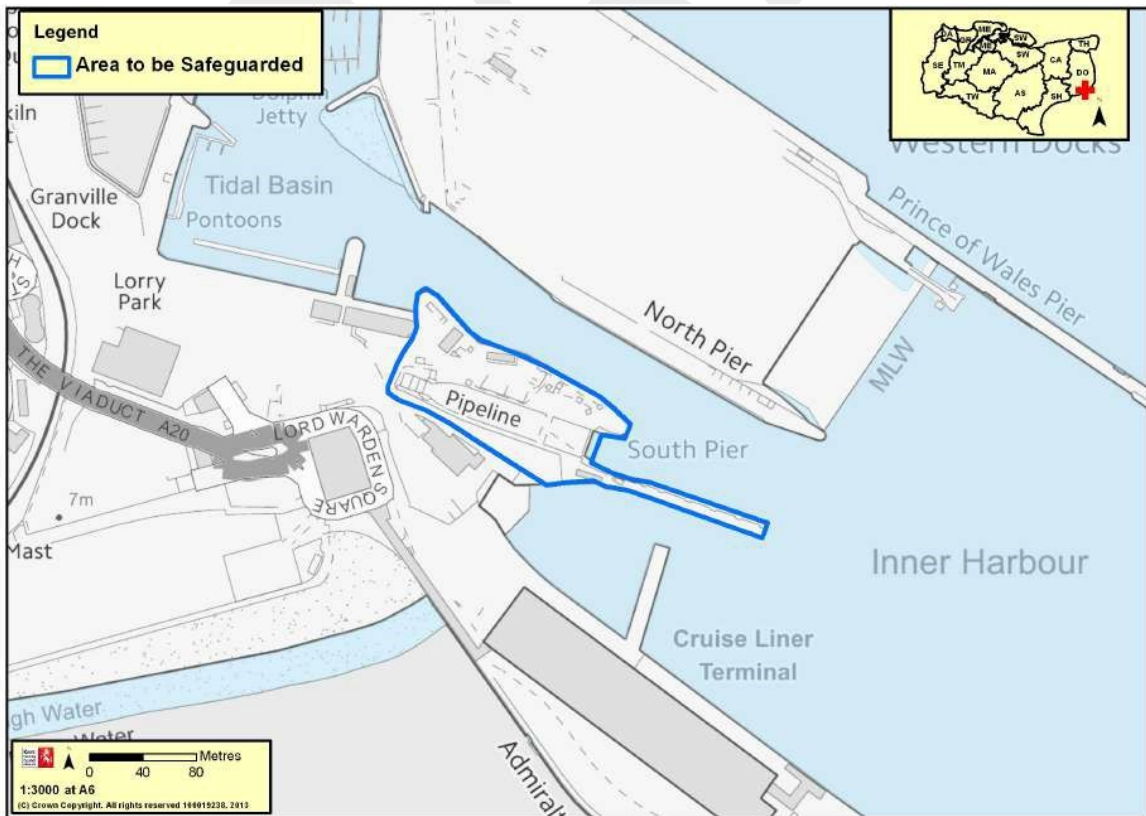
Site K: Red Lion Wharf



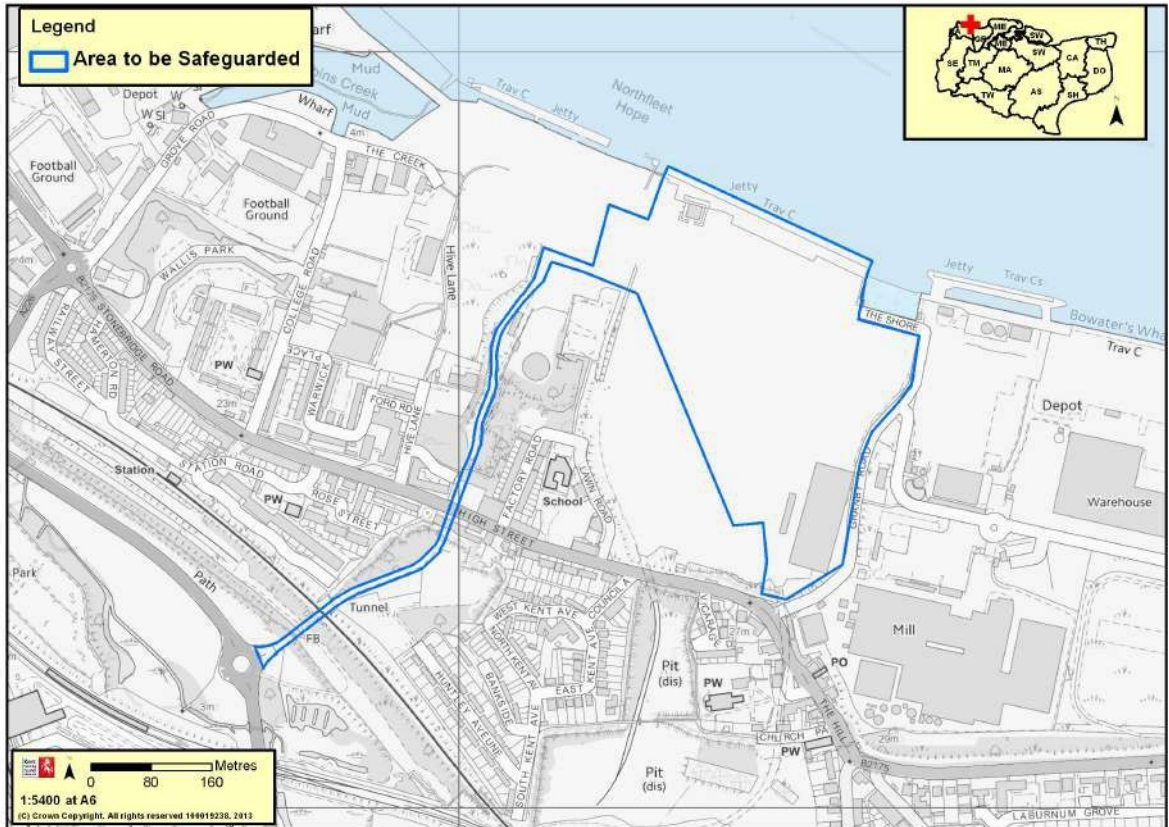
Site L: Ramsgate Port



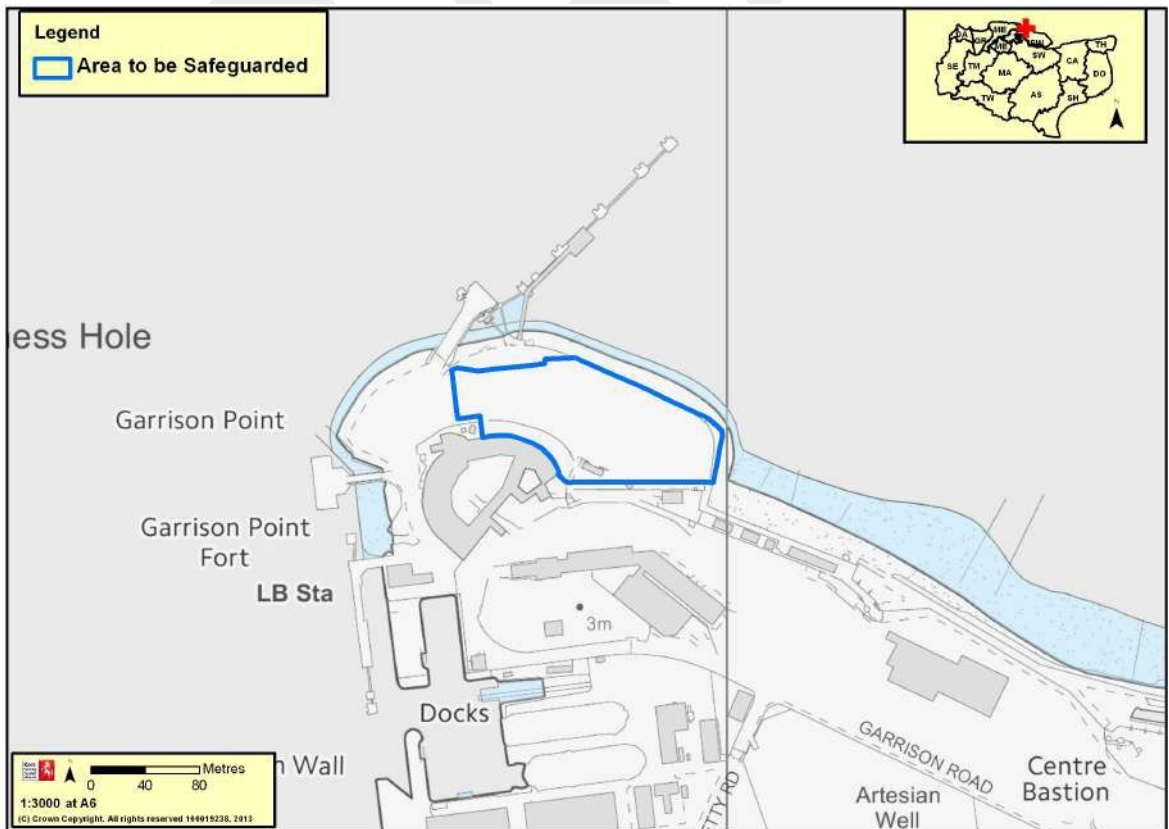
Site M: Dunkirk Jetty, Dover Western Docks



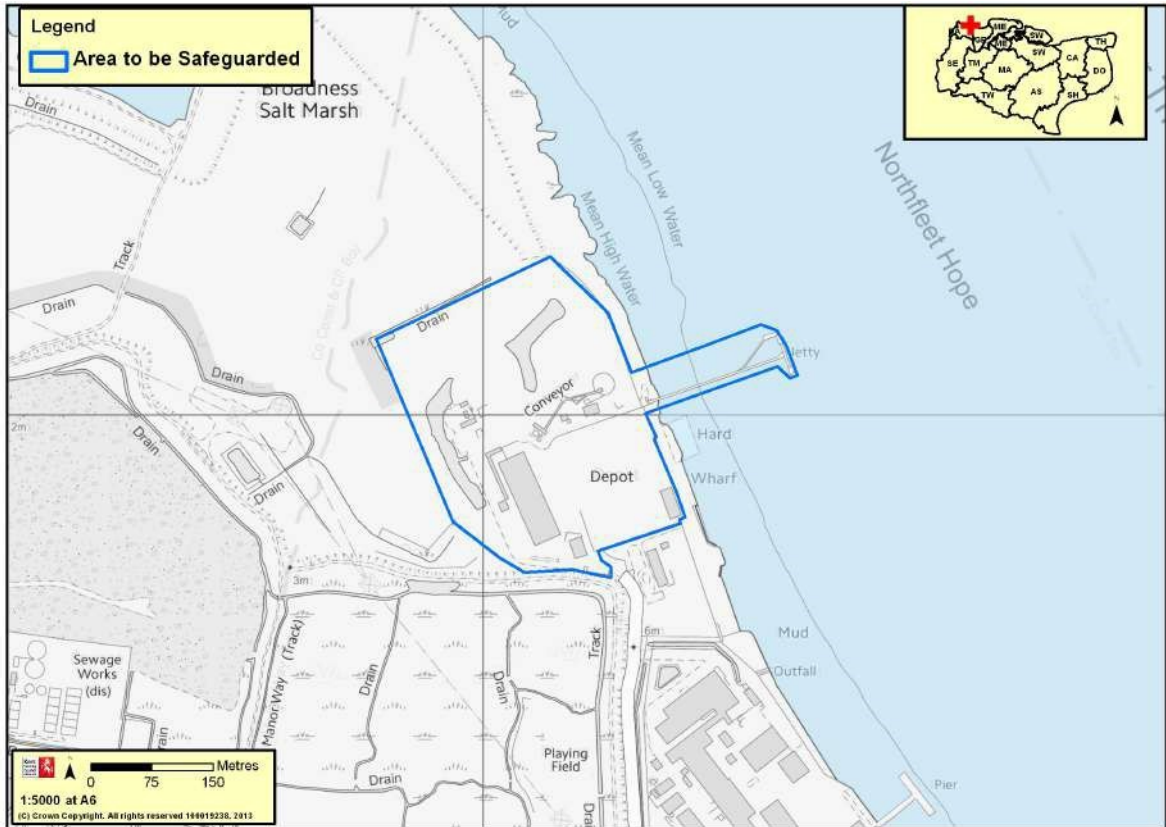
Site N: Wharf 42, Northfleet



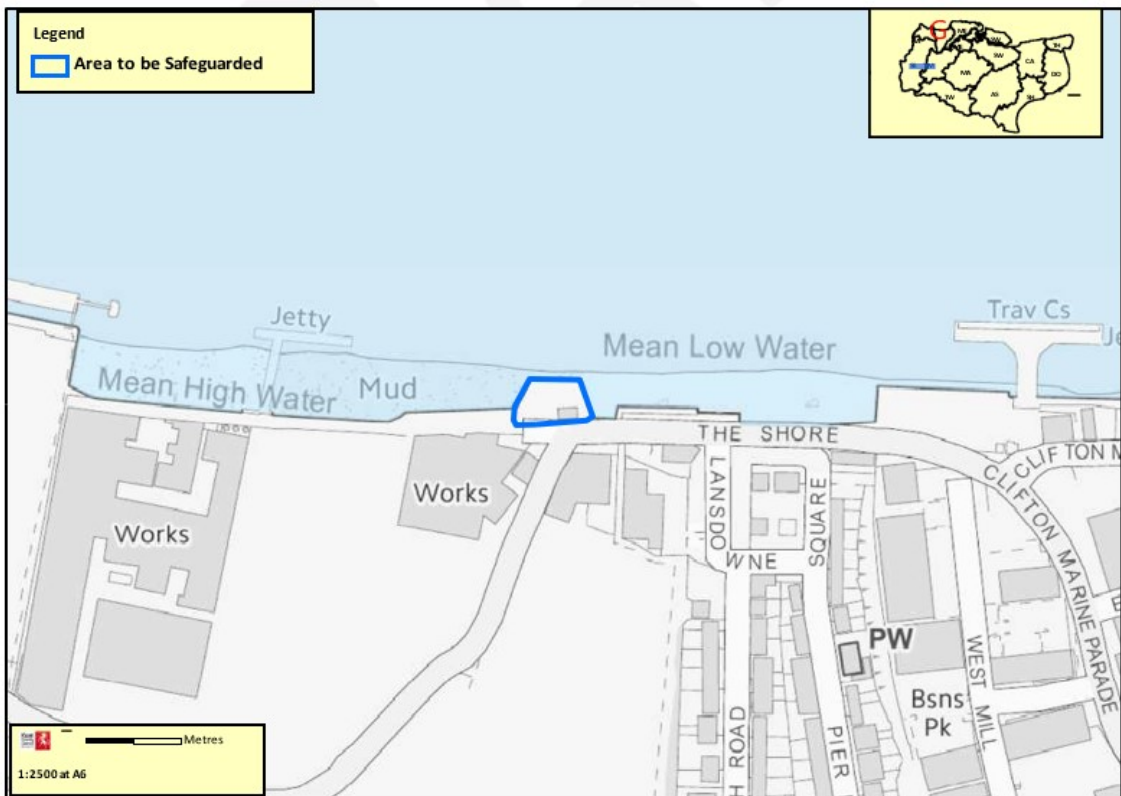
Site O: Sheerness



Site P: Northfleet Wharf



Site Q: Old Sun Wharf

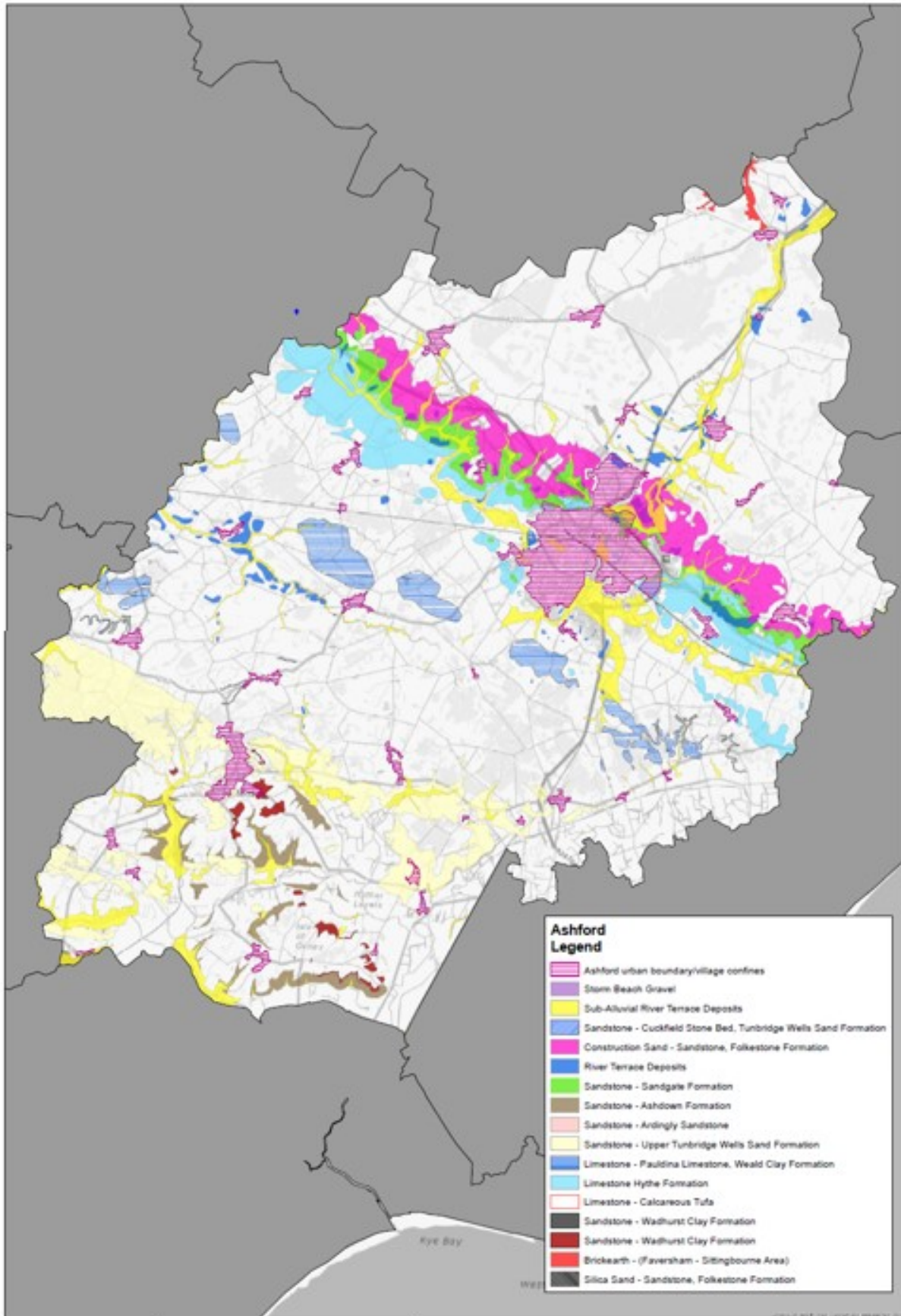


9.2 Mineral Safeguarding Areas

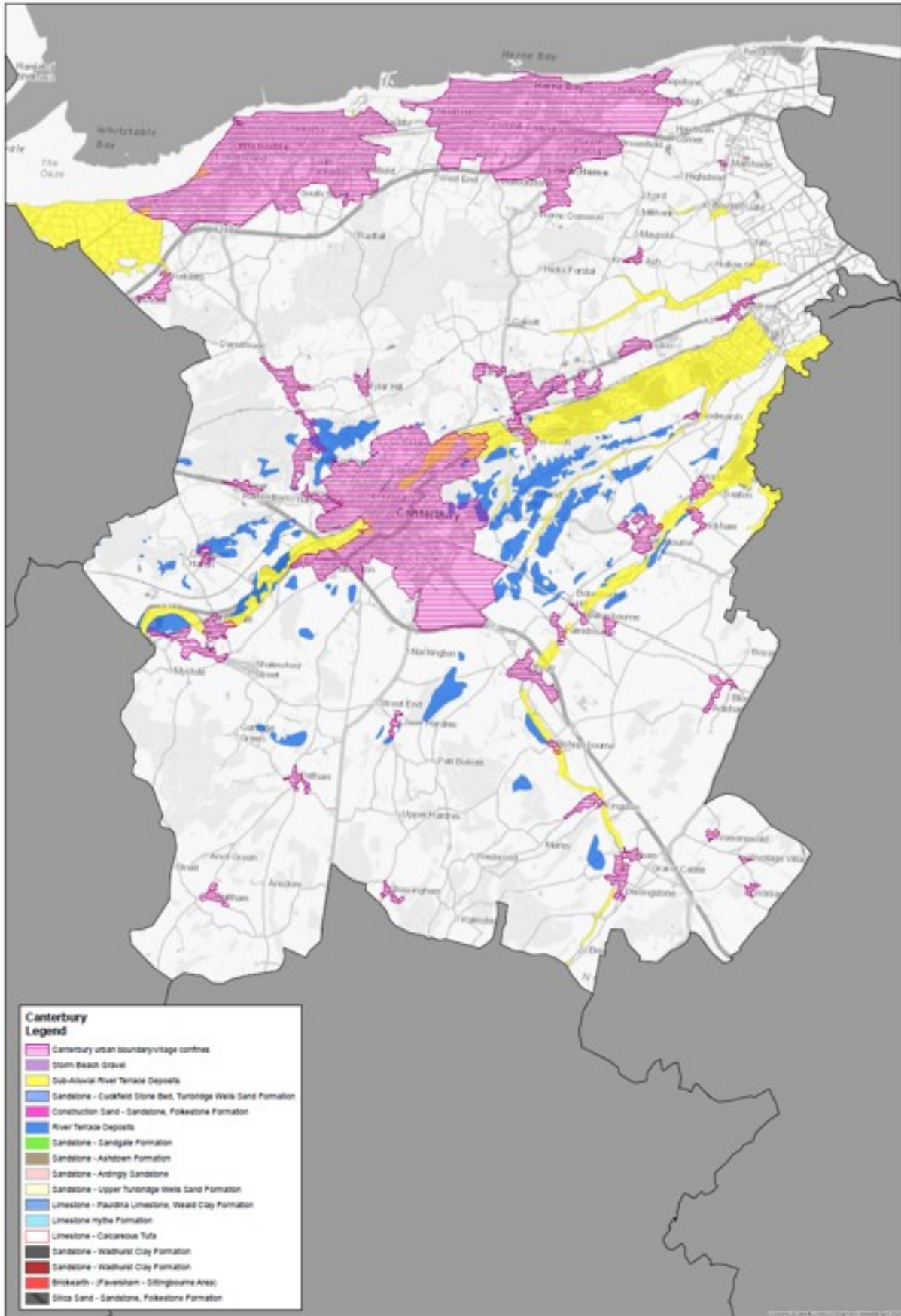
9.2.1 The following Policies Maps display the Mineral Safeguarding Areas (MSAs) in Kent. The maps cover the following authority's areas in Kent:

- Ashford Borough Council
- Canterbury City Council
- Dartford Borough Council
- Dover District Council
- Gravesham Borough Council
- Maidstone Borough Council
- Sevenoaks District Council
- Shepway District Council (now Folkstone and Hythe District Council)
- Swale Borough Council
- Thanet District Council
- Tonbridge & Malling Borough Council
- Tunbridge Wells Borough Council

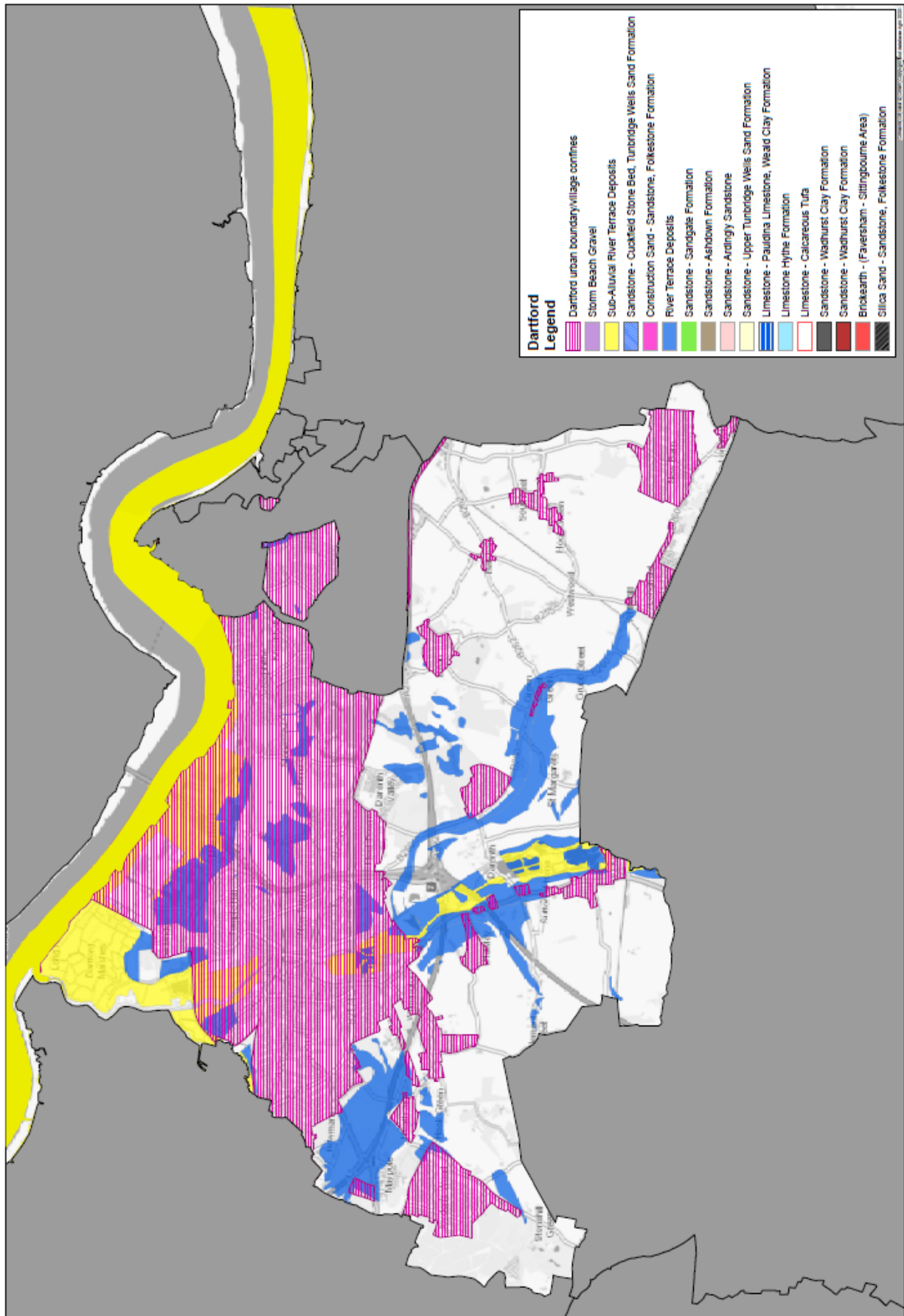
Ashford Mineral Safeguarding Areas



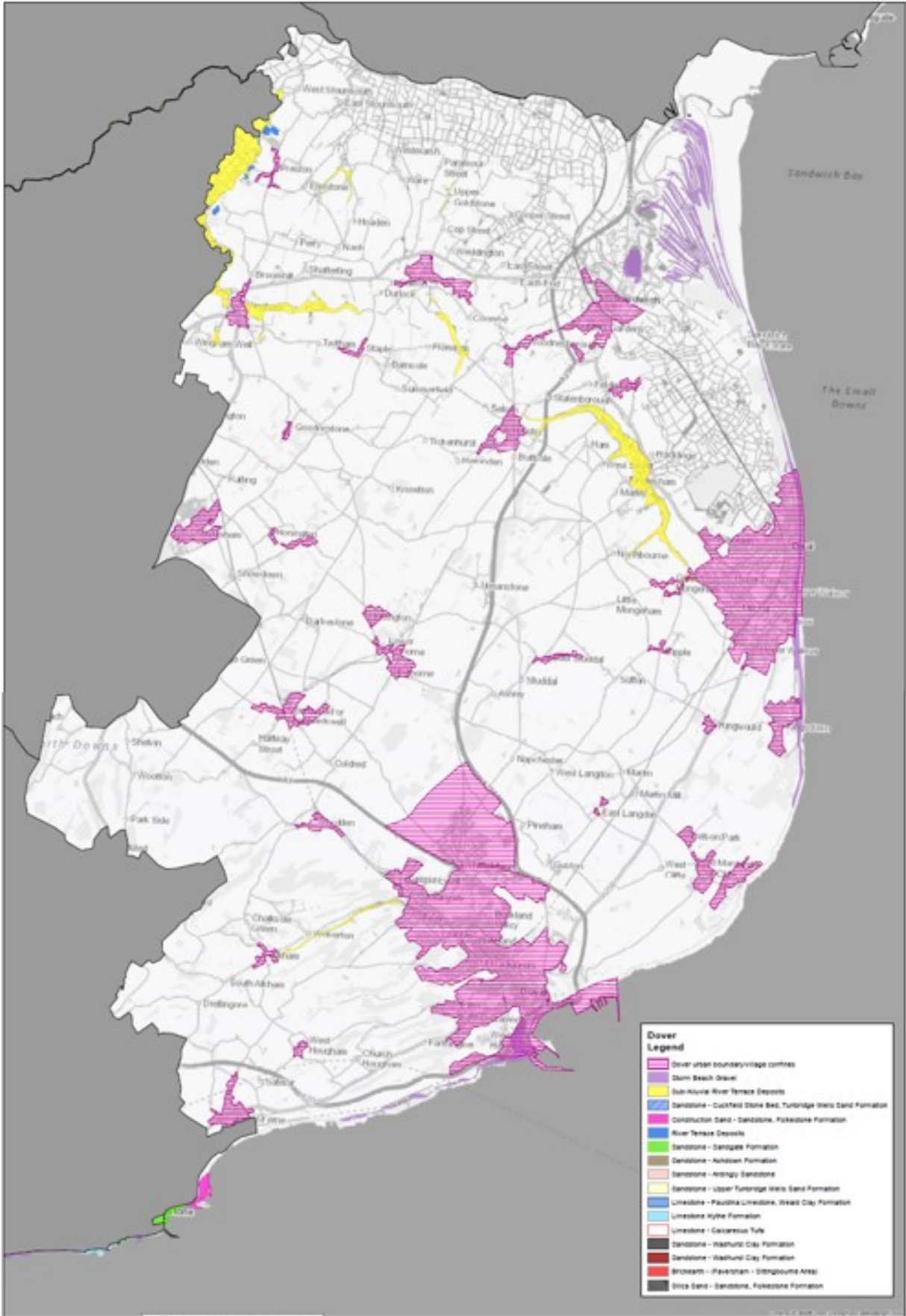
Canterbury Mineral Safeguarding Areas



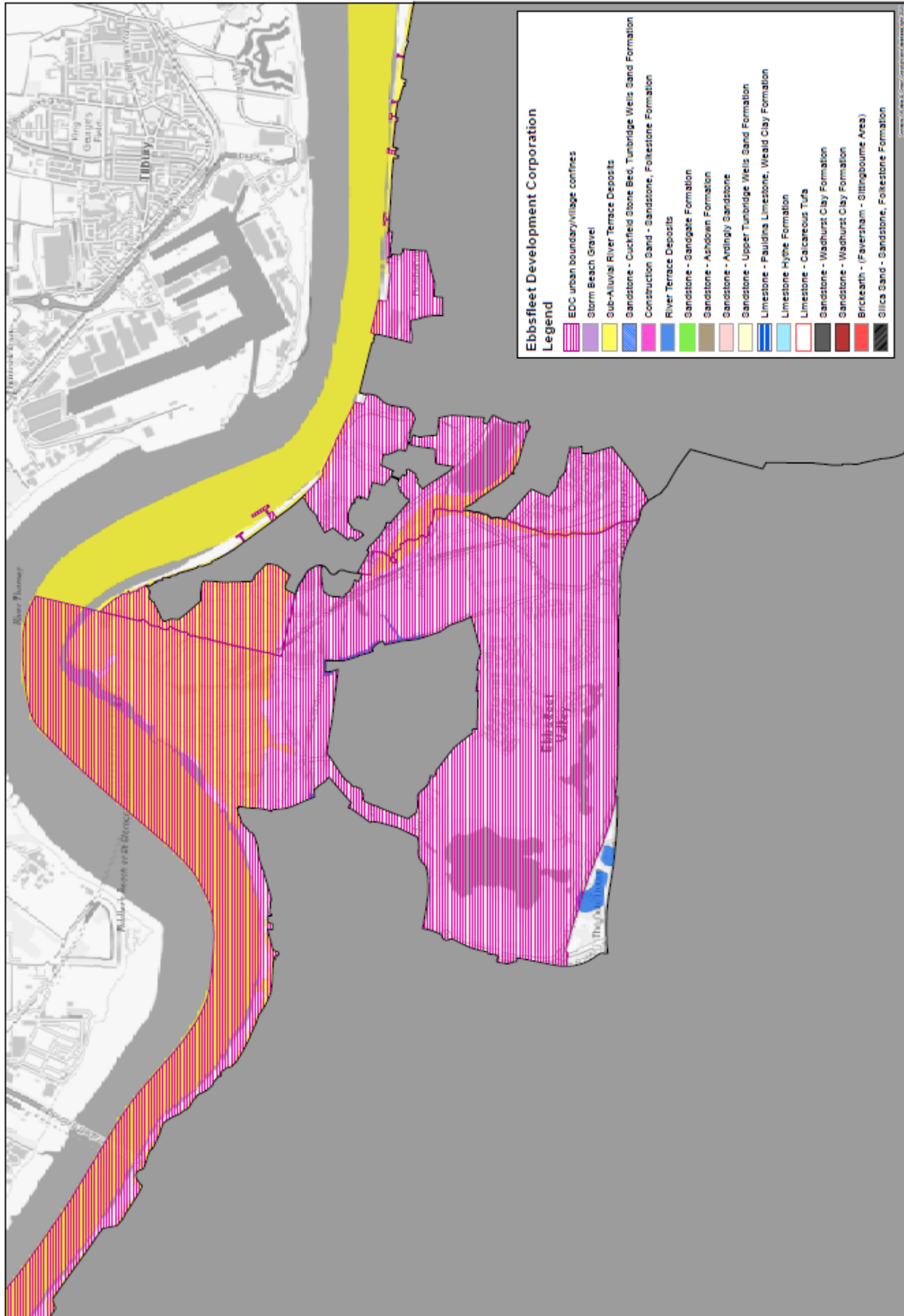
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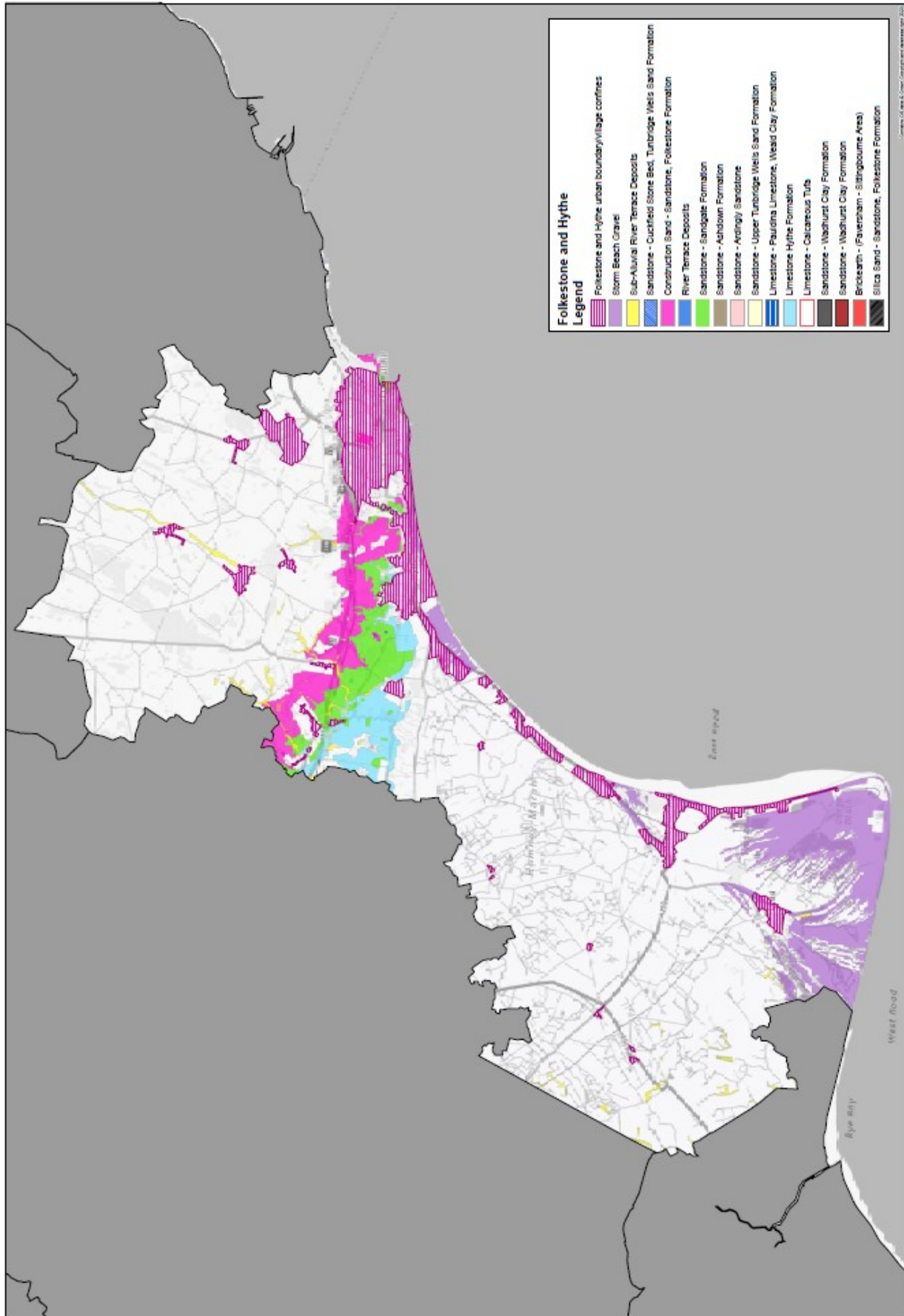
Dover Mineral Safeguarding Areas



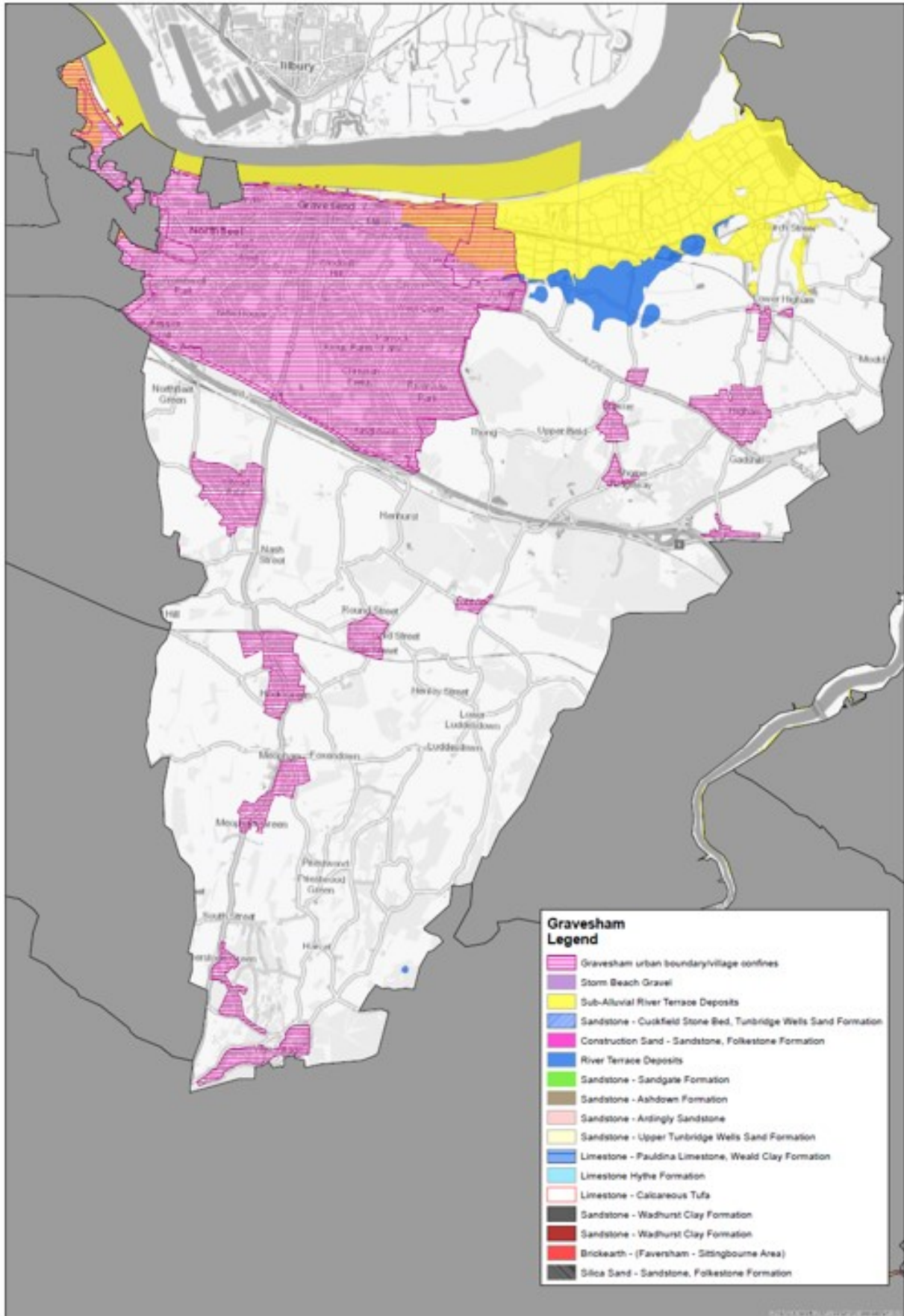
Ebbfleet Development Corporation Mineral Safeguarding Areas



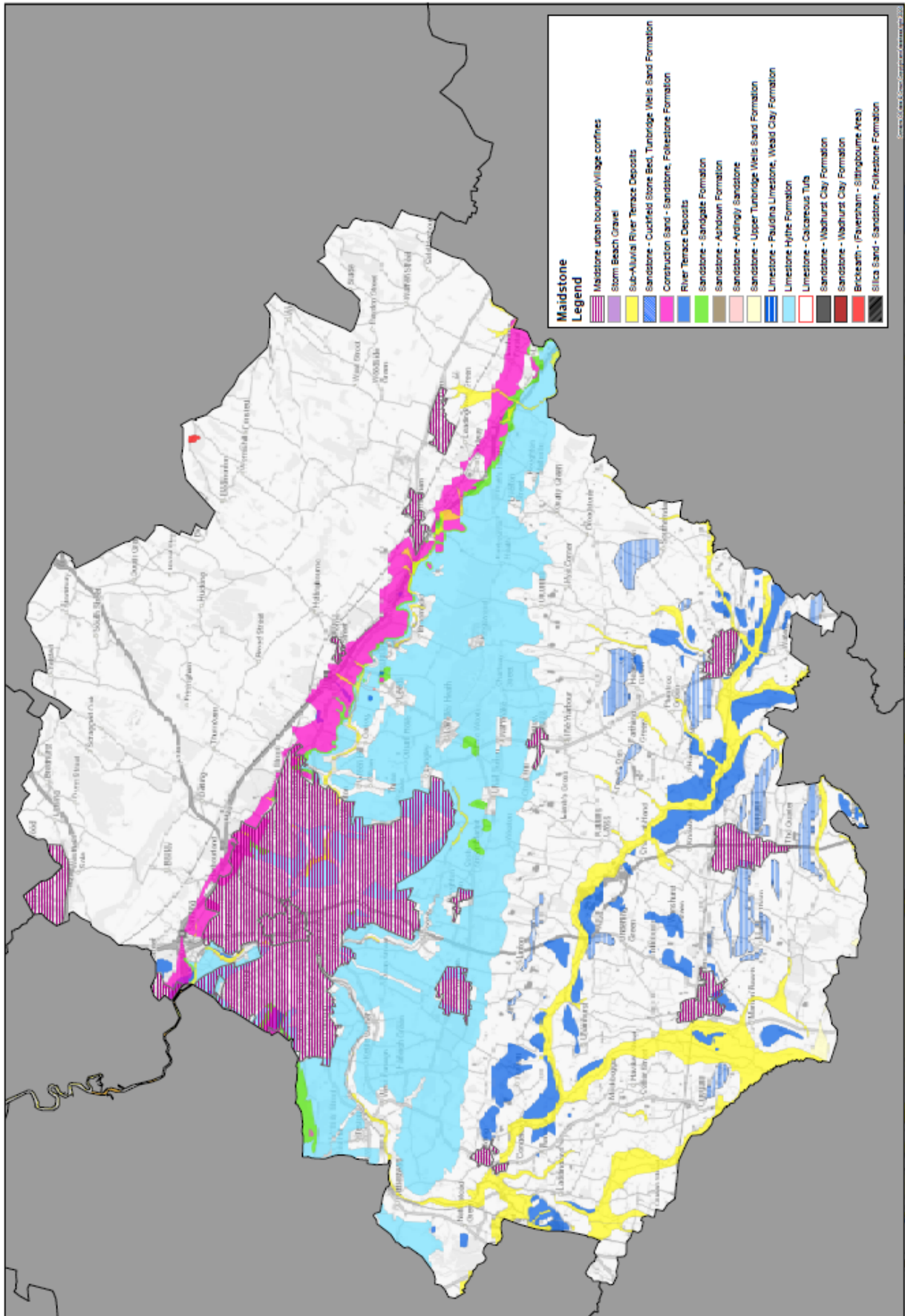
Folkestone and Hythe Mineral Safeguarding Areas



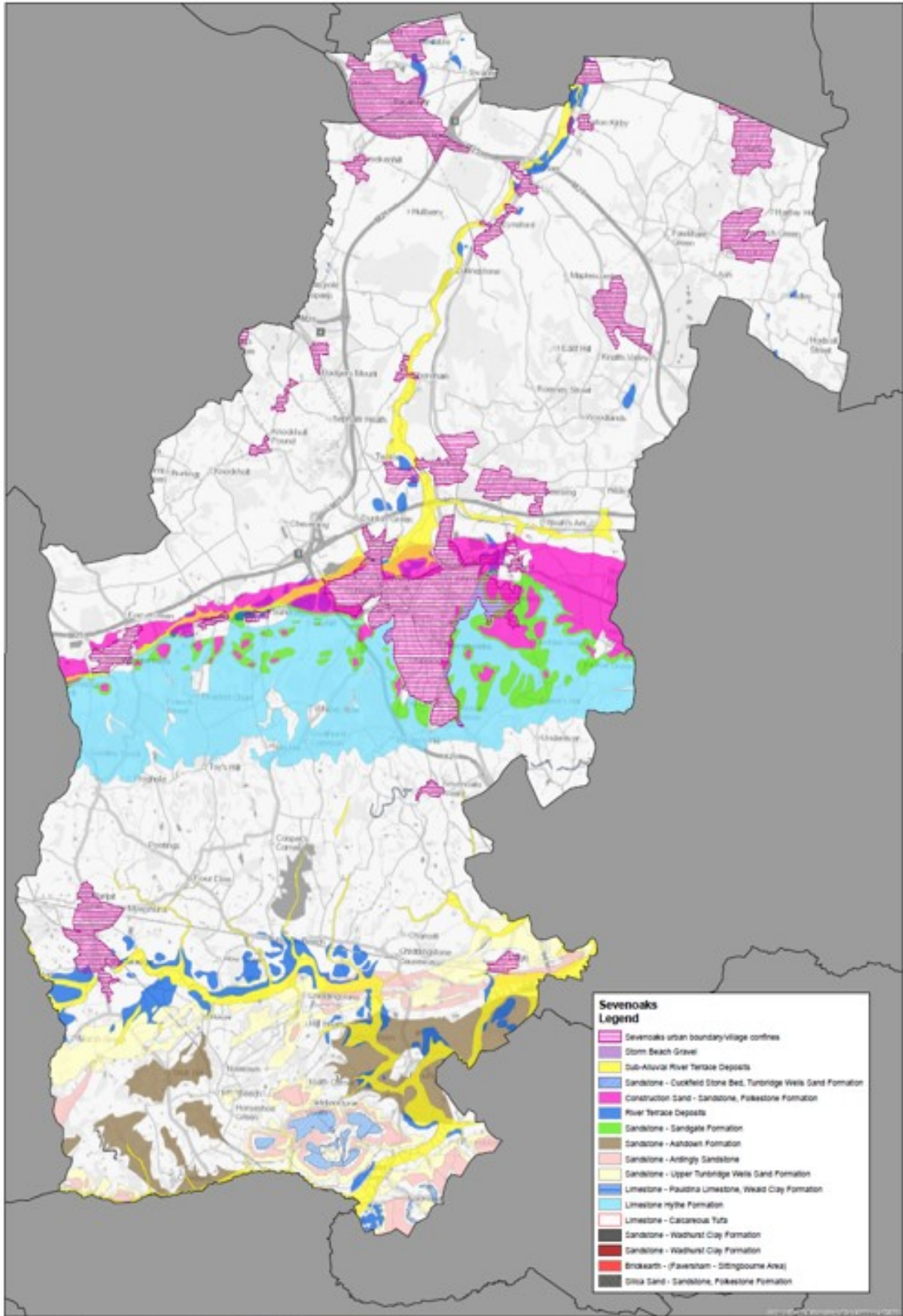
Gravesham Mineral Safeguarding Areas



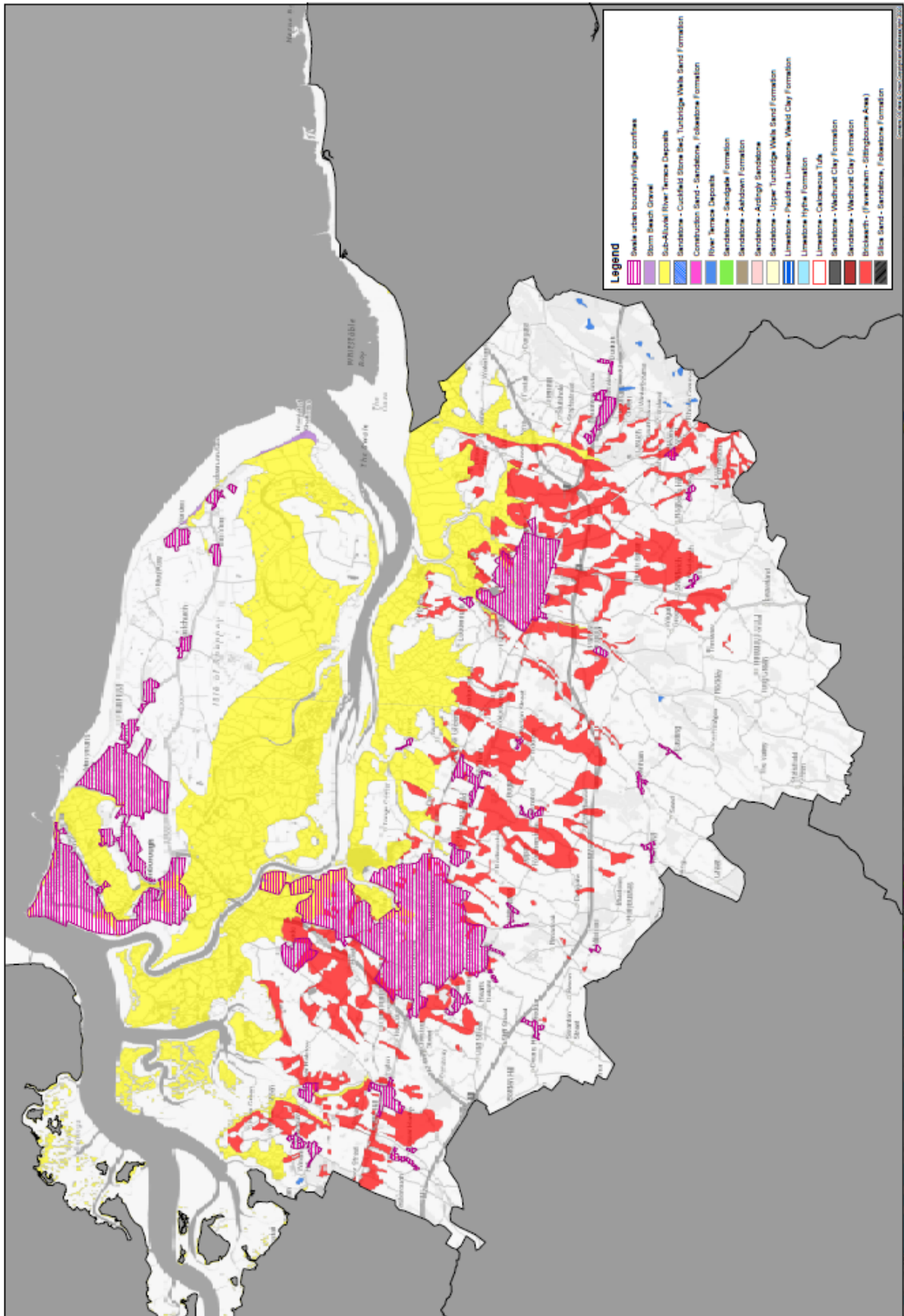
Maidstone Mineral Safeguarding Areas



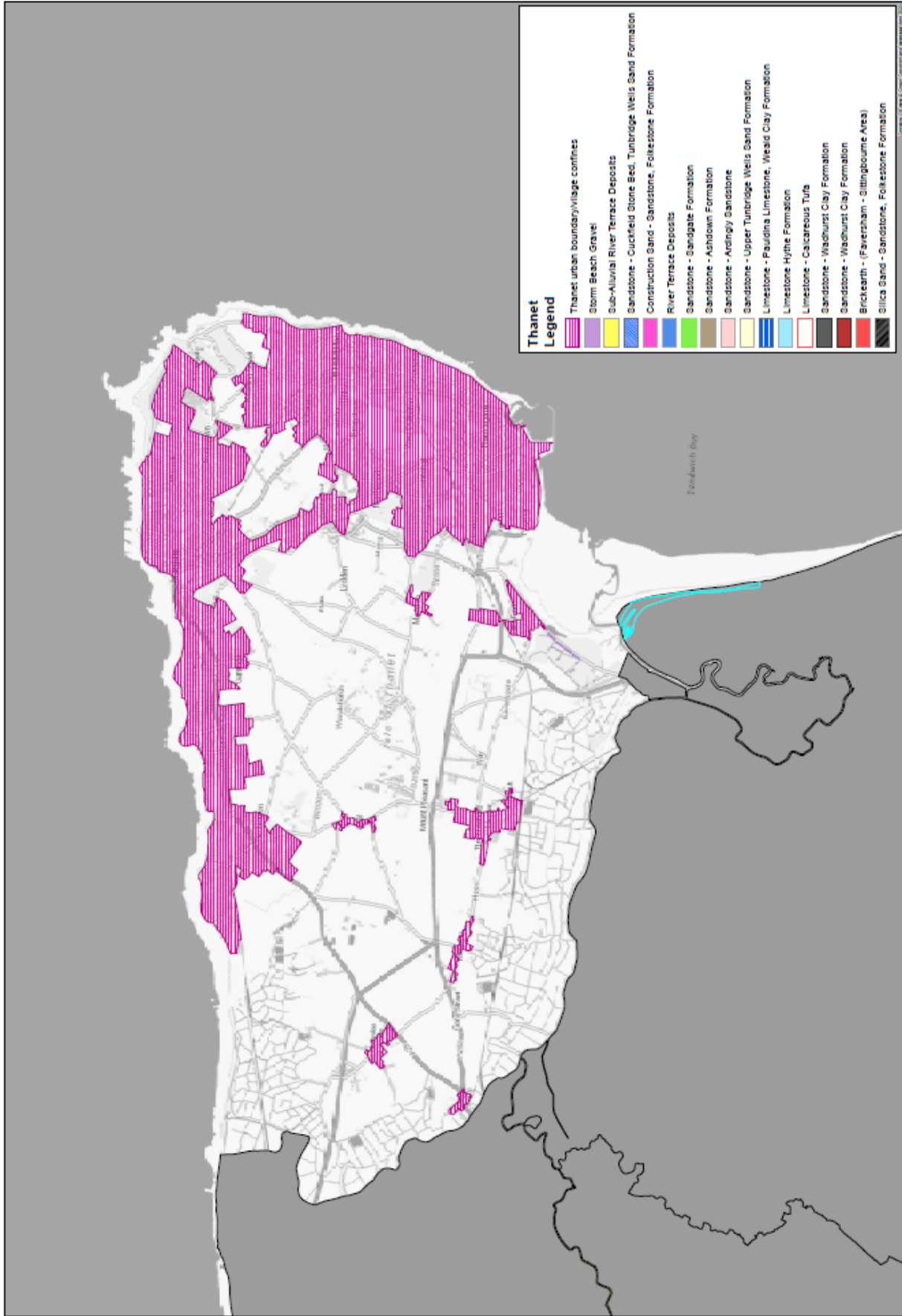
Sevenoaks Mineral Safeguarding Areas



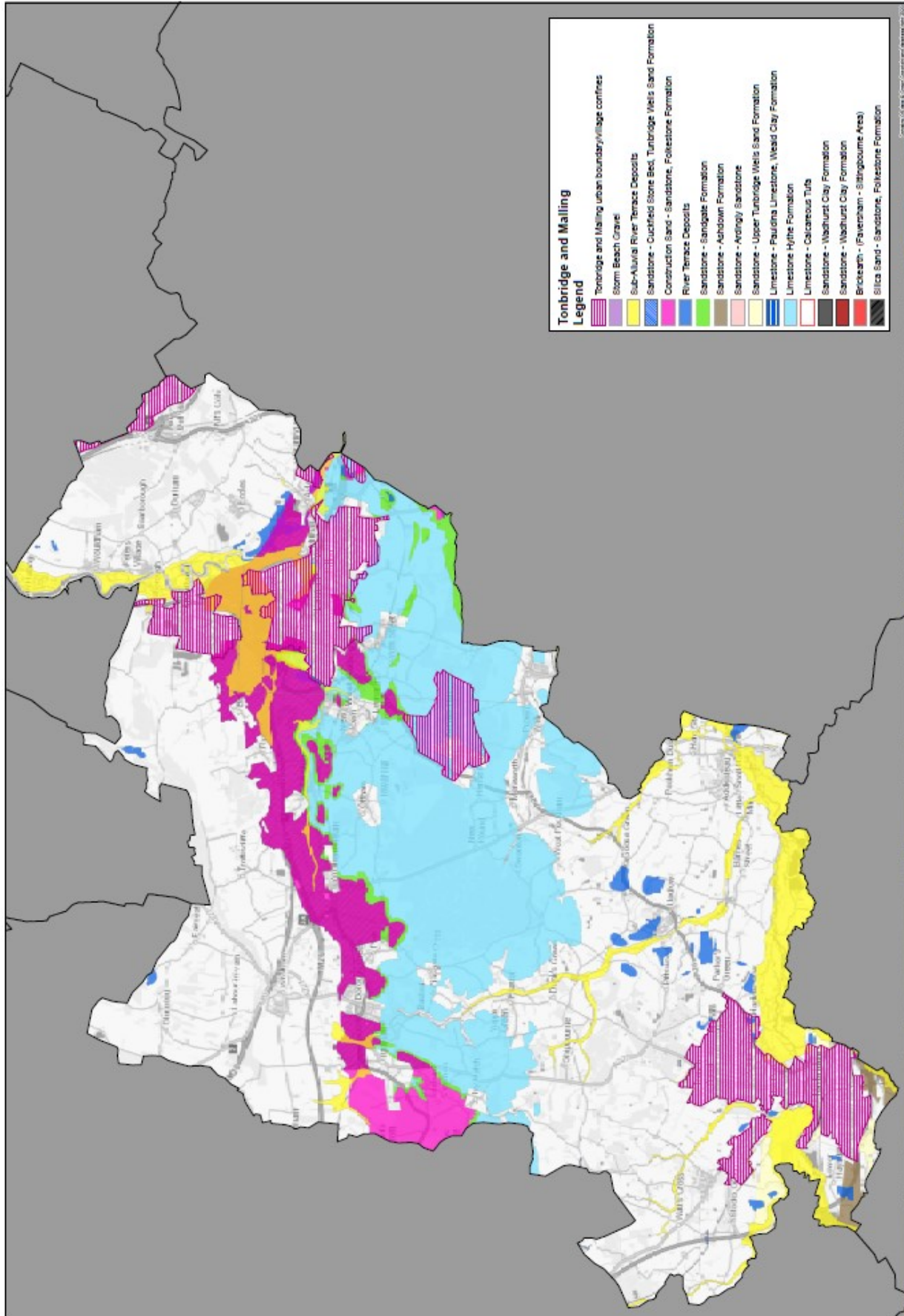
Swale Mineral Safeguarding Areas



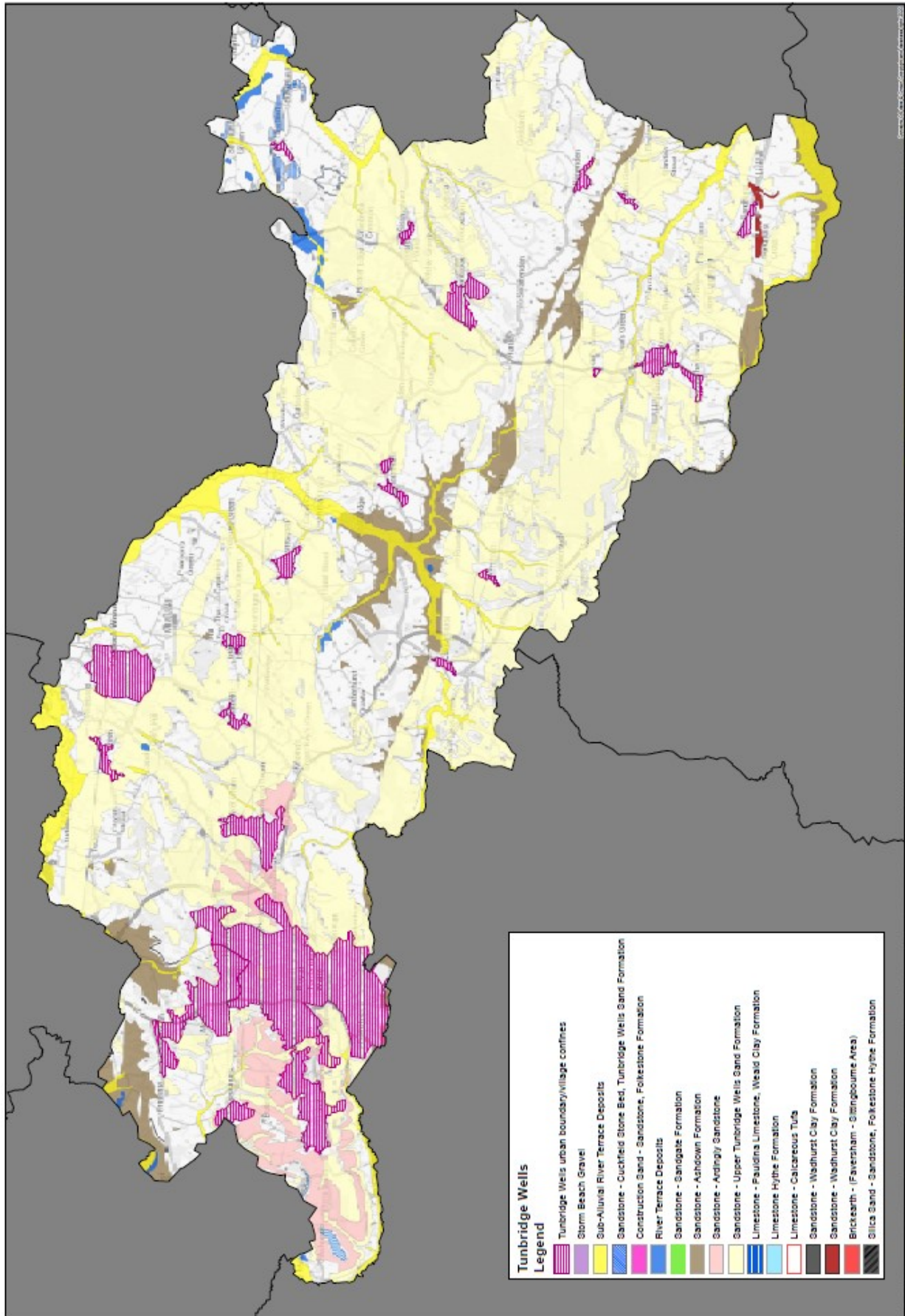
Thanet Mineral Safeguarding Areas



Tonbridge & Malling Mineral Safeguarding Areas



Tunbridge Wells Mineral Safeguarding Areas



Appendix A: Glossary

A	
Aftercare	Measures to bring land up to the required standard following restoration which enables it to be used for the intended after-use. The aftercare period normally extends for 5 years following compliance with restoration conditions but may be extended where agreed between the applicant and the minerals planning authority.
After-use	The use to which a quarry or landfill site is put following its restoration, such as forestry, agriculture, recreation or biodiversity.
Agent of change	A developer proposing new development within an area that is of such a nature that it might be impacted by existing development or impact on that development (e.g. housing proposed within an industrial area). The 'agent of change principle' sets out a position that a person or business (i.e. the 'agent of change') introducing a new land use is responsible for managing the impact of that change.
Aggregate	Inert particulate matter that is suitable for use (on its own or with the addition of cement or bituminous material) in construction as concrete, mortar, finishes, road stone, asphalt, or drainage course, or for use as constructional fill or railway ballast.
Aggregate Monitoring Survey	An annual survey undertaken by the MPAs in England to gather data on aggregate sales and reserves on behalf of the regional aggregate working parties. Each regional aggregate working party prepares an annual report which includes the results of the aggregate monitoring survey and which is submitted to the Government. The data from the aggregate monitoring survey is also used by the MPAs in their AMRs and their LAAs.
Aggregates and soils recycling	Rubble, hardcore and soil from construction and demolition projects can often be re-used on-site. Alternatively, it can be taken to purpose-built facilities for crushing, screening and re-sale. There are also temporary facilities at some quarries and landfill sites where material can be recovered for re-sale or use on-site.
Agricultural waste	This mostly covers animal slurry/by products and organic waste, but also scrap metals, plastics, batteries, oils, tyres, etc. The regulations for this waste stream have been altered meaning farmers can no longer manage all of their own waste within the farm. The agricultural waste regulations affect whether or not waste can be burnt, buried, stored, used on the farm or sent elsewhere.

Amenity	Amenity is a broad concept and is not specifically defined in Planning legislation. It is a matter of interpretation by the local planning authority and is usually understood to be the pleasant or normally satisfactory aspects of a location which contribute to its overall character and the enjoyment of residents, business users and visitors. A land-use that is not productive agriculture, forestry or industrial development. This can include formal and informal recreation and nature conservation.
Anaerobic Digestion (AD)	A natural process comprising the breakdown of organic material in the absence of air. It is carried out in an enclosed vessel and produces methane that powers an engine used to produce electricity. The useful outcomes of AD are electricity, heat, and the solid material left over called the digestate. Both the heat and the electricity can be sold if there is a market and the digestate can either be sold or used for agricultural purposes (land spread). Its use is currently small-scale and it can only be used for part of the waste stream e.g. sewage sludge, agricultural waste and some organic municipal and industrial waste.
Annual Monitoring Report (AMR)	The AMR documents progress in meeting the milestones of the adopted Minerals and Waste Development Scheme and will monitor the impact of policies when the plans are adopted. The AMR is formally known in legislation as the 'Authority Monitoring Report'.
Appraisal of hydrocarbon extraction	This phase follows exploration when the existence of oil or gas has been proven, and the operator needs further information about the extent of the deposit or its production characteristics to establish whether it can be economically exploited.
Area of Search (AoS)	Broad areas where certainty of knowledge of mineral resources may be less than in other types of site allocations. Within these areas, planning permissions could be granted to meet any shortfall in mineral supply, if suitable applications are made. AoS are no longer being used in strategic planning in Kent.
B	
Becquerel	A Becquerel is a unit of radioactivity, representing one disintegration per second.
Biodegradable waste	Any waste that is capable of undergoing natural decomposition, such as food and garden waste, paper and cardboard.
Biodiversity	The variety of all life on earth (mammals, birds, fish, invertebrates, plants, etc).
Biodiversity Action Plan (BAP)	A plan that sets objectives and actions for the conservation of biodiversity, with measurable targets.
Biodiversity Net Gain (BNG)	Biodiversity net gain is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand.

Biodiversity Opportunity Areas (BOAs)	The BOAs show where the greatest gains can be made from habitat enhancement, restoration and recreation, as these areas offer the best opportunities for establishing or contributing to large habitat areas and/or networks of wildlife habitats.
Blue Infrastructure	Urban water infrastructure such as ponds, lakes, streams, rivers and storm water provision.
Brownfield site	Site previously used for or affected by development. It may be abandoned or in a derelict condition.
Buffer zone	A zone or area that separates minerals and/or waste management facilities from other land-uses to safeguard local amenity.
Building sand or soft sand	A naturally formed deposit where the sand grains are rounded in shape. The individual grains tend towards being equidimensional and the particle size variation is low. When soft sands are mixed with cement the mixture (called mortar) can be easily smoothed by hand to facilitate brick and block laying in construction.
C	
Call for sites	The call for sites is an early opportunity for individuals and organisations to suggest sites within the administrative area of a local planning authority which could be identified for development in a local plan. The call for sites exercise does not in itself determine whether a site should be allocated for development. This is determined by the local planning authority and the sites promoted in the call for sites exercise have no status until they are identified in an adopted local plan.
Certificate of Lawful Use	This is also known as a Lawful Development Certificate. These certificates exist in two forms: <ol style="list-style-type: none"> 1. a determination by a local planning authority as to whether an unauthorised development or use has become lawful through the passage of time, and can be continued without the need for planning permission 2. a determination by a local planning authority as to whether a proposed use or building can occur or be built without the need for planning permission
Circular Economy	The circular economy is a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products for as long as possible. In this way, the lifecycle of products is extended. In practice, it implies reducing waste to a minimum. In a circular economy, when a product reaches the end of its life, its materials are kept within the economy wherever possible. These can be productively used again and again, thereby creating further value.

Combined Heat and Power	A technology producing power (electricity) while capturing the usable heat produced in the process.
Commercial waste	Waste from premises used mainly for trade, business, sport, recreation or entertainment, as defined under Section 5.75(7) of the <i>Environmental Protection Act 1990</i> . For example, it is likely to include timber, metal, paints, textiles, chemicals, oils and food waste, as well as paper, card, plastic and glass.
Composting	The breakdown of plant matter by the action of micro-organisms and other organisms into usable end-products. It is an important method of processing organic waste because it reduces the amount of potentially polluting waste going to landfill or incineration.
Conformity	In conformity means being in compliance.
Construction, demolition and excavation waste)	Unwanted material arising from construction and demolition projects. It includes vegetation and soils from land clearance and excavation, discarded materials and off-cuts from building sites, road schemes and landscaping projects. It is mostly made up of inert materials such as stone, concrete, rubble and soils but may include timber, metal and glass.
Critical load or Level	Critical load or level as the threshold below which emissions from a facility or changes in road emissions can be considered to be sufficiently small as to be essentially trivial whether alone or in combination with other projects and plans.
D	
Degradable or putrescible waste	This is also called non-hazardous waste. This is a waste that will biodegrade or decompose, releasing environmental pollutants. For example this includes wood and wood products, paper, plasterboard, cardboard, vegetable matter, food processing wastes and vegetation.
Development Plan	The Kent MWLP forms part of the statutory Development Plan for Kent together with the adopted local plans prepared by the Kent district planning authorities. The development plan has statutory status as the starting point for decision making. Section 38(6) of the <i>Planning and Compulsory Purchase Act 2004</i> and Section 70(2) of the <i>TCPA 1990</i> require that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
E	
Energy from Waste (EfW)	The use of waste to generate energy (power and/or heat) or produce a gas that can be used as a fuel including the processing of waste to produce a fuel suitable for use in such plants.
Environmental Impact Assessment (EIA)	The process by which the impact on the environment of a proposed development can be assessed. Certain types and scale of waste proposals will require an Environmental Statement (ES) to be prepared. <i>The Town and Country Planning (Environmental Impact Assessment) Regulations 2011</i> (as amended) and the <i>Planning Practice Guidance</i> on

	Environmental Impact Assessment set out the circumstances when planning applications will be required to be accompanied by an EIA. The information contained in the EIA will be taken into account when local planning authorities determine such proposals.
Examination in Public	The process in which all local plans are subject to an independent examination by a planning inspector before they can be adopted.
Exempt sites	Sites of small-scale waste management activities that do not require a licence or permit from the Environment Agency. They still require planning permission before they can operate and are subject to general rules (e.g. types and quantities of waste).
Exploratory phase of hydrocarbon extraction	The exploratory phase seeks to acquire geological data to establish whether hydrocarbons are present. It may involve seismic surveys, exploratory drilling and in the case of shale gas, (possibly) hydraulic fracturing.
F	
Flood Risk Zone 3b	Land that has a 3.3% or greater annual probability of flooding.
G	
Gasification	A technology that converts carbon containing material into gas (mostly methane). The gas can either be used as a substitute for natural gas or used to power electricity generation.
Geodiversity	The variety of rocks, minerals, fossils, soils and landforms, together with the natural processes that shape the landscape.
Geological Disposal Facility (GDF)	This is a secure facility which the Government is working towards finding a location for and which will be used for either the long-term storage or disposal of higher-activity radioactive wastes. Site selection is a process to determine sites where the geological conditions are suitable to contain the wastes and to find a site where the local community are in agreement with the development of a GDF.
Geomorphological	The scientific study of landforms and the processes that shape them.
Gigabecquerel	A becquerel is a unit of radioactivity, representing one disintegration per second. A gigabecquerel is 1,000 becquerels.
Green Infrastructure	Green infrastructure assets include open spaces such as parks and gardens, allotments, woodlands, fields, hedges, lakes, ponds, playing fields, coastal habitats, as well as footpaths, cycleways or rivers.
Greenhouse gas	Gases such as carbon dioxide and methane which when their atmospheric concentrations exceed certain levels can contribute to climate change by forming a barrier in the earth's atmosphere that traps the sun's heat.
Gross Value Added (GVA)	A measure of output i.e. the value of the goods and services produced in the economy. It is primarily used to monitor the performance of the national economy and is now the measure preferred by the Office for National Statistics to measure the overall economic wellbeing of an area. While the Gross Domestic Product and the GVA are both measures of

	value, the GVA excludes taxes and subsidies.
Groundwater	Water contained within underground strata (aquifers) of various types across the country. Groundwater is usually of high quality and often requires little treatment prior to use. It is however vulnerable to contamination from pollutants. Aquifer remediation is difficult, prolonged and expensive and therefore the prevention of pollution is important.
H	
Habitats Site	Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.
Hazardous waste	Controlled waste that is dangerous or difficult to treat, keep, store or dispose of, so that special provision is required for dealing with it. Hazardous wastes are the more dangerous wastes and include toxic wastes, acids, alkaline solutions, asbestos, fluorescent tubes, batteries, oil, fly ash (flue ash), industrial solvents, oily sludges, pesticides, pharmaceutical compounds, photographic chemicals, waste oils, wood preservatives. If improperly handled, treated or disposed of, a waste that, by virtue of its composition, carries the risk of death, injury or impairment of health, to humans or animals, the pollution of waters, or could have an unacceptable environmental impact. It should be used only to describe wastes that contain sufficient of these materials to render the waste as a whole hazardous within the definition given above.
Heritage assets	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets includes designated heritage assets and assets identified by the local planning authority (including local listing).
Heritage Coast	Areas of undeveloped coastline that are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.
High Level Wastes (HLW)	One of four broad categories of radioactive waste, HLW are wastes in which the temperature may rise significantly as a result of their radioactivity, so that this factor has to be considered in designing storage and disposal facilities.
Household waste	This falls within the category of Municipal Solid Waste (MSW). This is a waste from a domestic property, caravan, residential home or from premises forming part of a university or school or other educational establishment and premises forming part of a hospital or nursing home. Household waste collected by a local authority is known as 'Local Authority Collected Waste'.
I	
Impact pathways	In carrying out a Habitats Regulations Assessment it is important to determine the various ways in which land-use

	plans can impact on Habitat Sites by following the pathways along which development can be connected with Habitat Sites. Impact pathways are routes by which a change in activity associated with a development can lead to an effect upon a Habitat Site.
Imported minerals	Minerals imported through wharves and rail depots. In Kent this includes Marine Dredged Aggregates, crushed rock, sand and gravel, secondary aggregates and cement.
Industrial waste	Waste from any of the following premises: factory, provision of transport services (land, water and air), provision of connection of the supply of gas, water, electricity, provision of sewerage services, provision of postal or telecommunication services.
Inert waste	Waste that will not biodegrade or decompose (or will only do so at a very slow rate). Types of materials include uncontaminated topsoil, subsoil, clay, sand, brickwork, stone, silica and glass.
Intermediate Level Wastes (ILW)	One of four broad categories of radioactive waste, ILW are wastes with radioactivity levels exceeding the upper boundaries of LLW that are retrieved and processed to make them passively safe and then stored pending the availability of the GDF.
L	
Landbank	A stock of mineral reserves with planning permission for their winning and working.
Landfill	The deposition of waste onto hollow or void space in the land, usually below the level of the surrounding land or original ground level in such a way that pollution or harm to the environment is prevented. Former mineral workings have historically been used for this purpose.
Landfill gas	A by-product from the digestion by anaerobic bacteria (rotting) of biodegradable matter present in waste deposited on landfilled sites. The gas is predominantly methane together with carbon dioxide and trace concentrations of a range of other vapours and gases.
Land-won minerals	Mineral extracted from a quarry situated on the mainland, as opposed to off-shore mineral supplies such as MDAs.
Life Cycle Assessment (LCA)	A methodology for assessing environmental impacts associated with all the stages of the life cycle of a commercial product, process, or service.
Local Aggregate Assessment (LAA)	A public report prepared annually by MPAs to gather together up-to-date information on aggregate sales and reserves from land-won sources together with data on secondary and recycled aggregates and mineral imports.
Local Development Scheme	The timetable for the preparation of the local plans.
Local Geological Sites	Any geological or geomorphological sites, excluding SSSIs, that are considered worthy of protection for their educational, research, historical or aesthetic importance. They are broadly analogous to non-statutory wildlife sites and are often referred to locally by the same name. They can include important geological sites, wildlife trust reserves, LNRs and a wide range of other sites. They are not regarded as

	inferior to SSSIs but as sites of regional importance in their own right.
Local Nature Recovery Strategy	The Local Nature Recovery Strategy (LNRS) are a requirement of the Environment Act and are expected to supersede Biodiversity Opportunity Areas (BOAs). They will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. At the time of writing (August 2022), the secondary legislation and statutory guidance relating to LNRS that will provide the detail and instruct the commencement of their development is awaited.
Local Plan	A Local Plan is a Development Plan Document that includes planning policies for a local area. A Local Plan forms part of the Development Plan for an Area.
Low-carbon Economy (LCE) or low-fossil-fuel economy	An economy that has a minimal output of greenhouse gas emissions into the biosphere, but specifically refers to the greenhouse gas carbon dioxide.
Low Level Radioactive Waste (LLW)	One of four broad categories of radioactive waste that reflect the degree of radioactivity and hazard. LLW does not normally require shielding during handling or transport. It consists largely of paper, plastics and scrap metal items that have been used in hospitals, research establishments and the nuclear industry.
M	
Marine Conservation Zone (MCZ)	Marine Conservation Zones are areas that protect a range of nationally important, rare or threatened habitats and species.
Marine Dredged Aggregates (MDA)	Aggregates excavated from the seabed, as opposed to aggregate minerals extracted from the earth on the mainland.
Materials Recovery Facility	A facility where waste can be taken in bulk for separation, recycling or recovery of waste materials. This is usually Municipal Solid Waste, but some sites take Commercial & Industrial waste. Some may also take Construction and Demolition waste to be crushed and screened.
Methane	A colourless, odourless, flammable gas, formed during the decomposition of biodegradable waste.
Mineral Consultation Area (MCA)	An area identified in order to ensure consultation between the relevant local planning authority and the MPA before certain non-mineral planning applications made within the area are determined.
Mineral resources	Natural concentrations of minerals or bodies of rock that are, or may become, of potential economic interest due to their inherent properties.
Mineral Safeguarded Area (MSA)	Known areas of mineral resources that are of sufficient economic value to warrant protection for generations to come. There is no presumption that any areas within an MSA will ultimately be environmentally acceptable for mineral extraction. The purpose of MSAs is not to automatically preclude other forms of development, but to make sure that mineral reserves are considered in land-use planning decisions.

Municipal Solid Waste (MSW)	Waste collected and disposed of by or on behalf of a local authority. It will generally consist of household waste, some commercial waste, and waste taken to Household Waste Recycling Centres (HWRCs) by the general public. In addition, it may include road and pavement sweepings, gully emptying wastes, and some construction and demolition waste arising from local authority activities. It is typically made up of card, paper, plastic, glass, kitchen and garden waste. In this Plan the term Municipal Solid Waste has largely been replaced by the term Local Authority Collected Waste.
N	
Natura 2000 Sites	All EU member states are required to create a network of protected wildlife areas, known as Natura 2000 Sites, consisting of SACs and SPAs, established to protect wild birds under the European Birds Directive. These sites are part of a range of measures aimed at conserving important or threatened habitats and species. In the UK SACs and Special Protection Areas (SPAs) no longer form part of the EU's Natura 2000 ecological network.
Natural Improvement Areas (NIAs)	Areas designated for creating more and better-connected habitats, recreational opportunities, flood protection, cleaner water and carbon storage as well as uniting local stakeholders.
Net planning benefit	The genuine improvement of a site or area, for example, because adverse effects are limited in scope and scale, and the development includes measures to improve the physical state or management of landscapes or habitats, or new landscape features or habitats, which are better than they are at present.
Non-hazardous Waste (Non-inert Waste)	This is also called non-inert waste. This is a waste that will biodegrade or decompose, releasing environmental pollutants. Examples include wood and wood products, paper and cardboard, vegetation and vegetable matter, leather, rubber and food processing wastes.
O	
Operation Stack	The process used to park lorries on a part of the M20 when cross channel services from the Port of Dover or through the Channel Tunnel are disrupted.
Other Recovery	Recovery of value (materials or energy) from waste by means other than reuse, recycling and composting, and often by Energy from Waste. 'Other recovery' sits above disposal but below recycling and composting in the waste hierarchy.
P	

Permitted reserves	Saleable minerals in the ground with planning permission for winning and working. Usually expressed in million tonnes.
Planning conditions	Conditions attached to a planning permission for the purpose of regulating and controlling the development.
Primary aggregates	Naturally occurring sand, gravel and crushed rock used for construction purposes, which have either been extracted from the sea bed or the earth's crust.
Production phase of Hydrocarbon Extraction	This normally involves the drilling of a number of wells. This may be wells used at the sites at the exploratory and/or appraisal phases of hydrocarbon development, or from a new site. Associated equipment such as pipelines, processing facilities and temporary storage tanks are also likely to be required.
Prospecting	Prospecting is the first stage of the geological analysis of a territory or area. It includes the physical search for minerals, fossils, precious metals or mineral specimens. Prospecting can be a small-scale form of mineral exploration that can extend to an organised, large scale effort undertaken by commercial mineral companies to find economically viable materials such as ores, gas, oil, coal and aggregates.
Protected Groundwater Source Areas	Any land at a depth of less than 1,200 metres beneath a relevant surface area. I.e. and land at the surface that is within 50 metres of a point at the surface at which water is abstracted from underground strata and is used to supply water for domestic or food production purposes, or within or above a zone defined by a 50-day travel time for groundwater to reach a groundwater abstraction point that is used to supply water for domestic or food production purposes.
Public Right of Way (PROW)	The generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways open to all traffic.
Putrescible waste	Waste readily able to be decomposed by bacterial action. Landfill gas and leachate can occur as by-products of decomposition.
Pyrolysis and Gasification	Both systems involve heating the waste in varying amounts of oxygen to produce a gas. The gas could either be used as a substitute for natural gas or used to power electricity generation.
R	
Ramsar sites	Sites of international importance to birds that inhabit wetlands. Ramsar is the name of the place where the Wetlands Convention was signed.
Reclamation of mineral	The combined processes of restoration and aftercare following completion of mineral working.

workings	
Recovery	The collection, reclamation and separation of materials from the waste stream.
Recovery facilities	A facility that recovers value, such as resources and energy, from waste prior to disposal, includes recycling, thermal treatment, biological treatment and composting facilities.
Recycled aggregates	Aggregates produced from recycled CD waste such as crushed concrete and planings from road surfacing.
Recycling	The collection and separation of materials from waste and subsequent processing to produce new marketable products.
Reduction	The use of technology requiring less waste generation from production, or the production of longer lasting products with lower pollution potential, or the removal of material from the waste stream, e.g. paper being taken straight from a waste producer to a paper re-processing facility, avoiding it being handled at anywaste management operation.
Reserve	The remaining concentration or occurrence of workable material of intrinsic economic interest. Generally used for those economic mineral deposits that have the benefit of planning permission.
Resource	A concentration or occurrence of material of intrinsic economic interest in or on the Earth's crust in such a form, quality and quantity that they are reasonable prospects for eventual economic extraction.
Residual waste	The elements of the waste streams that remain following recovery, recycling or composting operations.
Resource recovery	The extraction of useful materials or energy from solid waste.
Restoration	Operations designed to return an area to an acceptable environmental state, whether for the resumption of the former land-use or for a new use following mineral working. Involves the reinstatement of land by contouring, the spreading of soils or soil making materials, etc.
Reuse	Reuse of waste is encouraged by the Government's national waste policy requirements. Typically it involves re-using materials so that they can be used again without further processing.
S	
Safeguarding	The process of protecting sites and areas that have potential for relevant development (minerals and waste) from other forms of development.
Saved policies	Retaining a local plan (or policies from it) until replacement by a new local plan. Normally lasts for three years only, but extended saving can occur if policies need to stay in place for a longer period.

Scheduled Ancient Monument	Nationally important monuments and archaeological areas that are protected under the Ancient Monuments and Archaeological Areas Act 1979.
Secondary aggregates	Construction materials that are produced as by-products of other processes and used instead of primary aggregates. Secondary aggregates include boiler ashes, colliery shale, burned clay, pulverised fuel ash, chalk and shale.
Self-sufficiency	A key aim of sustainable waste management is self-sufficiency in waste disposal, i.e. the waste generated within the region can be disposed or managed within the same region.
Sensitive receptors	Habitable residential accommodation including, but not limited to, hospitals, schools, childcare facilities, elderly housing, churches and convalescent facilities.
Shale gas	Mostly methane (CH ₄) and is found in the pore spaces of shale, a fine grained sedimentary rock, that contains hydrocarbon materials. Methane, often referred to as natural gas has an occurrence that is geologically variable in that it can be found in a reservoir as well as held within the source rock such as shale. It is combustible and is used to generate electricity and for domestic heating and cooking. Shale gas is often referred to as an unconventional hydrocarbon as it is extracted using technologies developed since the 1940s that has enabled gas to be recovered from shale (a fine grained sedimentary rock mainly of marine origin) that were previously considered to be unsuitable or uneconomic for the extraction of natural gas. One process, hydraulic fracturing (often called fracking) is a technique where water (and additives) is pumped under pressure into productive shale rocks via a drilled bore to open up pore spaces and allow the shale gas to be pumped to the surface for collection ¹³² .
Sharp sand and gravel	A naturally occurring mineral deposit found in Kent and elsewhere. When extracted it is mainly used in the production of concrete products.
Silica sand or industrial sand	A naturally occurring mineral deposit that is extracted and used in industrial processes including glass manufacture and the production of foundry castings. It is also used in horticulture and for sports surfaces including horse menages and golf course bunker sand. It is also known as industrial sand. It is a mineral of national importance.
Sites of Special Scientific	These sites are notified under Section 28 of the <i>Wildlife and Countryside Act 1981</i> by English Nature (now Natural England) whose responsibility is to protect these areas. These are important areas for nature conservation i.e.

¹³² Information on unconventional hydrocarbon extraction is on the following DECC website at: <https://www.gov.uk/government/publications/about-shale-gas-and-hydraulic-fracturing-fracking>

Interest (SSSIs)	valuable flora, fauna or geological strata. Natural England needs to be notified of planning proposals in or adjacent to the designated areas. National Nature Reserves, terrestrial Ramsar sites, SPAs and SACs are also SSSIs under national legislation.
Soft sand	See Building sand.
Source Protection Zone (SPZ)	Indicate those areas where groundwater supplies are at risk from potentially polluting activities and accidental releases of pollutants. SPZs are primarily a policy tool used to control activities close to water supplies intended for human consumption. SPZs are not statutory and are mainly for guidance but they do relate to distances and zones defined in legislation where certain activities are restricted.
Statement of Community Involvement	A document setting out how a local authority is to ensure that suitable sufficient consultation occurs for different elements of the planning process. This is a requirement as amended under the <i>Planning and Compulsory Purchase Act 2004</i> .
Sterilisation	When a change of use or the development of land on or near a minerals or waste facility prevents possible mineral extraction or continued use of a wharf, rail depot or other facility in the foreseeable future.
Strategic Environmental Assessment	An evaluation process for assessing the environmental impacts of plans and programmes. This is a statutory requirement of the Kent MWLP system.
Submission	A stage of the plan preparation process where the document is submitted to the Secretary of State for independent examination by a planning inspector. The document is published for public consultation prior to submission.
Surrounding environment	Aspects of the surrounding environment include such features as water resources including surface water, groundwater and rivers and their settings, heritage interests including listed buildings, conservation areas and their settings, and World Heritage Sites, nature reserves, local sites designated for biodiversity and geodiversity, species and habitats of importance for conservation and biodiversity, nationally designated areas including SSSIs and AONBs and their setting, internationally designated sites including SPAs, SACs, Ramsar sites, Heritage Coast and NIAs. The surrounding environment also includes those areas that are non designated but contribute to the whole environment.
Sustainability Appraisal (SA)	An evaluation process for assessing the environmental, social, economic and other sustainability effects of plans and programmes from the outset of the preparation process. This is a statutory requirement.
Sustainable development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The definition also encompasses the efficient

	use of natural resources.
T	
Transfer stations	Facilities that receive waste (normally from a local area), where the waste is bulked up and transported further afield in larger lorries for disposal or recovery. Some transfer stations sort out the recoverable wastes, such as CD waste and scrap metal prior to onward transportation for disposal or processing.
V	
Very Low Level Radioactive Waste(VLLW)	One of four broad categories of radioactive waste that reflect the degree of radioactivity and hazard. The radioactive concentration of VLLW is similar to the natural activity of soils and is well within the normal range of natural radioactivity in the Earth's crust.
Void space	A hole created by mineral working or nature that may have potential for landfilling with waste.
W	
Waste	The TCPA 1990 has been amended so there is no dispute over whether waste, in terms of the planning regime, is defined in accordance with European law. It states that: Waste includes anything that is waste for the purposes of Directive 2006/12/EC of the European Parliament and of the Council on waste, and that is not excluded from the scope of that Directive by Article 2(1) of that Directive. Waste is therefore defined as any substance or object that the holder or the possessor either discards or intends or is required to discard ¹³³ .
Waste arisings	The amount of waste generated in a given locality over a given period of time.
Waste Collection Authority (WCA)	A local authority with a statutory responsibility to provide a waste collection service to each household in its area, and on request, to local businesses.
Waste Disposal Authority	A local authority that is legally responsible for the safe disposal of household waste collected by the WCAs. Long-term contracts are let to private sector companies who provide the facilities to handle this waste. These contracts are awarded on the basis of detailed cost and environmental criteria as well as specific targets for recycling and reducing

¹³³ This definition is inserted into s.336(1) of the TCPA 1990, as part of the consequential amendments made by the Environmental Permitting (England and Wales) Regulations 2007 SI 2007/3528 (theEPR 2007), as from 6 April 2008. See Schedule 21, para 19 of the EPR 2007 (and its commencement- see reg.1)

	landfill.
Waste electrical and electronic equipment	Discarded electrical or electronic equipment, including all components, sub-assemblies and consumables that are part of the product at the time of discarding.
Waste hierarchy	A concept devised by EUWFD (2008/98/EC) conveying waste management options in order of preference; waste prevention (most preferred) followed by reduction, recycling, recovery and disposal (least preferred). Figure 18 shows the Waste Hierarchy in Chapter 6.
Waste Hierarchy Statement	A statement to be submitted with a planning application for other recovery and waste disposal activity that demonstrates how only unavoidable residual waste will be managed at such facilities.
Waste management permit	A permit granted by the Environment Agency (EA) authorising treatment, keeping or disposal of any specified description of controlled waste in or on specified land by means of specified plant.
Waste Management Unit (WMU)	A KCC department that manages all aspects of LACW (household waste) arisings in Kent.
Waste minimisation	The reduction of unwanted outputs from the manufacturing and construction processes that are likely to result in less waste being produced.
Waste Planning Authority (WPA)	A local authority with responsibility for waste planning, including the determination of waste related planning applications. In areas with two tiers of local government (counties and districts), the county councils are the WPAs. National Parks are also WPAs. Unitary authorities, such as Medway Council, deal with waste planning and all other planning issues within their areas.
Waste reduction	To make waste production and waste management practices more sustainable. Key national objectives are to reduce the amount of waste that is produced, make the best use of waste produced and choose practices which minimise the risks of pollution and harm to human health. Waste reduction is concerned with reducing the quantity of solid waste that is produced and reducing the degree of hazard represented by such waste.
Wastewater	Water emanating from the internal drainage of dwellings and business that is discharged to the sewers in addition to surface water run off. This raw wastewater is collected in sewers and transferred to wastewater treatment works where it is treated in such a way that it produces largely reusable sewage sludge and effluent that is discharged to watercourses.

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Kent County Council

Habitats Regulations Assessment (HRA) KENT MINERALS AND WASTE LOCAL PLAN UPDATE 2024- 2039

FINAL VERSION



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1. SUMMARY

1.1 Summary findings

1. Kent County Council is undertaking an update of the Kent Minerals and Waste Local Plan (KMWLP) 2013-30 which was adopted by the Council in July 2016 and partially updated in 2020. The update is required to enable the plan to address the minerals and waste requirements of Kent for the period 2024 to 2039. A Minerals Sites Plan which allocates three areas of land suitable for development associated with the extraction of sand and gravel was also adopted in 2020. This Minerals Sites Plan is also to be updated to address the need to identify additional land to meet the anticipated requirements for hard rock over the plan period. The update of the Minerals Site Plan is being undertaken separately and is not therefore included within this Habitats Regulations Assessment.
2. A Habitats Regulations Assessment (HRA) of the proposed revisions to the currently adopted policies has been undertaken and the outcomes of that assessment are set out in this document. Regulation 105 of the Conservation of Habitats and Species Regulations, 2017, (as amended - the Habitats Regulations) requires that such an assessment be made where a land use plan—
 - (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 - (b) is not directly connected with or necessary to the management of the site.
3. In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be). In making this assessment, the plan-making authority must consult Natural England and provide Natural England with sufficient information to provide its advice.

1.2 Screening Assessment Summary

4. A first stage screening assessment of all the proposed policy updates to the adopted KMWLP was undertaken to assess whether any of these policy changes were likely to have any significant effects on any Habitats Sites (Special Areas of Conservation SAC, Special Protection Areas SPA and Ramsar sites) and their qualifying features. The screening assessment is detailed in Section 3 of this report.
5. This assessment screened out any likely significant effects from any proposed updates to policies with the exception of Policy CSW17. This revised policy is proposed to extend the range of permitted operations at the Dungeness nuclear sites to be consistent with relevant national policy and guidance. It could not be excluded, based on available evidence, that the proposed changes to this policy would not result in likely significant effects to Habitats Sites and their qualifying interest features.

1.3 Appropriate Assessment Summary

6. A full detailed appropriate assessment was undertaken of the proposed revised wording of Policy CSW17 to test whether extending the range of permitted operations at the Dungeness nuclear sites could adversely affect the integrity of the Habitats Sites on the Dungeness peninsula, namely:

- The Dungeness Special Area of Conservation (SAC)
- The Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA)
- Dungeness, Rye Bay and Romney Marsh Ramsar Site.

7. The appropriate assessment is detailed in Section 5 of this report and Section 4 outlines the approach that was taken to the assessment. The following potential impact pathways were identified that may result from the additional operations that would be permitted under the proposed revisions to Policy CSW17:
- Habitat Loss and Degradation and impacts on qualifying species
 - Water and Soil Pollution and Changes in Hydrology
 - Noise and Vibration Disturbance
 - Visual Disturbance
8. Each Habitats Site and each of their qualifying features were assessed against these impact pathways for the likelihood of adverse effects on the integrity of these sites and features based on the published conservation objectives and based on the best available data. Table 1 summarises the outcome of the appropriate assessment.

Table 1 Summary of the findings of the appropriate assessment

	Dungeness SAC	Dungeness, Romney Marsh and Rye Bay SPA	Dungeness, Romney Marsh and Rye Bay Ramsar
Habitat Loss and Degradation and impacts on qualifying species	No adverse effects on integrity predicted	No adverse effects on integrity predicted	No adverse effects on integrity predicted
Air Pollution	No adverse effects on integrity predicted	No adverse effects on integrity predicted	No adverse effects on integrity predicted
Water and Soil Pollution and Changes in Hydrology	No adverse effects on integrity predicted	No adverse effects on integrity predicted	No adverse effects on integrity predicted
Disturbance Effects (noise and visual intrusion)	No adverse effects on integrity predicted	No adverse effects on integrity predicted.	No adverse effects on integrity predicted.

9. The data records for birds show a low likelihood that SPA qualifying bird species are breeding or wintering within land adjacent to the Dungeness nuclear sites and outside the boundaries of the SPA. Most of these bird species require freshwater or brackish water wetland habitats. The nearest wetland habitats are over 800 metres from the Dungeness nuclear sites at the RSPB nature reserve at Denge and the Long Pits.
10. Therefore, on the basis of these findings it is concluded that the additional operations permitted under the proposed revisions to Policy CSW17, either alone or in combination with other ongoing de-commissioning operations, coast protection operations and other development are unlikely to have an adverse effect on the integrity of the Dungeness,

Romney Marsh and Rye Bay SPA and the populations of its qualifying bird species as a result of noise or visual disturbances.

11. However, birds are mobile species and habitats can change over time. Therefore, the current distribution of qualifying bird species cannot continue to be relied upon throughout the whole plan period. It is therefore advised that to enable KCC (and Folkestone and Hythe DC) to carry out their legal duties as competent authorities under the Habitats Regulations, applicants should provide up to date data on the numbers and distribution of SPA qualifying bird species (as well as other bird species) to accompany planning applications.

2. Background

2.1 Background to the Update of the Kent Minerals and Waste Local Plan 2013-30

12. The current Kent Minerals and Waste Local Plan 2013-30 was adopted by the Council in July 2016 and partially updated in 2020. The current update is required to enable the plan to address the minerals and waste requirements of Kent for the period 2024 to 2039. A Minerals Sites Plan which allocates three areas of land suitable for development associated with the extraction of sand and gravel was also adopted in 2020. This Minerals Sites Plan is also to be updated to address the need to identify additional land to meet the anticipated requirements for hard rock over the plan period. The update of the Minerals Site Plan is being undertaken separately and is not therefore included within this Habitats Regulations Assessment.
13. The National Planning Policy Framework (NPPF) and legislation states policies in Local Plans should be reviewed at least once every five years to assess whether they need updating and should then be updated as necessary. A review of the Vision, Strategic Objectives and policies in the current Plan was completed in 2021. The review concluded that while much of the Local Plan is still relevant, some updates are needed in response to relevant Government policy and legislation published since 2016 including the following:
 - Updates to the NPPF in 2018, 2019 and 2021 and associated Planning Practice Guidance;
 - legislation and policy concerning the need to adapt to, and mitigate, climate change and associated low carbon growth;
 - new policy relating to the management of low-level radioactive waste; and,
 - policy and legislation concerned with achieving a circular economy where more waste is prevented or reused.
14. Updates are also proposed to ensure the Kent Minerals and Waste Local Plan takes account of the current local context which includes the following:
 - A need for the development of additional household waste management capacity;
 - the Kent Environment Strategy and Kent and Medway Energy and Low Emissions Strategy.
15. A number of further minor changes are proposed which are intended to improve the clarity of the policies. None of the proposed changes seek a fundamental shift in the way minerals will be supplied and waste will be managed in future.
16. Consultation on the draft proposed changes to the Plan took place between December 2021 and February 2022. Amongst other things this identified the need to change the plan timescale to ensure it covered a period of 15 years. This change to the Plan period revealed a need to identify additional land for working hard rock by making updates to the Kent Minerals Sites Plan.

2.2 Background to the Habitats Regulations Assessment

17. Regulation 105 of the Conservation of Habitats and Species Regulations, 2017, (as amended - the Habitats Regulations) requires that:

Assessment of implications for European sites and European offshore marine sites

105.— (1) Where a land use plan—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.

(2) The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.

(3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.

(4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

(5) A plan-making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge by the appropriate authority of its obligations under this Chapter.

(6) This regulation does not apply in relation to a site which is—

(a) a European site by reason of regulation 8(1)(c), or

(b) a European offshore marine site by reason of regulation 18(c) of the Offshore Marine Conservation Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).

18. For the purposes of the Habitats Regulations, a European Site or a European Marine Site includes the following:
- Special Areas of Conservation (SAC's) designated under the EU Habitats Directive - a site hosting a priority natural habitat type or priority species protected in accordance with Article 5(4) of the Habitats Directive (a site in respect of which consultation has been initiated under Article 5(1) of that Directive;
 - Special Protection Areas (SPA's) designated under the EU Wild Birds Directive – supporting internationally important populations and concentrations of breeding, migratory or wintering birds;
 - Potential SAC's and SPA's – those proposed but not fully designated;
 - Ramsar Sites - wetlands of international importance that have been designated under the criteria of the Ramsar Convention on Wetlands for containing representative, rare or unique wetland types or for their importance in conserving biological diversity.
19. Following Brexit, the United Kingdom Government decided to retain the Habitats Regulations which gave effect to the EU Nature Directives and approved the

Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019¹. The main purpose of the 2019 Regulations, was to amend the Habitats Regulations 2017 that transpose the EU Habitats and Wild Birds Directives, to make them operable within the UK from 1 January 2021 following Brexit. One consequence of these changes is that sites that SAC's and SPA's that were formerly called 'European sites' or 'Natura 2000' sites are now part of the National Site Network and are frequently referred to as 'Habitats Sites' which is the abbreviation that will be used in this report.

20. It is important to note that Regulation 63 requires a similar assessment process for plans and projects, e.g. individual planning applications. A satisfactory assessment under Regulation 105 does not therefore infer or confer a satisfactory assessment for individual planning applications coming forward in compliance with that Local Plan.

2.3 Principles and Approach to this HRA

21. This HRA has been undertaken in accordance with the relevant law, policy and guidance including:
- The Habitats and Wild Birds Directives in England and its seas. Core guidance for developers, regulators & land/marine managers. December 2012 (draft for public consultation). Defra.
 - Guidance - Habitats regulations assessments: protecting a European site. How a competent authority must decide if a plan or project proposal that affects a European site can go ahead.²
 - National Planning Practice Guidance:³ and especially Paragraph: 001 Reference ID: 65-001-20190722. Revision date: 22 07 2019 When may appropriate assessments be required in the planning process?
 - National Planning Policy Framework (NPPF), 2021⁴ and especially paragraph 174 which states that:
*174. Planning policies and decisions should contribute to and enhance the natural and local environment by:
a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).*
22. The HRA has also been informed by the data, information and advice relating to the qualifying interest features, the conservation objectives and the condition of Habitats Sites and advice and guidance on the measures required for the improvement and management of these sites and their special interest features, produced by Natural England and the Joint Nature Conservancy Council (JNCC).

2.4 Purpose

23. The requirement under Regulation 105 for a competent authority (in this case Kent County Council as local planning authority) to undertake an Appropriate Assessment of plans and projects, only applies where the plan or project is likely to have a significant effect on a Habitats Site either alone or in combination with other plans and projects. Therefore, the first stage in the HRA process is to identify if aspects of a plan

¹ <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017>

² [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site)

³ <https://www.gov.uk/guidance/appropriate-assessment>

⁴ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

are likely to have a significant effect and on which Habitats Sites. This is commonly referred to as a Screening Assessment.

24. Guidance indicates the following steps for this process:
- Identify what (if any) Habitats Sites may be affected by the plan/policy;
 - Identify the conservation objectives of any site that may be affected, and the condition of the site;
 - Identify the potential effects of the plan/policy on the site, alone or in combination with other plans or projects. This will need to include consideration of each of the features for which the site is designated;
 - Identify how those effects may impact on the site's conservation objectives.
25. A "significant effect" only includes effects which would undermine a Habitats Sites conservation objectives, for example by reducing the area or quality of protected habitat for which the site was designated, or by the disturbance or displacement of species for which the site was designated.
26. European case law has interpreted the threshold of "likelihood" of significant effects at a low level. Accordingly, a plan or project must be considered to be "likely to have a significant effect" where, "it cannot be excluded on the basis of objective information that the plan or project will have significant effects on the site concerned". In other words, if it may have a significant effect, an appropriate assessment should be carried out.

2.5 Approach

27. The Chartered Institute of Ecology and Environmental Management (CIEEM) has published Guidelines for Ecological Impact Assessment in the UK and Ireland⁵. In order to screen for likely significant effects, these guidelines recommend:
- establish the zone(s) of influence of the proposed activities and area(s) over which ecological features may be affected by the biophysical changes caused by the proposed project and associated activities and
 - assess likely issues and concerns and identify designated sites, habitats and species populations which may be exposed to change as a result of the proposed activities – this should include the full distribution or extent of any ecological features which overlap with the zone of influence;
 - identify all relevant conservation objectives, including any specific objectives for designated sites;
 - identify information required to determine the baseline ecological conditions, including environmental trends, management activities, completed developments and development for which consent has been or is likely to be granted;
 - identify the factors likely to affect habitats, species and ecosystems, including the structure and function of relevant ecosystems and habitats and the conservation status of relevant habitats and species;
 - identify pathways for effects (e.g. water, soil or air) between the proposed development and the receiving environment
 - consider potential effects through the lifetime of the project including those associated with the construction, operation, decommissioning and restoration phases.

⁵ <https://cieem.net/wp-content/uploads/2018/08/ECIA-Guidelines-2018-Terrestrial-Freshwater-Coastal-and-Marine-V1.1Update.pdf>

28. Regulation 105 (1) (a) requires that the likely significant effects of the plan/policy should be considered both alone and in combination with other relevant plans and projects that may have effects on Habitats Sites. At both the screening (for likely significant effects) and appropriate assessment stages, the effects of a plan or project must be considered both individually and in combination with other relevant plans or projects. This is a requirement of the Habitats Directive which helps ensure that Habitats Sites are not damaged by the additive effects of multiple plans or projects. In considering “in combination” effects:
- The competent authority should take account of all current and proposed plans or projects of which it is aware (and the applicant is responsible for making the authority aware of such plans or projects). This would include proposals where planning permission (or a similar regulatory consent) has been applied for or granted;
 - It is not necessary to take account of plans or projects for which there have been no formal applications under an approvals process;
 - The authority should take account of the effects of past plans or projects if they are having an ongoing effect on the conservation objectives of the site.
29. Consideration of “in combination” effects may mean that an appropriate assessment is required even though a proposal, by itself, would not have a significant effect.
30. Based on recent case law, current Government guidance on Habitats Regulation Assessment ⁶ requires that:
- integral design features or characteristics, such as layout, timing and location should be used to inform the screening decision. These may mean that any risk to a Habitats Site is avoided and there is no need to do an appropriate assessment; and
 - at this stage, any mitigation measures included for the purpose of avoiding or minimising risk to a Habitats Site *should not be considered*. These mitigation measures need to be considered at the appropriate assessment stage.
31. The current adopted Kent Minerals and Waste Local Plan (KMWLP) and the early Partial Review of the KMWLP have both been subject to HRA before their adoption and the last HRA being as recent as 2019. These previous HRA’s⁷ have been reviewed to inform this current HRA. Kent County Council is undertaking an update of the KMWLP as outlined in Section 2.1. It is therefore considered necessary to update the HRA’s to reflect any changes which may have new or additional effects on Habitats Sites in Kent. Given the scale and nature of the proposed changes, it was not considered necessary to undertake a completely new HRA, but instead to rely on the existing HRA’s in so far as policy and site allocations have not changed significantly. The approach that has been taken therefore is considered proportionate to the proposed changes in policy and is effectively a ‘refresh’ of the existing HRA’s that focuses on the likely significant effects of proposed policy changes on Habitats Sites in Kent. This is considered to be in accordance with Government guidance⁸ which advises Competent Authority’s that they should, “*keep duplication to a minimum, for example, you may be able to use information from the HRAs of previous similar*

⁶ Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)

⁷ <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy#tab-4>

⁸ Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)

decisions if they're still relevant and up to date". It goes on to advise that: "You can use an HRA previously carried outfor the same proposal if:

- *there's no new information or evidence that may lead to a different conclusion*
- *the assessments already done are relevant, thorough and correct*
- *the conclusions are rigorous and robust*
- *there's no new case law that changes the way an HRA should be carried out or interpreted*

If you decide to use a previous HRA's evidence and conclusions, you should still make sure your final decision will have no negative effect on the European site. The final decision is your responsibility".

32. The HRA process effectively consists of two stages:

- a. **Screening Assessment** - The first stage in the process of Habitats Regulations Assessment is the screening assessment which is intended to identify elements of the plan that are likely to have a significant effect on any Habitats Sites (including designated and potential Special Areas of Conservation SAC, Special Protection Areas SPA and Ramsar sites), either on land or offshore, either alone or in-combination with other plans. Case law has established that this assessment should not take into consideration any proposed mitigation measures. Any elements of the plan that cannot be screened out as having a likely significant effect should then be subject to the second stage of the HRA process, the full Appropriate Assessment.
- b. **Appropriate Assessment** – For those policies and proposals of the plan that cannot be screened out as having no likely significant effects. At this stage it is necessary to consider the potential effects of those aspects of the plan on the integrity of Habitats Sites in relation to the likely effects on the conservation objectives of those sites and effects on achieving and maintaining favourable conservation status for the qualifying interest features.

33. The following sections set out these assessments.

3. HRA Screening Assessment

3.1 Initial screening assessment

34. An initial high level screening assessment was undertaken to identify those policies and proposals of the proposed updates to the KMWLP that had the potential to give rise to significant effects on biodiversity and those that were unlikely to give rise to significant effects on biodiversity, if the activities permitted under the policies and proposals were to take place within the impact risk zone of a Habitats Site (SAC, SPA and Ramsar site).

35. Table 2 summarises the outcomes of this initial screening assessment.

Table 2 Summary of the Local Plan HRA Screening Assessment

Policy Types Assessment Criteria	Screening	Screened In?	Relevant Policies
A. General policy statements (which set the policy criteria for change and development)		NO	CSM1/CSW1/CSW2/CSW3/DM16/DM17/DM20/DM21/DM22
B. Policies intended to protect or conserve or restore the environment and/or public health		NO	CSW10/DM1/DM2/DM3/DM4/DM5/DM6/DM10/DM11/DM12/DM13/DM14/DM15/DM18/DM19
C. Policies which will not lead in themselves to change or development in the current plan period (to 2038) but could pave the way for future change and development		NO	CSM5/CSM6/CSM7/CSW16/DM7/DM8 These are generally safeguarding policies for the future to prevent the loss of potential future minerals and waste resources
D. Policies which could lead to change or development but are not location specific		NO	CSM4/CSM8/CSM9/CSM10/CSM12/ CSW6/CSW7/CSW8/CSW9/ CSW13//DM9
E. Policies which propose or could lead to change or development in specific locations, within the current plan period (and that could affect Habitats Sites)		YES	CSM2/ CSM3 (Holborough Strategic Minerals Site, Medway)/ CSM11 (East Kent Limestone Prospecting) /CSW5 (Norwood Quarry/Landfill site) /CSW17 (low level nuclear waste deposition at Dungeness)
F. Policies which are not location specific but propose or could lead to general increases in the quantum of mineral extraction or waste management and associated		YES	CSW4 ⁹ /CSW11 ¹⁰ /CSW12 ¹¹ /CSW14 ¹² / CSW15 ¹³ /CSW18 ¹⁴ /DM9 ¹⁵

⁹ Provides for an additional 20,000 tonnes of waste per annum over the plan period

¹⁰ Could result in an increase in inert waste import and deposition

¹¹ Could result in an increase in hazardous waste import and deposition

¹² Allows possible new dredgings sites and dredgings could be contaminated e.g. with heavy metals and hydrocarbons

¹³ Wastewater treatment is likely to be located near to rivers and may flow into protected sites e.g. Stodmarsh

¹⁴ Could result in an increase in deposition of low level nuclear waste

¹⁵ Could result in further mineral extraction coming forward within the plan period

environmental impacts e.g. air pollution		
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36. Based on this initial screening assessment, there is uncertainty as to the potential effects of the following policies summarised in Table 3 on Habitats Sites:

Table 3 Summary of the initial screening assessment

Minerals Policies Screened Out	Not	Waste Policies Screened Out	Not	Development Management Policies Not Screened Out
CSM2		CSW4		DM9
CSM3		CSW5		
CSM11		CSW11		
		CSW12		
		CSW14		
		CSW15		
		CSW17		
		CSW18		

37. A further, more detailed screening assessment of these policies was therefore required and any that could not be screened out would need to go forward for full appropriate assessment of their effects on the integrity of Habitats Sites. The further screening assessment required a more detailed examination of the proposed changes to the existing policies and proposals of the adopted KMWLP, to assess whether these changes were likely to result in significant effects that had not previously been considered in the HRA's of the current adopted versions of the KMWLP.

38. When undertaking further screening it was also necessary to identify any changes to the number, extent and distribution of Habitats Sites since the previous versions of the KMWLP and any substantive changes to the relevant legislation and national policy on Habitats Sites since the previous KMWLP was adopted. Such changes may affect the conclusions of the HRA's from the current adopted versions of the plan. There have been no substantive changes in the relevant legislation since the previous KMWLP was adopted in 2020 and no substantive changes in the Habitats Sites in Kent. The new Environment Act passed by Parliament in November 2021 does not take effect until November 2023. However, the National Planning Policy Framework was updated in July 2021.

39. The results of the further screening assessment are summarised in Table 4.

Table 4 Summary of the further screening assessment

Policy	Changes to Current Policy	Effects of Changes	Further Screening Assessment Result
CSM2	A change to the plan period from 2013-30 to 2023-38 means there is a need to identify additional land for the extraction of hard rock in order to maintain a 10 year	Whilst this policy change will lead to additional mineral extraction, it is not currently known where the locations of that extraction will be. Therefore, any likely significant	Policy screened out

	landbank. It is proposed that a new site(s) to address this matter be allocated in the Mineral Sites Plan.	effects resulting from the allocation of further sites will need to be subjected to a separate Habitats Regulations Assessment for the update of the Minerals Site Plan.	
CSM3	Medway Cement Works, Holborough and its permitted mineral reserves are together identified as the Strategic Site for Minerals in Kent. The site location is shown on Figure 17. The site already has planning permission that has been implemented and so it is proposed to delete this allocation as the reserves are safeguarded by other policies in the KMWLP.	Removing the policy and the site cannot result in any adverse effects on Habitats Sites.	Policy screened out
CSM11	There are no significant changes to current policy wording. No specific locations identified. No quantum of need expressed.	Significant effects will need to be considered, in line with other policy requirements, when specific applications in specific locations come forward.	Policy screened out.
CSW4	No additional waste capacity proposed. No significant changes to current policy wording.	No significant effects that have not already been considered within the current plan.	Policy screened out.
CSW5	Norwood Quarry and Landfill Site is already allocated as the Strategic Waste Site for Kent. No changes to current policy wording.	No significant effects that have not already been considered within the current plan and the current Minerals and Waste Sites Plan.	Policy screened out.

CSW11	No substantive change to current policy wording. No specific sites allocated. No quantum of need expressed.	No significant effects that have not already been considered within the current plan.	Policy screened out.
CSW12	No substantive change to current policy wording. No specific sites allocated. No quantum of need expressed.	No significant effects that have not already been considered within the current plan.	Policy screened out.
CSW14	No specific sites allocated. No changes to current policy wording. No quantum of need expressed.	No significant effects that have not already been considered within the current plan.	Policy screened out.
CSW15	No substantive change to current policy wording. No specific sites allocated. No quantum of need expressed.	No significant effects that have not already been considered within the current plan.	Policy screened out.
CSW17	Changes to policy wording allows for the importation and deposition of low-level nuclear waste and other wastes.	Potential significant effects from importation and deposition of low-level nuclear waste and other wastes.	Policy screened in.
CSW18	Policy extended to allow for importation of low level nuclear waste from beyond Kent. Policy principles remain the same as the current plan. No specific sites allocated. No quantum of need expressed.	Potential significant effects from additional importation of low-level nuclear waste. Significant effects will need to be considered, in line with other policy requirements, when specific applications in specific locations come forward.	Policy screened out.
DM9	No substantive change to current policy wording. No specific sites allocated.	No significant effects that have not already been considered within the current plan.	Policy screened out.

	No quantum of need expressed.		
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40. Following the further screening assessment, it was not possible to exclude the possibility that changes to Policy CSW17 could have likely significant effects that have not previously been considered in the current adopted versions of the KMWLP. Therefore, the changes to Policy CSW17 were taken forward for full appropriate assessment.

4. HRA Appropriate Assessment

4.1 Purpose

41. Appropriate assessment is required under Regulation 105 of the Habitats Regulations for any likely significant effects identified through the screening assessment or where on the basis of the available evidence, a risk of likely significant effects cannot be excluded.
42. Government guidance on appropriate assessment (AA) provides the framework for this process¹⁶. The key requirement is the 'integrity test' – an assessment as to whether the plan or project or elements of it, are likely either alone or in combination with other plans and projects, to have an adverse effect on the integrity of the European site(s). For the purposes of this assessment, adverse effects on integrity are defined as those that could undermine the conservation objectives for that site(s). A proposal will pass the integrity test if the AA can show that there is no reasonable scientific doubt that it will not have an adverse effect on the integrity of the site(s) taking into consideration any measures that can be implemented to avoid or mitigate for any adverse effects.

4.2 Approach

43. To carry out the assessment and apply the integrity test the guidance recommends the following approach:
 - the ecological requirements, conservation objectives and the current conservation status (if known) of the European site's designated features that might be affected by the proposal should be established;
 - each potential effect (impact pathway) on the European site(s), should be assessed thoroughly, including the risk of combined effects with other proposals, and how these effects might impact on the site's conservation objectives;
 - the scale, extent, timing, duration, reversibility and likelihood of the potential effects should be considered;
 - the certainty of the effects occurring should be determined;
 - mitigation measures that have been proposed or conditions that can attached to avoid or mitigate the effects should then be considered;
 - the likely effectiveness of these mitigation measures over the whole lifetime of the proposal - for example, the effects of construction, operation and decommissioning, must be assessed. This assessment must include the following considerations:
 - how the measures would be implemented and monitored, and for how long;
 - how the measures would be enforced;
 - the level of certainty that the measures would succeed in satisfactorily reducing adverse effects;
 - the time it will take for the measures to take effect;
 - remedial measures if monitoring shows the measures are failing.
44. The final judgement on the integrity test must be made based on:
 - the advice received from Natural England as the Statutory Nature Conservation Body on the draft AA;
 - the precautionary principle – the assessment must be able to conclude beyond all reasonable scientific doubt that there will be no adverse effect on a site's integrity before the plan or project can be approved.

¹⁶ <https://www.gov.uk/guidance/appropriate-assessment>

5. Appropriate assessment of the likely significant effects of revised Policy CSW17

5.1 Background to the proposed changes to Policy CSW17

45. The original policy was numbered CSW18 in the KMWLP but became CSW7 when the policy numbering altered as a result of a modification to the Plan during the Examination in Public in 2015. The proposed changes to Policy CSW17 are required to make the policy consistent with relevant strategies, policy and guidance on the management of wastes from nuclear de-commissioning and other radioactive wastes. The Nuclear Decommissioning Authority (NDA) is required to produce a strategy for decommissioning nuclear legacy sites in the UK every five years. The current NDA Strategy (which was subject to prior public consultation) came into force in April 2016 and this included a commitment to prepare a single radioactive waste strategy for the NDA which was published in 2019 (“The Integrated Waste Management Radioactive Waste Strategy” (2019)).
46. The wording of the current adopted Policy CSW17 is as follows:
Policy CSW 17 Nuclear Waste Treatment and Storage at Dungeness
Facilities for the storage and/or management of radioactive waste will be acceptable within the Nuclear Licensed area at Dungeness where:
- 1. this is consistent with the national strategy for managing radioactive waste and discharges*
 - 2. the outcome of environmental assessments justify it being managed on site.*
- The only waste arisings from Dungeness Nuclear Licensed Site that will be acceptable as fill material for the back-filling of voids within the nuclear licensed site are inert (non-radioactive) wastes generated by the demolition of existing buildings and structures. Landfill or landraise activities that use radioactive wastes within the nuclear licensed site will not be granted planning permission.*
47. Comments received during the preparation of the Early Partial Review of the KMWLP 2013-2030, (ID53 and ID45) identified that as currently worded, Policy CSW17 was not consistent with NDA strategy for the treatment of wastes from de-commissioning nor was it consistent with the relevant guidance from the other regulatory authorities including:
- Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation Version 1.0: July 2018 (Environment Agency);
 - Near-surface Disposal Facilities on Land for Solid Radioactive Wastes Guidance on Requirements for Authorisation February 2009 (Environment Agency).
48. A Statement of Common Ground (SoCG) was agreed between Kent County Council as local planning authority for minerals and waste and the NDA and Magnox Ltd on this matter dated January 2020. In it the parties agreed as follows:
- *4.1 The Parties agree that with respect to ‘consistency with national policy’ test of soundness, the Planning and Compulsory Purchase Act 2004 Section 19(2) requires that in preparing a local development document the local planning authority must have regard to national policies and advice contained in guidance issued by the Secretary of State. It is agreed that the NDA Strategy is a relevant national policy for the purposes of Section 20(5) of the 2004 Act which refers back to Section 19 and, in this regard, s19(2)(a).*
 - *4.4 The Parties agree that the preclusion of options is contrary to national policy in the form of the NDA Strategy (2016) and the Integrated Waste Management*

Radioactive Waste Strategy (2019) - both of which require the consideration of options for the management and disposal of waste in order to ensure application of the waste hierarchy and greater integration across the NDA estate, in particular sharing treatment and interim storage assets and capabilities where appropriate. The Parties agree that the policy is consistent with other national policy concerned with the protection of communities and the environment.

49. In particular, the current adopted wording of Policy CSW17 precludes the following:
- The disposal of low-level radioactive wastes either in-situ or within voids from existing de-commissioning operations at the Dungeness nuclear sites (Dungeness A and Dungeness B);
 - The disposal of low-level radioactive wastes from other nuclear de-commissioning sites or from other sources of low level radioactive wastes;
 - The storage and treatment of radioactive wastes from other nuclear de-commissioning sites or from other sources of low-level radioactive wastes.

50. In seeking to address the acknowledged inconsistencies with national strategy, Kent County Council is proposing a revision of the wording of Policy CSW17 as follows:

Policy CSW 17 -

Nuclear Waste Management at the Dungeness Nuclear Licensed Sites

Part A: General requirements

Facilities for the management (including storage, treatment or disposal (subject to Part B of this policy)) of radioactive waste will be acceptable within the **Dungeness Nuclear Licensed Sites** where:

1. this is consistent with the national strategy⁽⁹⁸¹⁰¹⁾ for managing radioactive waste and discharges; and
2. the outcome of environmental assessments justify it being managed on the Dungeness Nuclear Licensed Sites.

Part B: Disposal of Waste at Dungeness Nuclear Licensed Sites

The only wastes that will be acceptable **for disposal** within the **Dungeness Nuclear Licensed Sites** are **low-level and very low-level radioactive wastes, or inert (non-radioactive) wastes,**

The types of disposal of such wastes that would be acceptable are:

- **In situ disposal of inground structures and foundations (including contaminated below-ground structures, foundations and redundant drains);**
- **The back-filling of voids within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures; and**

- **Purpose built landfill or land raise activities within the Dungeness Nuclear Licensed Sites using wastes generated by the demolition of existing buildings and structures.**

Planning permission for the disposal of waste arisings as described above on the Dungeness Nuclear Licensed Sites will be granted only if it can be demonstrated that:

- the development is the optimum waste management approach for the radioactive waste concerned;**

Footnote 102¹: National strategy for radioactive wastes is the NDA Strategy at the time of **any application**

- impacts on the sustainability, including environment, of the area mitigated to an acceptable level with reference to baseline data; and,**
- for the disposal of imported low-level and very low-level radioactive demolition waste from other nuclear sites,:**
 - there is an on-site land engineering need that can be met using these imported wastes, e.g. the in-filling of voids; and**
 - there is insufficient suitable radioactive waste and/or non-radioactive material that would be generated from the demolition of buildings and structures on the Dungeness sites themselves available on the required timescales that would meet the engineering need; and**
 - if importation of radioactive demolition wastes from other nuclear sites were not to be carried out then an approximately equivalent amount of other materials would still require to be imported to meet the identified engineering need; and**
 - the type and number of vehicle movements associated with the disposal of imported low-level and very low-level radioactive demolition waste to meet the identified engineering need, would be equivalent to, or would have a lesser impact than, those which would be associated with any import of engineering material that would be used to meet the identified engineering need.**

51. These proposed changes to the policy wording permit the following activities which the current version of Policy CSW17 does not:

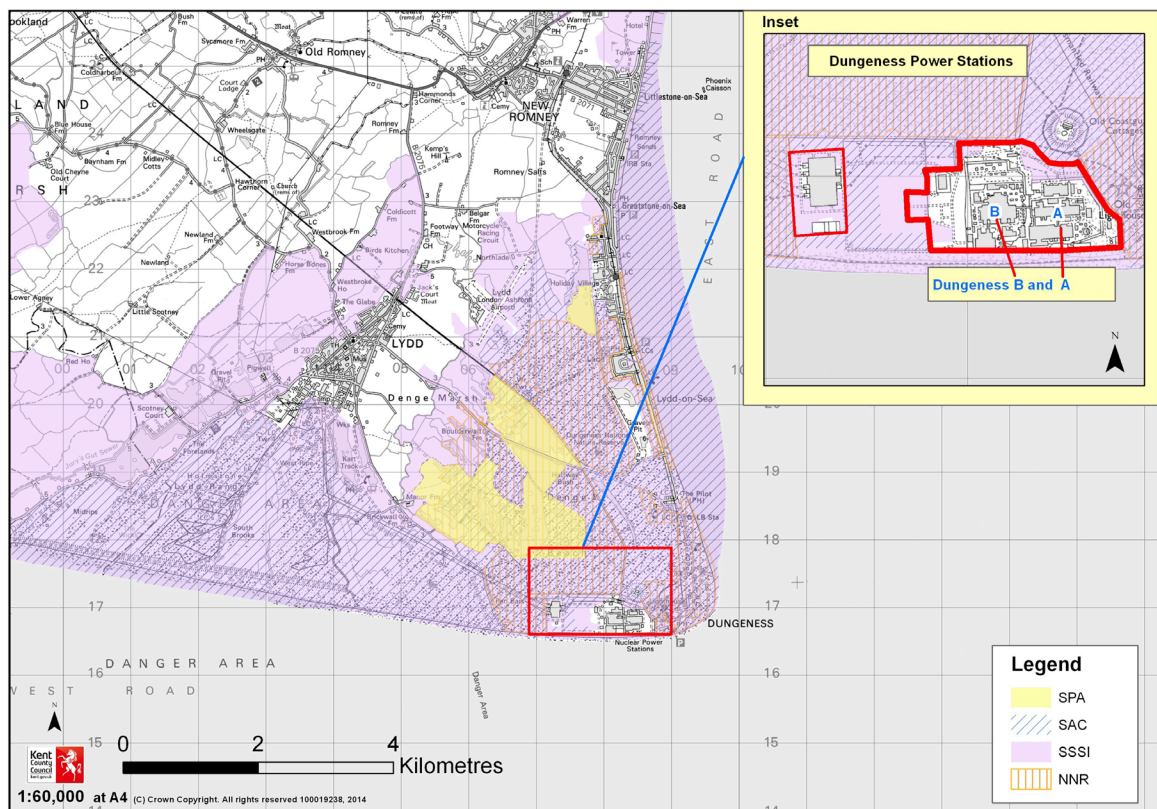
- the storage and treatment of radioactive wastes from other nuclear waste producers as well as those from within the Dungeness nuclear licensed site;

- the deposition of low-level non-hazardous radioactive wastes within the nuclear licensed site from de-commissioning operations within the Dungeness nuclear estate/licensed site;
- the deposition of other inert (non-radioactive) wastes from on-site de-commissioning operations;
- the importation and deposition of non-hazardous low-level radioactive wastes from other nuclear waste producers and
- the importation and deposition of other inert (non-radioactive) wastes.

52. These changes to the policy were assessed as being significant and have the potential for significant effects on the Habitats Sites on the Dungeness peninsula which had not been considered in previous HRA's for the adopted KMWLP.

53. The area of land to which this policy applies is shown in Figure 1.

Figure 1 The Dungeness Licensed Nuclear Sites



5.2 Likely significant effects

54. The likely significant effects of the revised Policy CSW17 were assessed in relation to:

- The scope of activities that the revised policy wording would permit (both alone and in combination with other relevant plans and projects); and
- The designated Habitats Sites and their qualifying interest features within the potential impact risk zone of the Dungeness nuclear licensed sites.

55. Appendix 1 to this report details the Habitats Sites that could be affected by these activities and their qualifying interest features and their conservation objectives as well

as an assessment of the current condition of these Habitats Sites and their qualifying interest features and the threats and pressures on them which could affect the maintenance or achievement of favourable conservation status. A summary of these details is set out at Table 5.

Table 5 Summary of the Habitats Sites and qualifying features on the Dungeness peninsula

Designated Site:
Dungeness Special Area of Conservation SAC - https://sac.jncc.gov.uk/site/UK0013059
Qualifying Features:
Annex I Habitat H1210. Annual vegetation of drift lines
Annex I Habitat H1220. Perennial vegetation of stony banks; Coastal shingle vegetation outside the reach of waves
Annex II Species S1166. <i>Triturus cristatus</i> ; Great crested newt.
Designated Site:
Dungeness, Romney Marsh and Rye Bay Special Protection Area SPA - https://www.gov.uk/government/publications/special-protection-area-and-ramsar-site-dungeness-romney-marsh-and-rye-bay
Qualifying Features:
A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding)
A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding)
A056 <i>Spatula (Anas) clypeata</i> ; Northern shoveler (Non-breeding)
A081 <i>Circus aeruginosus</i> ; Eurasian marsh harrier (Breeding)
A082 <i>Circus cyaneus</i> ; Hen harrier (Non-breeding)
A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Breeding)
A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding)
A151 <i>Calidris (Philomachus) pugnax</i> ; Ruff (Non-breeding)

A176 <i>Larus melanocephalus</i> ; Mediterranean gull (Breeding)
A191 <i>Sterna sandvicensis</i> ; Sandwich tern (Breeding)
A193 <i>Sterna hirundo</i> ; Common tern (Breeding)
A195 <i>Sterna albifrons</i> ; Little tern (Breeding)
A294 <i>Acrocephalus paludicola</i> ; Aquatic warbler (Non-breeding)
Waterbird assemblage
Designated Site:
Dungeness, Rye Bay and Romney Marsh Ramsar Site - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/509228/dungeness-romney-rye-ramsar-documents.pdf
Qualifying Features:
The site qualifies under Criterion 1 because it contains representative, rare, or unique examples of natural or near-natural wetland types: Annual vegetation of drift lines and the coastal fringes of perennial vegetation of stony banks (Ramsar wetland type E – sand, shingle or pebble shores).
The site qualifies under Criterion 2 because it supports threatened ecological communities: The site consists of a complex network of wetland habitats including saltmarsh, natural freshwater pits, fens, ponds, gravel pits, and grazing marsh and ditches. They support rich and diverse assemblages of bryophytes, vascular plants and invertebrates that are rare, threatened, or listed as priority species.
The site further qualifies under Criterion 2 because it supports vulnerable, endangered or critically endangered species: including water vole (<i>Arvicola amphibius</i>), aquatic warbler (<i>Acrocephalus paludicola</i>), great crested newt (<i>Triturus cristatus</i>) and medicinal leech (<i>Hirudo medicinalis</i>).
The site qualifies under Criterion 5 because it regularly supports 20,000 or more waterbirds: In the non-breeding season, the site regularly supports 34,957 individual waterbirds (5 year peak mean 2002/3 – 2006/7).

The site qualifies under **Criterion 6** because it regularly supports 1% of the individuals in the populations of the following species or subspecies of waterbird in any season: Mute swan *Cygnus olor* Shoveler *Anas clypeata*.

56. Appendix 1 also includes maps showing the geographic extent of these Habitats Sites.

57. Based upon the known threats, pressures and vulnerabilities of these Habitats Sites (see Appendix 1, Tables 1A, 2A, 3A) and their qualifying interest features, and the further activities that would be permitted under the revised Policy CSW17, the following impact pathways in Table 6 were identified.

Table 6 Summary of potential impact pathways and effects

Potential Pathways for Significant Effects	Potential Effects from Construction	Potential Effects from Operation
Habitat Loss and Degradation and impacts on qualifying species	Temporary land take during construction	Permanent land take during operation
Air Pollution	Construction traffic and construction related dusts	None predicted
Water and Soil Pollution and Changes in Hydrology	Mobilisation of on-site contaminants/importation of contaminants and construction site drainage	Operational site drainage
Noise and Vibration Disturbance	Construction noise and vibration	None Predicted
Visual Disturbance	During construction	None Predicted

58. These potential impact pathways accord with those advised by Natural England in its email (reference 390435 dated 13th May 2022): *Having considered the proposed changes to the policy wording and supporting text, Natural England considers that a greater degree of information is required as part of the evidence base to underpin the Plan and the suggested amendments. Given that the land covered by Policy CSW17 appears to fall partly within the Dungeness Romney Marsh and Rye Bay Site of Special Scientific Interest and the Dungeness Special Area of Conservation (SAC) and is also surrounded by the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) and Ramsar Site, there are potential significant direct and indirect impacts that could arise from the proposed amendments. Such impacts may result from direct land take, noise, air quality (both transport generated and windblown), visual impacts to birds, contamination and water quality impacts, for example. Natural England would therefore recommend that further evidence to underpin the proposed amendments should be provided by the Council to ensure that adverse impacts to the designated sites do not*

result from the policy in accordance with the requirements within National Planning Policy Framework.

59. The qualifying features of the Habitats Sites were assessed against each of these potential impact pathways to identify the likely significant effects to each feature. Due to the significant overlap between the qualifying features of the Ramsar site with those of the SAC and SPA, a separate assessment was not considered necessary for the Ramsar site.

5.3 Appropriate Assessment of the likely significant effects on the Dungeness Special Area of Conservation (SAC)

60. Table 7 provides a summary of the likely significant effects on the qualifying interest features of the SAC. This assessment is based on available information on the sensitivity of each qualifying feature to the effects identified in Table 6. This is based on the information at Appendix 1 Table A1 which describes the current condition of qualifying features and the threats to them and vulnerabilities of them.

Table 7 Summary of the likely significant effects to the SAC

Qualifying Feature	Habitat Loss or Degradation and Species Impacts Habitat loss (permanent or temporary) and effects on qualifying species	Potential for Significant Effects
Annex I Habitat - H1210. Annual vegetation of drift lines	Human intrusions and disturbances (G05) are a recognised high level threat and pressure for this feature. The SAC boundaries are outside of but coincidental to the Dungeness A site. However, the SAC boundaries do include land within the Dungeness B site. If this land were to be used for development permitted under Policy CSW17 it could therefore result in the loss of or degradation of this SAC qualifying interest feature. This could include the movement of contractors plant and temporary storage areas within this habitat.	YES During construction
Annex I H1220. Perennial vegetation of stony banks	Human intrusions and disturbances (G05) are a recognised high level threat and pressure for this feature. The SAC boundaries are outside of but coincidental to the Dungeness A site. However, the SAC boundaries do include land within the Dungeness B site. If this land were to be used for development permitted under Policy CSW17 it could therefore result in the loss of or degradation of this SAC qualifying interest feature. This could include the movement of contractors plant and temporary storage areas within this habitat.	YES During construction
Annex II Species S1166. Triturus cristatus;	The nearest confirmed record of great crested newt (GCN) is over 800 metres from the boundary of the Dungeness nuclear sites see Figure 2). The nearest water body that could support GCN is Long Pits approximately 800 metres to the northeast. This waterbody is a	NO GCN breeding ponds and associated terrestrial habitat is over 500metres from

Great crested newt	coarse fishery ¹⁷ and therefore, unlikely to support breeding GCN. As the nuclear sites are therefore over 500metres from the nearest confirmed GCN breeding place, there is unlikely to be any effects on habitats used by this species or on the local population or individuals within it.	the Dungeness nuclear licensed sites
Qualifying Feature	Air Quality Emissions of NH3, NOx and SO2 and nitrogen and acid deposition	Potential for Significant Effects
Annex I Habitat - H1210. Annual vegetation of drift lines	<p>This habitat type is considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of sensitive typical species associated with it.</p> <p>Emissions, concentrations and deposition of air pollutants must be kept to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.ac.uk).</p> <p>Critical Loads and Levels are recognised thresholds below which such harmful effects on sensitive UK habitats will not occur to a significant level, according to current levels of scientific understanding. There are critical levels for ammonia (NH3), oxides of nitrogen (NOx) and sulphur dioxide (SO2), and critical loads for nutrient nitrogen deposition and acid deposition.</p> <p>The Critical Loads for this feature are listed as follows: <i>Nitrogen Deposition</i>: 8-15 kg/N/ha/yr.</p> <p><i>Acid Deposition</i> (keq/ha/yr): Maximum: CLminN: 0.438 CLmaxN: 4.618 CLmaxS: 4.18 Minimum: CLminN: 0.223 CLmaxN: 4.373 CLmaxS: 4.15</p> <p>The Critical Levels for this feature are as follows: <i>Ammonia NH3</i>: 30 µg NOx/m³¹⁸ <i>Nitrous Oxide NOx</i>: 30 µg NOx/m³ annual mean 75 µg NOx/m³ 24hr mean <i>Sulphur Dioxide SO2</i>: 10-20 µg SO2/m³ annual mean</p>	No The type and number of vehicle movements associated with the policy change would be equivalent to, or would have a lesser impact than, those which would be associated with any import of engineering material that would be used to meet the identified engineering need associated with filling the voids.

¹⁷ <https://www.lyddanglingclub.com/waters.html>

¹⁸ <https://www.apis.ac.uk/ammonia-dunes-shingle-machair>

<p>Annex I H1220. Perennial vegetation of stony banks</p>	<p>This habitat type is considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of sensitive typical species associated with it.</p> <p>Emissions, concentrations and deposition of air pollutants must be kept to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.ac.uk).</p> <p>Critical Loads and Levels are recognised thresholds below which such harmful effects on sensitive UK habitats will not occur to a significant level, according to current levels of scientific understanding. There are critical levels for ammonia (NH₃), oxides of nitrogen (NO_x) and sulphur dioxide (SO₂), and critical loads for nutrient nitrogen deposition and acid deposition.</p> <p>The Critical Loads for this feature are listed as follows: <i>Nitrogen Deposition:</i> 8-15 kg/N/ha/yr.</p> <p><i>Acid Deposition (keq/ha/yr):</i> Maximum: CLminN: 0.438 CLmaxN: 4.618 CLmaxS: 4.18 Minimum: CLminN: 0.223 CLmaxN: 4.373 CLmaxS: 4.15</p> <p>The Critical Levels for this feature are as follows: <i>Ammonia NH₃:</i> 3 µg/m³ (2-4 µg/m³) Where Lichens and Bryophytes present: 1 µg NH₃/m³ annual mean¹⁹ <i>Nitrous Oxide NO_x:</i> 30 µg NO_x/m³ annual mean 75 µg NO_x/m³ 24hr mean <i>Sulphur Dioxide SO₂:</i> 10-20 µg SO₂/m³ annual mean</p>	<p>NoThe type and number of vehicle movements associated with the policy change would be equivalent to, or would have a lesser impact than, those which would be associated with any import of engineering material that would be used to meet the identified engineering need associated with filling the voids.</p>
<p>Annex II Species S1166. <i>Triturus cristatus</i>; Great crested newt</p>	<p>The supporting habitat of this feature is considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of the habitat's substrate, accelerating or damaging plant growth, altering its vegetation structure and composition (including food-plants) and reducing supporting habitat quality and population viability of this feature.</p>	<p>NoThe type and number of vehicle movements associated with the policy change would be equivalent to, or would have a lesser impact than, those which would be</p>

¹⁹ <https://www.apis.ac.uk/ammonia-dunes-shingle-machair>

	<p>To achieve/maintain favourable conservation status concentrations and deposition of air pollutants must be maintained at or below the site-relevant Critical Load or Level values given for the feature's supporting habitat on the Air Pollution Information System (www.apis.ac.uk).</p> <p>Critical Loads and Levels are recognised thresholds below which such harmful effects on sensitive UK habitats will not occur to a significant level, according to current levels of scientific understanding. There are critical levels for ammonia (NH₃), oxides of nitrogen (NO_x) and sulphur dioxide (SO₂), and critical loads for nutrient nitrogen deposition and acid deposition.</p> <p>Critical Levels: Ammonia NH₃: 3 µg/m³ (2-4 µg/m³ set for all higher plants)</p> <p>Nitrous Oxide NO_x: 30 µg NO_x/m³ annual mean 75 µg NO_x/m³ 24hr mean (these values set for all higher plants)</p> <p>Dungeness Road along which all vehicle movements to and from the Dungeness nuclear sites must travel, passes through and adjacent to waterbodies with confirmed GCN breeding.</p>	<p>associated with any import of engineering material that would be used to meet the identified engineering need associated with filling the voids.</p>
Qualifying Feature	Water and Soil Quality and Hydrology Release or mobilisation of contaminants into the ground or surface waters and changes to ground or surface water levels	Potential for Significant Effects
Annex I Habitat - H1210. Annual vegetation of drift lines	Where the feature is dependent on surface water and/or groundwater, the SAC conservation objectives require that water quality and quantity are maintained to a standard which provides the necessary conditions to support the feature. Typically, meeting the surface water and groundwater environmental standards set out by the Water Framework Directive (WFD 2000/60/EC) will also be sufficient to support the achievement of SAC Conservation Objectives but in some cases more stringent standards may be needed. Further site-specific investigations may be required to establish appropriate water quality standards for the SAC.	YES During construction and operation as a result of changes to surface water and groundwater movement patterns and water quality as a result of contamination.
Annex I H1220.	Changes in source, depth, duration, frequency, magnitude and timing of water supply can have	YES

<p>Perennial vegetation of stony banks</p>	<p>significant implications for the assemblage of characteristic plants and animals present. For many SAC features which are dependent on wetland habitats supported by surface and/or ground water, maintaining the quality and quantity of water supply will be critical, especially at certain times of year. Poor water quality and inadequate quantities of water can adversely affect the structure and function of this habitat type. At a site, unit and/or catchment level the target standard is to maintain natural hydrological processes to provide the conditions necessary to sustain the feature within the site and thus help achieve the Conservation Objectives for this feature.</p> <p>Defining and maintaining the appropriate hydrological regime is a key step in moving towards achieving the conservation objectives for this site and sustaining this feature. Typically, meeting the surface water and groundwater environmental standards set out by the Water Framework Directive (WFD 2000/60/EC) will also be sufficient to support the achievement of SAC Conservation Objectives but in some cases more stringent standards may be needed. Further site-specific investigations may be required to establish appropriate water quality standards for the SAC.</p> <p>This target is generic and further site-specific investigations may be required to fully inform conservation measures and/or the likelihood of impacts.</p> <p>Furthermore, the location of this habitat feature coincides with Source Protection Zones for water (see Figure 7) and Denge Beach immediately to the north of the Dungeness nuclear sites is abstracted for water supply by Affinity Water.</p>	<p>During construction and operation as a result of changes to surface water and groundwater movement patterns and water quality as a result of contamination.</p>
<p>Annex II Species S1166. <i>Triturus cristatus</i>; Great crested newt</p>	<p>Changes in source, depth, duration, frequency, magnitude and timing of water supply can have significant implications for this qualifying feature and its supporting habitats. For many SAC features which are dependent on wetland habitats supported by surface and/or ground water, maintaining the quality and quantity of water supply will be critical, especially at certain times of year. Poor water quality and inadequate quantities of water can adversely affect the structure and function of this habitat type. At a site, unit and/or catchment level the target standard is to maintain natural hydrological processes to provide the conditions necessary to sustain the feature within the site</p>	<p>YES During construction and operation as a result of changes to surface water and groundwater movement patterns and water quality as a result of contamination.</p>

	<p>and thus help achieve the Conservation Objectives for this feature.</p> <p>Defining and maintaining the appropriate hydrological regime is a key step in moving towards achieving the conservation objectives for this site and sustaining this feature.</p> <p>Typically, meeting the surface water and groundwater environmental standards set out by the Water Framework Directive (WFD 2000/60/EC) will also be sufficient to support the achievement of SAC Conservation Objectives but in some cases more stringent standards may be needed. Further site-specific investigations may be required to establish appropriate water quality standards for the SAC.</p> <p>This target is generic and further site-specific investigations may be required to fully inform conservation measures and/or the likelihood of impacts.</p> <p>Furthermore, the location of this habitat feature coincides with Source Protection Zones for water (see Figure 7) and Denge Beach immediately to the north of the Dungeness nuclear sites is abstracted for water supply by Affinity Water.</p>	
Qualifying Feature	Disturbance Effects Disturbance from noise and vibration and disturbance from movement of contractors, plant etc	Potential for Significant Effects
Annex I Habitat - H1210. Annual vegetation of drift lines	None predicted	NO
Annex I H1220. Perennial vegetation of stony banks	None predicted	NO
Annex II Species S1166. <i>Triturus cristatus</i>; Great crested newt	As the nuclear sites are over 500metres from the nearest confirmed GCN breeding place, there is unlikely to be any effects on habitats used by this species or on the local population or individuals within it as a result of noise or visual disturbance (see Figure 2).	NO

61. Full appropriate assessment is required where potential significant effects from impact pathways on SAC qualifying interest features could not, on the basis of available evidence, be excluded. The following sections provide further appropriate assessment of these potentially significant effects.

5.4 Potential in combination effects

62. Regulation 105 of the Habitats Regulations requires that the effects of a land use plan must be considered not only alone but also in combination with other relevant plans and projects. This should include other relevant land use plans and other approved or submitted planning applications that may have effects on Habitats Sites in combination.

63. The HRA for the KMWLP adopted in 2016 and the HRA of the Early partial Review adopted in 2020, both considered a range of plans and projects which could together policies with in the KMWLP have significant effects on Habitats Sites and their qualifying features. The most significant likely in combination effects in relation to proposed revisions to Policy CSW17 are:

- the ongoing de-commissioning operations at both Dungeness A and Dungeness B. Some of these operations are the subject of individual planning applications to Kent County Council and Folkestone and Hythe District Council and are considered further below;
- the ongoing flood risk and coastal management works on the coast immediately to the south of the Dungeness nuclear sites at Policy Unit (PU)13, as part of the approved South Foreland to Beachy Head Shoreline Management Plan (SMP)²⁰.

5.5 Appropriate assessment of the effects of Habitat Loss or Degradation and Species Impacts (both alone and in combination with other relevant plans and projects)

64. Figure 1 shows the extent of land that is included within Policy CSW17. As can be seen in Appendix 1, Figures A1 and A2, the designated SAC wraps around the Dungeness nuclear licensed sites and its boundaries are contiguous with those of the nuclear sites in large part. The SAC boundaries are outside of but coincidental to the Magnox Dungeness A site. However, the SAC boundaries do include land within the EDF Dungeness B estate, but outside of the nuclear licensed site and outside of the policy boundary for CSW17. Therefore, no SAC designated land is within the policy boundary of CSW17.

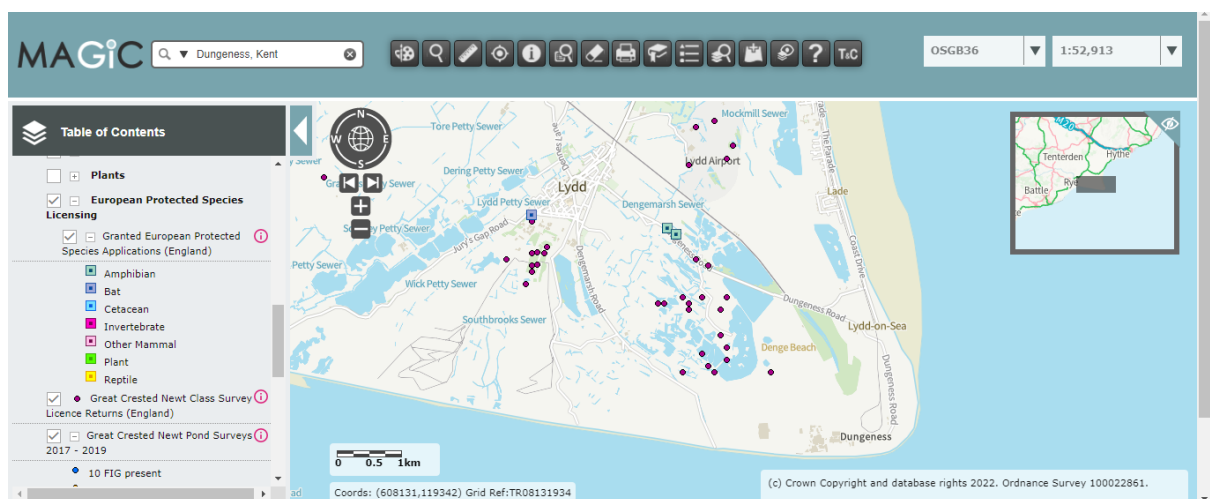
65. However, if adjacent land were required to be used for development permitted under Policy CSW17 (this could include the movement of contractors plant and temporary storage areas) it could result in the loss of or degradation of this SAC habitat. Unit 029 (Nuclear Power Station Compound) of the Dungeness, Romney Marsh and Rye Bay SSSI is currently assessed as being in Unfavourable Recovering condition with the following assessment: *This area is within the power station compound. This unit is in Favourable condition for its Coastal vegetated shingle, Invert assemblage and Coastal Geomorphology Features. Parts of the natural shingle ridge topography remains*

²⁰ <https://se-coastalgroup.org.uk/shoreline-management-plans/south-foreland-to-beachy-head/>

relatively undisturbed and supports good quality shingle vegetation. The area is grazed by rabbits which helps to maintain the vegetation as a short, open community. The typical shingle plant community present includes sea kale, thrift, yellow horned poppy, sea campion, vipers bugloss and saltmarsh goosefoot scattered amongst the largely unvegetated shingle with encrusting lichen.

66. Furthermore, there are small pockets of shingle habitat similar to the Annex I Habitat - H1210 annual vegetation of drift lines and Annex I H1220 habitat perennial vegetation of stony banks and enclosed within the nuclear licensed sites. Some of these pockets of habitat will be affected by current planning proposals.
67. There are no recorded freshwater bodies within 800metres of the Dungeness nuclear sites and the nearest recorded locations for confirmed breeding of great crested newt are shown in Figure 2. As the nuclear sites are over 500metres from the nearest confirmed GCN breeding place, there is unlikely to be any effects on habitats used by this species or on the local population or individuals within it as a result of habitat loss or degradation.

Figure 2 Recorded locations of breeding great crested newt on the Dungeness peninsula



68. It should also be noted that the shingle habitat around the coastal boundaries of the nuclear sites is currently subject to regular management for the purposes of coast defence and flood risk management. The shingle foreshore along the southern boundaries of the Dungeness nuclear sites forms part of coastal unit Policy Unit (PU)13. This section of coast is managed in accordance with the approved South Foreland to Beachy Head Shoreline Management Plan (SMP)²¹. SMP2 was adopted by the relevant Operating Authorities in 2006. Since then, Defra has transferred all of its ‘delivery’ responsibilities to the Environment Agency (EA) under their Strategic Overview role, which came into effect in April 2008. The policy for PU13 is to ‘hold the line’ i.e. to continue to protect the coast against further erosion.

69. An Appropriate Assessment has been carried out as part of the SMP2 and Natural England has written to confirm that they agree with the conclusions of the Appropriate Assessment for the South Foreland to Beachy Head SMP2. The Appropriate Assessment concluded that implementation of the SMP:

²¹ <https://se-coastalgroup.org.uk/shoreline-management-plans/south-foreland-to-beachy-head/>

- may have an adverse effect on the integrity of the Dungeness to Pett SPA (now the Dungeness, Rye Bay and Romney Marsh SPA);
- will have an adverse effect on the integrity of the Dungeness SAC;
- will not have a likely significant effect on the Dover to Kingsdown Cliffs SAC, Hastings Cliffs SAC or the Pevensey Levels Ramsar site;
- will not have any adverse effects as a result of in-combination effects with other plans and programmes.

70. Consequently, in accordance with Regulations 49(5) and 51(2) of the Conservation of Habitats and Species Regulations, 1994 (this was the version of the Habitats Regulations in force the time of the plan preparation and adoption), an Appendix 20 application was made to the Secretary of State for Defra to consider the case for Imperative Reasons of Overriding Public Interest (IROPI). This case was accepted by Defra who consequently confirmed that they had no objections to the intention to approve the SMP .

71. As a consequence of the requirement to hold the line, regular beach management takes place along the shingle foreshore requiring regular disturbance of the habitat. However, this foreshore habitat is not part of the designated SAC but does form part of the marine component of the designated SPA and the effects of this on the SPA are considered separately later.

72. In summary, Policy CSW17 as revised, does not extend beyond the nuclear licensed sites and does not include land within the SAC. The policy does not in itself therefore permit development that would result directly in the loss of degradation of the habitats of qualifying features. If it was necessary to use other land to facilitate the types of development permitted under Policy CSW17, then that would need to be subject to a detailed project level appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations, 2017(as amended) at the time of determining a planning application.

5.6 Appropriate assessment of the effects of changes in Soil and Water Quality and Hydrology (both alone and in combination with other relevant plans and projects)

73. Table 7 shows that all the qualifying features of the Dungeness SAC are to some extent dependent on hydrology (water levels) and water quality. Changes in source, depth, duration, frequency, magnitude and timing of water supply can have significant implications for the assemblage of characteristic plants and animals present. For many SAC features which are dependent on wetland habitats supported by surface and/or ground water, maintaining the quality and quantity of water supply will be critical, especially at certain times of year. Poor water quality and inadequate quantities of water can adversely affect the structure and function of this habitat type. At a site, unit and/or catchment level the target standard is to maintain natural hydrological processes to provide the conditions necessary to sustain the feature within the site and thus help achieve the Conservation Objectives for this feature.

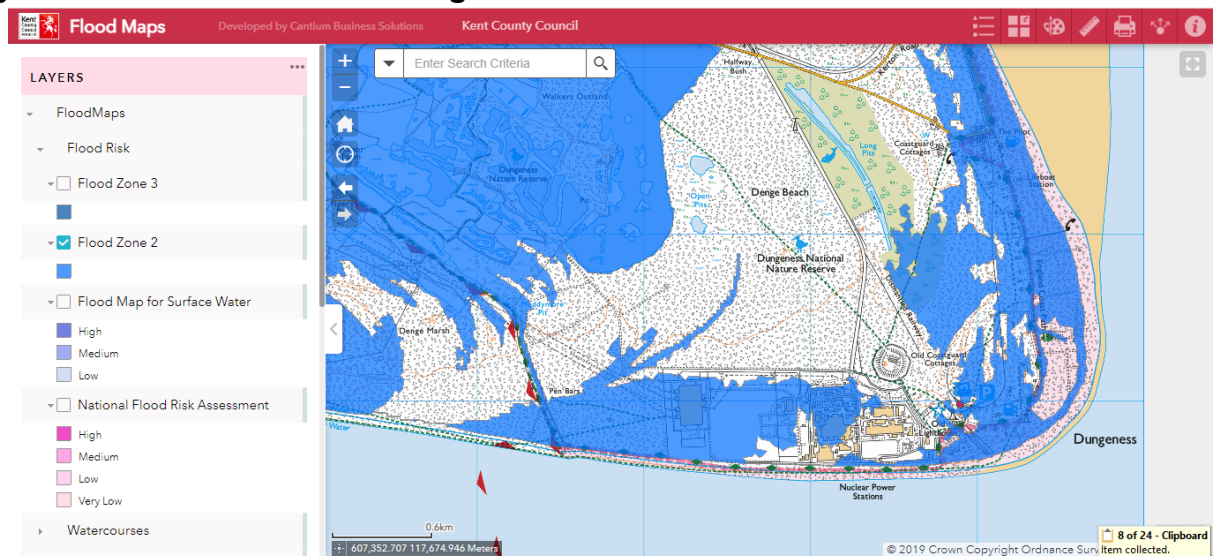
74. Defining and maintaining the appropriate hydrological regime is a key step in moving towards achieving the conservation objectives for this site and sustaining the qualifying features. Typically, meeting the surface water and groundwater environmental standards set out by the Water Framework Directive (WFD 2000/60/EC) will also be sufficient to support the achievement of SAC Conservation Objectives but in some cases more stringent standards may be needed. Further site-specific investigations may be required to establish appropriate water quality standards for the SAC.

75. The types of operation that would be permitted under the revision of Policy CSW17 could affect the SAC qualifying features in two ways:

- Changes to drainage patterns that reduce surface water flow or groundwater levels within the SAC;
- The release of pollutants into surface waters or groundwater.

76. The Dungeness nuclear sites are within land at risk of flooding. As shown in Figure 5 they occupy land within Flood Zones 2 and 3²².

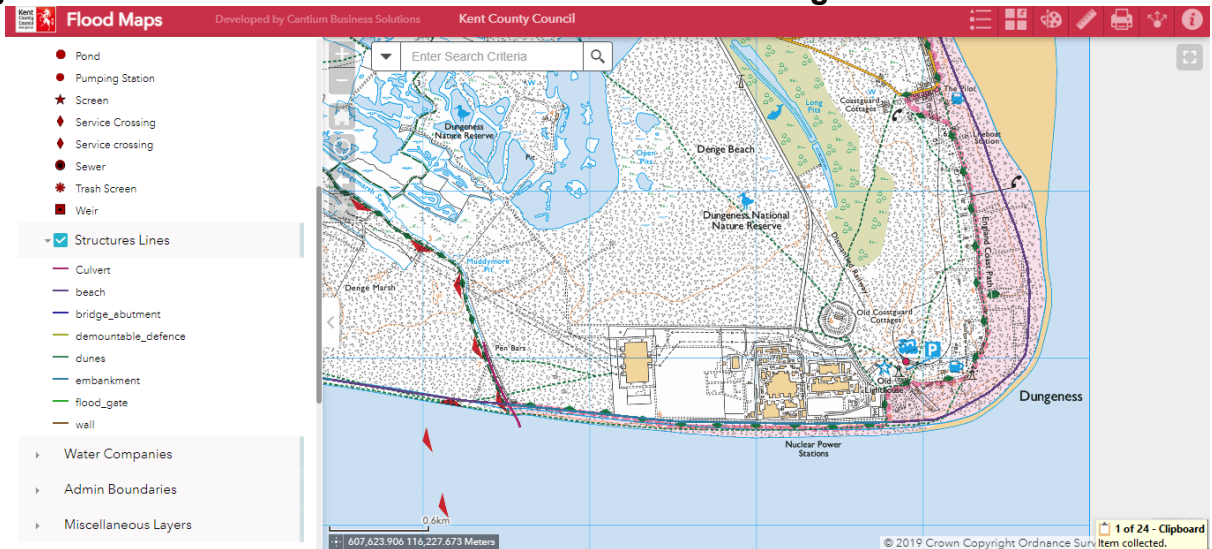
Figure 3 Flood risks at the Dungeness nuclear sites.



77. The sites are protected from flooding by the sea and from coastal erosion by a bank of shingle that is maintained for this purpose under the approved SMP (Section 5.5) and is shown in Figure 6.

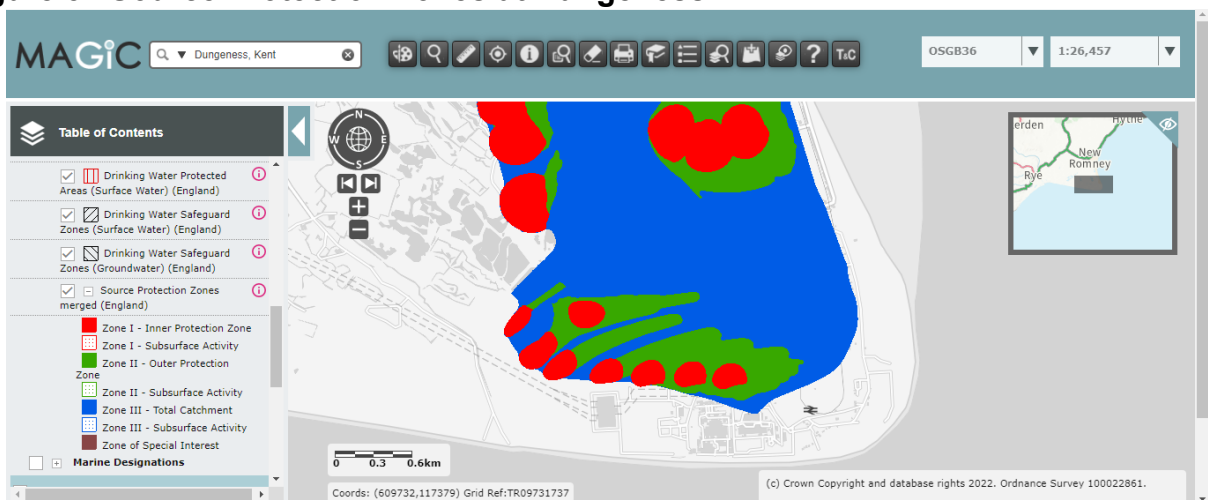
²² <https://webapps.kent.gov.uk/GIS/public/Floodmaps/>

Figure 4 Location of coastal and flood defences at Dungeness nuclear sites



78. The Dungeness nuclear sites also lie within Source Protection Zones (SPZ's) for groundwater as illustrated in Figure 7 and Denge Beach immediately to the north of the Dungeness nuclear sites is abstracted for water supply by Affinity Water. SPZ's are defined around large and public potable groundwater abstraction sites. The purpose of SPZs is to provide additional protection to safeguard drinking water quality through constraining the proximity of an activity that may impact upon a drinking water abstraction. This is part of an initial screening process in assessing impacts to groundwater resources. Zones around location sites are defined by groundwater travel time to an abstraction. This is determined through applying Environment Agency groundwater flow models run at the location of abstractions, inputting parameters such as flow direction, geology type, rainfall and hydrological boundaries. SPZs provide a visual representation of the increased risks as you get closer to the abstraction.

Figure 5 Source Protection Zones at Dungeness



79. In the context of the above risks and constraints, managing drainage at the Dungeness nuclear sites presents a number of technical challenges. Drainage by infiltration risks potential contamination of groundwaters and therefore public water supplies. Drainage by surface water drains/features risks increasing potential flood risks.

80. At a meeting with technical and environmental staff and project management staff of Magnox on 15th August 2022, it was explained to KCC that groundwater at Dungeness flows in a north to south direction i.e. it moves from landward to seaward. This means that any contamination that may enter the groundwater from the Dungeness nuclear sites will move seawards and away from the Dungeness SAC to the north to the west and to the east. This means that the risk of any contaminated groundwater affecting the qualifying features of the SAC (including the standing freshwater pools supporting breeding great crested newt populations) is minimal.
81. At the same meeting it was also explained that the great majority of surface water drainage from the nuclear sites goes to sea. The runoff is collected within a series of drains within the sites before collecting in below ground chambers before being pumped out to sea through a buried pipeline and discharging offshore. This means that any contamination that may enter the surface waters from the Dungeness nuclear sites will move seawards and away from the Dungeness SAC to the north to the west and to the east. This means that the risk of any contaminated surface water affecting the qualifying features of the SAC (including the standing freshwater pools supporting breeding great crested newt populations) is minimal.
82. The drainage patterns also mean that the risks to hydrology (and in particular water levels) within the Dungeness SAC are also minimal.
83. The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017²³ provides the legislation for the control and authorisation of abstractions and discharges of water to protect the environment and public health. Additional guidance on permitting requirements for discharges to groundwater set out detailed controls and authorisation requirements^{24,25}. Other legislation controls surface water discharges and flood risks²⁶.
84. Additional controls apply to operations within nuclear sites and in relation to the decommissioning of nuclear power stations and in particular the Management of radioactive waste from decommissioning of nuclear sites: Guidance on Requirements for Release from Radioactive Substances Regulation Version 1.0: July 2018²⁷ commonly referred to as the GRR Regulations. Operator may be able to dispose of radioactive waste under a permit provided that they can prove to the Environment Agency that this disposal of radioactive waste is optimised. As part of the GRR, the Operator has to provide a waste management plan (WMP) and a site wide environmental safety case (SWESC).
85. A SWESC is a documented set of claims, made by the operator of a nuclear site, to demonstrate achievement by the site as a whole of the required standard of environmental safety. Where relevant, the SWESC includes the environmental safety case for any on-site disposal facility. The SWESC also takes account of contributions to the combined impact on representative persons from adjacent nuclear sites, and from areas of contamination and previously permitted disposals outside the site.

²³ <https://www.legislation.gov.uk/ukxi/2017/407/contents>

²⁴ Defra, 2010b: Environmental Permitting Guidance. Groundwater Activities. For the Environmental Permitting (England and Wales) Regulations 2010. December 2010.

²⁵ EA, 2017a: The collection of Environment Agency guidance on groundwater protection. Available at: <https://www.gov.uk/government/collections/groundwaterprotection>

²⁶ Flood and Water Management Act 2010 <https://www.legislation.gov.uk/ukpga/2010/29/contents>

²⁷ <https://www.sepa.org.uk/media/365893/2018-07-17-grr-publication-v1-0.pdf>

86. A WMP is a documented plan, prepared by the Operator of a nuclear site, which provides a comprehensive description of the current intent for dealing with all radioactive substances on or adjacent to the site and demonstrates how waste management has been optimised.
87. The above controls are in addition to planning controls such as Policies DM2 and DM3 and DM10 of the KMWLP and provide a robust framework for the control and authorisation of activities that could potentially lead to contamination of ground and water.
88. **Given the current patterns of groundwater movement and surface water drainage and the robust controls in place for the de-commissioning of nuclear sites, it is assessed that there is a low likelihood of operations that would be permitted under Policy CSW17, either alone or in combination with other de-commissioning operations, resulting in adverse effects to the integrity of the Dungeness SAC as a result of changes to hydrology or water quality.**

5.7 Appropriate Assessment of the likely significant effects on the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA)

89. Table 11 provides a summary of the trends in the populations of the SPA qualifying bird species nationally and locally within the Dungeness, Romney Marsh and Rye Bay Special Protection Area (the SPA) since the SPA was designated in 2006. This provides an important background and context to considerations of the potential effects of any new developments within the SPA, including those that would be permitted under the revised wording of Policy CSW17.
90. It identifies the bird species populations that are of conservation concern nationally and whose population declines are therefore resulting from factors beyond the local county level or SPA site level. These populations are therefore vulnerable at the national as well as local level. It also identifies species populations that are stable or increasing at the national level so that any population declines at the local county level or SPA site level may be attributable to local threats and pressures. These populations are therefore vulnerable at the local level.
91. In Table 11 the colour coding is intended to provide a quick visual reference to the population trends for each species with red indicating significant decline, amber moderate or short-term decline and green indicating a stable or increasing population

trend. Reference has been made to all available sources of evidence including the Birds of Conservation Concern (BoCC)²⁸.

Table 8 Trends in the populations of the SPA qualifying bird species

Qualifying Species	5 year peak mean on designation (2006-07)	Most recent 5 year peak mean (2019-20)	Trends for GB and/or England
A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding)	5 individuals – wintering 5.0% of GB population	No population estimates available	This species has moved from the Red List to the Amber List on the BoCC between 2015 and 2021.
A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding)	155 individuals – Wintering 1.9% GB population	5 individuals wintering Drastic decline after 2011-12 96% decline at the SPA since 2016/17. https://app.bto.org/webs-reporting/numbers.jsp	80% decline in England over the same period https://app.bto.org/webs-reporting/numbers.jsp Species has moved from the Amber to the Red List on the BoCC between 2015 and 2021.
A056 <i>Spatula (Anas) clypeata</i> ; Northern shoveler (Non-breeding)	485 individuals – Wintering 1.2% NW & C Europe (nonbreeding)	757 individuals wintering 56% increase since 2016/17 https://app.bto.org/webs-reporting/numbers.jsp	83% increase since 2016/17 https://app.bto.org/webs-reporting/numbers.jsp However, remains on the BoCC Amber List
A081 <i>Circus aeruginosus</i> ; Eurasian marsh harrier (Breeding)	4 females – breeding 2% GB population	No population estimates available BTO Records: TR0618 2015 x 1 pair TR0618 2016 x 1 pair TQ9923 2017 X 2 pairs TR0618 2017 x 3 pairs (all nests failed) TR0620 2018 x 1 pair	Remains on the BoCC Amber List
A082 <i>Circus cyaneus</i> ; Hen harrier (Non-breeding)	11 individuals – Wintering 1.5% GB population	No population estimates available	Remains on the BoCC Red List

²⁸ Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. 2021. The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. *British Birds* 114: 723-747. Available online at <https://britishbirds.co.uk/content/status-our-bird-populations>

Qualifying Species	5 year peak mean on designation (2006-07)	Most recent 5 year peak mean (2019-20)	Trends for GB and/or England
A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Breeding)	31 pairs – breeding 3.5% GB population	No population estimates available	Remains on the BoCC Amber List
A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding)	4,050 individuals – wintering 1.6% GB population	2,264 51% decline between 1991-92 and 2016-17 in the medium term https://app.bto.org/webs-reporting/numbers.jsp	GB average decline over the medium term across all SPA's of 40%. England medium term decline of 32%. https://app.bto.org/webs-reporting/numbers.jsp However has moved from the Amber to the Green List on the BoCC between 2015 and 2021.
A151 <i>Calidris (Philomachus) pugnax</i> ; Ruff (Non-breeding)	51 individuals – Wintering 7.3% GB population	25 Medium term increase of 41% between 1991-92 and 2016-17 https://app.bto.org/webs-reporting/numbers.jsp	GB average decline over the medium term across all SPA's of 29% https://app.bto.org/webs-reporting/numbers.jsp Remains on the BoCC Red List
A176 <i>Larus melanocephalus</i> ; Mediterranean gull (Breeding)	56 pairs – breeding 52.2% GB population	No population estimates available BTO records: TR 0618 2018 1 occupied nest	JNCC. 2021. Seabird Population Trends and Causes of Change: 1986–2019 Report (https://jncc.gov.uk/our-work/smp-report-1986-2019). Joint Nature Conservation Committee, Peterborough. Updated 20 May 2021. Remains on the BoCC Amber List. Breeding was first confirmed in England in 1968 in Hampshire and was sporadic until the late 1980s. Thereafter, colonisation spread outwards from southern

Qualifying Species	5 year peak mean on designation (2006-07)	Most recent 5 year peak mean (2019-20)	Trends for GB and/or England
			<p>and south-east England so that, by Seabird 2000, there were 108 Apparently Occupied Nests (AON) recorded, some as far north as Lancashire and West Yorkshire. However, the main population was still centred in the south. Between 1,390–1,415 AON were reported to the Rare Breeding Birds Panel in 2017. This number increased to 2,373 AON and an estimated maximum number of breeding pairs of 2,400 in 2018. In 2019, breeding numbers of Mediterranean gull in England are lower according to the data submitted to the SMP. https://jncc.gov.uk/our-work/mediterranean-gull-larus-melanocephalus/</p>
<p>A191 <i>Sterna sandvicensis</i>; Sandwich tern (Breeding)</p>	<p>350 pairs – breeding 3.3% GB population</p>	<p>No population estimates available</p>	<p>JNCC. 2021. Seabird Population Trends and Causes of Change: 1986–2019 Report (https://jncc.gov.uk/our-work/smp-report-1986-2019). Joint Nature Conservation Committee, Peterborough. Updated 20 May 2021.</p> <p>Remains on the BoCC Amber List</p> <p>Sandwich terns exhibit the most erratic population trends and distribution of any seabird breeding in the UK. The population fluctuates dramatically among years due to large variations in the proportion of mature birds attempting to breed and distribution varies owing to mass</p>

Qualifying Species	5 year peak mean on designation (2006-07)	Most recent 5 year peak mean (2019-20)	Trends for GB and/or England
			<p>movements between colonies. The species is distributed widely but patchily around the coasts of the British Isles, broadly reflecting the availability of favoured nesting habitat: low-lying offshore islands, islets in bays or brackish lagoons, spits or remote mainland dunes. Despite frequent changes in the sites used, the broad distribution in the UK has changed little over the last 30 years.</p> <p><u>Several former breeding sites in England now hold no breeding Sandwich terns (e.g. Dungeness, Foulness, Foulney, Havergate, Chichester and North Solent). The largest colonies in England are on the Farne Islands, Coquet Island, Blakeney Point and Scolt Head Island where over 6,662 Sandwich terns nested in 2019.</u></p> <p>https://jncc.gov.uk/our-work/sandwich-tern-sterna-sandvicensis/</p>
A193 <i>Sterna hirundo</i> ; Common tern (Breeding)	273 pairs – breeding 2.7% GB population	No population estimates available BTO Records: Up to 50 birds recorded at TR0618 in breeding season in 2014 Up to 23 birds recorded at TR0618 in breeding season in 2015	<p>JNCC. 2021. Seabird Population Trends and Causes of Change: 1986–2019 Report (https://jncc.gov.uk/our-work/smp-report-1986-2019). Joint Nature Conservation Committee, Peterborough. Updated 20 May 2021.</p> <p>Remains on the BoCC Amber List</p> <p>Common terns are not the most abundant UK tern</p>

Qualifying Species	5 year peak mean on designation (2006-07)	Most recent 5 year peak mean (2019-20)	Trends for GB and/or England
			<p>species but are probably the most familiar because their breeding range extends around much of the British Isles coastline plus inland on lakes, reservoirs and gravel pits along the large river valleys of SE and Central England.</p> <p>Common tern numbers in England decreased by 24% between the Operation Seafarer and Seabird Colony Register (SCR) censuses and Seabird 2000 recorded approximately the same number as the SCR. Since Seabird 2000, the common trend index has fluctuated close to the 1986 baseline (Figure 7). In 2019, the index was 18% above the baseline, suggesting that the English common tern breeding population may now be larger than it was at the time of Seabird 2000.</p> <p>https://jncc.gov.uk/our-work/common-tern-sterna-hirundo/</p>
A195 <i>Sterna albifrons</i> ; Little tern (Breeding)	35 pairs – breeding 1.5% GB population	No population estimates available	<p>JNCC. 2021. Seabird Population Trends and Causes of Change: 1986–2019 Report (https://jncc.gov.uk/our-work/smp-report-1986-2019). Joint Nature Conservation Committee, Peterborough. Updated 20 May 2021.</p> <p>Remains on the BoCC Amber List</p> <p>Little tern is the smallest species of tern breeding in the UK, nesting exclusively</p>

Qualifying Species	5 year peak mean on designation (2006-07)	Most recent 5 year peak mean (2019-20)	Trends for GB and/or England
			<p>on the coast in well-camouflaged shallow scrapes on beaches, spits or inshore islets. They do not forage far from their breeding site, which dictates a necessity for breeding close to shallow, sheltered feeding areas where they can easily locate the variety of small fish and invertebrates that make up their diet. Colonies are found around much of the coastline, but the main concentration is in south and east England, where the species' preference for beaches also favoured by people makes it vulnerable to disturbance.</p> <p>The trend shown for England closely matches that for the UK as a whole, where the majority of data have been collected over the years. The declining trend for little terns in England, visible since 1987, has been slowed somewhat in recent years, no doubt through targeted management with many colonies now benefiting from some form of guarding, e.g. fencing, trapping, signage, surveillance, and public relations. <u>However, the breeding Little Tern population in England is now only 50% of the 1986 baseline.</u> https://jncc.gov.uk/our-work/little-tern-sternula-albifrons/</p>

Qualifying Species	5 year peak mean on designation (2006-07)	Most recent 5 year peak mean (2019-20)	Trends for GB and/or England
A294 <i>Acrocephalus paludicola</i> ; Aquatic warbler (Non-breeding)		No records	No records
Waterbird assemblage	34,625	32,082 https://app.bto.org/webs-reporting/numbers.jsp	No records

92. Table 12 provides a summary of the likely significant effects on the qualifying interest features of the SPA. This assessment is based on available information on the sensitivity of each qualifying feature to the effects identified in Table 7. This is based on the information at Appendix 1 Table A2 which describes the current condition of qualifying features and the threats to them and vulnerabilities of them.

Table 9 Summary of the likely significant effects on the SPA

Qualifying Feature	Habitat Loss or Degradation and Species Impacts Habitat loss (permanent or temporary) and effects on qualifying species	Potential for Significant Effects
A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding)	The appropriate assessment of the effects of habitat loss and degradation on the Dungeness SAC qualifying features (Section 5.3) concluded that the revised Policy CSW17 does not in itself permit development that would result directly in the loss or degradation of the qualifying habitats features. The qualifying bird species of the SPA share these same habitat features and therefore it is reasonable to conclude that Policy CSW17 as revised would not result in the loss or degradation of habitats used by the SPA bird species for breeding or wintering.	NO
A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding)	See above	NO
A056 <i>Spatula (Anas) clypeata</i> ; Northern shoveler (Non-breeding)	See above	NO

A081 <i>Circus aeruginosus</i> ; Eurasian marsh harrier (Breeding)	See above	NO
A082 <i>Circus cyaneus</i> ; Hen harrier (Non-breeding)	See above	NO
A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Breeding)	See above	NO
A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding)	See above	NO
A151 <i>Calidris (Philomachus) pugnax</i> ; Ruff (Non-breeding)	See above	NO
A176 <i>Larus melanocephalus</i> ; Mediterranean gull (Breeding)	See above	NO
A191 <i>Sterna sandvicensis</i> ; Sandwich tern (Breeding)	See above	NO
A193 <i>Sterna hirundo</i> ; Common tern (Breeding)	See above	NO

A195 <i>Sterna albifrons</i> ; Little tern (Breeding)	See above	NO
A294 <i>Acrocephalus paludicola</i> ; Aquatic warbler (Non-breeding)	See above	NO
Waterbird assemblage	See above	NO
Qualifying Feature	Air Quality Emissions of NH3, NOx and SO2 and nitrogen and acid deposition	Potential for Significant Effects
A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding)	<p>The screening of the effects of air quality on the Dungeness SAC qualifying features (Section 5.3) concluded that current levels and loads of air pollutants at the Dungeness peninsula were not exceeding the critical levels and critical loads for the qualifying Annex 1 habitat features or the Annex II species great crested newt (using its habitat as a proxy).</p> <p>It further concluded that the type and number of vehicle movements associated with the policy change would be equivalent to, or would have a lesser impact than, those which would be associated with any import of engineering material that would be used to meet the identified engineering need associated with filling the voids</p> <p>The qualifying bird species of the SPA share these same habitat features and therefore it is reasonable to conclude that Policy CSW17 as revised would not result in the loss of or degradation of habitats used by the SPA bird species for breeding or wintering.</p> <p>Therefore it is concluded that there would not be a likely significant effect on the integrity of the Dungeness SAC and its qualifying features, if as a result of the additional opportunities for the importation of wastes for treatment and disposal, allowed under Policy CSW17.</p>	No

A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding)	As above	No
A056 <i>Spatula (Anas) clypeata</i> ; Northern shoveler (Non-breeding)	As above	No
A081 <i>Circus aeruginosus</i> ; Eurasian marsh harrier (Breeding)	As above	No
A082 <i>Circus cyaneus</i> ; Hen harrier (Non-breeding)	As above	No
A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Breeding)	As above	No
A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding)	As above	No
A151 <i>Calidris (Philomachus) pugnax</i> ; Ruff (Non-breeding)	As above	No
A176 <i>Larus melanocephalus</i> ; Mediterranean gull (Breeding)	As above	No
A191 <i>Sterna sandvicensis</i> ;	As above	No

Sandwich tern (Breeding)		
A193 <i>Sterna hirundo</i> ; Common tern (Breeding)	As above	No
A195 <i>Sterna albifrons</i> ; Little tern (Breeding)	As above	No
A294 <i>Acrocephalus paludicola</i> ; Aquatic warbler (Non-breeding)	As above	No
Waterbird assemblage	As above	No
Qualifying Feature	Water and Soil Quality and Hydrology Release or mobilisation of contaminants into the ground or surface waters and changes to ground or surface water levels	Potential for Significant Effects
A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding)	Section 5.7 of this HRA concluded in respect of the qualifying features of the Dungeness SAC that given the current patterns of groundwater movement and surface water drainage and the robust controls in place for the de-commissioning of nuclear sites, it is assessed that there is a low likelihood of operations that would be permitted under Policy CSW17 resulting in adverse effects to the integrity of the Dungeness SAC as a result of changes to hydrology or water quality. The qualifying bird species of the SPA share these same habitat features and therefore it is reasonable to conclude that Policy CSW17 as revised would not result in adverse effects on the habitats used by the SPA bird species for breeding or wintering.	NO
A037 <i>Cygnus columbianus bewickii</i> ;	As above	NO

Bewick's swan (Non-breeding)		
A056 <i>Spatula</i> <i>(Anas) clypeata</i> ; Northern shoveler (Non- breeding)	As above	NO
A081 <i>Circus</i> <i>aeruginosus</i> ; Eurasian marsh harrier (Breeding)	As above	NO
A082 <i>Circus</i> <i>cyaneus</i> ; Hen harrier (Non- breeding)	As above	NO
A132 <i>Recurvirostra</i> <i>avocetta</i> ; Pied avocet (Breeding)	As above	NO
A140 <i>Pluvialis</i> <i>apricaria</i> ; European golden plover (Non-breeding)	As above	NO
A151 <i>Calidris</i> <i>(Philomachus)</i> <i>pugnax</i> ; Ruff (Non-breeding)	As above	NO
A176 <i>Larus</i> <i>melanocephalus</i> ; Mediterranean gull (Breeding)	As above	NO
A191 <i>Sterna</i> <i>sandvicensis</i> ; Sandwich tern (Breeding)	As above	NO

A193 <i>Sterna hirundo</i> ; Common tern (Breeding)	As above	NO
A195 <i>Sterna albifrons</i> ; Little tern (Breeding)	As above	NO
A294 <i>Acrocephalus paludicola</i> ; Aquatic warbler (Non-breeding)	As above	NO
Waterbird assemblage	As above	NO
Qualifying Feature	Disturbance Effects Disturbance from noise and vibration and disturbance from movement of contractors, plant etc	Potential for Significant Effects
A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding)	<p>Birds are sensitive to disturbance from noise and from visual intrusion. Different species show different levels of tolerance and will react to different thresholds of noise and visual disturbance. Taking flight away from the source of disturbance is the most common reaction. For breeding bird species, this can result in leaving nests, eggs and chicks open to predation and repeated disturbances can result in nests and eggs being abandoned altogether. For wintering bird species disturbance can result in significant energy use and loss and repeated disturbances can result in otherwise suitable foraging and roosting habitats being abandoned.</p> <p>During both construction and operation, noise and vibration and visual disturbance from the movements of contractors and the use of plant and equipment can result in bird disturbance. Vehicle movements to and from the Dungeness nuclear sites are unlikely to result in such disturbance as these vehicle movements have been ongoing for a long period of time and therefore, birds will either be habituated to</p>	YES During construction and operation

	this vehicle movement or will be avoiding areas close to roads.	
A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding)	As above	YES During construction and operation
A056 <i>Spatula (Anas) clypeata</i> ; Northern shoveler (Non-breeding)	As above	YES During construction and operation
A081 <i>Circus aeruginosus</i> ; Eurasian marsh harrier (Breeding)	As above	YES During construction and operation
A082 <i>Circus cyaneus</i> ; Hen harrier (Non-breeding)	As above	YES During construction and operation
A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Breeding)	As above	YES During construction and operation
A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding)	As above	YES During construction and operation
A151 <i>Calidris (Philomachus) pugnax</i> ; Ruff (Non-breeding)	As above	YES During construction and operation
A176 <i>Larus melanocephalus</i> ; Mediterranean gull (Breeding)	As above	YES During construction and operation

A191 <i>Sterna sandvicensis</i> ; Sandwich tern (Breeding)	As above	YES During construction and operation
A193 <i>Sterna hirundo</i> ; Common tern (Breeding)	As above	YES During construction and operation
A195 <i>Sterna albifrons</i> ; Little tern (Breeding)	As above	YES During construction and operation
A294 <i>Acrocephalus paludicola</i> ; Aquatic warbler (Non-breeding)	As above	YES During construction and operation
Waterbird assemblage	As above	YES During construction and operation

5.8 Appropriate assessment of the effects of Disturbance Effects (both alone and in combination with other relevant plans and projects)

93. Birds are sensitive to disturbance from noise and from visual intrusion. Different species show different levels of tolerance and will react to different thresholds of noise and visual disturbance. Taking flight away from the source of disturbance is the most common reaction. For breeding bird species, this can result in leaving nests, eggs and chicks open to predation and repeated disturbances can result in nests and eggs being abandoned altogether. For wintering bird species disturbance can result in significant energy use and loss and repeated disturbances can result in otherwise suitable foraging and roosting habitats being abandoned.

3

94. For those bird species populations which are already under stress from other environmental factors, disturbance effects could be critical. These would include the qualifying bird species which have shown serious declines within the SPA including A037

Cygnus columbianus bewickii; Bewick's swan (non-breeding) and A140 *Pluvialis apricaria*; European golden plover (non-breeding).

95. Research has established that different species of waterbirds have different tolerances to noise and visual disturbance (caused for example by plant and machinery operating within sight of the birds)²⁹. The type of noise and its level and frequency result in different effects. Sudden loud noises (associated with e.g. piling operations) have different effects from regular background noises such as the noise of running engines from plant and machinery.
96. During both construction and operation, noise and vibration and visual disturbance from the movements of contractors and the use of plant and equipment can result in bird disturbance. Vehicle movements to and from the Dungeness nuclear sites are unlikely to result in such disturbance as these vehicle movements have been ongoing for a long period of time and therefore, birds will either be habituated to this vehicle movement or will be avoiding areas close to roads.
97. In assessing the potential levels of disturbance that may occur as a result of the additional activities permitted under the proposed revised wording of Policy CSW17, both alone and in combination with other ongoing de-commissioning operations, it is important to understand whether any of the qualifying bird species are or are likely to be using habitats within a distance of the Dungeness nuclear sites where such activities and operations are likely to result in disturbance.
98. Two approaches have been taken to ascertain the likelihood of disturbance effects on qualifying bird species. Firstly, the British Trust for Ornithology (BTO) was commissioned to produce a report of its records of observations of the qualifying bird species (and all other bird species) within the 1km, 2km(tetrad) and 10km recording squares that include the Dungeness nuclear sites and surrounding land. Secondly, based on an understanding of the habitat requirements of each of the qualifying bird species, map searches using Magic³⁰ to measures the distance from the Dungeness nuclear sites to the nearest suitable habitats for each species.
99. Whilst it is important to note that the SPA boundaries are over 500metres from the Dungeness nuclear sites at their closest point (see Appendix 1 Figure A3) it is likely that the qualifying bird species are utilising land outside of those SPA boundaries for breeding, foraging and roosting. Land outside of an SPA boundary but which nevertheless plays an important role in maintaining the populations of the qualifying species of the SPA is referred to as 'functionally linked land' and case law has determined that the effects of plans and projects on such functionally linked land must be taken into consideration in appropriate assessments.
100. 'Functional linkage' refers to the role or 'function' that land or sea beyond the boundary of a Habitats Site might fulfil in terms of supporting the populations for which the site was designated or classified³¹. Such an area of land or sea is therefore 'linked' to

²⁹ https://gat04-live-1517c8a4486c41609369c68f30c8-aa81074.divio-media.org/filer_public/8f/bd/8fbd7e9-ea6f-4474-869f-ec1e68a9c809/11367.pdf

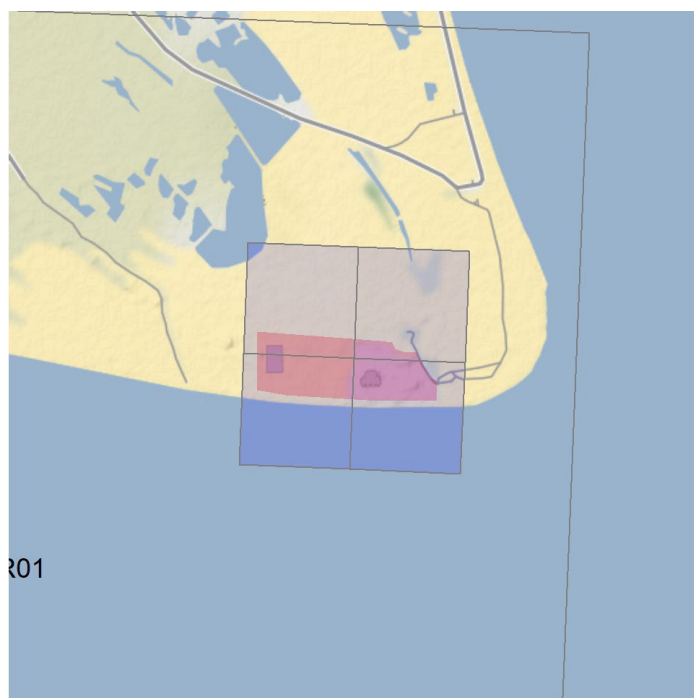
³⁰ <https://magic.defra.gov.uk/MagicMap.aspx>

³¹ CHAPMAN, C. & TYLDESLEY, D. 2016. *Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and*

the site in question because it provides a (potentially important) role in maintaining or restoring a protected population at favourable conservation status. Whilst the boundary of a European site will usually be drawn to include key supporting habitat for a qualifying species, this cannot always be the case where the population for which a site is designated or classified is particularly mobile. Individuals of the population will not necessarily remain in the site all the time.

101. The BTO has provided a report³² compiled from records of bird observations in the area around the Dungeness nuclear sites. The BTO Data Report uses comprehensive atlas distribution data from 2007–11 to give a baseline of high-quality information about species status at and around the site and in the wider context. This is supplemented by the latest records from current schemes, including BirdTrack and BBS (2018-22).
102. The data covers the 10km grid square TR01 within which the Dungeness nuclear sites are centrally located (see Figure 8) and which includes a large part of the SPA, and the four 1km grid squares immediately surrounding the Dungeness nuclear sites (Figure 8) (which are TR0716 Seaward West of Site T0717 Landward West, TR0816 Seaward East TR0817 Landward East) and the two 2km tetrads surrounding the Dungeness nuclear sites (see Figure 9) TR01T and TR01Y.

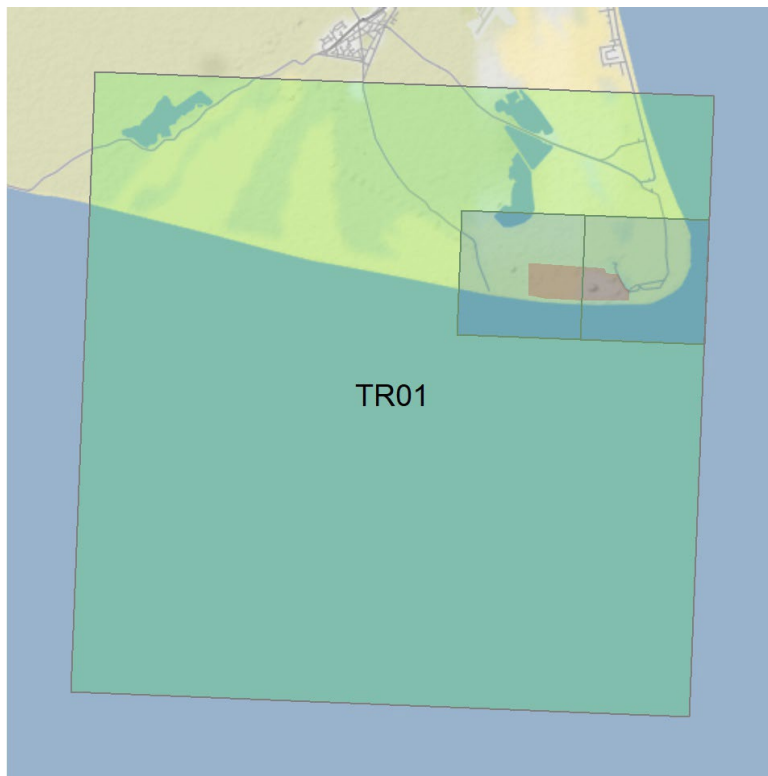
Figure 6 BTO data records area – 10km grid square and one kilometre grid squares



projects - a review of authoritative decisions. Natural England Commissioned Reports, Number 207.

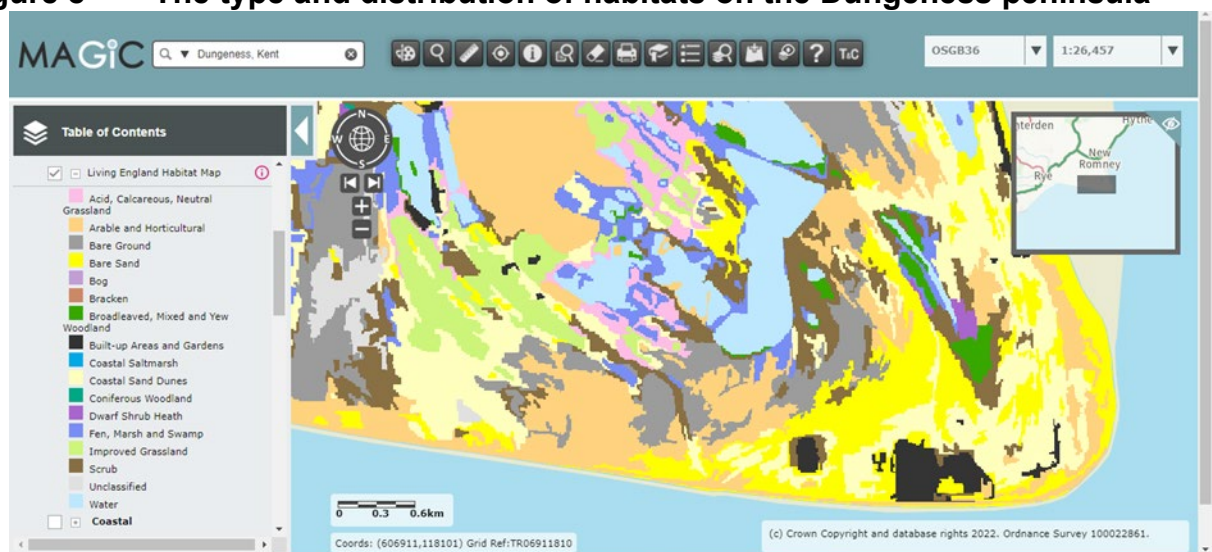
³² BTO Data Report Dungeness Power Station Compiled on 16th August 2022

Figure 7 BTO data records area – 10km grid square and 2km tetrads



103. In addition to the BTO bird records, Magic was used to identify the range of habitats within 1km of the Dungeness nuclear sites. This (along with aerial imagery from Google Earth Pro) provided an understanding of the spatial relationships of habitat suitable for the qualifying bird species in relation to the Dungeness nuclear sites. Figure 10 shows the type and distribution of habitats around the Dungeness nuclear sites.

Figure 8 The type and distribution of habitats on the Dungeness peninsula



104. Using a combination of the BTO data records and the habitat mapping, an assessment was made of the potential for the SPA qualifying bird species to be using land adjacent to the Dungeness nuclear sites. Table 13 shows the assessment for the qualifying breeding bird species and Table 14 for the non-breeding (mostly wintering) qualifying bird species.

Table 10 Qualifying breeding bird status within land around the Dungeness nuclear sites

Breeding Species	Breeding Status 2007-11		Breeding Status 2018-22		Likely to be breeding within land adjacent to the Dungeness Nuclear Sites?
	1km squares	2km tetrads	1km squares	2km tetrads	
A081 <i>Circus aeruginosus</i> ; Eurasian marsh harrier (Breeding)	No breeding records	No breeding records	No breeding records	Present within breeding season	UNLIKELY Breeding confirmed within 10km square TR01 but no breeding records within 1km squares or 2km tetrads. No suitable breeding habitat within 800 metres of the Dungeness nuclear sites.
A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Breeding)	No breeding records	No breeding records	No breeding records	Present within breeding season	UNLIKELY Breeding confirmed within 10km square TR01 but no breeding records within 1km squares or 2km tetrads. No suitable breeding habitat within 800 metres of the Dungeness nuclear sites.
A176 <i>Larus melanocephalus</i> ; Mediterranean gull (Breeding)	No breeding records	No breeding records	No breeding records	Present within breeding season	UNLIKELY Breeding confirmed within 10km square TR01 but no breeding records within 1km squares or 2km tetrads. No suitable breeding habitat within 800 metres of the Dungeness nuclear sites.

Breeding Species	Breeding Status 2007-11		Breeding Status 2018-22		Likely to be breeding within land adjacent to the Dungeness Nuclear Sites?
	1km squares	2km tetrads	1km squares	2km tetrads	
A191 <i>Sterna sandvicensis</i> ; Sandwich tern (Breeding)	No breeding records	No breeding records	No breeding records	Present within breeding season	UNLIKELY Possible breeding within 10km square TR01 but no breeding records within 1km squares or 2km tetrads.
A193 <i>Sterna hirundo</i> ; Common tern (Breeding)	No breeding records	No breeding records	No breeding records	Present within breeding season	UNLIKELY Breeding confirmed within 10km square TR01 but no breeding records within 1km squares or 2km tetrads.
A195 <i>Sterna albifrons</i> ; Little tern (Breeding)	No breeding records	No breeding records	No breeding records	Present within breeding season	UNLIKELY No breeding records within 10km square TR01.

Table 11 Qualifying non-breeding bird status within land around the Dungeness nuclear sites

Wintering Species	Wintering Status 2007-11		Wintering Status 2018-22		Likely to be wintering within land adjacent to the Dungeness Nuclear Sites?
	1km squares	2km tetrads	1km squares	2km tetrads	
A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding)	No records	Present	No records	Present	UNLIKELY Wintering confirmed within 2km tetrads. No suitable habitat within 800 metres of the Dungeness nuclear sites.
A037 <i>Cygnus columbianus bewickii</i> ; Bewick's	No records	Present	No records	Present	UNLIKELY Wintering confirmed within 2km tetrads. No

Wintering Species	Wintering Status 2007-11		Wintering Status 2018-22		Likely to be wintering within land adjacent to the Dungeness Nuclear Sites?
	1km squares	2km tetrads	1km squares	2km tetrads	
swan (Non-breeding)					suitable habitat within 800 metres of the Dungeness nuclear sites.
A056 <i>Spatula (Anas) clypeata</i> ; Northern shoveler (Non-breeding)	No records	Present	No records	Present	UNLIKELY Wintering confirmed within 2km tetrads. No suitable habitat within 800 metres of the Dungeness nuclear sites.
A082 <i>Circus cyaneus</i> ; Hen harrier (Non-breeding)	No records	Present	No records	Present	UNLIKELY Wintering confirmed within 2km tetrads. No suitable habitat within 800 metres of the Dungeness nuclear sites.
A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding)	No records	No records	No records	Present	POSSIBLE Wintering confirmed within 2km tetrads. Suitable habitat adjacent to the Dungeness nuclear sites.
A151 <i>Calidris (Philomachus) pugnax</i> ; Ruff (Non-breeding)	No records	No records	No records	Present	UNLIKELY Wintering confirmed within 2km tetrads. No suitable habitat within 800 metres of the Dungeness nuclear sites.
A294 <i>Acrocephalus paludicola</i> ; Aquatic warbler (Non-breeding)	No records	No records	No records	No records	UNLIKELY ON PASSAGE No suitable habitat within 800 metres of the Dungeness nuclear sites.

Wintering Species	Wintering Status 2007-11		Wintering Status 2018-22		Likely to be wintering within land adjacent to the Dungeness Nuclear Sites?
	1km squares	2km tetrads	1km squares	2km tetrads	
Waterbird assemblage	N/A*	N/A*	N/A*	N/A*	UNLIKELY No suitable wetland habitat within 800 metres of the Dungeness nuclear sites.

* As it's an assemblage have stated Not Applicable as unable to be specific.

105. The data records show that the likelihood that any SPA qualifying breeding bird species are breeding within land adjacent to the Dungeness nuclear sites and outside the boundaries of the SPA is low. Most of the breeding species require freshwater or brackish water wetland habitats or coastal shingle. The nearest wetland habitats are over 800 metres from the Dungeness nuclear sites at the RSPB nature reserve at Denge and the Long Pits. There is suitable coastal shingle for breeding birds such as tern species however there are no breeding records for these species within the 2km tetrads around the nuclear sites.

106. The data records also show that the likelihood the SPA qualifying non-breeding bird species are wintering within land adjacent to the Dungeness nuclear sites and outside the boundaries of the SPA is low. Most of the wintering species require freshwater or brackish water wetland habitats. The nearest wetland habitats are over 800 metres from the Dungeness nuclear sites at the RSPB nature reserve at Denge and the Long Pits. There is suitable foraging habitat for golden plover and wintering birds of this species have been confirmed within the 2km tetrads around the Dungeness nuclear sites.

107. **Therefore, on the basis of these findings it is concluded that the additional operations permitted under the proposed revisions to Policy CSW17, either alone or in combination with other ongoing de-commissioning operations, coast protection operations and other development are unlikely to have an adverse effect on the integrity of the Dungeness, Romney Marsh and Rye Bay SPA and the populations of its qualifying bird species as a result of noise or visual disturbances.**

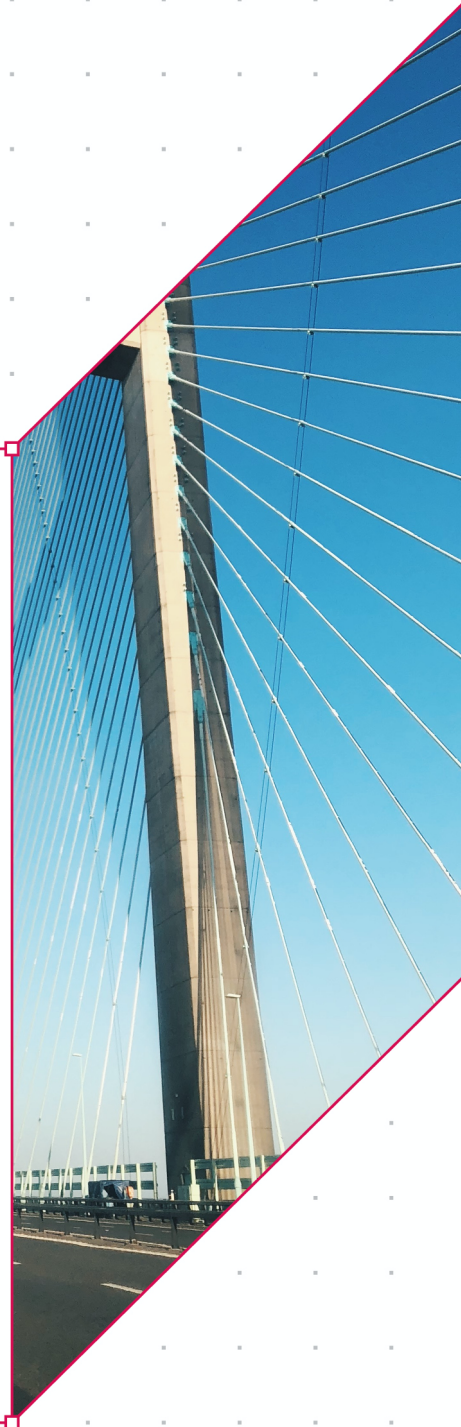
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**Draft Sustainability
Appraisal Report of the
Draft Kent Minerals and
Waste Local Plan 2024-39
– Regulation 19
Consultation**

Updates to the Kent Minerals and
Waste Local Plan 2013-30 in light
of the Five Year Review

CO04300759

November 2023



Document Control Sheet

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Issue Status/Amendment	Prepared	Reviewed	Approved
Rev 0 Reg 19 Consultation - Draft for client comment	Name: Hilary Livesey Signature:  Date: 19/10/2023	Name: Jenefer Taylor Signature:  Date: 20/10/23	Name: Jenefer Taylor Signature:  Date: 20/10/23
Rev 1 Final for Consultation – Updated to include client comments	Name: Hilary Livesey Signature:  Date: 3/11/23	Name: Jenefer Taylor Signature:  Date:	Name: Jenefer Taylor Signature:  Date:

Executive Summary

Amey is commissioned to undertake Sustainability Appraisal (SA) in support of the preparation of updates to the Kent Minerals and Waste Local Plan (KMWLP) following a Five Year Review. This report presents the interim outcomes of this process up to Regulation 19 stage. Following the review, updates are proposed to the objectives, policies and supporting text of the adopted KMWLP to ensure consistency with national and local policy and to ensure effectiveness in achieving its intended outcomes.

Various environmental, social and economic issues have been identified through reviewing a wide variety of plans and strategies, collecting baseline information and identifying sustainability issues and problems. These issues have informed the development of a set of sustainable development objectives. The updated KMWLP as proposed has been appraised against these objectives and the findings are as follows.

The KMWLP has several policies promoting minimisation of greenhouse gas emissions and energy and water consumption, helping to reduce the likely impacts of climate change, for example by promoting the waste hierarchy and energy recovery, minimising emissions from transport, requiring greenhouse gas dioxide capture and promoting use of low carbon energy sources. It also requires developments to build in climate change adaptation measures where these are appropriate. Greenhouse gas emissions may nevertheless rise as requirements for waste management and minerals production increase above existing levels.

The KMWLP seeks to avoid unacceptable adverse impacts of a development on the community and surrounding land uses, through reducing noise, odour, emissions and light, as well as visual intrusion and traffic. It requires that air quality impacts are mitigated, particularly in areas of poor air quality and makes provision for the preparation of a Health Impact Assessment. Measures to maintain mineral supply will provide materials for housing and infrastructure to sustain communities and support economic activity.

The KMWLP contains several development management policies that require protection, enhancement, management and creation of biodiversity value. Maximum biodiversity net gain is required where practicable. Other policies contain provisions that would indirectly benefit biodiversity including protection and improvement of water quality and preventing unacceptable adverse impacts from noise, light, dust, vibration, odour and emissions.

Restricting increases in greenhouse gas emissions and avoiding increased flood risk benefit communities and biodiversity by avoiding the worst impacts of climate change, while protecting biodiversity, landscape, historic assets and Green Belt and ensuring access to public rights of way will benefit communities.

By promoting climate change adaptation measures, including sustainable drainage systems, and requiring no increase in flood risk in areas prone to flooding, the KMWLP will help to minimise the impact of development on flood risk and is likely to help to alleviate flood risk in the local area. Protection of green spaces may also help to alleviate flood risk.

The KMWLP requires high standards of restoration and aftercare of sites. If restored to agricultural use, the best and most versatile agricultural land should be protected in the long term. Removal of all buildings, plant and structures not necessary for the management of the site will restore long-term openness on Green Belt land, if applicable to the site.

Maintaining capacity for secondary and recycled aggregates will help to avoid adverse impacts on land that could occur from primary extraction, although the significance and likelihood of these impacts are unknown.

Likely impacts on landscape and the historic environment are strongly dependent on sensitivities at particular development sites, the locations of which are largely unknown at this stage. However, development policies aim to preserve and enhance landscapes and the historic environment and require developments to mitigate their impacts on assets, therefore significant adverse impacts are unlikely and benefits are possible. The KMWLP requires landscape opportunities and heritage and landscape features to be addressed in site restoration plans. Facilitating development for the extraction of building stone will help to support the sympathetic restoration of older buildings and use of traditional materials.

Likely impacts on transport are uncertain as the location of most development is unknown. However, policy seeks to minimise transport and promote the most sustainable modes possible, although in practice opportunities are likely to be limited. Other measures seek to minimise the impacts of transport, such as safeguarding transport infrastructure, ensuring network capacity and taking particular measures in areas of poor air quality. Nevertheless, waste transport may increase although this is dependent on the degree to which new capacity replaces existing capacity and how well-located they are to the source of arisings.

The KMWLP prevents the deterioration of water bodies and requires improvement in their ecological status. Positive impacts on the water environment are therefore likely. Development management policy requires the minimisation of water consumption and emission of pollutants which will help to safeguard the quantity and quality of water and promote sustainable water resource management.

The updated KMWLP gives strong support to sustainable waste management, promoting the waste hierarchy and the circular economy, avoiding adverse impacts on human health and the environment, and promoting recovery of energy and carbon capture and minimising waste transport. This will help to ensure the provision of waste infrastructure to support economic activity.

The SA has made a number of recommendations for measures to prevent, reduce and as fully as possible offset any significant adverse effects of the updated KMWLP.

The SA is required to appraise reasonable alternatives to the updated KMWLP as proposed. The following have been identified and appraised as reasonable alternatives to the proposed updates:

- Option A: To allocate land for waste facilities as envisaged in the KMWLP adopted in 2016;
- Option B: Do not strengthen groundwater protection in policy DM 10;
- Option C: Retain policy CSW 5.

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1. Non-Technical Summary

1.1. Background

Amey is commissioned to undertake Sustainability Appraisal (SA) in support of the preparation of updates to the Kent Minerals and Waste Local Plan (KMWLP) following a Five Year Review. This report presents the interim outcomes of this process up to the Regulation 19 stage. SA is a mechanism for considering and communicating the likely effects of a draft plan, and alternatives, with a view to avoiding and mitigating adverse effects and maximising positives.

This is the fourth iteration of the SA of updates to the KMWLP, which is an update of the third draft SA (published in May 2023) and takes account of the following:

- Comments received on the third Regulation 18 KMWLP ('Further Proposed Changes') and third SA Report; and
- Further proposed minor amendments to policies and supporting text in the KMWLP which cover various matters.

1.2. What is the plan seeking to achieve?

The KMWLP was originally adopted in July 2016 and sets out the vision and objectives for Kent's minerals supply and waste management capacity from 2013 to 2030. Following its adoption, the Kent Minerals and Waste Local Plan was subject to an 'Early Partial Review' and changes resulting from this review were adopted by the Council in September 2020. Also in September 2020, the Council adopted a Minerals Sites Plan which allocates three areas of land suitable for development associated with the extraction of sand and gravel.

The KMWLP as proposed to be amended is a high-level document planning from 2024 to 2039 which:

- sets out the vision and strategy for mineral provision and waste management in Kent;
- contains a number of development management policies for evaluating minerals and waste planning applications;
- considers strategic site provision for all minerals and waste management facilities but does not identify any specific locations where key strategic development should take place.

The National Planning Policy Framework (2023) (NPPF) and legislation require that Local Plans should be reviewed to assess whether they need updating at least once every five years. Having been adopted in 2016, the KMWLP has been reviewed to assess whether updates to it are required. The review needs to consider whether the Vision, Strategic Objectives and policies of the Plan are still consistent with national

policy and local context and whether the policies have been effective in achieving the intended outcomes relating to the use of land for minerals and waste development in Kent.

The updates resulting from the Five Year Review make amendments to certain policies and supporting text of the KMWLP and these were first consulted on between December 2021 and February 2022. A second series of updates were consulted on in December 2022. A third round of focussed amendments ('Further Proposed Changes') represented the third Regulation 18 consultation on the draft updated KMWLP and took place alongside a separate, but related, Regulation 18 consultation on an updated Mineral Sites Plan.

The current piece of work is to undertake SA of the updated KMWLP to inform the Regulation 19 consultation on the updated KMWLP. This version of the KMWLP is the version (Pre-Submission Draft) that the Council intend to submit for independent examination of the updated Plan's soundness and legality.

The review and modification of the Vision, Strategic Objectives, policies and supporting text mentioned above will ensure the development plan for Kent is relevant and effective, reflecting changes in policy and other circumstances.

1.3. What's the situation now and how would it change without the plan (sustainability 'baseline')?

The following is a summary of the sustainability baseline characteristics in Kent.

Environmental baseline

- The amount of residual waste collected per household in Kent has generally fallen in recent years, to 554kg in 2021/22. 44% of household waste was reused, recycled or composted, less than 1.5% is landfilled and most of the remainder is incinerated with energy recovery.
- Some 7 million tonnes of waste of all kinds (the majority being construction and demolition waste) were reported as being managed at Kent waste management facilities in 2021. This compares with around 1.85 million tonnes of Kent waste managed outside the county. However, this export is more than offset by imports so, taking a simple balance, Kent remains net self-sufficient. Of the imports, just over 360,000 tonnes came from London, of which 126,000 tonnes were managed by Energy from Waste and around 500 tonnes to non-inert landfill. 224,000 tonnes were managed at/by inert landfill/permanent deposit to land.
- Construction aggregates (sand, gravel and ragstone (a type of hard rock)) are the main types of economically important minerals extracted in Kent at this time, although brickearth (for stock brick manufacture), clay (for tile manufacture and engineering clay) and chalk (for engineering and agricultural lime applications) is also extracted. This is supplemented with imports and recycled aggregates.

- Kent is considered to be one of the UK's most wildlife-rich counties. This is a result of its varied geology, long coastline, landscape history and southerly location / proximity to mainland Europe.
- Natura 2000 habitat is concentrated around the coast, particularly around the Thames Gateway (much within Medway Unitary Authority), the Isle of Thanet, the Stour Estuary and Dungeness. Sites of Special Scientific Interest (SSSI) cover 8.5% of the county. The county contains c.10% of England's ancient woodland.
- The Thames Gateway is also acknowledged for its national importance due to 'brownfield' biodiversity.
- The last century has seen major losses and declines of species within Kent. Amongst the most important drivers of biodiversity loss in Kent are: the direct loss of land of value to wildlife to built-development or intensive farming, which has reduced and fragmented populations; and the effects of climate change.
- Kent is considered to be the most at risk local flood authority in England. Flooding has a significant impact on residents and the economy, with such effects predicted to worsen due to climate change.
- Since 2006 there has been a steady reduction in carbon dioxide emissions, to 4.1 tonnes per capita in 2021. This is slightly lower than national emission levels.
- In 2017 it is estimated that 922 early deaths occurred as a result of PM2.5 air pollution across Kent & Medway.
- Kent has the highest number of listed buildings in the South East, which is second only to the South West for numbers at regional level.
- The Kent Downs AONB covers nearly a quarter of the County, whilst the High Weald AONB is shared with East Sussex.
- Green Belt comprises the majority of Sevenoaks, Tonbridge and Malling and Gravesham Districts, as well as a proportion of Tunbridge Wells and Dartford Boroughs and a small part of Maidstone Borough.
- There are relatively extensive areas of high quality (grade one) agricultural land in Kent. This land tends to be concentrated in the north of the county, running in a band from Gillingham in the west through to Deal in the east. A pocket of high quality agricultural land can also be found in the area surrounding New Romney.
- Road traffic has grown fairly steadily over the decade from 2011, apart from 2020 when COVID-19 particularly affected car traffic. The effect on LGVs and HGVs was less marked, although still showed a decrease. Kent is a major gateway for the movement of international freight through the Channel

Tunnel, the ports of Dover, Ramsgate and Sheerness. Road haulage is the dominant means of transport in this sector.

- In Kent there are many catchments where there is little or no water available for abstraction during dry periods. Pressures are particularly notable in Kent as it is one of the driest parts of England and Wales, coupled with high population density and household water use. Over the next few decades, there will be increasing pressures from the rising population and associated development. Looking further ahead, climate change could have a major impact on the water that will be available for consumption.

Social baseline

- Kent had an estimated population of 1,589,100 in mid-2020. By 2032, the population of Kent is projected to increase to 1,724,263, an increase of c. 8%.
- Although Kent is ranked within the least deprived 50% of upper-tier local authorities in England for 4 out of 5 summary measures of the IMD2019, significant areas within Kent are amongst England's most deprived 20% and levels of deprivation have increased in nine out of 12 local authorities in Kent.
- Life expectancy is 9 years lower for men and 6 years lower for women in the most deprived populations in Kent compared to the least deprived populations.
- Early death rates from cancer, heart disease and stroke have fallen and are better than the England average. A quarter of children aged 4-5 are classified as being obese, higher than the average for England. However, estimated levels of adult obesity are similar to the England average.
- Climate change projections highlight an increase in risk to people from flooding and hotter, drier summers leading to public health risks.

Economic baseline

- In 2018, the gross disposable household income in Kent was £22,164 per resident, 4.4% above the national average.
- Between 2010 and 2020, the number of active enterprises grew by 26%, to 70,815, which is below the national average of 27.7% growth.
- The overall employment rate in Kent has risen since the KMWLP was adopted, from 73.8% in 2016 to 78.4% in 2021.
- Apart from a slight decline in 2009-2010, GVA per head in Kent and Medway has risen steadily in the 21st century. In 2019 it was £24,877 per head, up from £14,029 in 2000, a rise of 77%. However, per capita GVA is lower than for the South East as a whole and lower than for England.

- The largest sector for employment is wholesale and retail trade at 17.6%, followed by human health and social work at 13.3% and education at 9.6%. The distribution sector generated the highest gross value added in Kent, a fifth of the total.

How would the baseline change without the updated KMWLP?

There is a degree of uncertainty about how the baseline might change without the adoption of the updated KMWLP. Developments will still be required to comply with the development management policies of the KMWLP. This includes policies on the protection and enhancement of: biodiversity value, landscape, Green Belt, heritage assets, the water environment, health and amenity (including air quality) and transportation. Long term trends in environmental quality are likely to continue. However, fewer biodiversity benefits would be secured without the requirement for a net gain in biodiversity and without inclusion of National Nature Reserves in the development management policy on biodiversity. There would also be weaker emphasis on the creation of green and blue infrastructure, with fewer sites likely to be delivered with fewer benefits for biodiversity, wellbeing and landscape. There are likely to be higher emissions of greenhouse gases from waste facilities without the stronger emphasis on carbon reduction in the updated KMWLP from other recovery, landfill and wastewater treatment. Without this, it could increase climate change effects including flooding with risks for communities, wildlife and habitats. Other climate change pressures may be increased with effects on biodiversity and communities, including increased temperatures and more frequent extreme weather events. There may be more adverse impacts on groundwater quality without the stronger protection proposed in the updated KMWLP.

Current trends in waste generation and management are likely to continue, although without the updated KMWLP there will be less strong emphasis on implementing the waste hierarchy and circular economy principles will not be promoted, resulting in less reuse and recycling than with the updated KMWLP. Some radioactive wastes from Dungeness Nuclear Licensed Sites would need to be managed elsewhere other than onsite. Air pollution control residues may be imported from outside Kent for landfill.

Without the updated KMWLP there is likely to be an undersupply of crushed rock, with insufficient reserves currently identified. This would result in minerals being transported from outside the county which will have adverse effects on transport networks, air quality, greenhouse gas emissions and cost. Alternatively, increased quantities may need to be secured from secondary and recycled aggregates and/or marine dredged aggregates. If sufficient minerals of the right type cannot be found, construction and industrial growth may be checked. This could lead to insufficient homes and infrastructure being provided with adverse effects on people and communities. Minerals in Kent would not provide sufficient material to support economic growth and industrial activity, in which case employment levels could reduce and GDP and household incomes may fall. There could be adverse impacts on communities in the vicinity of mineral sites if blasting were to take place without proper assessment of the impacts.

Population and levels of deprivation are unlikely to be significantly different with or without the updated KMWLP.

1.4. Characteristics of areas likely to be significantly affected

The SEA Directive requires that the appraisal describes the characteristics of areas likely to be significantly affected by the updated KMWLP. In deciding which areas are likely to be significantly affected, the SA has considered whether there is a spatial element to the proposed policy changes and therefore whether some parts of the county will be particularly affected. With the proposed deletion of policies CSM 3 and CSW 5, there is now only one policy with a spatial element, CSW 17 relating to the Dungeness Nuclear Estate. The appraisal of this policy has not identified any significant effects arising. It is therefore concluded that there are no areas likely to be significantly affected.

1.5. Areas of Particular Environmental Importance

In the KMWLP, there is one policy which identifies a specific site which is close to two of these internationally important nature conservation sites:

- CSW 17 (Dungeness): adjacent to Dungeness, Romney Marsh and Rye Bay SPA and Ramsar and Dungeness Special Area of Conservation (SAC).

The importance of each of these nature conservation sites is described in Section 3.8.

1.6. SA Framework and Sustainability Objectives

Various environmental, social and economic issues have been identified through reviewing a wide variety of plans and strategies, collecting baseline information and identifying sustainability issues and problems. These issues have informed the development of the sustainability appraisal framework, which consists of a set of sustainable development policy objectives (sustainability objectives) as set out in Table 1. The framework was published for consultation in the SA Scoping Report and the table below also incorporates some additional detailed criteria following comments received on the Scoping Report when it was published for consultation between December 2021 and February 2022. It also incorporates one addition as a result of a comment received in the consultation on the Scoping Report for the SA of the updated MSP published in December 2022. This is highlighted in bold in table 1.

Table 1 SA Framework

Sustainability Objectives		Detail – including addition resulting from consultation on Scoping Report for updated MSP
1	Biodiversity	<p>Ensure that development will not impact on important elements of the biodiversity resource and where possible contributes to the achievement of the Kent Biodiversity Action Plan (BAP) and other strategies.</p> <ul style="list-style-type: none"> – Add to the biodiversity baseline by creating opportunities for targeted habitat creation (which, ideally, contributes to local or landscape scale habitat networks). – Avoid hindering plans for biodiversity conservation or enhancement. – Support increased access to biodiversity. – Provide a net gain in biodiversity value.
2	Climate change	<p>Address the causes of climate change through reducing emissions of greenhouse gases through energy efficiency and energy generated from renewable sources.</p> <ul style="list-style-type: none"> – Promote sustainable design and construction of facilities and support wider efforts to reduce the carbon footprint of minerals and waste operations. – Promote climate change adaptation
3	Community and well-being	<p>Support efforts to create and sustain sustainable communities, particularly the improvement of health and well-being; and support the delivery of housing targets.</p> <ul style="list-style-type: none"> – Help to redress spatial inequalities highlighted by the Index of Multiple deprivation. – Help to tackle more hidden forms of deprivation and exclusion, such as that which is experienced in urban and coastal areas and particular socio-economic groups within communities. – Ensure that the necessary aggregates are available for building, and that the necessary waste infrastructure is in place to support housing and economic growth – Ensure that minerals and waste development does not contribute to poor air quality with particular reference to PM2.5 and NOx – Protect and enhance public rights of way and access – Protect local green space – Avoid loss of tranquillity

4	Sustainable economic growth	<p>Support economic growth and diversification.</p> <ul style="list-style-type: none"> – Support the development of a dynamic, diverse and knowledge-based economy that excels in innovation with higher value, lower impact activities – Stimulate economic revival and targeted employment generation in deprived areas
5	Flood risk	<p>Reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment.</p> <ul style="list-style-type: none"> – Ensure that development does not lead to increased flood risk on or off site – Seek to mitigate or reduce flood risk through developments that are able to slow water flow and promote groundwater recharge
6	Land	<p>Make efficient use of land and avoid sensitive locations.</p> <ul style="list-style-type: none"> – Make best use of previously developed land – Avoid locations with sensitive geomorphology – Seek to safeguard the best and most versatile agricultural land and recognise its economic and other benefits - Prevent inappropriate development in the Green Belt
7	Landscape and the historic environment	<p>Protect and enhance Kent's countryside and historic environment.</p> <ul style="list-style-type: none"> – Protect the integrity of the AONBs and their setting and other particularly valued or sensitive landscapes – Take account of the constraints, opportunities and priorities demonstrated through landscape characterisation assessments and other studies at the landscape scale. – Avoid light pollution – Protect important heritage assets and their settings, as well as take account of the value of the character of the wider historic environment
8	Transport	<p>Reduce and minimise unsustainable transport patterns and facilitate the transport of minerals and waste by the most sustainable modes possible</p> <ul style="list-style-type: none"> – Minimise minerals and waste transport movements and journey lengths; and encourage transport by rail and water. – Ensure that minerals and waste transport does not impact on sensitive locations, including locations already experiencing congestion and locations where planned growth or regeneration is reliant on good transport networks.

9	Water	<p>Maintain and improve the water quality of Kent's rivers, ground waters and coasts, and achieve sustainable water resources management</p> <ul style="list-style-type: none"> – Ensure that minerals and waste development seeks to promote the conservation of water resources wherever possible with particular reference to abstraction. – Avoid pollution of ground or surface waters, particularly in areas identified as being at risk or sensitive
10	Waste	<p>Ensure the sustainable management of waste</p> <ul style="list-style-type: none"> – Manage waste in accordance with the waste hierarchy – Prevent adverse effects from waste on human health and the environment – Ensure waste is managed as near as possible to its place of production

1.7. Likely Significant Effects of the Updated KMWLP

The SA has appraised each of the strategic objectives and policies as amended by the Five Year Review. The methodology and assumptions used in undertaking the appraisal are set out in Section 5.

The detailed findings of the SA of the amended policies are set out in Appendix B and summarised below. The SA of the strategic objectives and recommendations arising are set out in section 6 of this report.

The KMWLP has several policies promoting minimisation of greenhouse gas emissions and energy and water consumption, helping to reduce the likely impacts of climate change, for example by promoting the waste hierarchy and energy recovery, minimising emissions from transport, requiring greenhouse gas capture and promoting use of low carbon energy sources. It also requires developments to build in climate change adaptation measures where these are appropriate. Greenhouse gas emissions may nevertheless still rise as requirements for waste management and minerals production increase above existing levels.

The KMWLP seeks to avoid unacceptable adverse impacts of a development on the community and surrounding land uses, through reducing noise, odour, emissions and light, as well as visual intrusion and traffic. It requires that air quality impacts are mitigated, particularly in areas of poor air quality and makes provision for the preparation of a Health Impact Assessment. Measures to maintain mineral supply will provide materials for construction of housing and infrastructure to sustain communities and support economic/industrial activity.

The KMWLP contains several development management policies that require protection, enhancement, management and creation of biodiversity value. Maximum biodiversity net gain is required where practicable. Other policies contain provisions that would indirectly benefit biodiversity including protection and improvement of water quality and preventing unacceptable adverse impacts from noise, light, dust,

vibration, odour and emissions.

Restricting increases in greenhouse gas emissions and avoiding increased flood risk will benefit communities and biodiversity by avoiding the worst impacts of climate change, while protecting biodiversity, landscape, historic assets and Green Belt and ensuring access to public rights of way will benefit communities.

By promoting climate change adaptation measures, including sustainable drainage systems, and requiring no increase in flood risk in areas prone to flooding, the KMWLP will help to minimise the impact of development on flood risk and is likely to help to alleviate flood risk in the local area. Protection of green spaces may also help to alleviate flood risk.

The KMWLP requires high standards of restoration and aftercare of sites. If restored to agricultural use, the best and most versatile agricultural land should be protected in the long term. Removal of all buildings, plant and structures not necessary for the management of the site will restore long-term openness on Green Belt land, if applicable to the site. Maintaining capacity for secondary and recycled aggregates will help to avoid adverse impacts on land that could occur from primary extraction, although the significance and likelihood of these impacts are unknown.

Likely impacts on landscape and the historic environment are strongly dependent on sensitivities at particular development sites, the locations of which are largely unknown at this stage. However, development policies aim to preserve and enhance landscapes and the historic environment and require developments to mitigate their impacts on assets, therefore significant adverse impacts are unlikely and benefits are possible. The KMWLP requires landscape opportunities and heritage and landscape features to be addressed in site restoration plans. Facilitating development for the extraction of building stone will help to support the sympathetic restoration of older buildings and use of traditional materials.

Likely impacts on transport are uncertain as the location of most development is unknown. However, policy seeks to minimise transport and promote the most sustainable modes possible, although in practice opportunities are likely to be limited. Other measures seek to minimise the impacts of transport, such as safeguarding transport infrastructure, ensuring the network can accommodate the traffic that would be generated and taking particular measures in areas of poor air quality. Nevertheless, waste transport may increase although this is dependent on the degree to which new capacity replaces existing capacity and how well-located they are to the source of arisings.

The KMWLP prevents the deterioration of water bodies and requires improvement in their ecological status. Positive impacts on the water environment are therefore likely. Development management policy requires the minimisation of water consumption and emission of pollutants which will help to safeguard the quantity and quality of water and promote sustainable water resource management.

The updated KMWLP gives strong support to sustainable waste management, promoting the waste hierarchy and the circular economy, avoiding adverse impacts on human health and the environment, and promoting

recovery of energy and carbon capture and minimising waste transport. This will help to ensure the provision of waste infrastructure to support economic activity.

1.8. Recommendations for Mitigating Adverse Effects

The SA has considered whether there is scope for making recommendations for measures to prevent, reduce and, as fully as possible, offset any significant adverse effects of the updated KMWLP. A series of recommendations are made for amendments to strategic objectives, policies and supporting text. These are set out in detail in Section 6 and Appendix B.

1.9. Reasons for Selecting Alternatives Dealt With

The SA is required to appraise reasonable alternatives to the updated KMWLP as proposed. The reasonable alternatives that have been identified largely derive from a 'do nothing' option, in other words, not to make the changes proposed in the updated KMWLP, and from comments received in response to earlier consultations. The following have been identified as reasonable alternatives to the updated KMWLP as proposed, here referred to as 'options'.

Option A

- To allocate land for waste facilities as envisaged in the KMWLP adopted in 2016.

Option A would be to produce a Waste Sites Plan as originally envisaged in the KMWLP. It would be possible for Kent County Council to identify and allocate sites as suitable for waste-related development, even though no capacity gap has been identified, and therefore this has been appraised as a reasonable alternative.

In respect of a 'do nothing' option, each proposed amendment to the policies has been considered in turn to identify whether a 'do nothing' option is reasonable. In the case where an amendment is required to make the KMWLP consistent with policy elsewhere, a 'do nothing' option is not considered reasonable. Where there are other reasons for making the amendment, each has been considered on its merits. The conclusions of this review are set out in Appendix C. Two policies have been identified as having a reasonable 'do nothing' alternative to the policy amendment proposed. These have been identified as option B and option C:

- Option B: Do not strengthen groundwater protection in policy DM 10 Water Environment;
- Option C: Retain policy CSW 5 Strategic Site for Waste;

Each of the alternatives identified above have been appraised against the SA framework and an assessment made of the likely impacts on sustainability objectives. The detailed results are set out in Appendix D and summarised in Section 6.2.

1.10. Methodology

The SA has appraised each of the strategic objectives and policies as proposed to be amended, as well as the alternatives described in the previous section. The appraisal was done by assessing each policy amendment and each alternative against the appraisal objectives in turn and making a largely qualitative assessment, with reference also to the baseline data from the Scoping Report.

In reporting the results of the appraisal, the following symbols have been used to indicate the broad nature of the predicted effect:

Table 2 Effect Symbols

Nature of effect	Symbol
Significant positive effect	++
Some positive effect	+
No effect	0
Some negative effect	-
Significant negative effect	--
Uncertain effect	?

Further details on the methodology, including assumptions made, are given in Section 5 of the main report. Information on the difficulties encountered is provided in Section 4 of the main report. These relate to the lack of available data in some instances, lack of quantification and uncertainties about the scale and nature of some impacts.

1.11. Monitoring Recommendations

The sustainability appraisal has developed a set of recommendations for monitoring the predicted and unforeseen impacts of implementation of the updated KMWLP as proposed. These are set out as a series of indicators related to the sustainability appraisal framework based on the likely and possible impacts of the updated KMWLP. The recommended indicators should be incorporated into the Annual Monitoring Report for the KMWLP and are set out in Section 7.

2. Introduction

2.1. Background

Amey is commissioned to undertake Sustainability Appraisal (SA) in support of the preparation of updates to the Kent Minerals and Waste Local Plan 2013-30 (KMWLP) following a Five Year Review. SA is a mechanism for considering and communicating the likely effects of a draft plan, and alternatives, with a view to avoiding and mitigating adverse effects and maximising positives.

This is the fourth iteration of the SA of updates to the KMWLP for Regulation 19 consultation. The report is an update of the third draft SA Report (published in May 2023) and takes account of the following:

- Comments received on the third Regulation 18 KWMLP ('Further Proposed Changes') and third SA Report; and
- Further proposed minor updates to the policies and supporting text of the KMWLP which cover various matters.

2.2. The SA Process

It is a legal requirement that SA is undertaken in-line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004, which were prepared in order to transpose into national law the retained EU Strategic Environmental Assessment (SEA) Directive.

The Regulations require that a report - which for the purposes of SA is known as the 'SA Report' - is published for consultation alongside the Regulation 19 consultation document of the updated KMWLP (the 'Pre-Submission Draft') and then taken into account, alongside consultation responses, when finalising the updated KMWLP. Essentially, the SA Report must 'identify, describe and evaluate' the likely significant effects of implementing the updated KWMLP, and 'reasonable alternatives' to the updated KMWLP as proposed.

In line with regulatory requirements, Sustainability Appraisal has already been undertaken throughout the drafting and adoption of the KMWLP (most recently, for the Early Partial Review and the Minerals Sites Plan of 2020). Kent County Council are currently undertaking a Five Year Review of the KMWLP as required by government guidance, which will amend many of the policies in the KWMLP. This SA Report has informed the development of the policy amendments proposed in the Regulation 19 (the 'Pre-Submission Draft' KMWLP) consultation by undertaking an assessment of the likely effects of the KMWLP as amended by the proposed changes.

A scoping exercise has been undertaken, leading to the production in October 2021 of a Scoping Report which explained the rationale behind the SA Framework proposed for this SA of the updated KMWLP. This SA Report has been produced in order to address the statutory appraisal questions as detailed in Table 3, to

ensure that the strategic objectives and policies of the updated KMWLP have been assessed, any matters of significance noted and mitigation proposed if appropriate.

Table 3 Questions that must be answered within the SA Report

APPRAISAL QUESTION	CORRESPONDING REQUIREMENT OF THE SEA DIRECTIVE (The report must include...)
1) What is the plan seeking to achieve?	"an outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes" (Annex I(a))
2) What's the sustainability context?	"an outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes " (Annex I(a)) "the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation" (Annex I(e))
3) What's the situation <u>now</u> ?	"the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme" (Annex I(b)) "the environmental characteristics of areas likely to be significantly affected" (Annex I(c))
4) What would the situation be <u>without</u> the plan?	"the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme" (Annex I(b))
5) What are the key issues that should be a particular focus of the appraisal?	"any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC [Special Protection Areas under the Birds Directive] and 92/43/EEC" (Annex I(d)) (Note impacts on European sites will be specifically addressed through Habitats Regulations Assessment)
6) How has the plan developed up to this point (including the influence of SA)?	"an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information" (Annex I(h)) "the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation " (Annex I(e))
7) How has the appraisal at this current stage been undertaken?	"an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information" (Annex I(h))
8) What are the appraisal findings / recommendations at this current stage?	"the likely significant effects (1) on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors" (Annex I(f)) "the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme" (Annex I(g))
9) How might we monitor the plan's impacts?	"a description of the measures envisaged concerning monitoring..." (Annex I(i))

2.3. Compliance with the SEA Directive and Regulations

The updated KMWLP is subject to legislation in England and Wales, the Environmental Assessment of Plans & Programmes Regulations 2004 – Statutory Instrument 2004 No. 1633. These regulations transposed the

requirements of the European Union's Directive on the Environmental Assessment of Certain Plans and Programmes 2001/42/EC (the SEA Directive) when the UK was a member of the European Union, and which remain in place to date.

The SA of the updated KMWLP was designed and undertaken to meet the legal requirements for the environmental assessment of plans. Throughout the report, the term 'Sustainability Appraisal' should be interpreted as encompassing the SA process as required under the Planning & Compulsory Purchase Act 2004 and the Strategic Environmental Assessment process as required under the England and Wales Regulations on the Environmental Assessment of Plans and Programmes 2004.

The following table indicates the components of the SA Report that make up the Environmental Report, as required by domestic law on the environmental assessment of plans.

Table 4 Requirements of SEA Directive and Compliance of SA Report

Requirements for Environmental Report	Component of SA Report
a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes;	Section 3.2
b) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme;	Section 3.4
c) The environmental characteristics of areas likely to be significantly affected;	Section 3.6
d) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;	Sections 3.4 and 3.7
e) The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental, considerations have been taken into account during its preparation;	Section 3.3
f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;	Section 6 and Appendix B
g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;	Section 6.1.1
h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information;	Sections 4.3 and 5 and Appendix C
i) a description of measures envisaged concerning monitoring in accordance with Art. 10;	Section 7
j) a non-technical summary of the information provided under the above headings	Section 1

3. The Scope of the Sustainability Appraisal

3.1. The SA Scoping Report

As required by regulation, an SA Scoping Report was produced to inform the scope and development of the SA process. This explained the background of the KMWLP and accompanying SA and how these have evolved over time. It undertook a review of all available baseline data to describe the relevant environmental, social and economic conditions in Kent. It also undertook a review of all relevant policy and strategy documents at local, national and international level to determine the policy objectives for sustainable development in Kent relevant to waste and minerals planning. Arising from these reviews, the framework of sustainable development objectives used to undertake the SA in previous processes was reviewed and updated where required.

The Scoping Report was published for consultation in October 2021 and made available on the KCC website. Comments were invited from statutory consultees and any other stakeholders wishing to make a comment. Comments were received from five stakeholders and these are summarised in Appendix A, along with the response and any action taken. In particular, some amendments were made to the SA appraisal framework. Changes to the framework are highlighted in table 7.

3.2. What is the plan seeking to achieve?

Rather than being a strategy document in itself, the update resulting from the Five Year Review makes amendments to certain policies and supporting text of the KMWLP.

The KMWLP sets out the vision and objectives for Kent's minerals supply and waste management capacity and development. The KMWLP as proposed to be amended is a high level document planning from 2024 to 2039 which:

- sets out the vision and strategy for mineral provision and waste management in Kent;
- contains a number of development management policies for evaluating minerals and waste planning applications;
- considers strategic site provision for all minerals and waste management facilities; but does not identify any areas where key strategic development should take place.

The review and modification of the Vision, Strategic Objectives, policies and supporting text will ensure the development plan for Kent is relevant and effective, reflecting changes in policy and other circumstances.

Kent County Council has also developed and adopted (in 2020) a Minerals Sites Plan. The updated KMWLP does not allocate specific sites suitable for minerals and waste development but identifies that the specific sites for minerals developments would be set out in the separate Minerals Sites Plan. The selection of sites was based on the policies of the KMWLP and sites proposed for development will be

required to comply with the policies of the KMWLP. As a result of the decision to change the timeframe covered by the KMWLP, it has become apparent that there is a need to allocate an additional site for crushed rock. An update to the Minerals Sites Plan therefore commenced in late 2022 and is subject to SA.

The Kent Municipal Waste Management Strategy sets objectives for the management of municipal waste. In particular, it sets targets for the percentage of household waste arisings that will be recycled or composted and landfilled. The KMWLP seeks to support implementation of this Strategy by providing land use policies to permit and manage waste developments that will enable the objectives and targets of the Strategy to be achieved.

The government has published the National Planning Policy Framework (September 2023), which sets out planning policies for achieving sustainable development. Emphasis has been placed on the importance of ensuring that Local Plan policies contribute to achieving sustainable development. The updated KMWLP has been prepared in compliance with the National Planning Policy Framework (NPPF).

The current piece of work is to undertake SA of the updated 'Pre-Submission Draft' KMWLP to inform the Regulation 19 consultation on the updated KMWLP.

3.3. What's the sustainability context?

URS answered this question in 2013 primarily by reviewing the National Planning Policy Framework (NPPF) and considering the contextual messages established through other plans, policies, strategies and initiatives. Although the NPPF (2012) was subsequently amended and augmented by the publication of various Planning Guidance documents, the themes of importance largely remain the same. Where a new aspect of context has been identified, this is identified in the following paragraphs and has been incorporated into the updated baseline, below. This information was set out in detail in the SA Scoping Report¹ published in October 2021. Since the publication of that report, four additional documents of importance to the SA have been published, the updated National Planning Policy Framework, the Environment Act 2021, the Environmental Improvement Plan 2023 and the Kent County Council Strategy 2022-26. These documents are reviewed below.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these should be applied by local planning authorities. At the heart of the framework is the presumption of sustainable development (Paragraph 11). Achieving sustainable development means that the planning system has three overarching objectives - economic, social and environmental - which should be delivered through the KMWLP and MSP.

¹ Scoping Report: Sustainability Appraisal of Updates to the Kent Minerals and 'Waste Local Plan 2013-2030 in Light of the Five Year Review, Amey, October 2021

The extracts below from the NPPF summarises policies that are most relevant to the assessment, allocation and development of mineral sites.

Economy

Significant weight should be placed on the need to support economic growth and productivity. Planning policies should positively and proactively encourage sustainable economic growth, allow for new and flexible working practices, and enable a rapid response to changes in economic circumstances.

Open space

Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

Transport

Transport issues should be considered from the earliest stages of plan-making and development proposals, so that the potential impacts of development on transport networks and the environment can be addressed, including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.

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 taken up; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.

Green Belt

Certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including mineral extraction. Planning policies and decisions should recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production.

Flood risk

Plans should 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 temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts. New development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.

Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Development should only be allowed in areas at risk of flooding where it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- the development is appropriately flood resistant and resilient;
- it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- any residual risk can be safely managed; and
- safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Natural environment

Planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Planning policies and decisions should 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. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

Heritage assets

Great weight should be given to the conservation of designated heritage assets. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Minerals

Planning policies should:

- provide for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction;
- so far as practicable, 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, whilst aiming to source minerals supplies indigenously;
- safeguard mineral resources by defining Mineral Safeguarding Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked);

- set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place;
- 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;
- 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, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;
- when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction; and
- 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.

Waste

The NPPF should be read in conjunction with the Government's separate National Planning Policy for Waste.

Environmental Improvement Plan 2023

The 25 Year Environment Plan² (25YEP) published in 2018 set out the Government's vision for action to help the natural world regain and retain good health. This Environmental Improvement Plan 2023 is the first review of the 25YEP. It reinforces the intent of the 25YEP: where the 25YEP set out the framework and vision, this document sets out the plan to deliver.

To achieve its vision, the 25YEP set ten goals. These continue to provide the basis for the 2023 Plan. The apex goal is for thriving plants and wildlife. In order to achieve this, the Government will aim to achieve the following.

Air quality:

- Cut overall air pollution by tackling the key sources of emissions
- Tackle specific air quality hotspots by challenging councils to improve air quality more quickly
- Reduce ammonia emissions

Water quality:

² A Green Future: Our 25 Year Plan to Improve the Environment, Defra, 2018

- Tackle nutrient pollution, including by upgrading wastewater treatment works and supporting a shift to sustainable agricultural techniques.
- Restore 400 miles of river through the first round of Landscape Recovery projects and establish 3,000 hectares of new woodlands along England's rivers.
- Roll out water efficiency labelling across appliances and ensure water companies deliver a 50% reduction in leakages by 2050.

Chemical exposure:

- Develop a new Chemicals Strategy to establish our regulatory approach and priorities for the sustainable use of chemicals.
- Help farmers transition to Integrated Pest Management utilising nature to tackle pests and reducing reliance on manufactured pesticides.

Use of resources:

- Work with business to implement packaging extended producer responsibility from 2024 so that polluters pay to recycle packaging.
- Introduce a deposit return scheme for plastic and metal drinks containers from October 2025 to drive higher recycling rates.
- Implement consistent recycling between different councils, to boost recycling rates.
- Ban the supply of single-use plastics from October 2023 and explore options for the production of coffee cups and behavioural science in how they are used.
- Grow a sustainable and long-term UK timber supply by investing in tree planting, skills, innovation and capacity, as well as improving regulatory processes.
- Publish a baseline map of soil health for England by 2028 and bring at least 40% of England's agricultural soil into sustainable management by 2028.
- Tackle illegal deforestation in our supply chains.

Climate change:

- Update on our progress and plans to reach net zero.
- Publish a Land Use Framework in 2023, setting out how we will balance multiple demands on our land including climate mitigation and adaptation.

- Publish the third National Adaptation Programme in 2023 that will set out our five year strategy to build the UK's climate resilience.
- Continue our role as a global leader in tackling climate change, biodiversity loss and land degradation and push for an integrated approach to international action.

Environmental hazards:

- Deliver our investment plan to improve coastal and flood defences, including £100 million on the most frequently flooded areas.
- Reward farmers for actions to reduce risks and impacts from floods, droughts, and wildfires through our new future farming schemes.

Biosecurity:

- Deliver the five-year action plan of the 2023 Plant Biosecurity Strategy
- Tailor border import controls with a new targeted and risk-based model.

Nature, heritage and engagement:

- Fulfil a commitment that everyone should live within 15 minutes walk of a green or blue space.
- Continue our delivery of the England Coast Path and the Coast to Coast National Trail.
- Identifying key areas for nature restoration within the Green Belt.
- Invest in a new national landscapes partnership for National Parks, Areas of Outstanding Natural Beauty and National Trails.
- Extend the delivery of our Farming in Protected Landscapes programme.
- Invest in active travel, with a vision for half of all journeys in towns and cities to be cycled or walked by 2030.

Our Waste, Our Resources: A Strategy for England, 2018

The Strategy recognises that natural capital is one of our most valuable assets and sets out how the government plans to preserve the stock of material resources by minimising waste, promoting resource efficiency and moving towards a circular economy. The Strategy also sets out the aim to minimise damage to the natural environment and is aligned to the UK Government's 25 Year Environment Plan.

The government will address information barriers to the use of secondary materials as one element of the strategy.

Planning Practice Guidance - Minerals, MHCLG, 2014

The guidance sets out how mineral planning authorities should develop planning policies for the management of mineral extraction, supply, processing and transport and the issues that must be taken into consideration. It states that mineral planning authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):

1. Designating Specific Sites – where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;
2. Designating Preferred Areas, which are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or
3. Designating Areas of Search – areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.

The suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits, taking into account issues such as:

- need for the specific mineral;
- economic considerations (such being able to continue to extract the resource, retaining jobs, being able to utilise existing plant and other infrastructure);
- positive and negative environmental impacts (including the feasibility of a strategic approach to restoration) and
- the cumulative impact of proposals in an area.

Planning authorities should also safeguard existing, planned and potential storage, handling and transport sites to:

- ensure that sites for these purposes are available should they be needed; and
- prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.

The principal issues that mineral planning authorities should address, bearing in mind that not all issues will be relevant at every site to the same degree, include:

- noise associated with the operation;
- dust;

- air quality;
- lighting;
- visual impact on the local and wider landscape;
- landscape character;
- archaeological and heritage features;
- traffic;
- risk of contamination to land;
- soil resources;
- geological structure;
- impact on best and most versatile agricultural land;
- blast vibration;
- flood risk;
- land stability/subsidence;
- internationally, nationally or locally designated wildlife sites, protected habitats and species, and ecological networks;
- impacts on nationally protected landscapes (National Parks, the Broads and Areas of Outstanding Natural Beauty);
- nationally protected geological and geo-morphological sites and features;
- site restoration and aftercare;
- surface and, in some cases, ground water issues;
- water abstraction.

DCLG (2014) National Planning Policy for Waste³

Positive planning plays a pivotal role in delivering this country's waste ambitions through:

- delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste

³ <https://www.gov.uk/government/publications/national-planning-policy-for-waste>

management up the waste hierarchy;

- ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities;
- providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of or, in the case of mixed municipal waste from households, recovered, in line with the proximity principle;
- 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, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste.

The protection of Green Belt from waste development has been enhanced in this document.

DEFRA (2021) The Waste Management Plan for England⁴

The Waste Management Plan for England focuses on waste arisings and their management. It is a high-level, non-site specific document. It provides an analysis of the current waste management situation in England and evaluates how the Plan will support implementation of the objectives and provisions of the Waste (England and Wales) Regulations 2011. It will be supplemented by a Waste Prevention Programme for England which will set out plans for preventing products and materials from becoming waste, including by greater reuse, repair and remanufacture supported by action to ensure better design to enable this to be done more easily. The plan includes changes to waste management plan requirements which have been made by the Waste (Circular Economy) (Amendment) Regulations where these could be incorporated in the Plan.

There are comprehensive waste management policies in England which taken together deliver the objectives of The Waste (England and Wales) Regulations 2011: to protect the environment and human health by preventing or reducing the generation of waste, the adverse impacts of the generation and management of waste, and by reducing overall impacts of resource use and improving the efficiency of such use. It is not, therefore, the intention of the Plan to introduce new policies or to change the landscape of how waste is managed in England. Its core aim is to bring current waste management policies under the umbrella of one national plan.

Planning and Compulsory Purchase Act 2004

⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/955897/waste-management-plan-for-england-2021.pdf

Section 19 of the Planning and Compulsory Purchase Act requires local planning authorities to include in their Local Plans policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

Climate Change Act 2008 (2050 Target Amendment) Order 2019

The Act sets out a legal framework to commit the government to tackling climate change, including through the setting of five-yearly carbon budgets to drive decarbonisation. Climate change adaptation is also covered in the Act as it provides a legal framework for adaptation policy. The amendment introduces the national target for net zero carbon by 2050, which increases the required percentage reduction of greenhouse gas emissions from at least 80% to at least 100% from the 1990 baseline in the UK by 2050.

The Environment Act 2021

The Environmental Governance Part of the Environment Act (Part 1) includes provisions to:

- allow the government to set long-term targets (of at least 15 years duration) in relation to the natural environment and people's enjoyment of the natural environment via statutory instrument;
- require the government to meet long-term targets, and to prepare remedial plans where long-term targets are not met;
- require the government to set, by October 2022, at least one long-term target in each of the priority areas of air quality, water, biodiversity, and resource efficiency and waste reduction;
- require the government to set and meet an air quality target for fine particulate matter in ambient air (PM2.5);
- require the government to set and meet a target relating to the abundance of species;
- require the government to have, and maintain, an Environmental Improvement Plan, a plan to significantly improve the natural environment;
- require the publication of a policy statement on environmental principles setting out how environmental principles specified under the Act are to be interpreted and applied by Ministers of the Crown during the policymaking process.

The Waste and Resource Efficiency Part of the Environment Act (Part 3) includes provisions to:

- require producers to pay the full net cost of managing their products at end of life to incentivise more sustainable use of resources;
- allow deposit return schemes to be established, whereby a deposit is included in the price of an in-scope item (such as a drink in a bottle or can);

- enable producer responsibility obligations to be applied at all levels of the waste hierarchy to, for example, facilitate the prevention of food waste and increase the redistribution of food surplus;
- enable charges to be applied to specified single-use items;
- require local authorities in England to collect the same range of materials for recycling from households;
- ensure households have a weekly separate food waste collection;
- ensure businesses and public bodies in England present recyclable materials for separate collection and arrange for its separate collection;
- allow the Environment Agency to be more flexible and responsive in managing exempt waste sites and ensure proportionate controls are in place to avoid environmental harm or illegal activity as waste market practices change;
- fill a gap in existing powers to ensure that waste can be collected and disposed of when normal processes fail;
- enable the Secretary of State to regulate the import, export or transit of waste for export, and hazardous waste.

The Air Quality and Environmental Recall Part of the Environment Act (Part 4) includes provisions to:

- amend Part 4 of the Environment Act 1995 (which creates the Local Air Quality Management Framework) to strengthen the requirements in respect of the National Air Quality Strategy;
- amend the Local Air Quality Management Framework to clarify duties and enable greater cooperation between different levels of local government, and other relevant public bodies, in the preparation of Local Air Quality Action Plans.

The Water Part of the Environment Act (Part 5) includes provisions to:

- change the procedural requirements for Water Resources Management Plans and Drought Plans, and enable increased collaboration between different water undertakers to better manage water resources;
- place new duties on government, the Environment Agency and sewerage undertakers to require actions for reducing the frequency and harm of discharges from storm overflows on the environment;
- enable future updates to the lists of priority substances in water quality legislation.

The Nature and Biodiversity Part of the Environment Act (Part 6) includes provisions to:

- amend section 40 of the Natural Environment and Rural Communities Act 2006 to strengthen and improve the duty on public bodies to conserve and enhance biodiversity;
- mandate net gain in biodiversity through the planning system, requiring a 10% increase in biodiversity after development, compared to the level of biodiversity prior to the development taking place;
- require the preparation and publication of Local Nature Recovery Strategies, a tool to direct action for nature, and place an emphasis on supporting local leadership of nature improvement;
- provide for Species Conservation and Protected Site Strategies to improve the conservation and protection of the most vulnerable species and habitats;
- provide powers to amend Regulation 9 and Part 6 of the Conservation of Habitats and Species Regulations 2017 to re-focus the Regulations to support delivery of domestic biodiversity priorities.

Kent Forum (2012) Vision for countywide strategy for the social, economic and environmental wellbeing of Kent's communities

Three Ambitions: Grow the economy; Tackle disadvantage; Put the citizen in control.

Three cross-cutting themes:

- Protecting and enhancing the environment. Everything we do to develop and improve Kent's infrastructure must be sustainable. In growing the economy, we need to support low carbon technologies and help businesses operate more resource-efficiently. Tackling climate change is everyone's responsibility, and we will support and encourage people and communities to play their parts, including through volunteering. We must make the most of Kent's natural environment for people to enjoy, contributing to their wellbeing, and to attract business and tourism. The Kent Environment Strategy sets out the priorities in this area.
- Improving community safety, crime and antisocial behaviour. In order to build a strong economy, improve our lives and take control, the people and communities of Kent need to feel safe, protected from crime, anti-social behaviour, fires and accidents. There is more that we can do to reinforce a sense of community across the county.
- Improving Health. Seeing improvements in residents' overall health, while, at the same time, tackling the health inequalities' gap is hugely important. Improvements will only be made with the support of employers, the voluntary and communities sector and residents themselves. Business can support positive physical and mental health measures for a healthy workforce. Residents need to accept greater responsibility for their health and by doing so improve life expectancy.

KCC (2015) Kent State of the Environment Report

Key issues:

Project Name: Updates to the Kent Minerals and Waste Local Plan 2013-30 in light of the Five Year Review

Document Title: Draft Sustainability Appraisal Report of the Draft Kent Minerals and Waste Local Plan 2024-2039 – Regulation 19 Consultation

- Air quality: It has been estimated that poor air quality contributes to approximately five percent of deaths per year and possibly contributes to more mortality and morbidity than passive smoking. There are currently 40 air quality management areas in the county where air pollutants have been known to exceed objectives set by Government.
- Transport: The county of Kent is currently facing increased congestion on both road and rail, impacting Kent's economy, health and environment. A shift to active travel, such as walking and cycling, and an increase in use of public transport can help alleviate congestion pressures, improve air quality and extend the capacity of our transport infrastructure over a longer timeframe.
- Water: In Kent we are already using most of the capacity in the county and in some places already exceeding it. This water stress will be exacerbated by a growing population and climate change. In addition, the quality of our water affects our health, our economy and our natural environment but is under increasing pressure from pollution, reduced river flows and physical modifications to water bodies.
- Severe weather, heat and flooding: Severe weather events impact infrastructure, homes, communities and the delivery of services, to the detriment of Kent partners, residents and businesses. Kent has the highest risk of local flooding of all local authorities in England. Our health is also impacted by severe weather. For example, daily mortality in South East England increases at temperatures above about 27°C and heat-related mortality is projected to increase steeply in the UK in the 21st century.
- Land-use change: Our increasing population, housing development, transport links, industry and agriculture all require space and resources, putting pressure on the county's landscapes and changing how we use the land. This also has an impact on the quality of our soils and their ability to sustain life, reduce carbon emissions and support resilience to climate change and its impacts such as flooding. The decisions we make in how growth is delivered for Kent will be vital to maintain the assets our residents value.
- Biodiversity: In Kent we have not met our Biodiversity 2010 targets and with biodiversity continuing to decline, it is likely that we will also fail to meet our Biodiversity 2020 targets without targeted interventions. A healthy natural environment, rich in biodiversity, provides more effective services; the economic impact that degraded habitats have on ecosystem services, for example through the decline in pollinators, is increasingly recognised.
- Energy consumption and generation: Kent is committed to reducing greenhouse gas emissions by 34% by 2020 and 60% by 2030 from a 2005 baseline. In the context of planned growth of our population and housing development across Kent, additional low carbon and appropriate renewable energy infrastructure, as well as an increase in uptake of energy efficiency initiatives will be needed to ensure we meet our targets and benefit from the opportunities for innovation in these sectors.

KCC (2016) Kent Environment Strategy

Development of the strategy provides a framework to ensure that resources are utilised to greatest impact.

Our challenges, learning and opportunities together underpin the priorities we have identified in the themes of the strategy.

- Theme One: Building the Foundations for Delivery. Outcome: Our policies, actions and decisions are based on a clear evidence base and resources are in place for delivery.
- Theme Two: Making best use of existing resources and minimising negative impacts. Outcome: All sectors are aware of their impact on the environment and how to avoid or reduce this through evidence based decision making, reducing resource usage and wasting less.
- Theme Three: Toward a sustainable future. Outcome: Kent is actively addressing the risks, impacts and opportunities from environmental and climate change, whilst delivering wider economic and health opportunities.

KCC (2017) Environment Strategy: a strategy for Environment, Health and Economy Implementation Plan 2017

- Priority 5: Conserve and enhance the quality and supply of the county of Kent's natural and historical resources and assets
- Priority 6: Improve our resource efficiency such as energy, water and land
- Priority 7: Ensure sustainable access and connectivity for businesses and communities
- Priority 8: Influence future sustainable growth for the county of Kent
 - S F 8.1: Ensure that key environmental risks such as flooding, water scarcity and heat are informing policy decisions and development
 - SF8.2: Address the environmental challenges and ambitions identified in the Growth and Infrastructure Framework and local plans, such as sustainable and alternative transport options, green infrastructure, energy, water and flooding
- Priority 9: Improve the county of Kent's environmental, social and economic resilience to environmental change
 - SF9.2: Ensure that public sector services have assessed key environment and severe weather risks and opportunities and are taking action accordingly
- Priority 10: Supporting growth in the rural economy and low carbon and environmental services sector
 - SF 10.2: Maximise opportunities for the rural sector.

Climate Emergency Statement, KCC, 2019

KCC recognises the UK environment and climate emergency and will continue to commit resources and align its policies to address this. Through the framework of the Energy and Low Emissions Strategy, KCC will facilitate the setting and agreement of a target of net zero emissions by 2050 for Kent and Medway.

Kent and Medway Low Emissions Strategy, 2020

The strategy has four strategic aims including, on policy and strategy, to facilitate the development of evidence-based policy and strategy to future-proof economic recovery, tackle emerging issues and realise opportunities. Its priority for planning and development is to ensure that climate change, energy, air quality and environmental considerations are integrated into Local Plans, policies and developments, by developing a clean growth strategic planning policy and guidance framework for Kent and Medway, to drive down emissions and incorporate climate resilience.

Framing Kent's Future: Our Council Strategy 2022-2026, Kent County Council, May 2022

The new Council Strategy was adopted in May 2022 and includes the following priorities and commitments.

Priority 1: Levelling Up Kent

Commitments:

- To support the Kent economy to be resilient and successfully adapt to the challenges and opportunities it faces over the coming years.
- To work with partners to develop a skills system for Kent that delivers skills that are resilient to changing workforce needs and opportunities and supports people to higher level skills.
- To maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.
- To see significant improvements in the economy, connectivity, educational attainment, skills and employment rates and public health outcomes in deprived communities in coastal areas so that they improve faster than the rest of Kent to reduce the gaps.
- To work with our partners to hardwire a preventative approach into improving the health of Kent's population and narrowing health inequalities.

Priority 2: Infrastructure for Communities

Commitments:

- To ensure that new development provides the appropriate physical and social infrastructure necessary to support new and existing communities' quality of life.
- To improve digital connectivity and access across Kent by supporting the delivery of both Government-led and local programmes.
- To support our rural communities and businesses in meeting the distinctive challenges and opportunities that they face.

- To ensure residents have access to viable and attractive travel options that allow them to make safe, efficient and more sustainable journeys throughout Kent.
- To help all Kent's communities benefit from having a strong social fabric which underpins family, community and personal resilience.

Priority 3: Environmental Step Change

Commitments:

- To consider Kent's environment as a core asset that is valued, strengthened and protected.
- To work towards Kent being Net Zero by 2050.
- To support Kent to become a leading county for carbon zero energy production and use.
- To ensure the county is well placed to adapt to climate change.

A review of other key policy documents at county, national and international level was undertaken and the findings of this were included in Appendix A of the Scoping Report.

The key conclusions drawn from this review are that the appraisal framework used to assess the updated KMWLP should be amended to ensure that the following policy objectives are adequately covered in the framework:

- Ensure development provides a net gain in biodiversity;
- Ensure the sustainable management of waste.

3.4. What's the situation now and how would it change without the plan (sustainability 'baseline')?

The following is a summary of the sustainability baseline characteristics described in the Scoping Report. This has been informed by the previous SA work on the KMWLP and the review of baseline data undertaken for the Scoping Report. It has been updated taking account of more recent information contained in the Scoping Report for the updated MSP.

Environmental baseline

- The amount of residual waste collected per household in Kent has generally fallen in recent years, to 554kg in 2021/22. Total arisings of household waste fell again in 2019-20 by 3.6% to just under 695,000 tonnes. 44% of household waste was reused, recycled or composted. Less than 1.5% is landfilled and most of the remainder is incinerated with energy recovery.
- Some 7 million tonnes of waste of all kinds (the majority being construction and demolition waste) were reported as being managed at Kent waste management facilities in 2021. This compares with

around 1.85 million tonnes of Kent waste managed outside the county. However, this export is more than offset by imports so, taking a simple balance, Kent remains net self-sufficient. Of the imports, just over 360,000 tonnes came from London, of which 126,000 tonnes was managed by Energy from Waste and around 500 tonnes to non-inert landfill. 224,000 tonnes were managed at/by inert landfill/permanent deposit to land.

- Construction aggregates (sand, gravel and ragstone) are the main types of economically important minerals extracted in Kent at this time, although brickearth (for stock brick manufacture) clay (for tile manufacture and engineering clay) and chalk (for engineering and agricultural lime applications) is also extracted. This is supplemented with imports and recycled aggregates.
- Kent is considered to be one the UK's most wildlife-rich counties. This is a result of its varied geology, long coastline, landscape history and southerly location / proximity to mainland Europe.
- Natura 2000 habitat is concentrated around the coast, particularly around the Thames Gateway (much within Medway UA), the Isle of Thanet, the Stour Estuary and Dungeness. Sites of Special Scientific Interest (SSSI) cover 8.5% of the county. The county contains c.10% of England's ancient woodland.
- The Thames Gateway is also acknowledged for its national importance due to 'brownfield' biodiversity.
- The last century has seen major losses and declines of species within Kent. Amongst the most important drivers of biodiversity loss in Kent are: the direct loss of land of value to wildlife to built-development or intensive farming, which has reduced and fragmented populations; and the effects of climate change.
- Kent is considered to be the most at risk local flood authority in England. Flooding has a significant impact on residents and the economy, with such effects predicted to worsen due to climate change.
- Since 2006 there has been a steady reduction in carbon dioxide emissions, to 4.1 tonnes per capita in 2021. This is slightly lower than national emission levels.
- In 2017 it is estimated that 922 early deaths occurred as a result of PM2.5 air pollution across Kent & Medway.
- Kent has the highest number of listed buildings in the South East, which is second only to the South West for numbers at regional level.
- The Kent Downs AONB covers nearly a quarter of the County, whilst the High Weald AONB is shared with East Sussex.

- Green Belt comprises the majority of Sevenoaks, Tonbridge and Malling and Gravesham Districts, as well as a proportion of Tunbridge Wells and Dartford Boroughs and a small part of Maidstone Borough.
- There are relatively extensive areas of high quality (grade one) agricultural land in Kent. This land tends to be concentrated in the north of the county, running in a band from Gillingham in the west through to Deal in the east. A pocket of high quality agricultural land can also be found in the area surrounding New Romney.
- Road traffic has grown fairly steadily over the decade from 2011, apart from 2020 when COVID-19 particularly affected car traffic. The effect on LGVs and HGVs was less marked, although still showed a decrease. Kent is a major gateway for the movement of international freight through the Channel Tunnel, the ports of Dover, Ramsgate and Sheerness. Road haulage is the dominant means of transport in this sector.
- In Kent there are many catchments where there is little or no water available for abstraction during dry periods. Pressures are particularly notable in Kent as it is one of the driest parts of England and Wales, coupled with high population density and household water use. Over the next few decades, there will be increasing pressures from the rising population and associated development. Looking further ahead, climate change could have a major impact on the water that will be available for consumption.

Social baseline

- Kent had an estimated population of 1,589,100 in mid-2020. By 2032, the population of Kent is projected to increase to 1,724,263, an increase of c. 8%.
- Although Kent is ranked within the least deprived 50% of upper-tier local authorities in England for 4 out of 5 summary measures of the IMD2019, significant areas within Kent are amongst England's most deprived 20% and levels of deprivation have increased in nine out of 12 local authorities in Kent.
- Life expectancy is 9 years lower for men and 6 years lower for women in the most deprived populations in Kent compared to the least deprived populations.
- Early death rates from cancer, heart disease and stroke have fallen and are better than the England average. A quarter of children aged 4-5 are classified as being obese, higher than the average for England. However, estimated levels of adult obesity are similar to the England average.
- Climate change projections highlight an increase in risk to people from flooding and hotter, drier summers leading to public health risks.

Economic baseline

- In 2018, the gross disposable household income in Kent was £22,164 per resident, 4.4% above the national average.
- Between 2010 and 2020, the number of active enterprises grew by 26%, to 70,815, which is below the national average of 27.7% growth.
- The overall employment rate in Kent has risen since the KMWLP was adopted, from 73.8% in 2016 to 78.4% in 2021.
- Apart from a slight decline in 2008-2009, GVA per head in Kent and Medway has risen steadily in the 21st century. In 2019 it was £24,877 per head, up from £14,029 in 2000, a rise of 77%. However, per capita GVA is lower than for the South East as a whole and for England.
- The largest sector for employment is wholesale and retail trade at 17.6%, followed by human health and social work at 13.3% and education at 9.6%. The distribution sector generated the highest gross value added in Kent, a fifth of the total.

3.5. How would the baseline change without the updated KMWLP?

There is a degree of uncertainty about how the baseline might change without the adoption of the updated KMWLP. Developments will still be required to comply with the development management policies of the KMWLP. This includes policies on the protection and enhancement of: biodiversity value, landscape, Green Belt, heritage assets, the water environment, health and amenity (including air quality) and transportation. Long term trends in environmental quality are likely to continue. However, fewer biodiversity benefits would be secured without the requirement for a net gain in biodiversity and without inclusion of National Nature Reserves in the development management policy on biodiversity. There would also be weaker emphasis on the creation of green and blue infrastructure, with fewer sites likely to be delivered with fewer benefits for biodiversity, wellbeing and landscape. There are likely to be higher emissions of greenhouse gases from waste facilities without the stronger emphasis on carbon reduction in the updated KMWLP from other recovery, landfill and wastewater treatment. Without this, it could increase climate change effects including flooding with risks for communities, wildlife and habitats. Other climate change pressures may be increased with effects on biodiversity and communities, including increased temperatures and more frequent extreme weather events. There may be more adverse impacts on groundwater quality without the stronger protection proposed in the updated KMWLP.

Current trends in waste generation and management are likely to continue, although without the updated KMWLP there will be less strong emphasis on implementing the waste hierarchy and circular economy principles will not be promoted, resulting in less reuse and recycling than with the updated KMWLP. Some radioactive wastes from Dungeness would need to be managed elsewhere other than onsite. Air pollution control residues may be imported from outside Kent for landfill.

Without the updated KMWLP there is likely to be an undersupply of crushed rock, with insufficient reserves currently identified. This would result in minerals being transported from outside the county which will have adverse effects on transport networks, air quality, greenhouse gas emissions and cost. Alternatively, increased quantities may need to be secured from secondary and recycled aggregates and/or marine dredged aggregates. If sufficient minerals of the right type cannot be found, construction and industrial growth may be checked. This could lead to insufficient homes and infrastructure being provided with adverse effects on people and communities. Minerals in Kent would not provide sufficient material to support economic growth and industrial activity, in which case employment levels could reduce and GDP and household incomes may fall. There could be adverse impacts on communities in the vicinity of mineral sites if blasting were to take place without proper assessment of the impacts.

Population and levels of deprivation are unlikely to be significantly different with or without the updated KMWLP.

3.6. What are the key sustainability issues?

Following review of context and baseline, the SA Scoping Report set out the key sustainability issues in Kent as follows. Following the addition of waste as an SA framework objective as part of the current review and update process (see Section 1.6 and Table 1), key sustainability issues have been added for waste below.

Biodiversity

- Ambitious BAP targets have been set, including for habitat creation and for reducing fragmentation and improving connectivity. Landscape scale projects are underway with biodiversity conservation and access to biodiversity as central components.
- It is possible to increase the connectivity between important habitat patches by incorporating habitat creation as part of new development. There is a particular need to maximise the biodiversity benefits associated with restoration of minerals sites.
- Biodiversity benefits relate to the minerals and waste development management strategy, which is set to ensure that negative effects associated with minerals extraction and waste management are avoided or mitigated, and the potential for minerals and waste development to contribute to biodiversity objectives is realised.

Climate change

- There is the potential to promote technologies that increase the carbon efficiency of minerals and waste operations, including increased reuse and recycling of both waste and minerals.
- Transport is a significant contributor to greenhouse gas emissions that should be addressed through the plan.

Community and well-being

- Clear spatial variation across Kent exists in terms of income, employment and health deprivation.
- The highest levels of deprivation can be seen in both coastal regions and urban areas.
- Deprivation is focused amongst particular socio-economic groups.
- Community impacts associated with the proximity of quarries and lorry movements are an issue of strategic importance.
- Traffic on the motorway and A-road network is the cause of the majority of designated Air Quality Management Areas (AQMAs).
- Future development at existing population centres is likely to put further pressure on the road network and lead to new and worsened occurrences of poor air quality.
- There remain instances where point source air pollution is a strategic issue.

Sustainable economic growth

- There are ambitious plans for economic growth and regeneration, for example in East Kent and the Kent Thames Gateway.
- There are local disparities in economic activity (including problems of 'rurality')
- Economic benefits relate to the targeted measures that are proposed as part of the minerals strategy; in particular, around ensuring supply of materials for strategically important industries / economic activities.

Flood risk

- There is extensive flood risk in Kent, and this situation is set to become worse with climate change.

Land

- There is a need to make best use of previously developed land and avoid the loss of the County's best and most versatile agricultural land. There is also a need to avoid conflict with coastal geomorphology.
- 'Land' and 'landscape' benefits relate to the support that is provided for construction and demolition waste recycling (i.e. aggregate recycling), which reduces the need to extract primary aggregates. There is also a focus on ensuring that the non-recyclable fraction of this inert waste is targeted at quarry restoration projects as a priority. In addition, the KMWLP is supportive of efforts to increase the movement of minerals via wharves which should have the effect of encouraging supply of marine dredged aggregates and hence reducing the need for land won aggregates.

Landscape and the historic environment

- There is a need to protect the integrity of the most valued and sensitive landscapes as well as to avoid damage to the landscape character more widely (signs of change inconsistent with countryside character have been identified in several areas).
- Along with a loss of the distinctiveness of the landscape character there has been a noticeable decrease in the tranquillity of landscapes and landscapes that are genuinely 'wild and remote' and an increase in levels of light pollution.
- Specific landscape impacts can be associated with minerals and waste development. Appropriate restoration should be sought to mitigate effects.
- There is a need to take account of designated heritage assets and their settings as well as undesignated assets and wider historic character.
- Heritage / historic environment benefits (which are relatively small magnitude and hence of unclear significance) relate to the support that is provided by extraction of minerals for heritage building products with a view to maintaining a diverse supply.
- There remains ongoing debate about the potential for impacts to the AONB, e.g. from silica sand extraction, but the stringency of policy has been strengthened and so effects are now unlikely.

Transport

- Much of the primary road network operates at, or above, capacity and there is a shortage of freight paths on the rail network.
- There is a need to adhere to the proximity principle wherever possible.
- There is a need to increase the amount of waste and, in particular, minerals transported by alternatives to road.
- Plans are in place to improve the transport infrastructure within and to Kent. The related Investment Plan proposes several packages for investment in Kent relating to improving rail infrastructure and bus and ferry services, creating a Lower Thames Crossing, promoting active travel and providing highway improvements.
- 'Transport' (and hence also climate change mitigation) benefits relate to the fact that the waste strategy is geared towards ensuring strict adherence to the 'proximity principle', i.e. a situation whereby waste is managed close to the source of production. It is also the case that the minerals strategy includes a focus on the safeguarding of wharves and railheads across the County to enable the ongoing importation of marine dredged aggregates, crushed rock and other minerals by sea and rail, rather than by road.

Water

- Water scarcity is set to become a greater problem in coming years as a result of population growth, climate change and the need to comply with the requirements of the Water Framework Directive.
- Groundwater and surface water pollution from a range of sources is evident across much of Kent.

Waste

- Amounts of household waste generated in Kent have fallen steadily over the last few years. Almost half (47%) is recycled, but the 50% target in 2021 was not quite met. The target for landfill reduction (no more than 2%) continued to be surpassed. The remainder of Kent's Local Authority Collected Waste was incinerated with energy recovery.
- It is anticipated that Commercial and Industrial waste will continue to increase.
- Kent remains net self-sufficient in waste management capacity.
- Illegal waste disposal continues to be an issue across Kent, creating major health and safety issues.

3.7. Characteristics of areas likely to be significantly affected

The SEA Directive requires that the appraisal describes the characteristics of areas likely to be significantly affected by the updated KMWLP. In deciding which areas are likely to be significantly affected, the SA has considered whether there is a spatial element to the proposed policy changes and therefore whether some parts of the county will be particularly affected. With the proposed deletion of policies CSM 2 and CSW 5, there is now only one policy with a spatial element, CSW 17 relating to the Dungeness Nuclear Estate. The appraisal of this policy has not identified any significant effects arising from the policy. It is therefore concluded that there are no areas likely to be significantly affected.

3.8. Areas of Particular Environmental Importance

Kent contains a number of designated sites of international nature conservation importance. In addition, there are further sites outside Kent but within 10km of the county boundary. These sites are listed in the SA Scoping Report. In the KWMLP, there is one policy which allocates a site which is close to two of these internationally important nature conservation sites:

- CSW 17 (Dungeness): adjacent to Dungeness, Romney Marsh and Rye Bay SPA and Ramsar and Dungeness SAC.

The importance of each of these two sites is described below.

Dungeness, Romney Marsh and Rye Bay SPA and Ramsar site

Dungeness, Romney Marsh and Rye Bay is located on the south coast of England, on the border of East Sussex and Kent between Hastings and New Romney. This is a large area with a diverse coastal landscape comprising a number of habitats, which appear to be unrelated to each other. However, all of them exist today because coastal processes have formed and continue to shape a barrier of extensive shingle beaches and sand dunes across an area of intertidal mud and sand flats. The site includes the largest and most diverse area of shingle beach in Britain, with low-lying hollows in the shingle providing nationally important saline lagoons, natural freshwater pits and basin fens. Rivers draining the Weald to the north were diverted by the barrier beaches, creating a sheltered saltmarsh and mudflat environment, which was gradually infilled by sedimentation, and then reclaimed on a piecemeal basis by man. Today this area is still fringed by important intertidal habitats, and contains relict areas of saltmarsh, extensive grazing marshes and reedbeds. Human activities have further modified the site, resulting in the creation of extensive areas of wetland habitat due to gravel extraction. As a whole, Dungeness, Romney Marsh and Rye Bay is important for breeding, wintering and passage waterbirds, wetland plants, bryophytes and invertebrates, and natural or near-natural wetland habitats. In addition to the internationally important wetland habitats and species, the Ramsar site and adjacent areas are also of national and international importance for a variety of non-wetland habitats and species.

Dungeness SAC

Dungeness is the UK's largest shingle structure. The site retains very large areas of intact parallel ridges with characteristic zonation of vegetation. It has the most diverse and most extensive examples of stable vegetated shingle in Europe, including the best representation of scrub on shingle, notably prostrate forms of broom *Cytisus scoparius* and blackthorn *Prunus spinosa*. A feature of the site, thought to be unique in the UK, is the small depressions formed within the shingle structure, which support fen and open-water communities. The Dungeness foreland has a very extensive and well-developed shoreline, although with sparse vegetation. The strandline community on this site comprises Babington's orache *Atriplex glabriuscula*, which occurs mostly on the accreting eastern shoreline, although it is also present on the eroding southern shoreline. This extensive site also hosts a large and viable great crested newt *Triturus cristatus* population in a range of natural and anthropogenic habitats. These include natural pools and those resulting from gravel extraction and other activities. Terrestrial habitat of importance for feeding and shelter is provided by a range of open shingle vegetation with scrub in the vicinity of some of the waterbodies.

Habitats Regulations Assessment

A Habitats Regulations Assessment⁵ (HRA) has been undertaken for the updated KMWLP in relation to policy CSW 17. This has made an assessment of any likely impacts of the KMWLP on the Dungeness, Romney Marsh and Rye Bay SPA and Ramsar and Dungeness SAC.

The HRA concluded that the changes to the policy unlikely to have any adverse impacts on the SAC, SPA, Ramsar and SSSI from land take, degradation, species impacts, noise, vibration, visual disturbance, changes in water quality and hydrology or changes in air quality.

⁵ Habitats Regulations Assessment (HRA): Kent Minerals and Waste Local Plan Update 2023-2038, KCC, October 2023

4. How has the plan developed up to this point?

4.1. Background to the Development of the KMWLP and SA

The process of making the KMWLP commenced in 2009, with Sustainability Appraisal starting simultaneously and leading first to the publication of the MWLP SA Scoping Report (Scott Wilson, 2010). This Scoping Report set out a Framework for the subsequent Sustainability Appraisal of the KMWLP. This comprised a set of sustainable development policy objectives (Sustainability Objectives; SO) which were used to assess the effect of the KMWLP and the reasonable alternatives to its proposals on sustainable development in Kent and beyond. These are presented in Table 5.

Table 5 Sustainability Objectives established during SA Scoping (Scott Wilson, 2010)

Sustainability Objective (SO)	
SO1	Reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment
SO2	Ensure that development will not impact on important elements of the biodiversity resource and where possible contributes to the achievement of the Kent Biodiversity Action Plan and other strategies
SO3	Protect and enhance Kent's countryside and historic environment
SO4	Maintain and improve the water quality of the Kent's rivers, ground waters and coasts, and achieve sustainable water resources management
SO5	Address the causes of climate change through reducing emissions of greenhouse gases through energy efficiency and energy generated from renewable sources
SO6	Reduce and minimise unsustainable transport patterns and facilitate the transport of minerals and waste by the most sustainable modes possible
SO7	Plan for the correct waste management facilities, in the right place at the right time
SO8	Make efficient use of land and avoid sensitive locations
SO9	Support efforts to create and sustain sustainable communities, particularly the improvement of health and well-being
SO10	Support the delivery of housing targets
SO11	Support economic growth and diversification

In 2011, these SOs were used to appraise the options which were at the time presented for Minerals and Waste Sites. This was undertaken on a site-by-site basis (Atkins, 2011). In 2012 a similar process was used to assess the Preferred Options (URS, 2012). By 2013 these SOs had been further developed, and the Consultation Draft of the SA Report (URS, 2013) presented the following Assessment Framework (Table 6):

Table 6 Sustainability Appraisal Framework Used in SA Report (Consultation Draft) (URS, 2013)

	Appraisal Objectives
1	Biodiversity
2	Climate change
3	Community and well-being
4	Sustainable economic growth
5	Flood risk
6	Land
7	Landscape and the historic environment
8	Transport
9	Water

Further iterations of the SA Report were subsequently published (URS, 2014⁶; URS, 2015). The Sustainability Appraisal process culminated in publication of the final SA Report and Addenda (AECOM, 2015a and 2015b) and the SA Adoption Statement (AECOM, 2016). The KMWLP was adopted in 2016.

The KMWLP is a high-level document which describes:

- the overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent, and
- the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.

The currently adopted KMWLP identifies and sets out the following subjects for the period from 2013 to 2030:

- the long-term Spatial Vision and Strategic Objectives for Kent's minerals and waste;
- the delivery strategy for minerals and waste planning that identifies how the objectives will be achieved in the plan period;
- two areas where strategic mineral and waste development may occur;
- the development management policies that will be used when the County Council makes decisions on planning applications; and
- the framework to enable annual monitoring of the policies within the Plan.

⁶ https://www.kent.gov.uk/__data/assets/pdf_file/0016/15415/Kent-Minerals-and-Waste-Plan-2013-30-Sustainability-Appraisal.pdf

Following the adoption of the KMWLP in July 2016, further assessments suggested that the level of waste management capacity required to maintain net self-sufficiency had changed. It was therefore expedient to undertake an Early Partial Review of the KMWLP to amend several of the policies relating to waste management. At the same time, policy concerned with safeguarding mineral resources and waste and mineral infrastructure was amended to ensure its effectiveness. Alongside the Early Partial Review of the KMWLP, a separate but linked Minerals Sites Plan was developed, which identified and allocated a number of sites for mineral extraction.

Both of these documents – the Early Partial Review and the Minerals Sites Plan - were subject to SA. Separate Scoping Reports and SA Reports were produced for each of the Early Partial Review and the Minerals Sites Plan as follows:

- Sustainability Appraisal of the Kent MWLP Partial Review: Scoping Report, Amey, November 2017;
- Sustainability Appraisal of the Kent Minerals Sites Plan-Making Process, Amey, November 2017;
- Sustainability Appraisal Report – SA of the draft Early Partial Review of the Kent Minerals and Waste Plan: Main Modifications Consultation, Amey, November 2019;
- Sustainability Appraisal Report – SA of the draft Kent Minerals Sites Plan: Main Modifications Consultation, Amey, November 2019.

The Scoping Reports for these SA processes adapted the SA framework used in the earlier SA of the adopted 2016 KMWLP. This was to reflect updates to the policy context relevant to the plans since the KMWLP was adopted and changes in the baseline data describing sustainability conditions in Kent.

The Early Partial Review and the Minerals Sites Plan were adopted by KCC in September 2020.

4.2. The Current Review of the KMWLP

The National Planning Policy Framework (2021) (NPPF) and legislation require that Local Plans should be reviewed to assess whether they need updating at least once every five years. Having been adopted five years ago, the Kent Minerals and Waste Local Plan has been reviewed to assess whether updates to the Plan are required.

The review needs to consider whether the Vision, Strategic Objectives and policies of the Plan are still consistent with national policy and local context and whether the policies have been effective in achieving the intended outcomes relating to the use of land for minerals and waste development in Kent.

National Planning Practice Guidance (PPG) states that “The review process is a method to ensure that a plan and the policies within remains effective”. The PPG also sets out what authorities should consider when determining whether a Plan or policies should be updated. Information relevant to this KMWLP Review includes:

- Conformity with national planning policy;
- changes to local circumstances;
- success of policies against indicators in the KMWLP;
- significant economic changes that may impact on viability; and,
- whether any new social, environmental or economic priorities may have arisen.

To inform the process, a review of national policy changes has been undertaken. This revealed that, amongst other things, there have been changes to the National Planning Policy Framework which require updates to policies in the Kent Minerals and Waste Local Plan to ensure they remain consistent with national planning policy. Locally, since adoption of the Local Plan, the Council has published a 'Climate Emergency Statement' and adopted the Kent and Medway Energy and Low Emissions Strategy that provides local impetus for achieving net zero carbon emissions by 2050. Monitoring of the way in which planning applications have been determined has also been undertaken to assist the review of the policies. Other observations regarding the wording of the policies and supporting text have been made and some of these indicate that policies, and supporting text, should be updated to ensure the ongoing effectiveness of the KMWLP.

The review has considered each of the Vision, the Strategic Objectives and the 52 policies within the KMWLP in turn. It has identified the need for changes to the wording of both the Vision and some of the Strategic Objectives to ensure that these remain current and reflective of recent changes. One of the Strategic Objectives is proposed to be deleted (SO 10). The majority of policies within the KMWLP are also proposed for amendments of different kinds and for various reasons, as well as various amendments to the supporting text and contextual Chapters (1 and 2).

4.2.1. The First and Second Regulation 18 Consultations

The findings of the review were used to make a number of proposed changes to the KMWLP and the updated KMWLP as proposed was published for Regulation 18 consultation in December 2021⁷. Alongside the preparation of the updated KMWLP, an SA process has commenced, beginning with the preparation of a Scoping Report⁸ which was also published for consultation in December 2021.

As a result of comments received in the consultation, it was concluded that there was a need to change the timeframe of the KMWLP to cover 2024 to 2039. This necessitated some other amendments to the KMWLP to be incorporated and a second Regulation 18 consultation to be carried out. A second Regulation 18 consultation was undertaken on the updated KMWLP to incorporate the extended timeframe and additional

⁷ Kent Minerals and Waste Local Plan 2013-2030 Proposed Refresh: Regulation 18 Consultation Draft, December 2021

⁸ Sustainability Appraisal of Updates to the Kent Minerals and Waste Local Plan 2013-30 in Light of the Five Year Review: Scoping Report, Amey, October 2021

amendments in December 2022. An SA was carried out of the amended KMWLP and an SA Report⁹ published alongside this second (2022) Regulation 18 consultation.

As a result of the extended timeframe for the KMWLP, it has become clear that additional permitted reserves of crushed rock are needed in order to maintain a 10 year landbank for crushed rock. As a result, it is necessary to allocate a new site for crushed rock and to include this in an update to the current MSP. An SA has been carried out of the updated MSP as proposed, and the SA Report¹⁰ was published alongside the Regulation 18 consultation on the updated MSP.

4.2.2. The Scope of the Third Regulation 18 Consultation – ‘Further Proposed Changes’

Following the second Regulation 18 consultation, some further small amendments were proposed to the draft updated KMWLP, on London’s waste and the strategic site for waste, as follows:

- to remove paragraphs in the supporting text to policy CSW 4 which states that KCC will plan for the management of waste from London;
- Removal of policy CSW 5 that allocates the strategic site for landfill of air pollution control residues.

A third Regulation 18 consultation on ‘Further Proposed Changes’ was carried out between June and July 2023 and accompanied by an SA Report, which provided the process, findings and recommendations arising from the SA of that third Regulation 18 updated KMWLP (‘Further Proposed Changes’).

4.2.1. The Regulation 19 Consultation (the ‘Pre-Submission Draft’ KMWLP)

Following the third Regulation 18 consultation, a series of further minor amendments are now proposed to be made to the draft KMWLP to take account of comments received in that consultation in preparation for publishing the Regulation 19 version (‘Pre-Submission Draft’) of the draft KMWLP . These cover various miscellaneous matters.

4.3. Difficulties Encountered

A number of difficulties were encountered in undertaking the appraisal:

- **Data.** A common problem affecting SA is the availability and reliability of data. Although data has been collected to illustrate a number of the conditions and trends relevant to the SA of the updated KMWLP, some data sets are more useful than others, and some data sets are known to be old, incomplete or unreliable. In some cases, no data is available. It is therefore almost impossible to quantify effects with certainty.

⁹ Sustainability Appraisal of Updates to the Kent Minerals and Waste Local Plan 2013-30 in Light of the Five Year Review: Sustainability Appraisal Report, Amey, August 2022

¹⁰ Updates to the Kent Mineral Sites Plan: Sustainability Appraisal Report, Amey, May 2023

- **Uncertainty.** It has not been possible for the SA to quantify the predicted impacts of the policies as amended by the Five Year Review. In all cases a qualitative assessment of impacts has been made. This is particularly the case in relation to the effects on greenhouse gas emissions of encouraging the management of waste at higher levels of the waste hierarchy. While positive impacts are likely, it has not been possible to quantify these. It is also not possible to know with certainty what the implications are likely to be for the effects of climate change, including on communities, wildlife, the economy, landscape and water quality and availability. The nature and likelihood of impacts is often strongly dependent on the location of development, which for most policies is currently unknown.

5. How has the appraisal at this current stage been undertaken? [Sustainability Appraisal Methodology]

5.1. SA Framework and Sustainability Objectives

Following due diligence in terms of the context and baseline conditions, the framework and sustainability objectives for the SA of the updated KMWLP has been developed from the frameworks used for earlier SAs of the KMWLP, most recently the SA of the third Regulation 18 draft of the updated KMWLP ('Further Proposed Changes'). The framework was published for consultation in the SA Scoping Report between December 2021 and February 2022, and table 7 below incorporates some additional detailed criteria following comments received on the Scoping Report. It also incorporates one addition as a result of a comment received in the consultation on the Scoping Report for the SA of the updated MSP published in December 2022. This relates to climate change adaptation and is highlighted in bold in table 7.

Table 7 SA Framework

Sustainability Objectives		Detail – including addition resulting from consultation on Scoping Report for updated MSP
1	Biodiversity	<p>Ensure that development will not impact on important elements of the biodiversity resource and where possible contributes to the achievement of the Kent BAP and other strategies</p> <ul style="list-style-type: none"> – Add to the biodiversity baseline by creating opportunities for targeted habitat creation (which, ideally, contributes to local or landscape scale habitat networks). – Avoid hindering plans for biodiversity conservation or enhancement – Support increased access to biodiversity – Provide a net gain in biodiversity value
2	Climate change	<p>Address the causes of climate change through reducing emissions of greenhouse gases through energy efficiency and energy generated from renewable sources</p> <ul style="list-style-type: none"> – Promote sustainable design and construction of facilities and support wider efforts to reduce the carbon footprint of minerals and waste operations. - Promote climate change adaptation

3	Community and well-being	<p>Support efforts to create and sustain sustainable communities, particularly the improvement of health and well-being; and support the delivery of housing targets</p> <ul style="list-style-type: none"> – Help to redress spatial inequalities highlighted by the Index of Multiple deprivation. – Help to tackle more hidden forms of deprivation and exclusion, such as that which is experienced in urban and coastal areas and particular socio-economic groups within communities. – Ensure that the necessary aggregates are available for building, and that the necessary waste infrastructure is in place to support housing and economic growth – Ensure that minerals and waste development does not contribute to poor air quality with particular reference to PM2.5 and NOx – Protect and enhance public rights of way and access – Protect local green space – Avoid loss of tranquillity
4	Sustainable economic growth	<p>Support economic growth and diversification</p> <ul style="list-style-type: none"> – Support the development of a dynamic, diverse and knowledge-based economy that excels in innovation with higher value, lower impact activities – Stimulate economic revival and targeted employment generation in deprived areas
5	Flood risk	<p>Reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment</p> <ul style="list-style-type: none"> – Ensure that development does not lead to increased flood risk on or off site – Seek to mitigate or reduce flood risk through developments that are able to slow water flow and promote groundwater recharge
6	Land	<p>Make efficient use of land and avoid sensitive locations</p> <ul style="list-style-type: none"> – Make best use of previously developed land – Avoid locations with sensitive geomorphology – Seek to safeguard the best and most versatile agricultural land and recognise its economic and other benefits - Prevent inappropriate development in the Green Belt

7	Landscape and the historic environment	<p>Protect and enhance Kent's countryside and historic environment</p> <ul style="list-style-type: none"> – Protect the integrity of the AONBs and their setting and other particularly valued or sensitive landscapes – Take account of the constraints, opportunities and priorities demonstrated through landscape characterisation assessments and other studies at the landscape scale. – Avoid light pollution – Protect important heritage assets and their settings, as well as take account of the value of the character of the wider historic environment
8	Transport	<p>Reduce and minimise unsustainable transport patterns and facilitate the transport of minerals and waste by the most sustainable modes possible</p> <ul style="list-style-type: none"> – Minimise minerals and waste transport movements and journey lengths; and encourage transport by rail and water. – Ensure that minerals and waste transport does not impact on sensitive locations, including locations already experiencing congestion and locations where planned growth or regeneration is reliant on good transport networks.
9	Water	<p>Maintain and improve the water quality of the Kent's rivers, ground waters and coasts, and achieve sustainable water resources management</p> <ul style="list-style-type: none"> – Ensure that minerals and waste development seeks to promote the conservation of water resources wherever possible particular reference to abstraction. – Avoid pollution of ground or surface waters, particularly in areas identified as being at risk or sensitive
10	Waste	<p>Ensure the sustainable management of waste</p> <ul style="list-style-type: none"> – Manage waste in accordance with the waste hierarchy – Prevent adverse effects from waste on human health and the environment – Ensure waste is managed as near as possible to its place of production

5.2. Applying the Framework

5.2.1. How the Appraisal Has Been Carried Out

The SA is required to undertake an appraisal of the updated KMWLP as proposed. Each of the policies and strategic objectives in the updated KMWLP has previously been subject to assessment using the SA framework set out in section 5.1 (see table 7) and the results published in the SA Report issued alongside

the third Regulation 18 consultation on 'Further Proposed Changes' to the updated KMWLP in June 2023. An assessment matrix was drafted and presented in Appendix B of that report and the results summarised in Section 6.1 of the report. That assessment was reviewed and revised to incorporate the new assessment criteria on climate change adaptation into the appraisal of all the policies and strategic objectives of the draft KMWLP.

The SA of the third Regulation 18 KMWLP has been further reviewed and revised to incorporate the amendments to the KMWLP proposed in the Regulation 19 Pre-Submission Draft KMWLP. The revised assessment of policies is set out in detail in Appendix B of this report and the results summarised in section 6.1.

The appraisal has considered a range of different types of effects as required by Annex I of the SEA Directive. The type of effects identified are indicated in the tables in Appendix B. Factors taken into consideration were:

- the expected scale of the effects or the degree to which the effects are likely to contribute to the achievement of the SA objective in the county overall;
- the certainty or probability that the effect is likely to occur as a consequence of the KMWLP;
- whether the effects would be permanent or reversible;
- whether the effect will occur as a direct result of the KMWLP or not, in other words whether the Plan is key for achieving or controlling effects;
- whether the effect is more strongly dependent on other interventions or other factors; and
- how important the objective is to the scope of the KMWLP.

The SA identifies whether effects are positive, negative, nil or uncertain. The following symbols are used in this report to indicate the impact or impacts and their relative significance. Where more than one effect is predicted, multiple symbols are given separated by '/'. In order to determine the significance of effects, the appraisal has followed the criteria for determining significance as set out in Annex II of the SEA Directive.

Table 8 Effects Symbols

Type of impact	Symbol
significant positive effect	++
some positive effect	+
no effect	0
some adverse effect	-
significant adverse effect	--
uncertain effect	?

Effects are identified in the short, medium and long term. To make this assessment, the short term has been chosen as being within the first 5 years of adoption of the updated KMWLP, the medium term is considered to be the remainder of the Plan period for the KMWLP and the long term is after the end of the Plan period of the KMWLP.

An assessment has also been made of the probability of the identified effect occurring (low, medium or high), whether the effect is direct or indirect (i.e. primary or secondary), and whether the effect is temporary or permanent indicated by whether or not the effect could be reversed.

Cumulative and synergistic effects are discussed in Section 6.3.

The appraisal has assessed the likely effects arising from adoption of the updated KMWLP and considered whether there is scope to make recommendations for measures to prevent, reduce and as fully as possible offset any significant adverse effects of implementing the updated KMWLP. These recommendations are made in Section 6 of this report.

5.2.2. SA of Alternatives to the Updated KMWLP as Proposed

The SA is required to appraise reasonable alternatives to the updated KMWLP as proposed. The reasonable alternatives that have been identified partly from a review of responses received to the first Regulation 18 consultation, and partly derived from a 'do nothing' option, in other words, not to make the changes proposed.

Several responses received to the first Regulation 18 consultation raised the question as to why no waste sites are allocated, in other words, why no Waste Sites Plan has been produced. Kent County Council as the Waste Disposal Authority has identified¹¹ that a number of Household Waste Recycling Centres are displaced and there are a number of factors that put them at risk. The Five Year Review also concluded that the spatial distribution of transfer stations and MRFs is less than optimal, although there is sufficient capacity of

¹¹ Kent Waste Disposal Strategy 2017-2035 Evidence Base, Kent County Council, undated

this type existing in Kent. It could reasonably be argued that to identify and allocate sites for waste management uses would facilitate the relocation of waste facilities so that a better spatial distribution is secured. Therefore this has been appraised as an option, Option A.

- Option A: To allocate land for waste facilities as envisaged in the KMWLP adopted in 2016.

Option A would be to produce a Waste Sites Plan as originally envisaged in the KMWLP. It would be possible for Kent County Council to identify and allocate sites as suitable for waste-related development even though no capacity gap has been identified and therefore this has been appraised as a reasonable alternative.

In respect of a 'do nothing' option, each proposed amendment to the policies has been considered in turn to identify whether a 'do nothing' option is reasonable. In the case where an amendment is required to make the KMWLP consistent with policy elsewhere or to ensure internal consistency within the KMWLP, a 'do nothing' option is not considered reasonable. Where there are other reasons for making the amendment, each has been considered on its merits. The conclusions of this review are set out in Appendix C. Only one policy has been identified as having a reasonable 'do nothing' alternatives to the policy amendments proposed. This has been identified as Option B.

- Option B: Do not strengthen groundwater protection in policy DM 10.

Each of the alternatives identified above were appraised against the SA framework for the SA of the second Regulation 18 consultation and an assessment made of the likely impacts on sustainability objectives. This appraisal work was reviewed and revised to incorporate the additional appraisal criterion relating to climate change adaptation and the results set out in Appendix D of that report.

In addition, the amendments introduced to the KMWLP in the third Regulation consultation were considered, to determine whether there are reasonable alternatives to the proposals which should be appraised. The following was identified as a reasonable 'do nothing' alternative to those proposals:

- Option C: Do not remove policy CSW 5.

This new option was also appraised against the SA framework and the results set out in Appendix D and summarised in section 6.2 of the SA Report for the third Regulation 18 consultation.

No further options (reasonable alternatives) have been identified for the SA of the Regulation 19 Pre-Submission Draft KMWLP.

The assessment of options A, B and C are summarised in section 6.2 of this report and presented in detail in Appendix D.

6. Sustainability Appraisal Findings and Recommendations

6.1. SA of the Updated KMWLP as Proposed

The SA has appraised each of the strategic objectives and policies which are proposed in the updated KMWLP. The methodology and assumptions used in undertaking the appraisal are set out in Section 5.

Table 9 below sets out the findings of the appraisal of each of the strategic objectives according to the SA appraisal framework, with some recommendations in the sections following the tables.

The detailed findings of the SA of the policies of the KMWLP as amended are set out in Appendix B and summarised in table 10 below.

Table 9 Findings of Appraisal of KMWLP Strategic Objectives

Objective	SA Objectives										Comment
	1 Biodiversity	2 Climate Change	3 Community and Well Being	4 Sustainable Economic Growth	5 Flood Risk	6 Land	7 Landscape and Historic Environment	8 Transport	9 Water	10 Waste	
General											
1 Transport	+	+	+	+	+	0	0	+	0	+	Minimising road miles and promoting low carbon modes of transport will help to minimise greenhouse gas emissions, avoiding impacts of climate change on a number of receptors
2 Climate change	+	+	+	+	+	0	0	+	0	+	Minimising the effects of climate change will help to avoid impacts on a number of receptors. Climate change adaptation is promoted.
3 Surrounding environment and communities	+	+	+	0	+	0	+	+	+	+	Minimising impacts on surrounding environment will apply to several SA objectives and may help indirectly to promote climate change adaptation.
4 Contribute to social and economic fabric	0	0	+	+	0	0	+	0	0	0	Supports wellbeing and economic benefits. KMWLP supports access to information on archaeological assets.
Minerals											
5 Maintenance of supply	0	0	+	+	0	0	0	+	0	0	Ensures availability of mineral to support construction of housing, schools, hospitals etc and support economic needs. Seeks to provide resources within the county which will help to minimise the need to import from elsewhere.
6 Recycled and secondary aggregates	+	0	+	+	0	+	0	0	0	+	Promotes the waste hierarchy and efficient use of land and avoids potential impacts on biodiversity and communities from development.
7 Safeguard mineral infrastructure	0	+	+	+	0	0	0	+	0	0	Supports the continued availability of minerals and mineral products and supports sustainable transport modes.
8 Building stone	0	0	0	+	0	0	+	0	0	0	Supports restoration of historic buildings and built landscapes and the industry it supports.
9 Restoration of mineral	+	?	+	+	?	+	+	0	?	0	Provides benefits to biodiversity, communities and landscapes. Benefits for water management and flood risk should be included.

Objective	SA Objectives										Comment
	1 Biodiversity	2 Climate Change	3 Community and Well Being	4 Sustainable Economic Growth	5 Flood Risk	6 Land	7 Landscape and Historic Environment	8 Transport	9 Water	10 Waste	
sites											
Waste											
10 Waste hierarchy	+	+	+	+	+	0	0	0	0	+	Promoting the waste hierarchy will reduce greenhouse gas emissions from waste, with benefits for climate change, biodiversity, communities, the economy and flood risk.
11 Proximity principle	+	+	+	+	+	0	0	+	0	+	Promoting the proximity principle will reduce emissions from waste transport, with benefits for climate change, biodiversity, communities and flood risk and promote more sustainable economic activity.
12 Energy recovery	+	+	+	+	+	0	0	0	0	+	Recovery of renewable energy will replace fossil fuel use, with benefits for climate change, biodiversity, communities and flood risk, promote the waste hierarchy and support more sustainable economic activity.
13 Capacity for Kent's waste	+	+	+	+	+	0	0	+	0	+	Ensuring capacity to manage Kent's waste will avoid the need for longer waste transport distances, with benefits for climate change, biodiversity, communities and flood risk, promote the proximity principle and support more sustainable economic activity.
14 Waste site restoration	+	?	+	+	?	+	+	0	?	0	Restoration envisaged for biodiversity, community, economic and landscape benefits. Benefits for flood risk and water management possible but not explicit.

Table 10 Summary of Findings of SA of Policies

Policy	SA Objectives									
	1 Biodiversity	2 Climate Change	3 Community and Well Being	4 Sustainable Economic Growth	5 Flood Risk	6 Land	7 Landscape and Historic Environment	8 Transport	9 Water	10 Waste
CSM 1	+	+	+	+	+	+	+	+	+	+
CSM 2	-/+	0/?	0/?	-	0	-/0	-/?/+	0/?	?	+

Policy	SA Objectives									
	1 Biodiversity	2 Climate Change	3 Community and Well Being	4 Sustainable Economic Growth	5 Flood Risk	6 Land	7 Landscape and Historic Environment	8 Transport	9 Water	10 Waste
CSM 4	?	?	?	+	?	?	?	?	?	0
CSM 5	0	+	0	+	0	0	0	+	0	0
CSM 6	0	+	0	+	0	0	0	+	0	0
CSM 7	0	0	0	+	0	0	0	+	0	0
CSM 8	0/?	?/+	0/?	+	0	0/?	0/?	+	0	+
CSM 9	0	0	0	+	+	0	0/+	0	0	0
CSM 10	0	0	0	+/0	0	0	0	0	0	0
CSM 11	?	0	?	?	?	?	?	?	?	0
CSM 12	0	+	+/0	+	+	0	0	+	0	0
CSW 1	+	+	+	+	+	+	+	+	+	+
CSW 2	+	+	+	++	+	0	0	?	0	++
CSW 3	+	+	+	++	+	0	0	+	0	++
CSW 4	0	+/?	0	++	0	0	0	?	0	++
CSW 6	0	?	0	+	0	0	0/?	?	0	++
CSW 7	+	+	+	++	+	0	0	?	0	++
CSW 8	+	+	+	+	+	0	0	0	0	++
CSW 9	+	+	+	+	+	0	0	0	0	++
CSW 10	+	+	+	0	+	+	0	0	0	++
CSW 11	+	+	+	0	0	+	+/0	?	0	++/?
CSW 12	0/+	?/+	0/+	+	0/+	0	0/?	?/0	0	++

Policy	SA Objectives									
	1 Biodiversity	2 Climate Change	3 Community and Well Being	4 Sustainable Economic Growth	5 Flood Risk	6 Land	7 Landscape and Historic Environment	8 Transport	9 Water	10 Waste
CSW 13	?	0	0	0	0	?	0	+	0	+
CSW 14	+	0	0	+	0	?	?	?	0	+
CSW 15	+	+	+	0	+	?	?	0	++	+
CSW 16	0	+	0	0	0	0	0	+	0	++
CSW 17	?/+/0	0	0	0	0	0	0	0/+	?	0/+/?
CSW 18	?	+	?	0	?	?	?	+	?	+
DM 1	++	++/-	++	+/-	+	0	0	0	+	++
DM 2	++/-	+	++	++	+	0	++/-	0	+/-	0
DM 3	++	0	+	+	+	0	0	0	+	0
DM 4	+/-	+/-	+/-	+/-	+/-	++/-	+/-	0	0/-	0
DM 5	+	+	++	+	+	0	++/0	0	0	0
DM 6	0	0	++	+	0	0	+	0	0	0
DM 7	0	0	++	++/-	0	0	0	0	0	0
DM 8	0	0	++/-	0	0	0	0	++	0	+
DM 9	0	0	0	++/-	0	0	0	0	0	0
DM 10	++	+	++	+	++	0	0	0	++	+
DM 11	++	?	++	+	0	++	0	++	?	+
DM 12	++	++	++	0	++	++	++	++	++	++
DM 13	+	+	++	+	+	0	0	++	0	++
DM 14	0/?	+	++	+	0	0	0/+	0/+	0	0

	SA Objectives									
Policy	1 Biodiversity	2 Climate Change	3 Community and Well Being	4 Sustainable Economic Growth	5 Flood Risk	6 Land	7 Landscape and Historic Environment	8 Transport	9 Water	10 Waste
DM 15	+	+	+	+	+	0	0	++	?	0
DM 16	0	0	0	0	0	0	0	0	0	0
DM 17	++	+	++	++/-	?	+	++/0	++/0	?	++
DM 18	?	0	+	?	?	0	0	0	?	0
DM 19	++	++	++	+	+	++	++	+	+	+
DM 20	?	?	?	+	?	?	?	?	?	?
DM 21	?	?	?	++/-	?	?	?	?	?	?
DM 22	0	0	0	0	0	0	0	0	0	0
Overall impacts	++/?	+/?	+/?	+/-	+/-	+/?	+/?	+/?	+	++

Discussion of Appraisal of Strategic Objectives

Taken together, the strategic objectives largely give support to the SA objectives where this is relevant. The objectives seek to ensure sufficient capacity is available locally where possible for both minerals and waste development to meet Kent's needs in a sustainable way where possible. Strong support is given to the sustainable management of waste and minimising the impacts of waste and minerals management on greenhouse gas emissions, with benefits that this will have for climate change, biodiversity, communities, the sustainability of the economy and flood risk. The objectives seek to provide benefits for communities economically, socially and environmentally and to minimise the impacts of minerals and waste management on communities and the environment. Climate change adaptation is promoted. Benefits of restoration can include water and flood risk management although these are not explicit and could be added to objectives 9 and 14.

Discussion of Appraisal of Policies

Biodiversity

The KMWLP contains several development management policies that require protection, enhancement, management and creation of biodiversity value, including for internationally, nationally, and locally designated sites, protected species and habitats and those of principal importance for conservation. Maximum biodiversity net gain is required where practicable and at least a 10% net gain. Other policies contain provisions that would indirectly benefit biodiversity including protection and improvement of water quality and preventing unacceptable adverse impacts from noise, light, dust, vibration, odour and emissions. Despite these measures, adverse impacts are still possible where these would be outweighed by other benefits.

Managing waste at high levels of the waste hierarchy, promotion of the circular economy, recovering energy and requiring methane capture will help to reduce the emissions of greenhouse gases from waste management activities, helping to reduce pressures on biodiversity from climate change. Restoration of landfill and mineral sites is required to a high standard which could have biodiversity benefit depending on the intended afteruse of sites. Policy on Green Belt is likely to help protect biodiversity, although losses are also possible.

Climate change

The KMWLP has a number of policies requiring minimisation of greenhouse gas emissions and energy and water consumption, helping to reduce the likely impacts of climate change. By requiring the minimisation of waste and maximising recycling of materials, use of low carbon energy sources and methane and carbon capture, this will also help to minimise greenhouse gas emissions. Policy also requires developments to build in climate change adaptation measures where these are appropriate. Achieving a BREEAM very good standard or equivalent will also promote minimisation of greenhouse gas emissions. Despite all of these

requirements, emissions of greenhouse gases may nevertheless rise as requirements for waste management and minerals production increase above existing levels.

Several policies promote non-road modes of transport for waste and minerals and reduce the demand for transport, including safeguarding mineral resources within the county, safeguarding wharves and rail depots, safeguarding and promoting net self-sufficiency in waste facilities and requiring secondary and recycled aggregate facilities to be well-located to the source of arisings and/or users. Managing the demand for road transport will help to minimise increases in greenhouse gas emissions from waste and minerals transport, although in practice such opportunities are likely to be limited, therefore increases in emissions are likely with increasing quantities of waste to be managed. The contribution from minerals transport is likely to remain similar to current levels although this is not certain.

Managing waste at high levels of the waste hierarchy, promotion of the circular economy, recovering energy, requiring methane and carbon dioxide capture and promoting heat use from waste facilities will help to reduce the emissions of greenhouse gases from waste management activities. Restoration of landfill and mineral sites is required to a high standard which could have climate change mitigation and adaptation benefits through revegetation of sites or providing flood water storage, depending on the intended afteruse of sites.

Community and wellbeing

The KMWLP seeks to avoid unacceptable adverse impacts of a development on the community and surrounding land uses, through reducing noise, odour, emissions and light, as well as visual intrusion and traffic. It requires that air quality impacts are mitigated, particularly in areas of poor air quality and makes provision for the preparation of a Health Impact Assessment.

Measures to restrict increases in greenhouse gas emissions will have benefits for communities and wellbeing by avoiding the worst impacts of climate change. Such measures include managing demand for transport and promoting alternatives to road transport, promoting the waste hierarchy, requiring carbon capture and heat/energy recovery. Managing the impacts of climate change through avoiding flood risk increase and protecting water quality will also benefit communities.

Communities could also benefit if the afteruse of the land is for recreation and access. By requiring developments to maximise the contribution to green and blue infrastructure, the KMWLP may help to promote opportunities for recreation and exercise and so support human health and wellbeing. Protection of sites of biodiversity, landscape and heritage importance can also have indirect benefits for recreation, health and wellbeing, as will ensuring access to public rights of way and improving access where possible and protection of Green Belt.

Measures to maintain mineral supply will support materials for construction of housing to sustain communities.

Sustainable economic growth

The KMWLP will help to ensure the supply of minerals and waste development to support economic/industrial activity. However, the exploitation of non-renewable mineral resources and hydrocarbons is not sustainable.

By facilitating mineral development on unallocated sites, ensuring resources are not sterilised by other development, safeguarding mineral infrastructure and maintaining capacity for secondary and recycled aggregates, the KMWLP will help to support economic growth by providing materials essential for construction of homes, offices, schools, hospitals and other buildings essential to support growth. The KMWLP also promotes sustainable waste management practices contributing to a sustainable economy, including by promoting the waste hierarchy and circular economy, managing transport demand and promoting non-road modes of transport, and requiring energy and heat recovery.

Minimising emissions and energy and water consumption in development will support more efficient businesses to support sustainable economic growth, as will promoting sustainable transport and safeguarding transport infrastructure.

Requiring site restoration to a high standard and conserving green space and areas designated for biodiversity, landscape and heritage value will have indirect economic benefits by creating more desirable places to live and work in and visit.

Economic benefits will be gained from avoiding flood risk and protecting water quality, reducing costs to businesses and residents.

The KMWLP provides for planning obligations for large waste and minerals developments, including conditions on the use of local workforce and provision of apprenticeships and training, which will provide local employment opportunities and appropriate training, boosting local economies. It also envisages economic gain to mitigate or compensate for effects of development.

Flood risk

By promoting climate change adaptation measures, including sustainable drainage systems, the KMWLP will help to minimise the impact of development on flood risk and is likely to help to alleviate flood risk in the local area. The KMWLP requires no increase in flood risk in areas prone to flooding, therefore adverse impacts on flood risk are unlikely, although flood risk reduction measures are not promoted.

Site restoration measures are required to incorporate flood risk mitigation opportunities, as well as the installation of drainage, helping to avoid increases in flood risk. Restricting development which could adversely affect green spaces will help to alleviate flood risk in local areas by allowing vegetation to grow and absorb surface run-off and groundwater. Protection of Green Belt may also help to alleviate flood risk, although this is site-dependent and losses are also possible.

The KMWLP will help to reduce adverse impacts on flood risk from climate change through measures to reduce greenhouse gas emissions. These include promoting the sustainable transport of minerals and waste, promoting non-road transport, supporting the waste hierarchy, energy and heat recovery and carbon capture.

Land

The KMWLP requires development to have no unacceptable adverse impacts on surrounding land and associated permitted uses, therefore quality of surrounding land is likely to be protected. Protection of Green Belt will have a positive impact on this objective, although losses are also possible in very special circumstances or where development is appropriate in the Green Belt.

The KMWLP requires high standards of restoration and aftercare of sites, usually to a level at least equivalent to that which it was before development. This may be restored to agricultural use; therefore the best and most versatile agricultural land should be protected in the long term. The likelihood of this is uncertain and dependent on plans for restoration. Removal of all buildings, plant and structures not necessary for the management of the site will restore long-term openness on Green Belt land, if applicable to the site.

By maintaining capacity for secondary and recycled aggregates, this will help to avoid adverse impacts on land that could occur from primary extraction, although the significance and likelihood of these impacts are unknown. By facilitating soil decontamination on sites that are for redevelopment, there may be benefits for land quality through decontamination of soils although this depends on redevelopment plans.

The KMWLP allows for mineral extraction on non-identified sites and incidental mineral extraction. It also allows for the development of waste facilities on unidentified sites under certain conditions. Adverse impacts on the best and most versatile agricultural land and on Green Belt are possible, although the significance depends on conditions at particular sites and therefore is largely unknown at this stage.

Landscape and the historic environment

Likely impacts on landscape and the historic environment are strongly dependent on sensitivities at particular development sites, the locations of which are largely unknown at this stage. However, development policies aim to preserve and enhance the historic environment and require developments to mitigate their impacts on the fabric, setting and amenity value of assets, therefore significant adverse impacts on assets are unlikely and benefits are possible. The KMWLP also protects landscapes in terms of historic parks and gardens, conservation areas and heritage coastlines. Protection of Green Belt could also help to preserve landscapes, although this is site-dependent and losses are also possible. Development management policy broadly prohibits development which would have an adverse effect on an AONB or its setting. However, development which would have adverse impacts would be permitted if it can be demonstrated to be in the public interest, therefore adverse effects are possible.

In locating built waste management facilities, the KMWLP requires no significant adverse effects on heritage assets and AONBs and that the landscape is capable of accommodating prominent structures.

By maintaining capacity for secondary and recycled aggregates, this will help to avoid adverse impacts on landscape and historic assets that could occur from primary extraction, although the significance and likelihood of these impacts are unknown. For site restoration, the KMWLP requires landscape opportunities and heritage and landscape features to be addressed in restoration plans. A site-based landscape strategy is required and therefore the KMWLP is likely to support protection of landscape and historic assets. The supporting text indicates that industrial archaeological and landscape features may be retained, adding to the historic value of the site and protecting landscape features.

By facilitating development for the extraction of building stone, the KMWLP will help to support the sympathetic restoration of older buildings and use of traditional materials which will help to protect built landscapes and the historic environment.

Planning obligations include landscape enhancement and archaeological investigation, analysis, reporting, publication and archive deposition. The KMWLP will therefore help to secure enhancements to landscape and archaeological assets.

Transport

Likely impacts on transport are uncertain as the location of most development is unknown. However, policy directly seeks to promote transport by the most sustainable modes possible, although in practice opportunities are likely to be limited. Other measures seek to minimise the impacts of transport, such as safeguarding transport infrastructure, ensuring that the network is able to accommodate the traffic that would be generated and taking particular measures within Air Quality Management Areas, thereby avoiding impacts on sensitive locations. It requires developments to have no unacceptable adverse impacts, including from vehicles and traffic movements associated with the development. In particular, it requires mitigation of impacts on air quality.

The KMWLP requires new waste facilities to be well-located to existing transport infrastructure, including rail and water transport, which will help to minimise any adverse effects on transport networks. Nevertheless, waste transport may increase although this is dependent on the degree to which the new capacity replaces existing capacity and how well-located facilities are to the source of arisings. By promoting increased recycling, the KMWLP is likely to result in additional vehicle movements to transport recyclables. It also promotes net self-sufficiency for Kent which will help to minimise waste transport distances. The balance and scale of the likely effects are not clear, but are unlikely to be significantly greater than managing waste at the bottom of the waste hierarchy, particularly in the context of vehicle movements within the county overall.

The KMWLP contains several policies that promote minimisation of waste transport. These include requiring facilities for secondary and recycled aggregates to be well-located to the source of inputs or need for outputs, facilitating the decontamination of soils in situ, promoting the proximity principle particularly for secondary and recycled aggregates, soils and non-nuclear radioactive waste and ensuring sufficient landbanks for most minerals.

Planning obligations include highways and access improvements and traffic management measures and therefore will help to avoid adverse impacts on sensitive parts of the road network.

Water

Impacts on the water environment are dependent on the features and sensitivities at particular sites, the locations of which are largely not known. However, the KMWLP prevents the deterioration of the physical state, quality and ecological status of water bodies and requires improvement in their ecological status. Positive impacts on the water environment are therefore likely. Development management policy requires the minimisation of water consumption and emission of pollutants, the policy will help to safeguard the quantity and quality of water and promote sustainable water resource management.

By facilitating the development or extension of wastewater facilities, the KMWLP supports the maintenance and potentially the improvement of water quality and will help to address potential problems where water quality could be at risk due to inadequate wastewater treatment.

By restricting development affecting designated nature conservation areas and other areas of biodiversity value, the policy is likely to preserve natural water ecosystem services within these areas. However, development with adverse effects would be permitted if these can be outweighed by other benefits or other considerations, therefore adverse effects are still possible.

Policy on restoration proposes a programme of aftercare which includes field drainage, irrigation, and watering facilities. The supporting text envisages the creation of waterbodies as a potential after-use.

Measures to stabilise land may affect groundwater movement and therefore may affect water levels and quality on site or elsewhere, either positively or negatively, although the significance of effects is dependent on local conditions. Policy or supporting text should ensure water quality is accounted for when addressing land instability from groundwater movement and dewatering.

Waste

The KMWLP gives strong support to sustainable waste management objectives. By promoting the management of waste at higher levels of the waste hierarchy, for example by promoting the objectives of the circular economy, promoting household waste recycling, restricting non-inert landfill and deposit of inert waste for disposal, and maintaining capacity for secondary and recycled aggregates, the KMWLP will make a direct contribution to achieving sustainable waste management objectives. It also requires replacement

capacity for any waste facilities which would be lost due to redevelopment which is at least at an equivalent level of the waste hierarchy or higher.

Policy requires developments to be designed according to a range of best practice standards on environment, and to avoid adverse impacts on human health and the environment, so supporting the sustainable management of waste. Promotion of energy recovery, recovery of heat and carbon capture will support the management of waste without harm to the environment and thus make a direct contribution to achieving sustainable waste management objectives.

The KMWLP contains several policies that promote minimisation of waste transport and requires developments to have no adverse impacts including from vehicles and traffic movements. The KMWLP aims for Kent to be net self-sufficient in waste management capacity which will help to minimise the distances waste is transported. It explicitly implements the proximity principle for secondary and recycled aggregates, soils and non-nuclear radioactive waste, and requires minimisation of adverse impacts on the environment and communities from waste transport, so supporting sustainable waste management objectives.

6.1.1. Recommendations for Mitigating Adverse Effects

The SA has considered whether there is scope for making recommendations for measures to prevent, reduce and as fully as possible offset any significant adverse effects of the updated KMWLP. These are set out in full in the appraisal tables in Appendix B and summarised in table 11 below.

Table 11 Summary of Mitigation Recommendations

Policy	Sustainability Objective	Mitigation Recommendation
CSM 10 Oil, Gas and Unconventional Hydrocarbons	Climate change	The policy could be enhanced by requiring developments to implement best practice standards for controlling fugitive emissions of greenhouse gases.
CSW 6 Location of built waste management facilities	Biodiversity	The policy should make reference to National Nature Reserves and priority habitats and species.
CSW 6 Location of built waste management facilities	Landscape and the historic environment	Reference should be made to the requirement to protect the settings of AONBs
CSW 6 Location of built waste management facilities	Waste	The policy should reference the proximity principle which promotes management of waste as near as possible to the source of arisings.
CSW 11: Permanent Deposit of Inert Waste	Transport	The policy should require applications to demonstrate that they support the proximity principle for waste.
DM 1 Sustainable Design	Community and wellbeing	The policy should include benefits for communities and wellbeing from green and blue infrastructure.
DM 2 Environmental and Landscape Sites of International, National and Local Importance	Landscape and the historic environment	Recommendations can be found in policy DM 19.
DM 10 Water Environment	Flood risk	The policy should promote flood risk reduction where possible.
DM 11 Health and amenity	Biodiversity	Litter and vermin should be added to the list of unacceptable adverse impacts within the policy.

Policy	Sustainability Objective	Mitigation Recommendation
DM 11 Health and Amenity	Climate change	The supporting text should make clear that emissions of greenhouse gases are included within the scope of the policy
DM 11 Health and Amenity	Flood risk	Consideration should be made of the adverse impacts which may occur from flood risk.
DM 11 Health and amenity	Water	Supporting text should clarify that emissions to water bodies can affect health and amenity and therefore should be considered. The policy should require no unacceptable adverse impacts on surrounding water bodies as well as surrounding land.
DM 12 Cumulative Impact	Flood risk	It is recommended that flood risk impacts are added to the supporting text.
DM 12 Cumulative Impact	Land	It is recommended that impacts on land quality and Green Belt are added to the supporting text
DM 12 Cumulative Impact	Landscape and the historic environment	The policy should include considerations of impacts on the landscape and historic assets and the impact of light pollution. These should be added to the supporting text.
DM 12 Cumulative Impact	Water	It is recommended that the impacts on water quality and availability are considered and added to the supporting text.
DM 13 Transportation of Minerals and Waste	Community and wellbeing	The policy should also require additional measures for sites outside AQMAs but that are likely to affect AQMAs
DM 14 Public Rights of Way	Biodiversity	The policy should ensure measure are taken to prevent the loss of biodiversity from creating a PROW diversion
DM 17 Planning Obligations	Flood risk	The policy should seek measures for improvement of flood risk where practicable
DM 17 Planning Obligations	Landscape and the historic environment	The policy should also include a reference to protection and enhancement of other heritage assets and avoidance of light pollution
DM 17 Planning Obligations	Transport	The policy should include reference to use of non-road modes of transport where practicable
DM 17 Planning Obligations	Water	The policy should include obligations regarding the protection and improvement of water quality and levels.
DM 18 Land Stability	Flood risk; Water	The policy or supporting text should ensure flood risk and water quality are accounted for when addressing land instability from groundwater movement and dewatering
DM 19 Restoration Aftercare and After-use	Community and wellbeing	The policy or supporting text could include a specific reference to opportunities to promote enhanced public access and recreation.
DM 19 Restoration Aftercare and After-use	Flood risk	The policy would be more beneficial with the addition of measures to reduce flood risk where practicable
DM 19 Restoration Aftercare and After-use	Landscape and the historic environment	Information could be added to the supporting text referring to priorities for landscape enhancements identified in the Landscape Characterisation Assessments and for green space in the Kent Growth and Infrastructure Strategy.
DM 21 Incidental Mineral Extraction	All	The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment and communities

6.2. SA of the Alternatives to the Updated KMWLP as Proposed

Each of the identified alternatives above have been appraised against the SA framework and an assessment made of the likely impacts on sustainability objectives. The detailed results are set out in Appendix C and summarised below.

Option A: Allocate sites for waste management

The sustainability implications of Option A are very unclear. For a number of sustainability objectives, there may be impacts associated with the allocation of waste sites as originally envisaged in the KMWLP but these are strongly dependent on the nature, scale and location of facilities which would be developed which are currently unknown. These are effects on biodiversity, community wellbeing, flood risk, land use, landscape, historic assets and water quality and availability. However, developments will be required to comply with development management policies in the KMWLP therefore adverse effects are unlikely to be significant.

The likely effects from Option A on other sustainability objectives are also unclear because it is not known what the practical effect of allocating sites would be. Allocation of waste sites may increase or decrease the distance waste is transported, with consequent positive or negative effects on human health and the environment from transport emissions, noise and congestion, although the likelihood of impacts is not certain. Waste management facilities may be built that replace existing capacity but which are better located than existing facilities, reducing the amount of waste transport required and supporting the objective of managing waste closer to its place of production. It is also possible that facilities are built which add to existing capacity which then need to source waste streams from outside the county, increasing the distances that waste is transported which could have impacts on human health, air quality, greenhouse gas emissions and transport networks, but would bring economic resources into the county. Alternatively, if there are insufficient local sources of waste, the facilities may simply not be built and no effects will occur. However, if the primary reason for building new facilities is to improve the distribution in relation to sources of arisings and onward management, then positive impacts on air quality, greenhouse gas emissions, transport networks, human health and sustainable waste management are most likely to occur.

Option B: Do not strengthen groundwater protection in policy DM 10 Water Environment

By not strengthening the protection of groundwater, the policy would fail to protect groundwater resources outside currently designated Source Protection Zones, and particularly aquifers that could be used for abstraction in the future. The policy would still require protection of any waterbody, although would not specifically mention aquifers. The policy would not require protection of waterbodies hydrogeologically connected to the site, nor would it require hydrological assessment of the effects of development on the water environment, resulting in more limited protection and assessment than would be the case with the policy as proposed to be amended. Adverse impacts on biodiversity from the higher risk of groundwater pollution are possible, and sustainable economic growth could be adversely affected in the medium to long term, as the risks of groundwater pollution will be higher and water for abstraction is likely to require

additional treatment before use, leading to higher treatment costs and higher cost of water supply. The significance of effects is dependent on where sites are located in relation to sensitive water bodies.

Option C: Retain policy CSW 5 Strategic Site for Waste

Retaining the site allocation could hinder the development of alternative treatment solutions for fly ash, which would otherwise provide a more sustainable way of managing this by-product of incineration and could create economic opportunities from the waste stream. However, it is also possible that alternative uses will be developed and implemented regardless of the availability of landfill capacity.

Retaining the policy may promote the import of air pollution control residues from a larger catchment area than Kent. This would encourage transport of waste with associated increases in impacts including emissions to air, demand for transport infrastructure, noise and climate change impacts from increased greenhouse gas emissions. There may be impacts on congestion on the local road network from traffic accessing the site, particularly in combination with other developments in the local area.

By facilitating landfill of hazardous waste, the policy would allow management of waste at the bottom of the waste hierarchy, against sustainable waste management principles. By providing for landfill capacity for hazardous waste arising from Energy from Waste plants, the policy may facilitate the management of waste removed some distance from its place of production, although national policy recognises that there may be a need for some types of facility which accept waste from other areas.

6.3. Cumulative Effects and Inter-Relationship Between Effects

Cumulative Effects

The SEA Directive requires assessment of an additional level of impacts in addition to straightforward direct impacts. These are specified as "secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative". The following approach has been taken to identifying such impacts.

A number of different types of impact are set out in European Commission guidance:

- separate developments causing the same impact – cumulative;
- different impacts acting together on a receptor e.g. air pollution and land take – cumulative;
- plan impacts which give rise to other indirect impacts – secondary; and
- different impacts which together give rise to yet another impact – cumulative and secondary.

There is therefore a need to consider both secondary and cumulative impacts in the appraisal. Secondary impacts were considered as an integral part of the main appraisal work, and this is indicated in the appraisal matrices in Annexes B and C where impacts are either direct or indirect i.e. secondary. Certain other

attributes are common to all types of impact: these are timescales (i.e. short, medium and long-term impacts), reversibility (i.e. permanent or temporary impacts) and whether the impacts are positive or negative. These attributes were also all considered as integral aspects of impact assessment, and this is similarly indicated in the appraisal matrices in Annexes B and C. Cumulative impacts are discussed in this section of the SA Report.

There are two types of situation that could give rise to cumulative impacts:

- the same effect arising from two or more different sources; and
- different effects where there is a relationship between the effects and potentially an interaction.

Synergistic effects are a type of cumulative impact. These are effects where the cumulative impact may be greater or smaller than the sum of the separate effects. Cumulative impacts were considered in the appraisal in two ways:

- the potential for different developments to give rise to the same type of effect; and
- the potential for interaction between different types of effect.

In order to assess the cumulative impacts arising from the updated KMWLP, the appraisal considered the overall effect of the updated KMWLP as a whole on each of the SA objectives. The results of this are summarised in table 10 and discussed in section 6.1.

Cumulative Impacts in Combination with Other Plans and Strategies

The appraisal has considered the potential for effects arising from other plans and strategies which, in combination with effects arising from the updated KMWLP, may give rise to significant impacts. The results of the review of other plans and strategies and their potential to give rise to cumulative effects is set out below.

The following key plans/programmes have been identified that could give rise to significant cumulative impacts together with the updated KMWLP:

- Kent Minerals Sites Plan 2013-30, Kent County Council, September 2020
- Kent Joint Municipal Waste Management Strategy 2018/19 to 2020/21, Kent Resource Partnership, 2019
- Local Transport Plan 4: Delivering Growth Without Gridlock 2016-2031, Kent County Council
- Core Strategy Review, Folkestone and Hythe District Council, March 2022
- Maidstone Borough Local Plan, Maidstone Borough Council, October 2017
- Schedule of Proposed Main Modifications to the Regulation 19 Maidstone Local Plan Review, Maidstone Borough Council, September 2023
- Lenham Neighbourhood Plan 2017-31, Lenham Parish Council, July 2021

- Adopted Local Plan 2030, Ashford Borough Council, February 2019
- Core Strategy, Tonbridge and Malling Borough Council, September 2007
- Core Strategy DPD, Tunbridge Wells Borough Council, June 2010
- Submission Local Plan 2020-2038, Tunbridge Wells Borough Council, October 2021
- Dartford Core Strategy, Dartford Borough Council, September 2011
- Dartford Local Plan: Proposed Main Modifications, Dartford Borough Council, July 2023
- Canterbury District Local Plan, Canterbury City Council, July 2017
- Draft Canterbury District Local Plan to 2045, Canterbury District Council, October 2022;
- Core Strategy, Dover District Council, February 2010
- Dover District Local Plan to 2040: Regulation 19 Submission, Dover District Council, October 2022
- Gravesham Local Plan Core Strategy, Gravesham Borough Council, September 2014
- Core Strategy, Sevenoaks District Council, February 2011
- The Swale Borough Local Plan, Swale Borough Council, July 2017
- Local Plan, Thanet District Council, July 2020
- The London Plan 2021, London Assembly, March 2021

Proposed measures in the Local Transport Plan are likely to increase capacity on the M20 and M26 and promote greater use of the rail network. Together these measures are likely to reduce the potential for cumulative impacts on the M20 and potentially alleviate air quality impacts on the AQMA. The balance of effects in combination with the transport impacts of the KMWLP is not known.

The KMWLP will support the recycling targets in the adopted Kent Joint Municipal Waste Strategy 2018/19 to 2020/21.

There is the potential for cumulative effects to arise in combination with District and Borough Local Plans. Development on sites in Local Plans that contain safeguarded mineral resources or safeguarded minerals and waste facilities will be required by policies DM 7 and DM 8 to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision. The review of District and Borough Local Plans has shown that this is likely to arise in the case of all Boroughs and Districts apart from Ashford, Folkestone and Hythe, Maidstone and Swale which also have policy requiring mineral safeguarding requirements to be addressed. Emerging policy in Canterbury, Dartford, Dover, Maidstone and Tunbridge Wells indicates that mineral safeguarding needs will be taken into account and therefore are expected not to give rise to cumulative effects once adopted.

The development of new housing and employment sites and enhancing the vitality of New Romney, Lydd and smaller settlements in the Romney Marsh area will provide housing, employment and services for the needs of local communities. They will also contribute to increased demand for use of the road network and

contribute to increased greenhouse gas emissions. Development at Lydd Airport will also increase demand for road space. This may create cumulative impacts on the road network in Romney Marsh in combination with vehicles accessing the Dungeness Nuclear Licensed Sites in accordance with policy CSW 17 and may adversely affect air quality and sites of nature conservation importance in the local area, although the likely scale of most future developments is unknown and therefore the significance of any impacts is not clear. It is recommended that any planning application for development under policy CSW 17 should be required to submit a transport assessment which examines the impact of development on the local road network, air quality and biodiversity in combination with other proposed developments in the Romney Marsh area and existing traffic accessing the Dungeness nuclear site. In any event a Habitats Regulations assessment is likely to be required.

Interrelationship Between Effects

The SEA Directive requires the appraisal to consider the interrelationship between the significant effects of the KMWLP. This has been done as an integral part of the appraisal of the policies and options, and examples of this can be found throughout Section 6 and Annexes B and C of this report. The main interrelationships found through the appraisal are highlighted below.

Impacts on biodiversity can arise through habitat loss, disturbance from noise and human activity, changes to the water environment, reductions in air quality and deposition of dust and other pollutants. These impacts have the potential to act in synergy with each other such that multiple pressures have a greater total impact than the sum of individual impacts. These impacts also have the potential to negatively affect human amenity, along with visual impacts.

Restoration of waste and minerals sites will be of benefit to biodiversity by ensuring connectivity and protection and enhancement of green infrastructure. It will also help to protect landscape quality and help to promote the wellbeing of communities.

Changes in air quality can have significant consequences for human health and biodiversity, while improvements in air quality arising from more sustainable transport patterns will benefit human health and vulnerable species and ecosystems.

Management of flood risk and avoiding increases can have economic benefits by protecting homes and businesses from having to deal with the financial consequences of flooding.

The promotion of sustainable economic growth through provision of appropriate waste management facilities and provision of minerals will help to sustain jobs and incomes and the wellbeing of communities. The economy and communities will be supported by the securing of mineral resources for construction and industry prior to other development.

7. How might we monitor the Plan's impacts?

As required by the SEA Directive, a number of recommendations are made for indicators to monitor the likely significant impacts of the updated KMWLP. These are set out in Table 12 corresponding to the relevant impacts identified and summarised in the preceding chapters of this report.

One of the aims of monitoring as specified by the SEA Directive is to identify unforeseen adverse effects in order to be able to take appropriate remedial action. To enable this to be done, recommendations are also made in Table 12 for monitoring potential sustainability impacts that are not expected to occur as foreseen by the appraisal.

An Annual Monitoring Report is produced to monitor the implementation of the KMWLP, and the recommendations given below for monitoring should be incorporated within this.

Table 12 Monitoring Recommendations

Sustainability Objectives		Recommended Indicators
1	Biodiversity	<p>Area of land proposed for biodiversity value through landfill restoration</p> <p>Area of land of biodiversity value created through restoration.</p> <p>% net gain in biodiversity value achieved through minerals and waste development</p>
2	Climate change	<p>Percentage of waste managed at different levels of waste hierarchy, by waste stream (LACW, C&I, CD&E):</p> <ul style="list-style-type: none"> ● Recycled/composted ● Other recovery ● Landfill. <p>MW of energy generated by waste facilities</p>
3	Community and well-being	No practical indicators identified
4	Sustainable economic growth	<p>Sales (tonnage) of aggregates by type and end use</p> <p>Capacity of waste facilities by type</p>
5	Flood risk	Number of flood events per year

6	Land	<p>Hectares of good quality agricultural land proposed in restoration plans.</p> <p>Hectares of good quality agricultural land created by restoration.</p> <p>Hectares of Green Belt lost to development</p>
7	Landscape and the historic environment	No practical indicators identified
8	Transport	<p>Sales (tonnage) of aggregates at wharves</p> <p>Sales (tonnage) of aggregates at rail depots</p> <p>Imports and exports (tonnages) of minerals and waste across county boundary.</p>
9	Water	No of water pollution events linked to waste and mineral sites.
10	Waste	<p>Percentage of waste managed at different levels of waste hierarchy, by waste stream (LACW, C&I, CD&E):</p> <ul style="list-style-type: none"> ● Recycled/composted ● Other recovery ● Landfill. <p>MW of energy generated by waste facilities</p> <p>Net self-sufficiency for different types of waste management facility</p>

8. References

Related to SA of Kent MWLP (adopted 2016):

- AECOM, July 2016 – Sustainability Appraisal (SA) of the Kent MWDF – SA Adoption Statement
- Scott Wilson, March 2010 – SA Scoping Report – Introductory Paper URS, 2011 – Interim SA Report (Assessment of Preferred Options)
- URS, November 2013 – Sustainability Appraisal (SA) of the Kent Minerals and Waste Local Plan - SA Report (Consultation Draft)
- URS, July 2014 – Kent County Council: Draft Minerals and Waste Local Plan 2013-30 - Habitats Regulations Assessment
- URS, July 2014 – Sustainability Appraisal (SA) of the Kent Minerals and Waste Local Plan – SA Report Non-Technical Summary

Related to SA of Minerals Sites Plan and Early Partial Review (adopted 2020):

- Scoping Report: Sustainability Appraisal of the Kent Minerals Sites Plan-Making Process, Amey, November 2017
- Sustainability Appraisal Report: SA of the draft Early Partial Review of the Kent Minerals and Waste Plan 2013-30 Main Modifications Consultation, November 2019
- Sustainability Appraisal Report: SA of the draft Minerals Sites Plan Main Modifications Consultation, November 2019

Other references:

- UK Government (2004) Environmental Assessment of Plans and Programmes Regulations 2004
- UK Government (2012) The Town and Country Planning (Local Planning) (England) Regulations 2012
- UK Government (2021) The National Planning Policy Framework
- Kent County Council (2016) Kent Minerals and Waste Local Plan 2013-30
- Kent County Council (2020) Kent Minerals and Waste Local Plan 2013-30
- Kent County Council (2020) Minerals Sites Plan 2013-30
- Kent Resource Partnership (2019) Joint Municipal Waste Management Strategy (KJMWMS) 2018/19 to 2020/21

- Kent County Council (no date), Local Transport Plan 4: Delivering Growth Without Gridlock 2016-2031
- Ashford Borough Council (2019) Ashford Local Plan
- Canterbury City Council (2017) Canterbury District Local Plan
- Canterbury District Council (2022) Draft Canterbury District Local Plan to 2045
- Dartford Borough Council (2011); Dartford Core Strategy
- Dartford Local Plan: Proposed Main Modifications, Dartford Borough Council, July 2023
- Dover District Council (2010) Core Strategy
- Dover District Council (2022) Dover District Local Plan to 2040: Regulation 19 Submission
- Gravesham Borough Council (2014) Gravesham Local Plan Core Strategy
- Maidstone Borough Council (2017) Maidstone Borough Local Plan
- Schedule of Proposed Main Modifications to the Regulation 19 Maidstone Local Plan Review, Maidstone Borough Council, September 2023
- Lenham Neighbourhood Plan 2017-31, Lenham Parish Council, July 2021
- Sevenoaks District Council (2011) Core Strategy
- Folkestone and Hythe District Council (2022) Core Strategy Review
- Swale Borough Council (2017) The Swale Borough Local Plan
- Local Plan, Thanet District Council, July 2020
- Core Strategy, Tonbridge and Malling Borough Council, September 2007
- Tunbridge Wells Borough Council (2010) Core Strategy Development Plan Document
- Submission Local Plan 2020-2038, Tunbridge Wells Borough Council, October 2021
- The London Plan 2021, London Assembly, March 2021

Appendix A: Responses to Consultation on SA Scoping Report and SA Report

Consultee	Comment	Response
T Austin	Note that SA states that our Plan should "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, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality". Strongly support and would advocate that we vigorously enforce this policy.	Noted. The approach to the enforcement of planning policy is set out in Policy DM 22 and to cumulative impacts in policy DM 12.
Gravesham Borough Council	The SA/SEA Scoping Report might usefully consider whether the KMWLP should be subject to scoping in relation to the need or otherwise of a Health Impact Assessment of policies etc. Doesn't appear to be reference in the SA to light pollution and/or dark skies etc. Thought might also be given to the wording of policies in the KMWLP itself to cover this aspect in more detail given potential impacts.	The Scoping Report is not required to assess whether a Health Impact Assessment is required. It is within the scope of KCC to determine the need for HIA. However, the SA framework does have an appraisal criterion on 'Community and wellbeing' that requires protection of health, so impacts on health are considered and addressed within the SA. Light pollution has been added to the SA framework to ensure its consideration by the SA.
Historic England	The document adequately covers issues that may arise in respect of the potential impacts of proposed development on heritage impacts.	Noted
CPRE	At 3.8 Noise the Baseline helpfully refers to CPRE Tranquillity Map in line with NPPF 185 b). NPPF 185 c) refers to intrinsically dark skies and the CPRE England's Light Pollution and Dark Skies mapping should be included in the baseline section. 3.10 refers to Green Belt and omits to mention that a small part of Maidstone Borough and Medway lie within the Green Belt. 3.11 Land: The county has a high proportion of Best and Most Versatile land (Grades 1 – 3a). This needs to be reflected in the baseline assessment and not limited to Grade 1 land. 3.13 Water does not mention Natural England's Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to Stodmarsh Designated Sites - For Local Planning Authorities November 2020 and this should be included. 3.15 Economy. It is unclear why the age group 16-64 is used when retirement age has risen to 65 for men and women and will rise to 67 by 2028. 5. The SA Framework:	Light pollution has been added to the SA framework to ensure its consideration by the SA. If and where the detail is relevant to the SA Report, the SA will include reference to Green Belt in Maidstone and Medway. A criterion has been added to the SA framework to seek to safeguard this BMV land. Natural England advice on nutrient neutrality is relevant to housing developments that would have an additional burden on the sewage network. The age grouping for economically active people aged 16-64 is used because this is how the data are presented in the KCC Labour Force Bulletin If and where the detail is relevant for the SA Report, the information will be

Consultee	Comment	Response
	<p>Landscape and the historic environment should also include light pollution and dark skies.</p> <p>Transport: There is reference to 'Plans are in place to improve the transport infrastructure within and to the Thames Gateway, East Kent and Ashford.' Without specifically mentioning them. Are these consented and funded schemes or ones, such as the Lower Thames Crossing that have still to reach examination?</p> <p>Water: this should include the implications of nutrient neutrality</p> <p>5.2 The SA Framework</p> <p>6 Land should seek to safeguard Best and Most Versatile Agricultural land</p> <p>7 Landscape and the historic environment should include protecting tranquil areas and areas of intrinsically dark skies.</p> <p>Appendix A: Review of Policies, Plans and Programmes does not consider Natural England's Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to Stodmarsh Designated Sites - For Local Planning Authorities November 2020.</p>	<p>edited to provide information to be clearer about what the transport plans are and where they apply.</p> <p>Tranquil areas has been added to the SA framework.</p>
Tonbridge and Malling Borough Council	<p>Objective 1 - Recommended that there is a stronger emphasis on biodiversity net gain within the Framework objectives to link with the Plan objectives.</p> <p>Objective 7 - Recommended that the framework objectives include the setting of AONB landscapes.</p>	<p>The requirement for biodiversity net gain has been added to the SA framework.</p> <p>Consideration of impacts on the setting of AONBs has been added to SA framework.</p>
Tonbridge and Malling Borough Council	<p>Consideration of "Do nothing options" for policies as proposed.</p> <p>With regard to policy CSM3, this site is the subject of a call-for sites submission and is therefore a consideration in the emerging Local Plan. TMBC considers a rationale should be given for the deletion of this policy within the column and it is also considered that the reasons given for 'Is a do-nothing option reasonable?' should be more explicit.</p>	<p>Text has been added to the table in Appendix C to clarify the rationale for deleting the policy and explaining why a 'do nothing' option is not reasonable.</p>
Gravesham Borough Council	<p>The accompanying May 2023 draft sustainability appraisal report on page 86 advises for CSM 2 for transport "By ensuring sufficient minerals are available for extraction, the policy will support provision to meet expected market needs and so avoid the need for transport of mineral from further afield" and then gives a positive score for the SA objective of transport for CSM 2. This does not feel consistent with the proposed increased reliance on importation of sharp sand and gravel over the plan period.</p>	<p>The assessment has been amended to distinguish the case of sharp sand and gravel, for which it is expected that imports of land-won and marine aggregates will increasingly replace sharp sand and gravel from Kent.</p>

Appendix B: SA of Policies in Updated KMWLP

Key

Impacts	Probability of effects	Direct or indirect effects	Reversibility
++ significant positive effect	L low probability	D direct effect	Y reversible effect
+ some positive effect	M medium probability	I indirect effect	N not reversible i.e. permanent effect
0 no effect	H high probability		
- some adverse effect			
-- significant adverse effect			
? uncertain effect			

Where multiple symbols are shown separated by '/', this is to indicate that more than one type of effect is predicted

Policy CSM 1 Sustainable Development

	Sustainability Objective	Comments						
		Short	Med	Long	Prob	Dir/Ind	Rev?	
1	Biodiversity	+	+	?	H	D	Y	
		By taking a positive approach in favour of sustainable development, the policy will be likely to support biodiversity objectives, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.						
2	Climate change	+	+	?	M	D	N	
		By taking a positive approach in favour of sustainable development, the policy will be likely to support climate change objectives, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.						
3	Community and well-being	+	+	?	M	D	Y	
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for community and wellbeing, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.						
4		+	+	?	M	D	Y	

	Sustainable economic growth	By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for sustainable economic growth, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support flood risk objectives, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for sustainable land management, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives on landscape and the historic environment, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y/N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support sustainable transport objectives, although the impacts will be more strongly dependent on the detailed policies of the KWMLP					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y/N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for sustainable water management, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y/N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support sustainable waste management objectives, although the impacts will be more strongly dependent on the detailed policies of the KWMLP.					

Policy CSM 2 Supply of Land-Won Minerals in Kent

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		-/+	-/+	?/+	H	D	Y	
		The nominated site for crushed hard rock has been subject to separate appraisal under the Minerals Sites Plan update. This has concluded that biodiversity value will be lost to development but restoration to native woodland will provide a long term net gain. If a site for silica sand is proposed, this will be subject to development management policies in the KMWLP which will ensure protection of biodiversity.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0/?	?	L	D	Y	
		The policy will ensure that sufficient sites to provide most types of economic mineral resources in Kent will be permitted, helping to avoid the need for imports to supply local needs and therefore avoiding greenhouse gas emissions from transport. However, in the case of sharp sand and gravel, it is expected that imports of marine aggregates and sharp sand and gravel will increasingly replace sharp sand and gravel quarried in Kent. It is possible that greenhouse gas emissions from transport of sharp sand and gravel will increase in the medium to long term, although the scale of the effects is unknown as the likely future sources and modes of land-based transport are unclear.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0/?	0/?	0	M	D	Y	
		The nominated site for crushed hard rock has been subject to separate appraisal under the Minerals Sites Plan update. This has concluded that there is potential for adverse impacts on residential dwellings from dust, noise, blasting, visual intrusion and light. Adequate mitigation is required under Policy DM 11 Health and Amenity. The impact on communities and their wellbeing is unknown as no new site is yet identified. If a site for silica sand is proposed, this will be subject to development management policies in the KMWLP which will ensure no unacceptable adverse impacts on communities and wellbeing.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		-	-	?	H	I	Y	
		The policy will ensure that sufficient sites to support the needs of the economy are permitted and local jobs will be supported in the minerals industry, except in the case of sharp sand and gravel where increasing reliance will be placed on marine aggregates and imports of sharp sand and gravel. However, the use of primary mineral resources is not sustainable.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	H			

		The nominated site for crushed hard rock has been subject to separate appraisal under the Minerals Sites Plan update. The site lies within flood zone 1, therefore adverse effects on flood risk are unlikely. If a site is proposed for silica sand extraction, this will be subject to development management policies which require that flood risk is not exacerbated.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		-/0	-/0	-/0	H	D	N
		The nominated site for crushed hard rock has been subject to separate appraisal under the Minerals Sites Plan update. The grade 2 (very good) agricultural land in part of the site will be lost to development and not returned to agricultural use. The site is adjacent to a SSSI designated for its important geomorphology but this should be protected if a planning condition is imposed such that the SSSI is preserved. If a site is proposed for silica sand extraction, this will be subject to development management policies which promote efficient use of land, minimise loss of the best and most versatile agricultural land, comply with national policy on Green Belt and require land stability.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		-/?/+	-/?/+	0/-/+?	M	D	Y/N
		The nominated site for crushed hard rock has been subject to separate appraisal under the Minerals Sites Plan update. This has concluded that there will be locally-significant landscape impacts and potential impacts on nearby listed buildings and on-site archaeology. The site would help to ensure the supply of local stone for heritage restoration projects. If a site is proposed for silica sand extraction, this will be subject to development management policies which prevent adverse effects on AONBs and their setting and on heritage assets and from light.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0/?	?	L	D	N
		By ensuring sufficient minerals of most types are available for extraction, the policy will support provision to meet expected market needs and so avoid the need for transport of mineral from further afield. However, for sharp sand and gravel, it is expected that imports and marine aggregates will increasingly replace land-won mineral from Kent, although the nature of the effects on transport networks is unknown as the likely future sources and modes of land-based transport are unclear. If a site is proposed for silica sand extraction, this will be subject to development management policies which promote non-road modes of transport, require measures to ensure vehicle movements can be accommodated on the network and incorporate emission reduction measures particularly in areas of poor air quality.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	M	D	N

		The nominated site for crushed hard rock has been subject to separate appraisal under the Minerals Sites Plan update. This has concluded that, with appropriate planning conditions, controls could be imposed on development to safeguard against potential impacts on water quality. If a site is proposed for silica sand extraction, this will be subject to development management policies which require protection of the water environment and improved ecological status of water bodies.												
10	Waste	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>+</td> <td>?</td> <td>M</td> <td>D</td> <td>N</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	+	?	M	D	N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
?	+	?	M	D	N									
		The supporting text plans for meeting future need for sharp sand and gravel in part from recycled aggregates. This will promote management of construction and demolition waste at a high level of the waste hierarchy and sustainable use of resources.												

Policy CSM 4 Non-Identified Land-Won Mineral Sites

	Sustainability Objective	Comments												
1	Biodiversity	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>?</td> <td>?</td> <td>L</td> <td>D</td> <td>N</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	?	?	L	D	N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
?	?	?	L	D	N									
		Likely impacts on biodiversity are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.												
2	Climate change	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>?</td> <td>?</td> <td>L</td> <td>I</td> <td>N</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	?	?	L	I	N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
?	?	?	L	I	N									
		Likely impacts on climate change are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.												
3	Community and well-being	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>?</td> <td>?</td> <td>L</td> <td>I</td> <td>N</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	?	?	L	I	N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
?	?	?	L	I	N									
		Likely impacts on community and wellbeing are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.												
4	Sustainable economic growth	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>+</td> <td>++</td> <td>H</td> <td>I</td> <td>Y</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	+	++	H	I	Y
		Short	Med	Long	Prob	Dir/Ind	Rev?							
?	+	++	H	I	Y									
		By facilitating development on unallocated sites, the policy will help to support economic growth by providing materials essential for construction of homes, offices, schools, hospitals and other buildings essential to support growth.												
5	Flood risk	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>?</td> <td>?</td> <td>L</td> <td>D</td> <td>N</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	?	?	L	D	N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
?	?	?	L	D	N									
		Likely impacts on flood risk are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.												

6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
Likely impacts on land are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
Likely impacts on landscape and the historic environment are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
Likely impacts on transport are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
Likely impacts on water quality and availability are unknown as the location of any development is unknown. In any event the impacts will be more strongly dependent on the detailed policies of the KWMLP, notably the development management policies.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to sustainable waste management objectives.							

Policy CSM 5 Land-Won Mineral Safeguarding

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on biodiversity likely							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	+	+	M	I	Y
By ensuring that mineral resources are not unnecessarily sterilised by other development, the policy will help to safeguard future supply of minerals which otherwise may have to be imported from other parts of the country or from overseas, which will add to the impacts on climate change from transport emissions.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		

		No impacts on community and wellbeing likely.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	+	+	H	D	Y
By ensuring that mineral resources are not unnecessarily sterilised by other development, the policy will help to support economic growth by safeguarding future supply of materials essential for construction of homes, offices, schools, hospitals and other buildings essential to support growth.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on flood risk are likely.							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on land are likely.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on landscape or the historic environment likely.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	+	+	M	D	N
By ensuring that mineral resources are not unnecessarily sterilised by other development, the policy will help to safeguard future supply of minerals which otherwise may have to be imported from other parts of the country or from overseas, which would add to the impacts from transport on air quality, noise, congestion and tranquillity, depending on how minerals will be transported.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on water quality and availability are likely.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to waste management objectives.							

Policy CSM 6 Safeguarded Wharves and Rail Depots

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on biodiversity likely							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y

		By safeguarding wharves and rail depots, the policy will help to ensure that facilities for transporting minerals by non-road modes are available. This will help to limit the road transport of minerals so reducing the potential increase in greenhouse gas emissions from road transport. However, increases in emissions are still possible where alternatives to road are not viable.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on community and wellbeing likely.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By safeguarding wharves and rail depots, the policy will help to support sustainable economic growth by ensuring the availability of non-road modes for mineral transport which is more sustainable than road transport.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on flood risk are likely.							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on land are likely.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on landscape or the historic environment likely.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By safeguarding wharves and rail depots, the policy will help to ensure the availability of non-road modes for mineral transport which is more sustainable than road transport. This will help to minimise the likelihood of impacts from transport on air quality and congestion which would otherwise occur.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on water quality and availability are likely.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to waste management objectives.							

Policy CSM 7 Safeguarding Other Mineral Plant Infrastructure

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		

		No impacts on biodiversity likely					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on climate change likely.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on community and wellbeing likely.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By safeguarding mineral infrastructure, the policy will help to support economic growth by ensuring the availability mineral products for the construction of necessary infrastructure.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on flood risk are likely.							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on land are likely.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on landscape or the historic environment likely.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By safeguarding mineral infrastructure, the policy will help to ensure the availability of mineral products within Kent which will help to reduce the need for import from other areas. This will help to avoid an increase in mineral transport distances which would otherwise be likely to have adverse impacts on air quality, noise, congestion and tranquillity.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
No impacts on water quality and availability are likely.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to waste management objectives.							

Policy CSM 8 Secondary and Recycled Aggregates

Sustainability Objective	Comments
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1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/?	0/?	0/?	L	I	N
<p>The policy will permit facilities that accord with other relevant policies in the development plan, therefore impacts on biodiversity are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies. By maintaining capacity for secondary and recycled aggregates, this will help to avoid adverse impacts from biodiversity that could occur from primary extraction, although the significance and likelihood of these impacts are unknown.</p>							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		?/+	?/+	?/+	L/M	I/D	Y
<p>There is insufficient evidence on the relative carbon impacts of using primary, secondary and recycled aggregates. Therefore the likely impact on climate change of maintaining capacity for secondary and recycled aggregates production is not known. By requiring facilities to be well-located to the source of inputs or need for output, the emissions of greenhouse gases from transporting secondary and recycled aggregates will be minimised.</p>							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/?	0/?	0/?	M/L	I	N
<p>The policy will permit facilities that accord with other relevant policies in the development plan, therefore impacts on community and well-being are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies. By maintaining capacity for secondary and recycled aggregates, this will help to avoid adverse impacts on communities that could occur from primary extraction, although the significance and likelihood of these impacts are unknown.</p>							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
<p>By maintaining capacity for secondary and recycled aggregates production, the policy will help to support economic growth by ensuring the availability mineral products for the construction of necessary infrastructure which are more sustainable than using primary aggregates.</p>							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
<p>The policy will permit facilities that accord with other relevant policies in the development plan, therefore impacts on flood risk are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.</p>							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/?	0/?	0/?	M/L	I	Y
<p>The policy will permit facilities that accord with other relevant policies in the development plan, therefore impacts on land are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies. By maintaining capacity for secondary and recycled aggregates, this will help to avoid adverse impacts on land that could occur from primary extraction, although the significance and likelihood of these impacts are unknown.</p>							

7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/?	0/?	0/?	M/L	I	N
		The policy will permit facilities that accord with other relevant policies in the development plan, therefore impacts on landscape and the historic environment are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies. By maintaining capacity for secondary and recycled aggregates, this will help to avoid adverse impacts on landscape and historic assets that could occur from primary extraction, although the significance and likelihood of these impacts are unknown.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
		The policy requires facilities to be well-located to the source of inputs or need for outputs and therefore impacts of transporting secondary and recycled aggregates on air quality, noise, congestion and tranquillity will be minimised.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
		The policy will permit facilities that accord with other relevant policies in the development plan, therefore impacts on water quality and availability are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H/M	D	Y
		By maintaining secondary and recycled aggregate capacity, the policy will ensure management of waste at high levels of the waste hierarchy and promote the objectives of the circular economy. By requiring facilities to comply with other policies in the plan should ensure that waste is managed without harm to human health and the environment, although this is more strongly dependent on other policies within the KMWLP, notably the development management policies.					

Policy CSM 9 Building Stone in Kent

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
		The policy will permit facilities that have no unacceptable impacts on the local environment and communities, therefore impacts on biodiversity are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Not relevant to climate change objectives.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		

		The policy will permit facilities that have no unacceptable impacts on the local environment and communities, therefore impacts on community and wellbeing are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By facilitating development for the extraction of building stone, the policy will help to support the construction and building restoration industries.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
		The policy will permit facilities that have no unacceptable impacts on the local environment and communities, therefore impacts on flood risk are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
		The policy will permit facilities that have no unacceptable impacts on the local environment and communities, therefore impacts on land are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/+	0/+	0/+	M/H	D	Y
		The policy will permit facilities that have no unacceptable impacts on the local environment and communities, therefore impacts on landscape and the historic environment are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies. By facilitating development for the extraction of building stone, the policy will help to support the sympathetic restoration of older buildings and use of traditional materials which will help to protect built landscapes and the historic environment.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
		The policy will permit facilities that have no unacceptable impacts on the local environment and communities, therefore impacts from transport on air quality, noise, congestion and tranquillity are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
		The policy will permit facilities that have no unacceptable impacts on the local environment and communities, therefore impacts on water are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Not relevant to sustainable waste management objectives.					

Policy CSM 10 Oil, Gas and Unconventional Hydrocarbons

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	D	N
		The impacts of exploration and production will be required to minimise impacts on the environment where practicable so that there are no unacceptable adverse effects locally.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	D	N
		The policy requires that fugitive emissions of greenhouse gases will not lead to unacceptable adverse impacts. The supporting text indicates that the policy will be reviewed in line with advice from the Committee on Climate Change. The policy could be enhanced by requiring developments to implement best practice standards for controlling fugitive emissions.					
		The policy facilitates the extraction and therefore subsequent burning of fossil fuel, which contributes to climate change through emission of greenhouse gases. However, this is a matter that is essentially outside of the control of the planning authority ¹² and is regulated and controlled by national government through various instruments such as carbon budgets, emissions trading schemes and other financial and technical mechanisms ¹³ .					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	D	N
		The policy requires development to have no unacceptable adverse impacts on the local environment or communities and therefore effects locally are unlikely. In particular, hydraulic fracturing will not be permitted within areas of poor air quality.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/0	+/0	?	H	D	N
		The policy supports the generation of income as fossil fuels are primary energy resources. However, fossil fuels are not sustainable; therefore, the policy does not support sustainable economic growth.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	I	N
		The policy requires no unacceptable impacts on the environment and communities and therefore development should not lead to adverse effects from flood risk. Therefore in the short-term adverse effects are unlikely.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?

¹² Paragraph 91, Report on the Examination into the Kent Minerals and Waste Local Plan 2013-2030, The Planning Inspectorate, April 2016

¹³ Paragraph 105, Approved Judgement in R(Finch) v Surrey County Council, December 2020

		0	0	?	H	D	N
		The policy requires development to have no unacceptable adverse effects on the environment and communities, and the supporting text indicates that this includes land stability. Therefore adverse impacts on areas with sensitive geomorphology should be avoided.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	D	N
		The policy requires development to have no unacceptable adverse effects on the environment and communities including from land stability, therefore adverse impacts on historic assets are unlikely.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H	D	Y
		The policy requires development to have no unacceptable adverse effects on the environment and communities, and the supporting text indicates that this includes from vehicles accessing the site. Therefore adverse impacts from traffic on sensitive areas should be avoided.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	I	N
		The policy requires no unacceptable adverse effects on the environment and communities, and the supporting text indicates that this includes on ground and surface water. It also requires no adverse effects on sensitive water receptors in terms of quality and quantity and prevents development within Source Protection Zones. Therefore adverse impacts on water quality and quantity should be avoided.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to affect the sustainable management of waste.					

Policy CSM 11 Prospecting for Carboniferous Limestone

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N

		The supporting text indicates that the deposits are overlain by or near to important designated and undesignated habitats. Any development will be required to comply with other policies in the plan, therefore impacts on biodiversity are unknown but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to climate change objectives.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N/Y
Any development will be required to comply with other policies in the plan, therefore impacts on community and wellbeing are unknown but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	?	+	M	D	Y
By facilitating prospecting for carboniferous limestone, the policy will help to ensure the future availability of aggregates for construction of infrastructure necessary to support economic growth.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
Any development will be required to comply with other policies in the plan, therefore impacts on flood risk are unknown but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
Any development will be required to comply with other policies in the plan, therefore impacts on land are unknown but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
Any development will be required to comply with other policies in the plan, therefore impacts on landscape and the historic environment are unknown but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	Y/N
Any development will be required to comply with other policies in the plan, therefore impacts of transport on air quality, noise, congestion and tranquillity are unknown but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	Y

		Any development will be required to comply with other policies in the plan, therefore impacts on water are unknown but are more strongly dependent on other policies within the KMWLP, notably the development management policies.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to sustainable waste management objectives.							

Policy CSM 12 Sustainable Transport of Minerals

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	M	I	N
By promoting the sustainable transport of minerals, the policy will help to avoid significant increases in greenhouse gas emissions from road transport. This will help to reduce adverse impacts on biodiversity arising from climate change. Developments will be required to comply with other policies in the plan, therefore impacts on biodiversity are unlikely but in any event are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	Y
By promoting the sustainable transport of minerals, the policy will help to avoid some greenhouse gas emissions from road transport. This will help to reduce adverse impacts of climate change that might otherwise occur.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/0	+/0	+/0	M	I	Y
By promoting the sustainable transport of minerals, the policy will help to avoid significant greenhouse gas emissions from road transport. This will help to reduce adverse impacts of climate change including on communities and well-being. Any development will be required to comply with other policies in the plan, therefore adverse impacts on community and wellbeing are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By promoting the sustainable transport of minerals, the policy will help to ensure the availability of aggregates for construction of infrastructure necessary to support economic growth which are transported in a more sustainable way than by road.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By promoting the sustainable transport of minerals, the policy will help to avoid significant greenhouse gas emissions from road transport. This will help to reduce adverse impacts on flood risk from climate change.							

6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
Any development will be required to comply with other policies in the plan, therefore impacts on land are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
Any development will be required to comply with other policies in the plan, therefore impacts on landscape and the historic environment are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	Y
By promoting the sustainable transport of minerals, the policy will help to avoid the need for road transport. This will help to reduce adverse impacts from transport on air quality, noise, congestion and tranquillity.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
Any development will be required to comply with other policies in the plan, therefore impacts on water are unlikely but are more strongly dependent on other policies within the KMWLP, notably the development management policies.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to sustainable waste management objectives.							

Policy CSW 1 Sustainable Development

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	D	Y
By taking a positive approach in favour of sustainable development, the policy will be likely to support biodiversity objectives, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
By taking a positive approach in favour of sustainable development, the policy will be likely to support climate change objectives, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y

		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for community and wellbeing, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for sustainable economic growth, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support flood risk objectives, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for sustainable land management, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives on landscape and the historic environment, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y/N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support sustainable transport objectives, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y/N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support objectives for sustainable water management, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y/N
		By taking a positive approach in favour of sustainable development, the policy will be likely to support sustainable waste management objectives, although the impacts will be more strongly dependent on the detailed policies of the KMWLP.					

Policy CSW 2 Waste Hierarchy

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	H	I	Y	
		By promoting waste being managed at the highest practicable level of the waste hierarchy, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels, and therefore will help to avoid adverse impacts on biodiversity from climate change.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	M	D	N	
		By promoting waste being managed at the highest practicable level of the waste hierarchy, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels and therefore will help to avoid adverse impacts from climate change.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	M	D	Y	
		By promoting waste being managed at the highest practicable level of the waste hierarchy, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels, and therefore will help to avoid adverse impacts on communities and well-being arising from climate change.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	
		By promoting waste being managed at the highest practicable level of the waste hierarchy, the policy will promote more sustainable waste management practices and therefore help to support a more sustainable waste management sector and a more sustainable, circular economy generally, as indicated in the supporting text.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	M	I	Y	
		By promoting waste being managed at the highest practicable level of the waste hierarchy, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels, and therefore will help to avoid adverse impacts on flood risk from climate change.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		Not relevant to objectives for sustainable land management.						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		Not relevant to objectives for landscape and the historic environment.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	I	Y	

		The impact on transport of managing waste at higher levels of the waste hierarchy are uncertain and more strongly dependent on other policies in the KMWLP.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to water objectives.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
By promoting the management of waste at higher levels of the waste hierarchy, the policy will make a direct contribution to achieving sustainable waste management objectives.							

Policy CSW 3 Waste Reduction

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	Y
By promoting the circular economy and household waste recycling, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels of the waste hierarchy, and therefore will help to avoid adverse impacts on biodiversity from climate change.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	N
By promoting the circular economy and household waste recycling, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels and therefore will help to avoid adverse impacts from climate change.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M/H	D	Y
By promoting the circular economy and household waste recycling, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels, and therefore will help to avoid adverse impacts on communities and well-being arising from climate change. The policy also requires adequate storage facilities for waste and high quality design, therefore communal facilities should be of a good standard and avoid adverse impacts on occupiers.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
By promoting the circular economy and household waste recycling, the policy will promote more sustainable waste management practices and therefore help to support a more sustainable waste management sector and a more sustainable, circular economy generally.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	I	Y

		By promoting the circular economy and household waste recycling, the policy will promote a reduction in greenhouse gas emissions associated with waste management at lower levels, and therefore will help to avoid adverse impacts on flood risk from climate change.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to objectives for sustainable land management.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to objectives for landscape and the historic environment.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	L	I	Y
By promoting the circular economy, the policy should help to encourage the retention of existing structures in redevelopments and so reduce the need for transport of materials to development sites. However, the significance of the effects is uncertain and more strongly dependent on other policies in the KMWLP.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to water objectives.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
By promoting the objectives of the circular economy and household waste recycling, the policy will promote the management of waste at higher levels of the waste hierarchy and thus make a direct contribution to achieving sustainable waste management objectives.							

Policy CSW 4 Strategy for Waste Management Capacity

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	M	I	Y
The policy will encourage recycling of aggregates and therefore help to reduce the demand for virgin aggregates, thereby avoiding pressure for new mineral sites which could otherwise have adverse impacts on biodiversity.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/?	+/?	?	M	D	Y
The policy will encourage increased reuse, recycling and recovery and therefore should have an overall positive impact upon climate change by reducing demand on resources and production of greenhouse gases. Increased recycling may increase the need for waste transport which would increase greenhouse gas emissions, but the increase is not likely to be significant for the county as a whole.							

3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	M	I	Y
		There are not likely to be any significant impacts on amenity and wellbeing as no new facilities are required to be developed by the policy. By promoting increased recycling, the policy will help to encourage the supply of recycled aggregates to support housing construction and avoid amenity impacts on communities from new mineral developments.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	M	D	Y
		Increased reuse, recycling and recovery would contribute towards meeting agreed targets and support sustainable economic activity and the circular economy. Encouragement of increased recycling of aggregates will reduce the demand upon non-renewable resources and promote sustainable construction practices.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H	I	N
		The policy is not specific to any particular sites, therefore is unlikely to have a significant demonstrable effect upon flood risk.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	D	N
		The policy is unlikely to have a significant effect on greenfield or Green Belt land or land with sensitive geology as no new developments will be required.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	D	N
		The policy is unlikely to have a significant effect on landscape or historic assets as no new developments will be required.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
		By promoting increased recycling, the policy is likely to encourage additional vehicle movements to transport recyclables. The scale of the likely effect is not clear, but it is unlikely to be significantly greater than managing waste at the bottom of the waste hierarchy, particularly in the context of vehicle movements within the county overall.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H	D	N
		The policy is unlikely to have a significant effect on water quality and availability as no new developments will be required.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
		The policy promotes the sustainable management of waste by requiring waste to be managed at high levels of the waste hierarchy. Targets exceed the current national recycling rate.					

N.B. It is proposed that Policy CSW5 (Strategic Site for Waste) be deleted and hence the

appraisal of this policy has been removed from this section. Consideration of a reasonable alternative of not deleting the policy is considered below.

CSW 6 Location of built waste management facilities

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		The policy requires no adverse effect on designated local, national and international nature conservation sites. No reference is made to National Nature Reserves or priority habitats and species and these should be included.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	I	N	
		The policy requires development to be well-located to transport infrastructure, including rail and water transport, and therefore will help to reduce potential emissions of greenhouse gases, limiting the effect on climate change. It also requires energy producing facilities to be located near to heat users, thereby promoting the generation and use of combined heat and power which will reduce greenhouse gas emissions. New development may nevertheless increase greenhouse gas emissions although this is dependent on the degree to which new capacity replaces existing capacity and whether it is well-located in terms of proximity to arisings. The overall balance of effects is uncertain.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	H	I	N/Y	
		The policy requires facilities that generate bioaerosols to be at least 250m from sensitive receptors, thereby avoiding potential effects on human health. It does not address other potential effects on community and wellbeing. However, any new facilities will be required to comply with development management policies which require no adverse effects on communities, including DM 11 Health and Amenity which ensures that any development permitted will have no unacceptable adverse impacts noise, dust, illumination, visual intrusion, traffic and air quality particularly within an AQMA. Therefore adverse impacts are unlikely on communities and wellbeing.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	+	+	M	I	N	
		The policy facilitates the development of waste management facilities which are required to support economic growth which have no adverse effects on certain aspects of the environment.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	H	I	N	
		The policy requires development to avoid flood zone 3b and therefore will avoid the functional flood plain. Development management policies require developments not to exacerbate flood risk and therefore adverse effects are unlikely.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	M	D	N	

		The policy prioritises developed land for the location of new waste facilities and prevents inappropriate development in the Green Belt therefore adverse impacts are unlikely to be significant.						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0/?	0/?	0/?	H/L	D	N	
		The policy requires no significant adverse effects on AONBs or heritage assets and that the landscape is capable of accommodating prominent structures. Reference should be made to the requirement to protect the setting of AONBs. Light pollution is controlled by policy DM 11 Health and Amenity.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	M/L	D/I	N	
		The policy requires new waste facilities to be well-located to existing transport infrastructure, including rail and water transport, which will help to minimise any adverse effects on transport networks. Nevertheless waste transport may increase although this is dependent on the degree to the new capacity replaces existing capacity and how well-located they are to the source of arisings. The balance of effects is uncertain.						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	H			
		The policy requires waste development to avoid groundwater source protection zones and prevents significant adverse impacts on groundwater. No effect on groundwater quality is therefore likely, and impacts on surface water quality and quantity are also unlikely from waste facilities. Development management policies require protection of water quality and therefore adverse effects are not likely.						
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	++	++	H	D	N	
		The policy requires waste development to avoid adverse impacts on human health and the environment, so supporting the sustainable management of waste. Reference should be made to the proximity principle which promotes management of waste as near as possible to the source of arisings.						

Policy CSW 7 Waste Management for Non-Hazardous Waste

	Sustainability Objective	Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	M	I	Y	
		The policy seeks to maximise the recovery of energy from waste in diverting it from landfill. This will help to reduce the greenhouse gas emissions associated with managing waste at lower levels of the hierarchy, thus helping to avoid adverse impacts on biodiversity from climate change effects.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	M	D	Y	

		The policy aims to move waste up the hierarchy and to maximise the recovery of energy and therefore should have an overall positive impact upon climate change by reducing the production of greenhouse gases associated with managing waste at lower levels of the hierarchy.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		The policy aims to move waste up the hierarchy and to maximise the recovery of energy and therefore should have an overall positive impact upon climate change by reducing the production of greenhouse gases associated with managing waste at lower levels of the hierarchy, thereby avoiding potential adverse impacts on communities from climate change.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	H	D	Y
		The policy seeks to move waste up the waste hierarchy and promote energy recovery which will support a more sustainable waste management sector and sustainable economy more broadly.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		The policy aims to move waste up the hierarchy and to maximise the recovery of energy and therefore should have an overall positive impact upon flood risk from climate change by reducing the production of greenhouse gases associated with managing waste at lower levels of the hierarchy.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy does not deal with the location of facilities and therefore will have no impact on land use.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		This policy is not specific to any particular sites or the effects of development, therefore is unlikely to have any effect upon landscape or the historic environment.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	M	D	Y
		By promoting increased recycling, the policy is likely to encourage additional vehicle movements to transport recyclables. It also promotes net self-sufficiency for Kent which will help to minimise waste transport distances. The balance and scale of the likely effects are not clear, but are unlikely to be significantly greater than managing waste at the bottom of the waste hierarchy, particularly in the context of vehicle movements within the county overall.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy does not address the locations or effects of development therefore is unlikely to affect water quality and availability.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	H	D	N

		The policy aims for Kent to be net self-sufficient in waste management capacity which will help to minimise the distances waste is transported. It also seeks to move waste up the waste hierarchy, so supporting the sustainable management of waste.
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Policy CSW 8 Other Recovery Facilities for Non-Hazardous Waste

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	M	I	Y	
		By promoting energy recovery, recovery of heat and carbon capture, the policy will help to minimise greenhouse gas emissions which will contribute to reducing the pressure on biodiversity from climate change.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	M	D	Y	
		The policy promotes energy recovery, recovery of heat and carbon capture which will promote minimisation of climate change impacts arising from non-hazardous waste recovery facilities.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	M	I	Y	
		By promoting energy recovery, recovery of heat and carbon capture, the policy will contribute to reducing the adverse effects on communities from climate change and could provide heat for homes.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	H	D	N	
		By promoting energy recovery and recovery of heat, the policy will contribute to recovering resources from waste which will make a contribution to sustainable economic growth.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	M	I	N	
		By promoting energy recovery, recovery of heat and carbon capture, the policy will contribute to reducing climate change impacts associated with waste and will make a contribution to reducing the risks of flooding.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		The policy is unrelated to land use.						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		The policy is unrelated to protection and enhancement of landscape and the historic environment.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				

		The policy is unrelated to sustainable transport objectives.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy is unrelated to maintenance and improvement of water quality or sustainable water resource management.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
		By promoting energy recovery, recovery of heat and carbon capture, the policy will promote the management of waste at higher levels of the waste hierarchy than landfill and thus make a direct contribution to achieving sustainable waste management objectives.					

Policy CSW 9 Non-Inert Waste Landfill in Kent

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	I/D	Y
		By restricting capacity for landfill and requiring waste to be managed at higher levels of the hierarchy if possible, and by requiring 85% methane capture, the policy will help to minimise greenhouse gas emissions which will contribute to reducing the pressure on biodiversity from climate change. Restoration to a high standard could potentially have long term benefits for biodiversity if standards are adopted with nature conservation objectives.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	Y
		By restricting capacity for landfill and requiring waste to be managed at higher levels of the hierarchy if possible, and by requiring 85% methane capture, the policy will help to minimise greenhouse gas emissions and impacts on climate change. Requiring developments to result in environmental benefits could include climate change adaptation benefits, although this is not explicit.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By restricting capacity for landfill and requiring waste to be managed at higher levels of the hierarchy if possible, and by requiring 85% methane capture, the policy will contribute to reducing greenhouse gas emissions from waste management and so help to avoid adverse effects on communities from climate change.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	N
		By restricting capacity for landfill and requiring waste to be managed at higher levels of the hierarchy if possible, and by requiring 85% methane capture, the policy will contribute to recovering resources from waste which will make a small contribution to sustainable economic growth.					

5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	N
By restricting capacity for landfill and requiring waste to be managed at higher levels of the hierarchy if possible, and by requiring 85% methane capture, the policy will contribute to reducing climate change impacts associated with waste and will make a contribution to reducing the risks of flooding.							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	+	M	D	N
By requiring restoration to a high standard, the policy could have benefits for land quality if restoration is to a standard suitable for agriculture. The likelihood of this is uncertain and dependent on plans for restoration.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	+/?	H/M	D	N
The policy envisages restoration that accords with local landscape character and therefore long-term benefits for landscape are likely. This may additionally have benefits for historic landscapes but will depend on the location of the landfill.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
The policy is unrelated to sustainable transport objectives.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
The policy is unrelated to maintenance and improvement of water quality or sustainable water resource management. Non-inert landfill has the potential for adverse impacts on water quality, depending on standards at a particular site. Control of impacts is dependent on policy DM 10 Water Environment.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	N
By restricting landfill and requiring management at higher levels of the waste hierarchy where possible, the policy will promote the management of waste at higher levels of the waste hierarchy than landfill and thus make a direct contribution to achieving sustainable waste management objectives.							

Policy CSW 10 Development at Closed Landfill Sites

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D/I	Y
There could be benefits for biodiversity if afteruse of the land for nature conservation benefit is sought although the likelihood of this being an objective for afteruse at any site is unknown. By making maximum use of landfill gas, the policy will help to minimise greenhouse gas emissions both from reducing fugitive emissions from the site and by replacing energy generated from fossil fuels, which will contribute to reducing the pressure on biodiversity from climate change.							

		Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	Y
2	Climate change	By making maximum use of landfill gas, the policy will help to minimise greenhouse gas emissions both from reducing fugitive emissions from the site and by replacing energy generated from fossil fuels, which will contribute to mitigating climate change. Restoration to an identified afteruse could include uses that incorporate climate change adaptation measures.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By making maximum use of landfill gas, the policy will help to minimise greenhouse gas emissions both from reducing fugitive emissions from the site and by replacing energy generated from fossil fuels and so help to avoid adverse effects on communities from climate change. Communities could also benefit if the afteruse of the land is for recreation and access, although it is not certain that this will be an objective for the afteruse.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have a significant impact on sustainable economic growth.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	N
		By making maximum use of landfill gas, the policy will help to minimise greenhouse gas emissions both from reducing fugitive emissions from the site and by replacing energy generated from fossil fuels, which will contribute to reducing climate change impacts associated and will make a contribution to reducing the risks of flooding associated with climate change.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	+	+	M	D	N
		By facilitating the improvement of landfill sites to an agreed afteruse, the policy is likely to support the improvement of the quality of land, or restoration to its former standard. This may in some circumstances, result in restoration for agricultural use which may be to the best and most versatile agricultural land. The likelihood of this is uncertain and dependent on plans for restoration.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have a significant effect on landscape quality or historic assets.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy is unrelated to sustainable transport objectives.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy is unrelated to maintenance and improvement of water quality or sustainable water resource management.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?

		++	++	++	H	D	Y
		By requiring maximum use of landfill gas, the policy will promote the management of waste without harm to the environment and thus make a direct contribution to achieving sustainable waste management objectives.					

Policy CSW 11 Permanent Deposit of Inert Waste

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By allowing the deposit of inert waste for restoration of landfill sites and mineral workings, there would be benefits for biodiversity if afteruse of the land for nature conservation benefit is sought although the likelihood of this being an objective for afteruse at any site is unknown. If deposit of inert waste were not facilitated, the benefits are likely to take longer to deliver, or may not be delivered at all.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	+	+	M	D	Y
		Restoration to an identified afteruse could include uses that incorporate climate change adaptation measures.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By allowing the deposit of inert waste for restoration of landfill sites and mineral workings, there would be benefits for communities if afteruse of the land for recreation and access is sought, although the likelihood of this being an objective for afteruse at any site is unknown. If deposit of inert waste were not facilitated, the benefits are likely to take longer to deliver, or may not be delivered at all.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have a significant impact on sustainable economic growth.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have a significant impact on flood risk					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	N
		By facilitating the improvement of landfill sites and mineral workings to an agreed afteruse, the policy is likely to support the improvement of the quality of land, or restoration to its former standard. This may, in some circumstances, result in restoration for agricultural use which may be to the best and most versatile agricultural land. The likelihood of this is uncertain and dependent on plans for restoration.					
7		Short	Med	Long	Prob	Dir/Ind	Rev?
		+/0	+/0	+/0	H	D	N

	Landscape and the historic environment	By allowing the deposit of waste to restore landfills and mineral workings, the policy will help to reduce the landscape impacts of such sites if not restored. Unlikely to have a significant impact on historic assets or light pollution.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
		By permitting hazardous waste facilities regardless of the catchment area for the waste, the policy may be facilitating unnecessary increases in waste transport distances, although the significance of effects is unknown at this stage. The policy should require applications to demonstrate that they support the proximity principle for waste.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy is unrelated to maintenance and improvement of water quality or sustainable water resource management.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++/?	++/?	++/?	H/L	D	Y/N
		By only allowing the deposit of the minimum amount of inert waste to achieve the benefit sought, the policy supports management of other inert waste at levels of the hierarchy higher than landfill. By permitting hazardous waste facilities regardless of the catchment area for the waste, the policy may be facilitating unnecessary increases in waste transport distances, although the significance of effects is unknown at this stage. The policy should require applications to demonstrate that they support the proximity principle for waste.					

Policy CSW 12 Identifying Sites for Hazardous Waste

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/+	0/+	0/?	M	I/D	Y
		Effects described in appraisals of CSW 6 and CSW 9					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		?/+	?/+	?/+	L/M	I/D	N/Y
		Effects described in appraisals of CSW 6 and CSW 9					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/+	0/+	0/+	H/M	I	N/Y
		Effects described in appraisals of CSW 6 and CSW 9					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		?/+	+	+	M/H	I/D	N
		Effects described in appraisals of CSW 6 and CSW 9					

5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/+	0/+	0/+	H/M	I	N
		Effects described in appraisals of CSW 6 and CSW 9					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0/+	M	D	N
		Effects described in appraisals of CSW 6 and CSW 9					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/?	0/?	0/?/+	H/M/L	D	N
		Effects described in appraisals of CSW 6 and CSW 9					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?/0	?/0	?/0	M/L	D/I	N
		Effects described in appraisals of CSW 6 and CSW 9					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H		
		Effects described in appraisals of CSW 6 and CSW 9					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		?/++	++	++/?	H	D	N
		Effects described in appraisals of CSW 6 and CSW 9					

Policy CSW 13 Remediation of Brownfield Land

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	Y
		The policy facilitates soil decontamination on sites that are for redevelopment. There may be benefits for biodiversity through decontamination of soils, but these will be dependent on the plans for redevelopment which are unknown.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to make a significant contribution to reducing climate change					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have significant impacts on communities and well-being.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have a significant impact on sustainable economic growth.					

5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have a significant impact on flood risk							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
By facilitating soil decontamination on sites that are for redevelopment, there may be benefits for land quality through decontamination of soils, but these will be dependent on the plans for redevelopment which are unknown.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have a significant impact on landscape or historic assets.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	D	Y
By facilitating the decontamination of soils in situ, the policy will help to avoid the need to transport contaminated soils offsite and import fresh soil, so reducing the need for transport of materials.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
The policy is unrelated to maintenance and improvement of water quality or sustainable water resource management.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By facilitating the decontamination of soils on site, the policy implements the proximity principle thereby contributing to sustainable waste management objectives.							

Policy CSW 14 Disposal of Dredgings

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	D	Y
By requiring dredgings to be used for biodiversity enhancement where possible, the policy supports a biodiversity gain through the use of dredgings.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Landfill of dredgings is unlikely to have climate change impacts as methane capture at landfills is required by other policies and good practice standards.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have significant impacts on communities and well-being.							

4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	Y
By facilitating the disposal of dredgings, the policy will help to maintain the navigability of channels within and around the coast of Kent. This will help to support sustainable economic growth by ensuring that water-based transport for goods and people remains viable, although the contribution to growth is likely to be small.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have a significant impact on flood risk							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
Granting permission for new disposal sites may have adverse impacts on land quality, although the type and scale of impacts will depend on where the sites are located, which is not known.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
Granting permission for new disposal sites may have adverse impacts on landscape quality and potentially also on historic assets, although the type and scale of impacts will depend on where the sites are located, which is not known.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	Y
Transport of dredgings to sites in Kent may require truck movements on the road network, although the scale of impacts will depend on where the sites are located, which is not known.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
The policy is unrelated to maintenance and improvement of water quality or sustainable water resource management.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
By requiring applicants to demonstrate that the reuse of dredgings is not possible, the policy supports the principles of the waste hierarchy.							

Policy CSW 15 Wastewater Development

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	Y

		By requiring biogas from anaerobic digestion to be recovered and used for energy generation, the policy will help to avoid greenhouse gas emissions from biogas escape and from fossil fuel generation of energy. This will help to avoid adverse impacts on biodiversity from climate change.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	D	Y
		By requiring biogas from anaerobic digestion to be recovered and used for energy generation, the policy will help to avoid greenhouse gas emissions from biogas escape and fossil fuel generation of energy.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	Y
		By requiring biogas from anaerobic digestion to be recovered and used for energy generation, the policy will help to avoid greenhouse gas emissions from biogas escape and from fossil fuel generation of energy. This will help to avoid adverse impacts on communities from climate change.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have a significant impact on sustainable economic growth.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	Y
		By requiring biogas from anaerobic digestion to be recovered and used for energy generation, the policy will help to avoid greenhouse gas emissions from biogas escape and from fossil fuel generation of energy. This will help to avoid adverse impacts on flood risk from climate change.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
		Granting permission for new or extended wastewater facilities may have adverse impacts on land quality, although the type and scale of impacts will depend on where the sites are located, which is not known.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
		Granting permission for new or extended facilities may have adverse impacts on land quality, light pollution and potentially also on historic assets, although the type and scale of impacts will depend on where the sites are located, which is not known. Policy DM 11 Health and Amenity requires no unacceptable adverse impacts from light.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have a significant impact on transport objectives.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	H	D	Y
		By facilitating the development or extension of wastewater facilities, the policy supports the maintenance and potentially the improvement of water quality and will help to address potential problems where water quality could be at risk.					

10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	D	Y
By requiring biogas capture and use, the policy will help to reduce the potential for harm to the environment and communities.							

Policy CSW 16 Safeguarding of Existing Waste Management Facilities

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to biodiversity objectives							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y
By safeguarding existing waste management facilities, the policy will help to retain net self-sufficiency for Kent’s waste, thereby avoiding the need for potentially greater waste transport distances and therefore reducing greenhouse gas emissions from the transport of waste.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No significant impacts on communities and wellbeing.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have a significant impact on sustainable economic growth.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have significant impacts on flood risk							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have significant impacts on land quality							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have significant impacts on landscape or the historic environment.							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	Y
By safeguarding existing waste management facilities, the policy will help to retain net self-sufficiency for Kent’s waste, thereby avoiding the need for potentially greater waste transport distances and impacts from waste transport.							

9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Not relevant to objectives for water quality and availability.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
By safeguarding existing waste management facilities, the policy will help to retain net self-sufficiency for Kent's waste, thereby supporting the management of waste nearer to its source of arisings than might otherwise be the case.							

Policy CSW 17 Waste Management at Dungeness Nuclear Estate

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		?/+/0	?/+/0	?	M/H	D	N
<p>The site is adjacent to Dungeness SAC, Dungeness, Romney Marsh and Rye Bay Ramsar site, Dungeness SSSI and Dungeness National Nature Reserve. The policy allows mitigation of environmental impacts to an acceptable level, therefore adverse effects are possible although not certain. Adverse effects could arise from waste management activities on the site, including noise and dust affecting species within the designated sites and vehicle movements to and from the site from construction vehicles and potentially the importation of waste, although the supporting text indicates that importation is not anticipated and will not be permitted if impacts from vehicles would be greater than from import of non-radioactive materials. Additionally, the policy requires planning applications to demonstrate that impacts on the environment can be controlled to an acceptable level, therefore adverse impacts are unlikely. Policies DM 2 and DM 3 require no unacceptable adverse impacts on designated sites unless in exceptional circumstances and therefore these policies also help to ensure no unacceptable adverse impacts. Policies DM1 and DM3 require a net gain in biodiversity value and therefore any adverse effects will be outweighed by positive gain.</p> <p>The HRA has concluded that the policy is unlikely to have any adverse impacts on the SAC, SPA, Ramsar and SSSI, from habitat loss, degradation, species impacts, noise, vibration, visual disturbance, changes in water quality and hydrology or changes in air quality.</p>							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?			
No impacts on climate change are likely.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	L	I	N

		<p>The policy allows mitigation of environmental impacts to an acceptable level, therefore adverse effects are possible although not certain. However, the Environmental Safety Case must demonstrate that public health will be adequately protected. Community impacts are managed by policy DM 11 Health and Amenity.</p> <p>The policy allows for the importation of waste from elsewhere, although the supporting text indicates that this is not anticipated. If importation of waste were to occur, it would not be permitted if it would create additional impacts from vehicle movements arising from import of non-radioactive material and therefore will not create additional emissions from vehicles. In addition, the policy requires planning applications to demonstrate that adverse impacts on the environment can be mitigated to an acceptable level. The supporting text explicitly requires planning applications to provide information on vehicle movements and air quality.</p>						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		Unlikely to have a significant impact on sustainable economic growth.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		Unlikely to have significant impacts on flood risk						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	M	D	N	
		The SA and SSSI are important in part for their geomorphology. However, development under the policy is unlikely to have significant adverse impacts on land additional to existing development.						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		Unlikely to have significant impacts on landscape or the historic environment.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0/+	0/+	?	H/L	D	Y	
		By allowing management of wastes onsite, the policy will avoid the need for transport of waste to other sites. However, the policy permits importation of waste from elsewhere, although the supporting text indicates that this is not anticipated and the policy prevents this where vehicle movements would result in greater impacts than those that would occur with importation of non-radioactive material. Dungeness nuclear facility has a dedicated railhead which may be used for importation. The policy requires planning applications to demonstrate that environmental impacts can be mitigated to an acceptable level and therefore adverse impacts are unlikely. The supporting text explicitly includes information on vehicle movements and air quality to be provided in planning applications.						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	N	
		The policy allows mitigation of environmental impacts to an acceptable level, therefore adverse effects are possible on water quality and hydrology, although not certain. Policy DM 10 requires no unacceptable adverse impacts on the water environment.						

10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/+/?	0/+/?	0/+/?	M/H/L	D	N
<p>The supporting text indicates that the waste hierarchy is relevant to consider in the management of nuclear wastes and policy CSW 2 requires demonstration that the wastes to be managed onsite cannot be managed at higher levels of the waste hierarchy. By allowing management of wastes onsite, the policy will help to implement the proximity principle for those wastes by managing at its source of arising. The supporting text indicates that importation of waste from elsewhere is not anticipated. However, while this is possible under policy CSW 17, it is unknown whether this may or may not be in accordance with the proximity principle as sources and potential alternative destinations are unknown.</p>							

Policy CSW 18 Non-Nuclear Industry Radioactive Low Level Waste Management

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L		
<p>Impacts on biodiversity are dependent on the features and sensitivities at particular sites, the location of which is not known.</p>							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	D	Y
<p>By promoting the proximity principle for non-nuclear radioactive waste, the policy will help to encourage the management of waste closer to the source of its arising than might otherwise be the case, thereby avoiding unnecessary climate change impacts of waste transport.</p>							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L		
<p>Impacts on communities and well-being are dependent on the features and conditions at particular sites, the location of which is not known.</p>							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
<p>Unlikely to have a significant impact on sustainable economic growth.</p>							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L		
<p>Impacts on flood risk are dependent on the features and sensitivities at particular sites, the location of which is not known.</p>							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L		
<p>Impacts on land quality are dependent on the features and sensitivities at particular sites, the location of which is not known.</p>							
7		Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L		

	Landscape and the historic environment	Impacts on landscape and the historic environment are dependent on the features and sensitivities at particular sites, the location of which is not known.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	M	D	Y	
		By promoting the proximity principle for non-nuclear radioactive waste, the policy will help to encourage the management of waste closer to the source of its arising than might otherwise be the case, thereby avoiding unnecessary impacts of waste transport.						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L			
		Impacts on the water environment are dependent on the features and sensitivities at particular sites, the location of which is not known.						
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	H	D	Y	
		By promoting the proximity principle for non-nuclear radioactive waste, the policy directly supports one of the objectives of sustainable waste management.						

Policy DM 1 Sustainable Design

	Sustainability Objective	Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	H	D	N	
		The policy requires developments to maximise biodiversity net gain through green and blue infrastructure, leading to positive impacts for biodiversity, although other methods by which biodiversity could be protected and enhanced are not addressed by the policy. Biodiversity impacts are addressed in other development management policies, most notably policy DM 2.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++/-	++/-	++/?	H/M	D	N	
		The policy will help to minimise the contribution of waste and minerals development to climate change by minimising greenhouse gas emissions and energy and water consumption. By requiring the minimisation of waste and maximising recycling of materials and use of low carbon energy sources, this will also help to minimise greenhouse gas emissions. It also requires developments to build in climate change adaptation measures where these are appropriate. Achieving a BREEAM very good standard or equivalent will also promote minimisation of greenhouse gas emissions. Despite all of these requirements, emissions of greenhouse gases may nevertheless rise with increasing requirements for waste management and minerals production.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	

		By requiring developments to maximise the contribution to green and blue infrastructure, the policy could help to promote opportunities for recreation and exercise and so support human health and wellbeing, although it requires this for biodiversity net gain only. Item 7 in the policy should include benefits for communities and wellbeing. Minimising the emission of pollutants will help to avoid adverse effects on air quality and health.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/-	+/-	?	H	D	Y
Minimising emissions and energy and water consumption in development will support more efficient businesses to support sustainable economic growth. The policy will help to ensure the supply of minerals and waste development to support economic/industrial activity. However, the exploitation of non-renewable resources is not sustainable.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	N
By promoting climate change adaptation measures, including sustainable drainage systems, the policy will help to minimise the impact of development on flood risk and is likely to help to alleviate flood risk in the local area. However, the impact on flood risk is more strongly dependent on other policies in the KMWLP, including DM 10 Water Environment.							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H	D	N
The policy requires developments to minimise the loss of the best and most versatile agricultural land, protect soils more generally and achieve an efficient use of land, therefore adverse impacts on land are unlikely.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on landscape and the historic environment from the policy							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on transport from the policy							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	N
By requiring minimisation of water consumption and emission of pollutants, the policy will help to safeguard the quantity and quality of water and promote sustainable water resource management. Adverse effects are therefore unlikely.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	H	D	N
The policy promotes sustainable waste management and mineral facilities by requiring design according to a range of best practice standards on environment. Adverse effects are therefore unlikely. The policy is not relevant to the waste hierarchy or the location of facilities near to the source of arisings.							

Policy DM 2 Environmental and Landscape Sites of International, National and Local Importance

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		++/-	++/-	?	H	D	Y/N
		The policy will help maintain and conserve the existing biodiversity within the designations, by refusing proposals for waste and minerals development that would have unacceptable adverse impacts on designated sites of international, national and local importance and other sites with nature conservation value and placing avoidance above mitigation and compensation. The supporting text emphasises the need for biodiversity net gain. However, the policy allows for development to proceed if adverse effects can be outweighed by other benefits or other considerations.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	++	H	D	N
		The policy helps mitigate the effects of climate change by restricting development on important habitats. By protecting wild spaces, the growth of vegetation will allow carbon sequestration and help to mitigate other effects of climate change such as water absorption and cooling. As vegetation increases the benefits will increase over time.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	H	D	Y
		By restricting developments in designated green areas, the policy will benefit communities and the wider population. Access to green spaces is vital for mental and physical health and provides opportunity for recreation, exercise and personal development.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	++	?	M	I	Y
		The policy helps to conserve green spaces and designations which will attract visitors and tourists, boosting local economies and housing markets. The benefits are likely to increase over time.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		Restricting development which could adversely affect green spaces will help to alleviate flood risk in the local area by allowing vegetation to grow and absorb surface run off and groundwater. However, the impact on flood risk is more strongly dependent on other policies in the KMWLP and on the location of any development.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			

		The policy does not address Green Belt, agricultural land or greenfield land more generally.												
7	Landscape and the historic environment	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>++/-</td> <td>++/-</td> <td>?</td> <td>H</td> <td>D</td> <td>Y/N</td> </tr> </table> <p>The policy broadly prohibits development which would have an adverse effect on an AONB or its setting. However, development which would have adverse impacts would be permitted if it can be demonstrated to be in the public interest, therefore adverse effects are possible. However the policy does not include effects in other undesignated areas, or how a development would integrate within existing landscapes, although policy DM 11 Health and Amenity requires developments not to have unacceptable adverse impacts from light and visual intrusion on communities and the environment. Recommendations to address this are made under policy DM 19 Restoration, Aftercare and After-use. Not relevant to historic assets.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++/-	++/-	?	H	D	Y/N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
++/-	++/-	?	H	D	Y/N									
8	Transport	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>0</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> </table> <p>No effect on transport from the policy.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	0	0	0			
		Short	Med	Long	Prob	Dir/Ind	Rev?							
0	0	0												
9	Water	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>+/-</td> <td>+/-</td> <td>+/-</td> <td>H</td> <td>I</td> <td>Y/N</td> </tr> </table> <p>By restricting development affecting designated nature conservation areas and other areas of biodiversity value, the policy is likely to preserve natural water ecosystem services within these areas. However, development with adverse effects would be permitted if these can be outweighed by other benefits or other considerations, therefore adverse effects are still possible.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	+/-	+/-	+/-	H	I	Y/N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
+/-	+/-	+/-	H	I	Y/N									
10	Waste	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>0</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> </table> <p>No effect on waste from the policy</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	0	0	0			
		Short	Med	Long	Prob	Dir/Ind	Rev?							
0	0	0												

Policy DM 3 Ecological Impact Assessment

	Sustainability Objective	Comments												
1	Biodiversity	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>++</td> <td>++</td> <td>?</td> <td>H</td> <td>D</td> <td>Y</td> </tr> </table> <p>The policy requires that developments cause no unacceptable adverse impacts on important biodiversity assets including internationally, nationally, and locally designated sites, protected species and habitats and those of principal importance for conservation. The policy also requires positive contribution to the protection, enhancement, management and creation of biodiversity along with an ecological assessment of the site. Any adverse impacts must be mitigated and/or compensated for and it must be demonstrated that at least a 10% biodiversity net gain will be achieved and maximum gain unless</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++	++	?	H	D	Y
		Short	Med	Long	Prob	Dir/Ind	Rev?							
++	++	?	H	D	Y									

		outweighed by other considerations. Therefore, overall adverse impacts on biodiversity are unlikely and a net gain should be secured.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	H		
		Unlikely to have a significant effect on greenhouse gas emissions, although protecting habitats will help to absorb carbon dioxide and help to mitigate some of the impacts of climate change.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	Y
		By ensuring the protection of areas of importance for biodiversity and geodiversity, the policy will have a positive impact on local communities, by ensuring the protection of the local environment and access to open spaces.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		The policy requires ecological assessments to be undertaken and demonstration of a 10% biodiversity net gain for developments, which will contribute to the local economy through visitors and tourism and benefit economically through the provision of ecosystem services.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	L	I	Y
		By protecting areas designated for biodiversity and geodiversity, the policy will preserve open spaces which have absorptive capacity and so will help to alleviate flood risk. However, the significance of the impacts depends on the location of development which is not known.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy does not address Green Belt, agricultural land or greenfield land more generally.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		The policy does not address landscape or the historic environment.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effects on transport.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	I	Y

		The policy aims to protect designated sites, species and habitats; therefore the policy will help to protect water quality where this is an important feature of the biodiversity interest. However, the protection of water relies strongly on other policies in the KWMLP.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H	D	N
		No effect on waste from the policy.					

Policy DM 4 Green Belt

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/-	+/-	+/?	M	D	N
		By complying with national policy on Green Belt, the policy will help to preserve and enhance biodiversity on Green Belt land by preventing inappropriate development, although development may proceed under very special circumstances and therefore biodiversity value may be lost.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/-	+/-	+/?	M	D	N
		The policy will help to preserve green areas and open spaces which will allow for carbon capture and potentially alleviate flood risk depending on location. However, development is possible under very special circumstances which could lose the carbon capture function and add to flood risk.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/-	+/-	+/?	M	D	N
		The policy will be benefit communities by ensuring access to green spaces which will increase mental and physical health. Adverse effects are also possible if very special circumstances exist which permit development, resulting in lost access.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/-	+/-	+/?	L	I	Y
		The policy may help to promote sustainable economic growth by retaining open spaces and attracting visitors to the protected Green Belt areas and access to the outdoors. This may also influence the local economy and local housing market from prospective home owners. Loss of Green Belt if very special circumstances exist could contribute to the opposite effect if significant loss occurs in combination with other developments.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+/-	+/-	+/?	M	D	N

		By retaining open spaces within the Green Belt, the policy will help to allow natural water drainage and could attenuate run-off rates, helping to reduce flood risk. Loss of Green Belt if very special circumstances exist may exacerbate flood risk through the loss of absorptive land.												
6	Land	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>++/-</td> <td>++/-</td> <td>++/?</td> <td>M</td> <td>D/I</td> <td>N</td> </tr> </table> <p>The policy requires the maintenance of open Green Belt land and seeks to prevent inappropriate development in the Green Belt, which may also indirectly help to encourage development on previously developed land. However, the policy allows for development in very special circumstances which would lose Green Belt land to development and lose openness.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++/-	++/-	++/?	M	D/I	N
Short	Med	Long	Prob	Dir/Ind	Rev?									
++/-	++/-	++/?	M	D/I	N									
7	Landscape and the historic environment	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>+/-</td> <td>+/-</td> <td>+/?</td> <td>M</td> <td>D</td> <td>N</td> </tr> </table> <p>The policy requires the preservation of the openness of the Green Belt and therefore may help to retain some landscapes, although this is dependent on the particular location. Adverse effects on landscape are possible in very special circumstances. Impacts on the historic environment depend on the sensitivities of particular sites which is unknown.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	+/-	+/-	+/?	M	D	N
Short	Med	Long	Prob	Dir/Ind	Rev?									
+/-	+/-	+/?	M	D	N									
8	Transport	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>0</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> </table> <p>No effect on transport from the policy.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	0	0	0			
Short	Med	Long	Prob	Dir/Ind	Rev?									
0	0	0												
9	Water	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>0/-</td> <td>0/-</td> <td>0/-</td> <td>H</td> <td>I</td> <td>N</td> </tr> </table> <p>No effect on water from the policy.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	0/-	0/-	0/-	H	I	N
Short	Med	Long	Prob	Dir/Ind	Rev?									
0/-	0/-	0/-	H	I	N									
10	Waste	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>0</td> <td>0</td> <td>0</td> <td>H</td> <td>D</td> <td>Y</td> </tr> </table> <p>No effect on waste from the policy.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	0	0	0	H	D	Y
Short	Med	Long	Prob	Dir/Ind	Rev?									
0	0	0	H	D	Y									

Policy DM 5 Heritage Assets

	Sustainability Objective	Comments												
1	Biodiversity	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>+</td> <td>+</td> <td>?</td> <td>M</td> <td>I</td> <td>Y</td> </tr> </table> <p>The policy requires developments to conserve and enhance the local heritage assets of the site, including historical parks and gardens. The biodiversity of these sites is therefore likely to be protected., although this is more strongly dependent on other policies within KMWLP.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	+	+	?	M	I	Y
Short	Med	Long	Prob	Dir/Ind	Rev?									
+	+	?	M	I	Y									
2	Climate change	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?						
Short	Med	Long	Prob	Dir/Ind	Rev?									

		+	+	?	M	I	Y	
		By protecting historic parks and gardens, the policy helps to mitigate the effects of climate change by allowing for carbon capture and storage by the flora within the designated areas.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	N	
		The policy will benefit the community by conserving the local cultural heritage of the area, giving opportunities for education and recreation. The preservation of historical sites also boosts community mood with aesthetic and cultural values. The preservation of these sites is vital to the community to ensure they provide the same benefits for generations to come.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	H	I	Y	
		The protection of heritage sites will encourage visitors and tourists to the local area and be attractive to potential residents, boosting local economies and housing markets.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	L	I	Y	
		By protecting historic parks and gardens, the policy will preserve open spaces which have absorptive capacity and so will help to alleviate flood risk. However, the significance of the impacts depends on the location of development which is not known.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	H	D	Y	
		Adverse impacts agricultural land and Green Belt land are unlikely.						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++/0	++/0	++/?	H/L	D	Y/N	
		The policy aims to preserve and enhance the historic environment, therefore adverse impacts on assets are unlikely and benefits possible. The policy also protects landscapes in terms of historic parks and gardens, conservation areas and heritage coastlines. Significant harm would be permitted only if there is an overriding need for the development, therefore adverse effects are possible, although the policy requires these to be mitigated and compensated for, therefore significant adverse effects are unlikely.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		No effect on transport from the policy						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				

		No effect on water from the policy					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on waste from the policy					

Policy DM 6 Historic Environment Assessment

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have significant impacts on biodiversity.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Unlikely to have significant impact on climate change					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	N
		The policy will benefit local and wider communities by assessing, preserving and recording assets, including interpreting the assets and providing access to information, improving awareness, knowledge, understanding and appreciation.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	L	I	Y
		The assessment of assets, preservation and recording information may help to encourage visitors and tourists to the local area depending on the significance of the assets, so boosting local economies.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on flood risk for the policy					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H	D	Y
		Adverse impacts on land are unlikely.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	D	Y
		The policy permits development which would affect heritage assets, although it requires developments to mitigate their impacts on the fabric, setting and					

		amenity value of assets, therefore significant adverse impacts on assets are unlikely. It requires archaeological assets to be preserved or excavated, recorded, interpreted and made accessible therefore benefits in relation to archaeological assets are likely to be delivered.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on transport from the policy							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on water from the policy							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on waste from the policy							

Policy DM 7 Safeguarding Mineral Resources

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on biodiversity from the policy							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on climate change from the policy							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
The policy aims to ensure that mineral resources will not be needlessly sterilised. This will help to ensure the supply of minerals to support housing construction to sustain communities.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		++/-	++/-	?	H	D	Y
The policy aims to ensure that mineral resources will not be needlessly sterilised. This will help to ensure the supply of minerals to support economic/industrial activity. However, the exploitation of non-renewable resources is not sustainable.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on flood risk from the policy							

6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on land use from the policy					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on landscape and the historic environment from the policy					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on transport from the policy					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on water quality and sustainable water resource management from the policy					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on waste management from the policy					

Policy DM 8 Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities

	Sustainability Objective	Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		No effect on biodiversity from the policy						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		No effect on climate change from the policy						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	
		The policy aims to ensure that mineral supply infrastructure will not be needlessly lost. This will help to ensure the economic supply of minerals to support housing construction to sustain communities and that waste management infrastructure is in place to support housing growth. It also requires that impacts from the safeguarded facilities would not be unacceptable to occupants of any development proposed within 250m of a safeguarded facility.						
4		Short	Med	Long	Prob	Dir/Ind	Rev?	
		++/-	++/-	?	H	D	Y	

	Sustainable economic growth	The policy aims to ensure that mineral and waste infrastructure will not be needlessly lost. This will help to ensure the economic supply of minerals and waste management infrastructure to support economic/industrial activity. However, the exploitation of non-renewable resources is not sustainable.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on flood risk from the policy							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on land use from the policy							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on landscape and the historic environment from the policy							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	M	D	Y
By ensuring that waste and minerals transport infrastructure is not needlessly lost, the change to policy will help to ensure waste and minerals can travel economically and will help to promote the use of sustainable modes of transport.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on water quality and sustainable water resource management from the policy							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	D	Y
The policy requires replacement capacity for any waste facilities which would be lost which is at least at an equivalent level of the waste hierarchy or higher, thus promoting sustainable waste management.							

Policy DM 9 Prior Extraction of Minerals in Advance of Surface Development

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	M		
The policy requires no adverse effect on the environment therefore adverse impacts on biodiversity are unlikely, although this is more strongly dependent on other policies within the KMWLP.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	M		
The policy requires no adverse effect on the environment therefore adverse impacts on climate change are unlikely, although this is more strongly dependent on other policies within the KMWLP.							

3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	M		
The policy requires no adverse effect on the communities therefore adverse impacts are unlikely, although this is more strongly dependent on other policies within the KMWLP							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		++/-	++/-	?	H	D	Y
The policy aims to ensure that mineral resources can be extracted and not lost to other development. This will help to ensure the economic supply of minerals and waste management infrastructure to support economic/industrial activity. However, the exploitation of non-renewable resources is not sustainable.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
The policy requires no adverse effect on the environment therefore adverse impacts on flood risk are unlikely, although this is more strongly dependent on other policies within the KMWLP							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H		
Although land is likely to be lost to mineral extraction, it is also likely to be lost to subsequent development regardless of whether the extraction takes place, therefore the policy will not result in any greater effects on land quality than would be likely to occur anyway.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M		
The policy requires no adverse effect on the environment therefore adverse impacts on landscape and historic assets are unlikely, although this is more strongly dependent on other policies within the KMWLP							
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on transport objectives							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on water quality and sustainable water resource management from the policy							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on sustainable waste management objectives.							

Policy DM 10 Water Environment

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	M	D	Y
		The policy requires that developments cause no deterioration and improve the ecological status and water quality of all water bodies which are hydrologically or hydrogeologically connected to the site and that adverse effects are mitigated to an acceptable level. The policy will therefore help to preserve or improve current water quality and the biodiversity that relies on this.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	I	Y
		The policy requires no deterioration to the physical state, water quality and ecological status of water bodies, as well as not exacerbating flood risk within the area. This will help to avoid exacerbating the impact of climate change, helping to ensure ecological services are functioning effectively.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	I	Y
		By ensuring the maintenance of water quality within the area, the policy will help to preserve community and well-being by maintaining the quality of accessible surface water. Along with this, the policy will help avoid increasing flood risk which will help to protect mental health and well-being.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	M	I	Y
		By ensuring the quality of water bodies within and connected to developments, the policy is helping to maintain economic benefits in terms of avoided flood risk and reduced water treatment requirements.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	M	D	N
		The policy requires no increase in flood risk in areas prone to flooding, therefore adverse impacts on flood risk are unlikely. The policy should promote flood risk reduction where possible.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Adverse effects on land are unlikely.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on landscape or the historic environment from the policy.					

8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
No effect on transport from the policy. However, by avoiding increasing flood risk the policy will help protect transport infrastructure from flooding.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	H	D	Y
The policy prevents the deterioration of the physical state, quality and ecological status of water bodies and requires improvement in their ecological status. Positive impacts on the water environment are therefore likely.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
The policy prohibits the deterioration of water quality; therefore waste is likely to be managed without adverse impacts on the water environment.							

Policy DM 11 Health and Amenity

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
The policy requires no adverse impacts from noise, light, dust, vibration, odour and emissions which will help to avoid adverse impacts on biodiversity near to the site. Litter and vermin can also have adverse impacts on biodiversity; therefore these should be added to the list of unacceptable adverse impacts.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
It is not clear whether emission of greenhouse gases is included in the scope of the policy, although these will have adverse impacts on health and amenity. The supporting text should make clear that these are included within the scope of the policy.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
The policy aims to avoid unacceptable adverse impacts of a development on the community and surrounding land uses, through reducing noise, odour, emissions and light, as well as visual intrusion and traffic. The supporting text indicates that air quality impacts should be mitigated, particularly in areas of poor air quality and makes provision for the preparation of a Health Impact Assessment. The community will benefit from this policy.							

4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	H	I	Y
		The policy will contribute to sustainable economic growth as it aims to reduce the adverse impacts of a development on the local environment, making the area more attractive to current and potential residents, which may positively influence the local housing market and economies.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?	M	D	N
		No effect on flood risk from the policy. However, flood risk has adverse effects on health and amenity, therefore consideration should be made of the adverse impacts which may occur from flood risk.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
		The policy requires development to have no unacceptable adverse impacts on surrounding land and associated permitted uses, therefore land quality is likely to be protected.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on landscape or historic environment from the policy.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
		The policy requires developments to have no unacceptable adverse impacts, including from vehicles and traffic movements associated with the development. In particular, it requires mitigation of impacts on air quality.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	Y
		The policy requires development to have no unacceptable adverse impacts on the environment, including through emissions although it is not clear whether this includes emissions to water. The supporting text should clarify that emissions to water bodies can affect health and amenity and therefore should be considered. The policy should require no unacceptable adverse impacts on surrounding water bodies as well as surrounding land.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
		The policy aims to avoid unacceptable adverse impacts of a development on the community and surrounding land uses, through reducing noise, odour, emissions and light, as well as visual intrusion and traffic. This supports the management of waste without impacts on human health and the environment.					

Policy DM 12 Cumulative Impact

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	
		The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. The supporting text indicates that this includes biodiversity interests, including from vehicle movements and emissions and therefore biodiversity should be protected.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	++	H	D	N	
		The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. The supporting text indicates that this includes climate change impacts, including from vehicle emissions and therefore increases in greenhouse gas emissions and associated climate change impacts should be minimised.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	
		The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. The supporting text indicates that this includes amenity impacts and impacts from vehicle movement and associated emissions, therefore communities and wellbeing should be protected.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0				
		Unlikely to have a significant impact on sustainable economic growth.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	M	D	Y	
		The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. This should include consideration of flood risk impacts although this is not explicitly stated in the supporting text. It is recommended that flood risk impacts are added to the supporting text.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	++	M	D	N	
		The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. This should include consideration of impacts on land quality and Green Belt, although this is not explicitly stated in the supporting text. It is recommended that these are added to the supporting text.						
7		Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	M	D	N	

	Landscape and the historic environment	The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. This should include consideration of landscape and historic assets and the impact of light pollution, although this is not explicitly stated in the supporting text. It is recommended that these are added to the supporting text.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	
		The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. The supporting text indicates that this includes impacts from vehicle movement and associated emissions particularly if development is near to or within an AQMA, therefore sensitive areas should be protected from impacts.						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	M	D	N	
		The policy permits development that does not have unacceptable adverse cumulative impacts on the environment or communities. This should include consideration of water quality and availability, although this is not explicitly stated in the supporting text. It is recommended that these are added to the supporting text.						
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	
		By ensuring no adverse impacts on the environment and communities from waste management including transport, the policy supports sustainable waste management objectives.						

Policy DM 13 Transportation of Minerals and Waste

	Sustainability Objective	Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	M	D	Y	
		The policy requires the traffic associated with development to have no adverse impact on the environment, which should include biodiversity, therefore biodiversity should be protected. The supporting text indicates that this will be particularly the case where development is 200m from a Habitat site. By promoting non-road modes of transport, the policy will help to reduce emissions and their effects on biodiversity, although in practice such opportunities are likely to be limited.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	M	D	N	
		By promoting non-road modes of transport, the policy will help to minimise increases in greenhouse gas emissions from waste and minerals transport, although in practice such opportunities are likely to be limited, therefore increases in emissions are likely with increasing quantities of waste to be managed. The contribution from minerals transport is likely to remain similar to current levels.						

3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
		The policy requires developments to demonstrate that emissions from associated transport are minimised as far as practicable, that the traffic generated does not have adverse impacts on local communities and that additional measures will be implemented for developments within AQMAs. Therefore adverse impacts on communities are likely to be minimised, particularly from poor air quality. The policy should also require additional measures for sites outside AQMAs but that are likely to affect AQMAs.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	?	L	D	Y
		By promoting non-road modes of transport and ensuring no adverse impacts on the environment and communities, the policy supports sustainable transport of waste and minerals which will help to promote sustainable economic growth.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By promoting non-road transport of waste and minerals, the policy will help to minimise the increased emissions of greenhouse gases and therefore help to avoid exacerbating flood risk. The impact is likely to be minor in view of limited opportunities for non-road transport in Kent.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on land use from the policy					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on landscape and the historic environment from the policy					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	++	H	D	Y
		The policy directly seeks to promote transport by the most sustainable modes possible, although in practice opportunities are likely to be limited. It also seeks to ensure that the network is able to accommodate the traffic that would be generated and to take particular measures within AQMAs, thereby avoid impacts on sensitive locations. The policy therefore promotes sustainable transport objectives.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on water quality and sustainable water resource management from the policy					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		++	++	?	H	D	Y
		By ensuring no adverse impacts on the environment and communities from waste transport, the policy supports sustainable waste management objectives.					

Policy DM 14 Public Rights of Way

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/?	0/?	0/?	L	I	Y
No effect on biodiversity from the policy. However, creating a diversion may encroach into habitats or areas with high or recovering biodiversity, although this is dependent on local circumstances. The policy should ensure measures are taken to prevent the loss of biodiversity from creating a PROW diversion.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	N
The policy aims to improve access to the countryside on foot which will help to reduce the climate impact by encouraging walking or cycling as opposed to travelling by car.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	++	++	H	D	N
The policy ensures the public have access (improved where possible) to the countryside and any new paths which are built must be safe and ensure the same standard of surface level as the original PROW. This will improve pedestrian connectivity and community well-being by providing easier access to the outdoor activity, boosting mental and physical health.							
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	N
By ensuring people have easier access to the countryside, the policy will encourage sustainable economic growth by attracting visitors and tourists which will boost the local economy.							
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to affect flood risk							
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
Unlikely to have a significant impact on land quality. No effect on Green Belt.							
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/+	0/+	0/+	L	I	N
Unlikely to have significant direct effect on landscape, although the policy may indirectly encourage more visitors to the countryside, which may enhance							

		people's appreciation and inspire the protection and restoration of the natural landscape in Kent. No effect on historic environment or light pollution.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0/+	0/+	0/+	M	I	Y
		No effect on minerals and waste transport, although the policy improves pedestrian access to the outdoors which may help to reduce the use of private vehicles, which is beneficial to both road traffic and the environment.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on water from the policy					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No impact on waste from the policy.					

Policy DM 15 Safeguarding of Transport Infrastructure

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By safeguarding rail and water transport infrastructure, the policy will help to preserve modes of transport more sustainable than road-based transport. This will help to avoid increases in greenhouse gas emissions which will benefit biodiversity by avoiding the worst impacts of climate change.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By safeguarding rail and water transport infrastructure, the policy will help to preserve modes of transport more sustainable than road-based transport. This will help to avoid increases in greenhouse gas emissions and avoid the worst impacts of climate change.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	I	Y
		By safeguarding rail and water transport infrastructure, the policy will help to preserve modes of transport more sustainable than road-based transport. This will help to avoid increases in greenhouse gas emissions which will benefit communities by avoiding the worst impacts of climate change.					
4		Short	Med	Long	Prob	Dir/Ind	Rev?

	Sustainable economic growth		+	+	?	H	D	Y	
		By safeguarding transport infrastructure, the policy will help to ensure the economy is not adversely affected by deterioration in the quality and availability of infrastructure to support growth.							
5	Flood risk		Short	Med	Long	Prob	Dir/Ind	Rev?	
			+	+	+	L	I	Y	
		By safeguarding rail and water transport infrastructure, the policy will help to preserve modes of transport more sustainable than road-based transport. This will help to avoid increases in greenhouse gas emissions and so avoid increasing flood risk.							
6	Land		Short	Med	Long	Prob	Dir/Ind	Rev?	
			0	0	0				
		No impacts on land quality.							
7	Landscape and the historic environment		Short	Med	Long	Prob	Dir/Ind	Rev?	
			0	0	0				
		No effect on landscape or historic environment from the policy.							
8	Transport		Short	Med	Long	Prob	Dir/Ind	Rev?	
			++	++	?	H	D	Y	
		By safeguarding transport infrastructure, the policy will help to ensure that minerals and waste development do not have impacts on infrastructure, including in sensitive areas and areas reliant on good networks.							
9	Water		Short	Med	Long	Prob	Dir/Ind	Rev?	
			?	?	?	L	I	Y	
		By safeguarding river and sea transport infrastructure, the policy may help to protect water quality, although this is not certain and more strongly dependent on other policies within the KMWLP.							
10	Waste		Short	Med	Long	Prob	Dir/Ind	Rev?	
			0	0	0				
		No impact on waste from the policy.							

Policy DM 16 Information Required in Support of an Application

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	?			

		No biodiversity impacts predicted.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No climate change impacts predicted								
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on communities or well-being predicted.								
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on sustainable economic growth predicted.								
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on flood risk predicted								
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on land quality predicted								
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on landscape or the historic environment predicted.								
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on transport objectives predicted.								
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on water quality and sustainable water resource management predicted.								
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
No impacts on sustainable waste management objectives predicted.								

Policy DM 17 Planning Obligations

	Sustainability Objective	Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		++	++	?	H	D	Y	

		Planning obligations include the protection, conservation and enhancement of notable and protected species and habitats, the delivery of biodiversity targets and implementation and long-term management of biodiversity net gain. The policy will therefore promote the protection and enhancement of biodiversity.												
2	Climate change	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>+</td> <td>+</td> <td>?</td> <td>L</td> <td>D</td> <td>N</td> </tr> </table> <p>Measures for environmental or community gain may include those designed to provide climate change adaptation benefits, although this is not explicit in the policy.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	+	+	?	L	D	N
Short	Med	Long	Prob	Dir/Ind	Rev?									
+	+	?	L	D	N									
3	Community and well-being	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>++</td> <td>++</td> <td>?</td> <td>H</td> <td>D</td> <td>N</td> </tr> </table> <p>Planning obligations include landscape enhancement, improvements to the public rights of way network, beneficial after-use and recreational and community gain to mitigate effects. The policy also envisages highways and access improvements and traffic management measures, which will help to protect communities from adverse impacts from traffic and congestion. The policy will therefore protect local communities from potential adverse effects and provide additional benefits from enhancements.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++	++	?	H	D	N
Short	Med	Long	Prob	Dir/Ind	Rev?									
++	++	?	H	D	N									
4	Sustainable economic growth	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>++/-</td> <td>++/-</td> <td>?</td> <td>H</td> <td>D</td> <td>Y/N</td> </tr> </table> <p>For large waste developments, the policy allows for conditions on the use of local workforce and provision of apprenticeships and training, which will provide local employment opportunities and appropriate training, boosting local economies. It also envisages economic gain to mitigate or compensate for effects of development. Other measures include highways and access improvements and extraction in advance of development, which will support economic growth albeit not necessarily sustainable growth.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++/-	++/-	?	H	D	Y/N
Short	Med	Long	Prob	Dir/Ind	Rev?									
++/-	++/-	?	H	D	Y/N									
5	Flood risk	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>?</td> <td>?</td> <td>?</td> <td>L</td> <td></td> <td>N</td> </tr> </table> <p>The policy does not address potential impacts on flood risk therefore adverse impacts are possible but dependent on conditions at particular sites. The policy should seek measures for improvement of flood risk where practicable.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	?	?	L		N
Short	Med	Long	Prob	Dir/Ind	Rev?									
?	?	?	L		N									
6	Land	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>+</td> <td>+</td> <td>?</td> <td>M</td> <td>D</td> <td>N</td> </tr> </table> <p>Planning obligations include the establishment or maintenance of beneficial after-use, therefore the policy is likely to protect land quality in the long term, although this is dependent on the afteruse provided for and therefore the significance of effects is uncertain.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	+	+	?	M	D	N
Short	Med	Long	Prob	Dir/Ind	Rev?									
+	+	?	M	D	N									
7	Landscape and the historic environment	<table border="1"> <tr> <td>Short</td> <td>Med</td> <td>Long</td> <td>Prob</td> <td>Dir/Ind</td> <td>Rev?</td> </tr> <tr> <td>++/0</td> <td>++/0</td> <td>?</td> <td>M</td> <td>D</td> <td>N</td> </tr> </table> <p>Planning obligations include landscape enhancement and archaeological investigation, analysis, reporting, publication and archive deposition. The policy</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++/0	++/0	?	M	D	N
Short	Med	Long	Prob	Dir/Ind	Rev?									
++/0	++/0	?	M	D	N									

		will therefore help to secure enhancements to landscape and archaeological assets. The policy should also include a reference to protection and enhancement of other heritage assets and avoidance of light pollution.												
8	Transport	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>++/0</td> <td>++/0</td> <td>?</td> <td>M</td> <td>D</td> <td>N</td> </tr> </table> <p>Planning obligations include highways and access improvements and traffic management measures and therefore will help to avoid adverse impacts on sensitive parts of the road network. The policy should also include reference to use of non-road modes of transport where practicable.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++/0	++/0	?	M	D	N
		Short	Med	Long	Prob	Dir/Ind	Rev?							
++/0	++/0	?	M	D	N									
9	Water	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>?</td> <td>?</td> <td>L</td> <td></td> <td></td> </tr> </table> <p>Impacts on water quality and availability are uncertain. Planning obligations include provision of alternative water supply should existing supplies be affected, but other water quality and availability measures are not included. The policy should include obligations regarding the protection and improvement of water quality and levels.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	?	?	L		
		Short	Med	Long	Prob	Dir/Ind	Rev?							
?	?	?	L											
10	Waste	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>++</td> <td>++</td> <td>?</td> <td>H</td> <td>D</td> <td>Y</td> </tr> </table> <p>By including planning obligations to protect and enhance the environment and communities, the policy supports sustainable waste management objectives.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	++	++	?	H	D	Y
		Short	Med	Long	Prob	Dir/Ind	Rev?							
++	++	?	H	D	Y									

Policy DM 18 Land Stability

Sustainability Objective	Comments												
1 Biodiversity	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>?</td> <td>?</td> <td>?</td> <td>M</td> <td>D</td> <td>Y</td> </tr> </table> <p>The potential effect on biodiversity is unclear. The supporting text indicates that where instability is possible, a stability report should accompany an application which considers possible effects on conservation interest and any remedial measures, which must be environmentally acceptable, although the significance of any impacts is uncertain.</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	?	?	?	M	D	Y
	Short	Med	Long	Prob	Dir/Ind	Rev?							
?	?	?	M	D	Y								
2 Climate change	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>0</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> </table> <p>No effect on climate change</p>	Short	Med	Long	Prob	Dir/Ind	Rev?	0	0	0			
	Short	Med	Long	Prob	Dir/Ind	Rev?							
0	0	0											
3 Community and well-being	<table border="1"> <tr> <th>Short</th> <th>Med</th> <th>Long</th> <th>Prob</th> <th>Dir/Ind</th> <th>Rev?</th> </tr> <tr> <td>+</td> <td>+</td> <td>?</td> <td>H</td> <td>D</td> <td>N</td> </tr> </table>	Short	Med	Long	Prob	Dir/Ind	Rev?	+	+	?	H	D	N
	Short	Med	Long	Prob	Dir/Ind	Rev?							
+	+	?	H	D	N								

		By preventing land instability, the policy will protect local communities from potential adverse effects, public stress and improve mental health and well-being.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
		The cost of mitigation of unstable land may be significant in the short term, but this will offset costs of future remediation which may be greater. The significance is uncertain and dependent on conditions at a particular site.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	Y
		Impacts on flood risk are uncertain. Measures to stabilise land may affect groundwater movement and therefore may change flood risk on site or elsewhere, either positively or negatively, although the significance of effects is dependent on local conditions. The policy or supporting text should ensure flood risk is accounted for when addressing land instability from groundwater movement and dewatering.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	H	D	Y
		The supporting text indicates that developments may need to have a stability report and ensure environmentally acceptable mitigation measures are identified. It addresses the physical capability of the land, impacts on adjacent land as well as amenity and conservation interests. Adverse impacts on land are therefore unlikely.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	M	D	Y
		By preventing land instability, the policy will prevent potential adverse impacts on landscape and the historic environment although the likelihood and significance of these are dependent on local conditions and sensitivities. Measures to ensure stability may have adverse impacts on landscape and/or historic assets, although the supporting text indicates that any mitigation measures must be environmentally acceptable, therefore adverse impacts on landscape and historic environment are unlikely.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0	L	I	Y
		No direct effect on transport from the policy. By ensuring land stability the policy will help to protect transport infrastructure, however the significance of impacts is uncertain and dependent on local conditions.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
		Impacts on water quality and availability are uncertain. Measures to stabilise land may affect groundwater movement and therefore may affect water levels and quality on site or elsewhere, either positively or negatively, although the					

		significance of effects is dependent on local conditions. The policy or supporting text should ensure water quality is accounted for when addressing land instability from groundwater movement and dewatering.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No impact on sustainable waste management.					

Policy DM 19 Restoration, Aftercare and After-use

Sustainability Objective		Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	++	++	H	D	Y
		The policy is likely to have positive impacts for the restoration of biodiversity, requiring maximum net gain unless outweighed by other considerations and requiring the meeting or exceeding of biodiversity targets. It incorporates many different aspects of establishing and improving biodiversity including native woodland, shrubs and hedges, as well as proposing targets for biodiversity gain in relation to Kent Biodiversity Opportunity Areas and Greater Thames Marshes Nature Improvement areas. Biodiversity benefits can also be secured through creation of water bodies, which is noted in the supporting text. The supporting text indicates that geological features may be retained, adding to knowledge and understanding of local geology.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	++	++	H	D	N
		The policy will be highly beneficial for climate change by restoring the biodiversity, soil quality, habitat management etc. which will increase carbon capture and sequestration, improving local air quality and helping to reduce greenhouse gases and their effects.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	++	++	H	D	Y
		The policy will be beneficial for the community, providing for afteruses that benefit Kent’s communities socially, economically or environmentally, although enhanced opportunities for access and recreation are not specifically encouraged. Well-planned restoration will increase mental and physical health by allowing increased access to outdoor recreation and improving the quality of local countryside. Adverse effects are unlikely.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	I	Y
		The policy is likely to have a positive effect on promoting sustainable economic growth: restoring the site will attract visitors to the countryside and promote local businesses and economies as well as potentially making the area more					

		attractive for prospective homeowners, which could boost local housing markets.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	Y
		The policy requires restoration measures to incorporate flood risk mitigation opportunities, as well as the installation of drainage, therefore it is likely to avoid increases in flood risk. The policy would be more beneficial with the addition of measures to reduce flood risk where practicable.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	++	++	H	D	N
		The policy requires high standards of restoration and aftercare of sites, usually to a level at least equivalent to that which it was before development. This may be restored to agricultural use; therefore the best and most versatile agricultural land should be protected in the long term. Removal of all buildings, plant and structures not necessary for the management of the site will restore long-term openness on Green Belt land, if applicable to the site.					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	++	++	H	D	N
		The policy requires landscape opportunities and heritage and landscape features to be addressed in restoration plans. A site-based landscape strategy is required and therefore the policy is likely to support protection of landscape and historic assets. The supporting text indicates that industrial archaeological and landscape features may be retained, adding to the historic value of the site and protecting landscape features. Information could be added to the supporting text referring to priorities for landscape enhancements identified in the Landscape Characterisation Assessments and for green space in the Kent Growth and Infrastructure Strategy.					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	Y
		The supporting text indicates that soil importation will be permitted only if necessary. In most cases soil will be required to be reused on site. This will help to reduce the need for additional transport of soils.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	Y
		The policy proposes a programme of aftercare which includes field drainage, irrigation, and watering facilities. The supporting text indicates that plans for biodiversity can include restoration to a water body for biodiversity or recreational benefit.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	H	D	N
		The policy supports the landfill of waste for restoration purposes. While this is does not support the movement of waste up the waste hierarchy, the hierarchy					

	may be departed from if wider environmental benefits can be secured and therefore is in accordance with its principles in such a case.
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Policy DM 20 Ancillary Development

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	?	?	
		The policy envisages that there may be environmental impacts and therefore biodiversity impacts are possible if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	I	N	
		The policy envisages that there may be environmental impacts and therefore climate change impacts are possible if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	?	?	
		The policy envisages that there may be impacts on communities if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	?	M	D	N	
		By allowing ancillary development that would allow the main development to proceed, the policy supports the minerals and waste industries which in turn support economic growth, although the sustainability of operations is unknown.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	?	?	
		The policy envisages that there may be environmental impacts and therefore impacts on flood risk are possible if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	?	?	
		The policy envisages that there may be environmental impacts and therefore impacts on land quality are possible if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	?	?	
		The policy envisages that there may be environmental impacts and therefore impacts on landscape and the historic environment are possible if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.						

8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	?	?
The policy envisages that there may be environmental and community impacts and therefore effects from waste and minerals transport on the environment and communities are possible if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.							
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	?	?
The policy envisages that there may be environmental impacts and therefore impacts on water quality and availability are possible if these are outweighed by other benefits. The likelihood and significance of these impacts are unknown.							
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	?
The policy envisages that there may be environmental and community impacts if these are outweighed by other benefits, which would be contrary to sustainable waste management objectives. The likelihood and significance of these impacts are unknown.							

Policy DM 21 Incidental Mineral Extraction

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	Y
The policy permits incidental mineral extraction provided only that it is for a temporary period. Adverse impacts on biodiversity are possible, although the significance depends on conditions at particular sites and therefore is unknown at this stage. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment.							
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
The policy permits incidental mineral extraction provided only that it is for a temporary period, therefore adverse impacts on greenhouse gas emissions are possible. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment.							
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	Y
The policy permits incidental mineral extraction provided only that it is for a temporary period. Adverse impacts on communities are possible, although the significance depends on conditions at particular sites and therefore is unknown at this stage. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on communities.							
4		Short	Med	Long	Prob	Dir/Ind	Rev?
		++/-	++/-	?	H	D	N

	Sustainable economic growth	By facilitating incidental mineral extraction, the policy will support extraction of materials to support economic growth. However, extraction of primary mineral resources is not sustainable.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	Y	
		The policy permits incidental mineral extraction provided only that it is for a temporary period. Adverse impacts on flood risk are possible, although the significance depends on conditions at particular sites and therefore is unknown at this stage. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	Y	
		The policy permits incidental mineral extraction provided only that it is for a temporary period. Adverse impacts on the best and most versatile land and on Green Belt are possible, although the significance depends on conditions at particular sites and therefore is unknown at this stage. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment.						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	Y/N	
		The policy permits incidental mineral extraction provided only that it is for a temporary period. Adverse impacts on landscape and the historic environment are possible, including from light pollution, although the significance depends on conditions at particular sites and therefore is unknown at this stage. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	Y	
		The policy permits incidental mineral extraction provided only that it is for a temporary period. Adverse impacts on sensitive areas from transport are possible, although the significance depends on conditions at particular sites and therefore is unknown at this stage. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment.						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	Y/N	
		The policy permits incidental mineral extraction provided only that it is for a temporary period. Adverse impacts on water quality and availability are possible, although the significance depends on conditions at particular sites and therefore is unknown at this stage. The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment.						
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	?	
		The supporting text indicates that unacceptable adverse impacts on the environment or communities will not be permitted, which supports sustainable waste management objectives. However, the policy does not require this. The policy should make clear that such developments will be required to have no						

		unacceptable adverse impacts on the environment or communities.
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Policy DM 22 Enforcement

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No biodiversity impacts predicted.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No climate change impacts predicted						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on communities or well-being predicted.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on sustainable economic growth predicted.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on flood risk predicted						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on land quality predicted						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on landscape or the historic environment predicted.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on transport objectives predicted.						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on water quality and sustainable water resource management predicted.						
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	?				
		No impacts on sustainable waste management objectives predicted.						



Appendix C: Consideration of 'Do Nothing' Option for Policies as Proposed

Policy reference in adopted KMWLP	Change and rationale	Is a 'do nothing' option reasonable?
CSM 1	Policy and supporting text require review to ensure consistency with national policy and that the wording in the policy is effective. Reference to 'associated Planning Practice Guidance' should be deleted.	No. Change for consistency with national policy.
CSM 2	The policy also sets out how sites will be selected in the Minerals Sites Plan. This is now in existence as an adopted plan. It is therefore considered that the specific reference to the 'Minerals Sites Plan' should be deleted in the sub-title and the first sentence of the policy prior to the criteria that will be used to screen sites for suitability for identification as future allocations. The requirement quanta for aggregate have been updated in light of the new plan period and changes to sales averages.	No. MSP is now in existence.
CSM 3	The policy is deleted because planning permission has been granted and implemented.	No. The policy is redundant because planning permission has been granted and implemented.
CSM 4	No change	No
CSM 5	No change	No
CSM 6	No change	No
CSM 7	No change	No
CSM 8	Remove reference to sites being identified in a Minerals Sites Plan and replace the maintenance of 'at least 2.7mtpa' over the remainder of the plan period with 4.0mtpa, which is the existing production capacity to be maintained.	No. MSP is now in existence and to reduce capacity for secondary and recycled aggregates would be contrary to national policy and sustainable development principles.
CSM 9	The Policy is no longer consistent with national policy and needs to be updated due to a change in the National Planning Policy Framework involving deletion of the term 'small scale'. The policy should also be updated to reflect the fact that stone is extracted in Kent to main historic buildings beyond the County. The third criterion in the policy should be deleted to avoid inconsistency with those development management policies in the Plan intended to achieve the same aim which are applied to all forms of mineral and waste development.	No. Changes are to ensure consistency with other policy and to reflect current market practices.
CSM 10	Change to supporting text to be consistent with national policy	No.

Policy reference in adopted KMWLP	Change and rationale	Is a 'do nothing' option reasonable?
CSM 11	Change to supporting text to reflect likely EIA requirements	No.
CSM 12	Change to supporting text to make reference to carbon neutrality and sustainability.	No. Change is for consistency with international policy.
CSW 1	Change to policy to ensure consistency with national policy.	No. Change is for consistency with national policy.
CSW 2	Change to policy to clarify requirement for sustainability and compliance with waste hierarchy.	No. Change is for clarity and consistency with national policy.
CSW 3	Update to the policy and supporting text are necessary to ensure development comes forward in a way which is consistent with circular economy principles. The supporting text should be updated to confirm how developers may be required to make financial contributions for the provision of capacity required to manage the additional household waste arising.	No. Policy change is required to ensure consistency with national policy and supporting text clarifies purpose of financial contributions.
CSW 4	An amendment to the target for non-inert Construction, Demolition and Excavation waste such that it is expressed as % of the non-inert fraction only. Updates to the supporting text which set out issues concerning the management of waste in Kent area are recommended to cover the need for the development of additional Local Authority Collected Waste transfer capacity. Removal of text which states that Kent will provide capacity to manage waste from London, to be consistent with The London Plan.	No. The update to the target calculation is a more accurate measure of performance of non-inert CD&E waste management. No. The update to the supporting text reflects the need for additional transfer capacity. No. The London Plan states that London will be net self-sufficient by 2026.
CSW 5	Deleted because capacity for landfill of air pollution control residues is not consistent with the waste hierarchy and options for management which are more preferred than landfill are now available.	Yes. Site allocation could be retained to cater for a larger catchment area though this may still be contrary to the waste hierarchy.
CSW 6	Updates to the policy are required to ensure consistency within the Plan and with national policy on heritage assets, the setting of AONBs and heat users.	No
CSW 7	Policy CSW7 should be updated to avoid duplication with policies CSW2 and CSW8. Further changes to policy CSW7 are considered necessary to ensure it is effective and consistent with national policy.	No
CSW 8	Changes to policy to reflect national policy, agreed sectoral targets and the County Council Climate Emergency Statement. Other changes to clarify use of terms 'other recovery' and 'residual non-hazardous waste'.	No
CSW 9	The policy could be strengthened to ensure proposals consider how methane will be captured and utilised while a non-inert landfill site is operational.	No. Change supports national policy on methane management and principles of

Policy reference in adopted KMWLP	Change and rationale	Is a 'do nothing' option reasonable?
	Other policy wording changes to strengthen discouragement of the landfill of waste.	sustainable waste management.
CSW 10	A minor update to the text of criterion 1 is required to ensure it is clear and effective. Updates to criteria 2 and 3 are needed to avoid duplication and ensure the most efficient use of methane gas is promoted.	No. Changes clarify the policy and support efficient methane use.
CSW 11	Changes to the supporting text and policy are needed to ensure that the policy provides more flexibility for deposit to land options for inert waste, and disposal, via landfill, of inert waste is not promoted.	No. Changes are to allow for acceptable uses of inert waste on land and to avoid promotion of disposal to landfill, in line with national policy and regional Joint Position Statement.
CSW 12	Policy change to remove requirement for net self-sufficiency in hazardous waste and to allow consideration of replacement hazardous landfill capacity to ensure internal consistency within the KMWLP.	No. Changes are to be consistent with national policy and consistent cross-referencing within the KMWLP.
CSW 13	No change	No
CSW 14	No change	No
CSW 15	Amendment to supporting text to remove reference to locational criteria not within policy. Changes to policy to discourage disposal without treatment and promote recovery and use of biogas.	No. Changes support principles of sustainable waste management and greenhouse gas capture and use as fuel.
CSW 16	The text of Policy CSW16 should be updated to remove the reference to the Waste Sites Plan and to expand the scope of safeguarded sites.	No. The Waste Sites Plan does not exist and safeguarded sites should include those with temporary permissions for the duration of the permission.
CSW 17	Changes to policy to allow for use of low-level and very low level radioactive waste for backfilling of voids from demolition of structures on site.	No. Change is to provide consistency with national policy.
CSW 18	Change to remove requirement for some waste to arise within Kent	No. Change is to provide consistency with national policy.
DM 1	Policy DM1 should be updated to reflect more stringent targets and policy relating to mitigation and adaptation to climate change and other related updates to national planning policy.	No. Change is to provide consistency with national and local policy.
DM 2	Policy DM2 should be updated to reflect changes to the National Planning Policy Framework on geodiversity and Areas of Outstanding Natural Beauty and law on Biodiversity Net Gain. Inclusion of National Nature Reserves and ancient/veteran trees in nationally important sites. Inclusion of reference in supporting text to Local Nature Recovery Strategies. The supporting text should be updated to refer to the Kent Environment Strategy 2016 and Kent State of the Environment Report 2015.	No. Changes are to provide consistency with national and local policy.

Policy reference in adopted KMWLP	Change and rationale	Is a 'do nothing' option reasonable?
DM 3	The policy wording and supporting text should be updated to reflect the requirements concerning biodiversity net gain. Criterion 5 strengthened to reflect the net-gain objective. Policy DM3 and the supporting text should be updated to reflect changes to the National Planning Policy Framework and regulations on habitats sites.	No. The changes reflect local policy on biodiversity net gain and national policy on habitats sites.
DM 4	No change	No
DM 5	The supporting text of Policy DM5 should be updated to include reference to the Historic England (2015) Historic Environment Good Practice Advice in Planning Notes. The final sentence of Policy DM5 should be updated to add 'unacceptable adverse' before 'impact' to be consistent with the National Planning Policy Framework.	No. Changes reflect national policy.
DM 6	The supporting text of Policy DM5 should be updated to include reference to the Historic England (2015) Historic Environment Good Practice Advice in Planning Notes.	No. The change references national policy.
DM 7	No change	No
DM 8	No change	No
DM 9	Some policy wording is unclear and does not adequately express the intention of the policy.	No. Change is for improved clarity.
DM 10	Policy changed to strengthen protection of groundwater.	Yes. Consider a do nothing option.
DM 11	Addition of impacts from blasting to be consistent with national guidance and impacts from vehicles to be consistent with national policy. Change to clarify requirements regarding surrounding land uses.	No. Changes to be consistent with national policy and guidance and for improved clarity.
DM 12	Change to supporting text to highlight need to consider cumulative impacts of vehicle emissions.	No. Change to supporting text only and to reflect changes to air quality legislation.
DM 13	The policy and supporting text should be updated to ensure effectiveness and consistency with national policy, with regards to the connection between vehicle movements and climate change and sustainable transport initiatives in the National Planning Policy Framework.	No. Change for consistency with national policy.
DM 14	No change	No
DM 15	No change	No
DM 16	Supporting text amended to refer to habitats sites.	No. Supporting text change for consistency with national policy.
DM 17	Change to policy wording to refer to targets in Kent Biodiversity Strategy and actions in Kent Rights of Way Improvement Plan.	No. Change for consistency with local policy.
DM 18	Additional supporting text to explain issues regarding land stability.	No. Change for information.

Policy reference in adopted KMWLP	Change and rationale	Is a 'do nothing' option reasonable?
DM 19	Change to policy to reflect national and local policy on biodiversity net gain and referencing targets in local strategies and plans. Addition of reference to financial guarantees to reflect national policy.	No. Change for consistency with national and local policy.
DM 20	Addition of consideration of community impacts for consistency with national policy.	No. Change for consistency with national policy.
DM 21	No change	No
DM 22	Removal of reference to EU legislation	No. Change for consistency with national policy.

Appendix D: Detailed Findings of Appraisal of Alternatives to Updated KMWLP as Proposed

Key:

Impacts	Probability of effects	Direct or indirect effects	Reversibility
++ significant positive effect	L low probability	D direct effect	Y reversible effect
+ some positive effect	M medium probability	I indirect effect	N not reversible i.e. permanent effect
0 no effect	H high probability		
- some adverse effect			
-- significant adverse effect			
? uncertain effect			

Where multiple symbols are shown separated by '/', this is to indicate that more than one type of effect is predicted

Option A: Allocate sites for waste management

	Sustainability Objective	Comments						
		Short	Med	Long	Prob	Dir/Ind	Rev?	
1	Biodiversity	?	?	?	L	D	N	Allocation of sites may have adverse impacts on biodiversity, but these will be dependent on the nature, scale and location of sites which is unknown.
2	Climate change	+	+	+	M	D	N	Allocation of waste sites could have positive or negative impacts on climate change, although the likelihood of impacts is not certain. Waste management facilities may be built that replace existing capacity but which are better located than existing facilities, which would reduce the amount of waste transport required. It is also possible that facilities are built which add to existing capacity which then need to source waste streams from outside the county, which would increase greenhouse gas emissions from waste transport. Alternatively, if there are insufficient local sources of waste, the facilities may simply not be built. However, if the primary reason for building new facilities is to improve the distribution in relation to sources of arisings and onward management, then positive impacts on climate change are most likely to occur.
3	Community and well-being	+	+	+	M	D	N	

		<p>Allocation of sites for waste management may have adverse impacts on communities in the locality of sites from waste management activities and from waste transport, but these will be dependent on the nature, scale and location of sites which is unknown.</p> <p>Allocation of waste sites may increase or decrease the distance waste is transported and therefore associated impacts on air quality from vehicle emissions, although the likelihood of impacts is not certain. Waste management facilities may be built that replace existing capacity but which are better located than existing facilities, reducing the amount of waste transport required and potential adverse impacts on air quality from vehicle emissions. It is also possible that facilities are built which add to existing capacity which then need to source waste streams from outside the county, increasing the distances that waste is transported which could have impacts on air quality. Alternatively, if there are insufficient local sources of waste, the facilities may simply not be built. However, if the primary reason for building new facilities is to improve the distribution in relation to sources of arisings and onward management, then positive impacts on air quality are most likely to occur.</p>						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	M			
		<p>Allocation of waste sites which are not required for Kent's waste may increase the economic contribution of the waste sector to Kent's economy although the likelihood of impacts is not certain. Waste management facilities may be built that then source waste streams from outside the county, so bringing an economic resource into the county. Alternatively, if there are insufficient local sources of waste, the facilities may simply not be built. However, if the primary reason for building new facilities is to improve the distribution in relation to sources of arisings and onward management by replacing existing capacity, then positive impacts on the economy from importing waste as a resource are unlikely to occur.</p>						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	N	
		<p>Allocation of waste sites may have adverse or beneficial impacts on flood risk in the locality of sites, but these will be dependent on the nature, scale and location of sites which is unknown.</p>						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	N	
		<p>Allocation of waste sites may have adverse impacts on the efficient use of land and on sensitive locations, but these will be dependent on the nature, scale and location of sites which is unknown.</p>						
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	D	N	
		<p>Allocation of waste sites may have adverse impacts on landscape and historic assets, but these will be dependent on the nature, scale and location of sites which is unknown.</p>						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		+	+	+	M	D	N	

		Allocation of waste sites may increase or decrease the distance waste is transported, although the likelihood of impacts is not certain. Waste management facilities may be built that replace existing capacity but which are better located than existing facilities, reducing the amount of waste transport required. It is also possible that facilities are built which add to existing capacity which then need to source waste streams from outside the county, increasing the distances that waste is transported. Alternatively, if there are insufficient local sources of waste, the facilities may simply not be built. However, if the primary reason for building new facilities is to improve the distribution in relation to sources of arisings and onward management, then positive impacts on transport are most likely to occur.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	D	N
		Allocation of waste sites may have adverse impacts on water quality and availability, but these will be dependent on the nature, scale and location of sites which is unknown.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		+	+	+	M	D	N
		Allocation of waste sites may increase or decrease the distance waste is transported, with consequent effects on human health and the environment from emissions, noise and congestion, although the likelihood of impacts is not certain. Waste management facilities may be built that replace existing capacity but which are better located than existing facilities, reducing the amount of waste transport required and supporting the objective of managing waste closer to its place of production. It is also possible that facilities are built which add to existing capacity which then need to source waste streams from outside the county, increasing the distances that waste is transported which could have impacts on human health and the environment and managing waste distant from its place of production. Alternatively, if there are insufficient local sources of waste, the facilities may simply not be built. However, if the primary reason for building new facilities is to improve the distribution in relation to sources of arisings and onward management, then positive impacts on sustainable waste management are most likely to occur.					

Option B: Do not strengthen groundwater protection in policy DM 10

	Sustainability Objective	Comments					
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?
		-	-	-	M	D	N
		Not strengthening the protection of groundwater could have an adverse impact on biodiversity from the risk of groundwater pollution.					
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on climate change.					
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			

		Unlikely to affect communities or wellbeing.					
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	-	-	L	D	N
		Not strengthening protection of groundwater could have an adverse impact on sustainable economic growth in the medium to long term, as the risks of groundwater pollution will be higher and water for abstraction is likely to require additional treatment before use, leading to higher treatment costs and higher cost of water supply. The significance of effects is dependent on where sites are located in relation to sensitive water bodies.					
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Not likely to have an impact on flood risk.					
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		Not likely to affect land quality					
7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on landscape and the historic environment					
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No impact on transport.					
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?
		?	?	?	L	I	N
		By not strengthening the protection of groundwater, the policy would fail to protect groundwater resources outside currently designated Source Protection Zones, and particularly aquifers that could be used for abstraction in the future. The policy would still require protection of any waterbody, although would not specifically mention aquifers. The policy would not require protection of waterbodies hydrogeologically connected to the site, nor would it require hydrological assessment of the effects on the water environment, resulting in more limited protection and assessment than would be the case with the policy as proposed to be amended.					
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?
		0	0	0			
		No effect on sustainable waste management.					

Option C: Retain policy CSW 5 Strategic Site for Waste

Sustainability Objective		Comments						
1	Biodiversity	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0/?	0/?	0/?	H	D	Y	
		The site is 2.3km from the Swale SPA and Ramsar and 4.6km from the Medway Estuary and Marshes Ramsar. The policy would require an assessment of the impacts on the sites and mitigation if necessary, therefore adverse impacts would be avoided but more likely to occur than if the site was not developed. The site is also 2.3km from Elmley NNR and Swale SSSI and 1.3km from Sheppey Cliffs and Foreshore SSSI, all of which are dealt with under policy DM 2. Adverse impacts would therefore be possible but unlikely to occur.						
2	Climate change	Short	Med	Long	Prob	Dir/Ind	Rev?	
		-	-	-	M	D	N	
		By retaining the site allocation, the policy may promote the import of air pollution control residues from a larger catchment area than Kent. This would encourage transport of waste with associated increases in greenhouse gas emissions, exacerbating climate change impacts.						
3	Community and well-being	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	H	D	N/Y	
		The site is directly adjacent to Norwood Manor and 300m from properties along Eastchurch Road and Oldhook Manor on Lower Road. Health and amenity impacts will be managed under policy DM 11 and therefore adverse impacts would be possible but unlikely.						
4	Sustainable economic growth	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	L	I	Y	
		Retaining the allocation could hinder the development of alternative treatment solutions for flue ash, which would otherwise provide a more sustainable way of managing the by-product of incineration and could create economic opportunities from the waste stream. However, it is also possible that alternative uses will be developed and implemented regardless of the availability of landfill capacity.						
5	Flood risk	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	?	H	D	Y	
		The site is crossed by lines of increased risk of flooding from surface water, therefore adverse impacts would be possible. Flood risk is controlled by policy DM 10 Water Environment which requires developments not to exacerbate flood risk, therefore adverse impacts would be unlikely.						
6	Land	Short	Med	Long	Prob	Dir/Ind	Rev?	
		?	?	0	M/H	D	Y	
		The site is grade 3 agricultural land and therefore adverse impacts on the best and most versatile agricultural land would be possible. However, the policy would require restoration to a high standard therefore would be likely to be returned to high quality land in the long term.						

7	Landscape and the historic environment	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0/?	0/?	0	M	D	N	
		The site is not close to any designated assets and therefore adverse effects would not be likely. The policy would require restoration to a high standard that accords with the local landscape character and therefore any adverse effects on local views in the short or medium term would be removed.						
8	Transport	Short	Med	Long	Prob	Dir/Ind	Rev?	
		-	-	-	M	I/D	N	
		By retaining the site allocation, the policy may promote the import of air pollution control residues from a larger catchment area than Kent. This would encourage transport of waste with associated increases in impacts including emissions to air, demand for transport infrastructure and noise. There may be impacts on congestion on the local road network from traffic accessing the site, particularly in combination with other developments in the local area.						
9	Water	Short	Med	Long	Prob	Dir/Ind	Rev?	
		0	0	0	M	I	N	
		The policy would be unlikely to have a significant effect on water quality and availability. Any potential effects would be controlled by policy DM 10 Water Environment.						
10	Waste	Short	Med	Long	Prob	Dir/Ind	Rev?	
		-/0	-/0	-/0	M	D	N	
		By facilitating landfill of hazardous waste, the policy would allow management of waste at the bottom of the waste hierarchy. By providing for landfill capacity for hazardous waste arising from Energy from Waste plants, the policy may facilitate the management of waste removed from its place of production, although national policy recognises that there may be a need for some types of facility which accept waste from other areas. Impacts on human health and the environment will be controlled through other policies.						

Appendix E: Contribution of Other Plans and Strategies to Cumulative Effects

Kent Minerals Sites Plan 2013-30, Kent County Council, September 2020

Arising from the requirement for minerals identified in policy CSM 2 of the adopted KMWLP 2013-30, the Minerals Sites Plan identifies and allocates sites for the extraction of sharp sand and gravel and soft sand as follows:

- Stonecastle Farm Quarry Extensions, Hadlow (M13) – an extension to the existing quarry (total yield of 1,000,000 tonnes), and
- Land at Moat Farm, Five Oak Green (M10) - a proposed new quarry (total yield of 1,500,000 tonnes)
- Chapel Farm (West), Lenham (M3) - a proposed new quarry (total yield 3,200,000 tonnes)

Contribution to Cumulative Effects¹⁴

Each of the sites contain or are adjacent to some form of biodiversity asset or biodiversity value and impacts are possible in each case.

The Minerals Sites Plan is likely to increase emissions of greenhouse gases overall by generating additional HGV movements and increasing the energy requirements for mineral processing on site. However, these are insignificant when considered in the context of emissions from the county as a whole.

Some negative impacts are possible on community wellbeing, mainly due to the potential for negative impacts on residential amenity from operations and transport, and also on the diversion of footpaths.

The Minerals Sites Plan will help to contribute to economic growth by providing a supply of minerals to support construction and potentially other economic sectors that depend on aggregates. By facilitating the extraction of primary aggregates, the Minerals Sites Plan is exploiting a non-renewable resource, which cannot be considered sustainable.

Two of the minerals sites lie within Flood Zone 3. In these cases, it must be demonstrated that development can take place without adversely affecting flood risk and where possible contributing to a reduction in overall flood risk.

There is the potential for the sites to have limited impacts on landscape and on the historic environment.

¹⁴ Findings from Sustainability Appraisal of Minerals Sites Plan, Amey, November 2020

The scale of the cumulative impact of the MSP on traffic is not expected to be great given the predicted number of movements and the context of all traffic movements in the county.

Each of the minerals sites have the potential for significant impacts on hydrology/hydrogeology and water quality.

Contribution to Cumulative Effects

Each of the mineral sites is sufficiently distant from the site allocated in CSW 17 that no cumulative impacts are expected in combination with the KMWLP.

Kent Joint Municipal Waste Management Strategy 2018/19 to 2020/21, Kent Resource Partnership, 2019

The Kent Resource Partnership (KRP) will support the transformation of Kent into a circular economy, where the value of material resources flowing into and through the region are retained, generating employment, skills and training opportunities, and realising wider economic, environmental, health and wellbeing benefits for the local and regional community and beyond.

The KRP is committed to delivering efficiency and quality in resource management and waste services, with focus on: -

- Maximising the 'value' of resources that we manage from households, in terms of realising the social, environmental and economic opportunities;
- Providing the best possible value for money service to the Kent taxpayer, taking into account whole service costs;
- Realising opportunities to improve services now and in the future through engagement, collaboration and working in partnership with the supply chain; and
- Supporting future thinking through ongoing research and evidence that will facilitate the transition into a circular economy for Kent.

Up until 2020/21, the KRP will achieve a year on year reduction to its Kent-wide residual household waste per household (kg/h'hold) tonnage.

By 2020/21, the KRP will:

- recycle and compost at least 50% of household waste tonnage
- ensure no more than 5% of Kent's municipal waste ends at landfill.

- develop a joint approach to facilitate the procurement of third sector/reuse providers/charities in managing and delivering a reuse service for bulky waste.

The KRP will explore the possibility of implementing recycling on-the-go initiatives, and other similar activities aimed at recovering resources. Additionally, the KRP will look to engage and work with the supply chain to deliver recycling on-the-go in key areas.

The KRP will publish its Materials End Destinations Publication on an annual basis and continue its transparent approach to reflect where all material resources end up.

Contribution to Cumulative Effects

The Joint Municipal Waste Management Strategy will promote sustainable economic growth by maximising the resources gained from waste materials and assisting the transition to a circular economy in Kent.

By reducing the amount of waste generated and increasing recycling and composting, the strategy will encourage reduced greenhouse gas emissions from waste management which will help to reduce the pressures on biodiversity and communities from climate change impacts. It will also promote a more sustainable economy. Minimising landfill will avoid potential landscape and water quality impacts and impacts on communities from new landfill sites.

Local Transport Plan 4: Delivering Growth Without Gridlock 2016-2031, Kent County Council

The Council's strategic transport priorities include the following:

- Enabling Growth in the Thames Estuary with a range of measures including Crossrail extension to Dartford and Ebbsfleet and an expanded Fastrack bus network.
- **Bifurcation of Port Traffic:** traffic for the Eastern Docks would be encouraged to use the M2/A2. Bifurcation will also facilitate growth of Whitfield, Folkestone, Ashford and Maidstone by releasing capacity on the M20.
- **Port Expansion:** The Western Docks will provide a cargo terminal with a port-centric distribution centre, allowing the existing cargo operations to move out of the Eastern Docks so a dedicated ferry terminal and an increase in freight vehicle space can be delivered. The Port of London has set its goal to become the busiest it has ever been by 2035, including greater use of the Thames wharves for river transport of freight that will take up to 400,000 lorries of the region's roads. The Port of Sheerness largely handles bulk goods and also has significant expansion plans. The Port of Ramsgate has potential for growth and could also contribute to the strategic priority of bifurcation.

- A Solution to Operation Stack: delivery of a Lorry Area that will reduce the need to use the M20 to queue freight vehicles during times of disruption to cross-Channel services

Transport schemes that have a countywide impact (particularly in terms of supporting sustainable travel) are:

- Kent Thameside Local Sustainable Transport Fund (£4.5m LGF funding), a capital programme of works for Dartford and Gravesham delivering schemes to promote the use of alternative modes of transport to the private car, e.g. cycle parking, cycle and walking routes and bus infrastructure.
- West Kent Local Sustainable Transport Fund (£4.9m LGF funding), a capital programme of works delivering schemes to promote the use of alternative modes of transport to the private car, including Snodland Station forecourt, Tonbridge Station access improvements, Maidstone East Station improvements and Swanley Station improvements.
- 'Smart' (managed) motorway to increase capacity on the M20 and M26.

Priorities for Maidstone include M20 junctions 3 to 5 'smart' (managed) motorway system.

Contribution to Cumulative Effects

Proposed measures are likely to increase capacity on the M20 and M26 and promote greater use of the rail network. Together these measures are likely to reduce the potential for cumulative impacts on the M20 and potentially alleviate air quality impacts on the AQMA, although the balance of effects is not known. Impacts on greenhouse gas emissions are uncertain.

Core Strategy Review, Folkestone and Hythe District Council, March 2022

The Core Strategy Review aims to provide 13,284 new homes for the period 2019/20 to 2036/37, or 738 dwellings per year.

Housing will be delivered through a new sustainable, landscape-led settlement, with supporting town centre and community uses, based on garden town principles in the North Downs Area. The garden town will maximise opportunities arising from the location, access to London and continental Europe and strategic infrastructure. Housing and supporting community uses will also be delivered through growth in Sellindge.

Elsewhere in the district, priority will continue to be given to previously developed land in the Urban Area in Folkestone, for main town centre uses and housing, to enhance the town's role as a sub-regional centre, with opportunity for increased densities within the town centre and maximisation of employment opportunities at key locations.

The Core Strategy aims to regenerate Romney Marsh through a positive approach to sustainable economic development and infrastructure opportunities, and through increasing the strategic role of New Romney town in serving the area, as the key service, health, education and employment hub for the Marsh.

The future spatial priority for new development in the Romney Marsh Area is on accommodating development at the towns of New Romney and Lydd, and at sustainable villages; improving communications; protecting and enhancing the coast and the many special habitats and landscapes, especially at Dungeness; and avoiding further co-joining of settlements and localities at the most acute risk to life and property from tidal flooding.

The strategic growth of New Romney is supported to allow the market town to fulfil its potential to sustainably provide for the bulk of the housing, community infrastructure and commercial needs of the Romney Marsh Area. The development as a whole should provide around 300 dwellings.

The vision for Lydd and St Mary's Bay is that they will have upgraded their appeal and local services to become highly popular to visitors and as places to live, and with flood risks safely managed. The economy in Lydd town will be boosted, capitalising on its historic centre, including by an expansion at Lydd Ranges of defence employment and training, and through residential and commercial investment on key approaches. Dymchurch will continue to be the primary coastal tourist resort for the Marsh, with visitors particularly benefiting from accessibility and environmental improvements. Development which helps to maintain and support the local role of the market town of Lydd can meet priority needs. Opportunities also exist for employment development at London Ashford Airport at Lydd, through the implementation of the existing planning permission. The council acknowledges the positive impact that Lydd Airport could deliver in supporting the regeneration of Romney Marsh and surrounding areas. Should development proposals come forward for the further expansion of London Ashford Airport at Lydd, the council will work with the airport, local community and other stakeholders to prepare and adopt an Action Area Plan for the site.

The Plan identifies that an element of the area allocated for the new garden settlement is protected by a minerals safeguarding designation and notes that there may be a requirement to remove the minerals prior to development. Policy SS8 requires a minerals assessment to be undertaken which examines the practicality and viability of prior extraction.

Contribution to Cumulative Effects

The development of new housing and employment sites and enhancing the vitality of New Romney, Lydd and smaller settlements in the Romney Marsh area will provide housing, employment and services for the needs of local communities. They will also contribute to

increased demand for use of the road network and contribute to increased greenhouse gas emissions. Development at Lydd Airport will also increase demand for road space. This is likely to create cumulative impacts on the road network in Romney Marsh in combination with vehicles accessing the allocated site in policy CSW 17 and may adversely affect air quality in the local area.

Development at the new garden settlement that contains safeguarded mineral resources will be required to assess the practicality and viability of prior extraction. This may have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Maidstone Borough Local Plan, Maidstone Borough Council, October 2017

An expanded Maidstone urban area will be the principal focus for development in the borough. Approximately 1,846 new dwellings will be delivered on 23 sites, with approximately 11,400m² of retail floorspace, approximately 6,000m² of employment floorspace and a medical campus of up to 100,000m² floorspace. Key infrastructure requirements include improvements to highway and transport infrastructure, including junction improvements, capacity improvements and improved pedestrian/cycle access and bus prioritisation measures.

The council and its partners will:

- Ensure the transport system supports the growth projected by Maidstone's local plan and facilitates economic prosperity;
- Deliver modal shift through managing demand on the transport network through enhanced public transport and the continued Park and Ride services and walking and cycling improvements;
- Improve highway network capacity and function at key locations and junctions across the borough;
- Improve transport choice across the borough and seek to influence travel behaviour;
- Address the air quality impact of transport.

A prestigious business park at Junction 8 of the M20 that is well connected to the motorway network will provide for a range of job needs up to 2031. The site will make a substantial contribution to the need for new office space in the borough as well as meeting the 'qualitative' need for a new, well serviced and well connected mixed use employment site suitable for offices, industry and warehousing.

Rural service centres including Harrietsham and Lenham will be a secondary focus for housing development with the emphasis on maintaining and enhancing their role and the provision of services to meet the needs of the local community. Suitably scaled employment opportunities will also be permitted, building on and expanding existing provision in these locations.

In Harrietsham, key services will be retained and supported. In addition to minor development and redevelopment of appropriate sites, approximately 242 new dwellings will be delivered on three allocated sites. Two existing sites are designated as Economic Development Areas in order to maintain employment opportunities in the locality. Key infrastructure requirements for Harrietsham include improvements to highway and transport infrastructure including improvements to the A20 Ashford Road, improvements to Church Road and the provision of additional pedestrian crossing points

At the rural service centre of Lenham, key services will be retained and supported. In addition to minor development and redevelopment of appropriate sites, approximately 155 new dwellings will be delivered on two allocated sites, Tanyard Farm and Glebe Gardens, both to the east of Lenham on the Old Ashford Road. Three existing sites are designated as Economic Development Areas in order to maintain employment opportunities in the locality. Key infrastructure requirements for Lenham include improvements to highway and transport infrastructure including junction improvements, a variety of measures to improve sustainable transport infrastructure, and improvements to pedestrian access. The council will seek to maintain and enhance the existing retail function and supporting community uses in The Square.

Lenham is also identified as a broad location for growth for the delivery of approximately 1,000 dwellings post April 2021. Master planning of the area will be essential to achieve a high quality design and layout, landscape and ecological mitigation, and appropriate provision of supporting physical, social and green infrastructure. Housing site allocations and associated infrastructure requirements will be made through the Lenham Neighbourhood Plan or through the local plan review to be adopted by April 2021. The broad location for growth is on the east side of Lenham, between the current built up area and the Northdown Business Park on the Ashford Road to the west of mineral site M3.

The Local Plan notes safeguarded mineral areas in allocated sites and requires an assessment of viability and practicability of extraction prior to development.

Contribution to Cumulative Effects

Proposed housing and economic development in Maidstone and at junction 8 of the M20 will provide housing, employment and services to meet the needs of communities, contributing to their wellbeing. It will increase traffic on the M20 and through junction 8 of the M20. Policy on managing the transport impacts of development may help to avoid or reduce increased demand for road space. The development of new sites for housing and employment is likely to increase pressures on biodiversity. Greenhouse gas emissions will be increased.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Schedule of Proposed Main Modifications to the Regulation 19 Maidstone Local Plan Review, Maidstone Borough Council, September 2023

Between 2021 and 2038, the Plan makes provision for a minimum of 19,669 new dwellings. Provision is also made for a minimum of 119,250m² employment floorspace and a minimum of 14,360m² of retail, food and beverage floorspace.

The emphasis will be on increasing skilled employment opportunities in the borough alongside developing learning opportunities, having regard to the roles of centres across the borough and existing and improved accessibility patterns:

- Principally within the Maidstone urban area, with a particular focus on the renewal of the town centre, including the Invicta Barracks strategic development location;
- Within two new garden communities at Heathlands and Lidsing;
- With significant employment locations at the former Syngenta Works and Woodcut Farm;
- To a lesser extent at the six rural service centres of Harrietsham, Headcorn, Lenham, Marden, Coxheath and Staplehurst consistent with their range of services and role;
- Limited development at the four larger villages of East Farleigh, Eyhorne Street (Hollingbourne), Sutton Valence and Yalding; and
- To support the sustainable future of smaller villages and hamlets where appropriate.

The Council will seek to ensure that key infrastructure and service improvements needed to support delivery of the Maidstone Borough LPR are brought forward in a coordinated and timely manner. The infrastructure will support the growth projected by the Local Plan to 2031 and LPR by 2037 with a focus on large scale developments, such as proposals at the new garden communities at Heathlands and Lidsing.

Developments within, and with the potential to adversely impact the boroughs AQMA will be required to mitigate their impact, including on human health, having regard to both on-site design and travel patterns and modes of travel.

Maidstone's urban area will be revitalised by the regeneration of key commercial and residential sites and areas of existing deprivation, supported by the creation of employment opportunities, the regeneration of key sites, continued investment in the town centre and improvements to access. The town centre will be regenerated by encouraging a wide range of new development including shops, businesses, residential development, cultural and tourism facilities, and enhanced public spaces for people to enjoy and for activities that will attract residents and visitors.

Delivery of Woodcote Farm, a prestigious business park at Junction 8 of the M20 that is well connected to the motorway network will provide for a range of job needs up to 2038. The site will make a substantial contribution to the need for new office space in the borough as well as providing a new, well-serviced and well-connected mixed use employment site suitable for offices, industry and warehousing, thereby helping to diversify the range of sites available to new and expanding businesses in the borough. Redevelopment of the former Syngenta Works site near Yalding will make a significant contribution to the provision of employment uses, as will the continued build out of the Kent Medical Campus/ Newnham Park site.. A number of smaller sites for employment use are allocated around the borough to accommodate a diverse range of employment types.

Heathlands Garden Community

A new Heathlands Garden Community will provide approximately 5,000 new homes, including 1,400 homes within the period 2029-37. This will become a new sustainably planned place with connected, walkable, vibrant, sociable neighbourhoods for the residents of Heathlands, Lenham, Lenham Heath and Charing in which to live and work. There will be new local jobs, community facilities, schools, cafes shops and leisure facilities. To facilitate healthy lifestyles, high quality connected landscapes and green infrastructure will be provided for exercise, sport, play, walking, cycling, and leisure, sitting alongside facilities for growing food. Pedestrians, cyclists, and public transport will be priorities helping sustainable travel opportunities with convenient and safe linkages within Heathlands, to surrounding communities and to new community facilities. There will be a sensitive transition between the AONB and Heathlands, with a heathland landscape and strong planting in the northern parcels, and landscaped spaces for village greens, parks, commons and naturalistic green spaces throughout. A new Heathlands Rail Station along the Ashford-Maidstone line will be provided to achieve a wider sustainable connected network, providing opportunities for residents and businesses along the A20 corridor. There will be a new District Centre adjacent to a potential new railway station,

including a significant knowledge-based employment offer; two new Local Centres, one as part of the early phases of development, and one as part of later phase, each including an element of employment space; and a minimum of 14 hectares of dedicated new employment land.

Infrastructure requirements include the delivery of an improved or new waste water treatment facility.

The following requirements are identified for transport connections:

- A new rail station will be provided on the Maidstone- Ashford rail line;
- Two new access connections on to the A20 will be provided to the north of the development, forming routes which cross the Maidstone-Ashford rail line to connect with the southern part of the site.
- A highly accessible public transport facility through the site with new bus routes that provide linkages to the new station or existing Lenham Station and between the homes, district and local centres, Lenham secondary school, new schools and other local facilities and adjacent local areas;
- A network of pedestrian and cycle paths throughout the site, linking the district centre and local centres to the housing and employment areas, and beyond to the open countryside and to surrounding settlements, including improved access to off-site PRoWs;
- Impacts to the M20 will be fully assessed and mitigated in accordance with the Monitor and Manage Strategy in co-operation with Kent County Council and National Highways with a particular focus on the development's potential impacts of Junctions 8 and 9, including mitigation scheme at Junction 8.

The western portion of the site is constrained due to an existing minerals allocation and the existing Lenham Wastewater Treatment facility, and these constraints will be addressed through phasing and masterplanning; with the need for phasing to ensure that the minerals allocation is not compromised.

Lidsing Garden Community

The Lidsing Garden Community proposal provides a large, deliverable development that could come forward from the middle years of the LPR period. The site will operate as an urban extension to the Medway urban area, providing 2000 homes and focusing on improving connectivity in south Medway. The site contains the opportunity for a significant employment offer as part of the development mix, and the council considers that this is appropriate given the strategic access granted to the M2 via Junction 4. Improved connectivity will be in the form of a new connection to the M2, enabling improved connections across the Capstone Valley and into Medway. Routes across the site will be significantly improved and particularly a new bus service will link Lordswood & Hempstead, and linking to the Medway town centres, and serving Boxley and Bredhurst, including exploring the potential for diversion through the site. A new Local centre of not less than 1,500m² of retail, leisure and services will be created and 14 Ha of new employment space will be created, focused on the improved motorway access. New half-hourly bus services to be provided between the site and Chatham via North Dane Way. Cycling & walking links throughout the site, and strategically north-south along the Capstone Valley and into the wider Medway area will be created.

Lenham

Approximately 145 new dwellings will be delivered on one allocated site (Tanyard Farm), in addition to six allocations in the Lenham Neighbourhood Plan which will deliver around 1,000 new dwellings.

Two pitches are allocated for Gypsy and Traveller accommodation.

Three existing sites are designated as Economic Development Areas in order to safeguard and maintain employment opportunities in the locality.

One new employment site allocation (Ashford Road) will deliver 2,500m² employment space.

Key infrastructure requirements for Lenham include improvements to highway and transport infrastructure including junction improvements, a variety of measures to improve sustainable transport infrastructure, and improvements to pedestrian access.

Harrietsham

Approximately 100 new dwellings will be delivered at Kielen Manor and land south of A20.

Two existing sites are designated as Economic Development Areas in order to maintain employment opportunities in the locality.

Key infrastructure requirements for Harrietsham include improvements to the A20 Ashford Road, improvements to Church Road and the provision of additional pedestrian crossing points.

The Main Modifications draft of the Plan contains supporting text which notes that the Kent Minerals and Waste Local Plan identifies Mineral Safeguarding Areas whose purpose is to avoid the unnecessary sterilisation of any mineral resources through incompatible development. The policy relating to the Heathlands Garden Community requires phasing of development to ensure full extraction of minerals sites allocations identified in the Kent Minerals and Waste Plan.

Contribution to Cumulative Effects

Proposed housing and economic development in Maidstone and at junction 8 of the M20 and at Heathlands Garden Community and to a lesser extent at Lenham and Harrietsham will provide housing, employment and services to meet the needs of communities, contributing to their wellbeing. It will increase traffic on the A20, M20 and through junction 8 of the M20. Policy on managing the transport impacts of development may help to avoid or reduce increased demand for road space. The development of new sites for housing and employment is likely to increase pressures on biodiversity. Greenhouse gas emissions will be increased.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Lenham Neighbourhood Plan 2017-31, Lenham Parish Council, July 2021

Allocates seven potential development sites to accommodate housing in the Lenham area, to the north east and north west of the Chapel Farm mineral site.

Contribution to Cumulative Effects

Proposed housing development at Lenham will help to address the needs of communities, contributing to their wellbeing. The sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Adopted Local Plan, Ashford Borough Council, February 2019

A total housing target of 13,118 net additional dwellings applies for the Borough between 2018 and 2030. The majority of new housing development will be at Ashford and its periphery, as the most sustainable location within the Borough based on its range of services and facilities, access to places of employment, access to public transport hubs and the variety of social and community infrastructure available. In addition to existing commitments, new land allocations to deliver 4,872 dwellings are proposed.

Job growth and economic prosperity will be supported in order to enable the achievement of a sustainable economy with the intention to deliver 63 hectares of new employment land and a total of 11,100 jobs in the Borough between 2014-30.

A regenerated Ashford Town Centre will significantly expand its leisure, cultural, educational and residential offer. A new Commercial Office Quarter next to the railway station will be a major economic impetus for the area, helping to substantially increase employment, trigger more spending in the town centre economy, and improve wage rates and skills levels.

The other rural service centres, including Charing, will remain important providers of local shops and services, whilst delivering new development of a scale appropriate to the individual characteristics of the settlement. Smaller rural settlements will also provide smaller scale new development, to help sustain local communities.

Land at Northdown Service Station in Charing is proposed for residential development for up to 20 dwellings. Development proposals for this site shall provide vehicle access onto the A20 Maidstone Road.

The land south of the Arthur Baker playing fields in Charing is proposed for residential development, up to 35 units. Development proposals for this site shall provide a vehicular, pedestrian and cycle link from the A20 through the site to the adjoining Arthur Baker playing fields and be designed to include a built-up frontage to the A20.

Land adjacent to Poppyfields at Charing is proposed for residential development, up to 180 dwellings. This should be accessed directly from the A20.

Provision of new employment premises, and the redevelopment, enhancement and reconfiguration of existing employment premises will be permitted within or adjoining the built-up confines of Ashford, Tenterden and the rural settlements, provided that any impact upon the local road network can be mitigated. In the rural settlements, it must be demonstrated that the development will not generate a type or amount of traffic that would be inappropriate to the rural road network that serves it.

The Plan notes that the site at Brockman's Lane lies within a Mineral Safeguarding area and requires a mineral assessment to be undertaken to establish whether any prior extraction is required.

Contribution to Cumulative Effects

The provision of housing and employment sites in the Borough will help to meet the needs of communities leading to increased wellbeing. Development of greenfield sites is likely to lead to increased pressure on biodiversity. The Plan requires mitigation of impacts on the road network, so effects should be minimised although this is uncertain. Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Core Strategy, Tonbridge and Malling Borough Council, September 2007

Provision is made for the development of at least 6,375 dwellings in the period 2006-2021.

Development will be concentrated within the confines of the urban areas of:

- Tonbridge (including Hilden Park);
- The Medway Gap (i.e. the major developed parts of Kings Hill, Leybourne, East Malling, Larkfield, Lunsford Park, Ditton and Aylesford south of the River Medway, Aylesford Forstal, and Snodland);
- The part of the Medway Towns urban area that lies within Tonbridge and Malling Borough (Walderslade).

Development adjoining these urban areas will only be proposed in the LDF, or otherwise permitted, where there is an identified need and there are no suitable sites within the urban areas. Priority will be afforded to the use of previously developed land.

Housing and employment development or redevelopment, conversions and changes of use will be proposed or otherwise permitted within the confines of the following rural settlements which are defined as Rural Service Centres: Borough Green; Hildenborough; East Peckham; West Malling; Hadlow.

Major new housing development will be met at following strategic sites:

- Holborough (with permission) – 938 dwellings to be developed between 2006 and 2016;
- Kings Hill (with permission) –1446 dwellings to be developed between 2006 and 2016;
- Leybourne Grange (with permission) – 723 dwellings to be developed between 2008 to 2016;
- Peters Pit (with permission) - 1000 dwellings to be developed mainly in the post 2011 period.

New employment provision will be met at Kings Hill and on vacant sites within the main employment areas as well as through the intensification or redevelopment of existing employment sites.

Land at Bushey Wood is safeguarded for housing development post 2021. Assessment of its development potential must have regard to the need to avoid sterilising any viable mineral reserves within the area which have permission for mineral working. However, the Core Strategy contains no other more general policy or text on the approach to sites that contain safeguarded mineral resources or waste or minerals facilities.

Contribution to Cumulative Effects

The proposed housing and employment growth within Tonbridge and Malling will enable the needs of communities for jobs and homes to be met. However, the growth will result in increased greenhouse gas emissions. Development of new sites is likely to lead to increased pressure on biodiversity from habitat loss and disturbance. This is particularly the case with the strategic sites at Holborough, Kings Hill, Leybourne Grange and Peters Pit. Impacts of development on the transport network may be offset to some degree by the requirement for measures to mitigate effects, although the overall balance of effects is not certain. Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

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Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Core Strategy DPD, Tunbridge Wells Borough Council, June 2010

Policy for development in Royal Tunbridge Wells provides for approximately 4,200 net additional dwellings over the period 2006 to 2026. It encourages a greater proportion of office space (B1) within the town centre, with approximately 23,500m² (net) additional comparison retail

floorspace to be provided by 2017 in the town centre. The Core Strategy emphasises the role of the town centre as a focal point for a mix of employment, retail and complementary uses.

Approximately 300 net additional dwellings will be delivered in Southborough. In the order of 500m² (net) additional comparison floorspace will be delivered by 2017. Infrastructure improvements to encourage the uptake of sustainable transport modes, such as walking, cycling and use of public transport, will be pursued in order to reduce congestion and improve transport links to Royal Tunbridge Well. Measures to improve air quality within the Air Quality Management Area will be investigated and pursued.

The Core Strategy contains no policy or text on the approach to sites that contain safeguarded mineral resources or minerals or waste facilities.

Contribution to Cumulative Effects

Proposed developments in Royal Tunbridge Wells and Southborough are likely to contribute to increased wellbeing by meeting the needs of communities for homes and jobs. However, they will contribute to increased greenhouse gas emissions and increased demand for space on the road network, although this may be offset to some degree by measures to encourage sustainable transport use and air quality improvements.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Submission Local Plan 2020-2038, Tunbridge Wells Borough Council, October 2021

The broad development strategy for Tunbridge Wells borough over the period 2020-2038 is to ensure that a minimum of 12,204 dwellings and 14 hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.

The Plan provides for the growth of settlements, having regard to their role and function, constraints and opportunities, together with the development of two strategic sites, namely major, transformational expansion of Paddock Wood (including land at east Capel) following garden settlement principles and providing flood risk solutions and the creation of a new garden settlement: Tudeley Village between Paddock Wood and Tonbridge.

The Plan also provides for a prestigious new business park to the north of North Farm/Kingstanding Way, Royal Tunbridge Wells, well connected to the improved A21.

The majority of housing growth is located as follows:

- Royal Tunbridge Wells: 1416 to 1536 dwellings
- Paddock Wood to the west, north and east of the existing settlement: 3932 to 4032 dwellings
- Tudeley Village: 2100 dwellings

Four employment land allocations are identified, including:

- 13.4 ha in Royal Tunbridge Wells
- 6.6 ha at Paddock Wood
- 4.6 ha at Paddock Wood

There is a package of significant transport measures to support the growth at the Strategic Sites at Paddock Wood (including land at east Capel) and Tudeley Village, including new road junctions/links, bus links and services and active travel provision (including towards Royal Tunbridge Wells and Tonbridge). There is a further package of measures for Royal Tunbridge Wells and Pembury, including improvements to road junctions/links, bus priority measures, and upgraded and new cycle routes and pedestrian links.

The Council will work with Kent County Council and National Highways (formerly Highways England) to deliver strategic and local highway improvements to mitigate and address the impact on the highway network. These measures will be funded by development, although other funding opportunities will be investigated. Mitigation measures include:

- part off-line, part on-line improvements to the A228;
- the provision of a highway link bypassing Five Oak Green;
- measures along the A228/A264, including junction capacity improvements at Woodsgate Corner and a roundabout at the Pembury Road/Halls Hole Road/Blackhurst Lane.

The routes for major and strategic road improvements, including a route for an entirely off-line A228 strategic link (Colts Hill bypass) as part of the wider major roads network (to deliver wider economic benefits and links to north east Kent (and potentially the Lower Thames Crossing), and the dualling of the A21 from Kippings Cross to Lamberhurst will be safeguarded.

The Submission Local Plan notes the need for development proposals to comply with the safeguarding policies in the KMWLP. It notes potential mineral constraints at Paddock Wood, Tudeley Village and Tunbridge Wells Garden Centre.

Contribution to Cumulative Effects

Proposed developments in Royal Tunbridge Wells and Southborough are likely to contribute to increased wellbeing by meeting the needs of communities for homes and jobs. However, they will contribute to increased greenhouse gas emissions and increased demand for space on the road network, although this may be offset to some degree by measures to encourage sustainable transport use and air quality improvements.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Dartford Core Strategy, Dartford Borough Council, September 2011

Dartford Town Centre and Northern Gateway are to provide up to 3070 homes and 1500 jobs and up to 24,000m² net shopping floorspace. Of this, Northern Gateway will provide up to 2,040 homes, 1200 jobs in B1, B2 and B8 uses and provision of a mix of uses and the creation of a new area of public realm around the Mill Pond. Uses may include local shops and leisure uses, a hotel, community facilities and cafes, pubs and restaurants fronting onto the waterside.

The Core Strategy will create multifunctional greenspace alongside the River Darent and within and across the Northern Gateway site, providing at least 30% open space across the site, with provision for biodiversity and landscape improvements as well as recreational, sporting and amenity areas. Land at Dartford Fresh Marsh, the Mill Pond and the provision of a park on the eastern side will form part of the provision.

The Core Strategy seeks to minimise the amount of traffic generated by the Northern Gateway site, with an emphasis on sustainable forms of travel, with Fastrack provision through the site, direct access to Dartford station and foot and cycle connectivity. Planning applications must be supported by a transport assessment which takes into account all planned development in the town centre as well as the Northern Gateway. In advance of a Community Infrastructure Levy (CIL), a proportionate contribution will be required towards short-term mitigation measures to address any impact of the proposal on Junction 1a of the M25 (A282). A Travel Plan will be required for each application.

New residential communities will be focused on Ebbsfleet Valley and Stone, providing up to 7,850 homes within the Plan period, with further development beyond 2026. The Plan will also provide 9,700 jobs in offices and other B1 uses within the Plan period, with a concentration of these in the Ebbsfleet Valley. A centre of excellence for sport and recreation will be provided at

Stone Lodge, expanding on the existing Olympic-level provision on the site. Options for the evolution of Bluewater which provide for a wider range of uses will be explored. At Ebbsfleet Valley, a community of up to 10,000 homes, (up to 5,250 assumed to be provided in the Plan period) with a business district providing approximately 16,900 jobs, (up to 9,500 assumed to be provided in the Plan period) and leisure and retail uses to support local residents, workers and visitor.

The Kent Thameside Strategy for the waterfront seeks to open up access to the river for existing and future communities and to produce a high quality riverscape. Recent piecemeal development of the Thames Waterfront has not achieved the full potential that co-ordinated development of the riverside could bring. A number of potential sites on the Thames Waterfront present a unique opportunity to create mixed use development, bringing life and activity back to the river. The Council will promote the creation of a vibrant mixed-use riverfront, incorporating sustainable communities, new employment opportunities, leisure use of the river /riverside and use of the river for sustainable transport, by supporting residential development of up to 3,750 homes and provision of up to 456,000m² of employment floorspace.

The Core Strategy seeks to protect and enhance Black Duck Marsh and Dartford Marshes as areas of biodiversity value and public recreational areas for quiet enjoyment, to the extent that the ecological protection of the area permits. New development will be expected to include connecting corridors of natural habitat along the river to enhance biodiversity linkages and to protect s41 species and other species of local ecological value.

In order to reduce the need to travel, minimise car use and make the most effective use of the transport network, the Council will:

- Encourage mixed use development and close interrelationship between complementary land uses: homes, jobs, shops and leisure, recreational and community facilities;
- Require major development sites to make provision for Fastrack as part of planning proposals.

In order to enable the transport network to respond to the pressures of new development, the Council will work with its partners to deliver a Strategic Transport Infrastructure Programme to ensure that the transport network operates at acceptable levels and that the transport infrastructure is in place to support new development.

The following infrastructure improvements are identified:

- Provision of Fastrack route through the Northern Gateway site by 2021
- A206/Marsh Street - replacement of roundabout with signal controlled junction by 2021

- Junction 1A improvements by 2021

The Core Strategy requires development of wharves to be subject to a study demonstrating cargo handling at the wharf is not viable. It notes safeguarded wharves at Johnsons Wharf.

However, it contains no policy or text on the approach to sites that contain safeguarded mineral resources or other minerals or waste facilities.

Contribution to Cumulative Effects

Planned housing and employment developments in Dartford will contribute to the wellbeing of communities by providing homes and jobs to meet identified needs. It will also contribute to increased greenhouse gas emissions and increased demands for space on the road network. Transport infrastructure improvements may help to reduce the level of additional demand. The Core Strategy is likely to contribute to biodiversity enhancement and public wellbeing by providing multifunctional greenspace and improved habitat connectivity.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Dartford Local Plan: Proposed Main Modifications, Dartford Borough Council, July 2023

The total housing requirement to 2036/37 is for 12,640 homes, or 790 homes per annum. The Plan also seeks approximately an average rate of 22,000m² per annum of new commercial, business and services uses, and community and learning uses (including offices, health facilities and schools); and approximately an average rate of 25,000m² per annum of new industrial/distribution premises.

The overriding priority for development in the Borough is at Central Dartford and Ebbsfleet Garden City. These growth locations will be regenerated with the provision of new and improved infrastructure and strategic mixed use development. Development is directed to brownfield land not within the Green Belt and sites with good access by public transport and walking/ cycling to a range of local supporting services/ infrastructure.

Significant jobs, major commercial activity and new employment premises will be prioritised within Central Dartford and Ebbsfleet Garden City. Economic development will occur at locations elsewhere in the urban area where this is consistent with sustainable growth patterns and provides suitable improvement and expansion/ intensification of commercial locations.

The network of retail centres comprises

- i) Dartford Town Centre, which will attract a wide range of new businesses;
- ii) Bluewater, which will continue its regional economic contribution;
- iii) District Centres at Dartford, Ebbsfleet, Swanscombe and Longfield; and
- iv) Local Centres in the urban area and at villages.

Community uses, including education, health, sports facilities, cultural services and local shops, will be retained, and new facilities delivered. Development will ensure communities have good quality and sustainable access to the day-to-day facilities they need including local services and jobs.

New development will be located where well-served by public transport, and within easy walking distance of local facilities and jobs (for new homes, or the labour force/ primary catchment as applicable for other developments). All major development will feature significant measures to provide improved safe and secure active travel routes integrated with the surrounding area. Large and trip generating developments should support public transport use and new infrastructure.

In Central Dartford, the Council seeks to secure major transport investment to: mitigate the current adverse impacts of traffic congestion; increase public transport capacity and services, reducing dependency on car travel; and enhance walking and cycling. The Council will seek full integration of rail, bus and Fastrack services, particularly at a new railway station and with new rail services for Dartford.

A 21st century garden city at Ebbsfleet will continue to be created, sensitively integrated into its environment and surroundings, providing high quality new greenspace, infrastructure, homes and business investment and ensuring climate resilience. This will be achieved by the co-ordinated delivery of integrated and accessible sustainable transport, and well-designed and well-served mixed neighbourhoods. These will include workplaces, schools, health facilities and centres which serve and are well linked to neighbouring communities and towns, encourage walking and cycling and are connected by modern public transport systems. It will become an important destination for recreation and leisure uses.

A new urban heart will be created at Ebbsfleet Central around a transport hub focussed on Ebbsfleet International Station, and plans for new neighbourhoods at Alkerden and Ashmere. The neighbourhoods at Ebbsfleet Green, Castle Hill, and north west of Swanscombe will be completed. Further development may come forward at suitable land north of London Road, Swanscombe.

Development in Ebbsfleet Garden City should ensure wherever possible that Swanscombe benefits from:

- a) access to better facilities and public transport, including upgrades to the accessibility of, and services from, Swanscombe railway station (or a new station); and
- b) improvements to existing connections and the delivery of new green walking and cycling connections, in particular linking in to improvements towards the River Thames and Ebbsfleet International Station.

At Swanscombe, environmental and infrastructure enhancements, including to upgrade public transport and walking/ cycling connections, will be sought.

Supporting text notes that some parts of the Borough are in Mineral Safeguarding Areas under the KMWLP and indicates that development in MSAs should be avoided where possible or otherwise will be considered in accordance with policy DM 7 of the KMWLP.

Contribution to Cumulative Effects

Proposed developments within Dartford Borough are likely to contribute to increased wellbeing by meeting the needs of communities for homes and jobs. However, they will contribute to increased greenhouse gas emissions and increased demand for space on the road network, although this may be offset to some degree by measures to encourage sustainable transport use and air quality improvements.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Canterbury District Local Plan, Canterbury City Council, July 2017

The Local Plan identifies that between 2011 and 2031, the following will be required:

- 16,000 housing units
- 96,775m² of employment land
- 33,800m² of comparison retail
- 2608m² of convenience retail

Strategic sites are allocated in Canterbury, Sturry/Broad Oak, Herne Bay, Whitstable, Hersden and Thanington.

The urban areas of Canterbury, Herne Bay and Whitstable will continue to be the principal focus for development, with a particular focus at Canterbury, together with development at the rural service centres and local centres.

The Council has developed an Infrastructure Delivery Plan, seeking to identify the key elements of infrastructure that would be required to support the level and distribution of development being proposed in this Plan. Key elements of infrastructure include:

- Provision of fast bus links into Canterbury
- Road improvements at Sturry and Herne
- Additional Park & Ride provision to serve Canterbury
- Provision of new cycle paths/footpaths
- Completion of bus lanes in key areas
- New/improved A2 junction at Bridge
- New eastbound off slip road and extended westbound slip road off the A2 at Wincheap, Canterbury

In considering the location of new development, or the relocation of existing activities, the Council will always take account of the following principles of the Transport Strategy:

- Controlling the level and environmental impact of vehicular traffic including air quality;
- Providing alternative modes of transport to the car by extending provision for pedestrians, cyclists and the use of public transport;
- Reducing cross-town traffic movements in the historic centre of Canterbury;
- Providing public car parking and controlling parking having regard to the Parking Strategy;
- Assessing development proposals in the light of transport demands and the scope for choice between transport modes; and
- Seeking the construction of new roads and/or junction improvements which will improve environmental conditions and/or contribute towards the economic well-being of the District.

The Plan notes that East Quay at Whitstable is safeguarded as a mineral transport facility and states that any proposals will have to have regard to policy CSM6 of the KMWLP.

However, there is no policy or text on the approach to sites that contain safeguarded mineral resources or minerals or waste facilities.

Contribution to Cumulative Effects

Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised

or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Draft Canterbury District Local Plan to 2045, Canterbury District Council, October 2022

Between 2020 and 2045 provision is made through the granting of planning permission and the allocation of sites for:

- (a) An average of 1,252 new dwellings per year and 26 pitches for gypsy and traveller accommodation;
- (b) 38,480 m2 floorspace for office use;
- (c) 52,030 m2 floorspace for light industrial use;
- (d) 15,270 m2 floorspace for general industrial use;
- (e) 66,440 m2 floorspace for warehousing use;
- (f) 414 m2 floorspace for convenience retail use; and
- (g) 5,290 sqm floorspace for comparison retail use.

Canterbury urban area will be the principal focus for development in the district. Whitstable urban area and Herne Bay urban area will be the secondary focus for development in the district. A new Garden Community Broad Location is identified at Cooting Farm, Adisham Road which will provide new homes, jobs, services and infrastructure.

New development should be designed to achieve Net Zero operational carbon emissions, should make efficient use of land and should be designed to maximise energy and water efficiency.

New communities of more than 300 homes should contain comprehensive and accessible community hubs to reduce the need to travel for day-to-day services and facilities. Community facilities and services such as healthcare, education and local shopping and employment uses should be co-located at the heart of new such developments, within or next to the community hub and provided early within the development.

The network of green and blue infrastructure will be protected, maintained and enhanced. New developments should provide and sustain a multifunctional and coherent green and blue infrastructure network, which maximises the locally influenced ecological potential of existing assets, new open space provision, tree planting and other features of the development such as sustainable drainage systems and landscape buffers. Opportunities for carbon sequestration and for the development of renewable and low-carbon sources of energy will be actively supported within all developments. The network of green and blue infrastructure in the district will be protected, maintained and enhanced.

Working with partners, including Kent County Council, the council will deliver a comprehensive programme of sustainable transport infrastructure measures to improve neighbourhoods, accommodate new growth and to facilitate a significant shift to low carbon and active travel journeys, particularly for short trips. Key infrastructure requirements of the new Canterbury Circulation Plan include:

- (a) The relocation of key city centre car parking to locations outside of the inner ring road;
- (b) The delivery of a comprehensive city-wide network of segregated cycle lanes and cycle parking infrastructure, with links to the coast and rural areas;
- (c) Enhanced public realm and pedestrian environment on key routes and within the city centre;
- (d) Improved public transport connectivity across the city, with bus priority measures and enhanced park and ride infrastructure, and upgrades at Canterbury West and Canterbury East rail stations;
- (e) Delivery of "shared streets" within existing neighbourhoods to improve neighbourhood environments and support active travel journeys;
- (f) Implementation of an ANPR-based sectoring system and modal filters to limit cross-city trips;
- (g) The delivery of enhanced road infrastructure to improve connectivity, facilitate alternative access points to the city, and enable the delivery of the measures at a-f including:
 - (i) upgrades at the A2 junction at Harbledown and at Rough Common Road;
 - (ii) new A2 access to the Kent and Canterbury Hospital and links to the A28 at Thanington; and
 - (iii) a new movement corridor to connect the A28 at Sturry with the A2 at Bridge.

New development should ensure easy and safe pedestrian and cycle connectivity is available. Walking, cycling and active, low carbon, sustainable transport modes (such as public transport stops) should be prioritised over private cars. New development should be designed to help

improve the air quality of the district as a whole. Several of the sites allocated for development within the draft Plan are required to undertake a minerals assessment in accordance with the KMWLP. These sites are in Canterbury (C6, C8, C12, C13, C14, C15, C20, C21, C22), Whitstable (W5), Herne Bay (HB4, HB6) and rural areas (R12, R15, R16, R26).

Contribution to Cumulative Effects

Proposed developments within Canterbury District are likely to contribute to increased wellbeing by meeting the needs of communities for homes, jobs, community infrastructure and open space. However, they will contribute to increased greenhouse gas emissions and increased demand for space on the road network, although this may be offset to some degree by measures to achieve net zero operational emissions, maximise energy and water efficiency, minimise transport and encourage sustainable transport use and air quality improvements and increase the amount of green infrastructure in the District.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Core Strategy, Dover District Council, February 2010

The Strategy will focus on Dover town where there is most need for action but also where there is most potential. At Deal, Sandwich and the large rural area the Strategy will be selective responding to more localised needs although some of these, especially at Deal and Aylesham are more significant.

The Strategy's Key Features are, between 2006 and 2026, to:

- Realise forecast growth in the local economy including up to 6,500 more jobs and 347,500 m² of employment space
- Support a forecast population increase of around 15,500 which will increase the potential workforce by some 4,300 people. Combined with other measures to increase the proportion of people in work, this would provide a workforce to support the forecast jobs growth of around 6,500 without the likelihood of a significant increase in in-commuting
- Reduce the ageing trend of the population structure (child age group to reduce by only around 1,200) while planning to meet the needs of older people (over 65s likely to increase by around 12,500)
- Allocate land for around 14,000 new homes with the aim of providing at least 10,100 by 2026
- Provide homes that meet the changing needs of the home population but that also attract working age people and families to the District

- To realise around 54,000m² gross of additional shopping floorspace and reduce the need for residents to make shopping trips outside the District
- Concentrate these actions at Dover to enable its transformation
- Support these actions with the necessary range of infrastructure, including green infrastructure

The following transport infrastructure needs are identified, all of which were expected to be delivered by 2021:

- High Speed 1 train service from Dover to London via Ebbsfleet and Stratford
- Terminal 2 - Dover Western Docks Ferry Terminal (Port of Dover Masterplan)
- Package of sustainable transport measures for Dover (identified in Dover Transport Strategy)
- Dover town centre to Whitfield express bus link (Dover Transport Strategy)
- Identification of access arrangements into Whitfield from A2 and A256
- A2 Lydden to Dover dualling
- Dover Park and Ride system

The District Council supports the development of a new freight and passenger ferry terminal at Dover Western Docks provided it safeguards the aggregates wharf facility identified in the Kent Minerals Local Plan

However, the Core Strategy contains no policy or text on the approach to sites that contain safeguarded mineral resources or other minerals or waste facilities.

Contribution to Cumulative Effects

Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Dover District Local Plan to 2040: Regulation 19 Submission, Dover District Council, October 2022

Provision is made for at least 10,998 net additional homes, in the District over the Plan period. The majority of new housing development will be in Dover Town and at Whitfield. Land is therefore identified to deliver a minimum of 3,381 homes in addition to existing commitments. Development will then be focused in the District Centre of Deal, and the Rural Service Centres of Sandwich and Aylesham. Development in Deal, Sandwich and Aylesham will be at a more limited scale than Dover Town, compatible with the more limited range of job opportunities, shops, services and other facilities available in these locations. Land is therefore allocated to deliver in the region of 1,099 homes, in addition to existing commitments. Development in the rural areas will be of a scale that is consistent with the relevant settlement's accessibility, infrastructure provision, level of services available, suitability of sites and environmental sensitivity. Land is therefore allocated to deliver in the region of 1,112 homes, in addition to existing commitments.

The Council will support the creation of healthy, inclusive and safe communities in the District by ensuring that new development is well served by services and facilities and that a mix of uses are provided in new development that support daily life, and creating opportunities for better active travel, to promote physical health, including provision for safe cycle and pedestrian routes.

The Council will seek to ensure that all new built development contributes to the mitigation of, and adaptation to, climate change through:

- a Including low carbon design approaches to reduce energy consumption in buildings;
- b Utilising sustainable construction techniques and optimising resource efficiency;
- c Incorporating renewable and low carbon technologies;
- d Providing opportunities for decentralised energy and heating;
- e Maximising green infrastructure; and
- f Reducing the need to travel and maximising opportunities for 'smarter' sustainable transport options to deliver the highest possible share of trips by the most sustainable travel modes.
- g Ensuring that development is designed to reduce vulnerability to, and provide resilience from, the impacts arising from a changing climate, whilst not increasing the potential for increased greenhouse gas emissions in doing so;

h Incorporating multi-functional green infrastructure to enhance biodiversity, manage flood risk, address overheating and promote local food production;

i Improving water efficiency; and

j Ensuring that development does not increase flood risk, including by taking a sequential approach to avoid development in flood risk areas, and where possible reduces the risk of flooding.

Economic growth will be supported in the District to deliver a minimum of 117,290 m² of new employment floorspace over the Plan period

The Council will work with Kent County Council, National Highways and other transport providers to deliver strategic transport improvements to mitigate and address the impact of development or remove impediment to future growth. Key strategic transport schemes are:

- a) long-term improvements to the A2 from Lydden Hill to the Port of Dover
- b) Strategic Highway Improvements / Mitigation at A2 junctions:

- i Whitfield Roundabout

- ii Duke of York Roundabout

- iii A257/A256 Junction

- iv A258/A256 Junction

The Council, in partnership with Network Rail, will support proposals for a journey time of less than 1 hour between Dover and St Pancras, along with additional capacity on the High Speed route and associated station improvements, including additional car parking at Dover Priory.

The Council will work with Kent County Council, National Highways and developers to ensure delivery of the Dover Fastrack Service and will support proposals for the rural demand-responsive bus service and other improvements to local bus service provision.

Supporting text on information required with planning applications states that for sites identified as being in a KCC Minerals area, a Minerals Assessment will be required in accordance with Policy DM7 of the adopted Kent Waste and Mineral Local Plan. The KCC Waste and Minerals Team should also be consulted.

Contribution to Cumulative Effects

Proposed developments within Dover District are likely to contribute to increased wellbeing by meeting the needs of communities for homes, jobs, community infrastructure and open space. However, they will contribute to increased greenhouse gas emissions and increased demand for space on the road network, although this may be offset to some degree by the requirement to incorporate climate change mitigation measures within developments, to maximise energy and water efficiency, minimise transport and encourage sustainable transport use and increase the amount of green infrastructure in the District.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Gravesham Local Plan Core Strategy, Gravesham Borough Council, September 2014

The Strategy seeks to make the most efficient use of land by concentrating development on underused, derelict and previously developed land in the urban area of Gravesend and Northfleet, in particular former industrial sites along the Thames Riverside and in Gravesend town centre, and at Ebbsfleet. It makes provision for at least 6,170 new dwellings during the plan period 2011 – 2028 as follows:

- Gravesend: 1670
- Northfleet: 1030
- Ebbsfleet: 690
- Rest of borough: 1550
- Unidentified sites: 1240.

It is planned to provide employment floorspace which should enable the delivery of at least 4,600 new B class jobs over the plan period, as follows:

- Gravesend: 27,900
- Northfleet: 133,550
- Ebbsfleet: 20,000
- Rest of urban area: 5,050

It also seeks to provide net retail floorspace of 18,280m².

Within the Northfleet opportunity area is Northfleet Cement Works Regeneration Area (sub-area 1.5), which consists of the remainder of the former Lafarge cement works site and lies at a lower level than the adjoining residential community on the banks of the River Thames. Access to the site is primarily via a road tunnel from the A226 Thames Way that passes through Vineyard Pit. A rail connection to the North Kent line has also been reinstated via Church Path Pit, a connected site to the south, which has the potential to be extended to sub-areas 1.7

(Kimberly Clark) and 1.8 (Northfleet Embankment East) in due course. There is also good deep water access via the existing Wharf.

This area is identified as a Key Site. There is a resolution to grant planning permission for around 46,000m² gross employment floorspace for business, industrial and storage and distribution uses under use classes B1, B2 and B8. In conjunction with this, listed building consent has also been given for the dismantling, relocation and reassembly of the Grade II listed Bevan's War Memorial. The other Grade II listed building in the vicinity of the site is the Northfleet Lower Lighthouse located at the eastern end of Wharf 42. The lighthouse is expected to remain in its present position and retain its industrial setting. The Port of London Authority also has an important navigational installation on-site, on the former cement works office block.

A planning permission also exists for the use of part of the site as a Bulk Aggregates Import Terminal, whilst a major cement importing facility has been created through the conversion of the former cement works coal store. In the short term, much of the site will be used for the importation and onward transshipment of Crossrail spoil. In the longer term, it is anticipated that the employment development will come forward.

Most of this Opportunity Area (with the exception of sub-areas 1.6 and 1.9) is within the Northfleet Industrial Air Quality Management Area which was declared because of high levels of particulate matter, i.e. dust, arising from uncontrolled emissions from industrial processes. The closure of the Northfleet Cement works has removed a major source of dust, but current activities and the open nature of some of the area mean that it remains a potential issue. It will be important to take account of air quality in bringing forward any development of the area and a key objective will be to secure continued improvements to air quality through the redevelopment and environmental improvement of sites.

Policy identifies the Northfleet Cement Works Regeneration Area Key Site, which will provide an employment development of around 46,000m² gross new employment floorspace comprising business, industrial, and storage and distribution facilities (use classes B1, B2 and B8) and a Bulk Aggregates Import Terminal. Such development will be required to satisfactorily relocate Bevan's War Memorial.

Adjacent to the cement works is Old Northfleet Residential Extension Key Site (sub-area 1.4), which is allocated to provide a residential development of around 530 dwellings, open space, an extension and improvements to the Hive local centre and provision of community facilities.

The Ebbsfleet (Gravesham) Opportunity Area is a substantial opportunity for a high quality, sustainable, mixed use development in line with the long-standing strategy to create a major business district at Ebbsfleet within Dartford as well as Gravesham. Development of the Key Sites will lead to the provision of around 690 new dwellings and around 20,000m² gross

business employment floorspace (use classes B1a, B1b and B1c), together with supporting retail (use class A1) and other facilities, leisure/entertainment floorspace (use class D2), hotels and restaurants. There is potential for the provision of additional dwellings and business floorspace in the longer term. Facilities will be provided to support development of the Springhead Quarter and Northfleet Rise Quarter Key Sites and will be accessible to both existing and future communities. These will include the provision of recycling and waste transfer facilities.

The Core Strategy seeks to:

- locate new mixed use development in areas with best access to services and facilities which minimise the need to travel, particularly by car;
- improve the local economy to reduce the need for out-commuting. This can also have an impact on air quality;
- support and where possible provide alternatives to help support a modal shift away from car based transport, e.g. improve public transport including bus, train, cycling and walking provision, and increase the use of water based transport; and
- ameliorate the implications of additional traffic for air quality.

The Core Strategy contains a strategic objective to, as a minimum, safeguard the capacity of commercial wharves and other sites needed to support the River Thames as a working waterway.

Any future proposals for the Swanscombe Peninsula East Undeveloped Area will be subject to a comprehensive masterplan approach which deals with the issues of flood risk, transport and access, ground conditions, proximity to existing industrial uses, air quality, biodiversity, utilities, navigation and the presence of the HS1 railway line.

The Core Strategy notes aggregates operations at Northfleet Embankment East Regeneration Area. The Council will seek to ensure, as a minimum, that sufficient minerals capacity is maintained through appropriate alternative provision, so that wider regeneration initiatives do not prejudice the parallel requirements of the Kent Minerals and Waste Local Plan. Proposals for the Key Site will be required to retain Red Lion Wharf for commercial river based use that is appropriate to context, subject to capacity for the transshipment of minerals being maintained through appropriate alternative provision off-site.

The Highways Agency has concerns about the impact of development in the Borough and Dartford on the strategic road network and how any impacts will be mitigated. The Council will work jointly with the Highways Agency, Kent County Council, Dartford Borough Council and all other relevant parties to ensure that the transport needs arising from new development in the

Borough are met and that the most efficient use is made of the existing highway network, e.g. through management measures and the introduction of information systems.

The Dartford Crossing is one of the UK's most important strategic connections but its capacity is considerably overloaded for large periods for the day. The Department for Transport consulted in July 2013 on three alternative options to address capacity issues in the future: enhancement of the existing crossing at Dartford; a new crossing at Swanscombe Peninsula; and a new crossing East of Gravesend. The Swanscombe Peninsula option has since been ruled out by the Secretary of State. Gravesham Borough Council objects to the East of Gravesend Option. Until such time as there is a safeguarded route, it has not been possible for the Core Strategy to take any account of the implications of additional capacity.

The Core Strategy notes that there are a number of commercial wharves on the riverside at Gravesend and Northfleet, and that the KMWLP proposes that a number of these are safeguarded, protecting them from development which could prejudice their future use for minerals importation. Subject to planning controls being applicable, the safeguarding of wharves is supported by the Council in general terms to enable river freight handling to reduce dependence on road freight transport. However, the Council considers that a more flexible approach is appropriate where wider regeneration initiatives are being sought and it is possible to rationalise assets in ways that, as a minimum, maintain necessary capacity for freight handling and provide equivalent or better facilities. This is the approach followed in Policy CS11 (Transport).

The loss of existing commercial wharves shown on the Policies Map and other land-side supporting infrastructure will not be supported unless a study and supporting evidence shows that they are no longer viable for marine related employment purposes or are incapable of being made so at reasonable cost, and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance, or appropriate alternative provision is available or will be provided as part of the rationalisation of facilities that, as a minimum, maintains capacity and provides equivalent or better facilities.

The Core Strategy contains no policy or text on the approach to sites that contain safeguarded mineral resources or other minerals or waste facilities.

Contribution to Cumulative Effects

Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay

community benefits associated with house construction or economic benefits associated with employment provision.

Development in Gravesham is focused on Gravesham, Northfleet and Ebbsfleet, all of which are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Core Strategy, Sevenoaks District Council, February 2011

The Core Strategy will deliver an annual average of 165 dwellings (net addition), equivalent to 3,300 additional dwellings over the period 2006 to 2026. The majority of new housing development will be focused in the urban areas of Sevenoaks (1331 units) and Swanley (660 units). Edenbridge (411 units) will retain its role as a rural service centre serving the surrounding villages with a range of shops, services and employment.

The Transport Strategy identifies four priority objectives, which are Improving accessibility, tackling congestion, providing safer roads and Improving air quality. These have been used to identify priorities in different parts of the District.

Priorities for Sevenoaks Urban Area:

- Improve public transport interchange facilities, in particular at the main bus and train stations in Sevenoaks District.
- Maintain and improve capacity on peak train services.
- Manage parking issues in the town centre and around train stations.
- Bring forward measures to alleviate congestion and tackle air quality issues at Riverhead, Bat and Ball and Sevenoaks Town Centre.
- Improve facilities for walking and cycling.

Priorities for Swanley:

- Improve accessibility to Swanley Station by walking and cycling.
- Ensure that development in Swanley does not have a significant negative impact on traffic on the Strategic Road Network.
- Improve bus interchange facilities in Swanley.
- Improve facilities for walking and cycling.
- Bring forward measures to alleviate congestion and tackle air quality issues near Swanley town centre.

Priorities for Edenbridge:

- Maintain and improve capacity on peak train services.

- Increasing the number of destinations that can be accessed via train services from Edenbridge, including services to Gatwick Airport / improved services to Redhill.
- Improve facilities for walking and cycling.
- Maintain and, where necessary, improve safety on main access roads to Edenbridge.

Priorities for villages and rural areas:

- Maintain and improve accessibility to jobs, shops and services by non-car means, including walking, cycling, public transport and community transport.
- Bring forward measures to alleviate congestion and tackle air quality issues, including those along the A25 corridor, at Seal and Westerham, and on the Strategic Network

The Employment Land Review shows that future employment land needs can be met largely within existing employment sites provided the great majority of these sites are retained in employment use. The distribution of employment land is based on existing development and is therefore principally at Sevenoaks (27.2 ha), Swanley (30.8 ha) and Edenbridge (22.1 ha), including a previously undeveloped site at Swanley. Other significant contributions come from the Major Developed Sites in the Green Belt (at Kemsing, Leigh, Dunton Green and Halstead).

The Council will support and promote measures to reduce reliance on travel by car both in providing for new development and in supporting measures promoted through the Transport Strategy. Specifically it will:

1. Support improvements to enhance the safety and convenience of public and community transport.
2. Seek improved facilities for cyclists and pedestrians
3. Require the inclusion of Travel Plans and other appropriate measures in new developments that generate significant traffic volumes

The design and location of new development will take account of the need to improve air quality in accordance with the District's Air Quality Action Plan. Development in areas of poor air quality or development that may have an adverse impact on air quality will be required to incorporate mitigation measures to reduce impact to an acceptable level. New development in areas of poor air quality will be required to incorporate measures in the design and orientation that demonstrate an acceptable environment will be created for future occupiers. Permission will be refused where unacceptable impacts cannot be overcome by mitigation.

The Core Strategy contains no policy or text on the approach to sites that contain safeguarded mineral resources or minerals or waste facilities.

Contribution to Cumulative Effects

Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

The Swale Borough Local Plan, Swale Borough Council, July 2017

Land is identified by the Local Plan to meet the following development targets for the plan period 2013/14-2031:

- employment land B class: 130,000m²
- housing 13,192 dwellings (776 per annum)

The main Borough urban centre of Sittingbourne will provide the primary urban focus for growth, where development will support town centre regeneration and underpin the town's role as the principal centre.

The other Borough urban centres of Faversham and Sheerness will provide the secondary urban focus for growth at a scale and form compatible to their historic and natural assets and where it can support their roles as local centres serving their hinterland. Additionally at Sheerness its role and functioning will be supported by the other urban local centres within the West Sheppey Triangle to meet the Island's development needs on previously developed sites or at existing committed locations and allocations well related to the urban framework and strategic transport network.

The Rural Local Service Centres will provide the tertiary focus for growth in the Borough and the primary focus for the rural area. At allocated sites relating well to the existing settlement pattern and the character of the surrounding countryside, development will provide for the local housing or employment needs for their home and surrounding communities, whilst supporting existing and new services.

Other villages with built-up area boundaries will provide development on minor infill and redevelopment sites within the built up area boundaries where compatible with the settlement's character, amenity, landscape setting, heritage or biodiversity value.

At locations in the open countryside outside the built-up area boundaries development will not be permitted, unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.

Sittingbourne will provide 43.5% of the borough's housing need, while the other urban areas of Faversham, Sheerness, Queensborough/Rushenden and Minster/Halfway will provide 44.1%.

Totals:

- Sittingbourne: 4417 dwellings, 153,985m² industrial/office floorspace
- Sheerness: 0 dwellings, 7500m² industrial/office floorspace
- Faversham: 1739 dwellings, 53,325m² industrial/office floorspace
- Minster and Halfway: 1494 dwellings, 0m² industrial/office floorspace
- Queenborough and Rushenden: 1245 dwellings, 142,611m² industrial/office floorspace

To promote sustainable transport in Sittingbourne, the council is focusing on improving the quality of bus journeys, in particular the accessibility and facilities for passengers in central Sittingbourne. Within the town centre, major proposals will provide a central focus for bus and rail services in the vicinity of the station, which has been boosted by the award of £2.5m from the South East Local Economic Partnership local growth fund. Central Sittingbourne regeneration will also contribute to improvements to the highway network and traffic management within the town centre. A bus quality partnership will aim to improve public transport conditions and services at the town and in its centre, alongside additional routes to new developments and better walking and cycling routes.

On the Isle of Sheppey, settlements within the West Sheppey Triangle are the focus of development and long-term change. Development proposals will, as appropriate, bring forward economic development on allocated sites and, as available, at the 'Existing Strategic Employment Sites', including, at the Port of Sheerness, supporting diversification of its activities.

The Isle of Sheppey area strategy requires that, where appropriate, larger scale development proposals bring forward improvements to the A2500 Lower Road.

Completed transport schemes have highlighted a remaining local pinch point at the junction of Barton Hill Drive/Lower Road, Minster, where replacement of the existing traffic signals with a roundabout would relieve local congestion and facilitate better access to the eastern side of Sheppey. Key schemes identified to address the accessibility, connectivity and capacity issues

in Swale include provision of a roundabout at Lower Road/ Barton Hill Drive A2500 to facilitate better access to eastern Sheppey.

Land west of Barton Hill Drive, Minster is allocated for some 620 dwellings, together with open space, landscaping and transport improvements.

The Local Plan identifies mineral safeguarding areas on the proposals map. It states that the Council will work with Kent County Council to identify and safeguard mineral reserves and the rail heads and wharves necessary to ensure the transport, import and export of minerals.

In the event that reserves are identified on sites allocated for development by this Local Plan, the Council will ensure that the developer works with the Minerals Planning Authority to ensure the timely working of the site, provided that there is a sustainable and viable outlet for the resource which allows extraction without an unreasonable impact on development coming forward in line with the safeguarding minerals and prior extraction policies contained in the Kent Minerals and Waste Local Plan.

The Local Plan identifies where safeguarded minerals are present on allocated sites and requires investigation of prior extraction.

Contribution to Cumulative Effects

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

Local Plan, Thanet District Council, July 2020

The primary focus for new housing development in Thanet is the urban area. Within the Thanet villages, housing development is allocated primarily in Minster, with limited development at Cliffsend, Monkton and St Nicholas. No housing development is specifically allocated in Sarre, Acol or Manston, but housing development of a size and scale commensurate with the size of the relevant settlement will be permitted within village confines. All new development will be expected to fully meet its infrastructure requirements, whether directly on site and/or by way of a contribution to necessary off-site infrastructure.

A minimum of 5,000 additional jobs are planned for in Thanet to 2031. Sufficient sites and premises suited to the needs of business are identified and safeguarded for such uses. Manston Business Park is the key location for advanced manufacturing and large scale job creating development.

Land is identified and allocated to accommodate up to 53.5ha of employment space over the period to 2031.

Thanet's town centres are priority areas for regeneration and employment generating development, including tourism and the cultural and creative industries which will be supported (Manston, Ramsgate, Broadstairs, St Nicholas)

The growth of the Port of Ramsgate is supported as a source of employment and as an attractor of inward investment. The Local Plan notes that Kent Minerals and Waste Local Plan 2013-2030 proposes to safeguard the port for the importation of minerals into Kent.

Policy on development at Ramsgate Port states that this is supported where it would facilitate its improvement as a port for shipping, increase traffic through the port, and introduce new routes and complementary land based facilities including marine engineering, subject to:

- a demonstrable port-related need for any proposed land based facilities to be located in the area of the port, and a demonstrable lack of suitable alternative inland locations; and
- compatibility with the character and function of Ramsgate waterfront and the Royal Harbour as a commercial leisure facility; and
- an acceptable environmental assessment of the impact of the proposed development upon the harbour, its setting and surrounding property, and
- the impact of any proposed land reclamation upon nature conservation, conservation of the built environment, the coast and archaeological heritage, together with any proposals to mitigate the impact.

The Local Plan requires masterplanning for development of the site at Shottendane Road to undertake an assessment of the potential impact on minerals management, transportation and production and waste management facilities and to mitigate any potential impacts on waste management capacity.

The Local Plan contains no policy or text on the approach to sites that contain safeguarded mineral resources or waste or minerals facilities.

Contribution to Cumulative Effects

Development on sites that contain safeguarded mineral resources or safeguarded minerals or waste facilities will be required to demonstrate that the mineral will not be needlessly sterilised or the facilities have been fully considered and it is concluded that development would be acceptable. This will have an economic cost for the proposed development of the site which may affect the viability of development and delay its implementation. It may also delay community benefits associated with house construction or economic benefits associated with employment provision.

Sites are sufficiently distant from the strategic site in policy CSW 17 that cumulative impacts are not likely.

The London Plan 2021, London Assembly, March 2021

In order to manage London's waste sustainably:

- 1) the equivalent of 100 per cent of London's waste should be managed within London (i.e. net self-sufficiency) by 2026
- 2) existing waste management sites should be safeguarded (see Policy SI 9 Safeguarded waste sites)
- 3) the waste management capacity of existing sites should be optimised
- 4) new waste management sites should be provided where required
- 5) environmental, social and economic benefits from waste and secondary materials management should be created.

Development Plans should:

- 1) plan for identified waste needs
- 2) identify how waste will be reduced, in line with the principles of the Circular Economy and how the remaining quantum of waste will be managed
- 3) allocate sufficient sites, identify suitable areas, and identify waste management facilities to provide the capacity to manage the apportioned tonnages of waste.

An adequate supply of aggregates to support construction in London will be achieved by:

- 1) encouraging re-use and recycling of construction, demolition and excavation waste within London, including on-site
- 2) extracting land-won aggregates within London
- 3) importing aggregates to London by sustainable transport modes.

Most aggregates used in the capital come from outside London, including marine sand and gravel and land-won aggregates, principally crushed rock from other regions.

Contribution to Cumulative Effects

By requiring net self-sufficiency and ensuring sufficient sites are allocated to meet London's needs, the London Plan is unlikely to place additional pressure on Kent for its waste management needs. The London Plan identifies that most aggregates used in the capital come from outside London, including marine sand and gravel which may come through wharves in Kent. The London Plan requires Boroughs to safeguard existing and future wharf capacity and

railheads within London, which will help to reduce the potential for additional pressure on Kent's wharves and road network.

