

## **Appendix 1 - Proposed updates to the text of the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 of the Kent Minerals and Waste Local Plan 2013-30**

The tables below set out the proposed changes to the text of the Kent Minerals and Waste Local Plan which are considered necessary following the five yearly review of the Plan undertaken in 2021.

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- New text is shown as bold and underlined like this

### **Appendix 1 Contents**

<i>Vision</i> .....	2
<i>Strategic Objectives</i> .....	3
<i>Strategic Minerals Policies</i> .....	5
<i>Strategic Waste Policies</i> .....	25
<i>Development Management Policies</i> .....	43
<i>Chapters 1 and 2</i> .....	58
List of abbreviations.....	58
List of Figures .....	61
Chapter 1 – Introduction .....	62
Chapter 2 – Minerals and Waste Development in Kent: A Spatial Portrait.....	71
<i>Chapter 8 Managing and Monitoring the Delivery Strategy</i> .....	79
<i>Appendix A: Glossary</i> .....	79
<i>Appendix C: List of Mineral Sites that are included in Landbank Calculations</i> .....	79

## Vision

Elements of the Vision not included in the table below are not being changed.

**Throughout the plan period 2013-2030, minerals and waste development will:**

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| 1. Make a positive and sustainable contribution to the Kent area and <u>beyond and ensure minerals and waste development contributes to the assist with</u> progression towards a low carbon economy.  |
| 3. Deliver cost effective and sustainable solutions to <u>the Kent's minerals and waste needs of Kent and beyond</u> through collaborative working with communities, landowners, the minerals and waste industries, the environmental and voluntary sector and local planning authorities. |

**Planning For Waste in Kent will:**

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|--|
| 9. Move waste up the Waste Hierarchy <u>Facilitate the achievement of a more circular economy<sup>1</sup> in all forms of development, ensuring the maximum use of materials and goods, minimising waste and ensuring its management is sustainable and as high up the Waste Hierarchy as possible.</u> reducing the amount of non-hazardous waste sent to landfill. |
| 10. <u>Extract the maximum amount of</u> Encourage waste to be used to produce renewable energy, incorporating both heat and power, <u>from waste that</u> if it cannot be re-used or recycled. <u>and minimise the amount of non-hazardous waste sent to landfill.</u>  |
| 14. Restore waste management sites to a high standard that will deliver sustainable benefits to Kent's <u>environment and its</u> communities.   |

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<sup>1</sup> A circular economy is an alternative to a traditional linear economy (make, use, dispose) in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life. N.B. The Glossary of the KMWLP will be updated to include an explanation of this term as well as others as required.

# **Strategic Objectives**

Strategic objectives not included in the tables below are not being changed.

## ***Strategic Objectives – General***

Strategic Objective 1. Encourage the use of sustainable, **low carbon** modes of transport for moving minerals and waste long distances and minimise road miles.

Strategic Objective 4. Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment, **educational and recreational** opportunities.

## ***Strategic Objectives for Minerals***

Strategic Objective 8. Enable the small-scale, low-intensity extraction of building stone minerals for heritage building products.

Strategic Objective 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** opportunities for biodiversity to meet **and where relevant, exceed** targets outlined in the Kent Biodiversity Action Plan, 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 achieve **an overall net-gain in biodiversity on restoration.**

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

## ***Strategic Objectives for Waste***

Strategic Objective 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 deliver a major reduction in the amount of Kent's waste being disposed of in landfill.

Strategic Objective 13. If it cannot be reduced, reused, recycled or composted, use waste as a fuel resource to provide opportunities for the generation of renewable energy, in the form of both heat and electricity, for use within Kent through energy from waste and technologies such as gasification and aerobic/anaerobic digestion.

Strategic Objective 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.

Strategic Objective 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, 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 overall net-gain in biodiversity on restoration.

# Planning Policies

Planning policies not included in the tables below are not being changed.

## ***Strategic Minerals Policies***

<b><u>Policy</u></b>	<b><u>Proposed Change</u></b>
<b>CSM 1: Sustainable Development</b>	<p><u>Proposed Changes to Policy:</u></p> <p><b><u>Policy CSM1</u></b></p> <p>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. <del>and the associated Planning Practice Guidance.</del></p> <p><del>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:</del></p> <p class="list-item-l1">1. <del>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,</del> or</p> <p class="list-item-l1">2. <del>specific policies in that Framework(40) indicate that development should be restricted.</del></p> <p><u>Proposed Changes to supporting text:</u></p> <p>5.1.1 The purpose of the planning system is to contribute to the achievement of sustainable development.<sup>(39)</sup> There are three <b><u>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</u></b> dimensions to sustainable development: economic,</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>social and environmental these require the planning system to perform three roles:</p> <ol style="list-style-type: none"> <li>4. <b>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.</b> <b>role:</b> 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.</li> <li>2. <b>Social - to support strong, vibrant and healthy communities, by the appropriate siting, operation and restoration of mineral development.</b> <b>role:</b> 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.</li> <li>3. <b>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.</b> <b>role:</b> 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.</li> </ol> <hr/> <p>38 DCLG (March 2012) National Planning Policy Framework Ministerial Foreword DCLG <b><u>DLUHC (2021)</u></b> National Planning Policy Framework, paragraph <b><u>209</u></b>.</p> <p>39 DCLG (March 2012) <b><u>DLUHC (2021)</u></b> National Planning Policy Framework , paragraph <b><u>7142</u></b>.</p>

<u>Policy</u>	<u>Proposed Change</u>
<b>CSM 2: Supply of Land-won Minerals in Kent</b>	<p><u>Proposed Changes to Policy</u></p> <p>Mineral working will be granted planning permission at sites identified in the Minerals Sites Plan<sup>(60)</sup> subject to meeting the requirements set out in the relevant site schedule in the Mineral Sites Plan and the development plan.</p> <p>Footnote 60 Sites identified in the Minerals Sites Plan <del>will are</del> generally be where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where MPAs <del>it is</del> considered that planning applications are likely to be acceptable in principle in planning terms.</p> <p><b>1. Aggregates</b></p> <p>Provision will be made for the supply of land-won aggregates as follows:</p> <p>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 sites are brought forward which would be assessed against Policy CSM4). Demand will instead be met from other sources, principally a combination of recycled and secondary aggregates, landings of Mineral Dredged Aggregate (MDA), blended materials and imports of crushed rock through wharves and railheads. The actual proportions will be decided by the market.</p> <p>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 Minerals Sites Plan.</p> <p>Crushed rock: Rolling landbanks for the whole of the Plan period and beyond of at least ten years equivalent to at least 20.5mt, all from existing permitted sources.</p> <p>Sites will be identified in the Mineral Sites Plan to support supplies of land-won aggregates at the stated levels above. A rolling average of ten years' sales data and other relevant information will be used to assess</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>landbank requirements on an on-going basis, and this will be kept under review through the annual production of a Local Aggregates Assessment.</p> <p><b>2. Brickearth and Clay for Brick and Tile Manufacture</b></p> <p>The stock of existing planning permissions at Paradise Farm, <u>Hartlip, Sittingbourne and</u> Orchard Farm, <u>Iwade, Sittingbourne, Hempstead House and Claxfield Road</u> for brickearth <u>for brick making and</u> clay for brick and tile making <u>at Pluckley Quarry, Ashford and Babylon Tile Works, Hawkenbury</u> 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.</p> <p><b>3. Silica Sand</b></p> <p>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 equipment.<sup>(61)</sup> Proposals will be considered on their own merits, having regard to the policies of the Development Plan as a whole subject to them demonstrating:</p> <ul style="list-style-type: none"> <li>a. how the mineral resources meet technical specifications required for silica sand (industrial sand) end uses; <u>and</u></li> <li>b. how the mineral resources will be used efficiently so that high-grade sand deposits are reserved for industrial end uses.</li> </ul> <p><b>4. Chalk for Agriculture and Engineering Purposes</b></p> <p>The stock of existing planning permissions for chalk is sufficient to supply Kent's requirements for agricultural</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>and engineering chalk over the plan period. 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.</p> <p><b>5. Clay for Engineering Purposes</b></p> <p>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.</p> <p><b><u>The stock of existing planning permissions 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.</u></b></p> <p><b><u>Selection of Sites for Allocation in the Minerals Sites Plan</u></b></p> <p>The criteria that will be taken into account for selecting and screening the suitability of sites for <b><u>allocation</u></b> identification in the Minerals Sites Plan will include:</p> <ul style="list-style-type: none"> <li>• the requirements for minerals set out above;</li> <li>• relevant policies set out in Chapter 7: Development Management Policies;</li> <li>• relevant policies in district local plans and neighbourhood plans;</li> <li>• strategic environmental information, including landscape assessment and HRA as appropriate</li> <li>• their deliverability; <b><u>and</u></b></li> <li>• other relevant national planning policy and guidance.</li> </ul> <p><b><u>Proposed change to supporting text:</u></b></p>

<u>Policy</u>	<u>Proposed Change</u>
	<p><b>5.2 Policy CSM 2: Supply of Land-won Minerals in Kent</b></p> <p>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 Kent.<sup>(41)</sup></p> <p>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.</p> <p>Footnote 41 More details of non-aggregate minerals in Kent are given in: KCC (May 2011) TRM3: Other Minerals.</p> <p>Sharp Sand and Gravel</p> <p>Flint Gravels</p> <p>5.2.3 High quality flint gravels in Kent are concentrated in the areas where flints derived from the 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 studies<sup>(42)</sup> 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),<sup>(43)</sup> have not proved to be sufficiently attractive for development.</p> <p>Sandstone Gravels</p>

<b><u>Policy</u></b>	<b><u>Proposed Change</u></b>
	<p>5.2.4 The sandstone dominant 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. <del>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.</del></p> <p><b><u>5.2.5 Recent (2020) monitoring identifies six active sand and gravel sites within the County.</u></b></p> <p><b>Soft Sand</b></p> <p>5.2.5 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 <del>seven</del> <ins>five</ins> sites continuing to be important for mortar and asphalt production.</p> <p><b>Crushed Rock</b></p> <p>5.2.6 The only resource exploited commercially to supply crushed rock in the county is 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 a Carboniferous Limestone deposit in east Kent (see section 5.11).</p> <p><b>Alternative Sources of Materials to Markets Supplied by Land-won Sharp Sand &amp; Gravels</b></p> <p>5.2.7 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.<sup>(44)</sup> Sales of secondary and recycled materials in 2014 <del>2020</del> were 0.84mt <ins>0.909mt</ins>, although sales have been as high as 1.3mt <ins>1.029mt</ins> in the last decade <ins>(2016)</ins>.</p> <p>Footnote 42 Evidence prepared for the Kent Structure Plan in 1975.</p> <p>Footnote 43 KCC (1993) Kent Minerals Local Plan Construction Aggregates Written Statement.</p> <p>Footnote 44 See report: KCC (2013) Interchangeability of Construction Aggregates.</p>

<b>Policy</b>	<b>Proposed Change</b>
	<p>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.</p> <p>5.2.8 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 <u>1.44</u> million tonnes (mt) being imported into its wharves in 2013 <u>2020</u>, and <u>O</u>ef 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 Medway.<sup>(45)</sup> <u>More recent 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 was 1.68mt, and in 2019 the Kent and Medway area consumed up to 70% of sales recorded in the combined area.</u> 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 obtained.(46)</p> <p><b>Demand for Land-won Aggregates</b></p> <p>5.2.9 The NPPF(47) 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 data(48) 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.</p> <p>5.2.10 The NPPF and planning practice guidance<sup>(49)</sup> 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:</p>

<u>Policy</u>	<u>Proposed Change</u>
	<ul style="list-style-type: none"> <li>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</li> <li>soft sands that are predominantly used in asphalt and mortar production</li> </ul> <p>Footnote 45 KCC (January 2015) The 2nd Local Aggregate Assessment for Kent, Table 3.</p> <p>Footnote 46 KCC (2014) Duty to Co-operate Report, Table 5.</p> <p><i>Note need to update footnotes to make sequential in light of deletion of footnote 46</i></p> <p>Footnote 47 <u>DLUHCCLG (2012-2021)</u> National Planning Policy Framework, para. 145<u>213</u></p> <p>Footnote 48 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. <del>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 <a href="http://www.kent.gov.uk/mwlp">www.kent.gov.uk/mwlp</a>.</del></p> <p>Footnote 49 <u>DLUHCCLG (Revised March 2014)</u> Planning Practice Guidance: Minerals.</p> <p>5.2.11 The <u>Draft</u> Kent Local Aggregate Assessment (<del>January 2015 September 2021</del>) 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.</p> <p>5.2.12 Between <u>2004-2011</u> and <u>2013-2020</u> sales of sharp sand and gravel from quarries in Kent dropped from around 908,000 <u>620,000</u> tonnes in <u>2004-2011</u> to around 273,000 <u>132,000</u> tonnes in <u>2013-2020</u>. The average of 10 years' sales of sharp sand and gravel is <u>0.78 million tonnes per annum (mtpa)</u> <u>270,300 tonnes per annum</u>. If demand were at this level for the rest of the Plan period (the 176 years <u>2013-21-30 with a 7-year landbank maintained at the end of the Plan period</u>), the requirement would be <u>13.26mt</u><del>4.32mt</del>.</p> <p>5.2.13 Between <u>2004-2011</u> and <u>2013-2020</u> sales of soft (building) sand from Kent's quarries have dropped from around 780,000 <u>439,000</u> tonnes in <u>2004-2011</u> to around 483,000 <u>393,000</u> tonnes in <u>2013-2020</u>. The average of 10 years' sales of soft sand is <u>0.65 mtpa</u> <u>441,000 tonnes per annum</u>.</p> <p>5.2.14 The 10-year average sales figure for crushed rock is <u>0.78mtpa</u> <u>830,000tpa</u> and, as presented in the</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>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.</p> <p>5.2.15 Other relevant local information that may affect supply of, or demand for, aggregates <del>is was</del> considered in the LAA.<sup>(50)</sup>-This did not indicate that a figure higher than the 10 year average sales figures would be justified as a basis for future provision.</p> <p><del>Footnote 50 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.</del></p> <p><i>Note need to update footnotes to make sequential in light of deletion of footnote 50</i></p> <p><u>Future Supplies of Land-won Sharp Sand and Gravel</u></p> <p>5.2.16 The starting point for identifying requirements for future land release for sand and gravel is the expected need for materials over the Plan period and beyond, taking into account the material which can be supplied from sites which already exist and have planning permission, <u>allocations in the Kent Mineral Sites Plan</u> and the contribution that substitute or secondary and recycled materials would make. The Plan provides separate policies for sharp sand &amp; gravel, soft sand and crushed rock, all of which are won from the land within Kent.</p> <p>5.2.17 The sites included in the calculations of the supply of land-won sand and gravel are listed in Appendix C <u>and updates are published in the LAA</u>.</p> <p><u>Sharp Sand and Gravel</u></p> <p>5.2.18 <u>The annual position on sharp sand and gravel in the County is reported in the Council's Local Aggregate Assessment</u>. Permitted reserves at the end of 2013 <del>2020</del> were 3.61mt <u>2.78mt</u>. Initial work through the 'Call for Sites' identified potential suitable sites that might supply a potential further 6.47mt of sharp sand and gravel over the Plan period. This, combined with existing permitted reserves, totals 10.08mt. <u>The allocation (two sites) of 2.5mt of potentially replenishing resource are identified in the Kent Mineral Sites Plan. These will not significantly alter the long term supply situation from the land-won resource over the remaining Plan period (2030+7). Based on 10 year sales the potential reserves</u></p>

<u>Policy</u>	<u>Proposed Change</u>
	<p><u>available are not sufficient to meet landbank requirements.</u></p> <p>5.2.19 <del>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 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 CSM4: Non-identified Land-won Mineral Sites or to further sites being proposed in the a 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.</del></p> <p>5.2.20 Diminishing land-won sharp sand and gravel supplies will increasingly be substituted over the plan period by supplies from production of alternative materials including secondary and recycled aggregates,(51) supplies gained from blending of materials to generate material suitable to supply the construction aggregate market,(52) 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 meet the predicted shortfall in supply of land-won sharp sand and gravel aggregate as 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 &amp; CSM 12 seek to ensure that the necessary minerals importation and processing infrastructure is in place.</p> <p><u>Soft Sand</u></p> <p>5.2.21 <u>The annual position on soft sand in the County is reported in the Council's Local Aggregate Assessment. Permitted reserves at the end of 2020 were 9.34mt. Both 10 and 3-year sales averages</u></p>

<u>Policy</u>	<u>Proposed Change</u>
	<p><u>are down, though 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 Mineral Sites Plan at Chapel Farm, Lenham (3.2mt).</u></p> <p>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.</p> <p>5.2.22 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. 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.</p> <p>Footnote 51 KCC (January 2015) Kent's 2nd Local Aggregate Assessment  Footnote 52 This currently occurs at two sites (Hermitage Quarry - rock and hassock &amp; East Peckham - imported rock and extracted sandstone gravels)</p> <p><u>Crushed Rock</u></p> <p>5.2.23 <u>The annual position on crushed hard rock in the County is reported in the Council's Local Aggregate Assessment.</u> The stock of planning permissions for crushed rock (ragstone) in Kent at the time of plan preparation <u>is considered to be sufficient based on an average supply of</u> <u>0.83mtpa</u> throughout and beyond the end of the plan period and so no additional crushed rock (ragstone) sites <u>are required for the plan period.</u> will be identified in the Minerals Sites Plan.</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>5.2.24 At the time of plan preparation, <del>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.</del> In view of this, <del>a</del><ins>A</ins> policy covering situations where non-identified land-won mineral sites could be acceptable is included as Policy CSM 4.</p> <p><b>Overall Provision of Land-won Aggregates</b></p> <p>5.2.25 The Plan will provide for land-won aggregates as follows:</p> <ul style="list-style-type: none"> <li>• Sharp sand and gravel: at least 10.08mt <del>4.32mt</del> of reserves (including 3.61mt <del>2.5mt</del> of currently permitted reserves <ins>and resources from allocated sites</ins>), and a landbank of at least 5.46 mt<del>1.83mt</del> as long as resources allow.</li> <li>• Soft sand: <del>at least</del> 10.64mt <del>7.056mt</del> reserves <ins>over the Plan period (including the 8.899mt at existing permitted sites and if necessary resources from the allocation site) and landbank of 3.087mt in 2030</ins> 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;</li> <li>• Crushed rock: <del>at least 15.77mt of</del> c.50mt reserves at existing permitted sites, sufficient to provide 13.26mt for the Plan period plus a landbank of 7.28mt in 2030 without the need for any new allocation <ins>plus a landbank of 8.30mt in 2030.</ins></li> </ul> <p>5.2.26 The <ins>sharp</ins> sand and gravel sites identified in the <ins>Kent</ins> Mineral Sites Plan will include <ins>are Stonecastle Farm Quarry Extensions, Hadlow and Land at Moat Farm, Five Oak Green. The soft sand site identified in the Kent Mineral Sites Plan is Chapel Farm (west), Lenham.</ins> land-won sharp sand and gravel sites, and soft sand (building sand) sites.</p> <p>5.2.27 Criteria that will be taken into account for <ins>In</ins> selecting and screening the suitability of sites for</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>identification in the <del>a</del> Minerals Sites Plan <u>the criteria as</u> are set out in Policy CSM2 <u>will be taken into account.</u></p> <p><b>Industrial Minerals</b></p> <p>5.2.28 In seeking to provide a steady and adequate supply of industrial minerals, and following national policy, the County Council will co-operate with other <u>Mineral Planning Authorities</u> 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:</p> <ul style="list-style-type: none"> <li>• at least 10 years for individual silica sand sites except where significant new capital is required in which case it is 15 years;</li> <li>• at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant; and</li> <li>• at least 25 years for brick clay and for cement primary and secondary materials to support a new kiln.</li> </ul> <p>5.2.29 This section deals with how the Plan intends to provide to meet these expectations.</p> <p><u>Brickearth and Clay for Brick and Tile Manufacture</u></p> <p>5.2.30 At the time of plan preparation, Kent <del>only</del> has one operational brickworks near Sittingbourne, which is supplied by brickearth extracted from sites in the Sittingbourne to Faversham area to make yellow London stock bricks. Brickearth extracted from another site in north Kent provides the raw materials for a brickworks in East Sussex. National planning policy requires the provision of a stock of permitted reserves of at least 25 years for brick clay.<sup>(53)</sup> There is a need to ensure sufficient reserves are available to provide brickearth for the <del>one</del> operational brickwork in Kent <del>these two brickworks</del> to ensure that the locally characteristic yellow London stock bricks can continue to be manufactured. <b>Currently the permitted reserves come from 2 sites:</b></p>

<u>Policy</u>	<u>Proposed Change</u>
	<p><b><u>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 in the 25–30-year range.</u></b></p> <p>5.2.31 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 established.<sup>(54)</sup> Therefore, there is no need to identify further reserves of brick clay or colliery shale for brickmaking in the <u>a</u> Mineral Sites Plan.</p> <p>5.2.32 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 beyond this date. No further reserves are needed to be identified to sustain this operation during the plan period.</p> <p>Footnote 53 <u>DLUHC MHCLG (February 2019 2021) National Planning Policy Framework, paragraph 21408.</u>  Footnote 54 KCC (May 2011) TRM3: Other Minerals.</p> <p><u>Silica Sand</u></p> <p>5.2.33 Silica sand 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 manures 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 extent.(55) National policy requires MPAs to plan for a steady and adequate supply of silica sand by</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>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 sites.<sup>(56)</sup></p> <p>5.2.34 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 quarries Wrotham Quarry (Addington Sand Pit) and Nepicar Sand Pit. <u>In 2014 t</u>These <u>had</u>have-permitted reserves in the region of 2.1 mt. These quarries are identified in Appendix C and shown in Figure 13: Minerals Key Diagram. 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 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 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.</p> <p>Footnote 55 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.</p> <p>Footnote 56 <u>DCLG_UHC (2021)</u><sup>42</sup> National Planning Policy Framework, paragraph <u>2146</u>.</p> <p><u>Chalk</u></p> <p>5.2.35 Chalk is abundant in Kent. It is used for agricultural and construction purposes (primarily as a bulk fill material) across the county.<sup>(57)</sup> 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. <u>Total reserves are currently estimated at 0.657 million tonnes as of the end of 2020. Based on the current rate of extraction there is a permitted reserve life of approximately 100 years, however, given that the rate of extraction varies so considerably this may change.</u> The indicative Kent landbank of chalk for agricultural and engineering use is estimated to be around 17.6 years as of 2018<sup>(58)</sup>. Reserves of chalk and rates of demand will be monitored</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>and reported in the Annual Monitoring Report and taken into account when any proposals for new sites come forward.</p> <p>5.2.36 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.</p> <p><u>Clay for Engineering Purposes</u></p> <p>5.2.37 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 2002.<sup>(59)</sup> This equates to a need over the plan period of around 459,000mt. <u>Development of</u> <del>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 result in the</del> also be identified as an extraction <del>of</del> site for engineering clay.</p>
<b>CSM 6: Safeguarded Wharves and Rail Depots</b>	<p><u>Proposed Changes to Supporting Text:</u></p> <p>5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots</p> <p>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 and are not put at risk by non-minerals developments. <u>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.</u> The locations of the safeguarded wharves and rail depots are shown in Figure 13: Minerals Key Diagram and in Chapter 9: Adopted Policies Maps.</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>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.</p>
<b>CSM 8: Secondary and Recycled Aggregates</b>	<p><u>Proposed Changes to Policy</u></p> <p>Sites will 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 <u>or the productive capacity value in the latest LAA (whichever is the greater)</u> of secondary and recycled aggregates, throughout the Plan period.</p> <p>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:</p> <ol style="list-style-type: none"> <li>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);</li> <li>2. appropriate mineral operations (including wharves and rail depots) for the duration of the host site permission;</li> <li>3. appropriate waste management operations for the duration of the host site permission;</li> <li>4. industrial estates, where the proposals are compatible with other policies set out in the development plan including those relating to employment and regeneration;</li> <li>5. any other site that meets the requirements cited in the second paragraph of this policy above.</li> </ol>

<u>Policy</u>	<u>Proposed Change</u>
	<p>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.</p> <p>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.</p> <p><u>Proposed Changes to Supporting Text:</u></p> <p>5.8.2 <del>In 2016 t</del><ins>The</ins> consented secondary and recycled aggregates processing capacity within Kent currently exceeded 2.7mtpa, 0.63 mtpa of which <del>wa</del><ins>s</ins> 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 <del>a</del><ins>were</ins> 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 are expected to increase as more Energy from Waste capacity is developed during the plan period in line with Policy CSW 8: Recovery Facilities for Non-hazardous Waste.</p>
<b>CSM 9: Building Stone in Kent</b>	<p><u>Proposed Changes to Policy</u></p> <p>Planning permission will be granted for <del>small-scale</del> proposals<sup>(68)</sup> 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 <del>within conservation areas</del>, subject to:</p> <ol style="list-style-type: none"> <li>1. development taking place in appropriate locations where the proposals do not have unacceptable adverse impacts on the local environment and communities; <u>and</u></li> <li>2. there being no other suitable, sustainable sources of the stone available;</li> <li>3. <del>the site is restored to a high quality standard and appropriate after-use that supports the local landscape character</del></li> </ol>

<u>Policy</u>	<u>Proposed Change</u>
<b>CSM 10: Oil, Gas and Unconventional Hydrocarbons</b>	<p><u>Proposed Changes to Supporting Text:</u></p> <p><del>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.</del></p>
<b><u>CSM11: Prospecting for Carboniferous Limestone</u></b>	<p><u>Proposed Changes to Supporting Text:</u></p> <p><b><u>5.11.2 As any application would 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.</u></b></p>
<b>CSM 12: Sustainable Transport of Minerals</b>	<p><u>Proposed Change to Policy</u></p> <p>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 the minerals by sustainable means (i.e. sea, river or rail) as the dominant mode of transport will be granted planning permission, where:</p> <ol style="list-style-type: none"> <li>1. they are well located in relation to the Key Arterial Routes(<sup>72</sup>) across Kent; and</li> <li>2. the proposals are compatible with other local employment and regeneration policies set out in the development plan.</li> </ol> <p><u>Proposed Changes to Supporting Text:</u></p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>5.12.1 Whilst <del>st</del> there have not been any proposals for new wharves and rail depots for consideration in the Mineral Sites Plan <u>does not allocate any sites for mineral wharves or rail depots</u>, <u>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.</u> Therefore, it is in line with the requirements of sustainable development it is important to encourage the sustainable transportation of minerals by rail and water wherever possible <u>and safeguard related infrastructure</u>. 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.</p>

### ***Strategic Waste Policies***

<u>Policy</u>	<u>Proposed Change to Text</u>
CSW 1: Sustainable Development	<p><u>Proposed Change to Policy</u></p> <p>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, <u>National Planning Policy for Waste</u> and the <u>Waste Management Plan for England</u>.</p> <p><del>Waste development that accords with the development plan should be approved without delay, unless material considerations indicate otherwise.</del></p> <p><del>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:</del></p> <p>1. any unacceptable adverse impacts of granting permission would significantly and demonstrably outweigh the</p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p>benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, or</p> <p>2. specific policies in that Framework(74) indicate that development should be restricted.</p>
<b>CSW 2: Waste Hierarchy and Policy</b>	<p><u>Proposed Change to Policy</u></p> <p>To <u>support the delivery of</u> sustainable waste management solutions <u>in</u> for Kent, proposals for waste management must demonstrate how <u>the proposed capacity will ensure that waste to be managed at the facility will be managed at the highest level</u> of the proposal will help drive waste to ascend the Waste Hierarchy <u>practicable unless lifecycle assessment demonstrates that this is not appropriate</u> whenever possible.</p>
<b>CSW 3: Waste Reduction</b>	<p><u>Proposed Change to Policy</u></p> <p>All new development <u>must be designed in accordance with circular economy principles to</u> should:</p> <ul style="list-style-type: none"> <li><u>1. Minimise the production of construction, demolition and excavation waste and manage any <u>such waste arising during the development</u> in accordance with the objectives of Policy CSW 2;</u></li> <li><u>2. retain and upgrade existing structures where possible;</u></li> <li><u>3. allow for ease of redevelopment and refurbishment; and,</u></li> <li><u>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.</u></li> </ul> <p><u>In order to maximise the opportunities for new residents to reuse and recycle their household waste, planning applications involving additional residential development should include the following details, except where such applications are made by or on behalf of a householder:</u></p> <p>The following details shall be submitted with the planning application, except for householder applications:</p> <ol style="list-style-type: none"> <li>1. the measures to be taken to show compliance with this policy; <b>and</b></li> </ol>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p>2. the details of the nature and quantity of any construction, demolition and excavation waste <u>which will arise from the development</u> and its subsequent management.</p> <p>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.</p> <p>In particular proposals should ensure that:</p> <ol style="list-style-type: none"> <li>1. there is adequate temporary storage space for waste generated by that development allowing for the separate storage of recyclable materials;</li> <li>2. as necessary, there is adequate communal storage for waste, including separate recyclables, pending its collection;</li> <li>3. storage and collection systems (e.g. any dedicated <u>spaces</u> 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</li> <li>4. adequate contingency measures are in place to manage any mechanical breakdowns. All relevant proposals should be accompanied by a recycling <u>and</u> waste management strategy which considers the above matters and demonstrates the ability to meet local authority waste management targets.</li> </ol> <p><u>Proposed changes to supporting text to be inserted after Policy CSW2 and before Policy CSW3:</u></p> <p><i>Add the following paragraph to supporting text:</i></p> <p><b><u>6.2.6 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</u></b></p>

<u>Policy</u>	<u>Proposed Change to Text</u>																																										
	<p><u>savings that occur during the operational phase of the new buildings. This is because of the embodied energy used to make 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.</u></p> <p><u>6.2.7 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) may be sought to assist with the provision of related infrastructure.</u></p>																																										
CSW 4: Strategy for Waste Management Capacity	<p><u>Proposed Changes to Policy:</u></p> <p><b>Table 1</b></p> <table> <thead> <tr> <th></th> <th>Milestone Year</th> <th>2015/16</th> <th>2020/21</th> <th>2025/26</th> <th>2030/31</th> </tr> </thead> <tbody> <tr> <td><b>Local Authority Collected Waste</b></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Recycling/Composting(77)</td> <td>n/a</td> <td>50%</td> <td>55%</td> <td>60%</td> <td></td> </tr> <tr> <td>Other Recovery</td> <td>n/a</td> <td>45%</td> <td>43%</td> <td>38%</td> <td></td> </tr> <tr> <td>Remainder to Landfill</td> <td>n/a</td> <td>2%</td> <td>2%</td> <td>2%</td> <td></td> </tr> <tr> <td><b>Commercial and Industrial Waste</b></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Recycling/Composting(78)</td> <td>n/a</td> <td>50%</td> <td>55%</td> <td>60%</td> <td></td> </tr> </tbody> </table>		Milestone Year	2015/16	2020/21	2025/26	2030/31	<b>Local Authority Collected Waste</b>						Recycling/Composting(77)	n/a	50%	55%	60%		Other Recovery	n/a	45%	43%	38%		Remainder to Landfill	n/a	2%	2%	2%		<b>Commercial and Industrial Waste</b>						Recycling/Composting(78)	n/a	50%	55%	60%	
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<u>Policy</u>	<u>Proposed Change to Text</u>				
Other Recovery	n/a	35%	32.5%	30%	
Remainder to Landfill	n/a	15%	12.5%	10%	
<b><u>Construction &amp; Demolition Waste (Non-Inert only)</u></b>					
Recycling	n/a	12%	13%	14%	
Composting	n/a	1%	1%	1%	
<u>Component</u>		<u>Management Method</u>		<u>Milestone Year</u>	
				<u>2020/21</u>	<u>2025/26</u>
		<u>Proportion of Projected Arisings taken to be Inert*</u>		<u>80%</u>	<u>80%</u>
<u>Inert CDEW Arisings</u>		<u>Inert waste recycling (as proportion of inert arisings)</u>		<u>60%</u>	<u>65%</u>
		<u>Permanent deposit of inert waste other than for disposal to landfill** (as proportion of inert arisings)</u>		<u>25%</u>	<u>25%</u>
		<u>Landfill (as proportion of inert arisings)***</u>		<u>15%</u>	<u>10%</u>
		<u>Total (inert CDEW arisings)</u>		<u>100%</u>	<u>100%</u>
		<u>Non-Inert CDEW Arisings</u>		<u>20%</u>	<u>20%</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>Composting (as proportion of non-inert arisings)</u>		<u>5%</u>	<u>5%</u>
		<u>Non-hazardous waste recycling (as proportion of non-inert arisings)</u>		<u>60%</u>	<u>65%</u>

<u>Policy</u>	<u>Proposed Change to Text</u>				
	<u>Non-hazardous residual waste treatment (as proportion of non-inert arisings)</u>	<u>25%</u>	<u>25%</u>	<u>25%</u>	
	<u>Landfill (as proportion of non-inert arisings) (these percentages are not targets but are included for completeness)</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>	
	<u>Total (non-inert CDEW arisings)</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	
<p><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.</u></p> <p><u>**This includes the use of inert waste in backfilling of mineral workings &amp; operational development such as noise bund construction and flood defence works.</u></p> <p><u>***These percentages are not targets but are included for completeness.</u></p>					
<p><u>Proposed Changes to Supporting Text:</u></p> <p><i>new section to follow para 6.3.2:</i></p> <p><u>The Environment Bill introduced by Government 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.</u></p> <p><u>Implementation of these requirements will be crucial to achievement of the recycling/composting</u></p>					

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p><u>ambitions of the Kent Minerals and Waste Local Plan. These set recycling targets for the Kent Commercial &amp; Industrial (C&amp;I) waste stream of 55% by 2025/26 and 60% by 2030/31.</u></p> <p><u>This has generated the need to provide additional management capacity for the separation of DMR into its constituent recyclates, plus bulking capacity for glass and food waste. Final treatment capacity for food arising both from the Local Authority Collected Waste (LACW) and Commercial &amp; Industrial (C&amp;I) streams may be required. This pressure is additional to capacity required for the management of a growing quantity of additional household derived materials generated as a consequence of population growth. 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).</u></p> <p><u>Issues with 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) have also been identified by the Waste Disposal Authority. 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 transport.</u></p>
<b>CSW 6: Location of Built Waste Management Facilities</b>	<p><u>Proposed changes to Policy:</u></p> <p>Planning permission will be granted for proposals that:</p> <p>a. <del>e</del><u>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, <u>and heritage assets</u> Ancient Monuments and registered Historic Parks and Gardens.</u> (See Figures 4, 5 &amp; 6).</p> <p>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 &amp; 15).</p>

<b>Policy</b>	<b>Proposed Change to Text</b>
	<p>c. are well located in relation to Kent's Key Arterial Routes, <b><u>and/or railheads and wharves</u></b> avoiding proposals which would give rise to significant numbers of lorry movements through villages or on unacceptable stretches of road.</p> <p>d. do not represent inappropriate development in the Green Belt.</p> <p>e. avoid Groundwater Source Protection Zone 1, <del>and Flood Risk Zone 3b</del></p> <p><b>f. <u>avoid Flood Risk Zone 3b.</u></b></p> <p><del>fg.</del> 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.</p> <p><del>gh.</del> for energy producing facilities - sites are in proximity to <b><u>existing or planned</u></b> potential heat users.</p> <p><del>hi.</del> 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.</p> <p><del>ij.</del> for facilities involving operations that may give rise to bioaerosols (e.g. composting) to locate at least 250m away from any potentially sensitive receptors.</p> <p>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 adverse impact on the environment and communities and where such uses are compatible with the development plan:</p> <ol style="list-style-type: none"> <li>1. within or adjacent to an existing mineral development or waste management use</li> <li>2. forming part of a new major development for B8 employment or mixed uses</li> </ol>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p>3. within existing industrial estates</p> <p>4. other previously developed, contaminated or derelict land not allocated for another use</p> <p>5. redundant agricultural and forestry buildings and their curtilages.</p> <p><b><u>6. within farm units where the proposal is for composting or anaerobic digestion and the compost/digestate is to be used within that unit.</u></b></p> <p>Proposals on greenfield land will only be permitted if it can be demonstrated that there are no suitable locations identifiable from categories 1 to <b><u>65</u></b> 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.</p> <p><u>Proposed Changes to Supporting Text:</u></p> <p><b><u>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 DM 10: Water Environment, so that the full implications of the location for water resources and flood risk are fully assessed and satisfied.</u></b></p> <p><b><u>6.5.8</u></b> Policy CSW 6 applies to all proposals for built waste management facilities.</p> <p><i>Note: Figures 4, 5 &amp; 6 may require updating to reflect changes to designations</i></p>
<b>CSW 7: Waste Management for Non- hazardous Waste</b>	<p><u>Proposed changes to Policy:</u></p> <p>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:</p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p>1. it moves waste up the hierarchy;</p> <p>2. recovery of by-products and residues is maximised;</p> <p>3. energy recovery is maximised (utilising both heat and power); <b><u>and</u></b></p> <p>4. any residues produced can be managed or disposed of in accordance with the objectives of Policy CSW 2.</p> <p><del>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)</del></p> <p><del>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 within that unit.</del></p>
CSW 8: <u>Other Recovery Facilities for Non-hazardous Waste</u>	<p><u>Proposed Changes to Supporting Text:</u></p> <p>6.8.1 One of the fundamental aims of the Plan is to reduce the amount of MSW <b><u>Local Authority Collected Waste (LACW)</u></b> and <b><u>Commercial and Industrial</u></b> (C&amp;I) waste being sent to non-hazardous landfill. <b><u>Other recovery capacity, such as Energy from Waste, is that which diverts waste from landfill by means lower down the waste hierarchy than recycling and composting.</u></b></p> <p>6.8.2 <b><u>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</u></b></p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p><u>identified, will not be permitted.</u></p> <p>6.8.3 <u>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 onwards. 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.</u></p> <p><b>6.8.4</b> Such <u>other recovery</u> 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 counted<sup>85</sup>.</p> <p><u>Proposed changes to Policy:</u></p> <p>Update title of Policy as follows: CSW 8: <u>Other</u> Recovery Facilities for Non-hazardous Waste</p> <p><i>Update policy text as follows:</i></p> <p>Facilities using waste as a fuel will only be permitted if:</p> <ul style="list-style-type: none"> <li>a. they qualify as recovery operations as defined by the Revised Waste Framework Directive (<sup>86</sup>);</li> <li>b. <u>the waste used to fuel the facility is that which cannot practically be reused, recycled or composted i.e. is unavoidable residual waste**;</u></li> <li>c. solid residues arising from the process will be utilised as a raw material;</li> </ul>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p><u>d. the maximum amount of energy from the process will be utilised including the use of surplus heat; and,</u>  <u>e. the facility is designed to ensure that non biogenic gaseous carbon emissions are minimised, and those produced are captured and utilised, or, if utilisation is not possible stored.</u></p> <p>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.</p> <p><b><u>** This also applies to facilities that use waste to produce a fuel i.e. RDF</u></b></p> <p><i>N.B. Monitoring indicators to this policy are proposed to be updated to provide clarification and ensure their effectiveness. Explanation of the term 'Other recovery' added to the Glossary.</i></p>
CSW 9: Non Inert Waste Landfill in Kent	<p><u>Proposed changes to Policy:</u></p> <p>Planning permission will only be granted for non-inert(87) waste landfill if:</p> <ol style="list-style-type: none"> <li>1. it can be demonstrated that the waste stream that needs to be landfilled cannot be managed in accordance with the objectives of Policy CSW2 and for which no <u>alternative</u> suitable <u>capacity for its management</u> disposal capacity exists; and</li> <li>2. environmental or other benefits will result from the development;</li> <li>3. the site and any associated land <u>are to be</u> restored to a high quality standard and <u>an</u> appropriate after-use that accords with the local landscape character as required by Policy DM 19.; <u>and</u></li> </ol> <p><b><u>4. at least 85% of any landfill gas produced will be captured and utilised using best practice techniques.</u></b></p> <p><u>Proposed Changes to Supporting Text:</u></p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p><i>Add to supporting text</i></p> <p><b><u>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.</u></b></p>
CSW 10: Development at Closed Landfill Sites	<p><u>Proposed Changes to Policy:</u></p> <p>Planning permission will be granted for development for any of the following purposes:</p> <ol style="list-style-type: none"> <li>1. <del>development for the improvement of</del> <ins>or</ins> restoration for an identified after-use for the site; <del>or</del></li> <li>2. <del>development for the reduction of emissions of gases or leachate to the environment;</del> <ins>or</ins></li> <li>3. <del>development making</del> <ins>maximum</ins> use of gases being emitted and which <del>will reduce</del><ins>ing</ins> the emission of gases to the environment.</li> </ol> <p><u>Proposed Changes to Supporting Text:</u></p> <p>New paragraph 6.10.2</p> <p><b><u>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.</u></b></p> <p><i>Supporting text to be added which considers the relative merits of power production vs compressing for use of vehicle fuel. As the carbon intensity of electricity from the grid falls, the avoided carbon benefit from gas engines declines. In addition mention to be included of the waste sector commitment to transitioning vehicle fleet fuels away from fossil fuels.</i></p>

<u>Policy</u>	<u>Proposed Change to Text</u>
CSW 11: Permanent Deposit of Inert Waste	<p><u>Proposed Changes to Policy</u></p> <p>Planning permission for the <u>permanent deposit</u> disposal of inert waste will be granted where:</p> <ol style="list-style-type: none"> <li>1. it can be demonstrated that the waste cannot be managed in accordance with the objectives of Policy CSW2</li> <li>2. <u>the inert waste is being deposited for a beneficial use such as</u> it is for the restoration of landfill sites and mineral workings <u>and not as part of a disposal operation</u>:</li> <li>2. <u>if the waste is to be used in an engineering operation, other than the restoration of landfill sites and mineral workings, it is demonstrated that there is no local demand for its use in such restoration operations; and,</u></li> <li>3. <u>the development involves the minimum quantity of waste necessary to achieve the benefit sought.</u> environmental benefits will result from the development, in particular the creation of priority habitat</li> <li>4. sufficient material is available to restore the site within agreed timescales.</li> </ol>
CSW 12: Identifying Sites for Hazardous Waste	<p><u>Proposed Changes to Policy:</u></p> <p>To maintain net self sufficiency in the management of hazardous waste throughout the plan period, <u>D</u>evelopment proposals for built hazardous waste management facilities will be granted planning permission in locations consistent with Policy CSW 6 <u>and for landfill sites in accordance with Policy CSW9</u>, regardless of whether their catchment areas for waste extend beyond Kent.</p>
CSW 14: Disposal of Dredgings	<p><u>Proposed Changes to Supporting Text:</u></p> <p>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</p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p>currently available. <u>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.</u></p>
<b>CSW 15: Wastewater Development</b>	<p><u>Proposed Changes to Policy</u></p> <p>Wastewater treatment works and sewage sludge treatment and disposal facilities (<u>including extensions</u>) will be granted planning permission, subject to:</p> <p class="list-item-l1">1. there being a proven need for the proposed facility; <u>and</u></p> <p class="list-item-l1"><u>2. biogas resulting from any anaerobic digestion of sewage sludge, being recovered effectively for use as an energy source using best practice techniques.</u></p> <p><u>Proposed Changes to Supporting Text:</u></p> <p>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. <del>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.</del></p>
<b>CSW 16: Safeguarding of Existing Waste Management Facilities</b>	<p><u>Proposed Changes to Policy</u></p> <p><u>Capacity at Ssites with</u> that have permanent planning permission for waste management, or are allocated in the Waste Sites Plan are <u>is</u> safeguarded from being developed for non-waste management uses*.</p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p><u>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.</u></p> <p>Where other development is proposed at, or within 250m of, <u>sites hosting</u> safeguarded waste management <u>capacity</u> facilities Local Planning Authorities will consult the Waste <u>P</u>lanning Authority and take account of its views <u>on how the safeguarded capacity may be affected</u> before making a planning decision (in terms of both a planning application and an allocation in a local plan).</p> <p><b>New footnote*: A list of sites hosting safeguarded capacity is maintained in the Annual Monitoring Report</b></p>
<b>CSW 17: Nuclear Waste Management Treatment and Storage at Dungeness Nuclear Estate</b>	<p><u>Proposed change to policy title</u></p> <p><u>Proposed Change to Policy Title: CSW 17: Nuclear Waste Management Treatment and Storage at Dungeness Nuclear Estate</u></p> <p><u>Proposed Changes to Policy</u></p> <p>Facilities for the storage and/or management of radioactive waste will be acceptable within the Nuclear Licensed area at Dungeness where:</p> <ol style="list-style-type: none"> <li>1. this is consistent with the national strategy<sup>(98)</sup> for managing radioactive waste and discharges; <u>and</u></li> <li>2. the outcome of environmental assessments justify it being managed on site.</li> </ol> <p>The only waste arisings from Dungeness Nuclear Licensed sites that will be acceptable <u>for use</u> as fill material for the back-filling of voids within the <u>Dungeness</u> <del>a</del>Nuclear <del>t</del>Licensed site are inert (non-radioactive) <u>low-level and very low-level radioactive</u> wastes, <u>or other inert wastes</u>, generated by the demolition of existing buildings and structures.</p> <p>Landfill or landraise activities that use <u>low-level and very low-level</u> radioactive wastes, <u>or other inert waste</u>, within the nuclear licensed site will not be granted planning permission <u>unless it can be demonstrated that there</u></p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p><u>is an overriding need for this development and that net gains in landscape and biodiversity can be achieved by the development and any environmental impacts be mitigated to an acceptable level.</u></p> <p>Footnote 98 National strategy for radioactive wastes is the NDA Strategy at the time of this plan preparation.</p> <p><u>Proposed Change to supporting text</u></p> <p>6.18.1 Kent has two nuclear power stations sites (Dungeness A and B) located on <u>the</u> Dungeness <u>Peninsula</u> (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 <del>is scheduled to end</del> power generation in 20128, but <del>operations may continue beyond then</del>. The decommissioning of Dungeness B is likely to continue until 2111. <sup>(97)</sup></p> <p>Footnote 97 Source: KCC (May 2011 <u>November 2021</u>) <u>Topic Paper TRW6</u>: Nuclear Wastes, quoting information from both Magnox Ltd and EDF Energy</p> <p>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 site in Europe comprising approximately 2000 hectares of vegetated shingle, approximately half the English shingle habitat resource. The extent and compositions of shingle habitats found at Dungeness is unique in the UK and rare in northwest Europe. Designated <u>Habitat European-Sites</u> which form part of the '<u>National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017</u>', protected by the Habitats and Wild Birds Directives, cover large parts of the Dungeness Peninsula.</p> <p>6.18.3 <del>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 in future, it would be considered as a 'Nationally Significant Infrastructure Project' and so its suitability would be considered by the Secretary of State.</del></p>

<u>Policy</u>	<u>Proposed Change to Text</u>
	<p>6.18.4 <u>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<sup>(97B)</sup> (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)).</u> 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, <del>e</del>Each Magnox site <u>may</u> is currently planned to 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 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 to minimise the overall impact of radioactive waste processing and disposal subject to due process and Best Available Techniques (BAT) assessment. <u>Policy CSW 17 does not foreclose possible future solutions for consolidation and waste movements between sites (for treatment and/or storage).</u></p> <p><u>Footnote 97B Nuclear Decommissioning Authority Strategy effective from April 2016</u>  <a href="https://www.gov.uk/government/publications/nda-strategy">https://www.gov.uk/government/publications/nda-strategy</a></p> <p>6.18.5 In 2012, Shepway District Council (<u>now Folkestone and Hythe District Council</u>) considered whether to submit an expression of interest to host the <u>Geological Disposal Facility (GDF)</u> in <u>the district</u> 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. Policy CSW 17 specifically precludes the management of waste from anywhere other than the nuclear power stations at this location and would preclude the development of a GDF at Dungeness.</p>
<b>CSW 18: Non-nuclear Radioactive Low Level Waste (LLW) Management</b>	<p><u>Proposed Changes to Policy</u></p> <p>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:</p>

<u>Policy</u>	<u>Proposed Change to Text</u>
Facilities	<p>1. where there is a proven need for the facility, <u>and</u></p> <p>2. some of the source material to be managed arises from within Kent <u>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.</u></p>

## *Development Management Policies*

<u>Policy</u>	<u>Proposed Change</u>
DM 1: Sustainable Design	<p><u>Proposed Changes to Supporting Text:</u></p> <p>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. <u>Emissions arising from construction include those embedded in the materials used in the development, and low carbon materials should therefore be used.</u></p> <p><u>Proposed Changes to Policy:</u></p> <p>Proposals for minerals and waste development will be required to demonstrate that they have been designed <u>in accordance with best practice</u> to:</p> <p>1. minimise greenhouse gas emissions <u>which may arise from the construction and operation of the development;</u></p>

<u>Policy</u>	<u>Proposed Change</u>
	<p><b><u>2. minimise</u></b> and other emissions <b><u>of pollutants which may arise from construction and operation;</u></b></p> <p><b><u>23.</u></b> minimise energy and water consumption <b><u>during their construction and operation</u></b> and incorporate measures for water recycling and <b><u>utilisation of low carbon</u></b> renewable energy technology and design in new facilities where possible;</p> <p><b><u>3-4. minimise waste and</u></b> maximise the re-use or recycling of materials <b><u>during their construction and operation;</u></b></p> <p><b><u>45. incorporate climate change adaptation measures including</u></b> utilise sustainable <b><u>urban</u></b> drainage systems, <b><u>suitable shading of pedestrian routes and open spaces and drought resistant landscaping</u></b> wherever practicable <b><u>unless there is clear evidence that this would be inappropriate;</u></b></p> <p><b><u>56.</u></b> protect and enhance the character and quality of the site's setting and its biodiversity interests or mitigate and if necessary compensating for any predicted loss;</p> <p><b><u>7. maximise opportunities to contribute to green and blue infrastructure;</u></b></p> <p><b><u>68.</u></b> minimise the loss of Best and Most Versatile Agricultural Land;</p> <p><b><u>9. achieve a BREEAM 'Very Good' standard or equivalent; and</u></b></p> <p><b><u>10. where possible, utilise existing buildings and achieve an efficient re-use of land</u></b></p>
<b>DM 2: Environmental and Landscape Sites of International, National and Local</b>	<p><u>Proposed Changes to Policy:</u></p> <p>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 <b><u>and geodiversity</u></b> interests, or geological interests of sites of international, national and local importance.</p>

<b>Policy</b>	<b>Proposed Change</b>
<b>Importance</b>	<p>1. International Sites</p> <p>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 ('<b>National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017 and 'Habitat Sites' as defined by the NPPF<sup>2</sup> European Sites</b>'), will need to be evaluated in combination with other projects and plans <b>and be in accordance with the established management objectives for the national site network ('network objectives')</b><sup>3</sup>). Before any such proposal will be granted planning permission or identified in the Minerals and Waste Sites Plans, it will need to be demonstrated that:</p> <ul style="list-style-type: none"> <li>a. there are no alternatives;</li> <li>b. there is a robust case established as to why there are imperative reasons of overriding public interest; <b>and</b></li> <li>c. there is sufficient provision for adequate timely compensation.</li> </ul> <p>2. National Sites</p> <p>2.1 Designated Areas of Outstanding Natural Beauty (AONB)(101) 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.</p> <p>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 public interest. In relation to other</p>

<sup>2</sup> 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'

<sup>3</sup> Changes to the Conservation of Habitats and Species Regulations 2017 - <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017>

<b>Policy</b>	<b>Proposed Change</b>
	<p>minerals or waste proposals in an AONB, great weight will be given to conserving <u>and enhancing</u> its landscape and scenic beauty. Proposals <del>outside, but within the setting of an AONB</del> <u>should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas</u>. Will be considered having regard to the effect on the purpose of conserving and enhancing the natural beauty of the AONB.</p> <p>Consideration of such applications will assess:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b. the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way; <u>and</u></li> <li>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.</li> </ul> <p>Sites put forward for allocation for minerals or waste development in <u>updates to</u> the Minerals Site Plan or <u>a</u> the Waste Sites Plan will be considered having regard to the above tests. Those that appear to the Minerals and Waste Planning Authority <u>considers</u> to be unlikely to meet the relevant test(s) will not be allocated.</p> <p>2.2 Proposals for minerals and/or waste developments within or outside of designated Sites of Special Scientific Interest, that are considered likely to have any unacceptable adverse impact on a Site of Special Scientific Interest, will not be granted planning permission or identified in <u>updates to</u> the Minerals <u>Sites Plan</u> and <u>any</u> Waste Sites Plans except in exceptional circumstances where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>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; <u>and</u></li> <li>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.</li> </ul> <p>2.3 Minerals and/or waste proposals located within or considered likely to have any unacceptable adverse impact on Ancient Woodland will not be granted planning permission, or identified in <u>updates to</u> the</p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>Minerals <u>Sites Plan</u> and <u>any Waste</u> Sites Plans, unless the need for, and the benefits of the development in that location clearly outweigh any loss.</p> <p>3. Local Sites</p> <p>Minerals and/or waste proposals within the Local Sites listed below will not be granted planning permission, or identified in <u>updates to</u> the Minerals <u>Sites Plan</u> and <u>any Waste</u> 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:</p> <ul style="list-style-type: none"> <li>a. Local Wildlife Sites;</li> <li>b. Local Nature Reserves;</li> <li>c. Priority Habitats and Species;</li> <li>d. land that is of regional or local importance as a wildlife corridor or for the conservation <u>and enhancement</u> of <u>geodiversity and</u> biodiversity;</li> <li>e. Local Geological Sites;</li> <li>f. irreplaceable habitat including aged and veteran trees;</li> <li>g. Country Parks, common land and village greens and other important areas of open space or green areas within built-up areas</li> </ul> <p><u>Proposed Change to Supporting Text</u></p> <p>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. Significant weight in planning terms is given to conserving <u>and enhancing</u> landscape and scenic beauty of AONBs in which the conservation <u>and enhancement</u> of wildlife and cultural heritage are important considerations. <u>Development within the setting of AONBs should also be sensitively located and designed to avoid or minimise impacts on the designated areas. The policy recognises that some sites are designated due to their importance in terms of geodiversity.</u></p>

<b>Policy</b>	<b>Proposed Change</b>
	<p>7.2.2 Locally important sites are also designated in recognition of their significance at the local level, <u>as contained in the Kent State of the Environment Report 2015 and The Kent Environment Strategy 2016</u>, but do not normally carry the same level of protection as international or nationally designated sites. These sites include <u>Local Wildlife Sites</u> (LWS), priority habitat identified in BAP, Local Geological Sites, Locally Listed Heritage Assets, <u>Local Nature Reserves</u> (LNR), Country Parks, Ancient Woodland and aged or veteran trees, waterbodies and other green infrastructure features. <u>These sites will play an important role in the success of Local Nature Recovery Strategies.</u></p>
DM 3: Ecological Impact Assessment	<p><u>Proposed Change to Policy:</u></p> <p>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 <u>internationally</u> and nationally protected species, and habitats and species of principal importance for the conservation, <u>protection and enhancement</u> of biodiversity, <u>geodiversity and</u> / Biodiversity Action Plan habitats and species.</p> <p>Proposals that are likely to have unacceptable adverse impacts upon important <u>geodiversity and</u> biodiversity assets will need to demonstrate that an adequate level of ecological assessment has been undertaken and <u>should provide a positive contribution to the protection, enhancement, creation and management of biodiversity. Such proposals</u> will only be granted planning permission following:</p> <ol style="list-style-type: none"> <li>1. an ecological assessment of the site, including preliminary ecological appraisal and, where likely presence is identified, specific protected species surveys;</li> <li>2. consideration of the need for, and benefits of, the development and the reasons for locating the development in its proposed location;</li> <li>3. the identification and securing of measures to mitigate any adverse impacts (direct, indirect and cumulative);</li> <li>4. the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for; <u>and</u></li> <li>5. the identification and securing of opportunities to make a positive contribution to the protection, enhancement, creation and management of biodiversity <u>where it has been demonstrated that at least</u></li> </ol>

<b>Policy</b>	<b>Proposed Change</b>
	<p><b><u>10% biodiversity net gain will be achieved.</u></b></p> <p><u>Proposed Change to Supporting Text:</u></p> <p>7.2.4 In addition to Policy DM 2, Policy DM 3 seeks to ensure that an adequate level of ecological assessment will be undertaken for Kent's biodiversity assets, <b><u>and ensure that a biodiversity net gain of at least 10% can be provided.</u></b></p>
<b>DM 5: Heritage Assets and Policy</b>	<p><u>Proposed Change to Policy:</u></p> <p>Proposals for minerals and waste developments will be required to ensure that Kent's heritage assets and their settings, including locally listed heritage assets, registered historic parks and gardens, Listed Buildings, conservation areas, World Heritage Sites, Scheduled Ancient Monuments, archaeological sites and features and defined heritage coastline,<sup>(110)</sup> are conserved in a manner appropriate to their significance.</p> <p>Proposals should result in no unacceptable adverse impact on Kent's historic environment and, wherever possible, opportunities must be sought to maintain or enhance historic assets affected by the proposals. Minerals and/or waste proposals that would have an <b><u>unacceptable adverse</u></b> impact on 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.</p>
<b>DM 6: Historic Environment Assessment</b>	<p><u>Proposed Changes to Supporting Text:</u></p> <p>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 flora.<sup>(108)</sup> 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,</p>

<b><u>Policy</u></b>	<b><u>Proposed Change</u></b>
	<p>so that they can be enjoyed for their contribution to the quality of life by today's and future generations.(103)</p> <p><b><u>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.</u></b></p>
<b>Policy DM 9: Prior Extraction of Minerals in Advance of Surface Development</b>	<p><u>Proposed Change to Policy:</u></p> <p>Planning permission for, or incorporating, mineral extraction in advance of development will be granted where the resources would otherwise be permanently sterilised provided that:</p> <ol style="list-style-type: none"> <li>1. the mineral extraction operations are only for a temporary period <b><u>linked to the timing of the associated surface development;</u></b> and</li> <li>2. the proposal will not cause unacceptable adverse impacts on the environment or to communities</li> </ol> <p>Where planning permission is granted for the prior extraction of minerals, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.</p>
<b>DM 10: Water Environment</b>	<p><u>Proposed Change to Policy:</u></p> <p>Planning permission will be granted for minerals or waste development where it does not:</p> <ol style="list-style-type: none"> <li>1. result in the deterioration of physical state, water quality or ecological status of any water resource and waterbody, including <b><u>aquifers</u></b>, rivers, streams, lakes and ponds;</li> <li>2. have an unacceptable impact on groundwater Source Protection Zones (as shown in Figure 15) <b><u>or threaten the development of future groundwater abstractions and associated source protection zones in principle or secondary aquifers;</u></b> and</li> </ol>

<u>Policy</u>	<u>Proposed Change</u>
	<p>3. exacerbate flood risk in areas prone to flooding (as shown in Figure 15) and elsewhere, both now and in the future</p> <p>All minerals and waste proposals must include measures to ensure the achievement of both no deterioration and improved ecological status of all waterbodies within the site and/or hydrologically or <u>hydrogeologically</u> connected to the site. A <del>h</del><u>Hydrogeological and/or hydrological</u> 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.</p> <p><u>Proposed Changes to Supporting Text:</u></p> <p>7.8.5 To ensure compliance with the Water Framework Directive,<sup>(115)</sup> minerals and waste developments must not cause any unacceptable adverse impact on local water bodies. Applications for minerals and waste proposals within <u>Source Protection Zones</u> (SPZ) and <u>Groundwater Vulnerability and Aquifer Designation areas</u> should be accompanied by a hydrogeological <u>and/or hydrological</u> assessment(s) <u>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.</u> Waste operations are not usually considered compatible within SPZ1.</p> <p>7.8.6 Policy DM 10 embraces issues of flood, groundwater, SPZs and the protection of waterbodies.</p> <p>Add text to Footnote <sup>(115)</sup>  <u>and equivalent legislation following exit from the European Union.</u></p>
<b>DM 11: Health and Amenity</b>	<p><u>Proposed Change to Policy:</u></p> <p>Minerals and waste developments will be permitted if it can be demonstrated that they are unlikely to generate unacceptable adverse impacts from noise, dust, vibration (<u>including vibration from blasting</u>), odour, emissions (<u>including emissions from vehicles associated with the development</u>), bioaerosols, illumination,</p>

<b>Policy</b>	<b>Proposed Change</b>
	<p>visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to 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 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).</p> <p>Proposals for minerals and waste development will also be required to ensure that there is no unacceptable adverse impact on the <del>use of other</del> <u>surrounding</u> land for other purposes. <u>and associated permitted land uses.</u></p>
<b>DM 12: Cumulative Impact</b>	<p><u>Proposed Changes to Supporting Text:</u></p> <p>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. <u>This includes cumulative impacts by way of vehicle movements and associated emissions, particularly if the development is within or near to an AQMA.</u> It is also relevant where a new development may affect communities or the environment cumulatively with existing developments.</p>
<b>DM 13: Transportation of Minerals and Waste</b>	<p><u>Proposed Change to Policy:</u></p> <p>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:</p> <ol style="list-style-type: none"> <li>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;</li> </ol>

<u>Policy</u>	<u>Proposed Change</u>
	<p>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; <b><u>and</u></b></p> <p>3. emission control and reduction measures, such as deployment of low emission vehicles, <b><u>installation of electric vehicle charging points (where appropriate)</u></b> and vehicle scheduling to avoid movements in peak hours. Particular emphasis will be given to such measures where development is proposed within an AQMA. (Figure 15)</p> <p><u>Proposed Changes to Supporting Text:</u></p> <p><b><u>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).</u></b></p> <p><b><u>7.11.23 Any minerals or waste developments that are likely to result in an increase of more than 200 Heavy Duty Vehicles (HDVs)/day<sup>(116)</sup> on any road that lies within 200m of a designated <b><u>Habitat European Site</u></b> will need to be subject to <b><u>Habitats Regulation Assessment (HRA)</u></b> HRA screening to evaluate air quality impacts.</u></b> It will be necessary for the applicant to demonstrate that either:</p> <ul style="list-style-type: none"> <li>• the increased traffic will not lead to an increase in nitrogen deposition within all <b><u>Habitat European Sites</u></b> that lie within 200m that constitutes more than 1% of the critical load for the most sensitive habitat within the site, or</li> <li>• If the increase in deposition will be greater than 1% of the critical load it will nonetheless be sufficiently small that no adverse effect on the interest features and integrity of the <b><u>Habitat European Site</u></b> will result.</li> </ul> <p><b><u>7.11.34 The aim of the Policy DM 13 is to minimise road miles <b><u>and harmful emissions</u></b> in relation to the</u></b></p>

<u>Policy</u>	<u>Proposed Change</u>
	<p>transportation of minerals and waste across Kent. <u>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</u></p>
DM 18: Land Stability	<p><u>Proposed Change to Policy:</u></p> <p>Planning permission will be granted for minerals or waste development where it is demonstrated that it will not result in land instability.</p> <p>All minerals and waste proposals that could give rise to land instability must include a stability report and measures to ensure land stability.</p> <p><u>Proposed Change to supporting text</u></p> <p><b><u>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 must include a stability report and measures to ensure land stability.</u></b></p> <p><b><u>7.16.12 Minerals and waste development can give rise to land instability if proposals are not properly planned and implemented. The issue 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 <u>to ensure that adequate and environmentally acceptable mitigation measures are identified</u>. Such a report should assesses 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.</u></b></p>

<b><u>Policy</u></b>	<b><u>Proposed Change</u></b>
DM 19: Restoration, Aftercare and After-use	<p><u>Proposed Change to Policy:</u></p> <p>Planning permission for minerals extraction and temporary waste management development will be granted where satisfactory provision has been made for high 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.</p> <p>Restoration plans should be submitted with the planning application which reflect the proposed after-use, <b><u>be carried out to a standard that reflects best practice and provide for restoration and aftercare at the earliest opportunity. Restoration proposals must include measures to provide biodiversity gains.</u></b></p> <p><b><u>Where appropriate, restoration plans should</u></b> be submitted with the planning application which reflect the proposed after-use and, where appropriate, include the details set out below: <b><u>address the following issues in relation to the restoration, aftercare and after-use of minerals extraction and temporary waste management development:</u></b></p> <ol style="list-style-type: none"> <li>1. a site-based landscape strategy for the restoration scheme;</li> <li>2. the key landscape and biodiversity opportunities and constraints ensuring connectivity with surrounding landscape and habitats;</li> <li>3. the geological, archaeological and historic heritage and landscape features and their settings</li> <li>4. the site boundaries and areas identified for soil and overburden storage;</li> <li>5. an assessment of soil resources and their removal, handling and storage;</li> <li>6. an assessment of the overburden to be removed and stored;</li> <li>7. the type and depth of workings and information relating to the water table;</li> <li>8. storage locations and quantities of waste/fill materials and quantities and types of waste/fill involved;</li> <li>9. proposed infilling operations, sources and types of fill material</li> <li>10. the arrangements for monitoring and the control and management of landfill gas;</li> <li>11. consideration of land stability after restoration;</li> <li>12. directions and phasing of working and restoration and how they are integrated into the working scheme;</li> <li>13. the need for and provision of additional screening taking account of degrees of visual exposure;</li> </ol>

<b>Policy</b>	<b>Proposed Change</b>
	<p>14. details of the proposed final landform including pre and post settlement levels;</p> <p>15. types, quantities and source of soils or soil-making materials to be used;</p> <p>16. a methodology for management of soils to ensure that the pre-development soil quality is maintained;</p> <p>17. proposals for meeting targets 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;</p> <p>18. removal of all buildings, plant, structures, accesses and hardstanding not required for long term management of the site;</p> <p>19. planting of new native woodlands;</p> <p>20. installation of drainage to enable high quality restoration and after-use;</p> <p>21. measures to incorporate flood risk mitigation opportunities;</p> <p>22. details of the seeding of grass or other crops and planting of trees, shrubs and hedges;</p> <p>23. a programme of aftercare to include details of vegetation establishment, vegetation; management biodiversity habitat management, field drainage, irrigation and watering facilities;</p> <p>24. the restoration of the majority of the site back to agriculture, if the site consists of the best and most versatile agricultural land;</p> <p><b>25. <u>the potential for financial guarantees such as bonds</u></b></p> <p>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.</p> <p><u>Proposed Changes to Supporting Text:</u></p> <p>7.17.2 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 or the setting of historic assets to the benefit of the local or wider community. <del>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.</del></p>

<b><u>Policy</u></b>	<b><u>Proposed Change</u></b>
	<p>7.17.6 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 legislation.<sup>(120)</sup> 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.</p>
<b>DM 20: Ancillary Development</b>	<p><u>Proposed Change to Policy:</u></p> <p>Ancillary Development Proposals for ancillary development within or in close proximity to mineral and waste development will be granted planning permission provided that:</p> <ol style="list-style-type: none"> <li>1. the proposal is necessary to enable the main development to proceed</li> <li>2. it has been demonstrated that there are environmental benefits in providing a close link with the existing site that outweigh the environmental <b><u>and community</u></b> impacts.</li> </ol> <p>Where permission is granted, the operation and retention of the associated development will be limited to the life of the linked mineral or waste facility.</p>
<b>DM 22: Enforcement</b>	<p><u>Proposed Change to Policy:</u></p> <p>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 <b><u>policies subsumed into UK law</u></b>. Waste Framework Directive 2008/98/EC.</p>

## Chapters 1 and 2

### List of 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
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
<b><u>DLUHC</u></b>	<b><u>Department for Levelling Up, Housing and Communities</u></b>
DM	Development Management
<b><u>DMR</u></b>	<b><u>Dry Mixed Recyclate</u></b>
DOE	Department of the Environment
EA	Environment Agency

EC	European Commission
Efw	Energy from Waste
EIA	Environmental Impact Assessment
<b><u>EPR</u></b>	<b><u>Early Partial Review</u></b>
ES	Environmental Statement
EU	European Union
GDF	Geological Disposal Facility
GPDO	Town and Country (General Permitted Development) Order
GVA	Gross Value Added
HDV	Heavy Duty 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
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
LWS	Local Wildlife Site
m	Metres
MCA	Mineral Consultation Area
MDA	Marine Dredged Aggregates

MPA	Mineral Planning Authority
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
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

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
WMU	Waste Management Unit
WPA	Waste Planning Authority

## List of Figures

Number	Title	Page
1	Kent Districts	10
2	Transport Links	11
3	SE LEP and the Thames Gateway area	12
4	International Designations	15
5	Nationally Important Designations: Landscape	16
6	Nationally Important Designations: Heritage and GreenBelt	17
7	Local Geological Sites and Local Wildlife Sites	18
8	Local Nature Reserves	19
9	Kent Main Rivers and Waterways	20
10	Ancient Woodland	21
11	Biodiversity Improvement Areas	22
12	Geology of Kent	26
13	Minerals Key Diagram	27
14	Minerals Key Diagram Inset Map	28
15	Flood Zones, Source Protection Zones and Petroleum	30

	Exploration and Development Licence areas, and Air Quality Management Areas	
16	Waste Key Diagram: Waste Spatial Strategy	31
17	Minerals Strategic Site: Medway Works, Holborough	50
18	Waste Hierarchy Diagram	69
19	Waste Strategic Site: Norwood Quarry and Landfill	76
20	Dungeness Power Stations & Romney Marsh Nature Designations	94
21	Water Availability Status	109

## Chapter 1 – Introduction

Section	Proposed Change to Text
<b>1.1 The Kent Minerals and Waste Local Plan 2013-30</b>	<p>1.1.1 This document, the Kent Minerals and Waste Local Plan 2013-30, is the main Local Plan document <u>pertaining to minerals supply and waste management in Kent</u>. It describes:</p> <ul style="list-style-type: none"> <li>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</li> <li>the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.</li> </ul> <p>1.1.2 This Plan identifies and sets out the following subjects for the period up to, and including, the year 2030:</p> <ul style="list-style-type: none"> <li>the long term Spatial Vision and Strategic Objectives for Kent's minerals and waste</li> <li>the delivery strategy for minerals and waste planning that identifies how the objectives will be achieved in the plan period</li> <li><del>two</del><u>the</u> areas where strategic mineral and waste development is likely to occur</li> <li>the Development Management (DM) policies that will be used when the County Council makes decisions on</li> </ul>

Section	Proposed Change to Text
	<p>planning applications</p> <ul style="list-style-type: none"> <li>• the framework to enable annual monitoring of the policies within the Plan</li> </ul>
<b>1.2 The Status of the Kent Minerals and Waste Local Plan 2013-30</b>	<p>1.2.5 This document was prepared in accordance with national legislation.<sup>(2)</sup> It has also been prepared to be in general conformity with the National Planning Policy Framework (NPPF),<sup>(3)</sup> National Planning Policy for Waste (NPPW)<sup>(4)</sup> and the Waste Management Plan for England.<sup>(5)</sup></p> <p>Footnote 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.</p> <p>Footnote 3 - Department of <u>Ministry of Housing</u>, Communities and Local Government (MHCLG) (<u>March 2012</u><u>July 2021</u>) National Planning Policy Framework.</p> <p>Footnote 4 - DCLG (October 2014) National Planning Policy for Waste.</p> <p>Footnote 5 - DEFRA (<u>December 2013</u> <u>January 2021</u>) Waste Management Plan for England.</p> <p>1.2.6 The Kent MWLP only applies to the administrative county of Kent. Medway Council <del>are writing</del><ins>maintain</ins> their own local plan. The <del>replacement of earlier</del> position regarding saved minerals and waste planning policies <ins>by this Plan</ins> in Medway is set out in Appendix B.</p>
<b>1.3 The Links With Legislation, Other Policies and Strategies (paras 1.3.1 to 1.3.11 1.3.12 to 1.3.14)</b>	<p><b>1.3 The Links With Legislation, Other Policies and Strategies</b></p> <p>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 <u>substantially</u> partially revoked.<sup>(7)</sup> 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. <del>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.</del></p> <p><b>European National Legislation</b></p> <p>1.3.2 <u>Following the departure of the UK from the European Union (EU), the text of EU Directives currently still</u></p>

Section	Proposed Change to Text
	<p>provides <u>much of</u> the international legislative context for minerals and waste plan-making.</p> <p><b>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:</b></p> <ul style="list-style-type: none"> <li>- <u>The Waste Framework Directive;</u></li> <li>- <u>packaging and packaging waste;</u></li> <li>- <u>landfill of waste;</u></li> <li>- <u>end-of life vehicles;</u></li> <li>- <u>batteries and accumulators and waste batteries and accumulators; and,</u></li> <li>- <u>waste electrical and electronic equipment.</u></li> </ul> <p><b>1.3.4 The changes are intended to increase the prevention, reuse and recycling of waste in accordance with the Waste Hierarchy<sup>(8)</sup> 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.</b></p> <p><b>1.3.5 Other important EU Directives which are currently retained as UK legislation</b> These include:</p> <ul style="list-style-type: none"> <li>• Waste Framework Directive (WFD) (2008/98/EC) which aims to move the management of waste up the Waste Hierarchy<sup>(8)</sup> 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.</li> <li>• 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.</li> <li>• 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 District.<sup>(9)</sup></li> </ul>

Section	Proposed Change to Text
	<p>Footnote 8 - The Waste Hierarchy is defined in the Glossary in Appendix A and is shown diagrammatically in the text supporting Policy CSW 2</p> <p>Footnote 9 - <a href="#">Environment Agency (December 2015) Thames River Basin Management Plan (RBMP)</a> and the <a href="#">South East RBMP</a></p> <p><b>National Planning Policy and Guidance</b></p> <p>1.3.36 The Government <u>originally</u> published the NPPF in March 2012. <b>The NPPF has been amended several times and most recently in July 2021.</b> 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.</p> <p>1.3.47 Specific policies on waste are described in the National Waste Management Plan for England<sup>(10)</sup> and the National Planning Policy for Waste 2014<sup>(11)</sup>. Local authorities preparing waste plans are also advised to consider relevant NPPF policies. <b>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.</b></p> <p>1.3.58 Since the publication of the NPPF, DCLG<u>Government</u> hasve published the following additional guidance notes which are relevant to minerals and waste plan-making:</p> <ul style="list-style-type: none"> <li>• Guidance for Local Planning Authorities on Implementing Planning Requirements of the EU WFD (2008/98/EC)<sup>(12)</sup></li> <li>• <del>updated</del>Planning Practice Guidance on Minerals to accompany the NPPF, including updated guidance on the Managed Aggregate Supply System <b>and Planning Practice Guidance on Waste</b><sup>(13)</sup></li> </ul> <p>Footnote 10 DEFRA (December 2013 <u>January 2021</u>) Waste Management Plan for England.</p> <p>Footnote 11 DCLG (October 2014) National Planning Policy for Waste.</p> <p>Footnote 12 DCLG (December 2012) Guidance for local planning authorities on implementing planning requirements of the EU Waste Framework Directive (2008/98/EC).</p> <p>Footnote 13 DCLG (<u>Revised March 2014</u>) Planning Practice Guidance: Minerals. Web-based resource available from: <a href="http://planningguidance.planningportal.gov.uk/">http://planningguidance.planningportal.gov.uk/</a>.</p> <p>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</p>

Section	Proposed Change to Text
	<p>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 guide the development of Marine Plans across the UK.</p> <p><b>Local Plans and Strategies</b></p> <p>1.3.7<u>10</u> The Plan also considers other relevant local policies and strategies.</p> <p><b>Kent Joint Municipal Waste Strategy</b></p> <p>1.3.8<u>11</u> As Waste Disposal Authority, in 2007 the County Council prepared <u>at the original</u> Joint Municipal Waste Management Strategy (JMWMS) with the districts in Kent, which was adopted by the Kent Resource Partnership (KRP). The partnership comprises 12 district/borough councils and KCC. The KRP plans and budgets for Kent's household waste so that new facilities can be built where and when they are needed.</p> <p><b>1.3.12 The key objectives of the KRP are as follows:</b></p> <ul style="list-style-type: none"> <li>- <u>Maximising the 'value' of resources that we manage from households, in terms of realising the social, environmental and economic opportunities;</u></li> <li>- <u>Providing the best possible value for money service to the Kent taxpayer, taking into account whole service costs;</u></li> <li>- <u>Realising opportunities to improve services now and in the future through engagement, collaboration and working in partnership with the supply chain; and</u></li> <li>- <u>Supporting future thinking through ongoing research and evidence that will facilitate the transition to a circular economy for Kent.</u></li> </ul> <p>The aims of the KRP are to:</p> <ul style="list-style-type: none"> <li>• increase recycling rates all over Kent</li> <li>• reduce the amount of waste produced by each household</li> <li>• reduce the amount of Kent's waste that is put into landfill</li> </ul> <p>1.3.9<u>13</u> Since 2007 the KRP have achieved the following targets:</p> <ul style="list-style-type: none"> <li>• 40% recycling and composting across Kent</li> <li>• KCC's Household Waste Recycling Centres (HWRCs) to achieve a 60% recycling and composting rate</li> </ul>

Section	Proposed Change to Text
	<p>1.3.104 These targets were achieved in 2011/12. Also the amount of waste sent to landfill has been reduced from around 72% in 2005/06 to <u>22.8%</u> in <u>2016/17</u>11/12.</p> <p>1.3.145 A <u>refreshed</u> review of the Kent JMWMS <u>was agreed by the KRP in 2018</u> began in 2011. The KRP prepared <u>which sets out</u> new objectives and policies which are being implemented across Kent. These include <u>a recycling rate of 50%, a landfill target of less than 2% and a year on year reduction in residual waste per household</u> 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.</p> <p><b><u>Kent Waste Disposal Strategy</u></b></p> <p><b><u>1.1.16 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 for the ongoing management of local authority collected waste across Kent.</u></b></p> <p><b><u>Kent County Council Climate Emergency Statement</u></b></p> <p><b><u>1.1.7 In 2019 the County Council adopted a Climate Emergency Statement which states:</u></b></p> <p><b><u>"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."</u></b></p> <p><b><u>The Kent and Medway Energy and Low Emissions Strategy</u></b></p> <p><b><u>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:</u></b></p>

Section	Proposed Change to Text
	<p><b><u>'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.'</u></b></p> <p><b><u>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).</u></b></p> <p><b>Strategic Transport Plans</b></p> <p>1.3.127 The County Council has a statutory duty to prepare and update its Strategic Transport Plan. The Local Transport Plan for Kent 2011-2016<del>2016-2031</del> was adopted in 2011<del>2017</del>. This Plan explains how the council will work towards its transport vision over <u>the coming years</u> a five-year period using the funding that it receives from Government, <u>bringing together KCC transport policies, looking at local schemes and issues as well as those at a countywide and national significance</u>. 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 Stack<sup>(14)</sup> and provide <u>an</u> integrated public transport network.</p> <p>1.3.138 The Kent Freight <u>Action</u> Plan <u>for Kent</u> was adopted in 2012. It contains KCC's objectives to tackle key issues and find solutions to the following problems related to lorry movements in Kent:</p> <ul style="list-style-type: none"> <li>• overnight lorry parking</li> <li>• Operation Stack</li> <li>• 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</li> <li>• impacts of freight traffic on communities and the environment</li> <li>• encouraging sustainable distribution</li> </ul> <p>Footnote 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.</p> <p><b>District Local Plans</b></p> <p>1.3.149 The Kent district local plans form part of the development plan <u>and these</u>. While they do not</p>

Section	Proposed Change to Text
	<p>address minerals and waste matters, their Sustainable Community Strategies have been considered in the preparation of the Kent MWLP.</p>
1.4 The Evidence Base	<p><b>1.4 The Evidence Base</b></p> <p>1.4.3 The <b>Sustainability Appraisal</b> (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 <sup>(16)</sup> 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 <b>URS Amey</b> Consultants. Each stage of plan-making has been accompanied by an SA.</p> <p>1.4.4 Kent contains sites of international importance for wildlife including Special Areas of Conservation (SACs), <b>Special Protection Areas</b> (SPAs) and Ramsar sites.<sup>(17)</sup> The Plan is accompanied by a <b>Habitats Regulation Assessment (HRA)</b> 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 Regulations<sup>(18)</sup> to minimise the possibility of impacts on internationally designated sites.</p> <p>1.4.5 <b>When the Plan was adopted in 2016 it was</b> is also accompanied by the following assessments:</p> <ul style="list-style-type: none"> <li>• <b>Strategic Flood Risk Assessment (SFRA)</b> describing the impacts of the plan policies on flooding and identifying where mitigation measures could be needed</li> <li>• Strategic Landscape Assessment describing the landscape impact of the Strategic Site for Minerals and the Strategic Site for Waste identified in the Plan</li> <li>• Strategic Transport Assessment describing the potential effects on Kent's transport network (see Figure 2) as a result of the Plan's policies</li> </ul> <p><b>These assessments remain relevant to the updated Plan. Additional assessments accompanied the Mineral Sites Plan that was adopted in 2020.</b></p> <p>1.4.6 Parts of the Kent MWLP evidence base <b>were</b> have been developed in conjunction with other adjoining local authorities, including:</p> <ul style="list-style-type: none"> <li>• the KCC and Medway Council collaboration on a study of mineral imports into the county <b>in 2010</b><sup>(19)</sup></li> <li>• the Kent and Surrey County Council collaboration on an evidence base for their plans for silica sand<sup>(20)</sup></li> </ul>

Section	Proposed Change to Text
	<p>1.4.7 The evidence base topic reports and other documents that have been prepared to inform and support the preparation of <del>this</del> Plan <b>adopted in 2016 and its review</b> and information on public consultation undertaken are available online.<sup>(21)</sup></p>
<b>1.5 Planning and Permitting Interface</b>	<p><i>No changes proposed</i></p>

## Chapter 2 – Minerals and Waste Development in Kent: A Spatial Portrait

Section	Proposed Change to Text
<b>2.1 Introduction (inc. Figs 1, 2 &amp; 3)</b>	<p>2.1.2 With an estimated population of <del>1,480,200</del><ins>1,589,100</ins> people,(24 – In September 2021, Office for National Statistics) Kent is the largest non-metropolitan local authority area in England. Projected population growth for Kent is a <del>10.57.5%</del> increase between 2014<del>8</del> and 2024<del>8</del>, with the total population of the county expected to be <del>over 1.627</del> million people by 2026<del>8</del>.(25- KCC (2012) Business Intelligence Statistical Bulletin, Interim 2011-Based Sub-National Population Projections for Kent.<u>KCC (2020) Strategic Commissioning Statistical Bulletin 2018 – Based Subnational Population Projections</u></p> <p>Figure 1 – Kent Districts *To be updated with new urban boundaries</p> <p>Figure 2 – Transport Links *To be updated with transport links such as HS1</p> <p>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 out to Sittingbourne, Kent and Southend, Essex. Within Kent, it contains parts of Dartford, Gravesham and Swale Districts and Medway Council.</p> <p>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 Department for Business, <del>Innovation and Skills</del><ins>Energy and Industrial Strategy</ins> (BEIS) 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 <del>398</del> LEPs in operation in <del>September</del><ins>October</ins> 2012<del>21</del>.</p>
<b>2.2 Kent's Environmental and Landscape Assets (inc. Figs 4, 5, 6, 7, 8, 9, 10,</b>	<p><b>2.2 Kent's Environmental and Landscape Assets</b></p> <p>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 <del>international</del> and national legislation. These formal designations include the following:</p>

Section	Proposed Change to Text
11)	<p><b>International Importance (see Figure 4):</b></p> <ul style="list-style-type: none"> <li>• Ramsar sites and/or <b><u>Special Protection Areas (SPA)s</u></b></li> <li>• <b><u>Special Areas for Conservation (SAC)s</u></b></li> <li>• UNESCO World Heritage Sites: Canterbury Cathedral, St Augustine's Abbey and St Martin's Church in Canterbury</li> </ul> <p><b>National Importance (See Figures 5 &amp; 6):</b></p> <ul style="list-style-type: none"> <li>• almost a third of Kent is protected by two Areas of Outstanding Natural Beauty (AONB): the Kent Downs AONB and High Weald AONB</li> <li>• Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (<b>NNRs</b>)</li> <li>• nationally important archaeological sites (most of which are Scheduled Ancient Monuments), Registered Parks and Gardens of Historic Interest and Listed Buildings <sup>(28)</sup></li> <li>• Kent areas of Heritage Coast including South Foreland and Dover to Folkestone</li> <li>• Green Belt</li> <li>• 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) <sup>(29)</sup></li> <li>• Ancient Woodland (Figure 10)</li> </ul> <p><b>Local Importance:</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• Local Geological Sites and Local Wildlife Sites (LWSs) (see Figure 7)</li> <li>• Local Nature Reserves (LNRs) (see Figure 8)</li> <li>• Kent Biodiversity Action Plan (BAP) species</li> <li>• 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</li> <li>• landscape features of importance for wildlife that are essential for migration and dispersal, and which</li> </ul>

Section	Proposed Change to Text
	<p>enable the protection, conservation and expansion of native flora and fauna</p> <ul style="list-style-type: none"> <li>• Kent rivers and waterways and their settings (Figure 9)</li> <li>• Biodiversity Opportunity Areas (BOA) and The Greater Thames Marshes Nature Improvement Area (NIA) (Figure 11)</li> <li>• Groundwater in Kent (Flood Zones, Source Protection Zones) (Figure 15)</li> </ul> <p><b>Biodiversity Opportunity Areas and the Nature Improvement Area</b></p> <p>2.2.3 The identification of BOAs and the Greater Thames Marshes NIA present opportunities to contribute to large-scale biodiversity conservation in Kent.</p> <p>2.2.4 Kent's network of BOAs has been identified to implement the Kent BAP.<sup>(30)</sup> The BOAs show where the greatest gains can be made from habitat enhancement, restoration and recreation, <u>as these areas offer the best opportunities for</u> establishing or contributing to large habitat areas and/or networks of wildlife habitats. The BOAs include a range of biodiversity. BOA targets reflect the specific landscape, geology and key habitats that are present within each area.</p> <p><i>Proposed changes to related diagrams:</i></p> <p><b>Figure 4 International Designations</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Any changes to updated 'Major Urban Areas'</li> </ul> <p><b>Figure 5 Nationally Important Designations: Landscape</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Any changes to updated 'Major Urban Areas'</li> </ul> <p><b>Figure 6 Nationally Important Designations: Heritage &amp; Green Belt</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Any Green Belt changes</li> </ul>

Section	Proposed Change to Text
	<p><b>Figure 7 Local Geological Sites and Local Wildlife Sites</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Any changes to updated 'Major Urban Areas'</li> <li>- Local wildlife site changes/additions to be consistent with latest list of local wildlife sites – <a href="https://www.kentwildlifetrust.org.uk/what-we-do/protecting-wild-spaces/local-wildlife-sites">https://www.kentwildlifetrust.org.uk/what-we-do/protecting-wild-spaces/local-wildlife-sites</a></li> </ul> <p><b>Figure 8 Local Nature Reserves</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Any changes to updated 'Major Urban Areas'</li> <li>- Local nature reserve changes/additions to be consistent with latest list of nature reserves – <a href="https://www.kentwildlifetrust.org.uk/nature-reserves">https://www.kentwildlifetrust.org.uk/nature-reserves</a></li> </ul> <p><b>Figure 9 Kent Main Rivers and Waterways</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Any changes to updated 'Major Urban Areas'</li> </ul> <p><b>Figure 10 Ancient Woodland</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Any changes to updated 'Major Urban Areas'</li> </ul> <p><b>Figure 11 Biodiversity Improvement Areas</b></p> <ul style="list-style-type: none"> <li>- Ebbsfleet Development Corporation needs to be added</li> <li>- Shepway needs to be changed to Folkestone and Hythe</li> <li>- Change 'Medway &amp; Low Weald <u>Wetlands and</u> Grasslands <del>and Wetland</del>'</li> <li>- Change 'Romney Marshes &amp; Rye Bay'</li> <li>- Change 'Low Weald Woodlands'</li> <li>- BAP changes/additions to be consistent with <a href="http://www.kentnature.org.uk/boas.html">http://www.kentnature.org.uk/boas.html</a></li> </ul>
2.3 Kent's	

Section	Proposed Change to Text
<b>Economic Mineral Resources</b>	<p>2.3 Kent's Economic Mineral Resources</p> <p>2.3.1 The economic mineral resources (31) of Kent reflect its complex geological, economic and social history. Historically, the <b><u>Carboniferous</u></b> Coal Measures were of major economic importance until the East Kent Coal mines ceased operations by 1989. Until recently, <b><u>2010</u></b> 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 <b><u>none have been developed.</u></b></p> <p>2.3.2 Economic minerals that are extracted from Kent quarries include sands and gravel, crushed rock (<b><u>a limestone colloquially called Kentish Ragstone of the Hythe Formation</u></b>), silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses, and building stone.</p> <p>2.3.3 Figure 12 shows the geology of Kent. Figure 13 and 14 shows all existing mineral extraction sites, wharves, rail depots, the areas licensed for petroleum exploration and the Strategic Site for Minerals.(32)</p> <p>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 <b><u>alongside</u></b> the Kent Minerals and Waste Annual Monitoring Report (AMR). (33)</p> <p><b>Construction Aggregates</b></p> <p>2.3.5 Construction aggregates consist of sand, gravel and crushed <b><u>(hard)</u></b> rock. These are the most significant in <b><u>terms of the quantity terms</u></b> of all of the minerals extracted in Kent.</p> <p>2.3.6 Historically, sharp sand and gravel deposits have been extracted along Kent's river valleys (<b><u>River Terrace deposits</u></b>) and in the Dungeness and Romney Marsh area (<b><u>Storm Beach deposits</u></b>). The permitted reserves <b><u>have become</u></b> are becoming depleted <b><u>and are no longer a significant source of supply to meet objectively assessed needs as they historically once were.</u></b></p> <p>2.3.7 Soft sand or building sand, used to produce asphalt and mortar, is extracted from quarries situated on the Folkestone Beds <b><u>Formation</u></b> between Charing and Sevenoaks. <b><u>Most Some</u></b> of these sand quarries produce a combination of soft sand (building sand which is a construction aggregate) and a silica sand (a specialist sand <b><u>of higher purity that can be used in certain industrial processes, e.g., foundry sands,</u></b></p>

Section	Proposed Change to Text
	<p><b><u>ceramics, and chemicals production).</u></b></p> <p>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 low in angularity and are more equidimensional, <b><u>and their particle size distribution is not high, meaning that the sand particulates generally fall within a narrow size range,</u></b> making them suitable for mortar mixes. Sharp sands are more angular and variable in size and they provide the high structural strength <b><u>(tensile and compressive)</u></b> in concrete mixes.</p> <p>2.3.9 The only type of crushed <b><u>(hard)</u></b> rock that is exploited commercially in Kent is Kentish Ragstone, found in a band crossing Kent from east to west. Currently <b><u>Kentish</u></b> Ragstone extraction is carried out to the west of Maidstone. <b><u>Another</u></b> crushed rock resources also exists in <b><u>East Kent, in the form of</u></b> a Carboniferous Limestone deposit in east Kent. <b><u>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.</u></b></p> <p>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.</p> <p>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.</p> <p><b>Other Minerals</b></p> <p>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, <b><u>historically</u></b>, in brick making.</p> <p>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</p>

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	<p>north Kent is transported to East Sussex for brick manufacture. The <u>Sittingbourne to</u> 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.</p> <p>2.3.14 The chalk horizon in Kent has formed the North Downs and it forms a major <u>and highly recognised landscape</u> 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.</p> <p>2.3.15 Building stone, required for specialist or conservation work, is currently provided only from the <u>Hythe Formation</u> ragstone (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 <u>in Kent</u>.</p> <p>2.3.16 The Kent silica sand deposits found within the Folkestone Beds <u>Formation</u>, 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 aggregate.(34)</p> <p>Footnote 31 A resource is a concentration or occurrence of workable material of intrinsic economic interest.  Footnote 32 See Policy CSM 3: Strategic Site for Minerals for details.  Footnote 33 All Annual Monitoring Reports are available online from: <a href="http://www.kent.gov.uk/mwlp">www.kent.gov.uk/mwlp</a>.  Footnote 34 GWP Consultants (March 2010). A study of Silica sand Quality and End Uses in Surrey and Kent. Final Report for KCC.</p>
2.4 Kent's Waste Infrastructure	<h2>2.4 Kent's Waste Infrastructure</h2> <p>2.4.1 <u>It is estimated that</u> Kent has a population of 1,480,200 <b>589,100*</b> 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&amp;I), and construction waste. In 2014, an additional 140,299 dwellings were forecast within the county for the period 2013 - 2033. <u>To accommodate</u></p>

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	<p><u>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.**</u></p> <p><i>Footnote* to be added - Source: <a href="#">Kent Statistical Bulletin, July 2021, Kent County Council</a></i></p> <p><i>Footnote** to be added - <a href="#">Kent and Medway Growth and Infrastructure Framework 2018 Update</a></i></p> <p>2.4.2 The district councils, as waste collection authorities (WCA), influence the rate of recycling of <u>Local Authority Collected Waste (LACW)</u> Municipal Solid Waste (MSW) in their areas. However, the County Council, as the <u>Waste Disposal Authority (WDA)</u> and <u>the</u> Waste Planning Authority (WPA), must achieve targets and apply policies for the county as a whole. The JMWMS,<sup>(35)</sup> which provides guidance for the future direction of household waste management in Kent, has informed the Kent MWLP.</p> <p>Footnote 35 - KCC (2007)<u>18</u> <u>refreshed</u> Joint Municipal Waste Management Strategy.</p> <p>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.</p> <p>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.</p> <p>2.4.5 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 <u>Local Authority Collected Waste (LACW)</u> MSW from outside Kent, or C&amp;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. <u>There is also an EfW facility at Kemsley that has a waste throughput of 550,000 tonnes a year and supplies 49.9MW of power to an adjacent paper mill.</u></p> <p>2.4.6 Kent neighbours <u>Medway</u>, London, Essex, Surrey and East Sussex. Waste crosses the borders into and out of Kent.</p>

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	<p>2.4.7 Construction 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.</p> <p>2.4.8 Figure 16 shows the location of key existing facilities. <del>This Plan aims to provide a balanced and accessible network of modern facilities.</del></p>

## Chapter 8 Managing and Monitoring the Delivery Strategy

*Note that some changes to the monitoring framework may be needed to ensure that the implementation of revised policies can be effectively monitored. Such changes will be considered in the next draft when the proposed changes to policies have been finalised.*

## Appendix A: Glossary

*Note that some changes may be needed to explain any new terms used in new proposed text e.g. 'Habitat Site'.*

## Appendix C: List of Mineral Sites that are included in Landbank Calculations

*Note that some updates may be needed to reflect latest position*