

Appendix 1

Consultation on Review of the Kent Minerals and Waste Local Plan 2013-30 - Analysis of Comments received to Regulation 18 consultation December 2021 - February 2022

Ref No.	Section	Consultee	Summary of Representation	KCC Response
Contents				
ID18	Contents	Ebbsfleet Development Corporation	Policy CSW3 is missing from the policy list in the index.	Noted - amended accordingly.
1. Introduction				
ID22	1.3 The Links with Legislation, Other Policies and Strategies Paragraph 1.3.4	Swale Borough Council	Although Environment Act 2021 identifies separate waste collections for certain waste streams if practicable, detail is yet to be agreed as the regulations have not yet been published. Co-mingled collections are likely to continue for some years to come (especially for those areas like Mid Kent who are planning new 8-year waste collection contracts in the absence of guidance from government). Carbon and financial implications of all household collected waste will need to be considered and factored in at the earliest opportunity when reviewing MRF considerations and end recycling destinations. Support the main changes to the document that take into account the latest updates to the NPPF, legislation around the need to adapt to, and mitigate climate change and associated low carbon growth.	Through Extended Producer Responsibility (EPR) a Scheme Administrator (SA) is proposed to act on behalf of the packaging producers, this SA will pay the Collection Authorities to collect these materials, a fully co-mingled recyclable collection would likely require more processing at the Material Recycling Facility, so it may be the case that Swale BC do not get remunerated by the SA in the way those that collect a cleaner twin stream mix will. Until the Government's intentions of the consultations following up on the Resources and Waste Strategy i.e. EPR, Deposit Return Schemes (DRS) and consistency in collection are known, this won't be fully understood.
ID52	1.3 The Links with Legislation, Other Policies and Strategies Paragraph 1.3.9	Marine Management Organisation	It could be mentioned that working with the MMO would aid with the success of the Plan. The marine and terrestrial overlap with plan boundaries could also be mentioned as well as ensuring that policies do not conflict with the marine plan.	Agree - change made
ID22	1.3 The Links with Legislation, Other Policies and Strategies Paragraph 1.3.11	Swale Borough Council	Final sentence relating to the Kent Resource Partnership (KRP) - These issues may be discussed at this group but ultimately it is the responsibility of KCC not KRP. The two roles and the associated finances are clearly defined into the district and borough functions as the waste collection authorities and KCC as the waste disposal authority.	This is correct, the Kent Resource Partnership is intended as forum for Waste Collection Authority & Waste Disposal Authority co-operation. Change to text proposed.
ID18	1.3 The Links with Legislation, Other Policies and Strategies Paragraph 1.3.11	Ebbsfleet Development Corporation	Welcome proposed references to Ebbsfleet Development Corporation (EDC) - diagrams need to be clear that parts of the EDC area fall within Dartford Borough's boundaries and the status of the EDC should be explained further in a footnote. For example, the EDC is not listed in the authorities list relating to safeguarding areas and there is confusion in Paragraph 1.3.11. This discusses the original Joint Municipal Waste Strategy, which was adopted by the Kent Resource Partnership (KRP). The partnership comprises 12 district/borough Councils and but does not include the EDC. If the EDC is shown on the maps and figures, its relationship between the KRP and housing delivery in the EDC area should be clarified.	Map updated to show Ebbsfleet Development Corporation (EDC) area. The Ebbsfleet Development Corporation are not part of the Kent Resource Partnership as they are not a Waste Collection Authority.
ID14	1.3 The Links	Ashford	Incorrect to say that ' <i>Kent Resource Partnership (KRP) plans and budgets for Kent's household</i>	Agree – Kent Resource Partnership (KRP) is intended as

	with Legislation, Other Policies and Strategies Paragraph 1.3.11	Borough Council	<i>waste so that new facilities can be built where and when they are needed.</i> This misrepresents what is conducted through KRP. The Kent authorities make a small financial contribution to run communication projects together, this in no way enables budgeting or planning for waste facilities in Kent. Therefore, this statement is fundamentally misleading and the Council consider that it should be removed.	forum for Waste Collection Authority (WCA) and Waste Disposal Authority (WDA) co-operation. Change to text proposed.
ID60	1.3 The Links with Legislation, Other Policies and Strategies Paragraph 1.3.15	XXXXXX	The proposed year on year reduction on the percentage of landfill is a good intention but is not something that KCC or householders can influence. Householders are broadly stuck with the packaging that comes with the goods they have to purchase. To change this would require changes to national legislation.	The Plan allows for development of facilities which will divert waste from landfill. Agree national legislation has a role to play.
ID16	1.3 The Links with Legislation, Other Policies and Strategies Paragraph 1.3.16	Dartford Borough Council	Noted that KCC, as Waste Disposal Authority, is conducting a five-year review of its Waste Disposal Strategy which is the guiding assessment of current and future infrastructure operational requirements for the ongoing management of local authority collected waste across Kent. Noted that there is a need for Household Waste Recycling Centres and other household waste management infrastructure to be reviewed by the WDA (paras 1.3.16 and 6.61). Dartford BC is aware that KCC had considered that there was a need for a site in the Ebbsfleet area for this purpose and Dartford BC assumes that the need for this will be fully addressed as appropriate through KCC's work on reviewing its Waste Disposal Strategy and that the process of bringing forward a potential site would be taken forward via a future Waste Sites Local Plan.	Subject to the design and location of Household Waste Recycling Centres (HWRC) being consistent with the policies of the Plan, the Plan would allow such a facility to be developed. The requirement for a Transfer Station in the Ebbsfleet Development Corporation / Dartford Borough Council area was a finding from the original Waste Disposal Strategy and pursuing this, does not rely on a review of the strategy.
ID18	1.4 The Evidence Base Paragraph 1.4.3	Ebbsfleet Development Corporation	Newly designated Swanscombe Peninsula Site of Special Scientific Interest should now be included & the National Nature Reserve at Swanscombe.	Agree - change made to Figure 5.
ID57	1.4 The Evidence Base Paragraph 1.4.5	XXXXXX	The words 'it was' are repeated in the first sentence – cross through the 'no-bold' words.	Noted - text amended accordingly.
ID57	1.5 Planning and Permitting Interface Paragraph 1.5.1	XXXXXX	Change 'it's' to 'its'.	Noted - text amended accordingly.
ID57	1.5 Planning and Permitting Interface Paragraph 1.5.2	XXXXXX	Missing space between 'the control' and 'of processes or emissions'. Missing space between 'these regimes' and 'will operate effectively'. Missing space between 'on a particular' and 'development,'.	Noted - text amended accordingly.

ID57	1.5 Planning and Permitting Interface Paragraph 1.5.3	XXXXXX	Missing space between 'planning' and 'authorities' Missing space between 'assumption that the' and 'relevant pollution' – recommend running spellchecker/formatting following conversion of documents	Noted - text amended accordingly.
ID13	1.5 Planning and Permitting Interface Paragraph 1.5.3	XXXXXX	<p>Paragraph 1.5.3 particularly confusing - focus seems to be on planning without consideration of whether existing methodology achieves strong action on real failures of the present system. Need to consider 'does the present system deliver acceptable results?'</p> <p>No partner organisation seems to have the right to raise issues about:</p> <ul style="list-style-type: none"> - Pollution of coastal resorts caused by failure of Southern Water to clean up raw sewage disposals in times of river flood conditions. Cause concern from river users. - Failure to control pollution entering Stodmarsh RAMSAR and knock-on implications for district authorities that are unable to authorise the building of property on sites for which planning permission has already been granted. Has been an application (not yet granted) to develop a system that would extract pollution from the Stour at Godmersham to mitigate pollution that would be generated at a site at Blean. Such pollution control mechanism shouldn't be under control of a developer and its mitigation impact should be allocated primarily to developments on brownfield sites rather than to developments on agricultural land. - Failure to mitigate all types of pollution. Points above focus on water pollution & worth noting that sewage, composting and landfill activities also cause significant atmospheric pollution. In April 2021, The Economist stated that 'over the course of 20 years 1 tonne of methane will warm the atmosphere about 86 times more than a tonne of CO2'. KCC should be more open about what it could achieve & does achieve, with any form of methane reduction programme. Should inspire other organisations to address this problem too. <p>KCC should ensure all aspects of waste are treated in a way that all forms of pollution are minimised, including working with central government, Kent universities & environmental businesses to find Kent based solutions to pollution problems. E.g. producing a list of main wastes that are processed with clear and full descriptions of current processes. Should also include commodities that cannot even be treated in the UK. Market opportunity to develop a series of waste processing businesses that could expand to provide high quality waste processing businesses across the country - all waste collected in Kent should be processed in Kent and everyone should be able to find out what items are/aren't recycled.</p> <p>Kent based Trading Standards personnel could focus attention on companies that can currently state legally that their products 'are not yet recyclable'. Need for an incentive for companies to find solutions to elements of their products for which there is no ready means of recycling to reduce environmental harm. Recommend providing opportunity to work with Kent universities/businesses referred to above to find solutions & naming and shaming companies that sell such products & encourage a greater focus on alternative methods of production and presentation.</p> <p>Understand that at present KCC is unable to recycle products such as plastic covered paper coffee cups which are often littered, or Tetra Pak containers. Processes exist to recycle these products but are not used by KCC. If this recycling work is not to be done by KCC, why is the opportunity not made available to local businesses?</p>	<p>Matters raised are dealt with under the pollution control regime implemented by the Environment Agency.</p> <p>The Plan allows for the development of waste management facilities, and it is technology neutral to allow innovation. Wastewater management facilities are covered specifically by Policy CSW15.</p> <p>Objectives for the management of household waste in Kent, as well as achievements, are set out in paragraphs 1.3.11 to 1.3.16.</p>

			Part of the processing issue may be that the local district authorities operate such varied waste collection regimes that the waste recycling process cannot cope with the variability of delivered waste. If appropriate, KCC should take over the waste collection services provided by the individual districts, thus imposing some form of standardisation. Certainly, something needs to be done to improve the current low level of waste recycling in the county.	
			2. Minerals and Waste Development in Kent - A Spatial Portrait	
ID57	2.1 Introduction Paragraph 2.1.2	XXXXXX	Footnote 24 not correctly set.	Noted - text amended accordingly.
ID57	2.2 Kent's Environmental and Landscape Assets Paragraph 2.2.1	XXXXXXX	Bullet point after 'Green Belt' and before 'Ancient Woodland' – should there be a spilt and/or an extra bullet point in the italicised part of the point that starts 'species and habitats listed as ...'?	Noted - text amended accordingly.
ID13	2.2 Kent's Environmental and Landscape Assets Figure 4 - International Designations	XXXXXXX	The hatching on the Stodmarsh RAMSAR site shown in Figure 4 does not appear to match the Key.	Noted - It does, but where the site is also subject to SAC and SPA designations there are other layers of hatching which make it appear slightly different.
ID16	2.2 Kent's Environmental and Landscape Assets Figure 5 - Nationally Important Designations: Landscape	Dartford Borough Council	The newly designated Swanscombe Peninsula Site of Special Scientific Interest should now also be included, and the National Nature Reserve at Swanscombe does not seem to appear clearly on the figure.	Agree - change made
ID18	2.2 Kent's Environmental and Landscape Assets Figure 5 - Nationally Important Designations: Landscape	Ebbsfleet Development Corporation	The newly designated Swanscombe Peninsula Site of Special Scientific Interest should now also be included, and the National Nature Reserve at Swanscombe does not seem to appear clearly on the figure.	Agree - change made
ID16	2.2 Kent's Environmental	Dartford Borough	The RIGS site at Bluewater does not seem to appear clearly on the figure.	This is correctly shown on the plan.

	and Landscape Assets Figure 7 - Local Geological Sites and Local Wildlife Sites	Council		
ID16	2.2 Kent's Environmental and Landscape Assets Figure 11 – Biodiversity Improvement Areas	Dartford Borough Council	Greater Thames Marshes NIA – We don't think that this exists anymore, and think that the references in Figure 11, Paras 2.2.2-2.2.6, Strategic Objectives 9 and 14, and Policy DM19 should be deleted.	Noted - text amended accordingly
ID18	2.2 Kent's Environmental and Landscape Assets Figure 11 – Biodiversity Improvement Areas	Ebbsfleet Development Corporation	Greater Thames Marshes NIA – We don't think that this exists anymore, and think that the references in Figure 11, Paras 2.2.2-2.2.6, Strategic Objectives 9 and 14, and Policy DM19 should be deleted.	Noted - text amended accordingly
ID57	2.3 Kent's Economic Mineral Resources Paragraph 2.3.2	XXXXXX	Should 'brickearth' be 'brick earth' or 'brick-earth' or left as it is?	The term 'brickearth' is correct and has been applied correctly in the Plan.
ID18	2.4 Kent's Waste Infrastructure Paragraph 2.4.1	Ebbsfleet Development Corporation	This paragraph say the population of Kent has fallen from 1,480,200 to 589,100 - should this say 1,589,100?	Agree - text amended accordingly
ID14	2.4 Kent's Waste Infrastructure Paragraph 2.4.5	Ashford Borough Council	It is unclear how long facilities mentioned paragraph 2.4.5 are planned to last. Districts need to understand this including whether renewals and replacements are planned and how the County could work across the wider South East network to support need. This needs addressing within the plan.	Given these facilities have permanent planning permission they are expected to continue to contribute capacity over the life of the Plan. In any event, the policies of the Plan allow for renewal and replacement of such waste capacity subject to proposals being consistent with the policies and objectives of the Plan. The adopted Kent Joint Municipal Waste Management

				<p>Strategy seeks to ensure that all Local Authority Collected Waste (LACW) collected in the County be managed within the County – this supports the Council's environmental ambitions to reduce its carbon footprint.</p> <p>All waste infrastructure utilised in the management of LACW is either within County and/or very close to its borders. This has been intentionally delivered by KCC's commissioning strategies to reduce haulage and to encourage investment in the Kent economy.</p>
ID57	2.4 Kent's Waste Infrastructure Paragraph 2.4.2	XXXXXXX	Lost track of what the MWLP was - has it changed?	Noted - Propose to change the acronym of 'MWLP' in this paragraph to long hand of 'Minerals and Waste Local Plan' as there are lots of acronyms close together and this will assist in the reading of the paragraph.
ID07	2.4 Kent's Waste Infrastructure Para 2.4.6	West Sussex County Council	Paragraph could be read as only waste arising in bordering authority areas travel in to/out of the Kent Plan area. It could be clarified to include reference to waste traveling beyond those authorities bordering Kent.	Agree - change made
ID57	2.4 Kent's Waste Infrastructure Para 2.4.7	XXXXXX	Missing space between 'Kent's new' and 'waste treatment'.	Noted - text amended accordingly
3. Spatial Vision for Minerals and Waste in Kent				
ID14	Vision	Ashford Borough Council	The proposed amendments to the 'Spatial Vision' for the Plan do not cover the vision of managing increasing levels of service infrastructure to meet growth and demands in waste and resource management. Furthermore, the plan period 2013 – 2030 (8 years) is not considered sufficient a period for such a strategic vision. It is considered that the plan should have a longer horizon and that both disposal capacity and transfer capacity should be dealt with as one function of the Waste Disposal Authority (WDA).	<p>Final disposal and transfer capacity are two distinct items serving wholly different purposes. Much of the final disposal infrastructure serves areas across and beyond Kent's borders.</p> <p>The Plan period is to be extended to cover the period to 2038.</p>
ID57	Planning for Minerals in Kent will: (6)	XXXXXXX	Replace 'and' by 'to'.	Noted - text amended accordingly
ID20	Planning for Waste in Kent will: (9)	Gravesham Borough Council	Should this refer to the maximum re-use of materials and goods rather than the maximum use of materials and goods?	Yes - text amended accordingly
ID23	Vision	Tonbridge and Malling Borough	Tonbridge and Malling Borough Council (TMBC) acknowledge the changes to the spatial vision for minerals and waste and raise no objection to them.	Noted

		Council	In relation to Duty to Cooperate (DtC), TMBC endorses changes to points 1 & 3 and supports the management of minerals and waste extending beyond Kent. It is considered that a more regional collaborative approach within the South East can only be beneficial to the sustainable management of minerals and waste.	
ID44	Spatial Vision	CPRE	Spatial Vision 6 reads: 'Facilitate the processing and use of secondary and recycled aggregates and become less reliant on land-won construction aggregates; and 11 reads: Ensure waste is managed close to its source of production.' The processing facilities on Swanscombe Peninsula are at risk of being lost to other uses and there may be no locally suitable alternative sites. This will impact on the deliverability of the vision.	Safeguarding policy would be considered as part of any application. It is understood the proposed London Resort development includes proposals for facilities to manage waste arising at the site. Development of the Swanscombe Peninsula is not certain.
ID07	Vision	West Sussex County Council	The amendments proposed to the Vision are supported.	Noted
ID22	Vision	Swale Borough Council.	Supports the updated environmental policies and their preamble and the proposed vision and objectives.	Noted
4. Objectives for the Minerals and Waste Local Plan				
ID14	Objectives	Ashford Borough Council	The objectives are not currently aligned with the spatial vision of circular economy. The objectives should be updated to address this. With regard to the objective to minimise the production of waste, minimising waste relies on a change of culture from members of the public as well as Deposit Return Schemes (DRS) and Extended Producer Responsibility (EPR). Notwithstanding policies seeking to manage waste in a sustainable way, the reality is that due to population growth and growing housing need, waste will continue to increase and consequently must be planned for through the Local Plan process by the Waste Disposal Authority and Kent Authorities.	A general objective covering both waste and minerals has been added as follows: '4b Ensure that waste is managed and minerals are supplied in a manner which is consistent with the achievement of a more circular economy. The Annual Monitoring Report (AMR) updates the assessment of need and this demonstrates that there is sufficient capacity for the management of waste in Kent to 2040.
ID22	Objectives	Swale Borough Council	Supports the updated environmental policies and their preamble and the proposed vision and objectives.	Noted.
ID20	Strategic Objectives for the Minerals and Waste Local Plan (4)	Gravesham Borough Council	Whilst working minerals sites may provide opportunities for education and training, Gravesham Borough Council (GBC) would question whether such sites can in the majority of cases provide safe opportunities for recreation. Is the objective actually referring to the contribution such sites may make when restored to a beneficial after-use?	Restoration of quarries may lead to recreational opportunities. Text amended to say 'and educational and recreational opportunities where possible '.
ID20	Strategic Objectives for the Minerals and Waste Local Plan (9)	Gravesham Borough Council	GBC questions the status of some of the documents cited above in terms of determining planning applications. GBC's understanding of the current scheme proposed under the Environment Act 2021 and currently being consulted on is that the minimum ratio of biodiversity net gain will be set at a national level through secondary legislation, with any uplift in this locally being evidence-led through the Local Plan process. Whilst the documents referred to in Objective 9 may be material considerations within the plan-led	Objectives are intended to be broad aims and so do not set out the detail sought by this comment. The achievement of net gain will be via the implementation of Policy DM3 and Policy DM19 rather than this objective. Policy DM3 contains detail on how biodiversity net gain should be identified and evidenced and includes a new reference to guidance that will be prepared by KCC that will set out how biodiversity

			<p>process and provide the framework through which Biodiversity Net Gain and nature recovery are achieved, they will not in themselves be determinative – national policy is likely to require a minimum 10% net gain whilst any enhanced uplift locally will be subject to scrutiny through the Local Plan process.</p> <p>Objective 9 is unclear as to how an ‘overall net gain’ would be measured and against what baseline – is this baseline prior to or after mineral extraction has taken place and should it not refer to Natural England Biodiversity Metric 3.0 or its successor as the consistent means of measuring net gain?</p>	<p>net gain will be measured and monitored. The text of the Objective has been amended to improve its meaning. The proposed guidance will reflect the awaited secondary legislation.</p>
ID14	Objective 10	Ashford Borough Council	<p>Objective 10 looks to industry for solutions to minimise waste and increase its re-use. This is considered contrary to objectives seeking to treat waste and recycle in Kent. There is a need to plan for required infrastructure, and partner with industry to provide solutions. All the while the objective fails to reflect this approach, there will not be adequate facilities in Kent, and materials will need to be transported further afield when current infrastructure reaches end of life.</p>	<p>The objective does not necessarily expect industry to provide solutions to minimise waste and increase reuse. Waste management facilities are developed by the waste management industry. The Plan provides a decision-making framework which determines which facilities are needed and where. The current wording of the objective will allow adequate facilities to come forward.</p>
ID44	Strategic Objectives for the Minerals and Waste Local Plan (11)	CPRE	<p>Proposed Waste Strategic Objective 11 reads: ‘Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and, where applicable, innovative technology, such that net self-sufficiency is maintained throughout the plan period.’ The processing facilities on Swanscombe Peninsula are at risk of being lost to other uses and there may be no locally suitable alternative sites. This will impact on the deliverability of this strategic objective.</p>	<p>Safeguarding policy would be considered as part of any application to ensure that any loss in capacity is provided for elsewhere in Kent.</p>
ID57	Strategic Objectives for the Minerals and Waste Local Plan (9)	XXXXXX	<p>Insert hyphen between ‘after’ and ‘uses’, to match use of the phrase later in the same paragraph.</p>	<p>Noted - text amended accordingly</p>
ID46	Strategic Objectives for the Minerals and Waste Local Plan (9) and (14)	High Weald AONB Unit	<p>Supports these objectives but was not able to find them reflected in policy. It is recommended that policy DM19 utilises the wording in the objectives to give it full weight in planning decisions. It is also recommended that the Kent Nature Partnership’s recommended minimum of 20% biodiversity net gain be referenced in the policy.</p>	<p>Text amended to ensure that the maximum practicable biodiversity net gain is sought. Whilst the policy does not prescribe 20%, given the nature of mineral development, their restoration may deliver in excess of this.</p> <p>Policies DM3 and DM19 has been amended to seek maximum biodiversity net gain and guidance will be prepared setting out how this will be implemented.</p>
ID14	Objective 14	Ashford Borough Council	<p>Objective 14 is supported but in reality reflects the need only to restore old sites for a different future use. What is urgently needed is an objective to deliver a new Materials Recycling Facility, preferably delivered by a Private Finance Initiative in Kent, developing sustainable transfer stations capable of household and commercial waste and potential facilities aligned with rail networks to reduce on road freight would all be more pressing than remediating current / closed sites. This needs a more holistic approach.</p>	<p>Subject to the design and location of a Materials Recycling Facility (MRF) being consistent with the policies of the Plan, the Plan would allow such a facility to be developed should a proposal for such a facility come forward. The plan would encourage this if it were demonstrated that such a development resulted in decreased impacts e.g. transport</p>

				<p>and was consistent with driving waste up the waste hierarchy.</p> <p>New proposed text in paragraph 6.3.6 specifically recognises the need for a new waste transfer facility for Local Authority Collected Waste, especially to serve the Folkestone and Hythe district and the Ebbsfleet Garden City area.</p>
ID20	Strategic Objectives for the Minerals and Waste Local Plan (14)	Gravesham Borough Council	The same points made by Gravesham BC in relation to Objective 9 apply to objective 14.	Objectives are intended to be broad aims and so do not set out the detail sought by this comment. The achievement of net gain will be via the implementation of Policy DM3 and Policy DM19 rather than this objective. Policy DM3 contains detail on how biodiversity net gain should be identified and evidenced and includes a new reference to guidance that will be prepared by KCC that will set out how biodiversity net gain will be measured and monitored. At the time of writing, regulations and further advice is awaited from Defra regarding implementation of this aspect of the Environment Act. These will inform the County Council's guidance to support the local plan policy. The text of the Objective has been amended to improve its meaning.
ID23	Objectives	Tonbridge and Malling Borough Council	<p>Tonbridge and Malling (TMBC) note the changes to the strategic objectives and raise no objection to them.</p> <p>TMBC supports insertion of low carbon modes of transport into objective 1 as well as the introduction of biodiversity net gain into objectives 4 and 9 through Nature Recovery Strategies (NRS). However, <u>Nature Recovery Strategies are a relatively new concept, and it is unclear how and when these will be established and managed.</u></p> <p>TMBC also supports the requirement to restore waste and minerals sites at the earliest opportunity in the interests of visual amenity, as set out in objectives 9 and 14.</p>	<p>Support noted</p> <p>The Local Nature Recovery Strategy (LNRS) will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits. Whilst the LNRS is not expected to be a constraint to development, they will be an important source of evidence for local planning and public authorities will have a duty to "have regard" to the LNRS. At the time of writing, the secondary legislation and statutory guidance relating to LNRS that will provide the detail and instruct the commencement of their development is awaited. Additional text has been added to the Plan to reflect this.</p>
5. Delivery Strategy for Minerals				
	Policy CSM2	GAL	<p>The Hythe Formation (Limestone) is an important and distinctive aggregate forming safeguarded mineral deposit in Kent. The provision of aggregates in Kent over the plan period should be sufficient to meet the distinctive aggregate markets that exist, as required by the National Planning Policy Framework (NPPF) (2021). The available data demonstrates that there are two types of hard crushed rock that is found at Hermitage Quarry and Blaise Farm, the combined permitted reserves constitute the Kent landbank for hard crushed rock (Ragstone -Hythe Formation) in Kent.</p> <p>The material available at Hermitage Quarry has a range of characteristics that enables it to meet aggregate specifications that include structural concrete products, Kentish Ragstone cut stone</p>	Aggregate supply to ensure a steady and adequate level of provision is informed by the monitoring process as reported in the Council's Local Aggregate Assessment (LAA). Interpretation of the most current data has indicated that there will be an insufficient hard rock landbank to meet the policy requirements of the proposed new plan period (to 2023-2038). As a result, additional provision is required and a call for sites is proposed to seek possible sites for allocation. Policy CSM2 is proposed to be amended to

			masonry, rip rap armour stone, processed into single-sized aggregate for concrete specifications, and gabion stone materials, as well as lower grade materials that can be applied to more general civil engineering applications such as a Type 1 Sub-base material. The deposits available at Blaise Farm are unable to meet the higher specified aggregate (crushed rock) uses. Therefore, it is considered that the hard (crushed) rock aggregate landbank in Kent should be split into two separate landbanks to reflect the distinction between the materials which are suitable for higher specification products and uses and those which are not. Therefore, the County Council should review the hard (crushed) rock aggregate landbank objectively assessed needs in the County and make adequate provision to enable a steady and adequate provision of both distinctive markets that this important hard (crushed) rock serves into the future.	reflect this. Discussions are ongoing to determine if there is justification to split the hard (crushed) rock landbank as suggested.
ID57	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.7	XXXXXX	Missing space between 'Sharp Sand' and the '& Gravels'.	Noted - text amended accordingly.
ID57	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.10	XXXXXX	Missing space between 'the additional' and 'provision that needs'. Missing space between 'supply' and 'options (including'	Noted - text amended accordingly.
ID57	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.31	XXXXXXX	Suggest replacing comma by a semi-colon.	Noted - text amended accordingly.
ID57	5.2 Policy CSM 2: Supply of Land-won Minerals in Kent Paragraph 5.2.33	XXXXXX	Missing space between 'is located' and 'in the Weald'.	Noted - text amended accordingly.

ID07	Policy CSM 2 - Supply of Land-won Minerals in Kent	West Sussex County Council	The supporting text for the policy has been updated to provide new provision figures (summary at para 5.2.26), however the data is not then included in the policy itself, meaning the policy data is out of date and not consistent.	In the emerging plan policy, there is no longer the intention for the policy to set out the details of the landbank life and the data for specific aggregate requirements. This is because these are reviewed and changed on an annual basis via the Local Aggregate Assessment and monitoring process. Given the data in the Local Aggregate Assessment (LAA) changes annually, fixed data in policy would only be correct for the year that the Plan was prepared. The suggested approach, which requires aggregate demand to be informed by the annual Local Aggregate Assessment data, is considered more robust and informative for those using the policy.
ID10	Policy CSM 2 - Supply of Land-won Minerals in Kent	XXXXXX	<p>Referring specifically to the reported shortage of soft sand reserves, and that the current safeguarding boundary skirts south of Park Farm Quarry, which has an extant application for soft sand extraction, until 2042, and also to the south of the fields to the North of Borough Green Sandpits to the M26, which also contain extensive sand reserves, would it not make sense to extend the Mineral Safeguarding boundary North to the line of the M26.</p> <p>Makes more sense to extract sand by extending existing workings of Borough Green Sand Pit, Park Farm, and Nepicar, than to open new areas for extraction in untouched countryside elsewhere. Whilst Borough Green, Wrotham, Platt and Ightham have suffered decades of noise, dust, and traffic from mineral extraction, it is effectively only temporary with the requirements for reinstatement afterwards.</p> <p>Suggest that local residents would prefer "temporary" extraction sites for these sites than the permanent loss of Greenbelt and AONB land.</p>	<p>The Folkestone Formation that produces soft and silica (high purity) sand is already safeguarded by the adopted Kent Minerals and Waste Local Plan Policy CSM 5: Land-won Mineral Safeguarding and no changes are proposed to this safeguarding policy.</p> <p>In terms of future soft sand supply, the existing permitted reserves in the Kent quarries and the Minerals Sites Plan allocation at Chapel Farm, Lenham will ensure that a maintained landbank can be provided for the Plan period. If annual monitoring were to demonstrate that this cannot be maintained, further resources in the form of additional allocations in a reviewed Mineral Sites Plan would be considered. If planning applications were proposed on unallocated sites, these would be considered in accordance with the development plan i.e. local planning policy.</p>
ID25	Policy CSM 2 – Supply of Land won Minerals in Kent	Brett Aggregates	The 7-year landbank figure for sharp sand and gravel should be 1.89mt and not 1.83mt in paragraph 5.2.26.	The annual position on sharp sand and gravel in the County is reported in the Council's Local Aggregate Assessment. The latest calculation shows permitted reserves at the end of 2021 as 1.384mt and so this value is used in the draft updated Plan.
ID44	Policy CSM 2 – Supply of Land won Minerals in Kent	CPRE	It is unclear if any sites for clay for engineering purposes are to be brought forward.	No sites for engineering clay are being identified in the review of the Kent Minerals and Waste Local Plan 2013-30 or the update to the Minerals Sites Plan. The amount of clay reserves for engineering purposes is not subject to local or national planning policy requirements to maintain a landbank. Any sites that come forward via a planning application would be considered against national and local plan policy including Policy CSM 4: Non-identified Land-won Mineral Sites.
ID24	Policy CSM 2 – Supply of Land-	Borough Green	Policy CSM2 fails to make adequate provision for soft sand supply as it does not take into account future demand for housing and infrastructure. Without considering future demand, the plan	Provision for soft sand supply has been calculated in accordance with national policy and guidance.

	won Minerals in Kent	Sandpits Ltd	<p>becomes a monitoring tool which looks back on past trends.</p> <p>The Annual Mineral Planning Survey (December 2021) produced by the Mineral Products Association (MPA), estimates that some 3.2 – 3.8 billion tonnes of construction aggregates will be required to support growth across the UK up to 2030. There is also significant investment to be made in infrastructure projects over the coming years which will require a significant volume of construction aggregates.</p> <p>The calculation of the 3-year and ten-year averages is flawed in that the years 2019 and 2020 saw a downturn in sales due to Brexit and then the Covid-19 pandemic; this is acknowledged in the MPA's Annual Mineral Planning Survey. The survey also found an 8% increase in sales of land-won sand and gravel in the south-east between 2014 and 2019, contrary to the findings of the KMWLP review consultation. The unreliability of the 3- and 10-year averages, as well as the forecasted demand for housing and infrastructure projects means that the policy does not make adequate provision for soft sand supply. The site allocated within the Mineral Sites Plan is not expected to deliver any soft sand during the Plan period and cannot be relied upon.</p> <p>Furthermore, other mineral planning authorities (some of which are heavily constrained by landscape designations) rely on imports of land-won aggregates from Kent, this has not been taken into account.</p>	<p>The nationally applied Managed Aggregate Supply System (MASS) requires mineral planning authorities to maintain landbanks of aggregate minerals based on monitoring of sales and reserves data. This is achieved via Local Aggregate Assessment (LAA) monitoring reports that use past sales as required by the National Planning Policy Framework (NPPF). The sales returns are provided to the County Council from the mineral industry and the LAA is considered annually by the South East Aggregate Working Party (SEEAWP) - a representative group of the mineral planning authorities, the mineral industry and the Mineral Products Association.</p> <p>It is recognised that the NPPF requires consideration of “...<i>other relevant local information</i>”. This has been considered. However, any predicted future changes in demand, as in arising from high growth development projections are considered to be unreliable at this time, particularly in light of the current economic circumstances and the uncertainty of future growth patterns. Therefore, the emerging strategy is based upon the annual monitoring process to inform need. As required by the NPPF, “...<i>relevant information will be used to assess landbank requirements on an ongoing basis, and this will be kept under review through the annual production of a Local Aggregate Assessment.</i>”</p> <p>The growth scenario as predicted by the Minerals Products Association and potential aggregate need is noted. However, in terms of the amount and type of these materials, it is speculative. The Mineral Products Association's estimation of sustained UK growth in its ‘<i>Regional overview and forecasts of construction and mineral products markets in Great Britain</i>’ Spring 2022 states that the construction output forecast is +3.0% increase per annum in the South East between 2022-25.</p> <p>The Office for Budgetary Responsibility however states in their Economic and fiscal outlook in March 2022 that over the medium term: “<i>1.15 Real GDP growth slows further to 1.8 per cent in 2023 as the rebound from pandemic related restrictions fades, the cost of living squeeze continues, some fiscal support is withdrawn, and monetary policy tightens further. Growth then recovers in 2024 to 2.1 per cent as lower energy prices drag inflation below the 2 per cent target,</i></p>
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				<p><i>supporting real incomes. Growth then settles around its potential rate of 1¾ per cent a year from 2025 onwards, while per-capita GDP growth averages just over 1½ per cent a year. The level of real GDP from 2025 is unchanged from our October forecast as we have maintained our assumption that the pandemic has led to economic scarring of 2 percent of GDP (Chart 1.4). But we have revised up the contribution to scarring of lower labour supply (due to a smaller population and lower labour force participation) from 0.8 to 1.2 percentage points and made an offsetting downward revision to the hit to productivity (see Annex C).”</i></p> <p>This forecast shows continued uncertainty of any return to higher national economic growth and casts doubt on the Mineral Planning Association’s regional growth scenario, supporting the Council’s approach to rely upon average sales data and reserve levels to plan for future mineral supply.</p>
ID44	Policy CSM 3 Strategic Site for Minerals	CPRE	<p>There is a SSSI near the northern border of the strategic site (Holborough) and a couple within the Mineral Consultation Area.</p> <p>There is no requirement for an assessment of the impact of mineral workings and associated development on these SSSI and this should be included.</p> <p>Figure 17 has a number of coloured designations not all of which are identified in the key and this is needed.</p>	<p>Planning permission for the Holborough site has been implemented and so its further development is safeguarded by policies CSM5 and DM7. Policy CSM3 has therefore been deleted although supporting text to explain the position has been retained.</p> <p>Covered by Policy DM2</p> <p>Policy CSM 3: Strategic Mineral Site is proposed to be deleted from the Plan, along with the accompanying Figure 17.</p>
ID20	Policy CSM 3: Strategic Site for Minerals	Gravesham Borough Council	<p>This site (Medway Works, Holborough) lies within the Tonbridge and Malling BC area. However, Gravesham BC has an interest in that the original planning permission was intended to facilitate the release of the Northfleet Cement Works site and other strategic development sites within the Ebbsfleet Garden City. The site is also close to the Gravesham rural area around Cobham and Luddesdown and has the potential to impact upon local people, especially in respect of traffic generation and air quality.</p> <p>Paragraph 5.2.36 states that there is no policy requirement imposed on KCC to make provision for chalk supply in Kent as there are no active plants. Paragraph 5.2.37 then goes on to say that to help future development of cement manufacture at the Medway Works, Holborough, specific reserves are ‘safeguarded’ under policy CSM3.</p> <p>However, policy CSM3 goes further than ‘safeguarding’ in that it effectively puts in place a presumption in favour of permission subject to compliance with the development plan and a limited range of criteria.</p>	<p>Comments noted and are relevant considerations had the planning permission for the site not been implemented. However, planning permission for this site has been implemented and so its further development is safeguarded by policies CSM5, DM7 and DM8. Policy CSM3 has therefore been deleted and supporting text has been included in section 5.0 to explain the position with regard to the provision of chalk for cement and the safeguarded extant implemented permission at Medway Works, Holborough.</p>

		<p>Whilst the site benefits from an extant planning permission granted by the Secretary of State in 2001, this is not in itself sufficient justification for such a policy. On this, it is noted that the site lies within the Green Belt and planning permission was only granted on the basis of the demonstration of Very Special Circumstances, which to a large extent no longer apply.</p> <p>The Very Special Circumstances relied on at the time included:</p> <ul style="list-style-type: none"> • The (then) identified need for cement production capacity in the South East to offset the need for imports; • The need to identify a replacement for Northfleet Works with a production capacity of around 1.4 mtpa; • That continued chalk extraction at Eastern Quarry would undermine the delivery of the Thames Gateway planning strategy (RPG9a); and • The lack of reasonable alternative sites. <p>The planning permission granted by the Secretary of State was time limited on the basis that the anticipated life of the works would only be 35 years. Conditions also applied an 'end date' whereby the site should have been fully restored by 2041, with cement production and chalk extraction ceasing by 2041.</p> <p>In relation to the Very Special Circumstances set out above, Northfleet Works has since ceased production and has been demolished. This has been replaced with a cement import facility with a capacity of 1 mtpa and planning permission has been granted on the remainder of the land for a Bulk Aggregates Import Terminal (BAIT) alongside extensive mixed use development. Eastern Quarry has also been released and development is on-going in terms of the creation of Ebbsfleet Garden City.</p> <p>It is difficult to see therefore how these factors could still constitute Very Special Circumstances should a fresh planning application be submitted even if the extant planning permission could be deployed as a 'fall-back' position subject to the considerations set out at paragraph 17 to the Tonbridge and Malling 2016 judgement at [2016] EWHC 2832 (Admin).</p> <p>In relation to the above, it is also worth looking at the position adopted by Blue Circle Industries (the applicant) set out in the Inspector's report on the re-opened Public Inquiry dated 16 October 2001 – see https://www.kentplanningapplications.co.uk/Planning/Display/TM/98/785</p> <p>Given the above and the fact that import facilities have been put in place at Northfleet, Gravesham BC would suggest that Kent CC review the strategic need for the minerals safeguarding at Holborough. Should such a review find that such a policy remains justified, thought should still be given to making it more robust by stating that any such proposal is likely to be considered inappropriate development in the Green Belt requiring the demonstration of Very Special Circumstances in line with national policy.</p> <p>Reference should also be made to changes in national policy that have occurred since permission was originally granted in 2001 and the higher environmental standards that are likely to apply.</p> <p>On this, proposed changes to air quality standards; Water Framework Directive requirements; and the introduction of Biodiversity Net Gain are likely to be relevant. Any emissions from the plant and associated traffic would also need to have regard to impacts on assets of nature conservation</p>	
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			<p>importance, including the North Downs Woodland SAC adjoining.</p> <p>It should also be noted that CSM3(1) does not reflect national policy in relation to the Kent Downs AONB in that impact of development on its setting is now material rather than just views from the AONB. Any changes to national policy in relation to AONB purposes and the weight to be accorded such landscapes as a result of the Government's response to the Glover review are also likely to be relevant – see https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response</p> <p>National policy on decarbonisation and the road to net zero by 2050 in terms of the Government's industrial strategy is also likely to be of relevance given the dispersed nature of the cement industry raises significant challenges in this respect – see https://assets.publishing.service.gov.uk/government/uploads/system/uploads/</p>	
ID23	Policy CSM 3: Strategic Site for Minerals	Tonbridge and Malling Borough Council	The strategic mineral site at the Medway Cement works falls within Tonbridge and Malling borough. TMBC recognise that there are no changes to the policy or supporting text. For avoidance of doubt, consider that as a strategic site, the area of the chalk mineral reserve (specific to this site) should feature on the minerals safeguarding map/proposals map.	Planning permission for this site has been implemented and so its further development is safeguarded by policies CSM5, DM7 and DM8. Policy CSM3 has therefore been deleted and supporting text has been included in section 5.0 to explain the position with regard to the provision of chalk for cement and the safeguarded extant implemented permission at Medway Works, Holborough.
ID57	5.4 Policy CSM 4: Non-identified Land-won Mineral Sites Paragraph 5.4.2	XXXXXX	Should the bold typing and the closing bracket be crossed through?	Noted - text amended accordingly
ID57	5.5 Policy CSM 5: Land-won Mineral Safeguarding Paragraph 5.5.3	XXXXXX	Missing space between 'exception' and 'is provided'.	Noted - text amended accordingly
ID44	Policy CSM 5 – Land Won Mineral Safeguarding	CPRE	<p>Paragraph 5.5.11 sets out that 'Coal, oil, and deep pennant sandstone resources are also not being safeguarded, as they are located at considerable depth underground and may potentially form extensive resources. The safeguarding of these deep underground minerals would dilute the focus of safeguarding mineral resources, access to which is more likely to be lost to built development.'</p> <p>There is a need to encourage and support the development and growth of renewable sources of energy. Resisting the extraction of fossil fuels is one means of doing this.</p>	Noted. The Plan is consistent with national policy on extraction of fossil fuels.
ID15	5.5 Policy CSM 5: Land-won Mineral	Canterbury City Council	Noted that section 5.5.12 states that Mineral Safeguarding Areas (MSAs) will be reviewed once every 5 years. From the changes shown, this is not apparent, however we have been made aware that some of the Mineral Safeguarding Areas within Canterbury District cover mineral types which	The Mineral safeguarding Areas have been updated.

	Safeguarding Paragraph 5.5.12		have been shown not to be of economic value. Ask that MSA geographies are reviewed again to ensure that only minerals which have any potential economic value are safeguarded under this policy.	
ID27	Policy CSM 5 – Land-won Mineral Safeguarding	Tarmac Cement and Lime Limited	Bullet point 2 could be amended to read “2. Mineral Consultation Areas which cover the same area as the Minerals Safeguarding Areas and a separate area adjacent to the Strategic Site for Minerals at Medway Works, Holborough as shown in Figure 17 (to which the provisions of Policy DM7 also apply).” This would enable a stronger linking of Policy CSM 3 (Strategic Site for Minerals) with Policy DM 7 (Safeguarding Mineral Resources)	Planning permission for this site has been implemented and so its further development is safeguarded by policies CSM5 and DM7. Policy CSM3 has therefore been deleted, although supporting text to explain the position has been retained.
ID17	5.6 Policy CSM 6: Safeguarded Wharves and Rail Depots	Dover District Council	Note and support updated text relating to the Dunkirk Jetty safeguarded wharf.	Noted.
ID15	Policy CSM 6 - Safeguarded Wharves and Rail Depots	Canterbury City Council	Noted that the East Quay at Whitstable Harbour is identified as a safeguarded site under Policy CSM 6. This part of the Canterbury District is covered by policies EMP11, TCL6, TCL10 and TV5 within the adopted Canterbury District Local Plan which are currently under review as part of the development of the new Local Plan for the district.	Noted.
ID12	Policy CSM 6 - Safeguarded Wharves and Rail Depots	XXXXX	Plans are afoot at Thanet District Council to replace the berths at the port used by Brett Aggregates with a more extensive berth, which Bretts have not asked for, but which Council tax-payers have been obliged to pay for - unable to obtain clear information for the reasons of this. Local rumours, suggest that there are plans to use the facility for transport of bulk waste. Consider Ramsgate Port an unsuitable site for the management of bulk waste: it is open, windy, vulnerable to flooding, very close to housing, next to a national site of scientific interest.	The review of the Kent Minerals and Waste Local Plan does not propose any change to this site in respect of managing waste. In the event that this were to be proposed, it would be considered on its merits against planning policy and legislation. Mineral wharves in the Port are safeguarded in accordance with planning policy that is part of the adopted Kent Minerals and Waste Local Plan. There have been no national policy amendments to justify change to the safeguarding of the site.
ID54	Policy CSM 6 - Safeguarded Wharves and Rail Depots	Port of London Authority	No significant amendments are made to this policy which is supported.	Noted
ID57	5.8 Policy CSM 8: Secondary and Recycled Aggregates Paragraph 5.8.3	XXXXX	Missing space between 'While sites with' and 'permanent consent'.	Noted - text amended accordingly
ID07	Policy CSM 9 - Building Stone in Kent	West Sussex County Council	Reference to “small scale” is being proposed to be deleted from the policy, however FN68 is not marked for deletion, which may cause confusion.	Agree - change made
ID57	Policy CSM 9 -	XXXXX	Cross through '3'.	Noted - text amended accordingly

	Building Stone in Kent			
ID45	Policy CSM 9 – Building Stone in Kent	Environment Agency	Query why restoration of minerals working sites for small scale proposals (used to maintain Kent's historic buildings) has been removed, would recommend it be retained.	Change made to ensure plan continues to be consistent with the National Planning Policy Framework. Working of stone for heritage purposes would still be permitted under the amended policy.
ID57	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.2	XXXXX	Missing space between 'quantities' and 'of unconventional'.	Noted - text amended accordingly
ID57	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.3	XXXXXX	Missing space between 'for' and 'a subsequent'.	Noted - text amended accordingly
ID57	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.5	XXXXX	Missing space between 'need' and 'to be satisfied'.	Noted - text amended accordingly
ID57	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.8	XXXXXX	Add in a comma or semi-colon after East Sussex.	Noted - text amended accordingly
ID57	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.9	XXXXXX	Technologies is plural, so associated verb should be 'enable', not 'enables'.	Noted - text amended accordingly
ID57	5.10 Policy CSM 10: Oil, Gas and Unconventional	XXXXXX	Missing space between 'combustible' and 'is a potential'. Missed space between 'spaces of coal' and 'in coal seams'.	Noted - text amended accordingly

	Hydrocarbons Paragraph 5.10.10			
ID57	5.10 Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons Paragraph 5.10.12	XXXXX	Missing space between 'gas' and 'or oil'. Space missing between 'under pressure' and 'into oil from shale'.	Noted - text amended accordingly
ID57	Policy CSM 10 - Oil, Gas and Unconventional Hydrocarbons	XXXXXX	Item 3 - missing space between 'wetlands' and 'habitats'. Item 6 - missing space between 'standard' and 'and appropriate'.	Noted - text amended accordingly
ID09	Policy CSM 10 - Oil, Gas and Unconventional Hydrocarbons	XXXXXXX	Policy CSM 10 is considered incompatible with the climate emergency that has been declared by the council. Fail to see how the county can hope to reach net zero by 2050 if the policy still has a presumption in favour of granting permission for the exploration for and production of oil and gas and unconventional hydrocarbons.	The Plan is consistent with national policy on extraction of fossil fuels and fracking. National policy currently does not rule out the use of Oil, Gas and Unconventional Hydrocarbons.
ID11	Policy CSM 10 - Oil, Gas and Unconventional Hydrocarbons	XXXXXXX	Reservations about Policy CSM 10 - Planning permission should not be granted as any production of oil, gas and unconventional hydrocarbons will exacerbate climate change. There is a climate emergency which is a priority consideration.	The Plan is consistent with national policy on extraction of fossil fuels and fracking. National policy currently does not rule out the use of Oil, Gas and Unconventional Hydrocarbons.
ID19	Policy CSM 10 - Oil, Gas and Unconventional Hydrocarbons	Folkestone & Hythe District Council	Note supporting text has been updated to reflect changes to the National Planning Policy Framework on unconventional hydrocarbons. However, the policy itself remains unchanged.	Noted. The Plan is consistent with national policy on extraction of fossil fuels and fracking. National policy currently does not rule out the use of Oil, Gas and Unconventional Hydrocarbons.
ID44	Policy CSM 10 – Oil, Gas and Unconventional Hydrocarbons	CPRE	The policy and plan should reflect the government guidance which no longer supports fracking in the UK energy market. The policy should also support the encouragement of a Green Industrial Revolution by resisting the extraction of fossil fuels.	The Plan is consistent with national policy on extraction of fossil fuels and fracking. National policy currently does not rule out the use of Oil, Gas and Unconventional Hydrocarbons.
ID44	Policy CSM 11 – Prospecting for Carboniferous Limestone	CPRE	There is no specific policy approach to guide determination of an application if a prospecting consent confirms it would be financially viable to extract the underground mineral. Mining in this environmentally sensitive area would need to be very carefully undertaken to ensure minimum impact on issues such as views, landscape character, environment, tranquillity, dark skies, biodiversity and net biodiversity gain, nearby communities, traffic on roads, water supply and quality. The British Geological Survey indicates that Carboniferous Limestone is an aquifer - a massive, well-fissured karstic limestone that gives large water supplies. With regard water supply the Environment Agency acknowledges that Kent is severely stressed. Significant development is planned for the East Kent districts which is likely to worsen the situation.	Noted. In the event that a planning application is made, development management policies would address potential impacts on views, landscape character, environment, tranquillity, dark skies, biodiversity and net biodiversity gain, nearby communities, traffic on roads, water supply and quality and any other material considerations. Policy DM10 addresses water supply concerns. The effect of any major deep Carboniferous Limestone mine on water resources would be central to any consideration of either a local plan allocation or a planning application. The Plan does not identify such a proposal as needed to maintain

			It is unclear if the geography of the possible mining area, and surface aggregates processing facility and mine entrance remain unchanged from the 1993 plan. Clarification would be helpful.	<p>aggregate supply at the required levels over the remaining Plan period.</p> <p>The Construction Aggregates Local Plan 1993 has been superseded by the Kent Minerals and Waste Local Plan 2013-30 (as partially reviewed 2020) and the Kent Mineral Sites plan 2020. The area identified in the 1993 Plan is now of historic interest only. Whilst the geology of the Carboniferous Limestone in east Kent has not altered, the area identified as a potential deep mine and surface aggregate processing facility in the 1993 Plan would carry very little weight if a planning application were to be submitted. Any application would be assessed and determined on its merits against current national and local development plan policies.</p>
ID54	CSM12 – Sustainable Transport of Minerals	Port of London Authority	Welcome the amendment to section 5.12.1 that provision of rail/water facilities for the transport of minerals would reduce reliance on road transport and encourage sustainable development.	Noted
6. Delivery Strategy for Waste				
ID45	Policy CSW1 – Sustainable Development	Environment Agency	Agree with the proposed changes regarding achieving a circular economy where more waste is prevented or reused.	Noted
ID45	Policy CSW2 – Waste Hierarchy	Environment Agency	Agree with the proposed changes regarding achieving a circular economy where more waste is prevented or reused.	Noted
ID30	Policy CSW2 – Waste Hierarchy	Persimmon Homes	No objection to this policy which strives to push waste up the hierarchy.	Noted
ID17	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction	Dover District Council	Acknowledge reference to need for new Household Waste Recycling Centres (HWRC) and household waste management infrastructure and note need for financial contributions towards such facilities from new development. This will be included with the emerging Dover District Local Plan and supporting Infrastructure Delivery Plan, where relevant to Dover District.	Noted
ID22	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.4	Swale Borough Council	<p>See comments above relating to paragraph 1.3.4.</p> <p>Although Environment Act 2021 identifies separate waste collections for certain waste streams if practicable, detail is yet to be agreed as the regulations have not yet been published. Co-mingled collections are likely to continue for some years to come (especially for those areas like Mid Kent who are planning new 8 year waste collection contracts in the absence of guidance from government). Carbon and financial implications of all household collected waste will need to be considered and factored in at the earliest opportunity when reviewing MRF considerations and end recycling destinations.</p>	Through Extended Producer Responsibility (EPR) a Scheme Administrator (SA) is proposed to act on behalf of the packaging producers, this SA will pay the Collection Authorities to collect these materials, a fully co-mingled recyclable collection would likely require more processing at the Material Recycling Facility, so it may be the case that Swale BC do not get remunerated by the SA in the way those that collect a cleaner twin stream mix will. Until the Government's intentions of the consultations following up on the Resources and Waste Strategy i.e. Extended Producer Responsibility, Deposit Return Schemes (DRS)

				and Consistency in collection are known, this won't be fully understood.
ID14	6.2 Policy CSW 2: Waste Hierarchy Para 6.2.3	Ashford Borough Council	<p>The aspirations of Policy CSW2 are supported, however, it is considered that the word '<i>support</i>' should be replaced with the word 'ensure'. As the plan making authority for waste, it is considered this would demonstrate a greater level of commitment towards ensuring that development reflects the principles underpinning the Waste Hierarchy.</p> <p>With regard to draft paragraph 6.2.3 this states that '<i>recent assessment of waste management capacity is sufficient</i>' however, this is considered misleading as it fails to recognise the need for transfer and disposal facilities identified elsewhere in the plan.</p>	<p>It is considered that the term 'support' is appropriate as the Plan can only do that, it is for the market to respond. It is noted that the stated intention is to 'ensure' waste is managed in accordance with the waste hierarchy in the wording that follows the initial statement of support.</p> <p>Paragraph 6.2.3 is concerned with the overall availability of capacity to achieve recycling and landfill diversion targets rather than whether this capacity is located in the optimum location for logistical purposes. Paragraph 6.3.6 has been inserted specifically to address concerns about the adequacy of the spatial distribution of facilities managing Local Authority Collected Waste (LACW).</p> <p>It is unclear what the reference to "disposal facilities" relates to as the Plan does not identify a need for such facilities (other than Norwood Farm landfill for disposal of incinerator residues).</p>
ID20	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.6	Gravesham Borough Council	The proposition that development should seek to reduce waste based on the 'circular economy' principle set out in paragraph 6.2.6 and have regard to adaptability; the ability to deconstruct and re-use; and embodied carbon versus energy efficiency from new build in considering the acceptability of proposals is welcomed.	Noted
ID18	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.7	Ebbsfleet Development Corporation	Paragraph 6.2.7 sets out that "financial contributions might be required for new residential development to assist with further waste infrastructure". This should be looked at further as part of the review of the Waste Disposal Strategy and this should be made clear in the Local Plan. Although it is supported that businesses should self-sort their own waste (Dry Mixed Recyclables) into different recycling categories by 2026, noted that this may require additional processing facilities (paragraph 6.3.3). Therefore, proposal should form part of the review of the Waste Disposal Strategy, so that a thorough assessment of the proposals can be made and an informed response provided.	"Financial contributions might be required for new residential development to assist with further waste infrastructure" may be looked at as part of the review of the Waste Disposal Strategy, however this is not a matter for the KMWLP but instead is for agreement between Districts and KCC as Waste Disposal Authority on a case by case basis following the, to be adopted, Developer Contributions Guide.
ID20	6.2 Policy CSW 2: Waste Hierarchy and Policy CSW 3: Waste Reduction Paragraph 6.2.7	Gravesham Borough Council	<p>The principle that new development should make a proportionate contribution toward the delivery of waste infrastructure at paragraph 6.2.7 is accepted subject to the application of the normal policy and legal tests; the financial viability of the scheme in question; and judgements to be made by the LPA on a case by case basis as to prioritisation of resources.</p> <p>KCC should be prepared to accept that not all developments may be capable of making a contribution towards waste infrastructure and/or that any contribution towards waste infrastructure may result in reductions in funding for other services provided by the County Council.</p>	<p>Noted</p> <p>KCC accepts that not all developments may be capable of making a contribution towards waste infrastructure – the paragraph includes 'may' which is intended to recognise that seeking financial contributions may not be appropriate in all circumstances.</p>

ID45	Policy CSW3: Waste Reduction	Environment Agency	Agree with the proposed changes regarding achieving a circular economy where more waste is prevented or reused.	Noted
ID30	Policy CSW3 – Waste Reduction	Persimmon Homes	<p>The principles established in both the Policy wording and its pre -amble intend to influence development proposals by supporting the retention of existing buildings and advocating modern methods of construction. This has significant implications for development of sites and construction of buildings and is likely to have a considerable impact upon the deliverability and overall viability of development.</p> <p>Policy CSW3 relates to the assessment of planning applications and does not appear to be applicable at the Plan making stage. As such, costs associated with the measures identified in the policy would not have been assessed as part of site allocations or setting of other strategic policies by District and Borough Authorities as required by NPPF para 34. The application of the Policy could therefore undermine the deliverability of specific sites or even individual Local Plans.</p> <p>Policy CSW3 requires full details of the nature and quantity of any construction, demolition and excavation waste arising from the development together with its management and a waste management strategy. Such extensive information on construction methodology may not available at that stage.</p>	<p>The Policy is entirely consistent with Government strategy and policy on the need to move towards a more circular economy. The need for action is more urgent in light of the climate emergency that is reflected in the adopted Kent and Medway Low Emissions and Energy Strategy. The provision of such information with applications has already been made a requirement in the adopted London Plan. Supporting text to the Policy has been amended to clarify that the requirement for a Circular Economy Statement will only apply to major development which is the same size as that requiring the preparation of a Design and Access Statement. Furthermore, text relating to a commitment to provide guidance on how such information should be provided has also been inserted.</p>
ID20	Policy CSW3: Waste Reduction	Gravesham Borough Council	<p>Concerns regarding detailed wording of policy CSW3 given it would appear to apply to the design of all new development above the level of 'householder' development irrespective of scale.</p> <p>Given the policy effectively also appears to require the production of a Site Waste Management Plan (SWMP) for development of any scale, attention is drawn to the Government's revocation of the Site Waste Management Plans Regulations 2008 in 2013 under the 'Red Tape Challenge'.</p> <p>These only applied to building contracts above a certain value and not all development. Even so, the conclusion reached was that these requirements were ineffective and largely ignored when it came to smaller scale developments. Larger developments tended to have SWMPs because it was in the interests of the developer to secure economies anyway. It is suggested therefore that consideration be given to redrafting the policy so that the requirements only apply to developments above a certain size.</p> <p>Logically this could be linked to the requirement to produce Design and Access Statements under Article 9 to the Town and Country Planning (Development Management Procedure) (England) Order 2015, which require information to be provided on 'the design principles and concepts that have been applied to the development'.</p> <p>The reference to applications made by or on behalf of a 'householder' is also ambiguous because it could relate to an application for any scale made by or on behalf of any person who is a 'householder'. A 'householder application' has a different meaning as defined by secondary legislation.</p>	<p>Noted that Government revoked the Site Waste Management Plans Regulations 2008 in 2013, however since then the Government published its Resources and Waste Strategy with ambitious aims for waste management. The Government published a Draft Waste Prevention Programme for England that anticipates such information being submitted with new development. Agree that this could be linked to the requirement to produce Design and Access Statements under Article 9 to the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the text has been amended accordingly such that Circular Economy Statements only need to be provided for development of 10 or more dwellings or provision of a building(s) where the floor space to be created is over 1,000 square metres or where the site is 1 hectare or more.</p> <p>The term 'householder applications' has been reinserted to avoid confusion.</p>
ID21	Policy CSW3: Waste Reduction	Maidstone Borough Council	Supportive of the plan as a whole and the overall aims of the policy refresh, however MBC of the view that Policy CSW 3 (Waste Reduction) requires further consideration. The proposed new wording of the policy requires that for applications submitted to MBC additional information be supplied at application stage. This will likely mean that MBC is required to add to their Local List a	Supporting text to Policy CSW3 has been amended to clarify that the requirement for a Circular Economy Statement will only apply to major development which is the same size as that requiring the preparation of a Design and

			requirement for a Waste Management Supplement to accompany Design and Access Statements. Additionally, the Head of Service considers that a planning condition to this effect is unlikely to meet the legal tests.	Access Statement. Furthermore, text relating to a commitment to provide guidance on how such information should be provided has also been inserted. If updated Policy CSW3 is adopted, then conditions can be added to a permission to ensure the policy is implemented.
ID22	Policy CSW3: Waste Reduction	Swale Borough Council	Waste collection accessibility needs to be a bigger consideration now that more people are working from home. This has resulted in more cars parked outside homes during the day. This can make vehicular access to collect household waste more challenging.	This is addressed by Policy CSW3 where it states (with emphasis added): “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.”
ID22	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.3	Swale Borough Council	See comments above relating to paragraph 1.3.4. It would be useful to know the data sets used by KCC to arrive at the comment in paragraph 6.3.3 that the preferred option for businesses was to separate glass collections from the rest of their dry recyclables. It is not clear if this is KCC’s preferred option or that of businesses. Recent Swale householder survey results showed a clear preference for co-mingling all dry recyclables (including glass) so it would be useful to understand the data sets used by KCC to help explain and understand the different preferences. It would help demonstrate that the statement is evidenced based.	Noted - Related text has been updated to address this comment. Text to refer to businesses preference for separate glass collections has been deleted.
ID22	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.5	Swale Borough Council	See comments above relating to paragraph 1.3. Although Environment Act 2021 identifies separate waste collections for certain waste streams if practicable, detail is yet to be agreed as the regulations have not yet been published. Co-mingled collections are likely to continue for some years to come (especially for those areas like Mid Kent who are planning new 8-year waste collection contracts in the absence of guidance from government). Carbon and financial implications of all household collected waste will need to be considered and factored in at the earliest opportunity when reviewing MRF considerations and end recycling destinations.	Noted - Related text has been updated to address comment. Text has been amended to remove reference to ‘ <i>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</i> ’.
ID14	Para 6.3.6	Ashford Borough Council	The issue of waste disposal and transfer must be dealt with holistically and delivered through a plan led approach rather than relying on the “market” to deliver a solution, as currently suggested in the plan. The KMWLP Review must ensure that suitable sites/areas for the provision of waste transfer facilities are identified in appropriate locations in order to meet the identified shortfall, and to ensure that the necessary infrastructure is provided. As it stands, the KMWLP Review does not secure how waste transfer and disposal will be delivered, either through any of its proposed policy criteria or the site allocation strategy. Put simply, the location, nature of the facility, phasing plan and the total cost of any facility is not set out by KCC at this point. Consequently, it is hard to see how any future Local Plan that Ashford Borough Council produce can take this issue into account, or how it might seek to secure S106 payments for any future waste facility (assuming that funding towards waste infrastructure is justified, in principle).	Waste management facilities are developed by the waste management industry. The Plan provides a decision-making framework for the market to bring forward proposals for needed facilities in appropriate locations. It is recognised that to improve transportation logistics a new facility is needed for the transfer of Local Authority Collected Waste (LACW) but latest assessments show that there is sufficient capacity within the County overall to meet recycling targets beyond those relating solely to LACW and for this reason a specific location has not been identified. Paragraph 6.2.7 has been added specifically to confirm that

				S106 contributions may be needed in relation to the provision of waste infrastructure. The detail of these is a matter for discussion between the Waste Disposal Authority and the District and Borough Council determining the planning application.
ID14	Para 6.3.6	Ashford Borough Council	Draft paragraph 6.3.3 of the plan, which discusses the preferred method for the collection of different waste streams, is considered to be factually incorrect and misrepresents the legislation requirements. Defra are yet to confirm the preferred collection methodology. This section mistakenly pulls Deposit Return Schemes (the method of encouraging recycling by requiring and returning a deposit payment) into kerbside collection which are separate methodologies of collection and not likely to be managed by the WDA. This section needs to be updated to accurately reflect the legislative requirements. The need to work holistically on the outcomes required under the Environment Act gives KCC the opportunity to be open and transparent with the district partners in looking towards delivering “joined up” collection and disposal methodologies for the benefit of all and the environment.	Noted - Related text has been updated to address this comment.
ID18	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.6	Ebbsfleet Development Corporation	Paragraph 6.3.6 notes that “there are excessive travelling distances for waste transfer from the Ebbsfleet Garden City and Folkestone. In light of this the Waste Development Authority (WDA) has identified a specific need for waste transfer stations in these areas”. It is noted that KCC, in its role as WDA, is conducting a five-year review of its Waste Disposal Strategy which is the guiding assessment of current and future infrastructure operational requirements for the ongoing management of local authority collected waste across Kent. It is also noted that there is a need for HWRCs and other household waste management infrastructure to be reviewed by the WDA (paras 1.3.16 and 6.61). EDC is aware that KCC has considered that there is a need for a site in the Ebbsfleet area for this purpose and EDC assumes that the need for this will be fully addressed as appropriate through KCC’s work on reviewing its Waste Disposal Strategy and that the process of bringing forward a potential site would be taken forward via a future Waste Sites Local Plan which include a full call for sites exercise. There are neighbouring authority areas to the EDC which also lack these facilities and could also benefit from any new proposed facilities.	At this stage there is no intention to identify specific sites in the Minerals and Waste Local Plan to accommodate Household Waste Recycling Centres and other household waste management infrastructure as overall the Plan has not identified a quantitative need for such capacity – rather the issue relates to one of logistics and the spatial distribution of facilities. The Plan is suitably flexible to allow proposals for facilities to come forward to meet Kent requirements in locations which would be most appropriate for accommodating waste management facilities.
ID19	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency and Waste Movements Paragraph 6.3.6	Folkestone & Hythe District Council	Recognise the statement in paragraph 6.3.6 regarding the need for additional waste transfer facilities to serve Folkestone and Hythe. The District Council is working closely with the County Council in order to identify a suitable solution and requests that this joint working is recognised in the text of the plan.	Text updated to acknowledge work between Waste Disposal Authorities (WDA) and Waste Collection Authority (WCA).
ID20	6.3 Policy CSW 4: Strategy for Waste Management Capacity Net Self-sufficiency	Gravesham Borough Council	Whilst there have been discussions in the past regarding future strategy and the need for additional waste facilities, the Regulation 18 consultation document does not appear to be accompanied by supporting evidence setting out how this position has been reached and options appraised. GBC would expect this to be provided at Regulation 19 to ensure transparency and so the appointed Inspector can properly evaluate policy against the tests of soundness. Any site/area of search identified for such a facility should also be properly evidenced.	While the Plan recognises the Waste Disposal Authorities (WDA) particular desire for a new transfer station to manage Local Authority Collected Waste, no site/area of search has been identified for such a facility in the Plan and existing policy would be applied to any application were it to be received. Information supporting the need for such a

	and Waste Movements Paragraph 6.3.6			transfer station will be provided at Regulation 19 stage.
ID22	Policy CSW5: Strategic Site for Waste	Swale Borough Council	Supports the plans continued proposals to extend Norwood Quarry on Sheppey for waste disposal as previously adopted.	Noted.
ID20	Policy CSW 6: Location of Built Waste Management Facilities	Gravesham Borough Council	<p>Policy CSW 6(c) refers to planning permission for waste management facilities being granted in locations well located in relation to railheads or wharves. However, the policy does not make clear that such locations are only likely to be acceptable where transportation of waste by rail or by water is a primary means of intended transport and there are no unacceptable adverse impacts on communities or the highway network. It is also worth recognising that such locations may be within highly populated areas where there might not be capacity for additional road movements.</p> <p>In addition, whilst the wording of the policy at CSW6 (a) and (b) is right to highlight potential adverse impacts on designated sites or those with particular sensitivities, it should also highlight that other sites may be unacceptable in general on the grounds of unacceptable impacts (NPPF paragraph 185).</p> <p>As per paragraph 6.5.4, policy CSW 6 should also cross-refer to DM4: Green Belt.</p> <p>For the sake of completeness, there is also a typo in the first line of 6.5.7 where 9 appears instead of (.</p>	<p>Movement of waste by means other than road is preferred by the Plan (which is consistent with national policy) and the impact on roads used to access such a facility would be considered by applying policy DM13 Transportation of Minerals and Waste.</p> <p>This policy is setting out the main criteria used to assess the suitability of land for locating waste management facilities. Other matters which might make the development unacceptable in a particular location would be identified through the application of the Development Management policies.</p> <p>The policy mentions Green Belt, but it is not considered necessary to make such a specific reference in the Policy, especially as this is included in the supporting text.</p> <p>Typo noted and amended accordingly.</p>
ID23	Policy CSW 6: Location of Built Waste Management Facilities	Tonbridge and Malling Borough Council	The additional wording to protect heritage assets (a) as well as granting planning permission for proposals that are well located in respect of railheads and wharves (c) are supported.	Noted
ID45	Policy CSW 6: Location of Built Waste Management Facilities	Environment Agency	Support the changes that separate Source Protection Zone and Flood Zone 3b as separate priorities.	Noted
ID54	Policy CSW 6: Location of Built Waste Management Facilities	Port of London Authority	Support the amendment to part C of the policy to specifically refer to granting planning permission for proposals that are well located in relation to Kent's Key Arterial Routes, and/or railheads and wharves.	Noted
ID45	Policy CSW 8: Recovery Facilities for Non-hazardous Waste	Environment Agency	Pleased to note the inclusion of Carbon Capture Utilisation and Storage from 2025 onwards	Noted

ID45	Policy CSW 9: Non inert Waste Landfill in Kent	Environment Agency	Pleased that 85% of landfill gas produced will be captured and utilised using best practice techniques.	Noted
ID45	Policy CSW 10: Development at Closed Landfill Sites	Environment Agency	Support the maximum use of gases being emitted and reducing the emission of gases to the environment.	Noted
ID24	Policy CSW11: Permanent Deposit of Inert Waste	Sheerness Recycling Ltd	<p>Policy CSW11 identifies that the capacity for the permanent deposit for inert waste may only be sufficient to meet Kent's needs. However, the county receives a lot of this waste stream from outside of Kent which would require additional capacity.</p> <p>The Policy states that the use for other engineering operations would only be acceptable if it is demonstrated that there is no local demand for its use in restoration operations. The term "local" is considered ambiguous and further definition should be provided. The use of inert material for engineering purposes has proven to be very beneficial in the delivery of major housing schemes across the county. Therefore, the policy should be amended to more readily enable the use of this material for engineering operations and reduce the reliance on primary and secondary aggregates for this purpose.</p>	<p>While current capacity is sufficient to meet Kent's arisings of inert waste, the Plan does not inhibit the development of new capacity to manage additional arisings of inert waste be deposit on land subject to proposals being in a suitable location and designed to protect the local environment and communities.</p> <p>The text has been amended to provide definition of term 'local' with regard to restoration opportunities.</p> <p>The policy is considered suitably permissive in allowing for the use of inert material in engineering operations.</p>
ID54	Policy CSW14 – Disposal of Dredgings	Port of London Authority	<p>Reference to the PLA's Thames Vision is welcomed however the year the Vision is being reviewed should be amended to 2021 rather than 2022. The Vision may also be better referenced in the 'links with legislation, other policies and strategies section' of the Kent Mineral and Waste Local Plan and the current Vision for the Tidal Thames document (2016) should also be referred to in addition to the revised vision.</p> <p>The need to keep this policy under review should be referenced in the justification wording in case a specific need is identified for a landfill with river access.</p>	Noted. Text amended.
ID32	Policy CSW 15 – Wastewater Development	Southern Water	The addition of criterion 2 is supported however the "best practice techniques" referred to could be specified in a footnote of the supporting text.	Supporting text added to explain and justify new criterion 2.
ID33	Policy CSW 15 – Wastewater Development	Thames Water	Support the amended policy.	Noted
ID19	Policy CSW 17: Nuclear Waste Treatment and Storage at Dungeness	Folkestone & Hythe District Council	Note the update to Policy CSW 17, which proposes facilities for the storage and management of radioactive waste at Dungeness. It understands that the existing policy is not aligned to the Government's 2019 strategy for radioactive and nuclear industry integrated waste management for radiological waste as it does not allow for any radioactive waste disposal at the Dungeness Estate and so the policy and explanatory text require modification to ensure consistency with national policy.	Noted
ID09	Policy CSW 17: Nuclear Waste Treatment and	XXXXX	Policy CSW17 would allow the storage of nuclear waste at Dungeness. Accept that the policy does say subject to the outcome of environmental assessments but fail to see how the storage of nuclear waste could ever be safe given the flood risk on Romney Marsh.	The Dungeness Nuclear Licensed Sites are within Flood Risk Zones 2 and 3 and are protected from flooding by the sea and from coastal erosion by a bank of shingle that is

	Storage at Dungeness			<p>maintained for this purpose under the approved Shoreline Management Plan. In any event proposals for development would be subject to a Flood Risk Assessment at the planning application stage in accordance with Policy DM10. Such an assessment would ensure that the proposals are not at risk of flooding or would not increase flood risk to the surrounding area.</p> <p>An Appropriate Assessment has been carried out to establish how the disposal of low level radioactive waste at the site might impact on the protected habitat and species designations which apply to this area. This took account of the measures in place to protect the site from flooding including drainage of the site. This concluded that there would be a low risk to the designated habitat as a result of changes to hydrology caused by any development.</p>
ID45	Policy CSW 17: Nuclear Waste Treatment and Storage at Dungeness	Environment Agency	<p>The policy is not specific as to where the infilling material can come from.</p> <p>The supporting note on CSW 17 states that voids will be back filled with demolition rubble. This may be subject to a waste for recovery permit where an assessment of the environmental impact of placing waste in such a void will need to be assessed.</p>	<p>Noted. Section 1.5 of the KMWLP discusses the need for Environmental Permits but relevant supporting text has been added.</p> <p>Text has been included in the supporting text of CSW 17 that refers to the need for an Environmental Permit.</p>
ID22	Policy CSW 17: Nuclear Waste Treatment and Storage at Dungeness	Swale Borough Council	<p>Note and support the inclusion of the new policy relating to the management of low-level radioactive waste and updates to reflect policy and legislative changes around achieving a circular economy where more waste is prevented or reused.</p>	<p>Noted</p>
ID44	Policy CSW 17 – Nuclear Waste Treatment and Storage at Dungeness	CPRE	<p>Would welcome confirmation that the Dungeness site is no longer being considered for a geological disposal facility, this isn't entirely clear within the policy.</p> <p>Object to the proposed relaxations on permitted filling operations. The revised policy would permit low-level waste from other sites to be imported and disposed of at Dungeness, thus potentially increasing the emissions above existing levels. The policy now permits development of a low-level radioactive landfill anywhere within the Nuclear Estate, albeit subject to planning permission. This is very worrying. The soils on the site are highly permeable. Climate change will increase tidal levels and consequently ground water levels much higher than was contemplated when these two stations were designed, and the site will be subject to more severe storm events than it has experienced in the past.</p> <p>The policy implies that planning permission would not be required for the back filling of voids, is this the case?</p> <p>Request that the terms used for each type of filling operation are defined more precisely. A clear distinction should be made between the conditions applying to waste arising within the site and those applying to imported waste. We suggest 'demonstrated that there is an overriding need' be</p>	<p>The supporting text has been updated to clarify the position with regard to the development of a Geological Disposal Facility in this location.</p> <p>An Appropriate Assessment has been carried out to establish how the disposal of low-level radioactive waste at the site might impact on the protected habitat and species designations which apply to this area. This concluded that no adverse effects on the designations are anticipated, although baseline monitoring would be needed to inform a decision on any planning application for the management of waste at the Dungeness Nuclear Sites which would also likely require Appropriate Assessment. This would be needed to ensure cumulative impacts were adequately assessed. Comments on the Habitats Regulation Assessment are invited.</p> <p>Planning permission would be required for the backfilling of</p>

			replaced by 'demonstrated that there are no more suitable alternative sites', and this applies to all imported waste, however stored.	voids. The text of the policy has been updated. The text of the policy and the explanatory preamble to the policy has also been updated to provide further clarification.
ID59	Policy CSW 17 – Nuclear Waste Treatment and Storage at Dungeness	Natural England	Note that the change in wording would potentially allow landfill or land raise activities to take place proximate to the Dungeness, Romney Marsh and Rye Bay Ramsar site, Dungeness Special Area of Conservation (SAC), and Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA), which are protected by the Conservation of Habitats and Species Regulations 2017 (as amended). The Regulations require a 'competent authority' to carry out an assessment to test if a plan or project could significantly harm the designated features of the Habitat site.	Noted. A Habitats Regulation Assessment has now been undertaken and published alongside the updated Kent Minerals and Waste Local Plan for consultation. The Habitats Regulation Assessment concludes that no adverse effects on the designations are anticipated, although baseline monitoring would be needed to inform a decision on any planning application for the management of waste at the Dungeness Nuclear Sites which would also likely require Appropriate Assessment. This would be needed to ensure cumulative impacts were adequately assessed. Comments on the Habitats Regulation Assessment are invited.
ID53	Policy CSW 17 – Nuclear Waste Treatment and Storage at Dungeness	NDA and Magnox	Welcome the progress made on the policy to bring it in line with new government policy and guidance however request further amendments to the policy.	Further amendments to the policy and its supporting text have been made that are intended to address these concerns. Updates to the policy also take account of an Appropriate Assessment of the impact of the policy on designated habitats and species in the area.
7. Development Management Policies				
ID49	Whole chapter	KCC Biodiversity	Reference has been removed to 'European' when referring to SPA and SAC. The amended legislation confirms that SPA and SAC are still referred to as European sites.	The glossary of the National Planning Policy Framework (NPPF) uses the term 'Habitat Sites' as follows: <i>Habitats site: Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.</i> The term 'Habitat Site' has therefore been used to ensure consistency with the NPPF.
ID50	Policy DM 1 – Sustainable Design	KCC PROW	PROW is widely recognised as Green Infrastructure and the PROW network should be recognised as such given its ability to contribute to social, environmental, and economic benefit as stated above. Future development proposals to enhance the local PROW network.	Noted. Text updated.
ID20	Policy DM 1: Sustainable Design	Gravesham Borough Council	It is suggested this policy should cross-refer to CSW3.	Agree. Add the following new paragraph: 7.1.3 Policy CSW3 sets out in detail how proposals should consider the production and management of waste arising from development.

ID33	Policy DM 1 – Sustainable Design	Thames Water	Concern that the requirement for BREEAM ratings of very good or similar for waste developments may not be appropriate depending on the nature of the scheme being delivered. It is considered that additional supporting text should be added to clarify that BREEAM ratings of very good or similar will be sought on new development where appropriate in order to avoid onerous requirements being applied to developments for which the BREEAM assessment process is not suited. Potentially a threshold for the scale of development could also be provided. For example, it could be clarified that the requirement will not apply to minor or temporary buildings or infrastructure on a waste sites.	Policy doesn't expect BREEAM process necessarily. A change to the supporting text and policy has been made to indicate that this requirement only applies to major development.
ID32	Policy DM 1: sustainable Development	Southern Water	Supports part 3 of this policy, specifically the draft updates requiring water consumption to be minimised during construction and operation, and the removal of 'where possible'.	Noted
ID54	Policy DM 1 – Sustainable Design	Port of London Authority	Support the addition of the need for proposals to maximise opportunities to contribute to green and blue infrastructure.	Noted
ID45	Policy DM 1 – Sustainable Development	Environment Agency	Support the addition of the need for proposals to maximise opportunities to contribute to green and blue infrastructure.	Noted
ID18	7.2 Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance and Policy DM 3: Ecological Impact Assessment	Ebbsfleet Development Corporation	The newly designated Swanscombe Peninsula Site of Special Scientific Interest should now also be included, and the National Nature Reserve at Swanscombe.	Noted. Policy DM2 provides protection for Sites of Special Scientific Interest (SSSI) and Local Nature Reserves. Reference to 'National Nature Reserves' has been added to paragraph 2.2 of Policy DM 2.
ID20	Policy DM2: Environmental and Landscape Sites of International, National and Local Importance	Gravesham Borough Council	This policy does not appear to be entirely consistent with NPPF paragraph 180 which also refers to ancient or veteran trees as irreplaceable habitat; a need to demonstrate exceptional circumstances; and where the latter is demonstrated, a suitable compensation strategy to mitigate such loss.	Agree - paragraph 2.3 of Policy DM2 has been amended to include updated reference to ancient and veteran trees as irreplaceable habitat, to ensure consistency with paragraph 180 of the NPPF.
ID23	Policy DM2: Environmental and Landscape Sites of International, National and Local	Tonbridge and Malling Borough Council	Tonbridge and Malling BC supports the additional wording relating to developments enhancing the Area of Outstanding Natural Beauty (AONB) and that these should be sensitively located and designed. It is recommended that further thought be given to including the consideration of the setting of AONB's in this policy wording.	Noted. Text included in Policy.

	Importance			
ID46	Policy DM2 – Environmental and Landscape Sites of International, National and Local Importance	High Weald AONB Unit	<p>Recommends the addition of a policy and/or supporting text which emphasises the biodiversity and carbon sequestration properties of soil, for example:</p> <p>“7.7 The importance placed on the biodiversity within soils and its potential to store carbon has significantly increased in the last few years. Both waste and minerals development can result in a large amount of soil disturbance. The Environmental Statement accompanying such proposals should therefore include details of how soil disturbance is to be minimised. Best practice examples are set out in the Defra publication ‘Construction Code of Practice for the Sustainable Use of Soils on Construction Sites’”.</p>	Agree – supporting text added to Policy DM1.
ID51	Policy DM 2 – Environmental and Landscape Sites of International, National and Local Importance	Kent Downs AONB Unit	<p>Supports the inclusion of the additional wording in respect of AONBs, which reflects the updates to the NPPF.</p> <p>Paragraph 7.2.4 requires a biodiversity net gain of at least 10%, but Kent Nature Partnership is seeking a 20% net gain, this should be reflected in the Plan.</p> <p>Recommends the addition of a policy and/or supporting text which emphasises the biodiversity and carbon sequestration properties of soil, for example:</p> <p>“7.7 The importance placed on the biodiversity within soils and its potential to store carbon has significantly increased in the last few years. Both waste and minerals development can result in a large amount of soil disturbance. The Environmental Statement accompanying such proposals should therefore include details of how soil disturbance is to be minimised. Best practice examples are set out in the Defra publication ‘Construction Code of Practice for the Sustainable Use of Soils on Construction Sites’”.</p>	<p>Text amended to ensure that maximum practicable biodiversity net gain is sought rather than setting a minimum 20% target as this may be seen as a ceiling which would result in reduced biodiversity net gain, especially from the restoration of mineral workings. In addition, with regard to minerals and waste development there is no evidence to support a specific 20% minimum target.</p> <p>Related change also made to Policy DM19 on restoration.</p> <p>Supporting text to Policy DM1 concerning the importance of soils has been added.</p> <p>Agree comment regarding importance of soils - text amended.</p>
ID59	Policy DM 2 – Environmental and Landscape Sites of International, National and Local Importance	Natural England	<p>Welcome the continued presence of Policy DM 2 and note the updated wording to reflect changes to the national policy and legislation, and the inclusion of the Mitigation Hierarchy within the policy wording. Welcome in particular the addition of the word ‘and’ which makes it clear that all three steps of the hierarchy must be addressed.</p>	Noted
ID20	Policy DM 3: Ecological Impact Assessment	Gravesham Borough Council	<p>Policy DM 3(5) requires that proposals should demonstrate that a minimum 10% biodiversity net gain will be achieved. However, the policy does not refer to how this would be measured or provide guidance on how it should be delivered to meet wider strategic objectives. It is suggested that reference should be made to the Natural England’s Biodiversity Metric 3.0 calculator (or any subsequent update) and that net gain should contribute to strategic Local Nature Recovery objectives within the locality of the development. Reference should also be made to the long-term maintenance of any net gain package and its monitoring over the maintenance period.</p> <p>To avoid possible conflict with Local Plan policies that may set a requirement above the 10% net gain minimum, it is also suggested that the policy be amended to read ‘where it has been demonstrated that at least 10% of biodiversity net gain will be achieved or such higher level justified</p>	<p>Text amended to ensure that maximum practicable biodiversity net gain is sought.</p> <p>The text of a commitment to prepare guidance on how biodiversity net gain will be measured and delivered will be included in a Supplementary Planning Document has been inserted.</p>

			through the Local Plan process'. This would then avoid a situation whereby mineral or waste proposals are subject to one BNG requirement compared to other forms of development.	
ID23	Policy DM 3: Ecological Impact Assessment	Tonbridge and Malling Borough Council	Tonbridge and Malling BC supports the addition of a 10% biodiversity net gain in this policy.	Text amended to ensure that maximum practicable biodiversity net gain is sought notwithstanding the statutory 10% minimum requirement.
ID51	Policy DM 3 – Ecological Impact Assessment	Kent Downs AONB Unit	Paragraph 7.2.4 requires a biodiversity net gain of at least 10%, but Kent Nature Partnership is seeking a 20% net gain, this should be reflected in the Plan.	Text amended to ensure that maximum practicable biodiversity net gain is sought rather than setting a minimum 20% target as this may be seen as a ceiling resulting in reduced biodiversity net gain, especially from the restoration of mineral workings. In addition, with regard to minerals and waste development there is no evidence to support a specific 20% minimum target. Related change also made to Policy DM19 on restoration. Guidance on how biodiversity net gain will be measured and delivered will be included in a Supplementary Planning Document.
ID45	Policy DM 3 – Ecological Impact Assessment	Environment Agency	Support reference to the Kent Biodiversity Action Plan and biodiversity net gain mentioned throughout the Plan. Strengthening of wording in policy DM3 to “provide a positive contribution to the protection, enhancement, creation and management of biodiversity” is welcomed, as well as the inclusion for minerals and waste sites to demonstrate a 10% biodiversity net gain.	Text amended to ensure that maximum practicable biodiversity net gain is sought rather than setting a minimum 20% target as this may be seen as a ceiling resulting in reduced biodiversity net gain especially from the restoration of mineral workings. In addition, with regard to minerals and waste development there is no evidence to support a specific 20% minimum target. Related change also made to Policy DM19 on restoration. Guidance on how biodiversity net gain will be measured and delivered will be included in a Supplementary Planning Document.
ID20	Policy DM 5: Heritage Assets	Gravesham Borough Council	The wording of this policy is not entirely consistent with national policy as set out in NPPF paragraphs 189 – 2008. <ul style="list-style-type: none"> • The term ‘locally listed’ should refer to ‘non-designated heritage assets’; • Paragraph one in terms of the approach to the conservation of heritage assets does not correctly reflect national policy. This section should refer to the conservation of significance of heritage assets and the contribution made to that significance by their setting; • Paragraph two to the policy does not reflect the approach set out in national policy whereby the level of protection accorded to heritage assets varies according to their level of significance and the potential degree of harm to that significance (i.e. substantial or less than substantial harm); • In line with the point made above, paragraph two should refer to an ‘unacceptable adverse impact on the significance a heritage asset’; and • Given the potential for mineral proposals to adversely affect archaeological deposits, it is also suggested that the policy include reference to the approach set out in footnote 68 to the NPPF – i.e. non-designated heritage assets of archaeological interest, which are demonstrably of 	Historic England have commented that the changes reflect updates in national policy and guidance.

			equivalent significance to scheduled monuments, will be considered subject to national policy for designated heritage assets.	
ID47	Policy DM 5 – Heritage Assets	Historic England	Notes that the policy has been revised to reflect updates in national policy and guidance.	Noted
ID47	Policy DM 6 – Historic Environment Assessment	Historic England	Notes that the policy has been revised to reflect updates in national policy and guidance.	Noted
ID15	7.5 Policy DM 7: Safeguarding Mineral Resources	Canterbury City Council	CCC has previously made clear our position that there should be a proportionate approach to a minerals assessment at the Local Plan development stage. This is necessary to enable proposed site allocations to address mineral safeguarding issues proportionately and provide certainty on the development trajectories which are tested at examination. We would like to take the opportunity to reiterate this statement and ask that further consideration is given to the revision of policies and/or guidance to support this objective.	Detail of the approach to mineral assessment is set out in the Safeguarding Supplementary Planning Document (SPD) that was adopted by KCC in 2021. It is not considered that the recommended approach is overly onerous, and it reflects NPPF requirements and other guidance. Developers nominating sites for allocation in Local Plans should be asked to provide information concerning mineral safeguarding if the allocation is within a Mineral Safeguarding Area (MSA). KCC provide support in assessing such nominations.
ID23	Policy DM 7: Safeguarding Mineral Resources	Tonbridge and Malling Borough Council	Tonbridge and Malling BC commented on these policies previously as part of the KCC Early Partial Review. It is noted that there are no significant changes to these policies and TMBC has no further comments.	Noted
ID28	Policy DM 7 – Safeguarding Mineral Resources	XXXXXX	Consideration of mineral safeguarding should be undertaken at the planning application stage as opposed to the plan making stage. At plan making stage, it is not always possible to consider the full financial implications and viability of a proposal as these are sometimes not known until the advanced design phase.	It is important for mineral safeguarding to be considered at the plan making stage to ensure that Local Plans do not rely on allocations for development which may not be deliverable to the need to safeguard underlying mineral resources and minerals and waste infrastructure. This approach was considered during the Early Partial Review of the Kent Minerals and Waste Local Plan and found sound and legally compliant.
ID14	Policy DM 7 – Safeguarding Mineral Resources	Ashford Borough Council	<p>The Minerals Safeguarding Supplementary Planning Document (SPD) states '<i>A list of allocations in District and Borough Local Plans that the County Council consider have adequately taken waste and mineral safeguarding into account at the plan making stage will be included and updated in the County Council's Annual Monitoring Report (AMR). Development which comes forward within these allocations will be exempt from safeguarding provisions</i>'. But KCC's latest AMR dated December 2021 does not report any exemptions, although verbally we have been given assurances that the sites allocated in our Local Plan 2030 are exempt, apart from a few exceptions which we are aware of, and were aware of when the Ashford Local Plan 2030 was being produced.</p> <p>Whilst the Council accept that this is outside the scope of what is being consulted on by KCC, the Council wish to raise this as a suggestion. The Council consider that a Review of the Plan could be used to clarify this position once and for all and that this would help all those concerned particularly Plan Makers.</p>	This will be included in an addendum to the current Annual Monitoring Report (AMR) and in future Annual Monitoring Reports.

ID23	Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Tonbridge and Malling Borough Council	Tonbridge and Malling Borough Council commented on these policies previously as part of the KCC Kent Minerals and Waste Local Plan Early Partial Review. It is noted that there are no significant changes to these policies and Tonbridge and Malling Borough Council has no further comments.	Noted
ID54	Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Port of London Authority	<p>Criterion 6 is considered too broad and not compliant with paragraph 210 of the NPPF. It could usefully be reworded to “it constitutes a strategic development of essential benefit to the region, which cannot be planned for and delivered on any other site in Kent”.</p> <p>Reference to the Agent of Change principle is welcomed, however specific reference to paragraph 187 of the NPPF could be included to strengthen the policy.</p>	<p>This policy was updated as part of the Kent Minerals and Waste Local Plan Early Partial Review and revised text adopted in 2020. The policy has therefore been recently examined and found to be legally compliant and sound.</p> <p>A more detailed explanation of the term ‘Agent of Change’ has been included in the Glossary.</p>
ID29	Policy DM 8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities	Otterpool Park LLP	The policy is too restrictive and does not make provision for a scenario where a safeguarded facility would likely never be delivered. For instance, permitted facilities which are extant or yet to be implemented. The landowner of the Permitted Waste Facility site at Otterpool Park has no aspiration to complete the consented development and build out the facility, this is needlessly preventing the delivery of the proposed Garden City in the area.	Policy DM8 allows for development to come forward in a number of circumstances and one or more of those may apply in this case.
ID45	Policy DM 10: Water Environment	Environment Agency	Support the proposed changes to section 7.8.5 specifying that applications in Source Protection Zones (SPZ) and Groundwater Vulnerability and Aquifer Designation areas should be accompanied by hydrogeological and/or hydrological Impact assessments.	Noted
ID48	Policy DM 10 – Water Environment	KCC Sustainable Drainage	Reference should be made to KCC’s Drainage and Planning Policy and the requirement for developments to comply with it.	Agree - text added to paragraph 7.8.6.
ID20	Policy DM 11: Health and Amenity	Gravesham Borough Council	Suggest that supporting text and/or policy refer to a possible requirement that applications may need to be supported by a Health Impact Assessment (HIA) in certain cases, with reference to guidance issued by Public Health England in October 2020 at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929230/HIA_in_Planning_Guide_Sept2020.pdf	Agree - text added
ID22	7.11 Policy DM 13: Transportation of Minerals and Waste Paragraph	Swale Borough Council	Pleased to see reference to electric vehicles made in paragraph 7.11.2 and DM 13 but would like to see mention of alternative options such as hydrogen or LNG which could be preferable for larger vehicle haulage. We think it is important to consider options to support flexibility as technological advances are made.	Agree - text amended.

	7.11.2			
ID54	Policy DM12 – Safeguarding of Transportation Infrastructure	Port of London Authority	Support the continued reference to the PLA’s network of navigational equipment.	Noted
ID23	Policy DM 13: Transportation of Minerals and Waste	Tonbridge and Malling Borough Council	The insertion of wording for electric vehicle charging points into the policy is noted and supported in principle. However, it is questioned how affective this change would be bearing in mind minerals/waste transportation vehicles are likely to be HGV’s that are predominantly diesel powered.	Noted. This concern has been addressed by the wording “where appropriate” when referring to vehicle charging points.
ID01	DM14 - Public Rights of Way	British Horse Society	There appears to be no changes in this respect. Currently the only site that has a major impact on PROW is the proposed site expansion at East Lenham Farm, Maidstone. There is a good opportunity here to improve access for non-motorised vehicles, providing a through route from the A20 to Lenham Heath Road.	Noted. The allocation of the mineral site at Chapel Farm, Lenham in the adopted Kent Minerals Site Plan 2020 includes Development Criteria which addresses transport considerations and site access. No changes are proposed to the Chapel Farm allocation.
ID50	Policy DM 14 – Public Rights of Way	KCC PROW	The KCC Rights of Way Improvement Plan 2018-2028 should be recognised within para. 7.12.1. Policy DM14, bullet 1 should be amended to ‘... its diversion or stopping up are made ...’; Policy DM14, bullet 2 should be amended to ‘... an acceptable alternative route during operations’ - reference to an alternative route following restoration is not needed as the path will either revert to its previous route to an agreed specification or will have been permanently diverted or stopped up. Policy DM14, bullet 3 should be amended to ‘... improved access into and within the countryside’. This should be further enhanced in acknowledging the KCC Rights of Way Improvement Plan 2018-2028 as per point 2 above	Noted – text amended.
ID48	DM19 – Restoration, aftercare and afteruse	KCC Sustainable Drainage	The effects on ground water as part of the restoration process needs to be carefully considered not just in terms of contamination but with regards to increasing flood risk. For example, the importation of considerable quantities of fill material can alter both ground water levels and flow paths, increasing the risk of flooding to and from the site.	Noted – text amended.
ID46	DM19 – Restoration, aftercare and afteruse	High Weald AONB Unit	It is recommended that this policy utilises the wording in strategic objectives 9 and 14 to give it full weight in planning decisions. It is also recommended that the Kent Nature Partnership’s recommended minimum of 20% biodiversity net gain be referenced in the policy.	Text amended to ensure that maximum practicable biodiversity net gain is sought rather than setting a minimum 20% target as this may be seen as a ceiling resulting in reduced biodiversity net gain, especially from the restoration of mineral workings. In addition, with regard to minerals and waste development there is no evidence to support a specific 20% minimum target. Related change also made to Policy DM19 on restoration. Guidance on how biodiversity net gain will be measured and delivered will be included in a Supplementary Planning Document.

ID51	DM19 – Restoration, aftercare and afteruse	Kent Downs AONB Unit	<p>It is recommended that this policy utilises the wording in strategic objectives 9 and 14 to give it full weight in planning decisions.</p> <p>It is also recommended that the Kent Nature Partnership’s recommended minimum of 20% biodiversity net gain be referenced in the policy.</p>	<p>Text amended to ensure that maximum practicable biodiversity net gain is sought rather than setting a minimum 20% target as this may be seen as a ceiling resulting in reduced biodiversity net gain, especially from the restoration of mineral workings. In addition, with regard to minerals and waste development there is no evidence to support a specific 20% minimum target. Related change also made to Policy DM19 on restoration.</p> <p>Guidance on how biodiversity net gain will be measured and delivered will be included in a Supplementary Planning Document.</p>
8. Managing and Monitoring the Delivery of the Strategy				
No comments received				
9. Adopted Policies Maps				
ID26	9.1 Safeguarded Wharves and Transportation Depots	Tarmac	Section should be updated to correctly refer to Tarmac as opposed to Lafarge.	Noted - text amended accordingly
ID16	9.2 Mineral Safeguarding Areas	Dartford Borough Council	Note intention to review and adjust these for changes to the defined urban areas and any uneconomic mineral deposits. We consider that the defined urban area should align with that shown in Diagram 1 (Key Diagram) of the Pre-Submission Dartford Local Plan September 2021 (see page 25 of the document here) and that the revised MSA map should be included as part of the refreshed Minerals and Waste Local Plan (in section 9.2).	Noted - Mineral Safeguarding Area (MSA) maps updated
ID17	9.2 Mineral Safeguarding Areas	Dover District Council	With regards to the Dover District Mineral Safeguarding Areas Map, please note that the settlement boundaries for some of the settlements in the district are being revised as part of the emerging Dover District Local Plan. We would be happy to share the latest GIS shapefile with you in order for your mapping to be up to date in this regard. Please contact us for this information.	Noted – MSA maps updated
ID18	9.2 Mineral Safeguarding Areas	Ebbsfleet Development Corporation	Note intention to review and adjust these for changes to the defined urban areas and any uneconomic mineral deposits. We consider that the defined urban area should align with that shown in Diagram 1 (Key Diagram) of the Pre-Submission Dartford Local Plan September 2021 (see page 25 of the document here) and that the revised MSA map should be included as part of the refreshed Minerals and Waste Local Plan (in section 9.2).	Noted – MSA maps updated
ID20	9.2 Mineral Safeguarding Areas	Gravesham Borough Council	Gravesham BC wishes to discuss the changes made to the safeguarding plan for to understand the justification for these. These changes have not been agreed with Gravesham BC in advance and clearly do not reflect what is on the ground. As such, the Borough Council could not support the changes as they currently stand. A discussion therefore needs to take place to resolve these issues.	<p>The MSA maps had not been revised at the time of the publication of the Reg 18 draft KMWLP Refresh.</p> <p>The MSA maps have now been updated and include the latest data from 2022 for the main town of Gravesend.</p>
Other				
ID16	Safeguarding Supplementary Planning	Dartford Borough Council	Dartford BC understood that KCC were in the process of revising the Safeguarding SPD and there was a consultation on this in late 2020/ early 2021. Dartford BC provided detailed comments on this on 21 January 2021 but have not heard anything further in relation to this. The proposed	The revised Safeguarding Supplementary Planning Document (SPD) was adopted in 2021 following engagement with the borough and district councils and

	Document		amendments to the wording of the sections on Policies DM7 and DM8 give the impression that the SPD is no longer being revised. DBC consider that there remains a need to revise it and the text in this section should reflect this.	other interested parties.
ID44	Appendix C List of Mineral Sites that are included in Landbank Calculations	CPRE	The consultation document indicates that the present version of Appendix C is to be deleted. However, there are a number of references in the consultation document to Appendix C such as Policy CSM5 (point 3), proposed paragraphs 5.2.18 and 5.2.34, and the Monitoring Schedule.	Noted. Text has been updated to address this inconsistency.
ID16	GIS Safeguarding Data	Dartford Borough Council	Dartford BC have some GIS shapefiles provided by KCC showing safeguarded facilities. Request confirmation that these include all known sites safeguarded under policies CSM6 (Safeguarded Wharves and Rail Depots), CSM7 (Safeguarding other Mineral Plant Infrastructure) and CSW16 (Safeguarding of Existing Waste Management Facilities) of the adopted Minerals and Waste Local Plan please? Also, would be helpful if KCC would also provide GIS shapefiles of the mineral safeguarding/consultation areas under policy CSM5.	Noted - Mineral Safeguarding Area (MSA) maps have been updated and KCC will arrange the sharing of the relevant shapefiles.
ID16	Figures/maps	Dartford Borough Council	Welcome the proposed new references to Ebbsfleet Development Corporation but the diagrams need to be clear that parts of the EDC area fall within Dartford Borough's boundaries. Several of these show the major urban areas. Consider that the major urban areas should include Northfleet Green, Eastern Quarry and Ebbsfleet Central as development is taking place or will soon come forward in these locations.	Noted - maps updated accordingly
ID18	Figures/maps	Ebbsfleet Development Corporation	Several of the maps and figures show the major urban areas. Consider that the major urban areas should include Ebbsfleet Green, Eastern Quarry and Ebbsfleet Central as development is taking place or will soon come forward in these locations.	Noted - Mineral Safeguarding Area maps updated
ID07	Biodiversity Net Gain reference	West Sussex County Council	Inconsistency across the refreshed plan regarding Biodiversity Net-Gain, whereby some policies refer to net gain generally (CSM8, CSW17, DM19) and other policies and the supporting text (7.2.4) refer to at least 10% (DM3).	Text updated and amended to ensure that maximum practicable biodiversity net gain is sought rather than setting a minimum 20% target as this may be seen as a ceiling resulting in reduced biodiversity net gain, especially from the restoration of mineral workings. In addition, with regard to minerals and waste development there is no evidence to support a specific 20% minimum target. Related change also made to Policy DM19 on restoration.
ID09	Circular Economy	XXXXX	Pleased to see emphasis on a circular economy and reducing waste. Sceptical that you will be able to reduce waste all the time KCC is obliged to deliver a minimum level to Allington. If Allington's requirements were to be met from outside the county that would significantly increase emissions from the extra lorry journeys. Burning waste isn't ideal from a climate change point of view anyway.	Noted. The Plan seeks to ensure waste is managed in accordance with the waste hierarchy.
ID12	Circular Economy	XXXXX	Waste management and the circular economy: Question why HRWCs in Kent do not separate out reusable items. Previous experience elsewhere in the UK of established systems of HRWCs working with local charities who retrieved useable items for sale, for use by former homeless people setting up home etc. Simple separation of working/useable items into a clearly marked container is	The question concerning the operation of Household Waste Recycling Centres is a matter for the Waste Disposal Authority.

			the simple solution as opposed to burning items. Request to reconsider this policy, which is quite incompatible with KCC's climate emergency commitments and wasteful of money and resources.	Policies seeking to support the achievement of a circular economy are entirely consistent with KCC's climate emergency commitments. The circular economy seeks to ensure more goods and materials are kept in use for as long as possible which avoids energy expended to extract new resources.
ID09	Economic Growth	XXXXXXX	Document refers to economic growth. If we continue to aim for growth - even so called "clean" growth - then it is highly unlikely that we will be able to tackle climate change.	The Council and national government support economic growth as a means to ensure improvement to our quality of life and the environment. The Plan seeks to ensure sustainable development takes place in a manner that will benefit communities and the environment.
ID09	Waste Sites Restoration	XXXXXX	Support the restoration of old waste management sites but interpret the policy that the building of housing on those sites has not been excluded. It is not acceptable to build houses on such contaminated land.	Under certain circumstances it may be possible to develop housing on old landfill sites and so this should not be ruled out. Appropriateness would be assessed against policies in Local Plans.
ID12	Sustainability Appraisal Scoping Report	XXXXX	<p>Note that Sustainability Appraisal (SA) states that our Plan should "set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality". Strongly support and would advocate that we vigorously enforce this policy.</p> <p>Understanding is that Ramsgate Port is a protected wharf for the landing and storage of sand and aggregates. I believe that Bretts Aggregates run several sites in Kent, in which various safety precautions are undertaken - wheel washing of vehicles leaving the site, storage of aggregates in closed berms etc. Yet at Bretts' site at Ramsgate Port, which is directly adjacent to the Pegwell SSSI, piles of sand and aggregate are kept out in the open, wheel washing is a rarity and other precautions do not appear to be being undertaken. Please could you comment on why this disparity exists at what must surely be Kent's most environmentally sensitive mineral storage & transport site?</p>	<p>Noted. The approach to the enforcement of planning policy is set out in Policy DM22.</p> <p>This is noted. Material is stored in accordance with current regulations at the site. The review of the Minerals and Waste Local Plan is unable to revisit how existing materials are stored at this site</p>
ID20	Sustainability Appraisal Scoping Report	Gravesham Borough Council	<p>The SA/SEA Scoping Report might usefully consider whether the KMWLP should be subject to scoping in relation to the need or otherwise of a Health Impact Assessment of policies etc.</p> <p>Doesn't appear to be reference in the SA to light pollution and/or dark skies etc. Thought might also be given to the wording of policies in the KMWLP itself to cover this aspect in more detail given potential impacts.</p>	<p>The Sustainability Appraisal (SA) framework includes an appraisal criteria on 'Community and Wellbeing' that requires protection of health, so impacts on health are addressed within the Sustainability Appraisal.</p> <p>The issue of light pollution has been added to the Sustainability Appraisal framework.</p>
ID47	Sustainability Appraisal Scoping Report	Historic England	The document adequately covers issues that may arise in respect of the potential impacts of proposed development on heritage impacts.	Noted
ID44	Sustainability Appraisal	CPRE	<p>Table 1 soft sand 3-year average is wrongly given as 541,907 when it should be 506,419.</p> <p>Secondary and recycled aggregates 3-year figure has been rounded up from 896,667 to 900,000</p>	The issue of light pollution has been added to the

	Scoping Report	<p>when the other averages given in the table have not been rounded. It would be helpful to have a consistent approach.</p> <p>At 3.8 Noise the Baseline helpfully refers to CPRE Tranquillity Map in line with NPPF 185 b). NPPF 185 c) refers to intrinsically dark skies and the CPRE England's Light Pollution and Dark Skies mapping should be included in the baseline section.</p> <p>3.10 refers to Green Belt and omits to mention that a small part of Maidstone Borough and Medway lie within the Green Belt.</p> <p>3.11 Land: The county has a high proportion of Best and Most Versatile land (Grades 1 – 3a). This needs to be reflected in the baseline assessment and not limited to Grade 1 land.</p> <p>3.13 Water does not mention Natural England's Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to Stodmarsh Designated Sites - For Local Planning Authorities November 2020 and this should be included.</p> <p>3.15 Economy. It is unclear why the age group 16-64 is used when retirement age has risen to 65 for men and women and will rise to 67 by 2028.</p> <p>5. The SA Framework: Landscape and the historic environment should also include light pollution and dark skies. Transport: There is reference to 'Plans are in place to improve the transport infrastructure within and to the Thames Gateway, East Kent and Ashford.' Without specifically mentioning them. Are these consented and funded schemes or ones, such as the Lower Thames Crossing that have still to reach examination?</p> <p>Transport: there is reference on page 48 to 'Plans are in place to improve the transport infrastructure within and to the Thames Gateway, East Kent and Ashford. The KMLP should recognise and support the aims of regional transport hubs'. There is no explanation of these plans: what they entail and how this will help the KMLP 'promote minerals and waste transport that maximises the use of alternatives to road transport, does not add to congestion on the road network and does not adversely affect air quality'. and other than Ashford where they are. There is no reference to them in the Appendix A summary of the Local Transport Plan 4: Delivering Growth without Gridlock 2016–2031. This needs clarification so that the implications can be understood.</p> <p>Water: this should include the implications of nutrient neutrality</p> <p>5.2 The SA Framework</p> <p>6 Land should seek to safeguard Best and Most Versatile Agricultural land</p> <p>7 Landscape and the historic environment should include protecting tranquil areas and areas of intrinsically dark skies.</p> <p>Appendix A: Review of Policies, Plans and Programmes does not consider Natural England's Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to</p>	<p>Sustainability Appraisal framework as well as map showing the baseline.</p> <p>Mention of Maidstone Borough in the Green Belt will be included. Medway is no longer in Kent.</p> <p>Reference to Best and Most Versatile (BMV) agricultural land being grades 1-3a and that Kent has a relatively high proportion of this compared to rest of SE region has been added including the need to safeguard this Best and Most Versatile land.</p> <p>Natural England advice on nutrient neutrality relates to new housing developments which would have an additional burden on the sewage network.</p> <p>Economically active people aged 16-64: Age grouping is as used in KCC Labour Force Bulletin</p> <p>Information has been edited to be clearer about what the transport plans are and where they relate to.</p> <p>Tranquil areas have been added to the Sustainability Appraisal framework.</p>
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			Stodmarsh Designated Sites - For Local Planning Authorities November 2020.	
ID23	Sustainability Appraisal Scoping Report	Tonbridge and Malling Borough Council	Objective 1 - Recommended that there is a stronger emphasis on biodiversity net gain within the Framework objectives to link with the Plan objectives. Objective 7 - Recommended that the framework objectives include the setting of AONB landscapes.	Biodiversity net gain and the setting of Area of Outstanding Natural Beauty has been added to the Sustainability Appraisal framework.
ID45	Strategic Flood Risk Assessment (SFRA) Position Statement	Environment Agency	Raise no objection to the approach with regard to the SFRA on the basis that there are no new allocations or revisions to the SFRA.	Noted
ID44	Strategic Flood Risk Assessment (SFRA) Position Statement	CPRE	Given the proposed relaxation of Policy CSW17 it is not clear why it wasn't considered necessary to update the SFRA.	The Environment Agency has confirmed that an update to the Strategic Flood Risk Assessment is not required. Any development at Dungeness would need to be consistent with Policy DM10.
ID20	Habitat Regulations Assessment	Gravesham Borough Council	The Habitat Regulations Assessment (HRA) position statement says that HRA is only required in relation to the proposals for Dungeness. However, policy CSM 3 relates to the safeguarding of a strategic site for a new cement works and quarry at Holborough immediately adjacent to the North Downs Woodland Special Area of Conservation (SAC). Potential impacts on the SAC should also form part of the HRA of the emerging KMWLP.	CSM3 is proposed to be deleted as the planning permission has been implemented and so has been screened out from the need for Habitat Regulation Assessment (see HRA document). Not raised as an issue by Natural England. Habitats Regulation Assessment Screening has been completed and this identified that only changes to Policy CSW17 required Habitats Regulation Assessment.
ID59	Habitat Regulations Assessment Position Statement	Natural England	Agree that revision of policy CSW 17 seems the most likely to have potential effects that require consideration under the Habitats Regulations, however would advise that any future HRA sets out clearly and transparently why other Habitat sites / policies have been screened out. Also point out that while the SPA may have recently been extended prior to the KMWLP being adopted Natural England would expect to see any new HRA also considering the potential for impacts on the Dungeness SAC and Ramsar site given the updated policy wording.	A Habitat Regulation Assessment (HRA) has now been undertaken and published alongside the updated Kent Minerals and Waste Local Plan for consultation. The Habitats Regulation Assessment concludes that no adverse effects on the designations are anticipated, although baseline monitoring would be needed to inform a decision on any planning application for the management of waste at the Dungeness Nuclear Sites which would also likely require Appropriate Assessment. Comments on the Habitats Regulation Assessment are invited.
ID23	Habitat Regulations Assessment and Strategic Flood Risk	Tonbridge and Malling Borough Council	KCC's position on the Strategic Flood Risk Assessment and Habitat Regulations Assessment are noted. TMBC have no comments to make on these pieces of evidence.	Noted

	Assessment			
ID49	Deleted Policy DM 17 (information to be retained elsewhere)	KCC Biodiversity	Point 9 refers to internationally, Nationally and locally notable and protected species. This only needs to refer to notable and protected species.	Noted - text amended.
ID50	Deleted Policy DM 17 (information to be retained elsewhere)	KCC PROW	Policy DM17, bullet 15 should be amended to '... improvement to the PROW network in accordance with Actions included within the KCC Rights of Way improvement Plan 2018-2028'.	Noted – text amended but taking account of the fact that the KCC Rights of Way improvement Plan applies to the period 2018-2028 whereas this plan applies to the period to 2030.
			Miscellaneous	
ID50	Miscellaneous	KCC PROW	Page 160 states DM14 is linked to Strategic Objectives SO3, SO9, SO15; should the latter be SO14? Page 202 states CA21 is replaced by DM13; should this be DM14?	Agree - text has been amended.
ID45	Miscellaneous	Environment Agency	Highlight the importance of early engagement with regard to applications in tidal areas or high-risk flood zones. Would be useful if a link to the page on .gov.uk could be added to the 'Advice on your planning application' page of the KCC website.	Noted and relevant link will be added.
ID21	Miscellaneous	Maidstone Borough Council	Like to emphasise that it welcomes proposed expansion of the Tovil facility and development of a new household waste recycling facility in the east of the borough.	Noted
ID22	Miscellaneous	Swale Borough Council	The document would benefit from including detail on waste prevention for residents, setting out the role of KCC in supporting community re-use and repair workshops/ classes to repair and restore items rather than for them to be discarded, e.g., furniture upcycling, food waste reduction, home composting etc. Would support an early and holistic approach of engagement between Waste Disposal Authority and Waste Collection Authority, could be mutually beneficial for both parties, especially at the time of planning new waste collection contracts.	Detail on waste prevention for residents, setting out the role of KCC in supporting community re-use and repair workshops/ classes to repair and restore items rather than for them to be discarded, e.g. furniture upcycling, food waste reduction, home composting etc. is better provided for by the Waste Disposal Authority. Some information already exists - see https://www.kent.gov.uk/environment-waste-and-planning/rubbish-and-recycling/reduce-waste-and-recycle-more .
ID04	Miscellaneous	East Sussex County Council	The Plan has been reviewed & content and the approaches being proposed in respect of minerals and waste management provision have been noted. At this time, no specific comments on the proposed refresh. Look forward to continued cooperation & engagement as the Plan develops. Hoped that should any issues arise, these can be addressed through a Statement of Common Ground (SoCG).	Noted
ID05	Miscellaneous	Medway Council	Understood that the proposed revisions will not change Kent's waste management and minerals supply in future. The proposed revisions respond to government legislation and policy since the plan was adopted in 2016. A SoCG between Medway Council and KCC concerning strategic waste management and minerals	The need to update the Statement of Common Ground (SoCG) is noted. KCC will work constructively with Medway Council to prepare an appropriately updated Statement of Common Ground.

			supply was agreed in October 2020. Medway Council is preparing planning policies on waste management and minerals supply to be included in the new Local Plan. The SoCG will need to be updated as part of our ongoing engagement through the DtC.	
ID06	Miscellaneous	Surrey County Council	No comments to make.	Noted.
ID02	Miscellaneous	Cardiff Council	I can confirm the Council has no comments to make on the proposed changes to the plan.	Noted.
ID03	Miscellaneous	Doncaster Council	We have no wish to comment on your local plan.	Noted.
ID08	Miscellaneous	XXXXX	Must stop building on/digging up Grade 1 food producing farmland. UK now at about 70 million mouths to feed & 70 million amounts of waste & water needed to flush, drinking, cleaning and bathing. Kent was known as the Garden of England and has fed and needs to feed a huge number of UK people. Southern Water admitted it cannot cope with illegal sewerage discharges, aquifers are poor and KCC needs to consider future impacts. Evidence around the world of looming problems.	Policy DM10 is included in the Plan to ensure that development will not come forward which jeopardises water supplies.
ID24	Miscellaneous	Borough Green Sandpits Ltd and Sheerness Recycling Ltd	The plan is not consistent with national policy which requires that local plans make provision for a 15-year period as it does not extend beyond 2030.	Noted. The Plan period is now proposed to be extended to 2038. Policy CSM2 has been updated to take account of estimated mineral requirements to 2040. This takes account of the latest Local Aggregates data.
ID31	Miscellaneous	Romney Marsh Internal Drainage Board	Have no comments to make.	Noted.
ID41	Miscellaneous	Plaxtol Parish Council	No objection to the proposed changes.	Noted.
ID42	Miscellaneous	Shipbourne Parish Council	Have no comments to make.	Noted.
ID34	Miscellaneous	Bidborough Parish Council	Have no comments to make.	Noted.
ID37	Miscellaneous	Ightham Parish Council	Have no comments to make.	Noted.
ID39	Miscellaneous	Lydd Town Council	Have no comments to make.	Noted.
ID55	Miscellaneous	Transport for London	Have no comments to make.	Noted.

ID36	Miscellaneous	Dunkirk Parish Council	Have no comments to make.	Noted.
ID35	Miscellaneous	Bobbing Parish Council	KCC should take a hard-line approach in ensuring that mineral development takes place in advance of housing development.	Noted - the current policies of the Plan ensure that mineral resources are not needlessly sterilised.
ID38	Miscellaneous	Iwade Parish Council	KCC should take a hard-line approach in ensuring that mineral development takes place in advance of housing development.	Noted - the current policies of the Plan ensure that mineral resources are not needlessly sterilised.
ID40	Miscellaneous	Oare Parish Council	Endorse comments made by Swale Borough Council	Noted.
ID43	Miscellaneous	Coal Authority	Have no comments to make.	Noted.