

Richard Bore - GT GC

Subject: FW: Planning Application Ref: 24/00372/PA PROPOSAL: Outline planning application with all matters reserved DEVELOPMENT SITE LAND EAST OF KILN BARN ROAD AND WEST OF, Hermitage Lane, Aylesford

From: Bryan Geake - GT GC

Sent: Friday, April 19, 2024 11:46 AM

To: planning.applications@tmbc.gov.uk <<mailto:planning.applications@tmbc.gov.uk>>

Subject: Planning Application Ref: 24/00372/PA PROPOSAL: Outline planning application with all matters reserved DEVELOPMENT SITE LAND EAST OF KILN BARN ROAD AND WEST OF, Hermitage Lane, Aylesford

Dear Sirs

PROPOSAL: Outline planning application with all matters reserved (except for access) for development of land to west of Hermitage Lane and East of Kiln Barn Road comprised of: a residential-led development including affordable housing; a new village centre including a primary school; ancillary commercial, community and employment floorspace; strategic open space, parkland, child play provision and sustainable drainage infrastructure; new access points and associated transport infrastructure. Application supported by an Environmental Statement

LOCATION: DEVELOPMENT SITE LAND EAST OF KILN BARN ROAD AND WEST OF, Hermitage Lane, Aylesford

Thank you for consulting the County Council's Minerals and Waste Planning Policy Team on the above planning application.

I can confirm that the application site is coincident with or within 250 metres of any safeguarded mineral processing or waste facility, and thus would not have to be considered against the safeguarding exemption provisions of Policy DM 8: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan 3013-30.

With regard to land-won minerals safeguarding matters it is the case that the area of the application site is coincident with a safeguarded mineral deposits in the area, they being the Hythe Formation (Ragstone), as shown in the extract from the Mineral Safeguarding Area proposals map (below) for the Maidstone Borough area, as part of the adopted proposals maps of the Kent Minerals and waste Local Plan 2013-30 as amended by the Early partial Review 2020, the application's submitted documentation (the submitted planning application site plan below is included for reference) shows that the proposed development is coincident with this safeguarded landwon mineral deposit.

Therefore, the application details should include a Minerals Assessment (MA) to determine if the safeguarded mineral deposit is not being needlessly sterilised by the development proposed, and if it is, whether an exemption to mineral safeguarding pursuant to Policy DM 7: Safeguarding Mineral Resources of the Kent Minerals and Waste Local Plan (KMWLP) 2013-30 (as amended by the Early Partial Review 2020) can be invoked. He submitted Planning Statement does not address mineral safeguarding, though the Environmental Statement Addendum: Volume 1, Main Text, Chapter 13- Soils, Geology and Contaminated Land does make reference to the need to do so. It states:

13.26 Therefore, consideration must be given under policy DM7 and DM9 of the KMWLP to whether the mineral could be subject to prior extraction, and economic and environmental viability of extraction. The KMWLP Section 7.5.5 states:

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

However, this has, it appears yet to be done and an exemption criterion of Policy DM 7 argued, or the exemption afforded by that of Policy DM 9, has not been advanced in the submitted application's details. It appears. Therefore, the County Council wishes to maintain a holding objection until this matter is addressed and an exemption to the presumption to safeguard the land-won minerals has been successfully made.

I hope that is clear, I remain happy to discuss any of the above further in order to assist the Council in its determination of the above proposal.

Yours sincerely

Bryan Geake BSc Hons (Geol), MSc, MRTPI

Bryan Geake | Principal Planning Officer | Minerals and Waste Planning Policy | Growth, Environment and Transport
| Kent County Council First Floor, Invicta House, County Hall, Maidstone, Kent ME14 1XX | Telephone: 03000 413376
| www.kent.gov.uk/planning <blocked::http://www.kent.gov.uk/planning>