Kent Minerals and Waste Local Plan

Planning for the future of minerals and waste in Kent






Kent Minerals and Waste Local Plan 2013-30

Pre-submission Consultation

January 2014

Kent County Council
kent.gov.uk

This document is available in alternative formats and can be explained in a range of languages.

Please call 01622 221609 or email mwdf@kent.gov.uk for details.

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Abbreviations

AD	Anaerobic Digestion
AONB	Area of Outstanding Natural Beauty
AMR	Annual Monitoring Report
BAP	Biodiversity Action Plan
BAT	Best Available Techniques (Assessment)
BIS	Department for Business, Innovation and Skills
BOA	Biodiversity Opportunity Area
CAA	Civil Aviation Authority
CD	Construction and Demolition Waste
CDE	Construction, Demolition and Excavation Waste
C&I	Commercial and Industrial Waste
CIL	Community Infrastructure Levy
DCLG	Department for Communities and Local Government
DECC	Department of Energy and Climate Change
EA	Environment Agency
EfW	Energy from Waste
EiP	Examination in Public
ES	Environmental Statement
EU	European Union
GDF	Geological Disposal Facility
GPDO	Town and Country (General Permitted Development) Order
GVA	Gross Value Added
HAW	Higher Activity Waste
HDV	Heavy Duty Vehicle
HLW	High Level Waste (Radioactive Waste Classification)
HRA	Habitat Regulations Assessment

Abbreviations

HWRC	Household Waste Recycling Centre
ILW	Intermediate Level Waste (Radioactive Waste Classification)
IROPI	Imperative Reasons of Overriding Public Interest
JMWMS	Joint Municipal Waste Management Strategy
KCC	Kent County Council
KWP	Kent Waste Partnership
LAA	Local Aggregate Assessment
LEP	Local Enterprise Partnership
LLW	Low Level Waste (Radioactive waste Classification)
LLWR	Low Level Waste Repository
LNR	Local Nature Reserve
LWS	Local Wildlife Site
MBT	Mechanical Biological Treatment
MCA	Mineral Consultation Area
MDA	Marine Dredged Aggregates
MOD	Ministry of Defence
MPA	Mineral Planning Authority
MPS	Marine Policy Statement
MSA	Mineral Safeguarding Area
mtpa	Million tonnes per annum
MRF	Materials Recovery Facility
MSW	Municipal Solid Waste
MWDF	Minerals and Waste Development Framework
MWLP	Minerals and Waste Local Plan 2013-2030
NERC	Natural Environment and Rural Communities (
NIA	Nature Improvement Area
NNR	National Nature Reserve

NPPF	National Planning Policy Framework
NuLeAF	Nuclear Legacy Advisory Form
ODPM	Office of the Deputy Prime Minister
PEDL	Petroleum Exploration and Development Licence
PLA	Port of London Authority
PPS10	Planning Policy Statement 10
PROW	Public Rights of Way
RIGs	Regionally Important Geological Site
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SE	South East
SEEAWP	South East of England Aggregate Working Party
SEP	South East Plan
SFRA	Strategic Flood Risk Assessment
SPA	Special Protection Area
SPBA	Southern Permian Basin Area
SPZ	Source Protection Zone
SSSI	Site of Special Scientific Interest
tpa	Tonnes per annum
UK	United Kingdom
VLLW	Very Low Level Waste
Water FD	Water Framework Directive
WCA	Waste Collection Authority
WDA	Waste Disposal Authority
WFD	Waste Framework Directive

Abbreviations

WMU	Waste Management Unit
WPA	Waste Planning Authority

Mineral and Waste Policies

This table summarises all policies included in the plan and their locations within the document where further explanation is given. The policies can also be found in full, in Appendix B.

Mineral and Waste Policies

1 Introduction

1.0.1 The Minerals and Waste Local Plan (MWLP) 2013-2030 is the lead planning document in a suite of new strategic plans.[1] It is one of three plans which, once adopted, will make up the overall Kent County Council Minerals and Waste Local Plan. These are:

- The Minerals and Waste Plan 2013-2030;
- The Mineral Sites Plan; and
- The Waste Sites Plan.

1.0.2 This lead document sets out the overarching strategy and planning policies for mineral extraction, importation and recycling as well as waste management of all of the waste streams that are generated or managed in Kent. It only covers the administrative county of Kent. Medway Council are addressing minerals and waste matters themselves in their own Local Plan.

1.0.3 The Site Plans (the Mineral Sites Plan and the Waste Sites Plan) will allocate specific locations and sites for minerals and waste developments.

1.0.4 In view of the changes brought into planning legislation and policy since 2011,[2] the name of the suite of long term strategic documents being prepared by Kent County Council (KCC) has changed from the previous 'Kent Minerals and Waste Development Framework' (MWDF) to the Kent Minerals and Waste Local Plan (MWLP).

1.0.5 This is a technical subject and uses a lot of abbreviations. To assist the reader, a list of the abbreviations used can be found at the start of the document and a glossary of terms is included in Appendix A.

1.0.6 The preparation of these documents is being undertaken in accordance with national legislation[3] and it is an important requirement that each stage of the plan making process is consulted upon widely. To comply with legislation, Sustainability Appraisal (SA) issues must also be taken into consideration as the plan is progressed. This plan is also accompanied by a Habitat Regulations Assessment (HRA) and a Strategic Flood Risk Assessment (SFRA).

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1 The lead strategic policy document was previously called the Core Strategy.

2 The Localism Act 2011; The Town and Country Planning (Local Planning) (England) Regulations 2012; and, the National Planning Policy Framework (2012).

3 The Town and Country Planning (Local Development) (England) Regulations 2004, The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act (2011).

1.0.7 This is the third and final consultation stage for the preparation of the MWLP document. The first consultation at 'Issues' stage was run between 24th September and 19th November 2010. The second consultation was the Strategy and Policy Directions stage which ran between 21st May and 9th August 2011. (4)

1.0.8 This document is the proposed submission plan, prepared in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It is accompanied by Key Diagrams which are shown in Appendix H. These documents are available for public inspection and representations are invited to be made on the soundness of the plan in advance of submission to the Secretary of State for an Examination in Public (EiP).

1.1 What is the Draft Minerals and Waste Local Plan?

1.1.1 When adopted, the policies within the MWLP will replace the existing suite of saved Kent minerals and waste policies. The saved policies from the old Kent local plans that are being replaced or deleted are listed in Appendix E.

1.1.2 The new plans will be used as the policy framework for the determination of applications for minerals and waste developments in Kent until the end of 2030. This MWLP is the overarching strategic document and the two sites plans will have to be in conformity with it. It sets out the Council's long term spatial vision for the County in relation to minerals and waste. It also outlines the strategic objectives for the county. It sets out a delivery strategy which identifies how the objectives will be achieved in the plan period. It identifies two areas where key (strategic) mineral and waste development is likely to take place. It also provides the development management policy framework against which minerals and waste applications will be considered. Finally it provides the monitoring framework against which the policies within the plans will be monitored annually. Through annual monitoring it will be possible to determine when it is necessary to trigger a review of the adopted plans and their policies.

1.1.3 The MWLP also identifies when, where and by whom actions will be taken to implement the plan.

1.1.4 The timetable for the preparation of Kent's minerals and waste plans is set out in the latest version of the Minerals and Waste Local Plan Scheme.(5)

1.1.5 The Kent MWLP is aspirational but realistic. It addresses the spatial implications of economic, social and environmental change in relation to its strategic minerals and waste role. It sets out the opportunities for minerals and waste development and includes strategic policies which point to where development should be permitted.

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4 Both consultation documents and the associated evidence base can be found on our website: www.kent.gov.uk/mwdf

5 Available online from: http://www.kent.gov.uk/environment_and_planning/planning_in_kent/minerals_and_waste/development_scheme.aspx

1.1.6 The preparation of this plan has involved a considerable amount of ongoing engagement and collaboration with communities, local organisations and businesses. It has also been prepared in cooperation with Kent's districts, neighbouring authorities and other minerals and waste planning authorities that may be affected by the strategies and policies in this plan, ensuring that effective cooperation has been undertaken with the providers of other plans and strategies where there are cross-boundary impacts.

1.2 How Does This Plan Link With Legislation, Other Policies and Strategies?

Background

1.2.1 When preparing plans, minerals and waste planning authorities must take account of international and national legislation, and national planning policy. Until recently, regional planing policy was also required to be taken into account by local plans. However, the Regional Spatial Strategy (RSS) for the South East of England has been partially revoked.[6] The only part of the RSS that remains relates to a policy concerning new residential development near the Thames Basin Heaths Special Protection Area, which is not in Kent. However, the RSS has been tested for soundness through an EiP and where relevant it can still form part of the evidence base for the Kent MWLP.

European Legislation

1.2.2 A number of European Union (EU) Directives provide the international legislative context for plan making for minerals and waste. These include:

- Waste Framework Directive (WFD) (2008/98/EC) which aims to move waste up the waste hierarchy[7] and encourage utilising waste as a resources. All member states of the EU are now required to achieve recycling and composting rates of 50% by 2020 for household waste streams including paper, metal, plastic and glass and also for other waste streams which are similar to waste from households. In addition, by 2020, the preparation for re-use, recycling and other material recovery of non-hazardous construction and demolition waste (excluding naturally occurring materials) has to be increased to a minimum of 70% by weight;

- Landfill Directive (1999/31/EC) requires substantial reductions in the quantity of biodegradable waste that is landfilled, and encourages the diversion of non-recyclable and non-usable waste to other methods of treatment;

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

7 The waste hierarchy is defined in the Glossary in Appendix A and is shown diagrammatically in the text supporting Policy CSW2.

- The Water Framework Directive (Water FD) (2000/60/EC) seeks to improve the local water environment for people and wildlife, and promote the sustainable use of waster. It applies to all surface water bodies, including lakes, streams and rivers as well as groundwater. The overall aim of the Water FD is for all water bodies to reach good status by 2027, this means improving their physical state and preventing deterioration in water quality and ecology. The Water FD introduced the concept of integrated river basin management and such plans should influence development plans. The county of Kent lies within the Thames River Basin District and South East River Basin District.[8]

National Planning Policy and Guidance

1.2.3 The Government published the National Planning Policy Framework (NPPF) in March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities. It includes policy on plan making and planning for minerals. An accompanying Technical Guidance to the National Planning Policy Framework was also published in March 2012, which includes guidance on flood risk and minerals policy.

1.2.4 The NPPF does not contain specific policies on waste, since waste management planning policy will be published as part of the national Waste Management Plan for England. Planning Policy Statement 10 (PPS10) 'Planning for Sustainable Waste Management'[9] remains in place until the National Waste Management Plan is published but local authorities preparing waste plans are advised to have regard to policies in the NPPF so far as relevant.

1.2.5 Since the publication of the NPPF, the Department for Communities and Local Government (DCLG) have published two additional guidance notes which are relevant to minerals and waste plan making. They are as follows:

- The October 2012 Guidance on the Managed Aggregate Supply System; and

- The December 2012 Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC).

8 Environment Agency (December 2009) Thames River Basin Management Plan (RBMP) and the South East RBMP.

9 ODPM (July 2005) Planning Policy Statement 10: Planning for Sustainable Waste Management.

Marine Policy Statement (MPS)

1.2.6 The Marine Policy Statement (MPS) also contains minerals policy, in relation to offshore mineral interests. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the UK Marine Policy Statement unless relevant considerations indicate otherwise. The MPS will also guide the development of Marine Plans across the UK.

Local Plans and Strategies

Saved Minerals and Waste Policies

1.2.7 The Plan must take into consideration other relevant local policies and strategies.

1.2.8 Kent has a suite of minerals and waste 'saved' policies which are derived from the old minerals and waste plans listed below. These will continue to be relevant until they are replaced by the policies in this MWLP 2013-2030 and in the two Sites Plans, although the weight that should be given to them in planning decisions depends on the degree of their consistency with the NPPF. They are as follows:-

- Kent Minerals Subject Plan Brickearth, Adopted May 1986;
- Kent Minerals Local Plan Chalk and Clay/Oil and Gas, Adopted 1997;
- Kent Minerals Local Plan Construction Aggregates, Adopted December 1993; and
- Kent Waste Local Plan, Adopted March 1998.

Kent Joint Municipal Waste Strategy

1.2.9 As Waste Disposal Authority (WDA), the County Council prepared a Joint Municipal Waste Management Strategy (JMWMS) with the districts in Kent in 2007. The Kent JMWMS was adopted by the Kent Waste Partnership (KWP) in 2007. The partners are the 12 district/borough councils and KCC. Together the KWP plans and budgets for Kent's household waste so that new facilities can be built where and when they are needed. The aims of the KWP are to:-

- Increase recycling rates all over Kent;
- Reduce the amount of waste produced by each household; and
- Vastly reduce the amount of Kent's waste which is put into landfill.

1.2.10 Since 2007 the KWP have achieved the targets that were set within the strategy, of 40% recycling and composting across Kent as a whole, and for KCC's Household Waste Recycling Centres (HWRCs) to achieve a 60% recycling and composting rate, both targets were achieved in 2011/12. In addition, the amount of waste sent to landfill has been substantially reduced from around 72% in 2005/06 to 22% in 2011/12.

1.2.11 In 2011 a 'refresh' of the JMWMS began. The KWP have prepared a new suite of objectives and policies which are being implemented across the Kent districts. These include the demanding target of reducing household waste arisings by at least 10% by 2020/21 (based on 2010/11 levels); recycling/composting rates of at least 50%; and sending no more than 5% of the household waste stream to landfill. The ambition is to get as close as possible to 0% for untreated household waste being sent to landfill.

Strategic Transport Plans

1.2.12 KCC has a statutory duty to prepare and update its Strategic Transport Plan. The most recent version of this document was adopted in 2011, the 'Local Transport Plan for Kent 2011-2016'. This plan explains how the Council will work towards its transport vision over a five year period using the funding that it receives from Government. KCC also prepared a transport delivery plan, 'Growth Without Gridlock' which focuses on the key strategic transport improvement areas required in Kent, including the Thames Gateway, relieving the pressure on the Channel Corridor, cutting congestion in West Kent along the A21, a solution in East Kent for 'Operation Stack'[(10)] and an integrated public transport network.

1.2.13 The Kent Freight Plan was adopted in 2012. It contains the County Council's objectives to tackle issues and find solutions to a number of matters related to lorry movements in Kent, including the problem of overnight lorry parking, finding a solution to 'Operation Stack', managing the routing of Heavy Goods Vehicles to ensure that they remains on the Strategic Road Network for as much of their journey as possible, addressing problems caused by freight traffic to communities, ensuring that KCC uses its control powers in reducing the impact of freight traffic and encouraging sustainable distribution.

District Local Plans

1.2.14 The Kent district local plans form part of the development plan. They are at different stages in the plan making process. Whilst they do not address minerals and waste matters, their Sustainable Community Strategies have been taken into consideration in the preparation of the Kent MWLP.

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

1.3 Format of the Minerals and Waste Local Plan

1.3.1 This plan contains a number of sections, including:

- Introduction
- A Spatial Portrait of Kent
- The Vision
- The Objectives
- Delivery Strategy for Minerals
- Delivery Strategy for Waste
- Development Management Policies
- Managing and Monitoring the Delivery of the Strategy
- Key Proposals Map

1.3.2 The appendices include a list of replaced and deleted policies.

1.4 The Evidence Base

1.4.1 Strategic plans have to be in compliance with various other legislative requirements. It is essential that the evidence base required for plan making is proportionate[11] kept up to date and addresses all of the relevant legislative and policy requirements. It has been important that an adequate, up-to -date and relevant evidence base about the economic, social and environmental characteristics and prospects of the area has been available to inform the plan making process.

1.4.2 The SA identifies and evaluates the impacts that are expected to arise from the plan's policies, having regard to social, environmental and economic factors. The SA process, is iterative[12] with the SA being prepared and considered at all stages of plan making. It helps to ensure that plan making is carried out in accordance with the principles of sustainable development. The SA report for this plan has been prepared independently by URS Consultants. Each stage of plan making has been accompanied by a SA commentary report. The SA report is now at its final stage of preparation for the Kent MWLP (2013-2030).

1.4.3 Kent contains sites of international importance for wildlife including Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar[13] Sites. This Kent MWLP is accompanied by a HRA which considers the impacts of the plan and its policies on the international sites and assesses whether its policies

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

12 Iterative means that there is repetitive ongoing discussion and resolution of issues

13 Ramsar Sites are sites designated under the Ramsar Convention (The Convention on Wetlands of International Importance, especially as Waterfowl habitat) which is an international treaty for the conservation and sustainable utilisation of wetlands i.e. to stem the progressive encroachment or loss of wetlands

will have a significant impact upon them. It is essential that the plan complies with the requirements of the Habitat Regulations[14] in minimising the possibility of impacts upon internationally designated sites.

1.4.4 This plan is also accompanied by a Strategic Flood Risk Assessment (SFRA). The SFRA considers the impacts of flooding on the policies of the document and identifies where mitigation measures could be needed.

1.4.5 Parts of the Kent MWLP evidence base have been developed in conjunction with other adjoining Local Authorities. Kent and Medway Councils have worked together on a study of mineral imports into the County.[15] Similarly, Kent and Surrey County Councils have worked together on evidence base for their plans covering the subject of silica sand.[16]

1.4.6 The evidence base topic reports and other documents which have been prepared to inform and support the preparation of this plan are as follows:

Table 1 Evidence Base Reports Accompanying the Kent Minerals and Waste Local Plan (2013-2030)

Reference/Title	Date	Author
Habitat Regulations Assessment	Sept 2013	URS
Kent County Council Equality Analysis/ Impact Assessment (EqIA)	Sept 2013	KCC Minerals and Waste Policy Team
MTR5 Interchangeability of Construction Aggregates	Sept 2013	KCC Minerals and Waste Policy Team
MWTR6 Strategic Transport Assessment	Sept 2013	KCC Minerals and Waste Policy Team
MWTR7 Strategic Landscape Appraisal	Sept 2013	KCC Natural Environment and Flood Risk Team
Sustainability Appraisal	Aug 2013	URS
MWTR4 Duty to Co-operate	Autumn 2013	KCC Minerals and Waste Policy Team

14 The Conservation of Habitats & Species Regulations 2010.
15 Kent County Council and Medway Council (May 2011) TRM7: Kent and Medway Mineral Imports Study.
16 GWP Consultants Ltd (2010) Silica Sand Report for Kent County Council and Surrey County Council.

Reference/Title	Date	Author
Kent Minerals Safeguarding Consultation Commentary Report	Jun 2013	KCC Minerals and Waste Policy Team
Strategic Flood Risk Assessment	Jun 2013	KCC Minerals and Waste Policy Team
MWTR5 Minerals and Waste Plan Consultation Report	May 2013	KCC Minerals and Waste Policy Team
MTR4 Mineral Safeguarding	Feb 2013	KCC Minerals and Waste Policy Team
Kent's First Local Aggregate Assessment	Dec 2012	KCC Minerals and Waste Policy Team
Kent's 8th Annual Monitoring Report	Dec 2012	KCC Minerals and Waste Policy Team
MWTR3 Climate Change and the Kent MWLP	Dec 2012	KCC Minerals and Waste Policy Team
Kent Mineral Sites Preferred Options Commentary Report	Oct 2012	KCC Minerals and Waste Policy Team
Kent Waste Sites Preferred Options Commentary Report	Oct 2012	KCC Minerals and Waste Policy Team
Kent Minerals and Waste Sites Development Plan Document Supplementary Options Consultation Commentary Report	Sept 2012	KCC Minerals and Waste Policy Team
Kent Mineral Sites Development Plan Document Options Consultation Commentary Report	Sept 2012	KCC Minerals and Waste Policy Team
Kent Waste Sites Development Plan Document Options Consultation Commentary Report	Sept 2012	KCC Minerals and Waste Policy Team
Kent Mineral Sites Plan Preferred Options Consultation	May 2012	KCC Minerals and Waste Policy Team
Kent Waste Sites Plan Preferred Options Consultation	May 2012	KCC Minerals and Waste Policy Team
MTR3 Other Minerals	May 2012	KCC Minerals and Waste Policy Team

Reference/Title	Date	Author
MTR9 Mineral Sites Assessment Process	May 2012	KCC Minerals and Waste Policy Team
WTR1 Municipal Solid Waste	May 2012	KCC Minerals and Waste Policy Team
WTR8 Assessment of Need for Energy from Waste for Non-Hazardous Waste	May 2012	KCC Minerals and Waste Policy Team
WTR9 Waste Sites Assessment Process	May 2012	KCC Minerals and Waste Policy Team
Waste Needs Assessment Update Report	Jan 2012	Jacobs
Kent Minerals and Waste Core Strategy Commentary Report on the Strategy and Policy Directions Consultation	Oct 2011	KCC Minerals and Waste Policy Team
Kent Mineral and Waste Sites Development Plan Documents Supplementary Options Consultation	Oct 2011	KCC Minerals and Waste Policy Team
Kent Minerals and Waste Core Strategy and Policy Directions Consultation	May 2011	KCC Minerals and Waste Policy Team
Kent Mineral Sites Development Plan Document Options Consultation	May 2011	KCC Minerals and Waste Policy Team
Kent Waste Sites Development Plan Document Options Consultation	May 2011	KCC Minerals and Waste Policy Team
MTR2 Secondary and Recycled Aggregates	May 2011	KCC Minerals and Waste Policy Team
MTR7 Kent and Medway Imports Study	May 2011	KCC and Medway Policy Planning Teams
MWTR1 Spatial Overview of Kent	May 2011	KCC Minerals and Waste Policy Team
MWTR2 District Sustainable Community Strategies and their Local Plans	May 2011	KCC Minerals and Waste Policy Team

Reference/Title	Date	Author
WTR2 Commercial and Industrial Waste	May 2011	KCC Minerals and Waste Policy Team
WTR3 Municipal Solid Waste and Commercial and Industrial Waste combined	May 2011	KCC Minerals and Waste Policy Team
WTR4 Construction, Demolition and Excavation Wastes	May 2011	KCC Minerals and Waste Policy Team
WTR5 Hazardous Waste Management	May 2011	KCC Minerals and Waste Policy Team
WTR6 Nuclear Waste	May 2011	KCC Minerals and Waste Policy Team
WTR7 Wastewater	May 2011	KCC Minerals and Waste Policy Team
Kent Minerals Issues Consultation Commentary Report	Dec 2010	KCC Minerals and Waste Policy Team
Kent Waste Issues Consultation Commentary Report	Dec 2010	KCC Minerals and Waste Policy Team
Kent Minerals and Waste Core Strategy Issues Consultation	Sept 2010	KCC Minerals and Waste Policy Team
Waste Needs Assessment	May 2010	Jacobs
Silica Sand Study For Kent and Surrey Councils	Mar 2010	GWP

1.5 How Can I Get Involved?

1.5.1 This is the final consultation stage before the plan is submitted to the Secretary of State for the EiP. It is the plan which is considered to be ready for adoption by the council (subject to the views of the inspector following the EiP). Stakeholders have already had two opportunities to provide their views and comments on the emerging plan.

1.5.2 Comments in response to this consultation should address issues of 'soundness'. A sound plan is one which is:-

- Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- Justified - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective - the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and
- Consistent with national policy - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.5.3 Our preferred method of response is through our web-based consultation system.[17] It is preferable that the online response form is used so that comments can be quickly related to the relevant paragraph policy or map. If you prefer, you can respond by email: mwdf@kent.gov.uk or by post to **The Minerals and Waste Planning Policy Team, Planning and Environment, Enterprise and Environment, Invicta House, County Hall, Maidstone, Kent ME14 1XX**.

1.5.4 If you wish to discuss any matters in relation to this consultation, the Kent MWLP team can be contacted on **01622 221602** or by email at mwdf@kent.gov.uk.

1.5.5 We would be pleased to receive your comments before our deadline for responses which is **Friday 28 February 2014** at **18.00.**

17 http://consult.kent.gov.uk/portal

2 Minerals and Waste Development in Kent - A Spatial Portrait

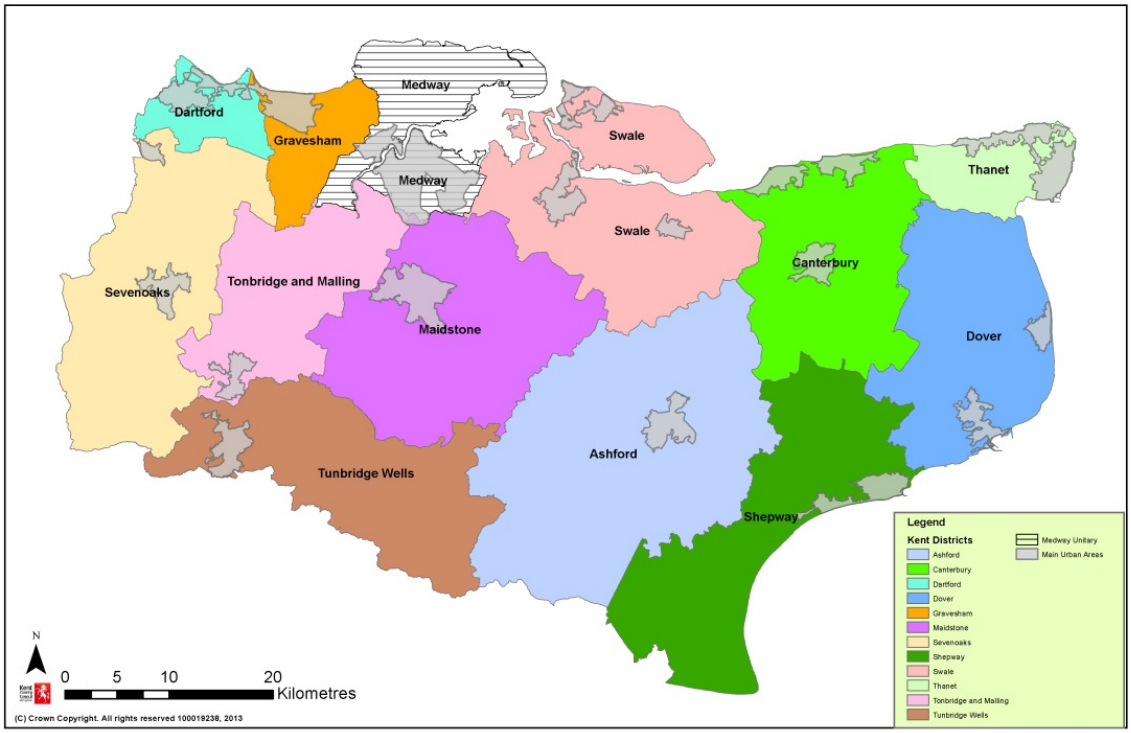
2.1 Introduction

2.1.1 Kent, 'The Garden of England', is unique. It is located in the south east corner of the United Kingdom, surrounded on two sides by water; the River Thames to the north and the English Channel to the south east. It also neighbours London on its north-west perimeter. It has excellent communication links by road, rail and water with northern France, London, Essex and the South East of England.

2.1.2 With an estimated population of 1,480,200 people in mid 2012,[18] Kent is the largest non metropolitan local authority area in England. Projected population growth for Kent is a 10.5% increase between 2011 and 2021, with the total population of the county expected to be 1.62 million people in 2026.[19]

2.1.3 The county consists of 12 districts, as shown in Figure 1.

Figure 1 Kent Districts



Kent Districts

18 Office for National Statistics.

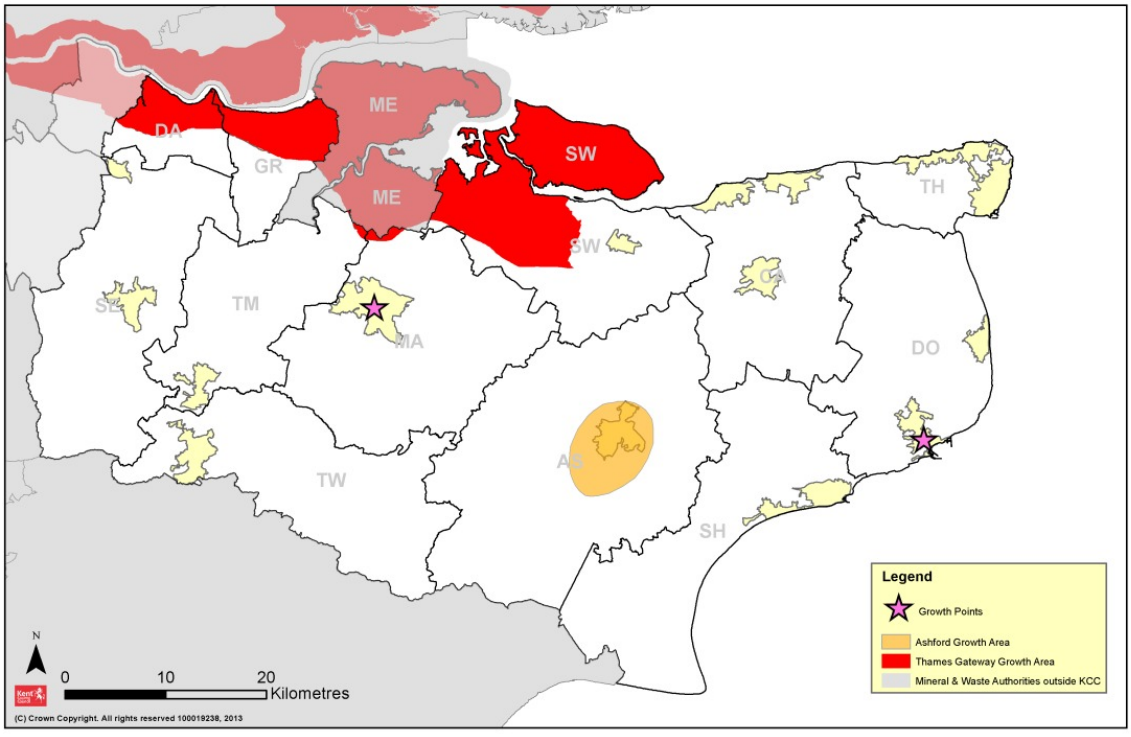
19 Kent County Council (2012) Business Intelligence Statistical Bulletin, Interim 2011-Based Sub National Population Projections for Kent.

2.1.4 The population of Kent is not evenly spread throughout the county. North-west Kent is the predominant urban area as part of the Thames Gateway Growth Area. There are four growth areas in England, two of which are partially or wholly located in Kent, these are:

- the Ashford Growth Area, and
- the Thames Gateway (which stretches along the River Thames from Stratford and Lewisham in London out to Sittingbourne and Southend in Kent and Essex respectively). Within Kent, it contains parts of Dartford, Gravesham and Swale Districts and the Medway Unitary Authority.

2.1.5 There are also two growth points located within Kent, Maidstone and Dover. Growth points are defined as areas where local authorities can create sustainable growth policies to deliver new housing above their growth targets. The Growth Areas and Growth Points are shown in Figure 2.

Figure 2 Growth Areas and Growth Points



Growth Areas

2.1.6 Kent is a member of The South East Local Enterprise Partnership (SE LEP). This encompasses East Sussex, Essex, Kent, Medway, Southend and Thurrock. The extent of the SE LEP is shown on Figure 3. LEPs are voluntary partnerships between local authorities and businesses which were formed in 2011 by the Department for Business, Innovation and Skills (BIS) to help determine local economic priorities and lead economic growth and job creation within the local areas. They

carry out some of the functions previously carried out by the regional development agencies which were abolished in March 2012. As of September 2012 there are 39 LEPs in operation.

Figure 3 South East Local Enterprise Partnership

South East Local Enterprise Partnership

2.1.7 The SE LEP area is home to 156,000 businesses, 3.9 million people and some 1,526,000 people work within the LEP area, contributing £63bn Gross Value Added (GVA)[20] representing 5% of the national contribution.[21]

2.1.8 The SE LEP's mission is to create the most enterprising economy in England.

2.1.9 Four Strategic Objectives have been identified:

i. Secure the growth of the Thames Gateway;

ii. Promote investment in coastal communities;

iii. Strengthen the rural economy; and

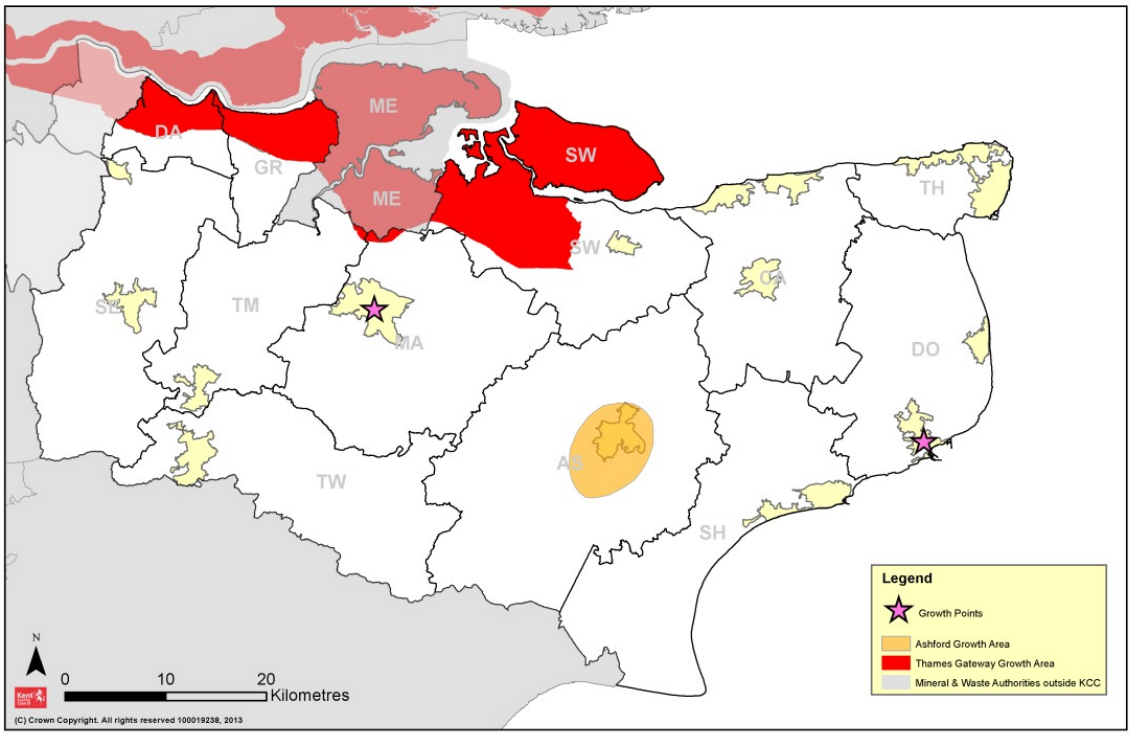
iv. Strengthen the competitive advantage of strategic growth locations.

20 Gross Value Added (GVA) is a measure in economics of the value of goods and services produced in an area, industry or sector of an economy. In national accounts GVA is output minus intermediate consumption; it is a balancing item in national accounts.

21 Source: South East Local Enterprise Partnership Business Plan 2012-2015.

2.1.10 Despite the large urban areas within Kent, the rural areas of Kent are very important too; 85% of the county is defined as rural.

Figure 4 Growth Areas



Growth Areas

2.2 Kent's Environmental and Landscape Assets

2.2.1 Some areas and features of Kent are formally identified as being of national and international importance including:

- Areas of Outstanding Natural Beauty: Kent Downs AONB and High Weald AONB;
- Ramsar Sites and/or Special Areas of Conservation (SACs) and Special Protection Areas (SPAs);[22]
- A World Heritage Site: Canterbury Cathedral;
- The Kent areas of Heritage Coast including South Foreland and Dover to Folkestone;

22 RAMSAR sites are sites designated under The Ramsar Convention (The Convention on Wetlands of International Importance, especially as Waterfowl Habitat) which is an international treaty for the conservation and sustainable utilisation of wetlands.

- National Nature Reserves (NNRs), Sites of Special Scientific Interest (SSSIs), statutorily protected wildlife species; nationally important archaeological sites (most of which are Scheduled Monuments), Registered Parks and Gardens of Historic Interest and listed buildings; and
- The Green Belt.[23]

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

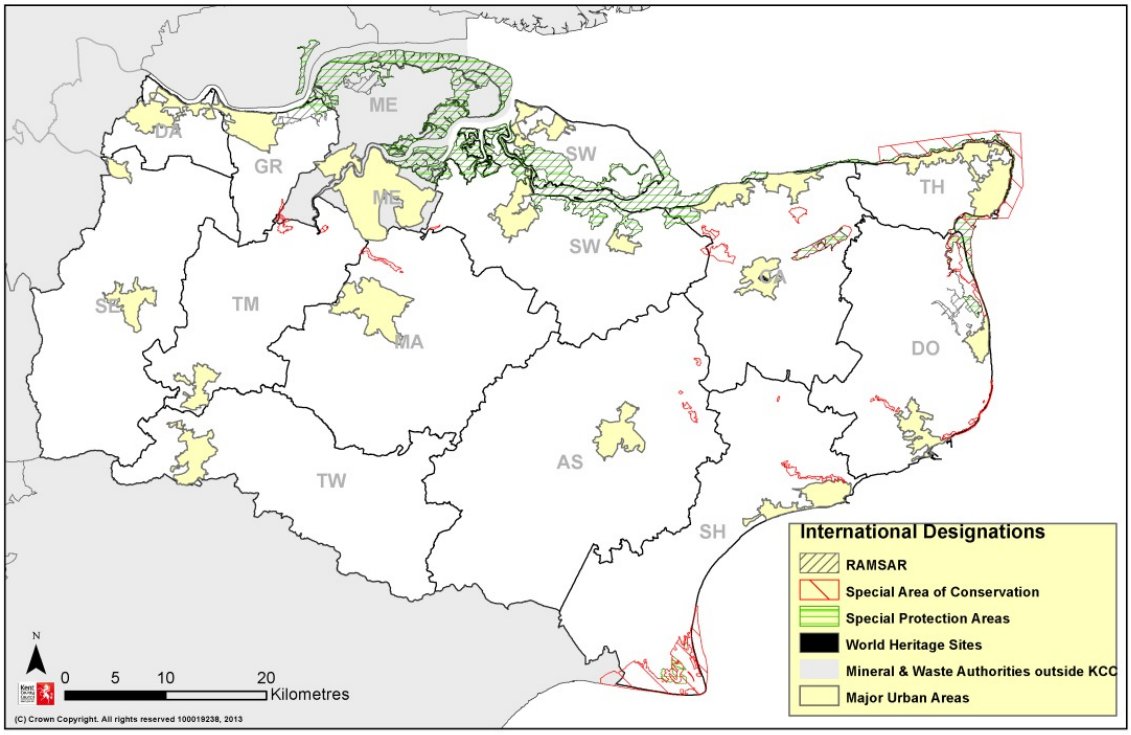
- Local Nature Reserves (LNRs);
- Local Wildlife Sites (these are County Wildlife Sites and Regionally Important Geological and Geomorphological Sites);
- Species and Habitats listed as being of principle importance for the conservation of biodiversity in the UK (Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006);[24]
- UK lists of priority habitats and species;
- Kent Biodiversity Action Plan (BAP) species and habitats; and the Kent Nature Improvement Area;[25]
- Locally Listed buildings, Conservation Areas and their settings;
- The setting of the World Heritage Site (Canterbury Cathedral);
- Landscape features of importance for wildlife that are essential for migration, dispersal and which enable the protection, conservation and expansion of native flora and fauna;
- Kentish rivers and their settings; and
- Ancient Woodland.

23 The 'Green Belt' was previously known as 'The Metropolitan Green Belt' but the NPPF refers to it as 'The Green Belt'.

24 Department for Communities and Local Government (2000) Countryside and Rights of Way Act 2000.

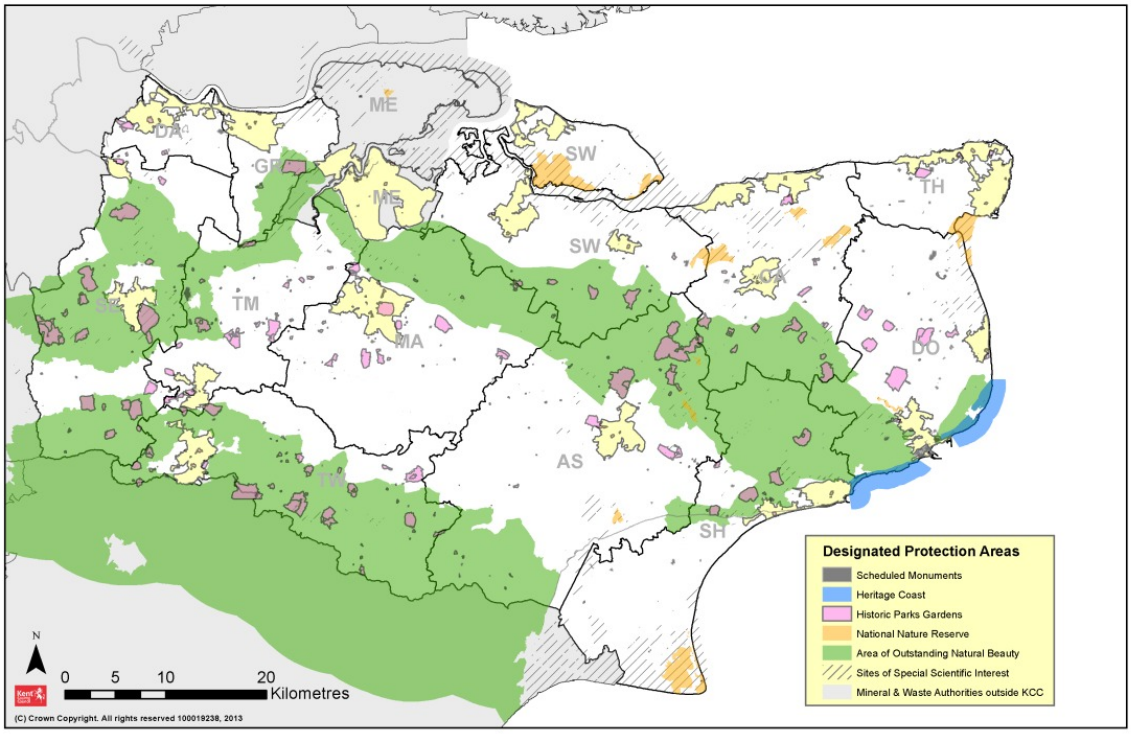
25 The Greater Thames Marshes Nature Improvement Area (NIA). This can be found by following the link: http://greaterthamesmarshes.com/

Figure 5 International Designations



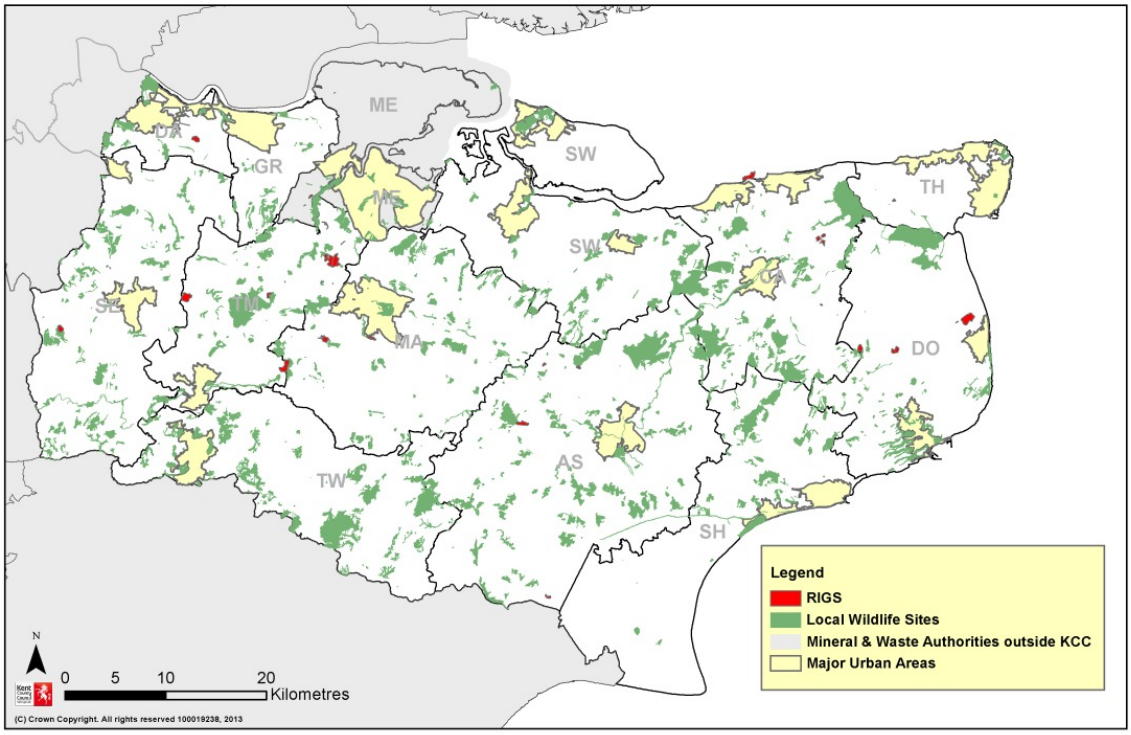
International Designations

Figure 6 Nationally Important Designations



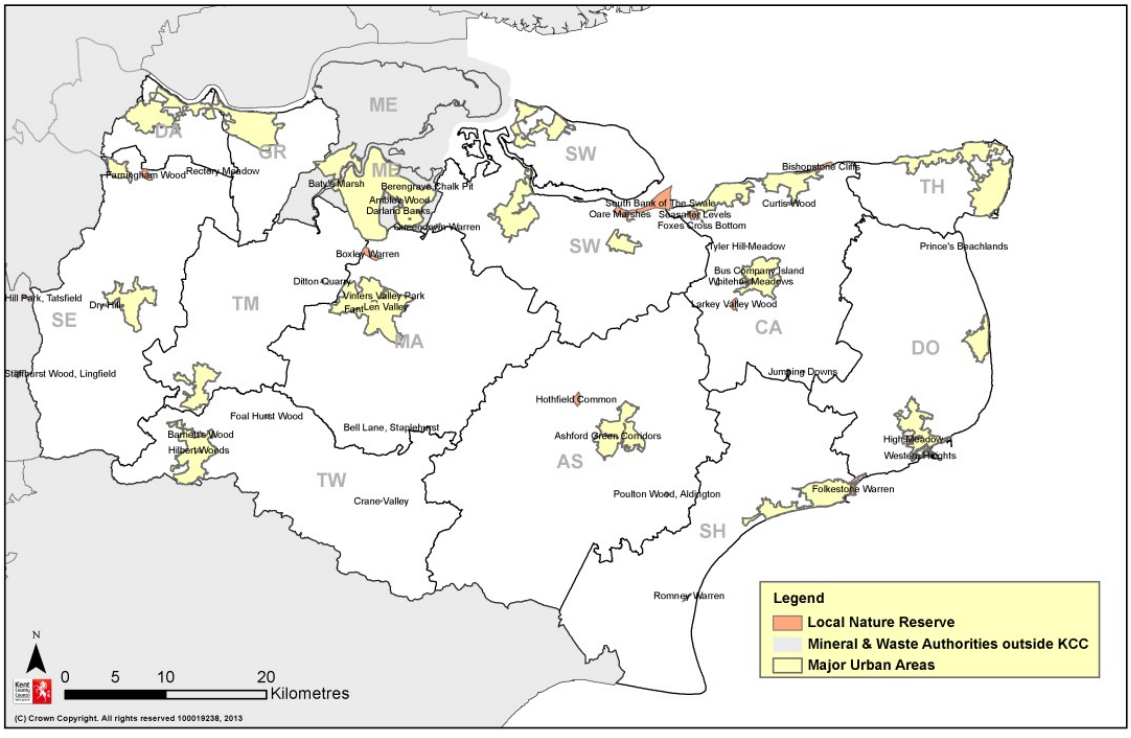
Nationally Important Designations

Figure 7 Local Wildlife Sites & RIGs



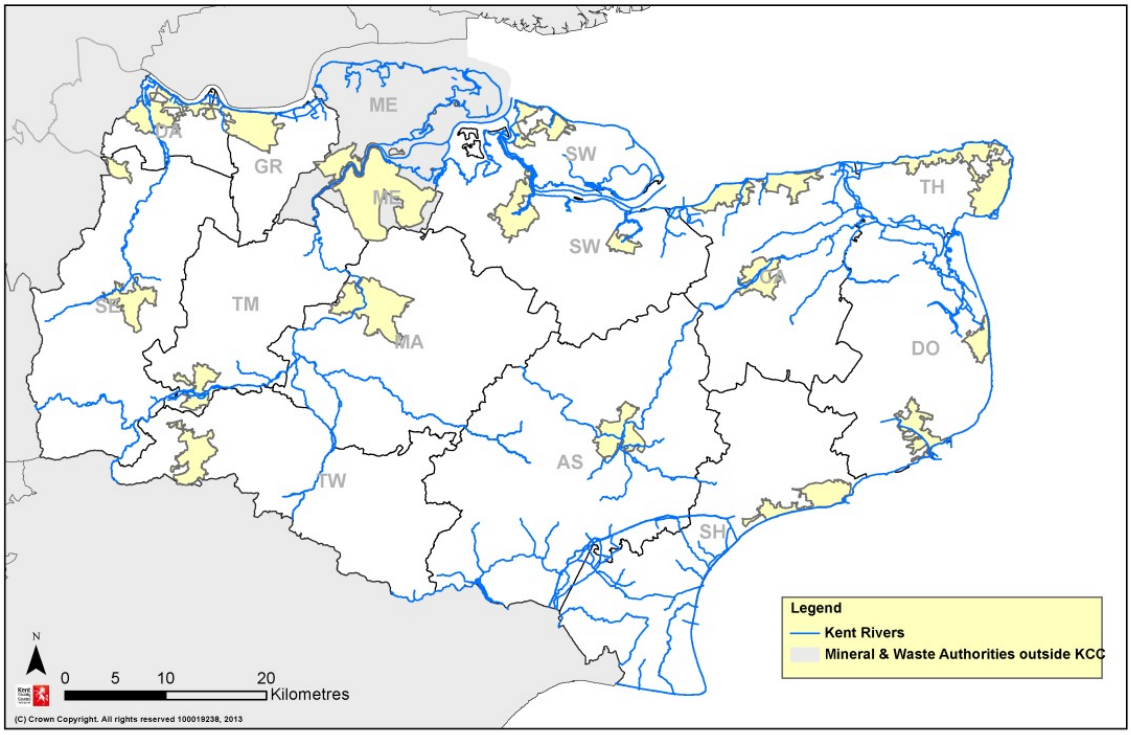
Local Wildlife Sites and RIGS

Figure 8 Local Nature Reserves



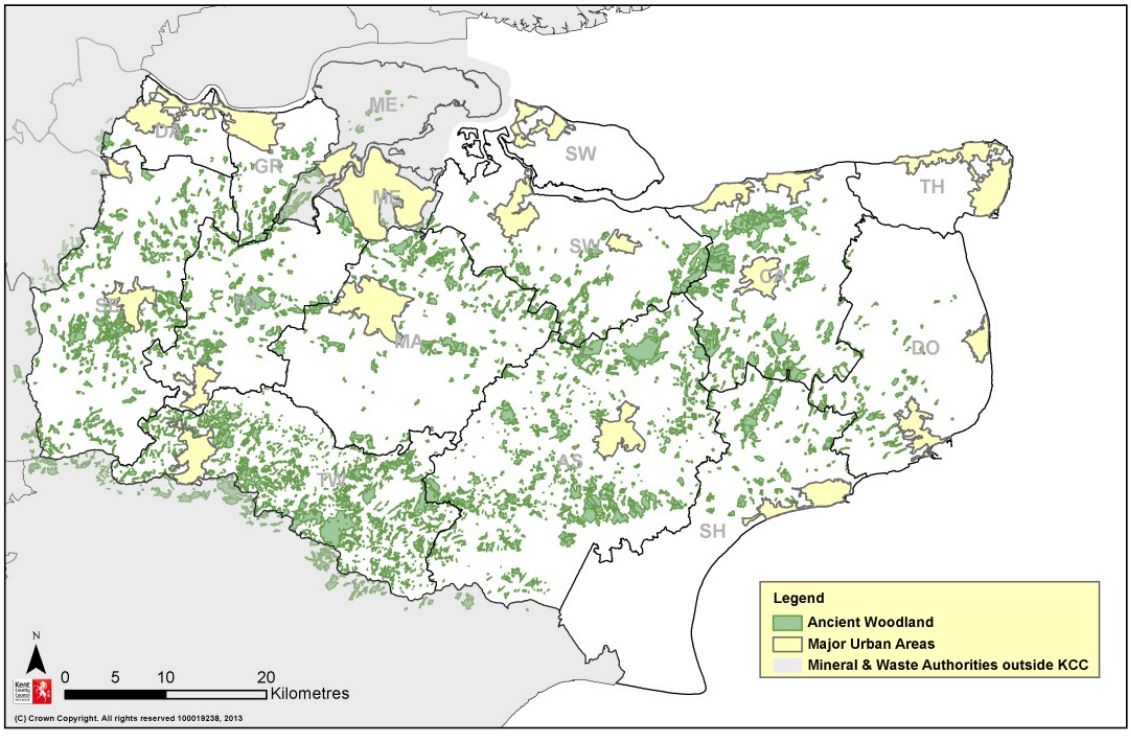
Local Nature Reserves

Figure 9 Kent Main Rivers and Waterways



Rivers and Waterways

Figure 10 Ancient Woodland



Ancient Woodland

Biodiversity Opportunity Areas and the Nature Improvement Area

2.2.3 The identification of Biodiversity Opportunity Areas (BOAs) and the Greater Thames Marshes Nature Improvement Area present opportunities to contribute to landscape-scale biodiversity conservation in Kent.

2.2.4 Kent's network of BOAs[(26)] is a spatial reflection of the Kent BAP.[(27)] These are areas that have existing value for biodiversity and where the greatest gains can be made from habitat enhancement, restoration and recreation by establishing or contributing to large habitat areas and/or networks of wildlife habitats.

2.2.5 Each BOA is important for a slightly different range of biodiversity and targets reflect the specific landscape, geology and key habitats that are present within each area.

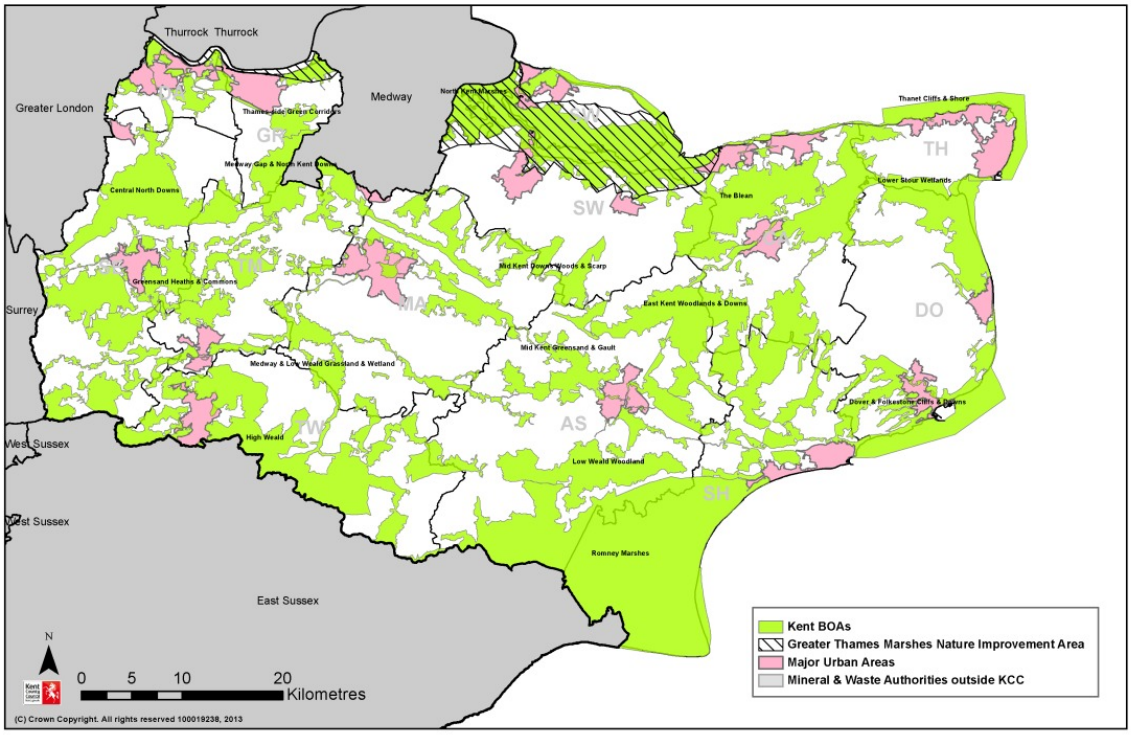
2.2.6 Nature Improvement Areas (NIAs) are areas in which partner organisations are planning and delivering improvements for wildlife and people through sustainable resource use, restoring and creating wildlife habitats, connecting local sites and joining up action on a landscape scale. Within Kent the only NIA is the Greater Thames Marshes NIA.[(28)]

2.2.7 The BOAs and the NIA should not be seen as constraints to development, but areas within which minerals and waste sites will best be able to support the strategic aims for biodiversity conservation in Kent.

2.2.8 To maintain the biodiversity interest of the wider countryside, sites that are outside of the BOAs and the NIA can still make contributions to the delivery of BAP targets and the enhancement of Kent's biodiversity.

26 Further information see the Kent Biodiversity Partnership's website: http://www.kentbap.co.uk/
27 Kent Biodiversity Action Plan Steering Group (1997) The Kent Biodiversity Action Plan
28 For further information see: http://greaterthamesmarshes.com/

Figure 11 Biodiversity Improvement Areas



Kent's Biodiversity Opportunity Areas

2.3 What are the Significant Economic Minerals in Kent?

2.3.1 The economic mineral resources[29] of Kent reflect the complex geological, economic and social history of the area. Historically, the Coal Measures were of major economic importance until all of the East Kent Coal mines ceased operations by 1989. Until recently, Kent also had a thriving cement industry based on the chalk deposits of the Medway Valley and north-west Kent. There are now no active cement works in Kent, instead cement is imported into the county through a north Kent wharf.

2.3.2 Brickearth and clays have been used for brick and tile manufacture in Kent. These industries have declined in modern times. There remain some operational brick and tile works in Kent, although in one case, brickearth from north Kent is transported to East Sussex for brick manufacture. The Faversham area is the original source of the yellow London stock bricks. Hand made Kent peg tiles are also manufactured at a small Weald clay site south of Maidstone.

2.3.3 Large areas of Kent have also been licensed by Government for petroleum exploration and development. A planning permission was granted in 2010 for exploratory drilling and subsequent oil and gas field testing at Bidborough in West Kent. An exploratory borehole was also drilled in August 1999 at Cowden near

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

Tunbridge Wells (SE/98/234). Permission has since been granted for further tests on the capped well at Cowden to establish the extent of productive capacity of the oil field.

2.3.4 Planning permission was granted in December 2011 for an exploration borehole in East Kent to test the in-situ coals, Lower Limestone Shales and associated strata, but the test drilling had not been undertaken at the time of preparation of this plan. Currently, there are a further three planning applications for test drilling which have been received by KCC at the time of preparation of this plan.

2.3.5 As well as being rich in land-won minerals, Kent handles significant quantities of minerals (construction aggregates and cement) through its wharves and rail depots and is the biggest importer of marine dredged aggregates in the South East.

2.3.6 Construction aggregates - sand, gravel and crushed rock - are the most significant (in quantity terms) worked and imported into Kent. They are used in the production of concrete and concrete products, mortar and asphalt.

2.3.7 Silica sand ('industrial sand') is quarried from the Folkestone Beds (west of Maidstone). Whilst the quality of the silica sand deposits in Kent are not as pure as those found in neighbouring Surrey, some of this material is used for industrial processes including glass manufacture and the production of foundry castings. It is also used in horticulture and for sports surfaces including horse menages and golf course bunker sand. There are no sites in Kent which provide only silica sand, all sites produce construction aggregate to some extent.[30]

2.3.8 Details regarding the location of operational and dormant quarries in Kent are prepared annually and are given in the Kent Minerals and Waste Annual Monitoring Report (AMR). The most recent AMR available at the time of the preparation of this plan is the AMR for 2011/12.[31]

2.4 Where are Minerals Extracted in Kent

2.4.1 The active land-won sharp sand and gravel and crushed rock extraction sites in Kent are shown on the Key Diagrams in Appendix H and are listed in Appendix G. The two ragstone (crushed rock) quarries are situated on the Hythe Beds to the west of Maidstone.

2.4.2 Historically sharp sand and gravel deposits[32] have been exploited along Kent's river valleys and in the Dungeness/Romney Marsh area. These reserves are to some extent becoming 'worked out' and replacement resources are generally constrained by landscape or nature conservation designations.

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

31 Kent County Council (December 2012) Kent's 8th Annual Minerals and Waste Monitoring Report: 1st April 2011-31st March 2012

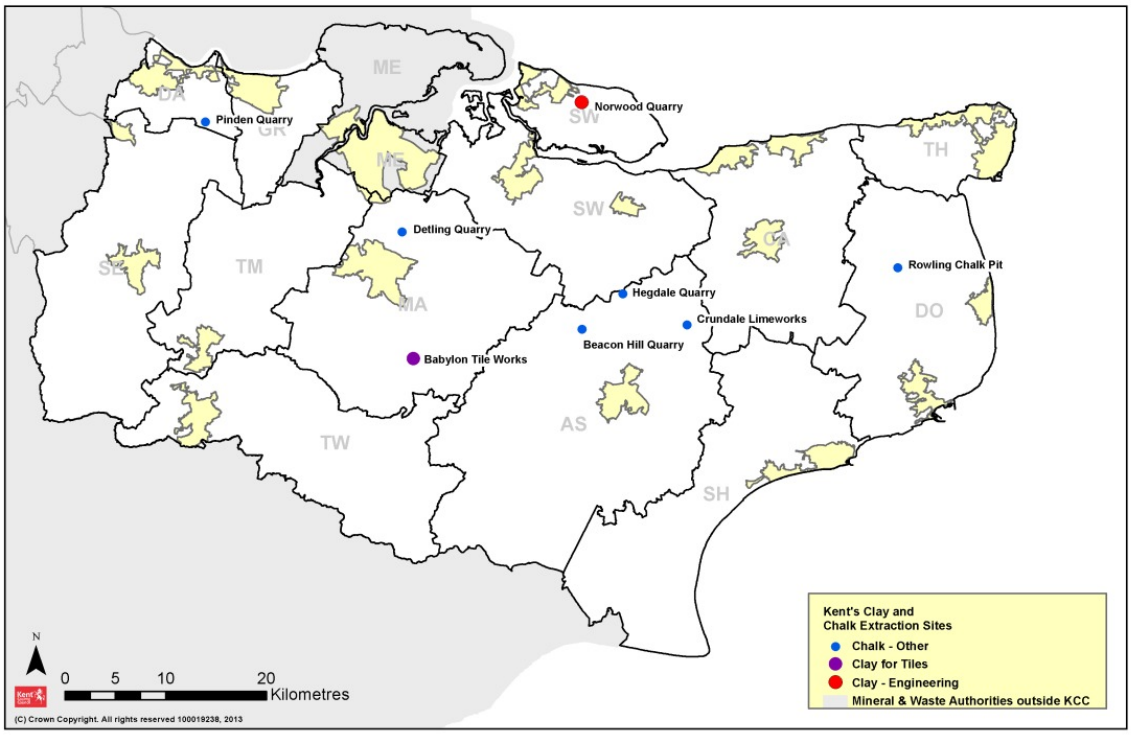
32 Sharp sand and gravel is suitable for making concrete whilst 'soft sand' which is also referred to as 'building sand' is used for asphalt and mortar. The difference is normally in the grain size and shape.

2.4.3 Soft sand (building sand) is extracted from quarries situated on the Folkestone Beds between Charing and Sevenoaks. Most of these sand quarries produce a combination of soft sand (building sand; a construction aggregate) and specialist sand (silica sand),[33] in varying proportions. Kent does not produce the highest grade of silica sand used in the chemical, glass or ceramic industries, although glass sand has been produced in a number of locations in Kent in the past. Operational soft sand quarries are shown on the Key Diagram.

2.4.4 Building stone, required for specialist or conservation building work, has historically been exploited from several different geological formations but is now provided only from the ragstone quarries of mid Kent. Other types of building stone including Tunbridge Wells Sandstone and Bethersden Paludina Limestone have been worked on a small scale in the past.

2.4.5 The active chalk and clay mineral extraction sites are shown on Figure 12. The Key Diagram shows the existing brickearth extraction sites which are located in the north Kent area.

Figure 12 Active Clay and Chalk Sites



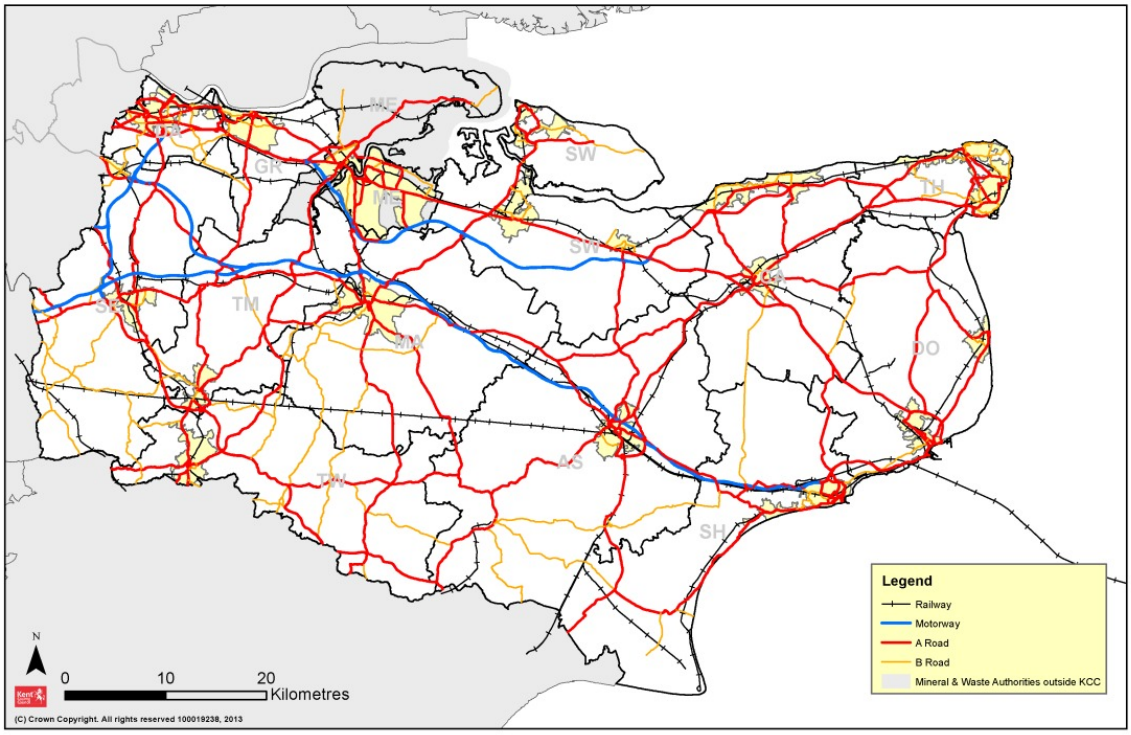
Kent's Clay and Chalk Extraction Sites

33 Specialist sand (silica sand) includes processed and unprocessed sand marketed for a wide range of specialist end uses. These include 'industrial sand' used for glass, foundry moulds, chemicals, ceramics, aircrete, bricks and tiles, paint, adhesive, grout, roof felt as well as 'non-construction aggregate' sand which is used for equestrian, sports and leisure purposes as well as horticultural sand.

2.5 Kent's Waste Infrastructure

2.5.1 Kent has a large population with major urban areas in North Kent, Maidstone, Ashford and Thanet and smaller towns throughout the county. The county as a whole is an area of sustained growth for housing, employment and infrastructure, and retains important manufacturing industries in addition to the service employment that is prevalent in the South East. Taken together these features generate large volumes of household, commercial and industrial, and construction waste.

Figure 13 Transport Links



Transport Links

2.5.2 The two Growth Areas identified in the national Sustainable Communities Strategy[34] are Ashford and the Thames Gateway. In 2012 the Kent districts were jointly proposing 129,300 new dwellings to be built before the end of 2031.

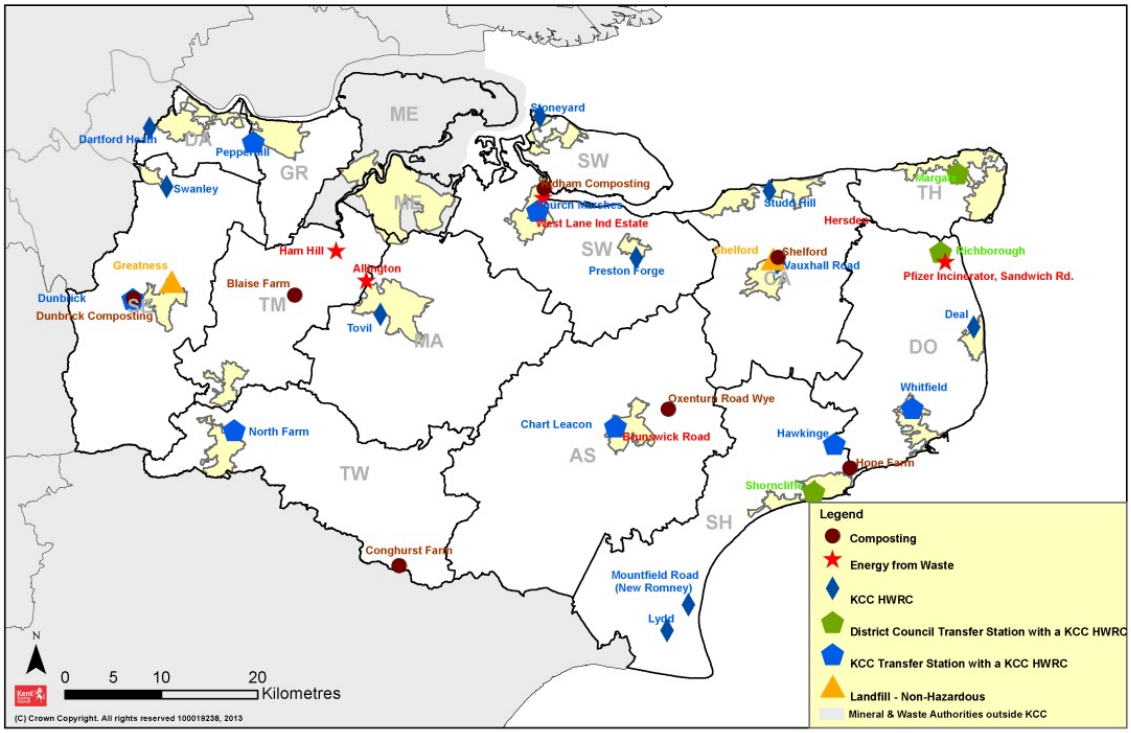
2.5.3 The district councils as collection authorities influence the rate of recycling of Municipal Solid Waste (MSW) in their areas but the county council, as the disposal and Waste Planning Authority (WPA), must achieve targets and apply policies for the area as a whole. The JMWMS [35] which provides guidance for the future direction of household waste management in Kent has informed the preparation of the MWLP.

34 Office of the Deputy Prime Minister (ODPM) (2003) Sustainable Communities. Building for the Future.

35 Kent County Council (2007) Joint Municipal Waste Management Strategy

2.5.4 There is variation across the county in the location of existing waste management facilities. Providing a balanced and accessible network of modern facilities is a key objective in this plan.

Figure 14 MSW Facilities



MSW Facilities

2.5.5 The Allington Energy from Waste (EfW) plant near Maidstone can treat residual household waste from most of the county. It has additional capacity not contracted to the county council available for MSW from outside Kent or Commercial and Industrial (C&I) waste from inside or outside Kent. It is enabling Kent to divert waste from landfill and to meet the national planning policy objective for moving the treatment of waste "up the hierarchy".[(36)] There is a large modern enclosed plant for composting of green and kitchen waste at Blaise Farm (near West Malling), and a network of large plants for separating doorstep collected mixed dry recyclable material such as paper, cans and plastic.

2.5.6 Kent's geology coupled with its industrial past has led to many former and current mineral workings in Kent, some of which are used for waste disposal. At the time of plan preparation, there are two non-hazardous landfill sites, two hazardous landfill sites and numerous inert landfill sites.

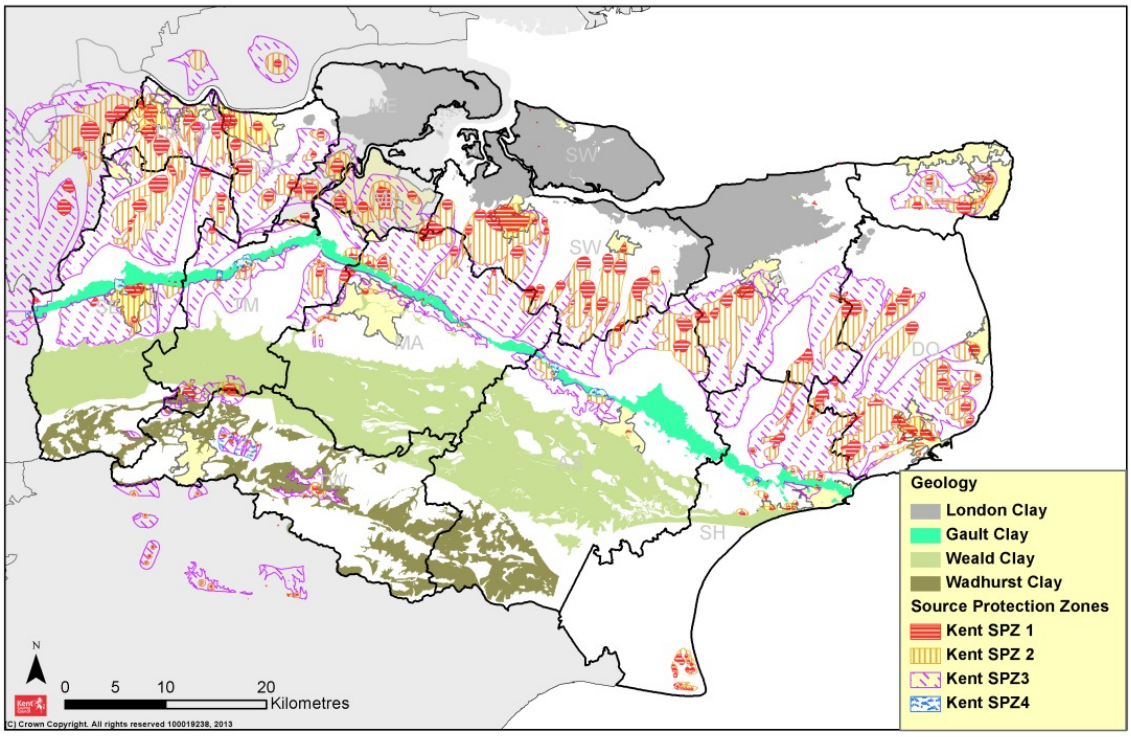
36 Waste Hierarchy is shown as a triangle with 'Prevention' being the best option at the top of the triangle, followed by 'Preparing for Re-use', then 'Recycling' followed by 'Other Recovery', with disposal of waste to landfill at the bottom (least desirable option).

2.5.7 Kent is located close to London and parts of the county are accessible to Essex in the north, Surrey to the west and East Sussex to the south. There has long been a cross border movement of waste into and out of Kent.

2.5.8 Increasing quantities of construction waste come into the county from London for landfill, and more recently some MSW has been transported to Kent to take the spare capacity in Kent's new waste treatment infrastructure.

2.5.9 The provision of waste management facilities is influenced by important national and international planning constraints. Geology and hydrology also constrain where waste landfill might be sited if required. Areas with clay geology, outside water Source Protection Zones (SPZs) which are not liable to flooding, may be suitable for future landfill subject to suitable engineering solutions and any local environmental impact being acceptable.

Figure 15 Kent's Major Clay Horizons and Water Resource Areas



Kent's Major Clay Horizons and Water Resource Areas

3 The Spatial Vision

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

3.0.2 The main aims of the plan are to drive waste up the waste hierarchy enabling waste to be considered as a valuable resource, whilst at the same time providing a steady supply of minerals to allow sustainable growth to take place. It will also ensure that requirements such as a low carbon economy and climate change issues are incorporated into new developments for minerals and waste development in Kent.

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

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

3.1 Spatial Vision for Minerals and Waste in Kent

Throughout the plan period to 2030, minerals and waste development will make a positive and sustainable contribution to the Kent area and assist progress towards a low carbon economy. It will support needs arising within the growth areas in Kent Thames Gateway, the Ashford, the Maidstone and Dover Growth Points and the county's other urban areas including Folkestone, Tunbridge Wells, Tonbridge, Sevenoaks, Sittingbourne, Canterbury and the Thanet Coast. Through collaborative working with communities, landowners, the minerals and waste industries, the environmental and voluntary sector and local planning authorities, deliverable, cost effective, sustainable solutions to Kent's future needs for minerals and waste will be provided.

The Kent Minerals and Waste Local Plan will embrace the naturally and historically rich and sensitive environment of the plan area and ensure that it is protected and enhanced for future generations to enjoy.

Planning for Minerals in Kent will:

- Deliver a sustainable, efficient supply of land-won minerals including aggregates, silica sand, crushed rock, brickearth, chalk and clay and minerals for cement manufacture;
- Facilitate the processing and use of recycled aggregates and become less reliant on land-won construction aggregates;
- Safeguard economic mineral resources for future generations and all mineral importation facilities (wharves and railheads); and
- Restore minerals sites to a high standard to promote biodiversity and recreation uses. Restoration schemes will contribute to the provision of Biodiversity Action Plan habitats integrating habitat creation within wider habitat networks.

Planning for Waste in Kent will:

- Move waste up the waste hierarchy, reducing the amount of non hazardous waste sent to landfill;
- Encourage waste to be used to produce renewable energy incorporating both heat and power if it cannot be re-used or recycled;
- Ensure waste is managed close to its source of production;
- Make provision for a variety of waste management facilities to ensure that Kent remains at the forefront of waste management, and has solutions for all major waste streams, whilst retaining flexibility to adapt to changes in technology; and
- Plug the 'gaps' in current provision and future needs for waste management.

4 Objectives for the Minerals and Waste Local Plan

4.0.1 Whilst the vision describes what will be achieved, the objectives explain how the vision will be achieved.

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

4.0.3 The proposed vision outlines our ambition for sustainable resource management for minerals and waste development in the plan area up to the end of 2030. All of the objectives that follow are underpinned by an ambition to manage waste and mineral extraction and supply according to the principles of sustainable development, supporting the National Infrastructure Plan,[37] the national strategy for Sustainable Communities and the delivery of Kent's community strategies.

4.0.4 A chart showing how the vision, objectives and policies relate to one another is given in Appendix C.

Strategic Objectives (in no particular order of priority)

General

1. Encourage the use of sustainable modes of transport for moving minerals and waste long distances and minimise road miles.

2. Ensure minerals and waste developments contribute towards the minimisation of and adaptation to the effects of climate change.

3. Ensure minerals and waste sites are sensitive to both their surrounding environment[38] and communities and minimise their impact on them.

4. Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment opportunities.

37 H M Treasury, Infrastructure UK (Oct 2010) National Infrastructure Plan.

Minerals

5. Ensure the delivery of adequate and steady supplies of chalk, brickearth, clay, silica sand, crushed rock, building stone, minerals for cement and sand and gravel during the plan period through allocating sufficient sites and safeguarding mineral bearing land for future generations.

6. Promote and encourage the use of recycled and secondary aggregates in place of land won minerals.

7. Safeguard wharves and railheads across the County to enable the ongoing importation of marine dredged aggregates, crushed rock and other minerals.

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

9. Restore minerals sites to the highest possible standard and incorporate opportunities for biodiversity to meet targets outlined in the Kent Biodiversity Action Plan, the Biodiversity Opportunity Areas and the Greater Thames Nature Improvement Area, as well as for recreation, agriculture and employment uses.

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

Waste

11. Increase amounts of Kent's waste being re-used, recycled or recovered and promote the movement of waste up the waste hierarchy by enabling the waste industry to provide facilities which help to deliver a major reduction in the amount of Kent's waste being disposed of in landfills.

12. Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and where applicable innovative technology.

13. Use waste as a resource to provide opportunities for the generation of renewable energy for use within Kent through energy from waste and other mechanisms such as gasification and anaerobic digestion.

14. Provide locations for additional waste sites and facilitate expansion of existing sites, where appropriate to enable waste to be managed in a sustainable manner.

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

5 Delivery Strategy for Minerals

5.0.1 Minerals are essential to support sustainable economic growth and quality of life. It is important that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. However, since they are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.[39]

Sustainable Development

5.0.2 The purpose of the planning system is to contribute to the achievement of sustainable development.[40] There are three dimensions to sustainable development: economic, social and environmental. These give rise to the need for the planning system to perform a number of roles:

- **An economic role** - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;

- A **social role** - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well being; and

- **An environmental role** - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

5.0.3 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in Local Plans should follow the approach of the presumption in favour of sustainable development.

5.0.4 The MWLP is based on the principle of sustainable development. This is demonstrated in the Vision and the Objectives, and the policies which seek sustainable solutions.

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

39 DCLG (March 2012) National Planning Policy Framework, paragraph 142.
40 DCLG (March 2012) National Planning Policy Framework Ministerial Foreword by the Rt Hon Greg Clark MP

5.0.6 In order to ensure the presumption is taken into account in KCC's approach to minerals development, the following policy is included in the plan:

Policy CSM 1

Sustainable Development

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

Mineral development that accords with policies in this Plan and subsequent Plans will be approved without delay, unless material considerations indicate otherwise.

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

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework[(41)] indicate that development should be restricted.

Supplies of Land-won Minerals

5.0.7 The NPPF requires Mineral Planning Authorities (MPAs) to identify and include policies for the extraction of mineral resources of local and national importance in their area. Every MPA which has mineral resources within it has a role to play in meeting both national and local demand. It is important that the MWLP provides a clear guide to both mineral operators and the public about locations where land-won mineral extraction may take place.

5.0.8 Economic minerals that are extracted from Kent quarries include sand and gravel (both soft sand and sharp sand and gravel), crushed rock (ragstone), silica sand, brickearth, clay for tile-making, chalk for agricultural and industrial uses and building stone. In the recent past shale from the coal measures in East Kent has

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

been used for brick making, clay has been used for brick-making and raw materials have been extracted for cement manufacture within Kent. Up until the late 1980s coal was extracted from underground coal mines in East Kent.[42]

Specific Sites

5.0.9 A 'Specific Site' is an area of known mineral resource identified for the future supply of land-won minerals in the Mineral Sites Plan. The landbank[43] requirements for most land-won economic minerals found in Kent are specified in national policy.[44] Site allocations in the Mineral Sites Plan are made on the basis of landbank requirements for the various types of economic mineral located within the county for the plan period, taking into consideration existing permitted reserves.

Sand and Gravel

5.0.10 The amount of land-won aggregate that needs to be supplied from quarries in Kent over the plan period has taken into consideration the current and future contributions to aggregate supply made by marine dredged aggregates, imported crushed rock and other land-won aggregates, imported secondary aggregates and recycled aggregates.[45] Landbanks of at least 7 years are required for land-won sand and gravel.

5.0.11 Sources of high quality flint gravels in Kent have been concentrated in the areas where flints derived from the chalk have been deposited by river and marine action. These were the three main river valleys of the Darent, Medway and Sour, and the beach deposits along the coast (particularly at Dungeness). As far back as 1970 planning studies,[46] identified concerns about the lack of alternatives to the flint gravels being extracted in Kent at that time. Flint gravels in the river valleys were becoming exhausted and increasing weight had been accorded to nature conservation and water resource constraints in the Dungeness area which in the past had provided an area of extensive working and substantial resources. Flint dominant head gravel resources near Herne Bay, previously identified as areas of search[47] have proved to be disappointing and have effectively been abandoned by industry. The sandstone dominant gravels in the Medway Valley upstream of Maidstone became the subject of increasing interest from operators as other deposits became worked out, although their contribution to the production of high quality concreting aggregates has not normally been possible. Only one Medway Valley sandstone gravel quarry remains operational at the time of preparing this plan as the site benefits from a railhead which is used for the importation of crushed rock for blending with the indigenous sandstone gravels to produce aggregates suitable for concrete. Kent's soft sand reserves

42 More details of non-aggregate minerals in Kent are given in: Kent County Council (May 2011) TRM3: Other Minerals.
43 Landbank: See the Glossary in Appendix A for explanation.
44 DCLG (March 2012) National Planning Policy Framework, para. 145-146
45 Kent County Council (December 2012) Kent's 1st Local Aggregate Assessment.
46 Evidence prepared for the Kent Structure Plan in 1975.
47 Kent County Council (1993) Kent Minerals Local Plan Construction Aggregates Written Statement

extracted from the Folkestone Beds continue to be important for mortar and asphalt production. Soft sand supplies in Kent are relatively abundant, whereas they are scarce in other parts of the South East of England.

5.0.12 Recycled aggregates can, in some circumstances, provide a replacement for sharp sand and gravel in concrete. Kent also benefits from a number of aggregate wharves around its coastline, into which are landed significant quantities of marine dredged aggregates (MDA) which provide an alternative to land-won sources in meeting market demand for concreting aggregates. Kent is the largest importer of MDA in the South East of England, importing 1.7 million tonnes of MDA into its wharves in 2011.[48] With its coastal location, Kent fulfils an important role in the importation of minerals including a range of construction aggregates from Europe, as well as MDA and recycled and secondary aggregates.

5.0.13 Between 2000 and 2012 sales of sharp sand and gravel from Kent's quarries have been dropping steadily from around 1 million tonnes per annum (mtpa) at the turn of the century to half a million tonnes in 2012. The reduction in land-won sharp sand and gravel sales has in part been compensated by increased sales of MDA from Kent's aggregate wharves in recent years.

5.0.14 The sand and gravel site allocations in the Mineral Sites Plan will contain land-won sharp sand and gravel sites, soft sand (building sand) sites and sandstone gravel sites, to reflect the different types of geological formations in Kent which are used as construction aggregates.[49] The aggregate sites which have been included in the landbank calculations in the Local Aggregate Assessment (LAA) are listed in Appendix G. Rolling 10 year average sales details for construction aggregates in Kent have been included in the first LAA using aggregate sales data up to 2011. The rolling 10 year average sales figures for sand and gravel and crushed rock closely reflects the sub-regional apportionments that had been made for the partially revoked South East Plan (SEP),[50] which was previously used for determining future provision. The rolling 10 year average sales figures will be updated and published annually in LAAs.

5.0.15 Due to the imbalance between the various types of remaining available naturally occurring sand and gravel resources in Kent compared with past sales, the predominance of soft sand in the existing sand and gravel landbank, together with the availability of alternative materials suitable for use as concreting aggregates, it is neither justified nor possible to plan to provide separate landbanks for sharp sand

48 South East England Aggregates Working Party (2013) South East Aggregates Monitoring Report 2011.

49 Details of how the rolling 10 year average sales data and how landbanks are calculated are given in Kent County Council (December 2012) Kent's 1st Local Aggregate Assessment report (for 2011/12). Available from: http://kent.gov.uk/environment_and_planning/planning_in_kent/minerals_and_waste/evidence_base.aspx

50 The sub regional apportionments for Kent in the partially revoked South East Plan Policy M3 were 1.63mtpa for sand and gravel in and 0.78mtpa for crushed rock.

and gravel and soft sand for the plan period.[51] However separate landbanks for crushed rock and sand and gravel will be maintained throughout the plan period.[52] Any shortfall in land-won sharp sand and gravel sales over the plan period can be made up by increased supplies from marine dredged and recycled aggregates.

Crushed Rock

5.0.16 National policy requires landbanks of at least 10 years for crushed rock. The only crushed rock that is exploited commercially in the county is Kentish Ragstone, which is found in a band which crosses Kent from east to west. The ragstone resource to the west of Maidstone has been the focus of crushed rock extraction in the recent past. The stock of planning permissions for crushed rock in Kent at the time of plan preparation is sufficient for the whole of the plan period and beyond. However, at the time of preparing this plan, consented reserves of crushed rock are contained within two sites, one of which contains the bulk of the permitted reserves, which are generally of low quality and so their use is limited, and mineral extraction only takes place from this site intermittently on a campaign basis. In view of this type of situation, a policy covering situations where exceptions for land-won minerals could be acceptable is included as Policy CSM3A.

Brickearth and Clay for Brick and Tile Manufacture

5.0.17 At the time of preparing this plan, Kent only has one operational brick works near Sittingbourne, which is supplied by brickearth extracted from sites in the Sittingbourne to Faversham area to make yellow London 'stock' bricks. Brickearth extracted from another site in north Kent provides the raw materials for a brickworks in East Sussex.[53] National planning policy requires the provision of a stock of permitted reserves of at least 25 years for brick clay.[54] There is a need to identify sufficient specific sites to provide brickearth for these two brickworks to ensure that the locally characteristic yellow London stock bricks can continue to be manufactured.

5.0.18 In the past in Kent, bricks have also been made at various locations from supplies of Weald Clay, Gault Clay, London Clay, Wadhurst Clay and colliery shale. No operational brickworks which use clay and/or colliery shale remain in Kent. The stock of planning permissions for clay and colliery shale for brick and tile making is sufficient for the plan period if any of the dormant or closed brickworks re-opened or new brick works are established.[55] Therefore there is no need to identify further reserves of brick clay or colliery shale for brickmaking in the Mineral Sites Plan.

51 Further details on this matter are given in the report: Kent County Council (December 2012) Kent's 1st Local Aggregate Assessment.

52 This stance being taken on the issue of separate landbanks conforms with the DCLG (October 2012) Guidance on the Managed Aggregate Supply System, paras. 24-28.

53 Kent County Council (May 2011) Kent Minerals and Waste Development Framework Minerals Topic Report 3, TRM3: Other Minerals.

54 DCLG(March 2012) National Planning Policy Framework, paragraph 146.

55 Source: Kent County Council. (May 2011) TRM3: Other Minerals and Kent County Council (December 2012) Kent's 8th Annual Minerals and Waste Monitoring Report.

5.0.19 A small-scale tile manufacturer which makes hand-made traditional 'Kent Peg' tiles is located in the Weald of Kent at Hawkenbury. This site has sufficient reserves of Weald Clay on site to last until the end of the plan period, although the planning permission is due to expire in 2026. No further reserves are needed to be allocated to sustain this operation during the plan period.

Silica Sand

5.0.20 Silica sand is considered to be a mineral of national importance, due to its limited distribution. The Folkestone Beds, west of Maidstone is the traditional extraction area for silica sand in Kent and it is made up of distinct horizons of building sand and silica sand. Whilst the quality of these silica sand deposits in Kent are not as pure as those found in neighbouring Surrey, some of this material is used for industrial processes including glass manufacture and the production of foundry castings. It is also used in horticulture and for sports surfaces including horse menages and golf course bunker sand. There are no sites in Kent which provide only silica sand. All of Kent's existing silica sand sites produce construction aggregates to some extent.[56] National policy requires MPAs to plan for a steady and adequate supply of silica sand by providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment by providing a stock of permitted reserves of at least ten years and at least fifteen years for silica sand sites where significant new capital is required.[57]

5.0.21 The silica sand quarries that have consented reserves at the time of plan preparation are identified in Appendix G and shown on the Key Diagram in Appendix H. Whilst two of the three existing Kent silica sand quarries have sufficient reserves to last for the entire plan period,[58] one site (Wrotham Quarry (Addington Sand Pit)) does not. Therefore a site allocation will be required in the Mineral Sites Plan to identify sufficient reserves to meet national landbank requirements for silica sand. However, this site and its future extension area lie in the Kent Downs AONB. The AONB is a nationally important designation and so developments within it or its setting have to have regard to the particularly sensitive nature of the environment. Any application for an extension to this silica sand quarry will need to meet national policy requirements for development in AONBs including demonstrating how the proposed development meets the requirement for exceptional circumstances and why it is in the public interest.

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

57 DCLG (2012) National Planning Policy Framework, paragraph 146.

58 Source: Kent County Council (December 2012) Kent's 8th Annual Minerals and Waste Monitoring Report

Chalk for Agricultural and Engineering Purposes

5.0.22 Chalk is relatively ubiquitous in Kent. It is used for agricultural uses (applying to fields to neutralise acid soils) and also for construction purposes in the county.[59] In order to ensure a steady and adequate supply of chalk for agricultural and engineering uses throughout the plan period, sufficient chalk resources within a Specific Site will be identified in the Mineral Sites Plan.

Clay for Engineering Purposes

5.0.23 Clay is also relatively ubiquitous in Kent. There are four principal clay horizons in Kent: London Clay, Gault Clay, Weald Clay and Wadhurst Clay. Figure 15 shows the clay horizons across the county. London Clay in particular has been extensively as an engineering clay, particularly for sea defence work around the North Kent Marshes in the past.[60] In order to ensure a steady and adequate supply of clay for engineering use throughout the plan period, sufficient clay resources within a Specific Site will be identified in the Mineral Sites Plan.

Policy CSM 2

Supply of Land-won Minerals in Kent

Mineral working at Specific Sites[61] identified in the Mineral Sites Plan will be permitted subject to meeting the requirements of relevant development management policies and any criteria set out in the relevant site schedule in the Mineral Sites Plan.

1. Aggregates

Provision will be made for the maintenance of landbanks of land-won aggregates of at least 7 years for sand and gravel and at least 10 years for crushed rock. A rolling average of 10 years sales data and other relevant information will be used to assess landbank requirements.

Sufficient Specific Sites will be identified in the Mineral Sites Plan in order to facilitate the maintenance of aggregate landbanks at the required levels throughout the plan period. In the case of crushed rock (ragstone), the landbank is sufficient for the plan period and so no crushed rock (ragstone) sites will be identified as Specific Sites.

59 Source: Kent County Council (May 2011) TRM3: Other Minerals.
60 Source: Kent County Council (May 2012) Mineral Sites Plan Preferred Options Consultation

2. Brickearth and Clay for Brick and Tile Manufacture

Sufficient Specific Sites will be identified for brickearth to enable the maintenance of landbanks of permitted reserves equivalent to at least 25 years of production based on past sales. The stock of planning permissions for clay for brick and tile making is sufficient for the plan period.

3. Silica Sand

Sufficient Specific Sites will be identified for silica sand production in order to maintain landbanks at existing sites of 10 years and at any suitable new sites of 15 years, subject to:

- All environmental impacts being capable of being controlled to ensure that there are no significant impacts on the environment, the landscape, biodiversity interests or local communities.
- If the development is in a designated AONB, applicants must demonstrate how the proposed development meets the requirement for exceptional circumstances and why it is demonstrated to be in the public interest. Such applications must include consideration of:

  (i) the need for the development, including in terms of any national considerations and the impact of permitting it, or refusing it, upon the local economy;

  (ii) the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way; and

  (iii) any adverse impact on the environment, the landscape and recreational opportunities, and the extent to which that could be mitigated.
- Applications for silica sand developments will also be required to demonstrate:

  (i) how the development meets technical specifications required for silica sand (industrial sand) end uses; and

  (ii) how the mineral resources will be used efficiently so that high grade sand deposits are reserved for industrial end uses.

61 Specific Sites are generally where: viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where MPAs consider that planning applications are likely to be acceptable in planning terms.

4. Chalk for Agriculture and Engineering Purposes

A Specific Site will be identified to enable sufficient chalk extraction to continue through the plan period to supply Kent's requirements for agricultural and engineering chalk.

5. Clay for Engineering Purposes

A Specific Site will be identified to enable clay extraction to continue throughout the plan period to supply Kent's requirements for engineering clay.

Strategic Site for Minerals - Cement Manufacture

5.0.24 Whilst Kent was once a major producer of cement, there are no operational cement works remaining in the county. Re-establishing cement manufacture in Kent is sufficiently important to the achievement of the MWLP vision and objectives, to warrant the identification of a proposed cement works and its associated mineral reserves as a 'Strategic Site'. Medway Works, Holborough (shown on Figure 16) has the benefit of an extant planning permission with the permitted mineral resources that are required to supply the works being sufficient for at least 25 years supply. However, there are likely to be significant changes agreed to the approved layout and design, which would require a fresh planning application being approved prior to the development of the site. In view of the potential job opportunities and level of investment required to construct a new cement works, this site is considered sufficiently important to designate it as the only 'Strategic Site' for minerals.

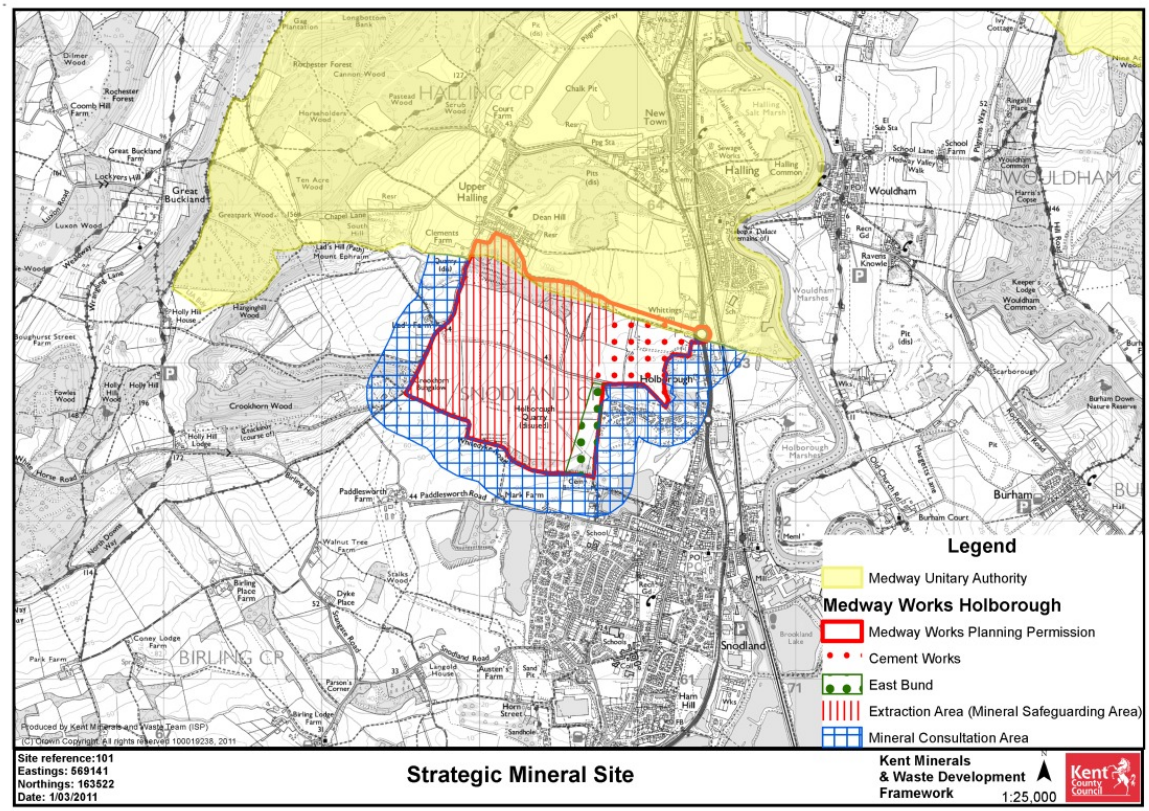
Policy CSM 3

Cement Mineral Extraction and Manufacture In Kent

The site of the proposed Medway Cement Works, Holborough and its permitted mineral reserves are together identified as the Strategic Site for Minerals in Kent. This site location is shown on Figure 16 on the following page.

Mineral working and processing at the Strategic Site for Cement Minerals will be permitted subject to meeting the requirements of relevant development management policies.

Figure 16 Medway Works, Holborough



Exceptions Policy for Land-won Minerals

5.0.25 Policy CSM3 for cement manufacture together with the policies and site allocations in the Mineral Sites Plan will provide the policy framework that will enable a stock of planning permissions for aggregates, chalk, brickearth, clay, silica sand and minerals for cement manufacture to be maintained at the required levels throughout the plan period.

5.0.26 Sites which will be allocated in the Mineral Sites Plan have been subject to detailed site assessment which seeks to balance demand with potential impacts and to secure the optimum benefit to both the environment and local communities through restoration. Granting planning permission for sites outside the Mineral Sites Plan allocations would normally be contrary to the strategy of the plan and potentially lead to the unnecessary release of finite resources.

5.0.27 Therefore, proposals for mineral workings lying outside the identified specific sites or the strategic site will only be permitted where they meet a need for a steady and adequate supply of minerals if it can be demonstrated that there are overriding benefits which justify an exception to the plan; for example by providing substantial social and environmental benefits, avoiding the sterilisation of reserves or addressing the issues of real need and real supply. The relevant criteria that may justify an exception site being granted planning permission include:

- the possibility of prior extraction of an economic mineral ahead of other development taking place within the safeguarded mineral resource;
- the possibility of borrow pit developments which can supply materials in a sustainable manner to major infrastructure developments including road, rail and ports;
- locations of consented reserves and any alternative supply options[(62)] being remote from main market areas necessitating unduly long road journeys from the source to the market;
- the nature and qualities of the mineral such as suitability for particular use;
- known constraints on the availability of consented reserves which might limit output over the plan period;
- the extent to which permitted reserves are within inactive sites which are unlikely to ever be worked; and/or
- ensuring that large landbanks bound up in very few sites do not stifle competition.

Policy CSM 4

Exceptions Policy for Land-won Minerals

Applications for mineral extraction other than the strategic site for cement minerals and specific sites identified in the Mineral Sites Plan will only be permitted if they can demonstrate that there are overriding benefits which justify extraction at the exception site.

Applications for mineral working outside specific sites identified in the Mineral Sites Plan or the Strategic Site for Cement Minerals will need to include information to demonstrate the overriding benefits and how they meet the requirements of relevant development management policies.

Mineral Safeguarding

5.0.28 Protecting mineral resources from unnecessary sterilisation is a very important part of minerals planning policy. It is central to supporting sustainable development. The purpose of safeguarding minerals is to establish a mechanism so that there are sufficient economic minerals for future generations to use. Mineral importation infrastructure is also important as imported minerals make a major contribution to the County's requirements. Policy CSM5 describes how land-won

62 Alternative supply options include secondary or recycled materials and imports through wharves and railheads.

minerals will be safeguarded and Policies CSM11 and CSM12 describe how mineral infrastructure will be safeguarded. Development Management Policy DM5 describes the circumstances in which the safeguarding policy can be implemented when non-mineral developments, which are incompatible with safeguarding the land-won mineral or a safeguarded wharf or railhead, would be acceptable.

5.0.29 Land-won mineral safeguarding is carried out through the designation of Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs). Their definitions are given below.

5.0.30 MSAs are areas of known mineral resources that are of sufficient economic or conservation value to warrant protection for future generations. The level of information used to indicate the existence of a mineral resource can vary from geological mapping to more in-depth geological investigations. Defining MSAs carries no presumption for extraction and there is no presumption that any areas within MSAs will ultimately be acceptable for mineral extraction. Specific Sites are designated for that purpose, to indicate to mineral operators and others the places where mineral extraction is most likely to take place.

5.0.31 The purpose of MSAs is to ensure that mineral resources are adequately and effectively considered in land-use planning decisions, so that they are not needlessly sterilised, compromising the ability of future generations to meet their own needs. The designated MSAs shown on the Key Proposal Map identify the presence of mineral resources and specific planning policies applicable to those areas. All Mineral Planning Authorities (MPAs), both unitary and two-tier authorities, must include policies and proposals to safeguard mineral resources within MSAs and show them in their Local Plans; this will alert prospective applicants for planning permission to the existence of valuable mineral resources and show where specific local mineral safeguarding policies apply. In two-tier authorities, the MPAs must pass information on the location of MSAs to the district councils and districts are obliged to ensure that they are shown in appropriate district Local Plans.

5.0.32 Economic land-won minerals that are identified for safeguarding in Kent are sharp sand and gravel, soft sand, silica sand, crushed rock, building stone and brickearth. The Mineral Resource Areas identified for safeguarding are included in the Key Diagrams in Appendix H. When the Plan is adopted a map showing the Mineral Resource Areas will be accessible on the KCC web site and this map will be at a large enough scale to show property and field boundaries. It should be noted that geological mapping is indicative of the existence of a mineral resource but it is possible that the mineral has already been extracted and that sites that contain or are close to a boundary between different geology might also not contain any of mineral resource being safeguarded. Nevertheless, the onus will be on planning applicant of non mineral development to prove to the MPA that indicated mineral resource does not exist on the application site.

5.0.33 As chalk and clay are massive geologies that can be said to be ubiquitous across the county where they occur, they are not being safeguarded. However the cement minerals required to supply the proposed cement works at Holborough Works are being defined as a MSA.

5.0.34 MCA designation is a mechanism that aims to ensure that in two-tier authority areas consultation takes place between county and district planning authorities when mineral interests could be compromised by non-mineral development, especially in close proximity to a known mineral resource. The definition of MCAs is not obligatory, but consultation within an MCA is. They are a useful additional method of supporting mineral safeguarding by facilitating discussion between respective authorities in relation to important safeguarded mineral resources. An MCA has been established around the safeguarded mineral reserves at Holborough Works. This is shown on Figure 16.

5.0.35 The surface working area of the proposed East Kent Limestone Mine is not identified for safeguarding. This is because there has been no advancement in the mine's development since the identification of this resource as a 'Possible Area of Mining' in the 1993 Minerals Subject Plan,[63] there is no certainty where the built footprint for the surface aggregate processing facility is likely to be situated (if it is ever developed) and planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.[64] Coal, oil, and deep pennant sandstone resources are also not being safeguarded, as they are located at considerable depth underground and potentially may form extensive resources. The safeguarding of these deep underground minerals would dilute the importance of the safeguarding policy which focuses on safeguarding resources which are more likely to be lost to built development.

Policy CSM 5

Land-Won Mineral Safeguarding

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

- Mineral Safeguarding Areas (MSAs) for the areas of known, remaining brickearth, sharp sand and gravel, soft sand (including silica sand), ragstone and building stone. A mineral safeguarding area is also established for the Strategic Site cement minerals at Medway Works, Holborough.
- A Mineral Consultation Area adjacent to the Strategic Site for Cement Mineral Extraction and Manufacture at Medway Works, Holborough.

63 Kent County Council (1993) Mineral Subject Plan Construction Aggregates
64 DCLG (March 2012) National Planning Policy Framework, para. 22.

- Specific Sites for mineral working within the plan period which will be defined in the Mineral Sites Plan.

Secondary and Recycled Aggregates.

5.0.36 The target figures of 1.4mtpa for secondary and recycled aggregate recycling in Kent for the early part of the plan period (up to 2020) and 1.56mtpa for the later part of the plan period (2020 to 2030) are the minimum requirements that were specified in the partially revoked SEP (the SEP and its evidence base are still relevant to the MWLP and form part of its evidence base). It is more sustainable to use secondary and recycled aggregates than to extract primary land-won aggregates. KCC is keen to increase the level of use of secondary and recycled aggregates that can be processed. The current permitted capacity in permanent secondary and recycled aggregates already exceeds the target for the later period of the plan.

5.0.37 Policy CSM6 also includes criteria for assessing further site proposals, which would be considered in addition to the allocated sites within the Mineral Sites Plan.

Policy CSM 6

Secondary and Recycled Aggregates

Secondary and recycled aggregate production and processing will be permitted at the Specific Sites identified in the Mineral Sites Plan subject to meeting the requirements of relevant development management policies and any criteria set out in the relevant site schedule in the Mineral Sites Plan.

Sufficient Specific Sites will be identified to provide capacity to recycle at least 1.4 million tonnes per annum (mtpa) of secondary and recycled aggregates rising to at least 1.56mtpa from 2020.

Outside identified Specific Sites, recycling facilities for secondary and recycled aggregate production will be granted planning permission if they are well located in relation to the source of materials, have good transport infrastructure links and accord with the other relevant policies in the Minerals and Waste Plan, at the following types of sites:-

- temporary demolition, construction, land reclamation and regeneration projects;
- temporary highways developments;

- appropriate[65] mineral operations (including wharves and railheads) for the duration of the host site where there is either connectivity with the sale of aggregates from the host site or where the host site will use the residual waste from the recycling in the restoration of the site;
- appropriate waste management operations for the duration of the host site;
- industrial estates;
- other appropriately located sites close to the source of materials with good infrastructure links.

Where environmental impacts can be controlled to an insignificant level, planning permission will be granted to re-work old inert landfills and dredging disposal sites if net gains in landscape, and biodiversity or amenity can be achieved by the operation.

Building Stone in Kent

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

5.0.39 Small quarries for building stone can play an important part in providing historically authentic building materials in the conservation and repair of historic and cultural buildings and structures.

65 The term 'appropriate' in this policy is defined in terms of the additional recycling facility being appropriate if it does not give rise to additional significant impacts on any nearby sensitive receptors over and above the impact levels which had been considered to be acceptable for the host site without the recycling facility.

Policy CSM 7

Building Stone

Planning permission will be granted for small scale proposals[66] that are necessary to provide a supply of suitable local building stone necessary for restoration work associated with the maintenance of Kent's historic buildings and structures and new build projects in conservation areas, subject to:

- development taking place in appropriate locations where the proposals do not have significant adverse impacts on amenity or the environment;
- there being no other suitable, sustainable sources of the stone available;
- all operations being managed to acceptable levels to ensure that there is no significant adverse impact upon the local environment and communities; and
- the site is restored to a high quality standard and appropriate after-use which supports the local landscape character.

Oil, Gas and Coal Bed Methane

5.0.40 The East Kent Coalfield covers an area of 157,900 hectares beneath the Kent landmass. It was exploited for its coal reserves between 1912 and 1989. Kent coal was bituminous[67] to semi-anthracitic[68] in nature with a high calorific value and generally low sulphur content. The depth of the coal[69] and the difficult geological conditions made Kent coal amongst the most expensive to mine in the UK.

5.0.41 The Crown owns all of the oil, gas and coal resources in the country. Crown property is administered by the Crown Estates. Companies who wish to exploit the Crown minerals are invited to bid for licences by the Government.

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

67 Bituminous coal is soft black coal, rich in hydrocarbons, that burns with a smoky yellow flame. Its fixed carbon content is 46-86%.

68 Anthracite is a hard natural coal that burns slowly and gives intense heat, the carbon content being between 92.1 and 98%.

69 Coal was found at over 3000ft depth below ground level at Tilmanstone and Snowdown, two of the East Kent coalmines.

5.0.42 Underground licence applications to investigate the East Kent Coalfield are being processed by the Coal Authority at the time of writing this plan. A conditional underground licence does not give an operator the power to mine coal and is conditional upon planning permission and other rights being granted, most notably planning permission and surface access rights for the mine site.

5.0.43 There is also interest in coal bed methane in Kent. Permission to drill an exploratory borehole to test the in situ coals, Lower Limestone Shales and associated strata was granted in 2011 at Woodnesborough, in East Kent.

5.0.44 Underground coal gasification is a technique used to gasify coal underground and to bring the energy to the surface as a gas for subsequent use in heating or power generation. It requires precision drilling of two boreholes, one to supply oxygen and water/steam and the other to bring the resulting gas back to the surface.

5.0.45 Kent is part of the Southern Permian Basin Area (SPBA), an area of potential for oil resource which stretches across northern Europe from Dorset to Yorkshire in the west across northern France, Belgium, Holland, Denmark, Germany and Poland. Ongoing exploration has established a series of oil and gas fields across the region. Notable commercial discoveries in the English sector of this basin associated with the Weald and south coast are Wytch Farm (Dorset) which is the largest onshore oil field in western Europe, Alvington (Hampshire), Storrington (West Sussex) and Palmers Wood (Surrey). Department of Energy and Climate Change (DECC) issues petroleum exploration and development licences (PEDLs). Parts of west and east Kent have been included in the most recent release of areas for investigation under PEDLs.[(70)] Geophysical evidence identifies that the PEDL licence area 153 in the Weald area of Kent contains three prospects which exhibit the same potential regime as Palmers Wood.

5.0.46 Minor reserves of natural gas have been exploited in the past (in 1885 and 1896) near Heathfield in East Sussex. Only two resources have been found or announced following exploration undertaken more recently as a result of the government licences issues. They are at Durlston Head in Dorset and Godley Bridge in Surrey. Natural Gas exploration and extraction is undertaken in a similar way to oil exploration.

5.0.47 The following policy defines the requirements for the exploration, appraisal and development of oil, gas (including shale gas and natural gas), coal-bed methane, abandoned mine methane and underground coal seam gasification.

70 Further details of the PEDLs including exploration licences in Kent at the time of preparation of the plan are given in Kent County Council (May 2011) TRM3: Other Minerals

Policy CSM 8

Oil, Gas and Coal Bed Methane

Planning permission will be granted for proposals associated with the exploration, appraisal and development of oil, gas (including shale gas and natural gas), coal-bed methane, abandoned mine methane and underground coal seam gasification subject to:

- development taking place in appropriate locations where the proposals do not have significant adverse impacts on amenity or the environment; and
- there being no significant impact upon sensitive water receptors including groundwater, water bodies and wetland habitats; and
- all other environmental impacts being mitigated to ensure that there is not a significant adverse impact upon the local environment or communities; and
- exploration and appraisal operations are for an agreed, temporary length of time; and
- the drilling site and any associated land being restored to a high quality standard and appropriate after-use which supports the local landscape character.

Prospecting for Underground Limestone

5.0.48 Whilst the East Kent Limestone mine has not been progressed since it was included in the 1993 Kent Minerals Subject Plan as a possible area of mining, it is still considered to be a possible long term source of construction aggregates in Kent. The location of the underground limestone resource is in the vicinity of calcareous grassland which is an important habitat being registered with both the national and Kent BAPs and as a Habitat of Principle Importance under the NERC Act 2006. There are also Natura 2000 sites, SSSIs and Local Wildlife Sites (LWSs) throughout the area. If prospecting is proposed in the plan period, it will have to be undertaken sensitively with sufficient controls to avoid any impacts upon sensitive receptors.

Policy CSM 9

Underground Limestone

Planning permission will be granted at suitable locations for the drilling operations associated with the prospecting for underground limestone resources in East Kent subject to:

- development taking place in appropriate locations where the proposals do not have significant adverse impacts on amenity or the environment; and
- there being no significant impact upon sensitive water receptors including groundwater, water bodies and wetland habitats; and
- all other environmental impacts being mitigated to ensure that there is not a significant adverse impact upon the local environment or communities; and
- exploration and appraisal operations are for an agreed, temporary length of time; and
- the drilling site and any associated land being restored to a high quality standard and appropriate after-use which supports the local landscape character.

Sustainable Transport of Minerals

5.0.49 While there have not been any proposals for new wharves and railheads for consideration in the Mineral Sites Plan, in line with the requirements of sustainable development, it is important to encourage the sustainable transportation of minerals by rail and water wherever possible. This policy encourages an increase in sustainable transport modes for minerals. However there are a number of SPAs within the estuarine habitat around the Kent coast which could be impacted by an increase in sea traffic. The following policy defines the encouragement that is being given to develop new mineral importation facilities or facilities which have fallen out of use.

Policy CSM 10

Sustainable Transport of Minerals

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

- they are well located in relation to the Key Arterial Routes[71] across Kent; and
- operations can be controlled so that there are no significant adverse impacts upon communities or the environment.

Safeguarded Wharves and Railheads

5.0.50 Kent has a range of mineral importation facilities around its coast as well as inland. The importance of safeguarding these facilities to enable the ongoing supply of essential minerals is identified in national planning policy. Development adjacent to or opposite a mineral importation facility could prejudice or constrain current or future operations at the facility. It is important therefore that this policy gives consideration to the steps that need to be taken to ensure that the safeguarded wharves and railheads are not put at risk by neighbouring developments. The locations of the safeguarded wharves and railheads are shown on Key Diagram for Minerals in Appendix H and site plans showing their location are given in Appendix D.

5.0.51 Development Management Policy DM7 identifies situations where the loss of safeguarded wharves and railheads would be acceptable, subject to the provision of additional or alternative capacity at another similar site within Kent. It also identifies exemptions from the safeguarding policy.

71 These are made up of Motorways and Trunk Roads, County Primary Routes and County Principle Routes. County Primary Routes link major urban centres, including the A228/A26 between Medway and Tonbridge, the A229 between Medway and East Sussex, the A299 between Faversham and Thanet, the A28 between Thanet and East Sussex, the A256 between Dover and Thanet, the A26 between Tonbridge and Tunbridge Wells and the A25 between Wrotham and Sevenoaks. County Principal routes are generally A class roads with relatively high traffic flows, including the A225 between Sevenoaks and Dartford and the A251 between Faversham and Ashford. These are shown on Figure 13.

Policy CSM 11

Safeguarded Wharves and Railheads

The following sites are safeguarded for their continued use for the importation of minerals into Kent:

- Allington Rail Sidings.
- Sevington Rail Depot.
- Hothfield Works.
- East Peckham.
- Ridham Dock (both operational sites).
- Johnson's Wharf Greenhithe.
- Robins Wharf, Northfleet (both operational sites).
- Denton Marine Terminal.
- East Quay, Whitstable.
- Red Lion Wharf.
- Ramsgate Harbour.
- Wharf 42, Northfleet (including Northfleet Cement Wharf).
- Dunkirk Jetty (Dover Western Docks).
- Sheerness.
- Botany Marshes (Northfleet Wharf).

Their locations are shown on the Key Proposals Map and their site boundaries are shown in Appendix D.

Planning applications for development adjacent to or opposite the safeguarded importation facilities listed above will need to demonstrate that acceptable levels of noise, dust, light and air emissions derived from the current mineral importation site would be experienced at the development and that vehicle access to and from the wharf or railhead would not be jeopardised by the development.

Applications for development adjacent to or opposite a safeguarded importation facility will also need to demonstrate that acceptable levels of noise, dust, light and air emissions derived from the current importation site would be experienced at the development. Vehicle access to and from the wharf or railhead must not be jeopardised by the development.

Safeguarding Other Mineral Infrastructure

5.0.52 National policy requires other types of mineral infrastructure to be safeguarded. Other types of mineral infrastructure that need to be safeguarded includes concrete, mortar and asphalt plants, which utilise local sources of aggregates to make 'value added' products. Other types of mineral processing infrastructure which should be safeguarded are secondary and aggregate recycling facilities. It is important that the capacity of secondary and aggregate recycling facilities is maintained in order to enable recycling targets to continue to be met throughout the plan.

5.0.53 Due to the plethora of these sites within the county, with considerable numbers being located on industrial estates which are allocated in local plans for general industrial and commercial uses, a generic (non site specific) policy for safeguarding these facilities is necessary.

Policy CSM 12

Safeguarding other Mineral Plant Infrastructure

Existing concrete, asphalt, mortar plants as well as existing secondary and aggregate recycling facilities in Kent are safeguarded for their ongoing use.

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

If a concrete, asphalt, mortar plant or secondary/recycled aggregate facility has a permanent planning permission and is no longer needed for its current use and the site is to be redeveloped for non mineral uses, it will need to be demonstrated that replacement capacity for the same type of operation at a suitable alternative site is available which is similar or better than the facility that it is replacing in terms of accessibility, location in relation to the market, suitability/size of adjacent available land for processing and stockpiling of minerals, and that there are no incompatible developments in close proximity which could jeopardise the operation of the replacement site.

6 Delivery Strategy for Waste

6.0.1 The following policies give the proposed delivery strategy for waste management in Kent up to the end of 2030.

Sustainable Development in Relation to Waste

6.0.2 As stated earlier, the purpose of the planning system is to contribute to the achievement of sustainable development.[72] At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF requires that policies in Local Plans should follow the approach of the presumption in favour of sustainable development.

6.0.3 The MWLP is based on the principle of sustainable development. This is demonstrated in the Vision and the Objectives, and the policies which seek sustainable solutions.

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

6.0.5 In order to ensure the presumption in favour of sustainable development is taken into account in KCC's approach to waste development, the following policy is included in the plan.

72 DCLG (March 2012) National Planning Policy Framework Ministerial Foreword by the Rt Hon Greg Clark MP.

Policy CSW 1

Sustainable Development

When considering waste development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and Planning Policy Statement 10: Planning for Sustainable Waste Management.

Waste development that accords with policies in this Plan and subsequent Plans will be approved without delay, unless material considerations indicate otherwise.

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

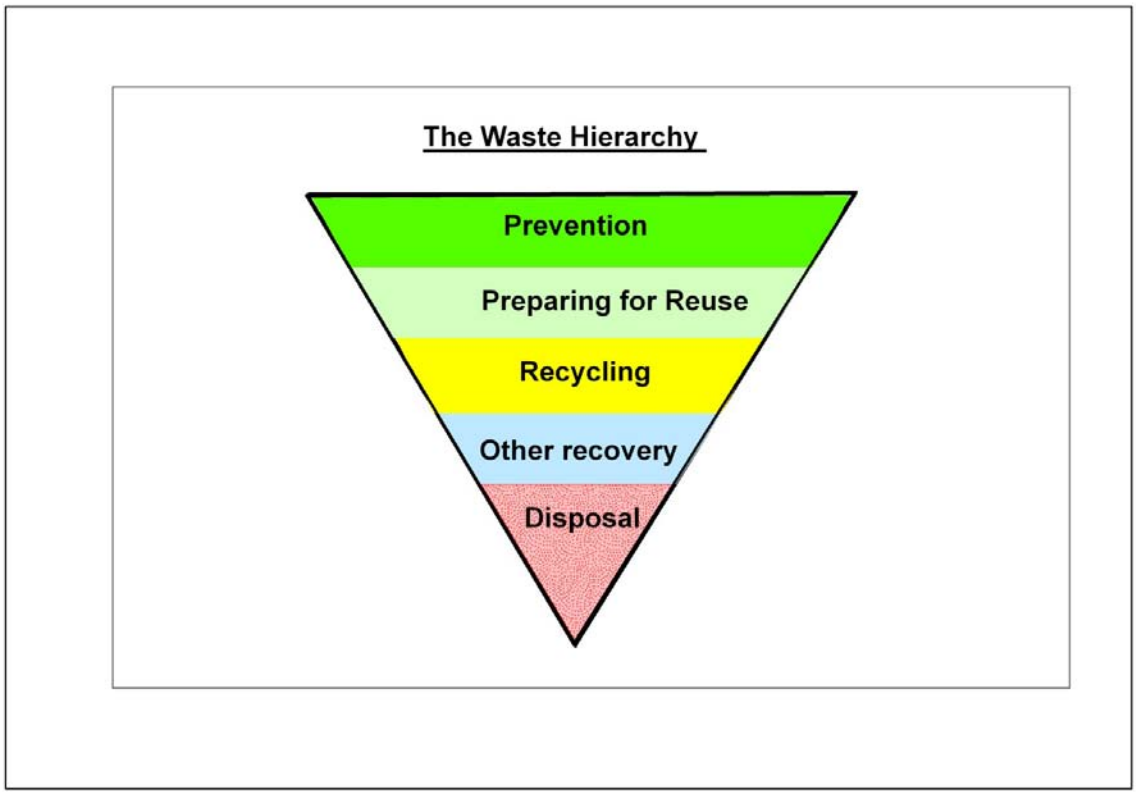
- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

- Specific policies in that Framework[73] indicate that development should be restricted.

Waste Hierarchy

6.0.6 The waste hierarchy diagram below is a copy of the version in Annex C of PPS10.[74] It is Government policy to break the link between economic growth and the environmental impact of waste by moving the management of waste up the hierarchy.

Figure 17 : Waste Hierarchy



6.0.7 The MWLP can mainly implement this policy through influence over waste and minerals developments. However, the MWLP does include a policy seeking to influence waste reduction which is relevant to all forms of development. The MWLP forms part of the development plan along with the Local Plan and is relevant to the determination of planning applications for all forms of development.

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

74 DCLG (revised 2011) Planning Policy Statement 10: Planning for Sustainable Waste Management.

6.0.8 In accordance with the waste hierarchy, the MWLP gives priority to planning for waste management developments that prepare waste for re-use or recycling. However, the assessment of need for waste[(75)] shows that Kent's current recycling and processing facilities have sufficient capacity for the anticipated rate of usage apart from facilities for green and kitchen wastes. These calculations are based upon a rate of use that should only be regarded as a minimum as the aspiration is to encourage more waste to be managed through this method of waste management. This will be achieved by enabling policies for the development of waste management facilities for recycling and processing, through the following measures:

- the allocation of all of the deliverable, sustainable sites for these forms of waste management, which came forward in the "Call for Sites", in the Waste Sites Plan;
- the identification of specific industrial estates in the Waste Sites Plan which would be appropriate for locations for these forms of development; and
- a policy to permit redevelopment or extensions to existing waste facilities to enable more waste to be recycled or processed for re-use if the facility's capacity for the maximum annual tonnage of waste is not increased.

6.0.9 The application of the waste hierarchy is most appropriate to producers of waste when assessing how to manage waste. The MWLP has to plan for all forms of waste management in the waste hierarchy to make this possible. It is anticipated that there will be a transition over time to forms of waste management at the higher end of the waste hierarchy but that there will still be a need for disposal at the end of the plan period for difficult to treat wastes or such wastes as asbestos for which there is no present alternative. The MWLP addresses this transition by seeking to rapidly provide a more sustainable option for the mixed non-hazardous waste that is going to landfill by allocating sites for energy recovery. Due to 'other recovery' being at the lower end of the waste hierarchy, the total amount of new energy recovery capacity to be permitted will be capped. It is envisaged that this method of waste management will become displaced as recycling and waste processing become more economically viable.

Policy CSW 2

Waste Hierarchy

In order to deliver sustainable waste management solutions for Kent, proposals for waste management must demonstrate how waste is being driven to ascend the waste hierarchy.

75 Jacobs (January 2012) Addendum to the Needs Assessment Modelling Technical Report - Needs Assessment 2011 Update.

Policy CSW 3

Waste Reduction

All new development should minimise the production of construction, demolition and excavation waste and manage any waste sustainably. New development should incorporate into its design adequate space for the occupiers of the proposed buildings to store waste separately from recyclable and compostable materials prior to their collection. The following details shall be submitted with the planning application, except for householder applications:

(a) The measures to be taken to show compliance with this policy on waste reduction; and

(b) A site waste plan detailing the nature and quantity of any construction, demolition and excavation waste to be sent off site and the destinations.

Strategy for Waste Management Capacity

6.0.10 Kent currently achieves net self-sufficiency in waste management facilities for all waste streams (i.e. the annual capacity of the waste management facilities excluding transfer in Kent is sufficient to manage the waste arising in Kent). The continued achievement of this principle throughout the plan period is a goal for the MWLP as it shows that Kent is not placing any unnecessary burden on other WPAs to manage its waste. Net self-sufficiency can be monitored on an annual basis and will provide an indicator as to whether the policies in the Plan need to be reviewed.

6.0.11 In reality different types of waste are managed at different types of facilities and in order to assess the future needs for waste facilities in Kent, net self-sufficiency has been studied for the individual waste streams of inert, non-inert (also called non-hazardous) and hazardous wastes. Kent currently achieves net self-sufficiency for each of these wastes separately but will need to develop new facilities for each of these waste streams if it is to remain net self-sufficient throughout the plan period.

6.0.12 The Kent AMR 11/12[(76)]shows that there was considerable movement of waste both into and out of Kent for management. In 2010 just over 1,000,000 tonnes of waste originating in Kent was managed outside Kent and facilities in Kent managed approximately 750,000 tonnes of waste that did not originate in Kent. The purpose in adopting the principle of net self-sufficiency is not to restrict the movement of waste. Restriction on waste catchment area could have an adverse effect upon the viability of the development of new waste facilities which are needed to provide additional capacity for Kent's waste arisings. The issue of the distance which waste

76 Kent County Council (December 2011) Kent Minerals and Waste Local Plan: Kent's 8th Annual Minerals and Waste Monitoring Report - 1st April to 31st March 2012.

has to be transported to new waste facilities can be considered until Policy CSW1 when assessing whether the proposed development would be sustainable development.

6.0.13 Specific provision in the calculations for new capacity required for non hazardous waste going to landfill or EfW has been made for waste from London. The reason for this is two fold as firstly, the evidence base prepared for the partially revoked SEP (the SEP and its evidence base are still relevant to the MWLP and form part of its evidence base) shows a continuing need for the disposal of residual non hazardous waste arising from London in the South East. The SEP quantified the amount of this waste and apportioned the provision of capacity provided by each of the WPAs. In the absence of any more recent quantification of the amount residual non hazardous waste arising in London that might come into Kent for management, the MWLP uses an allowance for provision of capacity to manage some of London's non hazardous waste based on the partially revoked SEP apportionment. Secondly, as the major non-hazardous landfill site in east London,[77] which includes in its catchment area waste arising from the parts of London closest to Kent, is set to close in 2018 and this could cause a potential influx of additional waste into Kent. If this latter reason is not taken account, then the increase in management of non hazardous waste originating in London within waste facilities in Kent could have an adverse effect on the capacity of Kent's waste management facilities to manage waste originating in Kent.

6.0.14 The approach taken to non-hazardous waste originating in London differs from the approach taken to the apportionment between the South East WPAs in the partially revoked SEP:

- The provision within the MWLP could be in either non hazardous landfill or EfW facilities on the basis that the need to elevate the management of Kent's waste within the waste hierarchy should also apply to London waste where as the partially revoked SEP apportionment was specifically to landfill;

- Provision for capacity for non hazardous London waste in Kent is set at a lower annual amount than the apportionment in the partially revoked SEP for the period up to 2015 (158,000 tonnes per year) using instead an annual allowance that reflects the highest amount of London non hazardous waste which was actually landfilled in Kent in recent years (21,259 tonnes); and

- For the period of 2016 to 2025, the partially revoked SEP apportionment to Kent was for 87,000 tonnes per annum (tpa). The MWLP uses this as an allowance in calculations for new capacity with two differences from the partially revoked SEP approach: the lower annual allowance, as stated in the bullet point above,is continued into 2017 (as the east London non hazardous landfill is expected to close in 2018) and the annual provision for some of London's residual non-hazardous waste is continued after 2025 until and after the end of the plan period (2030).

77 The Veolia Rainham landfill in the Borough of Havering site

6.0.15 For the plan period an assessment has been made of the new types of facilities which will be required using broad categories of waste facilities such as landfill, recycling and composting, and other recovery which roughly correspond to stages in the waste hierarchy. In this assessment the need for different categories of facilities has been based upon the targets for recycling and recovery (and by deduction for landfill) as set out in the Kent JMWMS,[78] and its Refreshed Objectives and Policies[79]the revised WFD,[80] and the partially revoked RSS.[81]

Policy CSW 4

Strategy for Waste Management Capacity

The strategy for waste management capacity in Kent is to provide sufficient waste management capacity to manage at least the equivalent of the waste arising in Kent plus some residual non hazardous waste from London. As a minimum it is to achieve the targets for recycling and composting, reuse and landfill diversion identified in the Kent Joint Municipal Waste Management Strategy and the partially revoked Regional Spatial Strategy.

Strategic Waste Sites

6.0.16 In order to meet the MWLP objective of reducing the amount of waste being landfilled, the MWLP is using policies to drive a major change in the way that waste is managed in Kent. To do this will require increasing numbers of facilities for recycling, composting and AD as well as additional facilities for EfW. Enabling the change in perception of waste being 'something that has to be disposed of' to 'waste as a resource' will need sufficient local capacity for the treatment or disposal of the residues arising from the existing and future EfW plants.

6.0.17 Kent has the benefit of a major EfW plant at Allington, which features heavily in the Waste Management Unit (WMU) contracts for residual MSW. Whilst this plant currently has spare capacity, additional EfW facilities will be required during the plan period to deal primarily with the volumes of C&I waste arising in Kent which are currently sent to landfill.

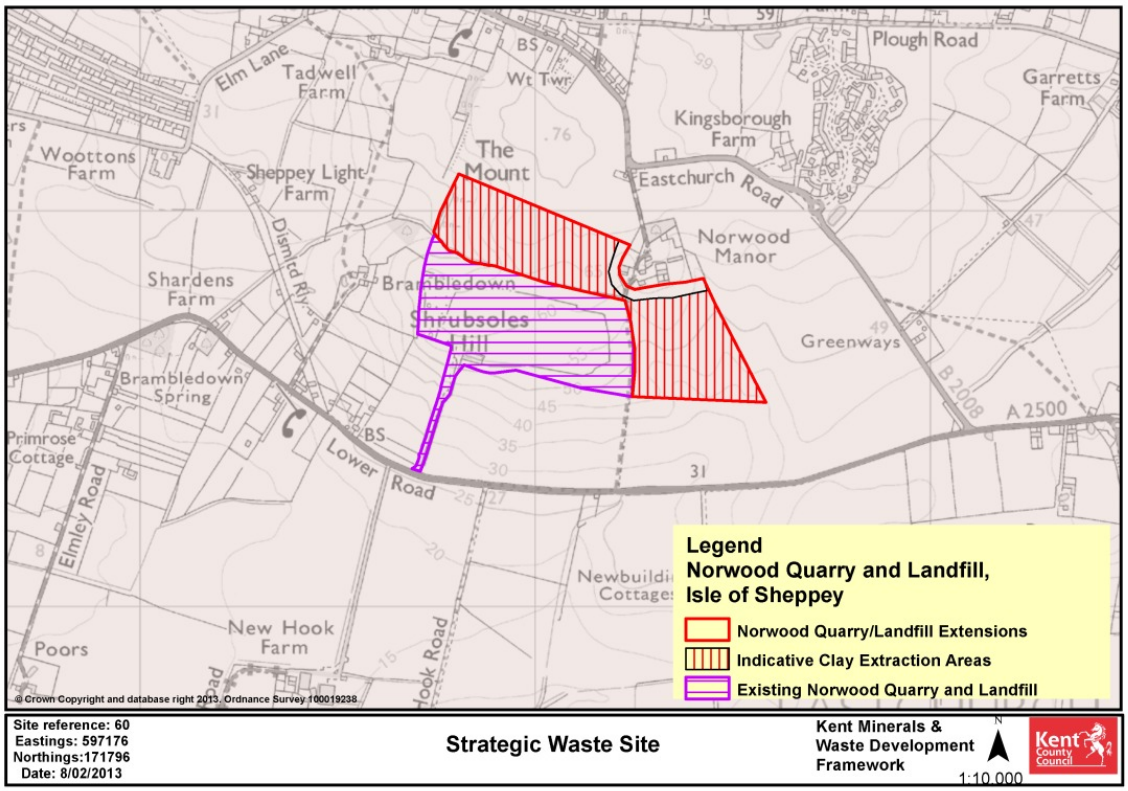
6.0.18 The landfill at Norwood Quarry on the Isle of Sheppey accommodates the hazardous flue ash residues from Allington, but it has limited consented void space remaining. In order to make provision for this waste for the duration of the plan and for other possible new waste streams from new EfW plants which become operational during the plan period, it is essential that Kent has the capacity to deal with these

78 Kent Waste Partnership (April 2007) Kent Joint Municipal Waste Management Strategy.
79 Kent Waste Partnership (February 2013) KJMWMS Refreshed Objectives and Policies.
80 EU Directive 2008/98/EC
81 Regional Spatial Strategt for the South East: South East Plan (May 2009)

residues. Enabling the continued management of hazardous flue ash within Kent has the added benefit of contributing to achieving the continued net self-sufficiency in hazardous waste facilities.[82]

6.0.19 Therefore, a matter fundamental to the central achievement of the plan is the identification of a suitable location for the treatment or disposal of the hazardous waste residues within Kent. No site for the treatment of this waste was submitted to the County Council in response to the "Call for Sites" in 2010 and only one site was put forward for its disposal. The submission was for an extension to the existing facility at Norwood Quarry. Norwood Quarry benefits from suitable geology for engineering a hazardous landfill and is also the only site put forward in the "Call for Sites" in 2010 to enable a continuation of the need for a supply of engineering clay in Kent for which there will be a need to restore the land with waste.

Figure 18 : Norwood Quarry and Landfill



6.0.20 There are no realistic alternatives to the disposal of flue ash in landfill for the foreseeable future. Whilst there is a risk that identifying the extension area at Norwood Quarry as a Strategic Site could hinder the development of alternative treatment solutions for the flue ash, there is a need to make provision for this waste stream. Due to current effects of the landfill tax on the cost of disposal (hazardous landfill accrues same tax as non-inert landfill) it is likely that treatment of the hazardous flue dust residue will eventually become economically viable.

82 Kent County Council (May 2011) TRW5: Hazardous Waste Management.

6.0.21 The proposed extension to Norwood Landfill are identified as the Strategic Site for Waste. The location of these extension areas is shown on Figure 18.

Policy CSW 5

Strategic Site for Waste

The proposed extension areas for Norwood Quarry and Landfill Site, Isle of Sheppey are together identified as the Strategic Site for Waste in Kent. This site location is shown on Figure 18. Planning permission will not be granted for any other development other than mineral working with restoration through the landfilling of hazardous flue dust from energy from waste plants in Kent unless it can be demonstrated that the equivalent capacity for treatment or disposal can be provided elsewhere in Kent.

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

- An assessment has been made that alternative treatment technologies for hazardous flue dust from energy from waste plants are not economically viable;
- An air quality assessment is made of the impact of the proposed development and its associated traffic movements[83] on the Medway Estuary and Marshes SPA and the Swale SPA sites and if necessary mitigation measures are required through planning condition and/or planning obligation.
- The site and any associated land being restored to a high quality standard and appropriate after-use which supports the local landscape character.

Location of Non Strategic Sites

6.0.22 The preference identified in response to earlier consultations during the formation of the MWLP was for a mix of new small and large sites for waste management. This mix gives flexibility and assists in balancing the benefits of proximity to waste arisings whilst being able to enable operators of large sites to exploit economies of scale.

6.0.23 A further preference identified in the consultation on the MWLP was for the location of waste uses onto appropriate industrial estates as this also has benefits of utilising previously developed land and enabling waste uses to be located proximate to waste arisings as there is a plethora of vacant employment land throughout Kent.

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

The availability of undeveloped employment land is monitored annually by both the County Council and the District Councils.[84] Whilst vacancy rates of premises in industrial estates generally precludes identification of any particular unit unless it is being promoted by an operator/landowner, whole industrial estates may be identified as suitable locations. However, industrial estate locations may not be suitable for some types of waste uses, due to high land and rent costs, or because of their limited size or close proximity to sensitive receptors. Appropriate industrial estates will be identified in the Waste Sites Plan and the availability of undeveloped land within them will be monitored annually. Specific identification of sites for energy from waste plants will be made regardless of whether the sites are within an appropriate industrial estate due to the size of site that is needed. The protection afforded through policy will prevent these sites from both being developed for industrial use or being partially developed by industrial use thus reducing the availability of a large site.

6.0.24 There will still be a need for other locations for certain types of waste or waste facility, such as specialised hazardous waste management as well as CDE recycling facilities which are often co-located on mineral sites for aggregates or landfills, which by their very nature are usually in rural areas. Furthermore, where either the waste in the rural area or after processing the product can be of benefit to agricultural land (as is the case with compost), the most proximate location will be within the rural area.

6.0.25 The development of waste facilities on previously developed land will be given priority over development of greenfield sites. In particular the redevelopment of, derelict or contaminated land often needs treatment of the waste soil to facilitate the redevelopment. Also redundant agricultural or forestry buildings may be suitable for waste uses within the rural areas of the county.

6.0.26 The development of greenfield sites cannot be totally ruled out as the goal of sustainable development will lead to new development which incorporates waste facilities to recycle or process the waste to be produced by the users of the site or to generate energy for use at the site.

6.0.27 Existing mineral and waste management sites may offer good locations for siting some temporary waste management uses due to their infrastructure and location. In such cases the developer will need to demonstrate the connectivity with the existing use of the site such as the co-location of CDE recycling (i.e. aggregate recycling) at an aggregate quarry which can enable blending of recycled and virgin aggregates to increase the marketability of the recycled product.

6.0.28 The following location policy will apply to both the sites which are to be identified in the Waste Sites Plan and when determining planning application for waste facilities at sites that have not been identified.

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

Policy CSW 6

Location of Non Strategic Waste Sites

Permission will be granted at sites for non strategic waste facilities in the following locations, providing that there is no significant adverse impact on sensitive receptors (the locational types (a) to (g) below are not listed in any particular order of priority):

(a) Land within or adjacent to an existing mineral development or waste management use.

(b) Land forming part of a new major development for employment, leisure, commerce and/or residential uses proposal providing waste management operations are to be enclosed within a building.

(c) Land within industrial estates providing waste management operations are to be enclosed within a building unless it can be demonstrated that there would be no significant adverse effects from noise, dust or odour.

(d) Other previously developed land.

(e) Contaminated or derelict land.

(f) Redundant agricultural and forestry buildings and their curtilages.

(g) Sites identified in the Waste Sites Plan

Waste development on a greenfield site other than in the circumstances of (b) above will only be permitted if:

(i) it can be demonstrated that there are no suitable locations identifiable from categories (a) to (g) above within the catchment area of waste arisings which are to be managed at the proposed facility, or

(ii) if the nature of the waste management requires an isolated location.

Approach to Identifying Sites for Municipal Solid Waste

6.0.29 The county has an existing well established network of facilities for MSW. It is anticipated that over the life of the plan that the majority of new development of facilities to manage MSW will occur in order to increase the rate of recycling and to ensure that residual waste can be bulk transported to the Allington EfW plant. In the short to medium term there a new HWRC will be needed to serve the borough of Tonbridge and Malling, as this is the only borough in Kent which does not have one; A site for this development will be identified in the Waste Sites Plan.

6.0.30 In the medium and long terms provision will be needed to replace a number of existing facilities which have limited scope to be improved. These sites are: Shornecliff HWRC in Folkestone; Dartford Heath HWRC in Dartford; Church Marshes HWRC and waste transfer station; and Dunbrik HWRC and waste transfer station in Sevenoaks. There is also a need for an additional HWRC to serve Maidstone and a new waste transfer station to serve the district of Canterbury. As no site specific proposals came forward as part of the "Call for Sites" to make provision for these development needs, the locations of any new development will need to comply with Policy CSW6: Location of Non Strategic Waste Sites.

Policy CSW 7

Municipal Solid Waste

A site will be identified in the Waste Sites Plan for a Household Waste Recycling Centre to serve the Borough of Tonbridge and Malling.

Approach to Non Hazardous waste

6.0.31 The following policy provides a strategy for the provision of new waste management capacity for non hazardous waste which will achieve the targets in the partially revoked RSS for recycling and composting and increase the provision of new waste management capacity for recovery above the target in the partially revoked RSS. The term non hazardous waste is regarded for purposes of the MWLP as being synonymous with MSW[(85)] and C&I[(86)] waste. Whilst there is a small fraction of CDE[(87)]waste which is non hazardous, this can be managed at non hazardous waste facilities. Similarly whilst a small proportion of MSW and C&I waste is inert, this can be managed at facilities for inert waste and those facilities should be assessed against the policies for inert waste.

6.0.32 The assessment of need for waste facilities[(88)] shows that there is no lack of capacity for recycling or processing non hazardous waste for reuse during the whole of the plan period. This needs assessment also shows a capacity gap emerging in 2024 for treating green and kitchen wastes and this policy seeks to address that gap in provision. The additional capacity required for composting is a minimum but that for EfW capacity is a maximum; this reflects the relative positions of these methods of waste management in the waste hierarchy. There is no intention to restrict the amount of new capacity for waste management for recycling or processing of waste. Furthermore, there is also no intention to restrict provision of the additional

85 MSW is short for 'municipal solid waste'.
86 C&I is short for 'commercial and industrial waste'.
87 CDE is short for Construction, Demolition and Excavation.
88 Jacobs (January 2012) Addendum to the Needs Assessment Modelling Technical Report - Needs Assessment 2011 Update.

capacity of green and/or kitchen waste treatment facilities to the later part of the plan period as the sooner it is delivered, the greater the impact will be on reducing waste going to landfill.

6.0.33 Implementing this policy will result in reducing the amount of Kent non hazardous waste going for disposal to landfill to less than 76,000tpa by the end of the plan period. It will also assist in retaining existing non-hazardous landfill capacity in Kent at the end of the plan period for any non-hazardous waste that cannot be reused, recycled, composted or recovered. The reliance being placed upon a major increase in additional future capacity through the recovery of waste is regarded as being deliverable due to the responses received to the "Call for Sites" for the Waste Sites Plan, which include sufficient EfW proposals to meet the required additional capacity.

Policy CSW 8

Approach to Waste Management for Non Hazardous Waste

In seeking to be as self sufficient as possible in managing non hazardous waste arisings in Kent, and for providing for limited amounts of non hazardous waste from London, sufficient sites for waste management facilities will be identified in the Waste Sites Plan to meet identified needs as a minimum, including the following capacity.

Non Hazardous

Year	Maximum Additional Recovery Capacity Required [1](tonnes per annum)	Indication of Number of New Facilities for Recovery Needed	Minimum Additional Treatment Capacity for Green and Kitchen Wastes (tonnes per annum)	Indication of Number of New Facilities Needed for Treating Green and Kitchen Waste[2]
2011	0	0	0	0
2016	375,000	1-2	20,000	1
2021	125,000	1	0	0
2026	62,500	1	20,000	1
2031	0	0	24,000	1

Year	Maximum Additional Recovery Capacity Required [1](tonnes per annum)	Indication of Number of New Facilities for Recovery Needed	Minimum Additional Treatment Capacity for Green and Kitchen Wastes (tonnes per annum)	Indication of Number of New Facilities Needed for Treating Green and Kitchen Waste[2]
Total	562,500	3-4	64,000	3

1. Calculation of capacity at any proposed sites may include recycling and composting in an integrated waste management facility providing the total capacity calculated results in no significant amount of residue having to go to non hazardous landfill.A These figures are based on the high growth forecasts.
2. Additional capacity required to achieve composting rates of 65% C&I waste and 60% MSW by 2025.

Waste management capacity for non hazardous waste will be provided through sites for managing waste, including EfW, recycling, in-vessel (enclosed) composting facilities and Anaerobic Digestion (AD).

Sites for AD, composting, EfW, mechanical-biological treatment (MBT) and other energy & value recovery technologies that assist Kent in meeting the capacity gap identified in this policy will be permitted provided that:

(i) pre-sorting of the waste is carried out;

(ii) recovery of by-products and residues is maximised;

(iii) energy recovery is maximised (utilising both heat and power);

(iv) any residues produced can be managed or disposed of sustainably.

(v) the proposal does not result in unacceptable harm to any sensitive receptors;

(vi) sites for the management of green waste and/or kitchen waste in excess of 100 tonnes per week are Animal By Product Regulation compliant (such as in-vessel composting or AD);

(vii) sites for for small scale open composting of green waste which are facilities of less than 100 tonnes per week which are located within a farm unit and the compost is used within that unit.

Approach to Energy from Waste Facilities for Non Hazardous Waste

6.0.34 One of the fundamental aims of the Core Strategy is to reduce the amount of MSW and C&I waste being sent to non hazardous landfill. There will need to be a substantial increase in the number of EfW plants during the plan period if a rapid shift away from landfill is to occur. To give sufficient flexibility for waste management in Kent up to 2030, the 'High Growth' forecasts have been used to estimate the amount of additional EfW capacity which is required. The total amount is shown as 562,000tpa as 'additional recovery capacity required' in the table in Policy CSW8 above. New EfW plants will need to be designed and constructed to operate as 'recovery' processes utilising (or capable of utilising) both heat and power.

6.0.35 EfW plants might be developed in conjunction with waste processing facilities on site or as stand alone plants where the waste is processed to produce a fuel off-site. As the purpose of the recovery capacity in Policy CSW9 is divert waste from non hazardous landfill, the calculation of the maximum additional recovery capacity should only take into account the annual capacity of the energy plant to consume waste and not the total amount of waste entering the site.

6.0.36 Within the plan period it is anticipated that stand alone power plants will be developed which can use fuel that has been manufactured from waste but which no longer is classified as waste.[89] These developments would not be waste developments and any applications would not be determined by the County Council. Whilst these facilities would still have implications for diverting waste away non hazardous landfill, their annual capacity should not be included in the calculation of the maximum additional recovery capacity for Policy CSW8 as they will not be EfW plants.

6.0.37 In order to compensate communities which will be affected by large waste developments, this policy introduces a requirement for developers to enter into an agreement to contribute to a community fund or make other contributions in kind. The concept of making contributions towards communities affected by major projects is well recognised in the planning system - for example, the Nuclear Legacy Advisory Forum (NuLeAF) has taken a number of initiatives to promote the provision of community funds in association with the siting of radioactive waste management facilities.[90] Similarly the basis of the New Homes Bonus is that money will be paid to local authorities that are receptive to housing developments in their areas; the money can be used by local councils and their communities according to local wishes, for example, improving play areas, making transport improvements, regenerating

89 WRAP in conjunction with the Environment Agency are involved in developing protocols for products manufactured from waste and if one is developed for fuel, any waste processed into fuel in accordance with the protocol would no longer be waste.

90 Nuclear Legacy Advisory Forum (NuLeAF) (June 2009) Briefing Paper 16: The use of Planning Obligations to Establish Community Funds in Association with the siting of Facilities for Managing Radioactive Wastes.

town centres - even providing Council Tax rebates.[91] It is recognised that it may be possible for contributions made to district authorities by way of the Community Infrastructure Levy (CIL) to satisfy the requirement of this policy.[92]

Policy CSW 9

Energy From Waste Facilities

Sites for additional EfW facilities will be identified in the Waste Sites Plan to treat a capacity of 562,500 tonnes per year. Permission will be granted for a maximum of 437,500 tonnes in total at new EfW facilities until such time that the results of annual monitor indicate that this restriction would result in the loss of all non hazardous landfill capacity in the county before the end of the plan period.

EfW facilities will be permitted if they are recovery facilities that are designed to meet or exceed the energy efficiency ratio of 0.65 (as defined by Annex II of the Revised Waste Framework Directive)[93] and are designed for both the production of heat and power.

When an application for an EfW facility has no proposals for use of the heat when electricity production is commenced, the development will be permitted if it is located in an area that has potential users for the heat and the applicant and landowner enter into a planning agreement to market the heat and to make an annual public report on the progress being made toward finding users for the heat.

Approach to Non-Hazardous Landfill in Kent

6.0.38 The lack of response to the "'Call for Sites" for non hazardous landfill is indicative of a lack of demand by the waste industry to develop non hazardous landfill. Nevertheless a proposed development might come forward during the plan period and if so it will be granted permission providing it complies with both Policy CSW10 and the development management policies in this plan.

6.0.39 Following the completion of a non hazardous landfill site and some hazardous landfill sites which accept biodegradable waste there will be a considerable period of aftercare during which the sites need to be managed in order to prevent harm to the environment. This management can require new development in order to either prepare the site for re-use or to manage the landfill gas or leachate production.

91 See: http:/www.communities.gov.uk/housing/housingsupply/newhomesbonus
92 DCLG (2010) The Community Infrastructure Levy. Summary
93 Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.

Policy CSW 10

Non Hazardous Waste Landfill

The strategy for non-hazardous waste landfill is only to grant planning permission for new sites or extensions to existing sites if:

(a) it can be demonstrated that the waste stream that needs to be landfilled cannot be managed through alternative technologies which are higher in the waste hierarchy or disposed of at existing sites;

(b) environmental benefits are to be secured by the development; and

(c) the proposal does not cause significant adverse impacts upon any sensitive receptors.

6.0.40 Approach to Development at Closed Landfill Sites

6.0.41 Following the completion of a landfill there needs to a considerable period of aftercare during which the site need to be managed in order to prevent harm to the environment and to bring the site into use. A five year aftercare programme following site restoration is normally required as part of the planning permission for the development of landfill site. However potential problems can occur after the five year aftercare period such as differential settlement which can have an adverse effect upon land drainage. More particularly any landfill sites which contain biodegradable wastes need to be managed in order to prevent harm to the environment from leachate or gas for a period considerably longer than fives years. Whilst the management of closed landfill sites is regulated by the Environment Agency (EA), the continued management can lead to the need for new development at the site to ensure that the protection of the environment is continued. Policy CSW11 should be read in conjunction with Policy CSW12 and any development at a closed landfill which includes bring more waste onto it, will need to demonstrate that the amount of waste being used is kept to a minimum.

Policy CSW 11

Closed Landfill Sites

Permission will be granted for development that reduces any adverse impacts on the environment of closed landfill sites for any of the following purposes:

- development for the improvement of restoration for an identified after use for the site; or
- development for the reduction of emissions of gases or leachate to the environment; or
- development making use of gases being emitted and which will reduce the emission of gases to the environment;

And the development avoids causing any significant adverse impact upon unacceptable harm to the environment or communities.

Approach to Inert Waste Management in Kent

6.0.42 The assessment of need for waste facilities[(94)] shows that there is no lack in the annual capacity of existing Construction and Demolition (CD) Recycling sites to meet the targets for recycling in the partially revoked RSS. There is currently permitted capacity at permanent CD Recycling sites of over 2mtpa which already exceeds the partially revoked RSS recycling target for the later part of the plan period of 1.56mtpa. However the target is only a minimum requirement as it is more sustainable to use recycled aggregates than to extract primary aggregates. The term 'CD Recycling' is synonymous with the term 'Aggregate Recycling' and the criteria for assessing further site proposals for CD recycling can be read in Policy CSM6 in Section 5.

6.0.43 The need assessment shows that Kent has a surfeit of existing permitted inert landfill capacity which is more than sufficient to meet Kent's need for the plan period. It is known that Kent receives a lot of waste originating out of the county, particularly from London, which goes into inert landfill in Kent. The need assessment tested the effects of this import continuing throughout the plan period at a rate of 300,000tpa, this would still result in a surplus of inert capacity of over 10 million tonnes at the end of the plan period.

6.0.44 Another important issues is that without the import of inert waste the ability to restore existing permitted mineral workings would take a lot longer. Policy CSW12 seeks to ensure that a high priority is given to using inert waste, that cannot be

94 Jacobs (January 2012)Addendum to the Needs Assessment Modelling Technical Report - Needs Assessment 2011 Update, Jacobs.

recycled, in the restoration of existing permitted mineral workings in preference to of uses where inert waste is deposited on land (e.g. bund formation or raising land to improve drainage etc).

Policy CSW 12

Disposal of Inert Waste

Planning permission for the disposal of inert waste will be granted where:

(a) it can be demonstrated that the waste cannot be managed in a more sustainable way;

(b) it is for the restoration of a mineral working;

(c) environmental benefits will result from the development;

(d) that sufficient material is available to restore the site within agreed timescales; and

(e) the proposal avoids causing unacceptable harm to the environment or communities.

Approach to Identifying Sites for Hazardous Waste

6.0.45 Hazardous waste arising in Kent is one of the smaller streams of waste and in 2008 it only accounted for 3.1% the total waste arising in Kent. The management of hazardous waste is typically characterised by the following:

- hazardous waste is often produced in small quantities;
- hazardous waste management facilities are often highly specialised with regional or even national catchment areas; and
- considerable movement of hazardous waste occurs with waste originating in Kent for management going outside the county for management and hazardous waste coming into the county for management.

6.0.46 When hazardous waste management in Kent is viewed as a whole, net self-sufficiency in hazardous waste management is achieved. The Hazardous Waste Topic Paper[95] has identified that Kent could cease to be net self-sufficient in hazardous waste capacity if a very few changes in the management of some of the larger arisings of hazardous waste were to occur. Some of the issues identified, were:

95 Kent County Council (May 2011) TRW5: Hazardous Waste Management.

- there is likely to be a significant increase in hazardous residues from the air pollution control at EfW plants; and
- if the existing asbestos landfill closes then Kent will cease to import a significant amount of hazardous waste into the county.

6.0.47 The former issue is dealt with through the identification of a strategic site in Policy CSW5. The future loss of asbestos landfill capacity will be addressed through identification of a site for in the Waste Sites Plan.

Policy CSW 13

Hazardous Waste Management

In order to be self sufficient in the management of hazardous waste, developments for hazardous waste management facilities will be permitted in the appropriate locations for non strategic waste sites regardless of whether their catchment areas for waste extend outside Kent and a site will be identified in the Waste Sites Plan for the landfilling of asbestos waste to enable the continuation of asbestos disposal within the county for the plan period.

Approach to the Remediation of Brownfield Land

6.0.48 Recent changes in the environment permitting regime has enabled soil decontamination and the subsequent reuse in the redevelopment of the decontaminated soil within the site. Policy CSW14 seeks to ensure that contaminated land is treated in situ or in combination with other contaminated land when those sites are to be redeveloped.

Policy CSW 14

Remediation of Brownfield Land

Permission will be granted for a temporary period for waste developments on brownfield land which facilitate its redevelopment by reducing or removing contamination from previous development if:

- the site is identified in a Local Plan for redevelopment or has planning permission for redevelopment; or
- the site is part of a network of brownfield sites which are identified in a Local Plan or Local Plans for redevelopment or which have planning permission for redevelopment and is to receive waste for treatment from those sites as well as treating the land within the site, and
- the development avoids causing any significant adverse impact to the environment or communities.

Disposal of Dredgings

6.0.49 Retaining the navigable channels within the estuaries within Kent is the statutory duty of the Port of London Authority (PLA) and the Medway Ports Authority. When the dredged materials do not consist of aggregates or cannot be accommodated within projects to enhance the biodiversity of the estuaries, then landfill is the only option currently available and a landfill site with river access is needed. A site for the disposal of dredgings will be safeguarded through identification in the Waste Sites Plan.

Policy CSW 15

Disposal of Dredgings

A site for the disposal of dredgings will be identified in the Waste Sites Plan and the site will safeguarded from other development. Planning permission will be granted for new sites for the disposal of dredging materials where it can be demonstrated that:

(a) the re-use of the material to be disposed of is not practicable;

(b) there are no opportunities to use the material to enhance the biodiversity of the Kent estuaries; and

(c) the proposal avoids causing any significant adverse impact upon to the environment or communities.

Waste Water Management

6.0.50 Water treatment undertakers have a range of rights to carry out development without the need to obtain planning permission under the Town and Country (General Permitted Development) Order 1995 (GPDO). However, new proposals for waste water treatment works, sludge treatment and disposal facilities as well as extensions and some modifications to existing facilities will invariably require planning permission. In view of the need to locate new waste water treatment works where they can service other developments and to connect to the existing waste water network, the locational criteria for non strategic waste sites in Policy CSW6 will not always be appropriate.

Policy CSW 16

Waste Water Development

Waste water treatment works and sewage sludge treatment and disposal facilities will be granted planning permission, subject to:

(a) there being a proven need for the proposed facility; and

(b) the proposal avoids causing any significant adverse impact upon to the environment or communities.

Safeguarding of Existing Waste Facilities

6.0.51 The current stock of waste management facilities are important to achieving net self-sufficiency and the loss of annual capacity at an existing permitted site could have an adverse effect upon delivering the waste strategy. The protection of the existing stock of waste permissions is as important to achieving the aims of the MWLP as identifying new sites. Existing permitted sites for waste facilities can be protected through refusing permission for the redevelopment of these sites to non waste management uses unless alternative waste management capacity is provided elsewhere. No such protection is offered to wastes sites which are operating under a Certificate of Lawful Use as these sites fall outside the normal planning application system. Neither is any protection afforded at sites which have a temporary planning permission[(96)] since by definition the waste use of the site will eventually expire. A current list of waste sites is published each year in th MWLP Annual Monitoring Report and this list will be amended each year.

6.0.52 The safeguarding of waste sites from redevelopment does not prevent further development associated with the waste use of the site. Improvements at a waste site or onto adjoining land which would either increase the amount of waste managed of waste at a higher level within the waste hierarchy or which would decrease any impacts on the surrounding environment or community would often

96 Planning permissions which have a condition specifying a date by which the use of land should cease.

constitute development. In such cases, in order to ensure that the County Council can consider the implications of any increase in the annual capacity of the waste site, Policy CSW17 will only apply to the development of a waste site or adjoining land where the development does not increase the annual capacity of the facility.

Policy CSW 17

Safeguarding Permitted Waste Sites

Planning permission will not be granted for development of sites which have permanent planning permission for waste management or which are identified in the Waste Sites Plan unless this does not reduce the existing waste management capacity of the site or an equivalent annual capacity can be provided at an alternative site within Kent.

Developments to Manage Radioactive Waste

6.0.53 The subject of radioactive waste is complex as it covers waste arisings from nuclear power stations as well as small quantities of radioactive waste that arise from hospitals and other medical activities and research establishments. Details of national policy on this subject, as well as the details of Kent arisings and current management routes for radioactive waste are given in the evidence base topic paper on nuclear wastes[97] The following paragraphs define the various types of radioactive waste.

6.0.54 **High Level Wastes (HLW)** are defined as wastes "in which the temperature may rise significantly as a result of their radioactivity, so that this factor has to be taken into account in designing storage or disposal facilities."[98]

6.0.55 **Intermediate Level Wastes (ILW)** are wastes "with radioactivity levels exceeding the upper boundaries for low level wastes, but which do not require heating to be taken into account in the design of storage or disposal facilities."[99] ILW is retrieved and processed to make it passively safe and then stored pending the availability of the Geological Disposal Facility (GDF).

6.0.56 **Low Level Wastes (LLW)** are radioactive wastes, other than those suitable for disposal with ordinary refuse, but not exceeding 4 gigabecquerels per tonne of alpha activity, or 12 gigabecquerels per tonne of beta or gamma activity".[100] LLW does not normally require shielding during handling or transport. LLW consists largely of paper, plastics and scrap metal items that have been used in hospitals, research

97 Kent County Council (May 2011) TRW6: Nuclear Wastes.

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

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

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

establishments and the nuclear industry. Across the UK, large volumes of soil, concrete and steel will need to be managed as nuclear power plants are decommissioned. LLW makes up more than 90% by volume of UK radioactive wastes (but contains less than 0.1% of the radioactivity).[101] Historically most of LLW from the nuclear industry was transferred to the Low Level Waste Repository (LLWR) in Cumbria. In recent years it has been recognised that the capacity of the LLWR is limited and that most types of LLW do not require the level of protection offered by such a highly-engineered facility. Not all LLW needs to be transferred to the LLWR for subsequent disposal there. Some types of solid LLW arisings from nuclear power stations can be disposed at suitably licensed landfill sites,[102] or can be incinerated.[103] The waste hierarchy has to be considered in order to deal with LLW in the most effective way, thus minimising the use of the capacity at the LLWR in order to extend its life. Some LLW arisings are incinerated and some metals are recycled, thus there are a number of routes that these waste streams take.

6.0.57 **Very Low Level Waste (VLLW)** is a sub-category of LLW which contains limited amounts of solid radioactive waste which can be disposed of conveniently and without causing environmental harm provided that it is mixed with large quantities of non-radioactive wastes which are themselves being disposed.[104]

6.0.58 The EA also define 'Excluded' or 'Out of Scope' waste being that waste which has some radioactivity but which is at a level below regulatory concern.

6.0.59 The term **Higher Activity Waste (HAW)** embraces ILW and any LLW that requires disposal to a GDF. This waste stream has no disposal routes at the time of writing the plan. **Legacy waste** refers to all of the radioactive waste streams that arise from the nuclear power stations across the UK.

Nuclear Waste Storage and Treatment at Dungeness

6.0.60 Kent has two nuclear power stations (Dungeness A and B) located on Dungeness (Figure 15 shows their location). Dungeness A station (a twin reactor Magnox power station) operated from 1965 to the end of 2006 and is undergoing decommissioning which will continue until around 2097. During decommissioning the fuel, plant and buildings associated with electricity generation is systematically removed. Dungeness B (an Advanced Gas Cooled twin reactor, operated by Edf

101 DECC, the Welsh Government, DOE and the Scottish Government (12 March 2012). Strategy for the management of solid low level radioactive waste from the non nuclear industry in the United Kingdom. Part 1 -Anthropogenic radionuclide.

102 There are no radioactive waste landfills in Kent at the time of plan preparation.

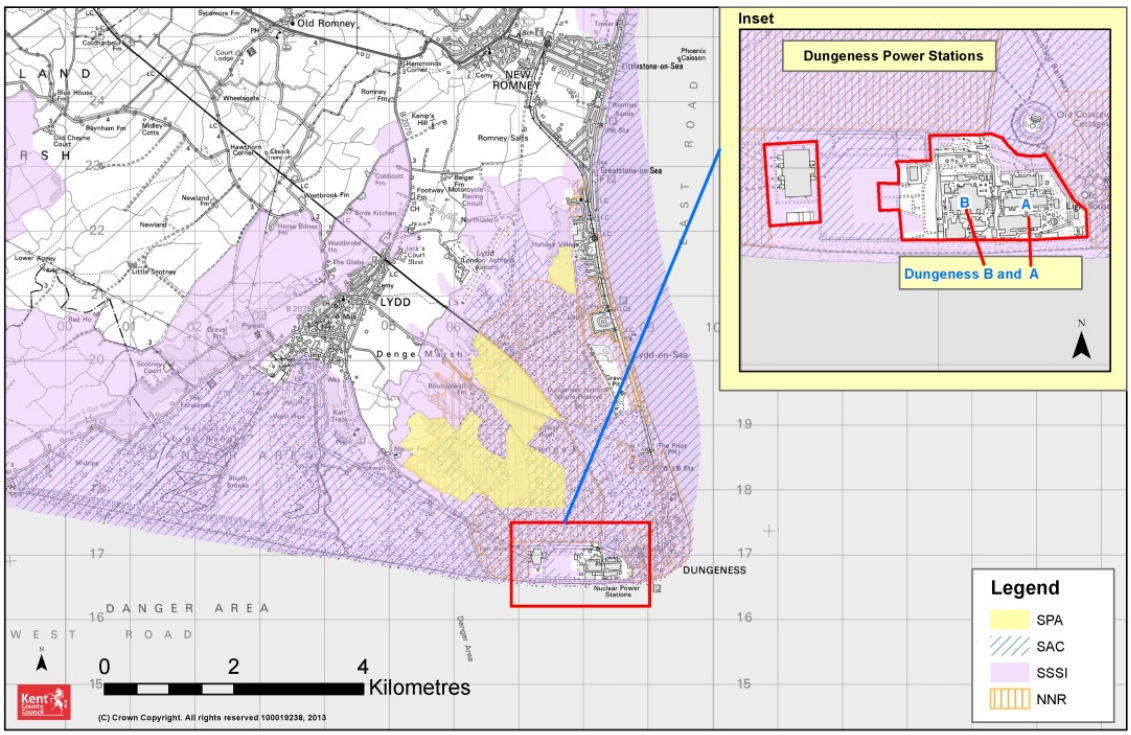
103 Source: Note from the Environment Agency (October 2012) attached to Kent County Council (January 2013) Update Note to Dungeness Site Stakeholder Group on the Kent Minerals and Waste Plan

104 NIEA, SEPA and EA. (September 2011) The Radioactive Substances Act 1993. The Environmental Permitting (England and Wales) (Amendment) Regulations 2001. VLLW Guidance Version 1.0

Energy Ltd) started operation in 1983 and is scheduled to end power generation in 2018, but operations may continue beyond then. The decommissioning of Dungeness B is likely to continue until 2111.[105]

6.0.61 Both stations lie within an environmentally sensitive area adjacent to sites of national and international importance designated for their geology and biodiversity interests. Dungeness is the largest shingle site in Europe comprising approximately 2000 hectares of vegetated shingle, approximately half the English shingle habitat resource. The extent and compositions of shingle habitats found at Dungeness is unique in the UK and rare in northwest Europe. Designated European sites, protected by the Habitats and Wild Birds Directives, cover large parts of the Dungeness Peninsula.

Figure 19 : Dungeness & Romney Marsh Designations



Dungeness & Romney Marsh

Future Nuclear Power Station at Dungeness

6.0.62 If Dungeness C power station is to be built it will need to have storage facilities for radioactive wastes until the GDF is available as well as facilities for the storage and/or management of other radioactive waste streams. Shepway Council decided on the 19th September 2012 to recommend not to submit an expression of interest for hosting the GDF. The policy for waste management at Dungeness does not preclude Dungeness C being planned and constructed.

105 Source: Kent County Council (May 2011) TRW6: Nuclear Wastes, quoting information from both Magnox Ltd and Edf Energy.

6.0.63 The Kent nuclear waste policy does not foreclose possible future solutions for consolidation and waste movements between sites (for treatment and/or storage). At the time of the preparation of this plan, each Magnox site is currently planned to have its own ILW store and be 'self-sufficient' but the best options for consideration in the future may be for movements of waste between sites for storage. The nuclear power companies are looking at options for local, regional or national storage consolidation to compare these with the current plans. Options in the mix include co-locating waste from both Dungeness power stations (A and B) on one of those sites. The study looking at these issues was initiated in 2012. The nuclear power operators are required to make best use of processing facilities to minimise the overall impact of radioactive waste processing and disposal subject to due process and BAT (Best Available Techniques) assessment.

Policy CSW 18

Nuclear Waste Treatment and Storage at Dungeness

Facilities for the storage and/or management of radioactive waste will be acceptable within the Nuclear Licensed area at Dungeness where:

- this is consistent with the national strategy[(106)] for managing radioactive waste and discharges; and
- the outcome of environmental assessments justify it being managed on site; and
- facilities are located and designed in order to minimise adverse impacts on the environment.

The only waste arisings from Dungeness Nuclear Licensed Site which will be acceptable as fill material for the back-filling of voids within the nuclear licensed site are inert (non radioactive) wastes which are generated by the demolition of existing buildings and structures. Landfill or landraise activities which utilise radioactive wastes within the nuclear licensed site will not be permitted.

Non Nuclear Radioactive Low Level Waste (LLW) Management Facilities

6.0.64 There may also be a need during the plan for new facilities for the storage and/or treatment of non-nuclear sources of LLW (including VLLW) from institutions such as research establishments, universities and hospitals. At the time of plan preparation, there is no data on these waste arisings in Kent. They are likely to be

106 The national strategy for radioactive wastes is the NDA Strategy at the time of this plan preparation.

in low volumes. However, in order to address the requirements of DCLG Guidance on the EU Waste Framework Directive,[107] an enabling policy for sites that will manage this waste stream is required.

Policy CSW 19

Non Nuclear Radioactive LLW Waste Management

Planning permission will be granted for facilities which manage non-nuclear LLW and VLLW waste arisings where they meet the requirements of all other relevant policies within the Minerals and Waste Plan, in the following circumstances:-

- where there is a proven need for the facility; and
- the source material to be managed predominantly arises from within Kent; and
- the proposal avoids causing any significant adverse impact unacceptable to the environment or communities.

107 DCLG (October 2012) Guidance on the EU Waste Framework Directive

7 Development Management Policies

7.0.1 The following suite of development management policies addresses a range of subjects and content that are relevant to minerals and waste developments in Kent. Together with the delivery strategy policies and the site plans they form a robust development management regime for the determination of minerals and waste applications. These policies should also be considered in the context of the Local Plan for the district or borough in which the proposal is situated.

7.0.2 It is important that the policies within this plan avoid duplication with other regulatory functions.

Sustainable Design

7.0.3 It is important that all minerals and waste development is designed to minimise the impact upon the environment and Kent's communities. There is a need to reduce the amount of greenhouse gas as well as other forms of emissions, minimise energy and water consumption and reduce waste production and reuse or recycle materials.

7.0.4 Sustainable design initiatives can be achieved by a variety of means, such as the incorporation of renewable energy, energy management systems, grey water recycling systems, sustainable drainage systems, energy efficient appliances and the use of recycled and recyclable building materials. The following policy supports some of the key priorities in the Kent County Council's Environmental Strategy.[108]

Policy DM 1

Sustainable Design

Proposals for minerals and waste development will be required to demonstrate that they have been designed to avoid causing any significant adverse impact on the environment and communities by appropriate measures to:

- minimise greenhouse gas emissions and other forms of emissions;
- minimise levels of energy and water consumption and incorporate measures for water recycling and renewable energy technology and design in new facilities;
- minimise production of waste during construction and operation;
- maximise the re-use or recycling of materials;
- utilise sustainable drainage systems wherever practicable;

108 Kent County Council (July 2011) Growing the Garden of England: A Strategy for Environment and Economy in Kent.

- protect and enhance the character and quality of the site's location and its biodiversity interests; and
- ensure that the proposal does not cause any significant adverse impacts on the environment or communities.

Sites of International, National and Local Importance

7.0.5 Minerals and waste developments can have a significant impact on sites of international, national and local importance. Kent has a wide range of landscapes and habitats which play an important role in supporting a variety of flora and fauna. It also has an abundance of important heritage assets. Significant weight in planning terms is given to conserving landscapes and scenic beauty in AONBs where the conservation of wildlife and cultural heritage are important considerations. The following policy identifies the types of international, national and local biodiversity, heritage, geological and landscape assets within Kent and requires proposals for mineral and waste developments to ensure that there is no significant adverse effect on their integrity, character, appearance, biodiversity, geological and heritage interests, unless there is an overriding need for the development.

7.0.6 The policy on sites of international, national, and local importance aims to ensure that there are no significant effects on these important environmental assets and sets out the circumstances when significant impacts upon them would be acceptable, in terms of overriding need for the development and any impacts being mitigated or compensated for, such that there is a net gain or improvement to their condition.

7.0.7 Locally important sites are designated in recognition of their significance at the local level and do not normally carry the same level of statutory designation as national or internationally designated sites. These sites include LWSs, priority habitat identified in BAP, Regionally Important Geological Sites (RIGS), LNRs, Country Parks, protected woodland, waterbodies and other green infrastructure features.

Policy DM 2

Sites of International, National and Local Importance

Proposals for minerals and waste development will be required to ensure that there is no significant adverse impact on the integrity, character, appearance and function, biodiversity interests, geological interests, heritage interests or amenity value of sites of international, national and local importance, including:

(a) Internationally designated sites including Ramsar, SPAs and SACs (European Sites).

(b) Sites of Special Scientific Interest (SSSIs).

(c) Local Wildlife Sites (LWS).

(d) Local Nature Reserves (LNRs).

(e) Biodiversity Action Plan priority habitats .

(f) Land that is of regional or local importance as a wildlife corridor or for the conservation of biodiversity.

(g) Areas of Outstanding Natural Beauty (AONB) and their settings.

(h) Regionally Important Geological sites (RIGS).

(i) Protected woodland areas including ancient woodland and aged and veteran trees.

(j) Country Parks, common land and village greens and other important areas of open space or green areas within built-up areas.

(k) Local waterbodies.

(l) Conservation Areas and listed heritage assets (including their setting).

(m) World Heritage Sites, scheduled monuments and non designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments.

(n) Registered historic parks and gardens.

(o) Land or buildings in sport, recreational or tourism use,

unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning gain.

In the case of minerals and/or waste proposals within or considered likely to have any significant adverse impact on a European site, impacts will need to be evaluated in combination with other projects and plans; it will also be necessary to demonstrate that:-

- there are no alternatives; and
- a robust case will need to establish why there are imperative reasons of overriding public interest (IROPI); and
- There is sufficient provision for adequate timely compensation,

before any proposal that would have an adverse impact on the integrity of the European sites will be permitted.

Policy DM 3

Ecological Impact Assessment

Proposals for minerals and waste developments will be required to ensure that they result in no significant adverse effect on Kent's important biodiversity assets. These include internationally, nationally and locally designated sites, European and nationally protected species, and habitats and species of principle importance for the conservation of biodiversity / Biodiversity Action Plan habitats and species.

Proposals which are likely to have adverse impacts upon important biodiversity assets will need to demonstrate that an adequate level of ecological assessment has been undertaken and will only be granted planning permission following:

(a) an ecological assessment of the site, including preliminary ecological appraisal and, where likely presence is identified, specific protected species surveys;

(b) consideration of the need for, and benefits of, the development and the reasons for locating the development in its proposed location;

(c) the identification and securing of measures to mitigate any adverse impacts (direct, indirect and cumulative);

(d) the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for; and

(e) the identification and securing of opportunities to make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Green Belt

7.0.8 The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. The western area of Kent is within the Green Belt around London.

7.0.9 National planning policy does not preclude mineral extraction, the re-use of permanent buildings or the replacement of existing buildings (so long as the new building is in the same use and not materially larger than the one that it replaces) in the Green Belt, so long as the development preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt. The policy below explains when minerals and waste development in the Green Belt would be acceptable.

Policy DM 4

Green Belt

Proposals for mineral extraction situated in the Green Belt will be acceptable if they are in accordance with all other relevant development management policies, and it can be demonstrated that the development will enhance the Green Belt by:-

- providing opportunities for access to the open countryside; and/or
- providing opportunities for outdoor sport and recreation; and/or
- retaining and enhancing landscapes, visual amenity and biodiversity; and/or
- improving damaged and derelict land.

Proposals for minerals developments situated within the Green Belt will have to establish and implement measures to maintain its open character and the integrity of the countryside location and implement extremely high operational environmental standards.

Kent's Historic Environment

7.0.10 Kent's unique historic environment requires protection for the enjoyment and benefit of future generations. The 'historic environment' covers all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.[109] The NPPF identifies the conservation of such heritage assets as one of the core land-use planning

109 As defined by DCLG (March 2012) National Planning Policy Framework, para. 52.

principles that underpin both plan-making and decision-taking; it states that heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.[110]

Policy DM 5

Heritage Assets

Proposals for minerals and waste developments will be required to ensure that Kent's heritage assets and their settings, including landscape, historic parks and gardens, historic buildings, historic towns, conservation areas, monuments, archaeological sites and features and defined heritage coastline,[111] are conserved in a manner appropriate to their significance. Proposals should result in no significant adverse impact on Kent's historic environment and wherever possible opportunities must be sought to maintain or enhance historic assets affected by the proposals.

Policy DM 6

Historic Environment Assessment

Proposals for minerals and waste development which are likely to affect important heritage assets will only be granted planning permission following:

(a) preliminary historic environment assessment, including field archaeological investigation where appropriate, to determine the nature and significance of the heritage assets; and

(b) appropriate provision has been secured for preservation in situ, and/or archaeological excavation and recording and/or other historic environment recording as appropriate, including post-excavation analysis and reporting, archive deposition and access, and interpretation of the results for the local community, in accordance with the significance of the finds; and

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

110 DCLG (March 2012) National Planning Policy Framework, para.17.
111 Two sites in Kent: (1.) South Foreland and (2.) Dover - Folkestone.

Safeguarding Mineral Resources and Importation Infrastructure

7.0.11 It is important that the remaining economic mineral reserves in Kent are safeguarded for potential use by future generations. It is also important to the strategy of the plan that existing wharves and railheads are safeguarded for the future, in order to enable them to continue to be used to import the minerals needed by society.

7.0.12 There are circumstances when areas overlying safeguarded minerals will need to be developed. The aim of the safeguarding policy is to facilitate prior extraction of the mineral wherever possible before non-mineral development occurs.

7.0.13 The redevelopment of safeguarded wharves and railheads should only be carried out when it can be demonstrated that alternative/additional capacity is to be provided at an alternative site elsewhere within the County, which provides similar or better importation facilities. For both wharves and railheads the location of access roads in relation to the key arterial network and location of the replacement site in relation to the market needs to be similar or better than the one it is replacing. In the case of mineral wharves the factors to be considered include the depths of water at the berth, accessibility of the wharf at various states of the tide, length of the berth, size and suitability of adjacent land for processing plant, weighbridges and stockpiles and no conflicting development in close proximity which may jeopardise operations at the replacement site.

Policy DM 7

Safeguarding Mineral Resources and Importation Infrastructure

Planning permission will only be granted for non mineral developments which are incompatible with safeguarding the mineral within a Mineral Safeguarding Area and/or importation infrastructure within a Safeguarded Wharf or Railhead identified on the Key Diagram where:

- the mineral can be extracted satisfactorily prior to the incompatible development taking place; or
- the applicant can demonstrate to the satisfaction of the Mineral Planning Authority that the mineral is either not of economic value or does not exist; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit mineral extraction within the timescale that the mineral is likely to be needed; or

- In the case of a wharf or railhead the applicant can demonstrate that additional/replacement capacity at another wharf or railhead is available in Kent which is similar to or better than the facility that it is replacing in terms of accessibility, location in relation to the market, suitability and size of the berth for dredgers, barges or ships, suitability/size of adjacent available land for processing and stockpiling of minerals and there are no incompatible developments in close proximity which could jeopardise the operation of the replacement site; or

- it constitutes development which is exempt from mineral safeguarding policy, namely householder applications or it is infill development of a minor nature in existing built up areas.

Extraction of Minerals in Advance of Surface Development

7.0.14 When built development is proposed within an area of safeguarded mineral resources, every effort is required to secure the prior extraction of the mineral to prevent it from being sterilised. The following policy is needed in order to manage situations where built development located on a safeguarded mineral resource is to be permitted, in order to minimise the risk of sterilisation of economic mineral resources.

Policy DM 8

Extraction of Minerals in Advance of Surface Development

Planning permission for mineral extraction that is in advance of permitted surface development will be granted where the reserves would otherwise be permanently sterilised provided that the mineral extraction operations are only for a temporary period and that the proposal will not cause unacceptable harm to the environment or communities. Where planning permission is granted for the prior extraction of minerals, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

The Water Environment

7.0.15 Minerals and waste development can have significant impacts on flooding and water quality. Areas of minerals excavation can often provide opportunities for water storage at times of flood and therefore mitigate against the effects of flooding. There are five sources of flooding which are considered in the SFRA,[(112)] flooding

112 Barton Willmore (May 2013) Mineral and Waste Plan 2013-2030 Strategic Flood Risk Assessment (on Behalf of Kent County Council).

from rivers, flooding from the sea, flooding from rainfall, flooding from groundwater and flooding from sewers. Flood zones are used to determine the probability of land experiencing flooding from a river or the sea. The aims of flood policy is to steer development towards areas with the lowest probability of flooding. The EA has identified four flood zones. The flood zones are:-

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

- **Flood Zone 2** - Land within this flood zone has been assessed as having a medium probability of experiencing flooding from rivers and the sea (i.e. having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1%-0.1%) or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5%-0.1%) in any year. Sand and gravel workings,wharves, mineral workings and processing, waste treatment and landfill sites are appropriate developments for land within this flood zone.

- **Flood Zone 3** - Land within this zone has been assessed as having a high probability of experiencing flooding from rivers and the sea (between a 1 in 100 or greater annual probability of river flooding (>1%) or between a 1 in 200 or greater annual probability of sea flooding (>0.5%) in any year). Development within this flood zone should seek opportunities to reduce the overall level of flood risk through layout and form and appropriate use of sustainable drainage systems, relocating existing development to land in zones with lower risks of flooding and creating space for flooding to occur by restoring functional floodplain and flood flow pathways and by identifying, allocating and safeguarding open space for flood storage. Sand and gravel workings are considered suitable for land-use in this zone, also wharves, mineral workings and the processing and waste treatment (except landfill and hazardous waste facilities).

- **Flood Zone 3b (The Functional Floodplain)** - Land within this zone has been assessed as land where water has to flow or be stored in times of flood. Development within this zone should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems or to relocate existing development to land with a lower probability of flooding. Sand and gravel workings and wharves are considered appropriate land uses within this zone.

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

7.0.17 Groundwater provides drinking water and it is necessary to ensure that mineral and waste developments do not adversely effect groundwater supplies or source protection zones.

- **Source Protection Zone (SPZ) 1** is the inner zone which is within the 50 day travel time from any point below the water table to the source. This zone around the groundwater supply abstraction point has a minimum radius of 50 metres.
- **SPZ 2** is the outer protection zone and refers to the 400 day travel time from a point below the water table.
- **SPZ 3** is the Source Protection Catchment Zone and refers to the area around a source within which all groundwater recharge is presumed to be discharged at the source. SPZ4 is a surface water catchment which drains into the aquifer feeding groundwater supply.

7.0.18 In order to ensure compliance with the Water FD,[(113)] minerals and waste developments must not cause any adverse impact on local water bodies. Applications for minerals and waste proposals within SPZs should be accompanied by a hydrogeological assessment. Waste operations are not usually considered compatible within SPZ1.

7.0.19 The policy below embraces issues of flood, groundwater protection zones and the protection of waterbodies.

Policy DM 9

The Water Environment

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

- result in the deterioration of physical state, water quality or ecological status of any waterbody; or
- have an unacceptable impact on groundwater Source Protection Zones; or
- exacerbate flood risk in areas prone to flooding and elsewhere, both now and in the future.

All minerals and waste proposals must include measures to ensure the achievement of both 'no deterioration' and improved ecological status of all waterbodies within the site and/or hydrologically connected to the site.

113 EU Water Framework Directive 2000/60/EC.

Health and Amenity

7.0.20 Minerals and waste development can have an adverse effect on the environment and local communities. The use of machinery and lighting can result in noise and air pollution and also affect the amenity of nearby communities and businesses. It is important that the minerals and waste industry in Kent does not adversely affect the health and amenity of surrounding environment and communities and appropriate suitable mitigation measures are used to reduce the risk of adverse effects occurring.

Policy DM 10

Health and Amenity

Minerals and waste development will be permitted if it can be demonstrated that they are unlikely to generate significant adverse impacts from noise, dust, vibration, odour, emissions, bioaerosols, illumination, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment.

Cumulative Impacts

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

7.0.22 When minerals and waste developments are within European sites, and the new development may impact upon a European site through 'in combination' effects, cumulative impacts will need to be assessed through consideration of other plans and strategies as well as the minerals and/or waste development proposed.

7.0.23 The following policy requires cumulative impacts to be considered when two or more developments are potentially capable of causing significant effects on the environment, biodiversity interests or on the amenity of the local community. It is also relevant where a new development may affect communities or the environment cumulatively with existing developments.

Policy DM 11

Cumulative Impact

Planning permission will be granted for minerals and waste development where it does not result in a significant cumulative impact on the environment or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of minerals or waste developments occurring concurrently or successively.

Transportation of Minerals and Waste

7.0.24 One of the roles of the MWLP is to encourage the use of sustainable transportation methods including rail and water. However, in view of the limited opportunities that are available within the county to increase the use of sustainable transportation methods, it is acknowledged that most minerals and waste movements across Kent will continue to be made by road.

7.0.25 Any waste or mineral developments that are likely to result in an increase of more than 200 Heavy Duty Vehicles (HDVs)/day[(114)] on any road that lies within 200m of a European site will need to be subject to HRA screening to evaluate air quality impacts. It will be necessary for the applicant to demonstrate that either:-

- The increased traffic will not lead to an increase in nitrogen deposition within all European Sites that lie within 200m that constitutes more than 1% of the critical load for the most sensitive habitat within the site; or
- If the increase in deposition will be greater than 1% of the critical load it will nonetheless be sufficiently small that no adverse effect on the interest features and integrity of the European site will result.

7.0.26 The aim of the following policy is to minimise road miles in relation to the transportation of minerals and waste across Kent.

114 Department for Transport (May 2007) The design manual for Roads and Bridges, Volume 11, Section 3, Part 1; regarding air quality environmental impact assessment from roads indicates that if the increase in traffic will amount to less than 200 HDVs per day the development can be scoped out of further assessment. A Heavy Goods Vehicles is a vehicle with over 3.5 tonnes maximum permissible gross weight (mgw).

Policy DM 12

Transportation of Minerals and Waste

Minerals and waste development will be required to minimise road miles except where there is no practicable alternative to road transport which would be environmentally preferable. Where new development will require road transport:

- the proposed access arrangements must be safe and appropriate to the proposed development and the impact of the traffic generated would not be detrimental to road safety; and
- the highway network must be able to accommodate the traffic that would be generated and the impact of the traffic generated would not have a significant impact on the environment or local community.

Public Rights of Way (PROW)

7.0.27 Public rights of way (PROW) play an important role in enabling access to the countryside. Minerals and waste sites can often be located close to a PROW or a PROW may cross an area of mineral bearing land. It is important that PROWs remain accessible to users throughout the lifetime of the minerals and waste operations and that users' safety is not compromised by any activity on site. New sites or extended sites should not have an adverse impact on the network of PROWs. In some circumstances it will be necessary for PROW to be diverted during operations. Temporary diversions will only be acceptable if the restoration scheme provides routes to the same standard (of surface, level) as the original PROW. If this is not possible, it may be preferable to divert the route permanently.

Policy DM 13

Public Rights of Way

Planning permission will only be granted for minerals and waste development that adversely affect a public right of way if satisfactory prior provisions for its diversion are made which are both convenient and safe for users of the PROW or there is provision for the creation of an acceptable alternative route both during operations and following restoration of the site. The opportunity will be taken wherever possible to secure appropriate, improved access into the countryside.

Transport Infrastructure Safeguarding

7.0.28 Non hazardous landfill and water-filled mineral operations attract birds which give rise to the possibility of increased hazard to air traffic due to bird strike. Waste to energy plants can cause air turbulence in the vicinity of the site which together with the physical structures necessary for these operations can cause obstruction to air safety, in particular to light aircraft. Local Planning Authorities are required to consult local aerodromes before granting planning permission for development which might endanger the safety of aircraft. Such developments include buildings and structures which exceed certain heights and development which is likely to attract birds within the relevant radius of aerodromes as identified on safeguarding maps provided by the Civil Aviation Authority (CAA) or Ministry of Defence (MOD).

7.0.29 In addition, the PLA has a network of navigational equipment which needs to be maintained to ensure the continued safety of vessels navigating on the Thames and there are existing varied operations which currently take place on the Thames. It is important that this network of equipment is not compromised by other developments.

7.0.30 If following consultation with relevant organisations, the nature of the mineral extraction or waste management development is considered to give rise to new or increased risks to aerodromes and their associated uses, or increased hazards to rail, river, sea, waterways or road transport then planning permission will not be granted.

Policy DM 14

Safeguarding of Transport Infrastructure

Proposals for minerals and waste development will be permitted where development would not give rise to new or increased hazards to aviation, rail, river, sea, other waterways or road transport.

Information Required in Support of an Application

7.0.31 The Minerals and Waste Planning Authority is entitled to request appropriate information from applicants when the required information is a material consideration in the determination of the planning application. If the additional information is not supplied, the application may be refused on the grounds of insufficient information.

7.0.32 The Planning Authority considers carefully all aspects of a planning application to establish whether planning permission should be granted. It involves using the available information to balance the merits of the proposals against the drawbacks and a judgement is made regarding the need for the development weighed against any residual impacts after mitigation is taken into consideration. A system

of planning controls can be established through the imposition of conditions or planning obligations to further ensure that the development proposals do not have an adverse impact on local communities or the environment.

7.0.33 The details of the information required within a planning application can be determined through pre-application discussions and meetings with the planning authority, which applicants are strongly encouraged to undertake. Applications which are not supported by suitable sufficient material information will invariably take longer to determine and are at risk of being refused.

7.0.34 Certain types of minerals and waste developments may require an Environmental Statement (ES) to accompany the planning application[(115)] The information contained within the ES will be taken into account in determining the application. If applicants consider that their proposals are likely to require an ES they should seek guidance at an early stage on the need for and scope of the ES. All submitted applications will be screened and applicants advised if an ES is required, if not already submitted.

7.0.35 European sites (including SPAs, Ramsar Sites and SACs) are protected by European legislation. HRAs are required to be carried out where proposals may have a significant impact upon the European site. In order to assess whether a proposal will have likely significant effects upon a designated site, the following criteria are used to determine where a HRA will be required for a development project.

7.0.36 Any proposal for an EfW facilities should undertake HRA screening with regard to all European Sites within 10km. It will be necessary for the applicant to demonstrate that either:-

- The facility will lead to an increase in nitrogen deposition within all European sites that lie within 10km that constitutes less than 1% of the critical load for the most sensitive habitat within the site; or
- If the increase in deposition will be greater than 1% of the critical load it will nonetheless be sufficiently small that no adverse effect on the interest features and integrity of the European site will result.

7.0.37 Any minerals or waste development that is likely to result in an increase of HDVs on any road that lies within 200m of a European site should also be subject to HRA screening to evaluate air quality impacts within the context of the critical load or critical level and the 1% criterion cited above.

7.0.38 The following table identifies the screening distances from European sites associated with particular impact pathways. Development projects which will lead to the pathways and fall within these zones will require HRA. The table does not preclude HRA being required in other circumstances.

115 Required under the DCLG (2011) Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 and Circular 02/99.

Table 2 International Designated Sites, Special Areas of Conservation, Special Protection Areas and Ramsar Sites. Indicative Screening Distances for considering whether a Habitat Regulations Assessment is Required for a Development

Pathway	Screening Distance
Air Quality - Energy from Waste	10km from a European Site
Air Quality - Landfill Gas Flares	1km from a European Site
Air Quality - Biopathogens	1km from a European Site
Air Quality - Dust	500m from a European Site
Air Quality - Vehicle Exhaust Emissions	200m from a European Site
Water Quality and Flow	No standard distance (use source/pathway/receptor approach)
Disturbance (noise/visual)	1km from a European Sites supporting disturbance sensitive species/populations
Gull/Corvid (rooks and crows) predation	5km from European site supporting sensitive ground nesting breeding species (eg terns)
Coastal Squeeze	No standard distance - evaluate on a case by case basis

Policy DM 15

Information Required In Support of an Application

Planning applications for minerals or waste management development must be supported by sufficient relevant drawings, plans and information, including the information specified in the County Council's guidance notes for waste[(116)] and mineral [(117)] applications.

116 This currently consists of two documents: Planning Applications Group (2012) Local Information Requirements For County Matter Development Applications and Validation of Waste Planning Applications. Available from: http://kent.gov.uk/environment_and_planning/planning_in_kent/planning_applications/apply_for_planning_permission/validation_of_applications/validation_advice.aspx

117 Planning Applications Unit (2003) Minerals Application Guidance Notes, Planning Applications Unit, 2003. Available from: http://kent.gov.uk/environment_and_planning/planning_in_kent/planning_applications/apply_for_planning_permission/mineral_applications.aspx

Planning Obligations

7.0.39 Where the use of planning conditions is not possible, in some circumstances, development proposals could be considered to be acceptable if planning obligations are used. These are legal agreements entered into by the planning authority and any person with an interest in the development and the relevant land. The types of matters which may need to be covered in planning obligations are listed in the following policy, it is neither exhaustive nor are the listed matters relevant to every development.

Policy DM 16

Planning Obligations

Planning obligations will be sought where appropriate to achieve suitable control over and to mitigate and/or compensate for the effects of minerals and waste development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development.

- revocation and consolidation of planning permissions;
- highways and access improvements;
- traffic management measures including the regulation of lorry traffic;
- provision and management of off-site or advance tree planting and screening;
- extraction in advance of future development;
- environmental enhancement and the delivery of Local Biodiversity Action Plan Targets;
- protection and enhancement of locally, nationally and internationally important sites;
- protection of locally, nationally, internationally notable and protected species. Long term management of mitigation or compensation sites and their protection from further development.
- provision and long term maintenance of an alternative water supply should existing supplies be affected;
- archaeological investigation, analysis, reporting, publication and archive deposition;
- establishment of a liaison committee;

- long-term site management provision to establish and/or maintain beneficial after-use;
- improvement to the public rights of way network;
- financial guarantees to ensure restoration and long term maintenance is undertaken;
- measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of minerals and waste development;
- Codes of construction practice for large[(118)] waste developments which incorporate the requirement for the majority of the construction workforce to be recruited locally. Opportunities for modern apprenticeships to be made available for a proportion of the construction workforce; and
- The majority of the operational staff at large waste developments to be sourced from the local area and opportunities for modern apprenticeships and other nationally recognised training schemes to be available for a proportion of the workforce.

Land Stability

7.0.40 Minerals and waste development can give rise to land instability if proposals are not properly planned and implemented. The issue needs to be considered and satisfactorily addressed when planning applications are determined. Where there is the possibility of land instability, applications for minerals and waste development should be accompanied by a stability report that assesses the physical capability of the land, possible adverse effects of any instability, possible adverse effects on adjacent land, possible effects on local amenity and conservation interests and any proposed remedial or precautionary measures.

7.0.41 The aim of the following policy is to ensure that land stability is properly addressed during the operational phase(s) of minerals and waste development. Policy DM15 addresses the issue in so far as it relates to restoration and aftercare.

118 A large waste development is one which has a capacity of over 100,000tpa.

Policy DM 17

Land Stability

Planning permission will be granted for minerals or waste development where it does not result in land instability.

All minerals and waste proposals that could give rise to land instability must include a stability report and measures to ensure land stability.

Restoration and Aftercare

7.0.42 Restoration and Aftercare plans should take into consideration community needs and aspirations. Local interest groups and community representatives should be sought out and their viewpoints incorporated into the proposals wherever possible and appropriate. Restoration and aftercare plans for mineral development need to be reviewed and updated periodically, in accordance with legislation.[(119)] The following policy identifies the issues that need to be addressed in relation to the restoration of minerals and temporary waste applications.

7.0.43 In order to achieve high quality restoration, suitable sufficient soils are normally required. In cases where insufficient soils exist on site for the required end uses, the applicant will need to make provision to ensure that adequate soils or soil making materials are available within an agreed timescale to restore the site. All soil resources should be retained and managed on site for use in restoration. The way that soils are handled is also a key element for successful restoration. Details of the management and storage of soils, including timing and means of soil movements and types of machinery to be used will be required.

7.0.44 For the initial years following restoration (usually a five year period) site aftercare measures are required to ensure that the reinstatement of soils and the planting or seeding that has been carried out is being managed to facilitate the return of the site to beneficial use. These measures involve improving the structure, stability and nutrient value of soils, ensuring adequate drainage is available and securing the establishment and management of the grass sward, crop or planting areas, together with any other maintenance as may be required. The aftercare scheme normally requires two levels of details to be provided; these are the outline strategy for the whole of the aftercare period and a detailed strategy for the forthcoming year. Wherever possible, restoration schemes should include measures to improve biodiversity interests whatever the proposed after-use of the site.

119 The Environment Act (1995) introduced a requirement for an initial review and updating of of all old mineral planning permissions and the periodic review of them after that (every 15 years).

Policy DM 18

Restoration and Aftercare

Planning permission for minerals and temporary waste management development will be granted where provision has been made for high standards of restoration and after-use of the site and where necessary for its long term management.

Restoration plans should be submitted with the planning application and where appropriate include details of those matters that are set out below.

- a site based landscape strategy for the restoration scheme;
- the key landscape and biodiversity opportunities and constraints ensuring connectivity with surrounding habitats;
- the geological, archaeological and historic landscape features;
- the site boundaries and areas allocated for soil and overburden storage;
- an assessment of soil resources and their removal, handling and storage;
- an assessment of the overburden to be removed and stored;
- the type and depth of workings and information relating to the water table;
- significant waste material locations and quantities of waste involved;
- proposed infilling operations, sources and types of fill material;
- consideration of land stability after restoration;
- directions and phasing of working and restoration and how they are integrated into the working scheme;
- the need for and provision of additional screening taking account of degrees of visual exposure;
- details of the proposed landform including pre- and post-settlement levels;
- types, quantities and source of soils or soil making materials to be used;
- a methodology for management of soils to ensure that the pre-development soil quality is maintained;
- proposals for meeting targets or biodiversity gain in relation to the Kent Biodiversity Action Plan (or its replacement), the Kent Biodiversity Opportunity Areas and the Greater Thames Marshes Nature Improvement;

- removal of all buildings, plant, structures, accesses and hardstanding not required for long term management of the site;
- planting of new native woodlands;
- installation of drainage to enable high quality restoration and afteruse;
- measures to incorporate flood risk mitigation opportunities;
- details of the seeding of grass or other crops and planting of trees, shrubs and hedges; and
- a programme of aftercare to include details of vegetation establishment; vegetation management; biodiversity habitat management; field drainage and irrigation/watering facilities.

After-use

7.0.45 Proposals for the restoration and aftercare of mineral sites and temporary waste sites should be drawn up with the proposed after-use in mind. The choice of after-use is normally influenced by a variety of factors including the aspirations of the landowners and the local community, the present characteristics of the site and its environs, planning policies and any strategies for the area (e.g. BAPs), the nature and scale of the development and the availability and quality of soil resources within the site. Where the proposal is to restore the site to agricultural use at existing ground levels, ensuring the availability of suitable infill material is important to the deliverability of the scheme.

7.0.46 In some circumstances it may be appropriate to retain some industrial archaeological features, geological exposures or landscapes within a mineral working area.

Policy DM 19

After-use

Proposals for the after-use of minerals and temporary waste management sites shall:

- Incorporate the pre-working or pre-developed character of the site and its landscape setting in the afteruse; and
- employ restoration techniques that can ensure the land is retained as a long-term agricultural resource, where it is proposed to restore the land to agricultural or forestry uses; and

- provide for the enhancement of the quality of the landscape, biodiversity interests, local environment or the setting of historic assets to the benefit of the local or wider community.

Aggregate Recycling (CDE Recycling)

7.0.47 The location and provision policy requirements for aggregate recycling facilities are given in the policies for the delivery strategy for minerals (CSM6), the location of non strategic waste sites (CSW6) and the inert waste management provision (CSW12). In many situations aggregate recycling creates noise and dust which can be a nuisance to nearby communities and environmental receptors. In order to minimise the risk of this occurring in the future, and to improve the environmental controls at aggregate recycling sites, this policy is requiring new aggregate recycling facilities to normally be located in covered buildings.

Policy DM 20

Aggregate Recycling

New aggregate recycling processing plant will be permitted when processing is contained within covered buildings or when can be demonstrated that there would be no significant adverse impacts from dust and/or noise upon communities or the environment.

Ancillary Development

7.0.48 This policy seeks to provide certainty that proposals for ancillary development within or close to minerals and waste development will be permitted, even when there may be an adverse environmental impact, so long as it is possible to demonstrate that there are environmental benefits in providing the close link with the existing site which outweighs the likely environmental impacts.

Policy DM 21

Ancillary Development

Proposals for ancillary development[(120)] within or in close proximity to mineral and waste development will be permitted provided that:-

- the proposal is necessary to enable the main development to proceed, and either
- the proposal would not cause undue or overriding harm to communities or the environment; or
- it has been demonstrated that there are environmental benefits in providing a close link with the existing site which outweigh the environmental impacts.

Where permission is granted, the operation and retention of the associated development will be limited to the life of the linked quarry or waste facility.

Incidental Mineral Extraction

7.0.49 This policy seeks to provide certainty that proposals for incidental mineral extraction will be permitted provided that operations do not cause unacceptable harm to the environment or communities.

Policy DM 22

Incidental Mineral Extraction

Planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary period and will not cause unacceptable harm to the environment or communities. Where planning permission is granted, conditions will be imposed to ensure that the site can be restored in accordance with Policy DM18 and Policy DM19 to an alternative after-use should the main development be delayed or not implemented.

120 "Ancillary Development" is defined in the Town and Country Planning Act S90. In relation to minerals and waste developments “ancillary development”, only includes development which is directly related to the minerals or waste development proposed.

Enforcement

7.0.50 This Plan seeks to promote sustainable development within Kent. Positive and balanced policies have been designed to help support and encourage this principle. Hand-in-hand with this objective is the need to ensure a general upholding of Planning Law. Within this context, informal and negotiated solutions to planning control problems are sought, acting with discretion and in a proportionate way. However, there will be occasions when determined planning breaches cause significant environmental and amenity issues and may threaten the integrity of the planning system. To fully meet such challenges requires the actions of a local control and management regime and the support of a recognised policy base.

Policy DM 23

Enforcement

The County Council will carry out its planning enforcement functions within the terms of its own Enforcement Plan/Protocols (and any subsequent variations) and specifically for waste-related matters, in light of the European Union Waste Framework Directive.

8 Managing and Monitoring the Delivery of the Strategy

8.0.1 Monitoring is an important part of evidence-based policy making. The NPPF states that local planning authorities *"should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area."*[121] The MWLP therefore requires a monitoring schedule to ensure the Plan remains based on up to date evidence and to measure the effectiveness of it's aims.

8.0.2 The monitoring and implementation framework set out in this section will show how the key objectives of the MWLP will be achieved by identifying and monitoring appropriate data indicators for each of the Plan's policies. The monitoring of each indicator will be carried out as part of the Kent Minerals and Waste AMR, published in December every year. Policies may be subject to review if annual monitoring indicates that significant, adverse trends are likely to continue.

8.0.3 Following the enactment of the Localism Act in 2011 it is now down to each Local Authority to decide what to include in their monitoring reports whilst ensuring that they are prepared in accordance with relevant UK and EU legislation. KCC still attaches importance to the former core national output indicators, used as the basis for monitoring in previous years, and will continue to report on them. These are:

- 5a - Production of primary land-won aggregates.
- 5b - Production of secondary and recycled aggregates.
- 6a - Capacity of new waste management facilities by type.
- 6b - Amount of municipal waste management arising and managed, by management type and the percentage each management type represents of the waste managed.

8.0.4 In addition, Kent monitors also Local Output Indicators as follows:

- New mineral reserves that have been granted permission.
- Construction aggregate landbank.
- Other minerals landbanks.
- Safeguarding of wharves and rail depots.
- Sales of Construction Aggregates at Wharves and Rail Depots.
- Waste generation growth rate.

121 DCLG (2012) National Planning Policy Framework, para. 158.

- Exports and imports of waste.
- Capacity for handling waste materials in Kent.

8.0.5 Data for many of these indicators is supplied by the South East England Aggregate Working Party (SEEAWP). Kent intends to include these Local Output Indicators in the AMR and/or the LAA for as long as the data remains available. In accordance with the agreements with industry and their trade associations, this information is only available in a collated form, so individual site information cannot be published. This can cause problems for planning for minerals, especially where there is a limited number of operations for particular types of mineral such as brickearth or crushed rock. The AWP reports also provide a limited amount of information on secondary and recycled aggregates. The problem with this source of material is that operators are reluctant to provide survey returns and so the returns that are received are likely to be an under-representation of the amount of secondary and recycled aggregates that are produced in Kent.

8.0.6 There is less data about C&I waste arisings. Similarly, until now there has not been any regular monitoring of hazardous waste arisings in Kent or the amount of hazardous waste managed in the county. This information has recently been collated as part of the evidence base for the Core Strategy.[(122)] However it is proposed to include some new Local Output Indicators to monitor the effective of the Core Strategy policies regarding these waste stream in future AMRs, as follows:

- C&I waste generated in Kent which is landfilled in Kent and outside Kent.
- Hazardous waste arising in Kent.
- Hazardous waste managed in Kent.

8.0.7 The following Monitoring Schedule considers how each of the MWLP objectives will be implemented through policies and how their achievement will be monitored.

122 Kent County Council (May 2011) TRW5: Hazardous Waste Management

<u>Strategic Objective 1</u>: Encourage the use of sustainable modes of transport for moving minerals and waste long distances and minimise road miles

Related Spatial Vision: (1.) Minerals and waste development will make a positive and sustainable contribution to the Kent area and assist progress towards a low carbon economy.

Policies	Indicator(s)	Who?	How?	When?
CSM1: Sustainable Development	Number of mineral applications granted in conflict with, or refused due to conflict with national guidance.	Kent County Council	Development Management Decisions	On-going (annual monitoring)
CSM10: Sustainable Transport of Minerals	Number of mineral applications granted for wharf and rail head facilities that include the transport of mineral by sustainable means (e.g. water or rail).	Kent County Council	Site specific allocations as part of the Mineral Sites Plan Development Management Decisions	On-going (annual monitoring) Adoption of the Mineral Sites Plan
DM1: Sustainable Design	Number of minerals and waste applications granted which refer to the Kent Design Guide and/or Kent County Council's Environmental Strategy. Adoption of the Kent Design Guide by District Authorities.	Kent County Council District Authorities	Development Management Decisions District Local Plans	On-going (annual monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM12: Transportation of Minerals and Waste	Number of mineral and waste related applications granted with significant, or refused due to, adverse highway related issues. Number of mineral and waste related applications granted which propose to utilise sustainable transport methods (e.g water or rail) Number of mineral applications granted or adopted mineral site allocations which would utilise the existing key arterial routes across Kent.	Kent County Council Relevant transport bodies	Development Management Decisions	On-going (annual monitoring)

<u>Strategic Objective 2</u>: Ensure minerals and waste developments contribute towards the minimisation of and adaptation to the effects of climate change

Related Spatial Vision: (1.) Minerals and waste development will make a positive and sustainable contribution to the Kent area and assist progress towards a low carbon economy.

Policies	Indicator(s)	Who?	How?	When?
CSM1: Sustainable Development	Number of mineral applications granted in conflict, or refused due to conflict with national guidance.	Kent County Council	Development management decisions	On-going (annual monitoring)

Policies	Indicator(s)	Who?	How?	When?
	Number of minerals applications granted with, or refused due to, potentially significant climate change impacts.			
CSM6: Secondary and Recycled Aggregates	Allocation of sufficient secondary and recycled aggregate sites in the Mineral Sites Plan. Annual secondary and recycled aggregate production and capacity. Number of planning applications submitted/ granted for secondary and recycled aggregate facilities at the locations listed (outside allocated Specific Sites).	Kent County Council Secondary and recycled aggregate operators	Kent Mineral Sites Plan Aggregates Monitoring Survey Development management decisions	Adoption of the Mineral Sites Plan Annual data collection from the previous calendar year. On-going (annual monitoring)
CSW1: Sustainable Development	Number of waste applications granted in conflict with national guidance. Number of waste applications granted with, or refused due to, potentially, significant climate change impacts.	Kent County Council	Development management decisions	On-going (annual monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM1: Sustainable Design	Number of minerals and waste applications granted which refer to the Kent Design Guide and/or Kent County Council's Environmental Strategy. Adoption of the Kent Design Guide by District Authorities.	Kent County Council District Authorities	Development Management Decisions District Local Plans	On-going (annual monitoring)
DM12: Transportation of Minerals and Waste	Number of mineral and waste related applications granted which propose to utilise sustainable transport methods. Number of mineral applications granted and/or adopted mineral site allocations which would utilise the existing key arterial routes across Kent.	Kent County Council	Development Management Decisions	On-going (annual monitoring) Adoption of the Mineral Sites Plan

Strategic Objective 3: Ensure minerals and waste sites are sensitive to both their surrounding environment and communities and minimise their impact on them

8.0.8 **Related Spatial Visions:** (1.) Minerals and waste development will make a positive and sustainable contribution to the Kent area and assist progress towards a low carbon economy; (6.) Restore minerals sites to the highest possible standard and incorporate opportunities for biodiversity to meet targets outlined in the Kent Biodiversity Action Plan as well as for recreation and employment uses.

Policies	Indicator(s)	Who?	How?	When?
CSW11: Closed Landfill Sites	Identification of closed biodegradable landfill sites with potential for improved restoration and/or reduction of emissions from closed biodegradable landfill sites. Number of planning applications submitted/ granted for improved restoration and/or reduction of emissions.	Kent County Council	Kent Waste Sites Plan allocation Development Management decisions	Adoption of the Kent Waste Sites Plan On-going (Annual Monitoring)
CSW14: Remediation of Brownfield Land	Number of temporary waste planning applications granted on brownfield land including proposals to reduce and/or remove contamination, including whether the site is identified for redevelopment in an adopted District Local Plan.	Kent County Council District Authorities	Development Management decisions District Local Plan Allocations	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM1: Sustainable Design	Number of minerals and waste applications granted which refer to the Kent Design Guide and/or Kent County Council's Environmental Strategy. Adoption of the Kent Design Guide by District Authorities.	Kent County Council District Authorities	Development Management Decisions District Local Plans	On-going (annual monitoring)
DM2: Sites of International, National and Local Importance	Number of minerals and waste planning applications granted and/or adopted site allocations within the screening distance for Habitat Regulations assessment for Internationally Designated sites (including Ramsar sites, SPAs and SACs). [123] Number of minerals and waste planning applications granted and/or site allocations within Areas of Outstanding Natural Beauty (AONB) and their settings. Number of minerals and waste planning applications and/or Site Allocations granted within or adjacent to: - Sites of Special Scientific Interest (SSSIs).	Kent County Council	Development Management Decisions Mineral and Waste Sites Plans	On-going (annual monitoring) Adoption of the Mineral and Waste Sites Plans

123 See Table 2 in Chapter 7 for details.

Policies	Indicator(s)	Who?	How?	When?
	- Local Wildlife Sites (LWS). - Local waterbodies - Local Nature Reserves (LNRs). - Priority habitats or species identified in relevant Biodiversity Action Plans and - Nature Improvement Areas. - Land that is of regional or local importance as a wildlife corridor or for the conservation of biodiversity. - Regionally Important Geological sites (RIGs). - Protected woodland areas including ancient woodland and aged and veteran trees. - Country parks, common land and village greens and other important areas of open space or green areas within built-up areas. - Scheduled monuments - Registered historic parks and gardens			

Policies	Indicator(s)	Who?	How?	When?
	- Land or buildings in sport, recreational or tourism use.			
DM3 Ecological Impact Assessment	Number of minerals and waste applications granted with mitigation for adverse ecological impacts.	Kent County Council	Development Management Decisions	On-going (annual monitoring)
DM4: Green Belt	Number and type of minerals and waste planning permissions granted and/or site allocations in the Green Belt. Nature of Green Belt enhancement undertaken at active or proposed minerals and waste sites.	Kent County Council	Development Management decisions	On-going (Annual Monitoring) Adoption of the Kent Minerals and Waste Sites Plan
DM5: Heritage Assets	Number minerals and waste applications granted with, or refused due to, significant adverse effects on historic landscapes, historic buildings, historic towns and defined heritage coastline.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
DM6: Archaeological Features	Number of minerals and waste planning permissions granted with conditions relating to preliminary archaeological assessments.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM9: The Water Environment	Number of applications granted with, or refused due to potential unacceptable, adverse effects on waterbodies, groundwater source protection zones and flood risks.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
DM10: Health and Amenity	Number of minerals and waste applications granted with, or refused due to, potential unacceptable, adverse effects from noise, dust, vibration, odour, emissions, bioaerosols, illumination, visual intrusion, traffic or exposure to health risks or insufficient mitigation. Number of formal complaints received relating to the above impacts from active minerals and waste developments.	Kent County Council	Development Management decisions Enforcement and Monitoring	On-going (Annual Monitoring)
DM11: Cumulative Impact	Number of minerals and waste applications granted with, or refused due to, unacceptable cumulative impacts. Number of site allocations where there are existing minerals and/or waste developments occurring concurrently or successively.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM13: Public Rights of Way (PROW)	Number of minerals and waste applications granted that incorporate the need to secure diverted PROW. Number of minerals and waste applications granted which incorporate improved access to the countryside.	Kent County Council Minerals/ waste operators	Development Management decisions	On-going (Annual Monitoring)
DM14: Safeguarding of Transport Infrastructure	Minerals and waste applications granted with, or refused due to, potential hazards to aviation, rail, river, sea, other waterways or road transport.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
DM15: Information Required In Support of an Application	Number of minerals and waste applications application refused on the grounds of insufficient information.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
DM16: Planning Obligations	Number of minerals and waste applications granted with an associated Planning Obligation.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
DM17: Land Stability	Number of minerals and waste applications submitted with a stability report which includes measures to ensure land stability.	Kent County Council Minerals/ waste operators	Development Management information/ decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM18: Restoration and Aftercare	Number of minerals and waste applications granted with a restoration plan covering all the matters detailed in Policy DM15 where appropriate.	Kent County Council Minerals/ waste operators	Development Management decisions	On-going (Annual Monitoring)
DM19: After-use	Number and type of temporary minerals and waste applications granted which include proposals for after-use enhancements of the area. Number and type of minerals and waste developments delivering measurable enhancements to their surrounding environment and communities (E.g. through area strategies such as Biodiversity Action Plans).	Kent County Council Minerals/ waste operators	Development Management decisions	On-going (Annual Monitoring)
DM21: Ancillary Development	Number of ancillary developments for minerals and waste development granted or refused planning permission. The permitted life of ancillary developments in relation to the life of the main site.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM22: Incidental Mineral Extraction	Number of planning applications granted for incidental mineral extraction. Number of formal consultations with district authorities in respect of incidental mineral extraction.	Kent County Council District Authorities	Kent County Council and District Authority Development Management decisions	On-going (Annual Monitoring)
DM23: Enforcement	Number of alleged breaches of planning permission / control reported to the Planning Regulation Committee.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Strategic Objective 4: Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment opportunities

Related Spatial Vision: (2.) Support needs arising within the growth areas in Kent Thames Gateway, the Ashford, the Maidstone and Dover Growth Points and the county's other urban areas including Folkestone, Tunbridge Wells, Tonbridge, Sevenoaks, Sittingbourne, Canterbury and the Thanet Coast. Through collaborative working with communities, landowners, the minerals and waste industries, the environmental and voluntary sector and local planning authorities, deliverable, cost effective, sustainable solutions to Kent's future needs for minerals and waste will be provided.

Policies	Indicator(s)	Who?	How?	When?
DM15: Information Required In Support of an Application	Estimated employment figures from minerals and waste planning applications granted planning permission.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM16: Planning Obligations	Number and type of social and economic contributions from Planning Obligations.	Kent County Council	Development Management permissions with Planning Agreements	On-going (Annual Monitoring)

<u>Minerals Strategic Objective 5</u>: During the plan period, ensure the delivery of adequate and steady supplies of chalk, brickearth, clay, silica sand, crushed rock, building stone, minerals for cement and sand and gravel through allocating sufficient sites. Safeguard mineral bearing land for future generations.

Related Spatial Vision: (3.) Deliver a sustainable, efficient supply of land-won minerals including aggregates, silica sand, brickearth, chalk and clay and minerals for cement manufacture.

Policies	Indicator(s)	Who?	How?	When?
CSM2: Supply of Land-won Minerals in Kent	Reserve data for sand & gravel, crushed rock (confidential), clay and brickearth, silica sand, chalk and clay (for agricultural and engineering uses). Identification of sufficient specific sites for sand & gravel, crushed rock, clay and brickearth, silica sand and chalk and clay reserves. Planning applications granted/refused for additional reserves of land-won minerals.	Kent County Council Minerals operators	Aggregates Monitoring Survey KCC Officer review Kent Mineral Sites Plan Development Management decisions	On-going (Annual Monitoring) Annual data collection from the previous calendar year. Adoption of the Kent Mineral Sites Plan

Policies	Indicator(s)	Who?	How?	When?
CSM3: Cement Mineral Extraction and Manufacture In Kent	Number of planning applications granted/refused for alternative development within the Medway Cement Works Strategic site.	Kent County Council Tonbridge & Malling Borough Council	Development Management decisions	Annual data collection from the previous calendar year. On-going (Annual Monitoring)
CSM4: Exceptions Policy for Land-won Minerals	Number of applications granted/refused for mineral extraction at alternative sites either the outside the Medway Cement Works Strategic site and specific sites identified in the Mineral Sites Plan.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSM5: Land-Won Mineral Safeguarding	Number of non mineral related developments granted permission within: (a) Kent Mineral Safeguarding Areas (MSAs); (b) Mineral Consultation Area adjacent to the Strategic Site for Cement Mineral Extraction and Manufacture at Medway Works, Holborough; (c) Specific sites for mineral working defined in the Mineral Sites Plan.	Kent County Council District Authorities	District/ Borough Council Development Management decisions Kent Mineral Sites Plan	On-going (Annual Monitoring) Adoption of the Kent Mineral Sites Plan

Policies	Indicator(s)	Who?	How?	When?
CSM7: Building Stone	Number of new building stone extraction proposals granted/refused.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSM8: Oil, Gas and Coal Bed Methane	Number of applications granted/refused associated with the exploration, appraisal and development of oil, gas (including shale gas and natural gas), coal-bed methane, abandoned mine methane and underground coal seam gasification.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSM9: Underground Limestone	Number of applications granted/refused for underground limestone exploration.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
DM8: Extraction of Minerals in Advance of Surface Development	Number of applications granted/refused for the extraction of mineral reserves prior to surface development.	Kent County Council District Authorities	Development Management decisions	On-going (Annual Monitoring)

Minerals Strategic Objective 6: Promote and encourage the use of recycled and secondary aggregates in place of land-won minerals

Related Spatial Vision: (4.) Facilitate the processing and use of recycled aggregates and become less reliant on land-won construction aggregates.

Policies	Indicator(s)	Who?	How?	When?
CSM6: Secondary and Recycled Aggregates	Secondary and recycled aggregate production and capacity. Allocation of sufficient secondary and recycled aggregate sites. Number of planning permissions granted/refused for secondary and recycled aggregate facilities on alternative sites outside of specific allocated sites.	Kent County Council Secondary and recycled aggregate operators	Aggregates Monitoring Survey Development management decisions Mineral Sites Plan	Adoption of the Mineral Sites Plan On-going (annual monitoring) Annual data collection from the previous calendar year.
DM17: Aggregate Recycling	Number of applications granted for secondary and recycled aggregate facilities, including proposals for uncovered facilities.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

<u>Minerals Strategic Objective 7</u>: Safeguard wharves and railheads across the County to enable the ongoing importation of marine dredged aggregates, crushed rock and other minerals

Related Spatial Vision: (5.) Safeguard economic mineral resources for future generations and all mineral importation facilities (wharves and railheads).

Policies	Indicator(s)	Who?	How?	When?
CSM11: Safeguarded Wharves and Railheads	Loss of the listed safeguarded mineral importation facilities to alternative development, or severely constrained by nearby developments.	Kent County Council District Authorities	District Authority Development Management decisions	On-going (Annual Monitoring)
CS12: Safeguarding Other Mineral Plant Infrastructure	Loss of existing concrete, asphalt and mortar plants and secondary aggregate recycling facilities from closure, to alternative development, or severely constrained by nearby developments. Loss of existing concrete, asphalt and mortar plants and secondary aggregate recycling facilities linked to the life of a host quarry, wharf or railhead facility.	Kent County Council District Authorities	Kent County Council & District Authority Development Management decisions	On-going (Annual Monitoring)
DM7: Safeguarding Mineral Resources and Importation Infrastructure	Number of 'non-exempt', permanent, non-mineral developments granted permission within a Mineral Safeguarding Area and/or within an identified safeguarded wharf or railhead site.	District Authorities Kent County Council	District Authority Development Management decisions	On-going (Annual Monitoring)

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

Related Spatial Vision: (3.) Deliver a sustainable, efficient supply of land-won minerals including aggregates, silica sand, brickearth, chalk and clay and minerals for cement manufacture.

Policies	Indicator(s)	Who?	How?	When?
CSM7: Building Stone	Number of new building stone extraction proposals granted/refused.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
DM5: Heritage Assets	Number minerals and waste applications granted with, or refused due to, potential significant adverse effects on historic landscapes, historic buildings, historic towns and defined heritage coastline.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

<u>Minerals Strategic Objective 9</u>: Restore minerals sites to the highest possible standard and incorporate opportunities for biodiversity to meet targets outlined in the Kent Biodiversity Action Plan as well as for recreation and employment uses

Related Spatial Vision: (6.) Restore minerals sites to a high standard to promote biodiversity and recreation uses. Restoration schemes will contribute to the provision of Biodiversity Action Plan habitats integrating habitat creation within wider habitat networks.

Policies	Indicator(s)	Who?	How?	When?
DM2: Sites of International, National and Local Importance	Number of minerals and waste planning applications granted/refused and/or site allocations within the screening distance for Habitat Regulations assessment for Internationally Designated sites (including Ramsars, SPAs and SACs).[124] Number of minerals and waste planning applications granted/refused and/or site allocations within Areas of Outstanding Natural Beauty (AONB) and their settings. Number of minerals and waste planning applications and/or granted adjacent to: - Sites of Special Scientific Interest (SSSIs). - Local Wildlife Sites (LWS). - Local waterbodies - Local Nature Reserves (LNRs).	Kent County Council	Development Management Decisions Mineral and Waste Sites Plans	On-going (annual monitoring) Adoption of the Mineral and Waste Sites Plans

124 See Table 2 in Chapter 7 for details.

Policies	Indicator(s)	Who?	How?	When?
	-Priority habitats or species identified in relevant Biodiversity Action Plans and - Nature Improvement Areas. - Land that is of regional or local importance as a wildlife corridor or for the conservation of biodiversity. - Regionally Important Geological sites (RIGs). - Protected woodland areas including ancient woodland and aged and veteran trees. - Country parks, common land and village greens and other important areas of open space or green areas within built-up areas. - Scheduled monuments - Registered historic parks and gardens - Land or buildings in sport, recreational or tourism use.			
DM16: Planning Obligations	Number of minerals and waste applications granted with an associated Planning Obligation which include biodiversity benefits and recreational uses.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM18: Restoration and Aftercare	Number of minerals and waste applications granted with a restoration plan covering all the matters detailed in policy DM18.	Kent County Council Minerals/ waste operators	Development Management decisions	On-going (Annual Monitoring)
DM19: Afteruse	Number and type of minerals and waste applications granted which propose afteruse enhancements of the area. Number and type of minerals and waste developments delivering quantifiable enhancements to their surrounding environment and communities (E.g. through area strategies such as Biodiversity Action Plans).	Kent County Council Minerals/ waste operators	Development Management decisions	On-going (Annual Monitoring)

Minerals Strategic Objective 10: Encourage the sustainable use of the unrecyclable fraction of Construction, Demolition and Excavation Waste for quarry restoration

8.0.9 **Related Spatial Vision:** (5.) Restore minerals sites to a high standard to promote biodiversity and recreation uses. Restoration schemes will contribute to the provision of Biodiversity Action Plan habitats integrating habitat creation within wider habitat networks.

Policies	Indicator(s)	Who?	How?	When?
DM18: Restoration and Aftercare	Number of minerals and waste applications granted with a restoration plan covering all the matters detailed in policy DM18.	Kent County Council Minerals/ waste operators	Development Management decisions	On-going (Annual Monitoring)
DM19: Afteruse	Number and type of minerals and waste applications granted which propose afteruse enhancements of the area, including quarry restoration. Number and type of minerals and waste developments delivering quantifiable enhancements to their surrounding environment and communities (E.g. through area strategies such as Biodiversity Action Plans), including restoration.	Kent County Council Minerals/ waste operators	Development Management decisions	On-going (Annual Monitoring)

<u>Waste Strategic Objective 11</u>: Increase amounts of Kent's waste being re-used, recycled or recovered and promote the movement of waste up the waste hierarchy by enabling the waste industry to provide facilities which help to deliver a major reduction in the amount of Kent's waste being disposed of in landfills

8.0.10 **Related Spatial Vision:** Move waste up the waste hierarchy, reducing the amount of non hazardous waste sent to landfill.

Policies	Indicator(s)	Who?	How?	When?
CSW2: Waste Hierarchy	Existing waste capacity by waste facility type, and new waste capacity granted by quantity and type as categorised by the waste hierarchy.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSW3: Waste Reduction	Number of mineral and waste applications granted with construction waste plans. Adoption of the Kent Design Guide by District Authorities.	Kent County Council Kent District Authorities	Development Management decisions Local Plan Adoption	On-going (Annual Monitoring)
CSW4: Strategy for Waste Management Capacity	Annual capacity of waste management facilities. Net self-sufficiency plus proportion of London's waste	Kent County Council Environment Agency	Planning permission data Licensed waste management facility data	On-going (Annual Monitoring

Policies	Indicator(s)	Who?	How?	When?
CSW15: Disposal of Dredgings	Planning permissions granted for the disposal of dredgings.	Kent County Council	Development Management decisions	On-going (Annual Monitoring
DM1: Sustainable Design	Adoption of the Kent Design Guide by District Authorities.	Kent County Council Kent District Authorities	District Authority Local Plan Adoption	On-going (Annual Monitoring)
CSW11: Closed Landfill Sites	Number of planning applications granted/refused for development that will reduce the effects on the environment of closed landfill sites which contain biodegradable waste.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSW12: Disposal of Inert Waste	Number of planning applications granted/refused for inert waste landfill.	Kent County Council Planning Applications	Development Management decisions	On-going (Annual Monitoring)

<u>Waste Strategic Objective 12:</u> Promote the handling of waste close to the source of production in a sustainable manner using appropriate technology and where applicable innovative technology

8.0.11 **Related Spatial Visions:** (8.) Encourage waste to be used to produce renewable energy incorporating both heat and power if it cannot be re-used or recycled; (9.) Ensure waste is handled close to its source of production.

Policies	Indicator(s)	Who?	How?	When?
CSW3: Waste Reduction	Number of minerals and waste applications granted with construction waste plans. Adoption of the Kent Design Guide by District Authorities.	Kent County Council Kent District Authorities	Development Management decisions Local Plan Adoption	On-going (Annual Monitoring)
CSW4: Strategy for Waste Management Capacity	Annual capacity of waste management facilities.	Kent County Council Environment Agency	Planning permission data Licensed waste management facility data Enforcement & Monitoring	On-going (Annual Monitoring)
CSW15: Disposal of Dredgings	Planning permissions granted/refused for the disposal of dredgings.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
DM1: Sustainable Design	Adoption of the Kent Design Guide by District Authorities.	Kent County Council Kent District Authorities	Local Plan Adoption	On-going (Annual Monitoring)

Waste Strategic Objective 13: Use waste as a resource to provide opportunities for the generation of renewable energy for use within Kent through energy from waste and other mechanisms such as gasification and anaerobic digestion

8.0.12 **Related Spatial Vision:**(8.)Encourage waste to be used to produce renewable energy incorporating both heat and power if it cannot be re-used or recycled.

Policies	Indicator(s)	Who?	How?	When?
CSW9: Energy From Waste Facilities	Rate of growth in MSW arisings and C&I arisings. Remaining capacity of non hazardous landfill. Applications granted/refused for Energy from Waste Facilities and the capacity.	Kent County Council Waste Management Unit Kent County Council Environment Agency	Licensed waste management facility data National survey data* Development Management decisions	On-going (Annual Monitoring) *When available on publication

Policies	Indicator(s)	Who?	How?	When?
			Enforcement & Monitoring	
CSW11: Closed Landfill Sites	Planning applications submitted/ granted on closed Biodegradable Landfill Sites.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)

Waste Strategic Objective 14: Provide locations for additional waste sites and facilitate expansion of existing sites, where appropriate to enable waste to be managed in a sustainable manner

8.0.13 **Related Spatial Visions:** (10.) Make provision for a variety of waste management facilities to ensure that Kent remains at the forefront of waste management, and has solutions for all major waste streams, whilst retaining flexibility to adapt to changes in technology; (11.) Plug the 'gaps' in current provision and future needs for waste management.

Policies	Indicator(s)	Who?	How?	When?
CSW5: Strategic Site for Waste	Adopted Mineral Site Plan allocation for an extension of Norwood Quarry in Shepway for mineral working with restoration through the landfilling of hazardous flue dust from energy from waste plants in Kent. Planning applications granted/refused for alternative development on the Strategic Minerals Site.	Kent County Council Swale District Council	Development Management decisions	Adoption of the Mineral Sites Plan On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
CSW6: Location of Non Strategic Waste Sites	Waste planning applications granted/refused in locations (a) to (g) as specified in Policy CSW6. Waste planning applications granted/refused on alternative sites outside locations (a) to (g) as specified in Policy CSW6.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSW7: Municipal Solid Waste	Waste planning applications granted/refused in locations (a) and (b) as specified in Policy CSW7.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSW8: Approach to Waste Management for Non Hazardous Waste	Capacity of hazardous waste management facilities. Waste Site Allocations adopted and planning applications granted/refused for waste management types (a) to (c) as listed in Policy CSW8.	Kent County Council	Waste Sites Plan Allocations Development Management decisions	Adoption of the Waste Sites Plan On-going (Annual Monitoring)
CSW12: Disposal of Inert Waste	Volume of CDE waste arisings. CDE waste recycling capacity. Planning applications granted/refused for inert landfill	Kent County Council	National survey data* Development Management decisions	*When available on publication On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
CSW10: Non Hazardous Waste Landfill	Planning applications granted/refused for non hazardous waste landfilling.	Kent County Council	Development Management decisions	On-going (Annual Monitoring)
CSW13: Hazardous Waste Management	Allocation of sufficient provision for hazardous waste management for the plan period. Capacity of hazardous waste management facilities.	Kent County Council	Kent Waste Sites Plan allocations Monitoring & Enforcement	Adoption of Kent Waste Sites Plan
CSW16: Waste Water Development	Number of waste water treatment works and sewage sludge treatment and disposal facilities granted/refused planning permission.	Kent County Council	Kent Waste Sites Plan allocations	Adoption of Kent Waste Sites Plan
CSW17: Safeguarding Permitted Waste Sites	Number of waste planning applications granted/refused for development on allocated waste management sites. Number of formal consultations with district authorities in respect of alternative development proposals on existing or allocated waste management sites.	Kent County Council District Authorities	District Development management decisions	On-going (Annual Monitoring) Adoption of Kent Waste Sites Plan
CSW18: Nuclear Waste Treatment and Storage at Dungeness	Number of planning applications granted for storage and/or management of radioactive waste in the licensed area at Dungeness.	Kent County Council	Development management decisions	On-going (Annual Monitoring)

Policies	Indicator(s)	Who?	How?	When?
	Number of storage and/or management of radioactive waste in the licensed area at Dungeness refused planning permission due to environmental impacts.			
CSW19: Non Nuclear Radioactive LLW Waste Management	Number of planning applications granted for facilities managing non-nuclear LLW and VLLW waste. Monitoring of waste material source.	Kent County Council	Development management decisions Planning application information	On-going (Annual Monitoring)

Appendix A: Glossary

A	
After use	The use to which a quarry or landfill site is put following its restoration, such as forestry, agriculture, recreation or biodiversity.
Aggregate	Inert particulate matter which is suitable for use (on its own or with the addition of cement or bituminous material) in construction as concrete, mortar, finishes, road stone, asphalt, or drainage course, or for use as constructional fill or railway ballast.
Aggregates / Soils Recycling	Rubble, hardcore and soil from construction and demolition projects can often be re-used on-site. Alternatively it can be taken to purpose built facilities for crushing, screening and re-sale. There are also temporary facilities at some quarries and landfill sites where material can be recovered for re-sale or use on site.
Agricultural Waste	The regulations for this waste stream have been altered meaning farmers can no longer manage all of their own waste on the farm. The agricultural waste regulations affect whether or not waste can be burnt, buried, stored, used on the farm or sent elsewhere. Mostly covers animal slurry/by products and organic waste, but also scrap metals, plastics, batteries, oils, tyres etc.
Amenity	A land use which is not productive agriculture, forestry or industrial development; can include formal and informal recreation and nature conservation.
Anaerobic Digestion (AD)	Anaerobic digestion is a natural process. It is the breakdown of organic material in the absence of air. It is a mature technology in other European countries where it is used as a waste management method. It is carried out in an enclosed vessel and produces methane which powers an engine used to produce electricity. The useful outcomes of anaerobic digestion are electricity, heat and the solid material left over called the digestate. Both the heat and the electricity can be sold if there is a market and the digestate can either be sold or used for agricultural purposes (landspread). Its use is currently small-scale and it can only be used for part of the waste stream e.g. sewage sludge, agricultural waste and some organic municipal and industrial waste.
Annual Monitoring Report (AMR)	Records progress in implementing the Local Development Scheme and the performance of policies against targets in Development Plan Documents. Indicates what action an authority needs to take if it is not on track or policies needs to be revised/ replaced.

Apportionment	Kent's share of the regional waste management capacity to be provided and Kent's share of the regional aggregate provision.
Area of Search (AoS)	'Areas of Search' are broad areas where knowledge of mineral resources may be less certain than in other types of site allocations, but within these areas planning permissions could be granted to meet any shortfall in mineral supply, if suitable applications are made. Areas of Search are no longer being used in strategic planning in Kent
B	
Biodegradable waste	Any waste that is capable of undergoing natural decomposition, such as food and garden waste, paper and cardboard.
Biodiversity	The variety of all life on earth (mammals, birds, fish, invertebrates, plants etc).
Biodiversity Action Plan (BAP)	A plan that sets objectives and actions for the conservation of biodiversity, with measurable targets.
Brownfield Site	Site previously used for or affected by development. It may be abandoned or in a derelict condition.
Building Sand/ Soft sand	A naturally occurring type of construction aggregate found in Kent. It is mainly used for mortar production and in asphalt.
Buffer Zone	A zone or area that separates minerals and/ or waste management facilities from other land uses to safeguard local amenity.
C	
Combined Heat and Power (CHP)	Technology produces power (electricity) whilst capturing the usable heat produced in the process. It is a single, integrated and more efficient method of production.
Commercial Waste	Waste from premises used mainly for trade, business, sport, recreation or entertainment, as defined under section 5.75 (7) of the 1990 "Environmental Protection Act". As well as paper, card, plastic and glass, for example, it is likely to include timber, metal, paints, textiles, chemicals, oils and food waste.
Composting	This is the breakdown of plant matter by the action of micro-organisms and other organisms into usable end-products. It is an important method of processing organic waste because it reduces the amount of potentially polluting waste going to landfill or incineration.

Conformity	'In conformity' means being in compliance.
Construction Waste (Also see Demolition Waste)	Waste arising from any development such as vegetation and soils from land clearance, remainder materials and off-cuts. From building sites, road schemes and landscaping projects. It is mostly made up of stone, concrete, rubble and soils but may include some timber, metal and glass.
D	
Degradable (or Putrescible) Waste (Also called Non-Hazardous Waste)	Waste which will quickly or slowly biodegrade or decompose, releasing environmental pollutants. Types of material include wood and wood products; paper; plasterboard; ash; concrete; plastic; leather; rubber; textiles; cardboard; vegetable matter; food processing wastes; sewage sludge; metals and chemical combinations thereof; coke; coal; mica; diatomaceous earth; slag; boiler scale; soap, cellulose, floor sweepings; sacks; electrical fittings and appliances; machinery; cosmetic products; tarred materials; carbon; ebonite; pottery; china; enamels; abrasives; trees; bushes; grass; flowers and other vegetation.
Demolition Waste (Also see Construction Waste)	Masonry and rubble wastes arising from the demolition or reconstruction of buildings or other civil engineering structures.
E	
Energy from Waste (EfW)	The generation of heat and power from burning waste, the production of fuels from other forms of treatment, and the combustion of landfill gas and gas from anaerobic digestion to create electricity.
Environmental Impact Assessment (EiA)	The process by which the impact on the environment of a proposed development can be assessed. Certain types and scale of waste proposals will require an Environmental Statement to be prepared. The Town and Country Planning (Environmental Impact Assessment) (England Wales) Regulations 2011 and the accompanying Department of the Environment Transport and the Regions Circular 02/99 sets out the circumstances when planning applications will be required to be accompanied by an Environmental Impact Assessment (EIA). The information contained in the EIA will be taken into account when the Councils determine such proposals.

Examination in Public (EiP)	All Local Plans are subject to an independent examination before a planning inspector before they can be adopted.
Exempt Sites	Recovery operations, disposal and some waste storage activities are required to be registered with the Environment Agency but some small scale activities do not necessarily require a licence or permit. Such sites are called exempt but they may still require planning permission before they can operate. Exempt facilities are subject to general rules (e.g. on the types and quantities of wastes received).
G	
Gasification	Gasification is a reliable and flexible technology that converts carbon-containing materials, including waste and biomass, into electricity and other valuable products, such as chemicals, fuels, substitute natural gas, and fertilisers.
Geodiversity	Geodiversity is the variety of rocks, minerals, fossils, soils and landforms, together with the natural processes which shape the landscape.
Geomorpholog-ical	Geomorphology is the scientific study of landforms and the processes that shape them.
Greenhouse Gas	Gases such as carbon dioxide and methane which when their atmospheric concentrations exceed certain levels can contribute to climate change by forming a barrier in the earth's atmosphere that traps the sun's heat.
Groundwater	Is contained within underground strata (aquifers) of various types across the country. Groundwater is usually of high quality and often requires little treatment prior to use. It is however vulnerable to contamination from pollutants. Aquifer remediation is difficult, prolonged and expensive and therefore the prevention of pollution is important.
H	
Hazardous Waste	Controlled Waste that is dangerous or difficult to treat, keep, store or dispose of, so that special provision is required for dealing with it. Hazardous wastes are the most dangerous wastes and include toxic wastes; acids; alkaline solutions; asbestos; fluorescent tubes; batteries; oil, fly ash; industrial solvents; oily sludges; pesticides; pharmaceutical compounds; photographic chemicals; waste oils; wood preservatives. If improperly handled, treated or disposed of, a waste that, by virtue of its composition, carries the risk of death, injury or impairment of health, to humans or animals, the pollution of waters, or could have an unacceptable environmental impact. It

	should be used only to describe wastes that contain sufficient of these materials to render the waste as a whole hazardous within the definition given above.
Heritage Assets	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Heritage Coast	Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.
Household Waste	Waste from a domestic property, caravan, residential home or from premises forming part of a university or school or other educational establishment; premises forming part of a hospital or nursing home.
I	
Imported Minerals	Minerals imported through wharves and railheads. In Kent this includes marine dredged aggregates, crushed rock, sand and gravel, secondary aggregates and cement.
Industrial Waste	Waste from any of the following premises: factory; provision of transport services (land, water and air); purpose of connection of the supply of gas, water, electricity, provision of sewerage services, provision of postal or telecommunication services.
Inert Waste	Waste which will not biodegrade or decompose (or will only do so at a very slow rate). Types of materials include uncontaminated topsoil; subsoil; clay; sand; brickwork; stone; silica; and glass.
L	
Landbank	A stock of mineral reserves with planning permission for their winning and working.
Landfill	The deposition of waste onto hollow or void space in the land, usually below the level of the surrounding land or original ground level in such a way that pollution or harm to the environment is prevented. Former mineral workings have historically been used for this purpose.
Landfill Gas	A by-product from the digestion by anaerobic bacteria (rotting) of biodegradable matter present in waste deposited on landfilled sites. The gas is predominantly methane together with carbon dioxide and trace concentrations of a range of other vapours and gases.
Land-won minerals	Mineral extracted from a quarry situated on the mainland, as opposed to off-shore mineral supplies such as marine dredged aggregates.

Local Development Scheme (LDS)	The timetable for the preparation of the Local Plans.
Low-Carbon Economy (LCE) or ~~Low-Fossil-Fuel~~ Economy (LFFE)	An economy which has a minimal output of greenhouse gas (GHG) emissions into the biosphere, but specifically refers to the greenhouse gas carbon dioxide.
Low Level (Radioactive) Waste (LLW)	One of three broad categories of radioactive waste which reflect the degree of radioactivity and hazard. LLW does not normally require shielding during handling or transport. It consists largely of paper, plastics and scrap metal items that have been used in hospitals, research establishments and the nuclear industry.
M	
Marine dredged minerals	Minerals excavated from the seabed, as opposed to minerals extracted from the earth on the mainland.
Materials Recovery Facility (MRF)	A building where waste can be taken in bulk for separation, recycling or recovery of waste materials. This is usually municipal waste, but some sites take commercial and industrial waste. Some may also take construction and demolition waste to be crushed and screened.
Methane	A colourless, odourless, flammable gas, formed during the decomposition of biodegradable waste.
Mineral Consultation Area (MCA)	An area identified in order to ensure consultation between the relevant LPA and the Mineral Planning Authority before certain non-mineral planning applications made within the area are determined.
Mineral resources	Mineral resources are defined as natural concentrations of minerals or bodies of rock that are, or may become, of potential economic interest due to their inherent properties.
Mineral Safeguarded Area (MSA)	MSAs are known areas of mineral resources that are of sufficient economic value to warrant protection for generations to come. There is no presumption that any areas within a MSA will ultimately be environmentally acceptable for mineral extraction. The purpose of MSAs is not to automatically preclude other forms of development, but to make sure that mineral reserves are considered in land-use planning decisions.

Municipal Solid Waste (MSW)	Municipal solid waste is that waste which is collected and disposed of by or on behalf of a local authority. It will generally consist of household waste, some commercial waste and waste taken to civic amenity waste collection/disposal sites by the general public. In addition, it may include road and pavement sweepings, gully emptying wastes, and some construction and demolition waste arising from local authority activities. It is typically made up of card, paper, plastic, glass, kitchen and garden waste.
N	
Natural Improvement Areas (NIAs)	Areas designated for creating more and better-connected habitats, recreational opportunities, flood protection, cleaner water and carbon storage as well as uniting local stakeholders.
Non-Hazardous Waste	Waste which will quickly or slowly biodegrade or decompose, releasing environmental pollutants. Types of material include wood and wood products; paper; plasterboard; ash; concrete; plastic; leather; rubber; textiles; cardboard; vegetable matter; food processing wastes; sewage sludge; metals and chemical combinations thereof; coke; coal; mica; diatomaceous earth; slag; boiler scale; soap, cellulose, floor sweepings; sacks; electrical fittings and appliances; machinery; cosmetic products; tarred materials; carbon; ebonite; pottery; china; enamels; abrasives; trees; bushes; grass; flowers and other vegetation.
O	
Operation stack	The name given to the process used to stack lorries on the M20 when cross channel services from the Port of Dover or through the Channel Tunnel are disrupted.
P	
Permitted Reserves	Saleable minerals in the ground with planning permission for winning and working. Usually expressed in million tonnes.
Planning Conditions	Conditions attached to a planning permission for the purpose of regulating and controlling the development.
Primary Aggregates	Naturally occurring sand, gravel and crushed rock used for construction purposes, which have either been extracted from the sea bed or the earth's crust.
Putrescible Waste	Waste readily able to be decomposed by bacterial action. Landfill gas and leachate can occur as by-products of decomposition.

Pyrolisis / Gasification	Both systems involve heating the waste in varying amounts of oxygen to produce a gas. Neither system is yet as energy efficient as incineration; there is more residual waste left over which has to be burned or landfilled. The technology is not yet well established for waste management and is more widely used in industry.
R	
Ramsar Sites	Sites of international importance to birds which inhabit wetlands. Ramsar is the name of the place where the Wetlands Convention was signed.
Reclamation of Mineral Workings	The combined processes of Restoration and Aftercare following completion of mineral working.
Recovery	The collection, reclamation and separation of materials from the waste stream.
Recovery Facilities	A facility that recovers value, such as resources and energy, from waste prior to disposal, includes recycling, thermal treatment, biological treatment and composting facilities.
Recycled Aggregates	Aggregates produced from recycled construction waste such as crushed concrete, planings from road surfacing etc.
Recycling	The collection and separation of materials from waste and subsequent processing to produce new marketable products.
Reduction	Use of technology requiring less waste generation from production, or Production of longer lasting products with lower pollution potential, or Removing material from the waste stream, e.g. Paper being taken straight from a waste producer to a paper re-processing facility, avoiding it being handled at any waste management operation.
Reserve	The remaining concentration or occurrence of workable material of intrinsic economic interest. Generally used for those economic mineral deposits that have the benefit of planning permission.
Resource	A concentration or occurrence of material of intrinsic economic interest in or on the Earth's crust in such a form, quality and quantity that they are reasonable prospects for eventual economic extraction.

Regional Self-Sufficiency	A key aim of sustainable waste management is regional self-sufficiency in waste disposal, i.e. the waste generated within the region can be disposed or managed within the same region.
Regionally Important Geological Sites (RIGS)	These are any geological or geomophological sites, excluding SSSIs, that are considered worthy of protection for their educational, research, historical or aesthetic importance. RIGS are broadly analogous to non-statutory wildlife sites and are often referred to locally by the same name. They can include important teaching sites, wildlife trust reserves, Local Nature Reserves and a wide range of other sites. RIGS are not regarded as inferior to SSSIs but as sites of regional importance in their own right. The strategy for selecting and conserving Regionally Important Geological/Geomorphological sites involves the setting up of a local RIGS group.
Residual Waste	The elements of the waste streams that remain following recovery, recycling or composting operations.
Resource Recovery	The extraction of useful materials or energy from solid waste.
Restoration	Operations designed to return an area to an acceptable environmental state, whether for the resumption of the former land use or for a new use following mineral working. Involves the reinstatement of land by contouring, the spreading of soils or soil making materials etc.
Reuse	Reuse of waste is encouraged by the Government's National Waste Policy requirements. Can occur within a company, or by moving waste for reuse elsewhere.
S	
Safeguarding	Protecting sites and areas that have potential for relevant development (waste and minerals) from other development.
Sharp Sand and Gravel	Naturally occurring mineral deposit in Kent. Once extracted it is mainly used in the production of concrete products.
Saved Policy	Retaining a Local Plan (or policies from it) until replacement by a DPD (Development Plan Document). Normally lasts for three years only, but "extended saving" can occur if policies need to stay in place for a longer period.
Scheduled Ancient Monument (SAM)	Nationally important monuments and archaeological areas that are protected under the Ancient Monuments and Archaeological Areas Act.

Secondary Aggregates	Construction Materials that are produced as by-products of other processes and used instead of primary aggregates. Secondary aggregates include boiler ashes, colliery shale, burned clay, pulverised fuel ash, chalk and shale.
Silica Sand (Industrial Sand)	Material extracted and used in industrial processes including glass manufacture and the production of foundry castings. It is also used in horticulture and for sports surfaces including horse menages and golf course bunker sand. It is also known as 'industrial sand'. It is a mineral of national importance.
Sites of Special Scientific Interest (SSSIs)	These sites are notified under Section 28 of the Wildlife and Countryside Act 1981 by English Nature whose responsibility is to protect these areas. These are important areas for nature conservation i.e. valuable flora, fauna or geological strata. English Nature needs to be notified of planning proposals in or adjacent to the designated areas. National Nature Reserves (NNRs), terrestrial RAMSAR sites, Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) are also SSSIs under national legislation.
Site (Specific) Allocations	Sites which are generally well defined and where there is an implied presumption in favour of their being developed during the plan period.
Specific Sites	Specific Sites are generally where viable mineral resources are known to exist, or where an identified waste use would be acceptable, where landowners are supportive of development taking place and where the Planning Authority consider that planning applications are likely to be acceptable in planning terms.
Statement of Community Involvement (SCI)	A document that sets out how the Authority is to ensure suitable sufficient consultation occurs for different elements of the planning process. This is a requirement brought in by the Planning and Compulsory Purchase Act 2004.
Sterilisation	When a change of use or the development of land on or near a minerals or waste facility prevents possible mineral extraction or continued use of a wharf, railhead or other facility in the foreseeable future.
Strategic Environmental Assessment	An evaluation process for assessing the environmental impacts of plans and programmes. This is a statutory requirement of the MWLP system.
Submission	A stage of the plan preparation process where the document is 'submitted' to the Secretary of State for independent examination by a planning inspector. The document is published for public consultation prior to submission.

Surrounding Environment	Aspects of the surrounding environment include water resources including surface water, groundwater and rivers and their settings, heritage interests including listed buildings, conservation areas and their settings, and World Heritage Sites, nature reserves, local sites designated for biodiversity and geodiversity, species and habitats of importance for conservation and biodiversity, nationally designated areas including Sites of Special Scientific Interest and Areas of Outstanding Natural Beauty and their setting, internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar Sites, Heritage Coast and Nature Improvement Areas.
Sustainability Appraisal (SA)	An evaluation process for assessing the environmental, social, economic and other sustainability effects of plans and programmes from the outset of the preparation process. This is a statutory requirement.
Sustainable Development	A widely quoted definition is “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. The definition also encompasses the efficient use of natural resources.
T	
Transfer Stations	Facilities which receive waste (normally from a local area), where the waste is bulked up and transported further afield in larger lorries (or in some cities by barges) for disposal or recovery. Some transfer stations sort out the recoverable wastes, such as construction waste and scrap metal prior to onward transportation for disposal or processing.
V	
Very Low Level (Radioactive) Waste (VLLW)	One of four broad categories of radioactive waste which reflect the degree of radioactivity and hazard. The radioactive concentration of very low level waste is similar to the natural activity of soils and is well within the normal range of natural radioactivity in the Earth's crust.
Void (space)	A hole (volume) created by mineral working or nature which may have potential for landfilling with waste.
W	
Waste	The Town and Country Planning Act 1990 has been amended so there is no dispute over whether 'waste', in terms of the planning regime, is defined in accordance with European law. It states that: "Waste" includes anything that is waste for the purposes of Directive

	2006/12/EC of the European Parliament and of the Council on waste, and that is not excluded from the scope of that Directive by Article 2(1) of that Directive." Waste is therefore defined as any substance or object which the holder or the possessor either discards or intends or is required to discard. [125]
Waste Arisings	The amount of waste generated in a given locality over a given period of time.
Waste Collection Authority (WCA)	A local authority with a statutory responsibility to provide a waste collection service to each household in its area, and on request, to local businesses.
Waste Disposal Authority (WDA)	A local authority that is legally responsible for the safe disposal of household waste collected by the WCAs and the provision of Household Waste and Recycling Sites. Long-term contracts are let to private sector companies who provide the facilities to handle this waste. These contracts are awarded on the basis of detailed cost and environmental criteria as well specific targets for recycling and reducing landfill.
Waste Planning Authority (WPA)	A Local Authority with responsibility for waste planning, including the determination of waste related planning applications. In areas with two tiers of local government (counties and districts), the County Councils are the WPAs. National Parks are also WPAs. Unitary Authorities, such as Medway Council, deal with waste planning and all other planning issues within their areas.
Waste Hierarchy	Suggests that the most effective environmental solution is to reduce the amount of waste generated (it is shown as a diagram in section 6). Waste prevention is the best option, followed by preparing the waste for reuse, then recycling then recovery. At the bottom of the heirarchy is disposal which is the least favoured option.
Waste Management Unit (WMU)	Kent Council County department which manages all aspects of Municipal Solid Waste (household waste) arisings in Kent.

125 This definition is inserted into s.336(1) of the TCPA 1990, as part of the consequential amendments made by the Environmental Permitting (England and Wales) Regulations 2007 SI 2007/3528 (the "EPR 2007"), as from 6 April 2008. See Schedule 21, para 19 of the EPR 2007 (and its commencement - see reg.1).

Waste Minimisation	The reduction of unwanted outputs from the manufacturing and construction processes that are likely to result in less waste being produced.
Waste Management Permit	Permit granted by the Environment Agency authorising treatment, keeping or disposal of any specified description of controlled waste in or on specified land by means of specified plant.
Waste Reduction	To make waste production and waste management practices more sustainable, key objectives are to reduce the amount of waste that is produced, make the best use of waste produced and choose practices which minimise the risks of pollution and harm to human health. Waste reduction is concerned with reducing the quantity of solid waste that is produced and reducing the degree of hazard represented by such waste.
Waste Electrical and Electronic Equipment (WEEE)	Discarded electrical or electronic equipment, including all components, sub-assemblies and consumables which are part of the product at the time of discarding.
Wastewater	This refers to urban wastewater, including domestic, industrial and surface run off. This raw waste water is processed through treatment plants to produce treated effluent, with a residue of largely reusable sewage sludge.

Appendix B: Mineral and Waste Policies

These policies have been extracted from the main section of the document where greater explanation is given.

Delivery Strategy for Minerals

Policy CSM 1

Sustainable Development

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

Mineral development that accords with policies in this Plan and subsequent Plans will be approved without delay, unless material considerations indicate otherwise.

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

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework[(126)] indicate that development should be restricted.

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

Policy CSM 2

Supply of Land-won Minerals in Kent

Mineral working at Specific Sites[127] identified in the Mineral Sites Plan will be permitted subject to meeting the requirements of relevant development management policies and any criteria set out in the relevant site schedule in the Mineral Sites Plan.

1. Aggregates

Provision will be made for the maintenance of landbanks[128] of land-won aggregates of at least 7 years for sand and gravel and at least 10 years for crushed rock. A rolling average of 10 years sales data and other relevant information will be used to assess landbank requirements.

Sufficient Specific Sites will be identified in the Mineral Sites Plan in order to facilitate the maintenance of aggregate landbanks at the required levels throughout the plan period. In the case of crushed rock (ragstone), the landbank is sufficient for the plan period and so no crushed rock (ragstone) sites will be identified as Specific Sites.

2. Brickearth and Clay for Brick and Tile Manufacture

Sufficient Specific Sites will be identified for brickearth to enable the maintenance of landbanks of permitted reserves equivalent to at least 25 years of production based on past sales. The stock of planning permissions for clay for brick and tile making is sufficient for the plan period.

3. Silica Sand

Sufficient Specific Sites will be identified for silica sand production in order to maintain landbanks at existing sites of 10 years and at any suitable new sites of 15 years, subject to:

- All environmental impacts being capable of being controlled to ensure that there are no significant impacts on the environment, the landscape, biodiversity interests or local communities.
- If the development is in a designated AONB, applicants must demonstrate how the proposed development meets the requirement for exceptional circumstances and why it is demonstrated to be in the public interest. Such applications must include consideration of:

127 Specific Sites are generally where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where MPAs consider that planning applications are likely to be acceptable in planning terms.

128 Landbanks are stocks of planning permissions.

(i) the need for the development, including in terms of any national considerations and the impact of permitting it, or refusing it, upon the local economy;

(ii) the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way; and

(iii) any adverse impact on the environment, the landscape and recreational opportunities, and the extent to which that could be mitigated.

- Applications for silica sand developments will also be required to demonstrate:

(i) how the development meets technical specifications required for silica sand (industrial sand) end uses; and

(ii) how the mineral resources will be used efficiently so that high grade sand deposits are reserved for industrial end uses.

4. Chalk for Agriculture and Engineering Purposes

A Specific Site will be identified to enable sufficient chalk extraction to continue through the plan period to supply Kent's requirements for agricultural and engineering chalk.

5. Clay for Engineering Purposes

A Specific Site will be identified to enable clay extraction to continue throughout the plan period to supply Kent's requirements for engineering clay.

Policy CSM 3

Cement Mineral Extraction and Manufacture In Kent

The site of the proposed Medway Cement Works, Holborough and its permitted mineral reserves are together identified as the Strategic Site for Minerals in Kent. This site location is shown on Figure 13.

Mineral working and processing at the Strategic Site for Cement Minerals will be permitted subject to meeting the requirements of relevant development management policies.

Policy CSM 4

Exceptions Policy for Land-won Minerals

Applications for mineral extraction other than the strategic site for cement minerals and specific sites identified in the Mineral Sites Plan will only be permitted if they can demonstrate that there are overriding benefits which justify extraction at the exception site.

Applications for mineral working outside specific sites identified in the Mineral Sites Plan or the Strategic Site for Cement Minerals will need to include information to demonstrate the overriding benefits and how they meet the requirements of relevant development management policies.

Policy CSM 5

Land-Won Mineral Safeguarding

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

- Mineral Safeguarding Areas (MSAs) for the areas of known, remaining brickearth, sharp sand and gravel, soft sand (including silica sand), ragstone and building stone. A mineral safeguarding area is also established for the Strategic Site cement minerals at Medway Works, Holborough.
- A Mineral Consultation Area adjacent to the Strategic Site for Cement Mineral Extraction and Manufacture at Medway Works, Holborough.
- Specific Sites for mineral working within the plan period which will be defined in the Mineral Sites Plan.

Policy CSM 6

Secondary and Recycled Aggregates

Secondary and recycled aggregate production and processing will be permitted at the Specific Sites identified in the Mineral Sites Plan subject to meeting the requirements of relevant development management policies and any criteria set out in the relevant site schedule in the Mineral Sites Plan.

Sufficient Specific Sites will be identified to provide capacity to recycle at least 1.4 million tonnes per annum (mtpa) of secondary and recycled aggregates rising to at least 1.56mtpa from 2020.

Outside identified Specific Sites, recycling facilities for secondary and recycled aggregate production will be granted planning permission if they are well located in relation to the source of materials, have good transport infrastructure links and accord with the other relevant policies in the Minerals and Waste Plan, at the following types of sites:-

- temporary demolition, construction, land reclamation and regeneration projects;
- temporary highways developments;
- appropriate[(129)] mineral operations (including wharves and railheads) for the duration of the host site; where there is either connectivity with the sale of aggregates from the host site or where the host site use the residual waste from the recycling in the site's restoration.
- appropriate waste management operations for the duration of the host site;
- industrial estates;
- other appropriately located sites close to the source of materials with good infrastructure links.

Where environmental impacts can be controlled to an insignificant level, planning permission will be granted to re-work old inert landfills and dredging disposal sites if net gains in landscape, biodiversity or amenity can be achieved by the operation.

129 The term 'appropriate' used in bullet points in this policy is defined in terms of the additional recycling facility being appropriate if it does not give rise to additional significant impacts on any nearby sensitive receptors over and above the impact levels which had been considered to be acceptable for the host site without the recycling facility.

Policy CSM 7

Building Stone

Planning permission will be granted for small scale proposals[(130)] that are necessary to provide a supply of suitable local building stone necessary for restoration work associated with the maintenance of Kent's historic buildings and structures and new build projects in conservation areas, subject to:

- development taking place in appropriate locations where the proposals do not have significant adverse impacts on amenity or the environment;
- there being no other suitable, sustainable sources of the stone available;
- all operations being managed to acceptable levels to ensure that there is no significant adverse impact upon the local environment and communities; and
- the site is restored to a high quality standard and appropriate after-use which supports the local landscape character.

Policy CSM 8

Oil, Gas and Coal Bed Methane

Planning permission will be granted for proposals associated with the exploration, appraisal and development of oil, gas (including shale gas and natural gas), coal-bed methane, abandoned mine methane and underground coal seam gasification subject to:

- development taking place in appropriate locations where the proposals do not have significant adverse impacts on amenity or the environment; and
- there being no significant impact upon sensitive water receptors including groundwater, water bodies and wetland habitats; and
- all other environmental impacts being mitigated to ensure that there is not a significant adverse impact upon the local environment or communities; and

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

- exploration and appraisal operations are for an agreed, temporary length of time; and
- the drilling site and any associated land being restored to a high quality standard and appropriate after-use which supports the local landscape character.

Policy CSM 9

Underground Limestone

Planning permission will be granted at suitable locations for the drilling operations associated with the prospecting for underground limestone resources in East Kent subject to:

- development taking place in appropriate locations where the proposals do not have significant adverse impacts on amenity or the environment; and
- there being no significant impact upon sensitive water receptors including groundwater, water bodies and wetland habitats; and
- all other environmental impacts being mitigated to ensure that there is not a significant adverse impact upon the local environment or communities; and
- exploration and appraisal operations are for an agreed, temporary length of time; and
- the drilling site and any associated land being restored to a high quality standard and appropriate after-use which supports the local landscape character.

Policy CSM 10

Sustainable Transport of Minerals

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

- they are well located in relation to the Key Arterial Routes[131] across Kent; and
- Operations can be controlled so that there are no significant adverse impacts upon communities or the environment.

Policy CSM 11

Safeguarded Wharves and Railheads

The following sites are safeguarded for their continued use for the importation of minerals into Kent:

- Allington Rail Sidings.
- Sevington Rail Depot.
- Hothfield Works.
- East Peckham.
- Ridham Dock (both operational sites).
- Johnson's Wharf Greenhithe.
- Robins Wharf, Northfleet (both operational sites).

131 These are made up of Motorways and Trunk Roads, County Primary Routes and County Principle Routes. County Primary Routes link major urban centres, including the A228/A26 between Medway and Tonbridge, the A229 between Medway and East Sussex, the A299 between Faversham and Thanet, the A28 between Thanet and East Sussex, the A256 between Dover and Thanet, the A26 between Tonbridge and Tunbridge Wells and the A25 between Wrotham and Sevenoaks. County Principal routes are generally A class roads with relatively high traffic flows, including the A225 between Sevenoaks and Dartford and the A251 between Faversham and Ashford. These are shown on Figure 10.

- Denton Marine Terminal.
- East Quay, Whitstable.
- Red Lion Wharf.
- Ramsgate Harbour.
- Wharf 42, Northfleet (including Northfleet Cement Wharf).
- Dunkirk Jetty (Dover Western Docks).
- Sheerness.
- Botany Marshes (Northfleet Wharf).

Their locations are shown on the Key Proposals Map and their site boundaries are shown in Appendix D.

Planning applications for development adjacent to or opposite the safeguarded importation facilities listed above will need to demonstrate that acceptable levels of noise, dust, light and air emissions derived from the current mineral importation site would be experienced at the development and that vehicle access to and from the wharf or railhead would not be jeopardised by the development.

Applications for development adjacent to or opposite a safeguarded importation facility will also need to demonstrate that acceptable levels of noise, dust, light and air emissions derived from the current importation site would be experienced at the development. Vehicle access to and from the wharf or railhead must not be jeopardised by the development.

Policy CSM 12

Safeguarding other Mineral Plant Infrastructure

Existing concrete, asphalt, mortar plants as well as existing secondary and aggregate recycling facilities in Kent are safeguarded for their ongoing use.

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

If a concrete, asphalt, mortar plant or secondary/recycled aggregate facility has a permanent planning permission and is no longer needed for its current use and the site is to be redeveloped for non mineral uses, it will need to be demonstrated that replacement capacity for the same type of operation at a suitable alternative site is available which is similar or better than the facility that it is replacing in terms of accessibility, location in relation to the market, suitability/size of adjacent available land for processing and stockpiling of minerals, and that there are no incompatible developments in close proximity which could jeopardise the operation of the replacement site.

Delivery Strategy for Waste

Policy CSW 1

Sustainable Development

When considering waste development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and Planning Policy Statement 10: Planning for Sustainable Waste Management.

Waste development that accords with policies in this Plan and subsequent Plans will be approved without delay, unless material considerations indicate otherwise.

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

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework[(132)] indicate that development should be restricted.

Policy CSW 2

Waste Hierarchy

In order to deliver sustainable waste management solutions for Kent, proposals for waste management must demonstrate how waste is being driven to ascend the waste hierarchy.

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

Policy CSW 3

Waste Reduction

All new development should minimise the production of construction, demolition and excavation waste and manage any waste sustainably. New development should incorporate into its design adequate space for the occupiers of the proposed buildings to store waste separately from recyclable and compostable materials prior to their collection. The following details shall be submitted with the planning application, except for householder applications:

(a) The measures to be taken to show compliance with this policy on waste reduction; and

(b) A site waste plan detailing the nature and quantity of any construction, demolition and excavation waste to be sent off site and the destinations.

Policy CSW 4

Strategy for Waste Management Capacity

The strategy for waste management capacity in Kent is to provide sufficient waste management capacity to manage at least the equivalent of the waste arising in Kent plus some residual non hazardous waste from London. As a minimum it is to achieve the targets for recycling and composting, reuse and landfill diversion identified in the Kent Joint Municipal Waste Management Strategy and the partially revoked Regional Spatial Strategy.

Policy CSW 5

Strategic Site for Waste

The proposed extension areas for Norwood Quarry and Landfill Site, Isle of Sheppey are together identified as the Strategic Site for Waste in Kent. This site location is shown on Figure 14. Planning permission will not be granted for any other development other than mineral working with restoration through the landfilling of hazardous flue dust from energy from waste plants in Kent unless it can be demonstrated that the equivalent capacity for treatment or disposal can be provided elsewhere in Kent.

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

- An assessment has been made that alternative treatment technologies for hazardous flue dust from energy from waste plants are not economically viable;
- An air quality assessment is made of the impact of the proposed development and its associated traffic movements[133] on the Medway Estuary and Marshes SPA and the Swale SPA sites and if necessary mitigation measures are required through planning condition and/or planning obligation.
- The site and any associated land being restored to a high quality standard and appropriate after-use which supports the local landscape character.

133 Traffic movements consist of the total vehicles entering and leaving the site

Policy CSW 6

Location of Non Strategic Waste Sites

Permission will be granted at sites for non strategic waste facilities in the following locations, providing that there is no significant adverse impact on sensitive receptors (the locational types (a) to (g) below are not listed in any particular order of priority):

(a) Land within or adjacent to an existing mineral development or waste management use.

(b) Land forming part of a new major development for employment, leisure, commerce and/or residential uses proposal providing waste management operations are to be enclosed within a building.

(c) Land within industrial estates providing waste management operations are to be enclosed within a building unless it can be demonstrated that there would be no significant adverse effects from noise, dust or odour.

(d) Other previously developed land.

(e) Contaminated or derelict land.

(f) Redundant agricultural and forestry buildings and their curtilages.

(g) Sites identified in the Waste Sites Plan

Waste development on a greenfield site other than in the circumstances of (b) above will only be permitted if:

(i) it can be demonstrated that there are no suitable locations identifiable from categories (a) to (g) above within the catchment area of waste arisings which are to be managed at the proposed facility, or

(ii) if the nature of the waste management requires an isolated location.

Policy CSW 7

Municipal Solid Waste

A site will be identified in the Waste Sites Plan for a Household Waste Recycling Centre to serve the Borough of Tonbridge and Malling.

Policy CSW 8

Approach to Waste Management for Non Hazardous Waste

In seeking to be as self sufficient as possible in managing non hazardous waste arisings in Kent, and for providing for limited amounts of non hazardous waste from London, sufficient sites for waste management facilities will be identified in the Waste Sites Plan to meet identified needs as a minimum, including the following capacity.

Non Hazardous

Year	Maximum Additional Recovery Capacity Required [1](tonnes per annum)	Indication of Number of New Facilities for Recovery Needed	Minimum Additional Treatment Capacity for Green and Kitchen Wastes (tonnes per annum)	Indication of Number of New Facilities Needed for Treating Green and Kitchen Waste[2]
2011	0	0	0	0
2016	375,000	1-2	20,000	1
2021	125,000	1	0	0
2026	62,500	1	20,000	1
2031	0	0	24,000	1
Total	562,500	3-4	64,000	3

1. Calculation of capacity at any proposed sites may include recycling and composting in an integrated waste management facility providing the total capacity calculated results in no significant amount of residue having to go to non hazardous landfill. These figures are based on the high growth forecasts.
2. Additional capacity required to achieve composting rates of 65% C&I waste and 60% MSW by 2025.

Waste management capacity for non hazardous waste will be provided through sites for managing waste, including EfW, recycling, in-vessel (enclosed) composting facilities and Anaerobic Digestion (AD).

Sites for AD, composting, EfW, mechanical-biological treatment (MBT) and other energy & value recovery technologies that assist Kent in meeting the capacity gap identified in this policy will be permitted provided that:

(i) pre-sorting of the waste is carried out;

(ii) recovery of by-products and residues is maximised;

(iii) energy recovery is maximised (utilising both heat and power);

(iv) any residues produced can be managed or disposed of sustainably.

(v) the proposal does not result in unacceptable harm to any sensitive receptors;

(vi) sites for the management of green waste and/or kitchen waste in excess of 100 tonnes per week are Animal By Product Regulation compliant (such as in-vessel composting or AD);

(vii) sites for for small scale open composting of green waste which are facilities of less than 100 tonnes per week which are located within a farm unit and the compost is used within that unit.

Policy CSW 9

Energy From Waste Facilities

Sites for additional EfW facilities will be identified in the Waste Sites Plan to treat a capacity of 562,500 tonnes per year. Permission will be granted for a maximum of 437,500 tonnes in total at new EfW facilities until such time that the results of annual monitor indicate that this restriction would result in the loss of all non hazardous landfill capacity in the county before the end of the plan period.

EfW facilities will be permitted if they are recovery facilities that are designed to meet or exceed the energy efficiency ratio of 0.65 (as defined by Annex II of the Revised Waste Framework Directive)[(134)] and are designed for both the production of heat and power.

When an application for an EfW facility has no proposals for use of the heat when electricity production is commenced, the development will be permitted if it is located in an area that has potential users for the heat and the applicant and landowner enter into a planning agreement to market the heat and to make an annual public report on the progress being made toward finding users for the heat.

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

Policy CSW 10

Non Hazardous Waste Landfill

The strategy for non-hazardous waste landfill is only to grant planning permission for new sites or extensions to existing sites if:

(a) it can be demonstrated that the waste stream that needs to be landfilled cannot be managed through alternative technologies which are higher in the waste hierarchy or disposed of at existing sites;

(b) environmental benefits are to be secured by the development; and

(c) the proposal does not cause significant adverse impacts upon any sensitive receptors.

Policy CSW 11

Closed Landfill Sites

Permission will be granted for development that reduces any adverse impacts on the environment of closed landfill sites for any of the following purposes:

- development for the improvement of restoration for an identified after use for the site; or
- development for the reduction of emissions of gases or leachate to the environment; or
- development making use of gases being emitted and which will reduce the emission of gases to the environment;

and the development that avoid causing any significant adverse impact upon unacceptable harm to the environment or communities.

Policy CSW 12

Disposal of Inert Waste

Planning permission for the disposal of inert waste will be granted where:

(a) it can be demonstrated that the waste cannot be managed in a more sustainable way;

(b) it is for the restoration of a mineral working;

(c) environmental benefits will result from the development;

(d) that sufficient material is available to restore the site within agreed timescales; and

(e) the proposal avoids causing unacceptable harm to the environment or communities.

Policy CSW 13

Hazardous Waste Management

In order to be self sufficient in the management of hazardous waste, developments for hazardous waste management facilities will be permitted in the appropriate locations for non strategic waste sites regardless of whether their catchment areas for waste extend outside Kent and a site will be identified in the Waste Sites Plan for the landfilling of asbestos waste to enable the continuation of asbestos disposal within the county for the plan period.

Policy CSW 14

Remediation of Brownfield Land

Permission will be granted for a temporary period for waste developments on brownfield land which facilitate its redevelopment by reducing or removing contamination from previous development if:

- the site is identified in a Local Plan for redevelopment or has planning permission for redevelopment; or
- the site is part of a network of brownfield sites which are identified in a Local Plan or Local Plans for redevelopment or which have planning permission for redevelopment and is to receive waste for treatment from those sites as well as treating the land within the site, and
- the development avoids causing any significant adverse impact upon the environment or communities.

Policy CSW 15

Disposal of Dredgings

A site for the disposal of dredgings will be identified in the Waste Sites Plan and the site will safeguarded from other development. Planning permission will be granted for new sites for the disposal of dredging materials where it can be demonstrated that:

(a) the re-use of the material to be disposed of is not practicable;

(b) there are no opportunities to use the material to enhance the biodiversity of the Kent estuaries; and

(c) the proposal avoids causing any significant adverse impact upon the environment or communities.

Policy CSW 16

Waste Water Development

Waste water treatment works and sewage sludge treatment and disposal facilities will be granted planning permission, subject to:

(a) there being a proven need for the proposed facility; and

(b) the proposal avoids causing any significant adverse impact upon the environment or communities.

Policy CSW 17

Safeguarding Permitted Waste Sites

Planning permission will not be granted for development of sites which have permanent planning permission for waste management or which are identified in the Waste Sites Plan unless this does not reduce the existing waste management capacity of the site or an equivalent annual capacity can be provided at an alternative site within Kent.

Policy CSW 18

Nuclear Waste Treatment and Storage at Dungeness

Facilities for the storage and/or management of radioactive waste will be acceptable within the Nuclear Licensed area at Dungeness where:

- this is consistent with the national strategy[(135)] for managing radioactive waste and discharges; and
- the outcome of environmental assessments justify it being managed on site; and
- facilities are located and designed in order to minimise adverse impacts on the environment.

The only waste arisings from Dungeness Nuclear Licensed Site which will be acceptable as fill material for the back-filling of voids within the nuclear licensed site are inert (non radioactive) wastes which are generated by the demolition of existing buildings and structures. Landfill or landraise activities which utilise radioactive wastes within the nuclear licensed site will not be permitted.

Policy CSW 19

Non Nuclear Radioactive LLW Waste Management

Planning permission will be granted for facilities which manage non-nuclear LLW and VLLW waste arisings where they meet the requirements of all other relevant policies within the Minerals and Waste Plan, in the following circumstances:-

- where there is a proven need for the facility; and
- the source material to be managed predominantly arises from within Kent; and
- the proposal avoids causing any significant adverse impact upon the environment or communities.

135 The national strategy for radioactive wastes is the NDA Strategy at the time of this plan preparation

Development Management Policies

Policy DM 1

Sustainable Design

Proposals for minerals and waste development will be required to demonstrate that they have been designed to avoid causing any significant adverse impacts on the environment and communities by appropriate measures to:

- minimise greenhouse gas emissions and other forms of emissions;
- minimise levels of energy and water consumption and incorporate measures for water recycling and renewable energy technology and design in new facilities;
- minimise production of waste during construction and operation;
- maximise the re-use or recycling of materials;
- utilise sustainable drainage systems wherever practicable;
- protect and enhance the character and quality of the site's location and its biodiversity interests; and
- ensure that the proposal does not cause any significant adverse impacts on the environment or communities.

Policy DM 2

Sites of International, National and Local Importance

Proposals for minerals and waste development will be required to ensure that there is no significant adverse impact on the integrity, character, appearance and function, biodiversity interests, geological interests, heritage interests or amenity value of sites of international, national and local importance, including:

(a) Internationally designated sites including Ramsar, SPAs and SACs (European Sites).

(b) Sites of Special Scientific Interest (SSSIs).

(c) Local Wildlife Sites (LWS).

(d) Local Nature Reserves (LNRs).

(e) Biodiversity Action Plan priority habitats.

(f) Land that is of regional or local importance as a wildlife corridor or for the conservation of biodiversity.

(g) Areas of Outstanding Natural Beauty and their setting.

(h) Regionally Important Geological sites (RIGS).

(i) Protected woodland areas including ancient woodland and aged and veteran trees.

(j) Country Parks, common land and village greens and other important areas of open space or green areas within built-up areas.

(k) Local waterbodies.

(l) Conservation Areas and listed heritage assets (including their setting).

(m) World Heritage Sites, scheduled monuments and non designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments.

(n) Registered historic parks and gardens.

(o) Land or buildings in sport, recreational or tourism use,

unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning gain.

In the case of minerals and/or waste proposals within or considered likely to have any significant adverse impact on a European site, impacts will need to be evaluated in combination with other projects and plans; it will also be necessary to demonstrate that:-

- there are no alternatives; and
- a robust case will need to establish why there are imperative reasons of overriding public interest (IROPI); and
- There is sufficient provision for adequate timely compensation,

before any proposal that would have an adverse impact on the integrity of the European sites will be permitted.

Policy DM 3

Ecological Impact Assessment

Proposals for minerals and waste developments will be required to ensure that they result in no significant adverse impact on Kent's important biodiversity assets. These include internationally, nationally and locally designated sites, European and nationally protected species, and habitats and species of principle importance for the conservation of biodiversity / Biodiversity Action Plan habitats and species.

Proposals which are likely to have adverse impacts upon important biodiversity assets will need to demonstrate that an adequate level of ecological assessment has been undertaken and will only be granted planning permission following:

(a) an ecological assessment of the site, including preliminary ecological appraisal and, where likely presence is identified, specific protected species surveys;

(b) consideration of the need for, and benefits of, the development and the reasons for locating the development in its proposed location;

(c) the identification and securing of measures to mitigate any adverse impacts (direct, indirect and cumulative);

(d) the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for; and

(e) the identification and securing of opportunities to make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy DM 4

Green Belt

Proposals for mineral extraction situated in the Green Belt will be acceptable if they are in accordance with all other relevant development management policies, and it can be demonstrated that the development will enhance the Green Belt by:-

- providing opportunities for access to the open countryside; and/or
- providing opportunities for outdoor sport and recreation; and/or
- retaining and enhancing landscapes, visual amenity and biodiversity; and/or
- improving damaged and derelict land.

Proposals for minerals developments situated within the Green Belt will have to establish and implement measures to maintain its open character and the integrity of the countryside location and implement extremely high operational environmental standards.

Policy DM 5

Heritage Assets

Proposals for minerals and waste developments will be required to ensure that Kent's heritage assets and their settings, including landscape, historic parks and gardens, historic buildings, historic towns, conservation areas, monuments, archaeological sites and features and defined heritage coastline,[136] are conserved in a manner appropriate to their significance. Proposals should result in no significant adverse impact on Kent's historic environment and wherever possible opportunities must be sought to maintain or enhance historic assets affected by the proposals.

136 Two sites in Kent: (1.) South Foreland and (2.) Dover - Folkestone.

Policy DM 6

Historic Environment Assessment

Proposals for minerals and waste development which are likely to affect important heritage assets will only be granted planning permission following:

(a) preliminary historic environment assessment, including field archaeological investigation where appropriate, to determine the nature and significance of the heritage assets; and

(b) appropriate provision has been secured for preservation in situ, and/or archaeological excavation and recording and/or other historic environment recording as appropriate, including post-excavation analysis and reporting, archive deposition and access, and interpretation of the results for the local community, in accordance with the significance of the finds; and

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

Policy DM 7

Safeguarding Mineral Resources and Importation Infrastructure

Planning permission will only be granted for non mineral developments which are incompatible with safeguarding the mineral within a Mineral Safeguarding Area and/or importation infrastructure within a Safeguarded Wharf or Railhead identified on the Key Diagram where:

- the mineral can be extracted satisfactorily prior to the incompatible development taking place; or
- the applicant can demonstrate to the satisfaction of the Mineral Planning Authority that the mineral is either not of economic value or does not exist; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit mineral extraction within the timescale that the mineral is likely to be needed; or
- In the case of a wharf or railhead the applicant can demonstrate that additional/replacement capacity at another wharf or railhead is available in Kent which is similar to or better than the facility that it is replacing in terms of accessibility, location in relation to the market, suitability and size of the berth for dredgers, barges or ships, suitability/size of adjacent available land for processing and stockpiling of minerals and there are no incompatible developments in close proximity which could jeopardise the operation of the replacement site; or
- it constitutes development which is exempt from mineral safeguarding policy, namely householder applications or it is infill development of a minor nature in existing built up areas.

Policy DM 8

Extraction of Minerals in Advance of Surface Development

Planning permission for mineral extraction that is in advance of permitted surface development will be granted where the reserves would otherwise be permanently sterilised provided that the mineral extraction operations are only for a temporary period and that the proposal will not cause unacceptable harm to the environment or communities. Where planning permission is granted for the prior extraction of minerals, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

Policy DM 9

The Water Environment

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

- result in the deterioration of physical state, water quality or ecological status of any waterbody; or
- have an unacceptable impact on groundwater Source Protection Zones; or
- exacerbate flood risk in areas prone to flooding and elsewhere, both now and in the future.

All minerals and waste proposals must include measures to ensure the achievement of both 'no deterioration' and improved ecological status of all waterbodies within the site and/or hydrologically connected to the site.

Policy DM 10

Health and Amenity

Minerals and waste development will be permitted if it can be demonstrated that they are unlikely to generate significant adverse impacts from noise, dust, vibration, odour, emissions, bioaerosols, illumination, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment.

Policy DM 11

Cumulative Impact

Planning permission will be granted for minerals and waste development where it does not result in a significant cumulative impact on the environment or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of minerals or waste developments occurring concurrently or successively.

Policy DM 12

Transportation of Minerals and Waste

Minerals and waste development will be required to minimise road miles except where there is no practicable alternative to road transport which would be environmentally preferable. Where new development will require road transport:

- the proposed access arrangements must be safe and appropriate to the proposed development and the impact of the traffic generated would not be detrimental to road safety; and
- the highway network must be able to accommodate the traffic that would be generated and the impact of the traffic generated would not have a significant impact on the environment or local community.

Policy DM 13

Public Rights of Way

Planning permission will only be granted for minerals and waste development that adversely affect a public right of way if satisfactory prior provisions for its diversion are made which are both convenient and safe for users of the PROW or there is provision for the creation of an acceptable alternative route both during operations and following restoration of the site. The opportunity will be taken wherever possible to secure appropriate, improved access into the countryside.

Policy DM 14

Safeguarding of Transport Infrastructure

Proposals for minerals and waste development will be permitted where development would not give rise to new or increased hazards to aviation, rail, river, sea, other waterways or road transport.

Policy DM 15

Information Required In Support of an Application

Planning applications for minerals or waste management development must be supported by sufficient relevant drawings, plans and information, including the information specified in the County Council's guidance notes for waste[137] and mineral [138] applications.

Policy DM 16

Planning Obligations

Planning obligations will be sought where appropriate to achieve suitable control over and to mitigate and/or compensate for the effects of minerals and waste development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development.

- revocation and consolidation of planning permissions;
- highways and access improvements;
- traffic management measures including the regulation of lorry traffic;
- provision and management of off-site or advance tree planting and screening;

137 This currently consists of two documents: Planning Applications Group (2012) Local Information Requirements For County Matter Development Applications and Validation of Waste Planning Applications, this can be found by following link: http://kent.gov.uk/environment_and_planning/planning_in_kent/planning_applications/apply_for_planning_permission/validation_of_applications/validation_advice.aspx

138 Planning Applications Unit (2003) Minerals Application Guidance Notes,can be found by following this link: http://kent.gov.uk/environment_and_planning/planning_in_kent/planning_applications/apply_for_planning_permission/mineral_applications.aspx

- extraction in advance of future development;
- environmental enhancement and the delivery of Local Biodiversity Action Plan Targets;
- protection and enhancement of locally, nationally and internationally important sites;
- protection of locally, nationally, internationally notable and protected species. Long term management of mitigation or compensation sites and their protection from further development.
- provision and long term maintenance of an alternative water supply should existing supplies be affected;
- archaeological investigation, analysis, reporting, publication and archive deposition;
- establishment of a liaison committee;
- long-term site management provision to establish and/or maintain beneficial after-use;
- improvement to the public rights of way network;
- financial guarantees to ensure restoration and long term maintenance is undertaken;
- measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of minerals and waste development;
- Codes of construction practice for large[(139)] waste developments which incorporate the requirement for the majority of the construction workforce to be recruited locally. Opportunities for modern apprenticeships to be made available for a proportion of the construction workforce; and
- The majority of the operational staff at large waste developments to be sourced from the local area and opportunities for modern apprenticeships and other nationally recognised training schemes to be available for a proportion of the workforce.

139 A large waste development is one which has a capacity of over 100,000tpa.

Policy DM 17

Land Stability

Planning permission will be granted for minerals or waste development where it does not result in land instability.

All minerals and waste proposals that could give rise to land instability must include a stability report and measures to ensure land stability.

Policy DM 18

Restoration and Aftercare

Planning permission for minerals and temporary waste management development will be granted where provision has been made for high standards of restoration and after-use of the site and where necessary for its long term management.

Restoration plans should be submitted with the planning application and where appropriate include details of those matters that are set out below.

- a site based landscape strategy for the restoration scheme;
- the key landscape and biodiversity opportunities and constraints ensuring connectivity with surrounding habitats;
- the geological, archaeological and historic landscape features;
- the site boundaries and areas allocated for soil and overburden storage;
- an assessment of soil resources and their removal, handling and storage;
- an assessment of the overburden to be removed and stored;
- the type and depth of workings and information relating to the water table;
- significant waste material locations and quantities of waste involved;
- proposed infilling operations, sources and types of fill material;
- consideration of land stability after restoration;

- directions and phasing of working and restoration and how they are integrated into the working scheme;
- the need for and provision of additional screening taking account of degrees of visual exposure;
- details of the proposed landform including pre- and post-settlement levels;
- types, quantities and source of soils or soil making materials to be used;
- a methodology for management of soils to ensure that the pre-development soil quality is maintained;
- proposals for meeting targets or biodiversity gain in relation to the Kent Biodiversity Action Plan (or its replacement), the Kent Biodiversity Opportunity Areas and the Greater Thames Marshes Nature Improvement Area;
- planting of new native woodlands;
- removal of all buildings, plant, structures, accesses and hardstanding not required for long term management of the site;
- installation of drainage to enable high quality restoration and afteruse;
- measures to incorporate flood risk mitigation opportunities;
- details of the seeding of grass or other crops and planting of trees, shrubs and hedges; and
- a programme of aftercare to include details of vegetation establishment; vegetation management; biodiversity habitat management; field drainage and irrigation/watering facilities.

Policy DM 19

After-use

Proposals for the after-use of minerals and temporary waste management sites shall:

- Incorporate the pre-working or pre-developed character of the site and its landscape setting in the afteruse; and
- employ restoration techniques that can ensure the land is retained as a long-term agricultural resource, where it is proposed to restore the land to agricultural or forestry uses; and
- provide for the enhancement of the quality of the landscape, biodiversity interests, local environment or the setting of historic assets to the benefit of the local or wider community.

Policy DM 20

Aggregate Recycling

New aggregate recycling processing plant will be permitted when processing is contained within covered buildings or when it can be demonstrated that there would be no significant adverse impacts from dust and/or noise upon communities or the environment.

Policy DM 21

Ancillary Development

Proposals for ancillary development[(140)] within or in close proximity to mineral and waste development will be permitted provided that:-

- the proposal is necessary to enable the main development to proceed, and either
- the proposal would not cause undue or overriding harm to communities or the environment; or
- it has been demonstrated that there are environmental benefits in providing a close link with the existing site which outweigh the environmental impacts.

Where permission is granted, the operation and retention of the associated development will be limited to the life of the linked quarry or waste facility.

Policy DM 22

Incidental Mineral Extraction

Planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary period and will not cause unacceptable harm to the environment or communities. Where planning permission is granted, conditions will be imposed to ensure that the site can be restored in accordance with Policy DM15 and Policy DM16 to an alternative after-use should the main development be delayed or not implemented.

Policy DM 23

Enforcement

The County Council will carry out its planning enforcement functions within the terms of its own Enforcement Plan/ Protocols (and any subsequent variations) and specifically for waste-related matters, in light of the European Union Waste Framework Directive.

140 "Ancillary Development" is defined in the Town and Country Planning Act S90. In relation to minerals and waste developments “ancillary development”, and only includes development which is directly related to the minerals or waste development proposed.

Appendix C: The Links Between Our Vision, Objectives and Policies

Vision	Objectives	Policies
V1. Minerals and waste development will make a positive and sustainable contribution to the Kent area and assist progress towards a low carbon economy. **O1, O2, O3.**	O1. Encourage the use of sustainable modes of transport for moving minerals and waste long distances and minimise road miles. **V1.**	CSM1; CSM9; DM1; DM10.
	O2. Ensure minerals and waste developments contribute towards the minimisation of and adaptation to the effects of climate change. **V1.**	CSM1; CSM6; CSW1; DM1: DM12.
	O3. Ensure minerals and waste sites are sensitive to both their surrounding environment and communities and minimise their impact on them. **V1, V6.**	CSW11; CSW14; DM1; DM2; DM3; DM4; DM5; DM6; DM9; DM10; DM11; DM13; DM14; DM15; DM16; DM17; DM18; DM19; DM21; DM22; DM23.
V2.Support needs arising within the growth areas in Kent Thames Gateway, the Ashford, the Maidstone and Dover Growth Points and the county's other urban areas. Through collaborative working with communities, landowners, the minerals and waste industries, the environmental and voluntary sector and local planning authorities, deliverable, cost effective, sustainable solutions to Kent's future needs for minerals and waste will be provided. **O4.**	O4. Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment opportunities. **V2.**	DM15; DM16.

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Vision	Objectives	Policies
V3. Deliver a sustainable, efficient supply of land-won minerals including aggregates, silica sand, crushed rock, brickearth, chalk and clay and minerals for cement manufacture. **MO5, MO8.**	MO5. During the plan period, ensure the delivery of adequate and steady supplies of chalk, brickearth, clay, silica sand, crushed rock, building stone, minerals for cement and sand and gravel through allocating sufficient sites. Safeguard mineral bearing land for future generations. **V3.**	CSM2; CSM3; CSM4; CSM5; CSM7; CSM8; CSM9; DM8;
V4. Facilitate the processing and use of recycled aggregates and become less reliant on land-won construction aggregates. **MO6**.	MO6. Promote and encourage the use of recycled and secondary aggregates in place of land won minerals. **V4.**	CSM6; DM17.
V5. Safeguard economic mineral resources for future generations and all mineral importation facilities (wharves and railheads). **O3, MO7, MO8, MO9, MO10.**	MO7. Safeguard wharves and railheads across the County to enable the ongoing importation of marine dredged aggregates, crushed rock and other minerals. **V5.**	CSM11; CS12: DM7.
	MO8. Enable the small scale, low intensity extraction of building stone minerals for heritage building products. **V3.**	CSM5; DM7.
V6. Restore minerals sites to a high standard to promote biodiversity and recreation uses. Restoration schemes will contribute to the provision of	MO9. Restore minerals sites to the highest possible standard and incorporate opportunities for	DM2; DM16; DM18; DM19.

Vision	Objectives	Policies
Biodiversity Action Plan habitats integrating habitat creation within wider habitat networks. **O3, MO9, MO10.**	biodiversity to meet targets outlined in the Kent Biodiversity Action Plan, the Biodiversity Opportunity Areas and the Greater Thames Nature Improvement Area, as well as for recreation, agriculture and employment uses. **V6.**	
	MO10. Encourage the sustainable use of the inert non-recyclable fraction of Construction, Demolition and Excavation Waste for quarry restoration. **V6.**	DM18; DM19.
V7. Move waste up the waste hierarchy, reducing the amount of non hazardous waste sent to landfill. **WO11.**	WO11. Increase amounts of Kent's waste being re-used, recycled or recovered and promote the movement of waste up the waste hierarchy by enabling the waste industry to provide facilities which help to deliver a major reduction in the amount of Kent's waste being disposed of in landfills. **V7.**	CSW2; CSW3; CSW4; CSW15; DM1; CSW11; CSW12.
V8. Encourage waste to be used to produce renewable energy incorporating both heat and power if it cannot be re-used or recycled. **WO12, WO13.**	WO12. Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and where applicable innovative technology. **V8, V9.**	CSW3; CSW4; CSW15; DM1;

Appendix C: The Links Between Our Vision, Objectives and Policies

Vision	Objectives	Policies
V9. Ensure waste is managed close to its source of production. **WO12.**	WO13. Use waste as a resource to provide opportunities for the generation of renewable energy for use within Kent through energy from waste and other mechanisms such as gasification and anaerobic digestion. **V8.**	CSW9; CSW11.
V10. Make provision for a variety of waste management facilities to ensure that Kent remains at the forefront of waste management, and has solutions for all major waste streams, whilst retaining flexibility to adapt to changes in technology. **WO14.**	WO14. Provide locations for additional waste sites and facilitate expansion of existing sites, where appropriate to enable waste to be managed in a sustainable manner. **V10; V11.**	CSW5; CSW6; CSW7; CSW8; CSW12; CSW10; CSW13; CSW16; CSW17; CSW18; CSW19.
V11. Plug the 'gaps' in current provision and future needs for waste management. **WO14.**		

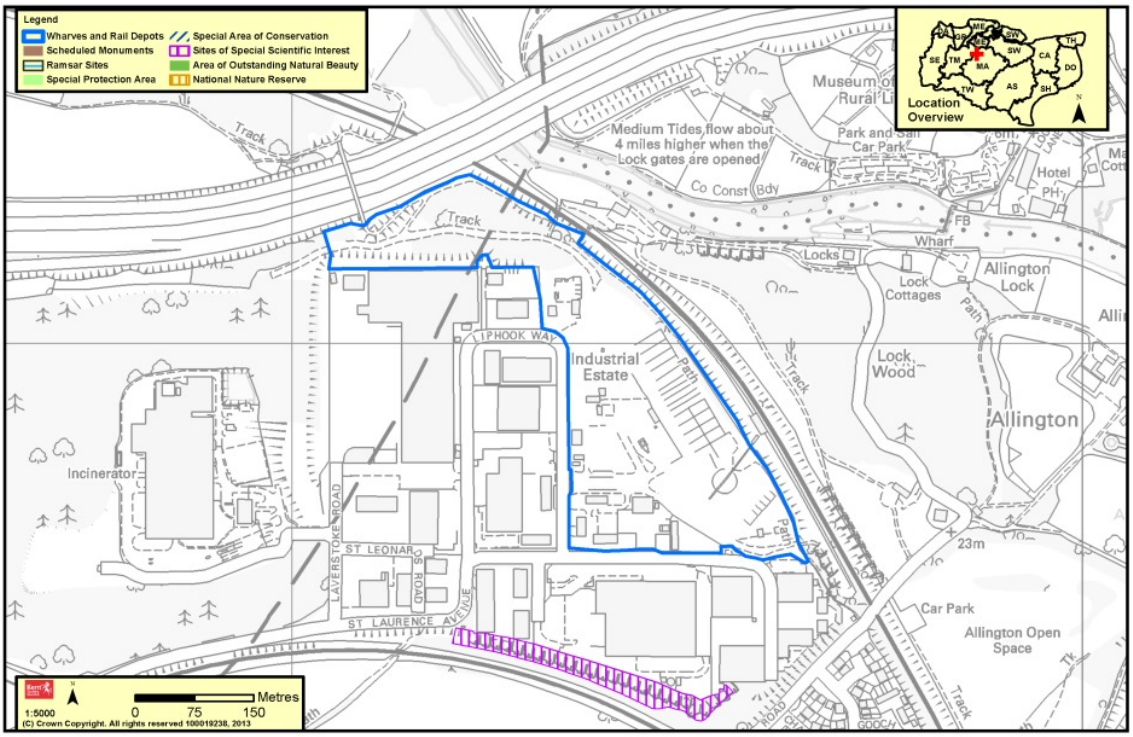
Appendix D: Safeguarded Wharves and Rail Importation Facilities

Excludes Medway Wharves and Railheads

Table 3

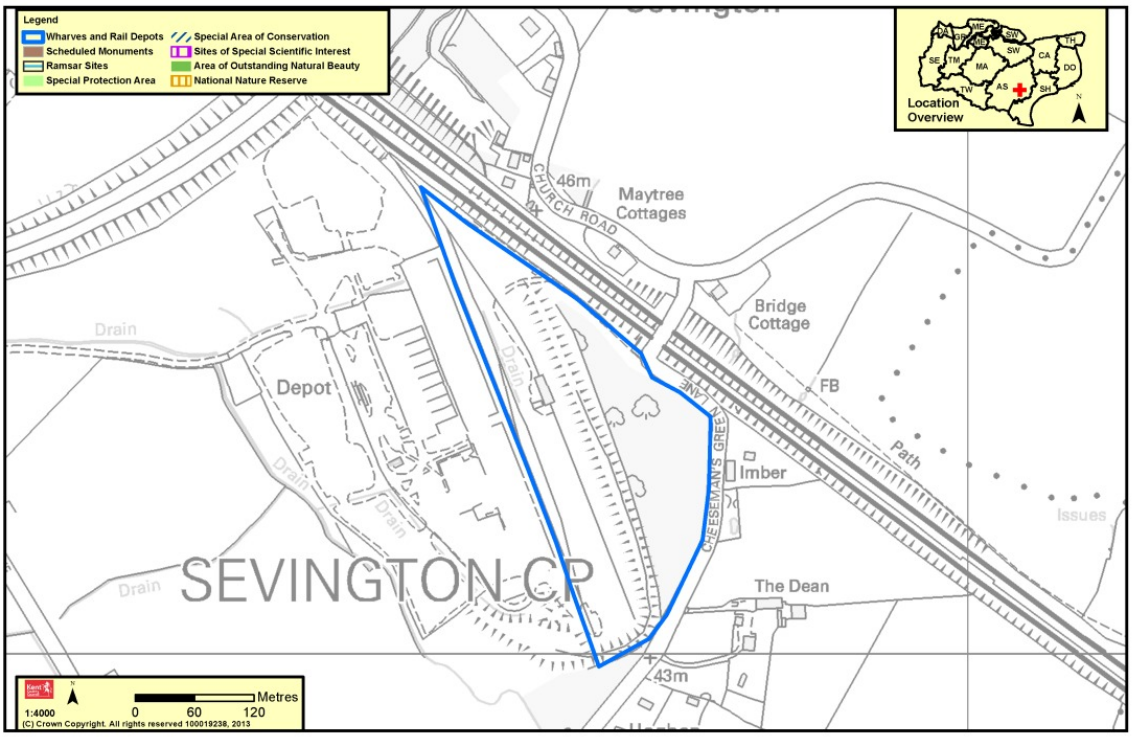
Site Name	Operator	Site Code
Allington	Hanson	A
Sevington Rail Depot	Brett	B
Hothfield Works	Tarmac	C
East Peckham	Clubb	D
Ridham Dock	Brett & Tarmac	E
Johnsons Wharf	Lafarge	F
Robin's Wharf, Northfleet	Aggregate Industries & Brett	G
Denton Wharf (Denton Marine Terminal)	Clubb	H
East Quay, Whitstable	Brett	J
Red Lion Wharf	Stema Shipping Ltd	K
Ramsgate New Port	Brett	L
Dunkirk Jetty, Dover Western Docks	Brett	M
Wharf 42, Northfleet (including Northfleet Cement Wharf)	Lafarge	N
Sheerness	Aggregate Industries	O
Botany Marshes (Northfleet Wharf)	Cemex	P

Site A: Allington



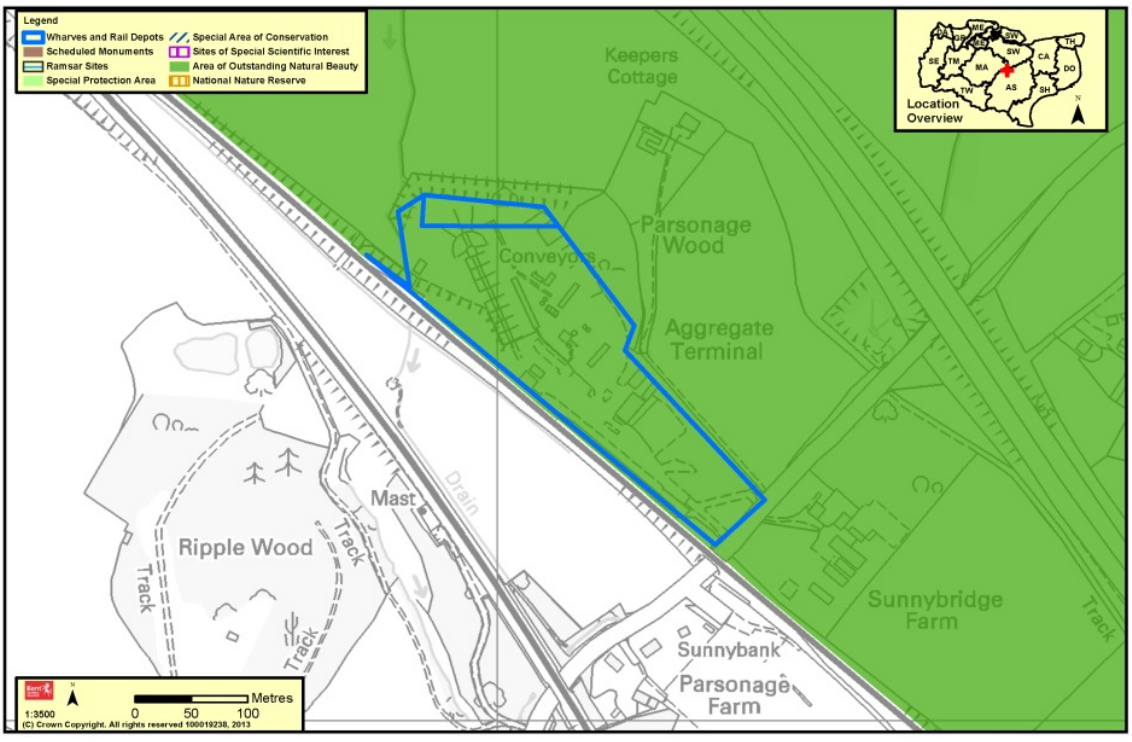
Allington

Map B: Sevington



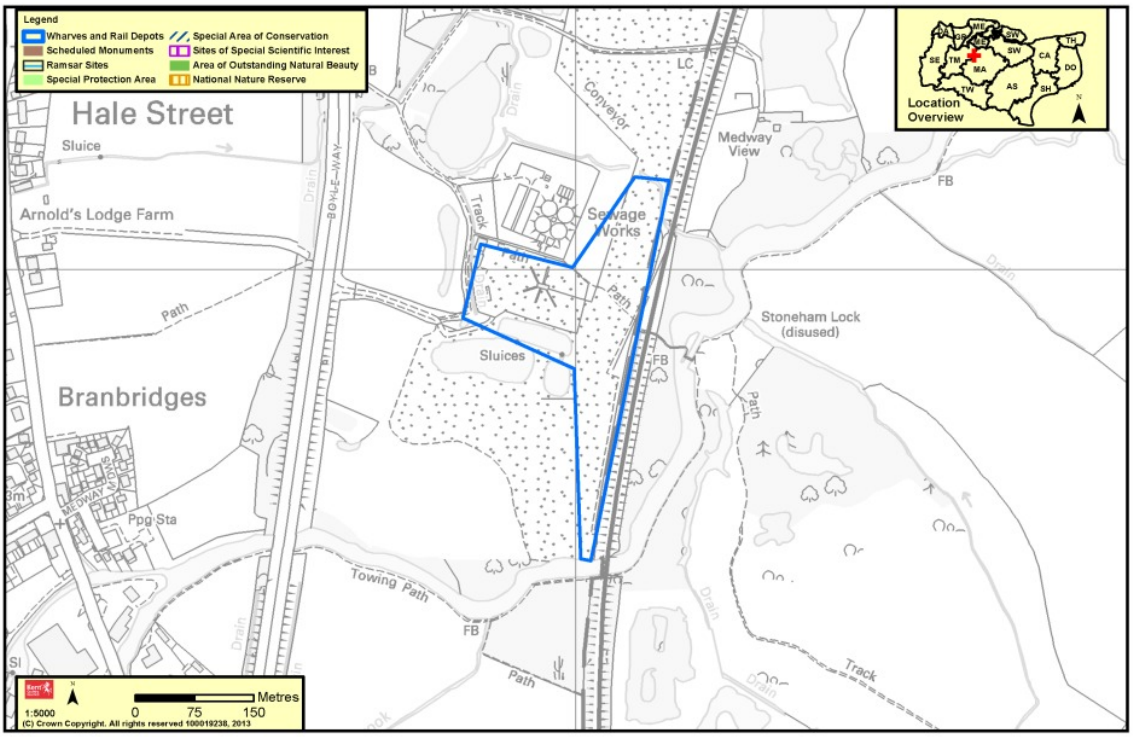
Sevington

Site C: Hothfield Works



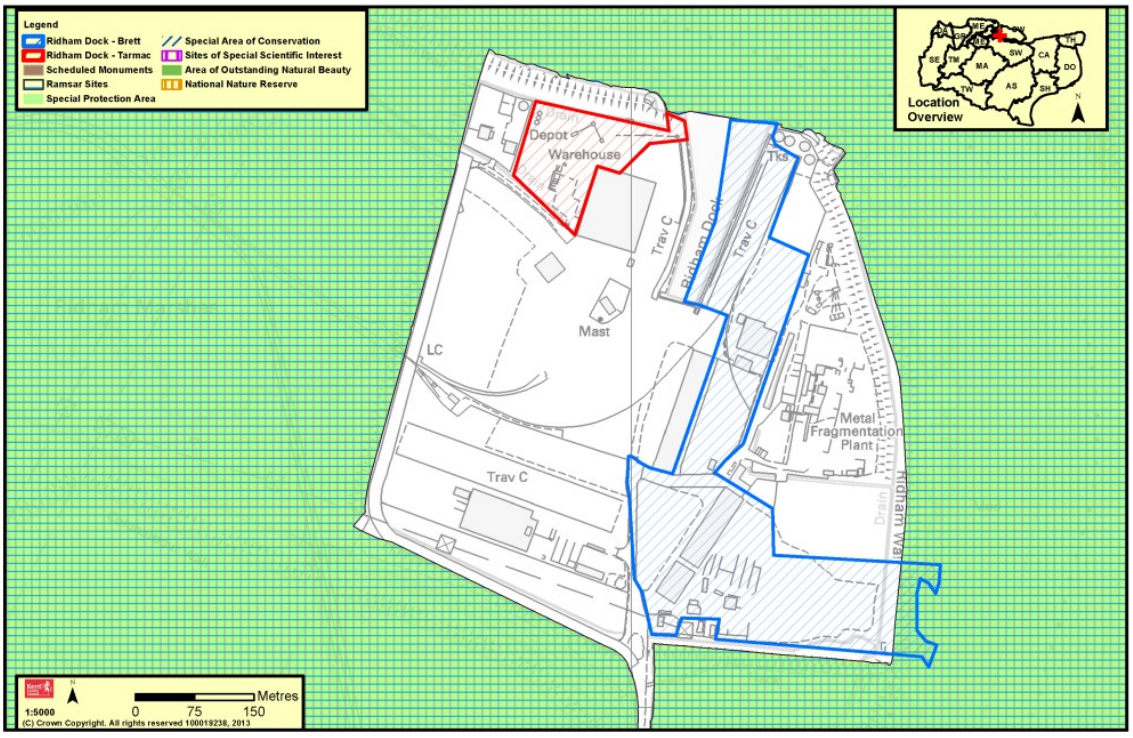
Hothfield Railhead

Site D: East Peckham



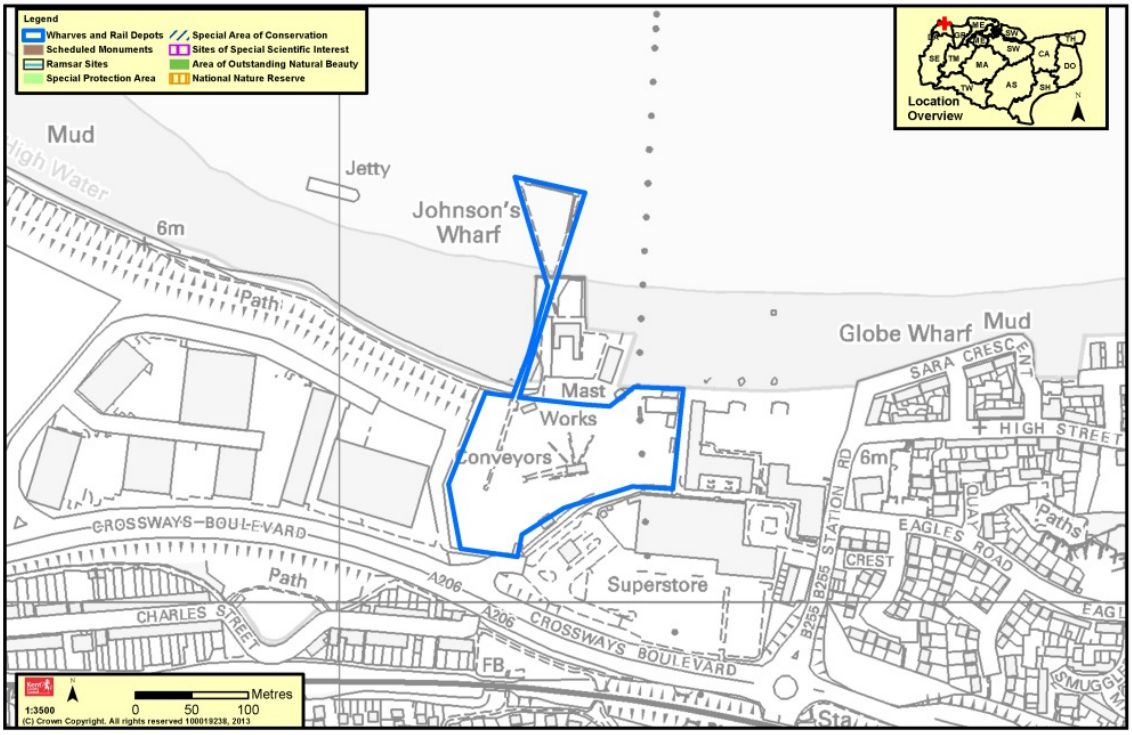
East Peckham Quarry Rail Depot

Site E: Ridham Dock



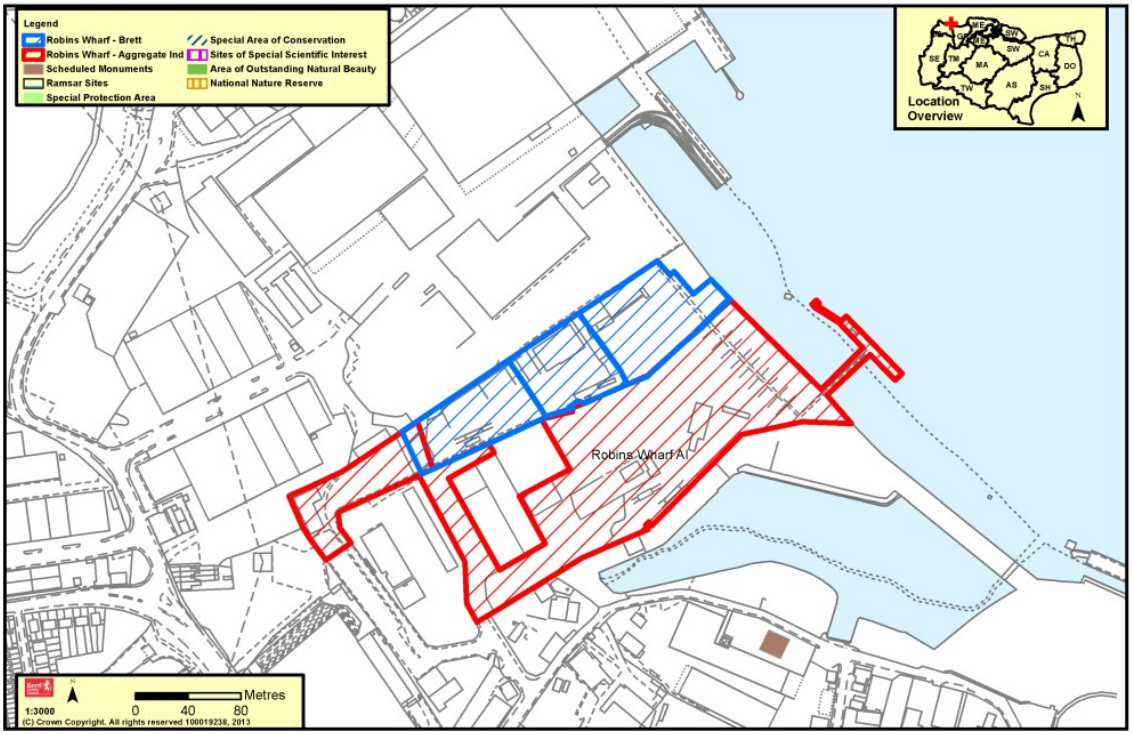
Ridham Dock

Site F: Johnsons Wharf



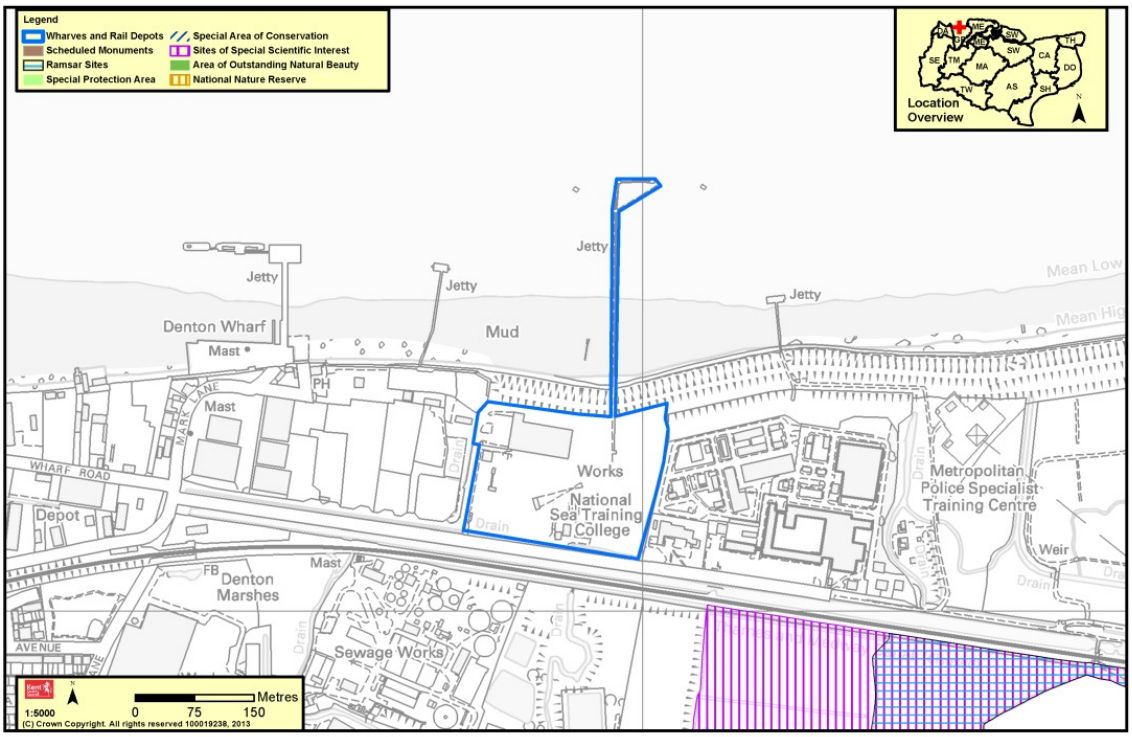
Johnsons Wharf, Greenhithe

Site G: Robins Wharf, Northfleet



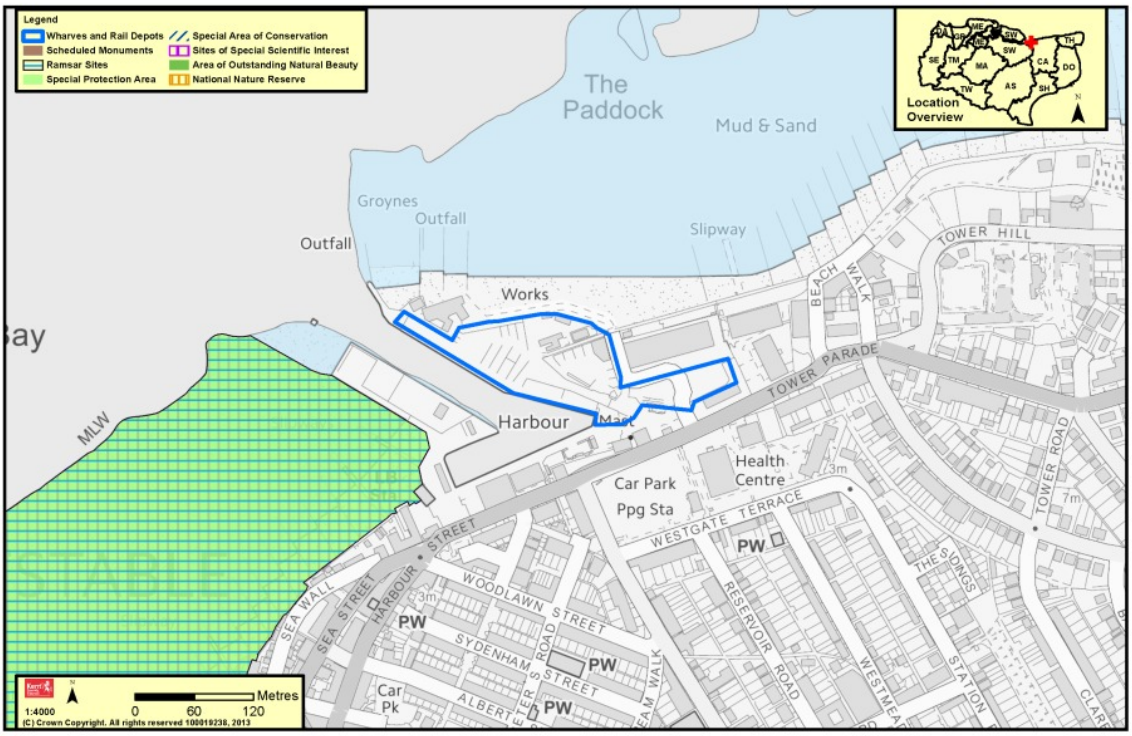
Robins Wharf

Map H: Denton Wharf



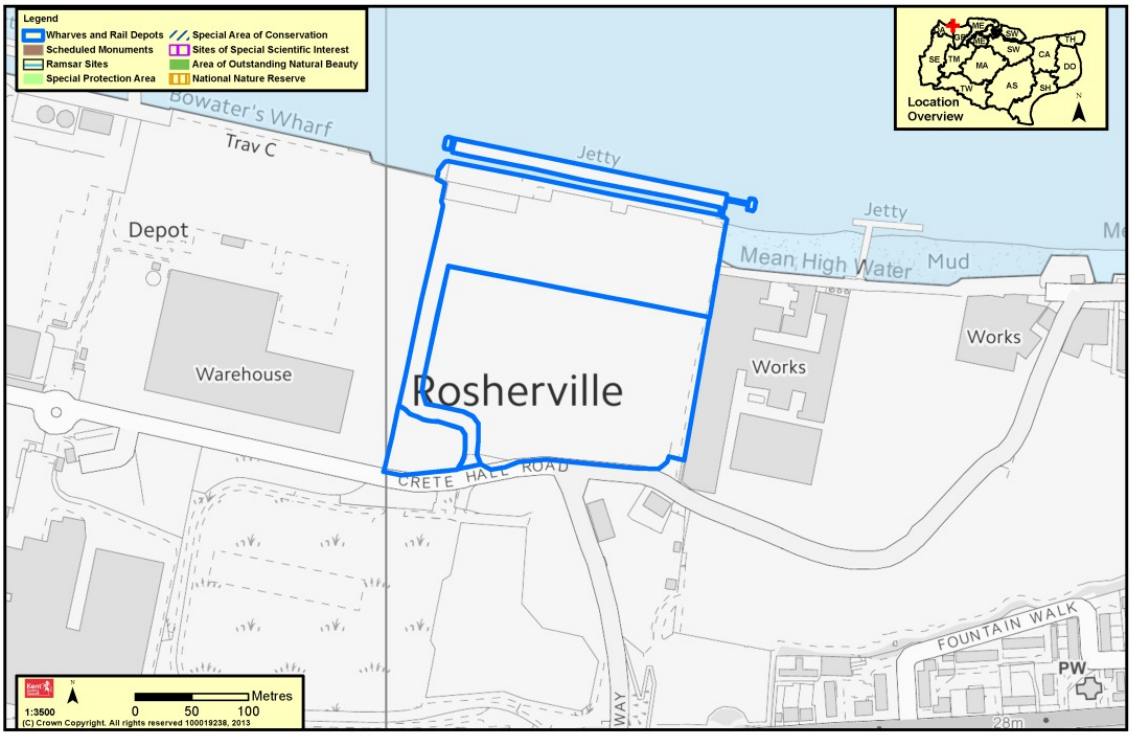
Denton Marine Terminal

Site J: East Quay, Whitstable



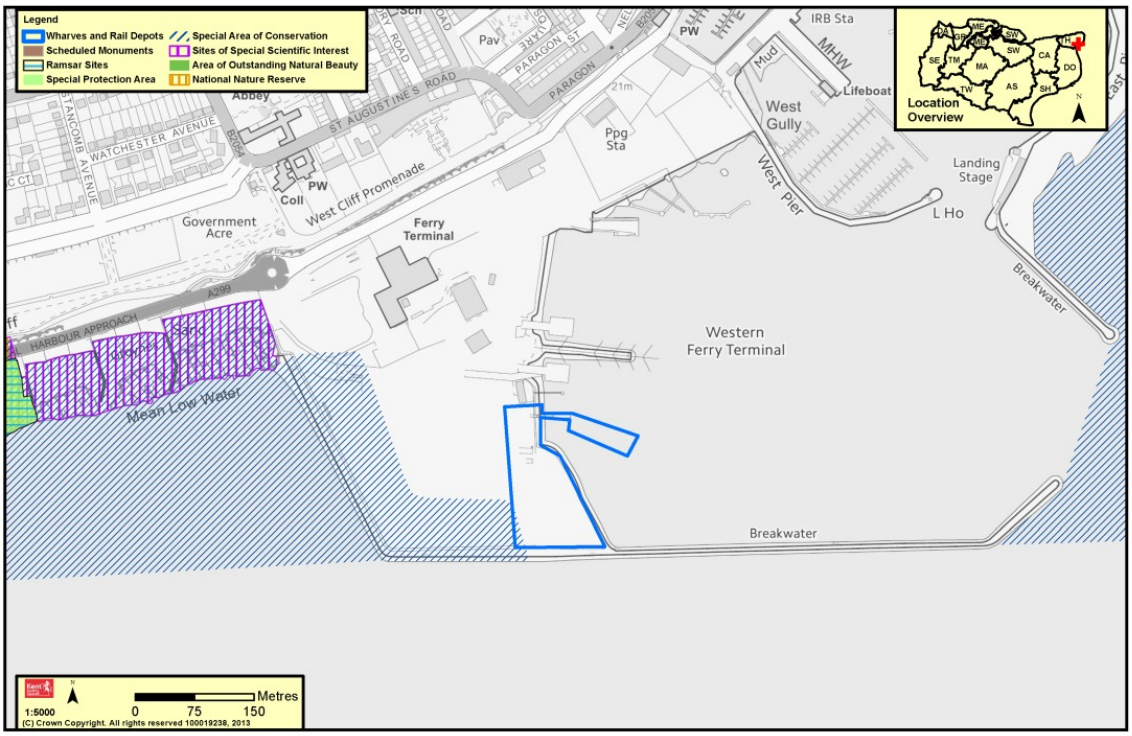
East Quay, Whistable Harbour

Site K: Red Lion Wharf



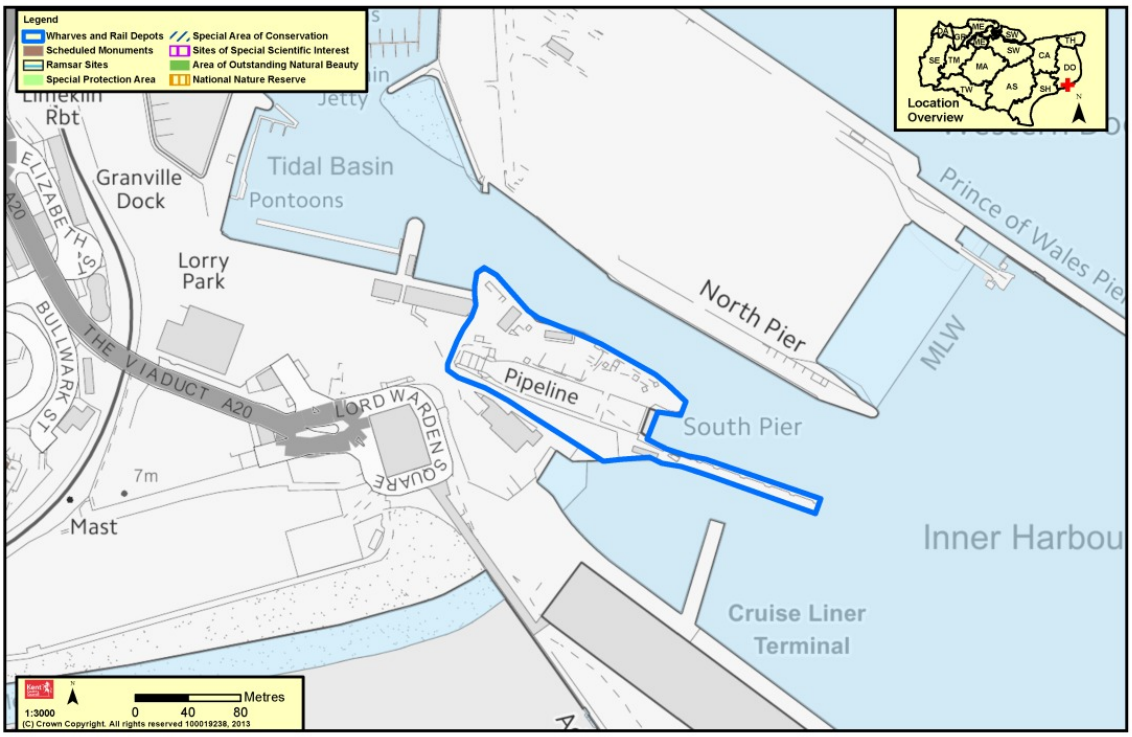
Red Lion Wharf

Site L: Ramsgate New Port



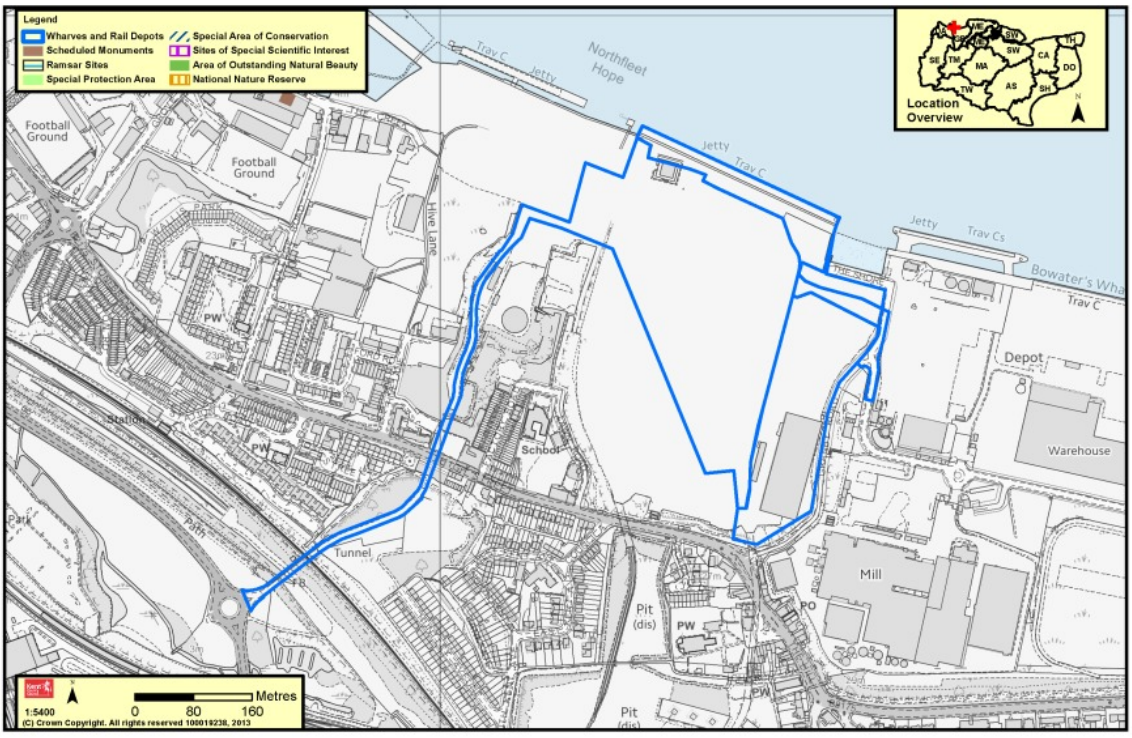
Ramsgate Harbour

Site M: Dunkirk Jetty, Dover Western Docks



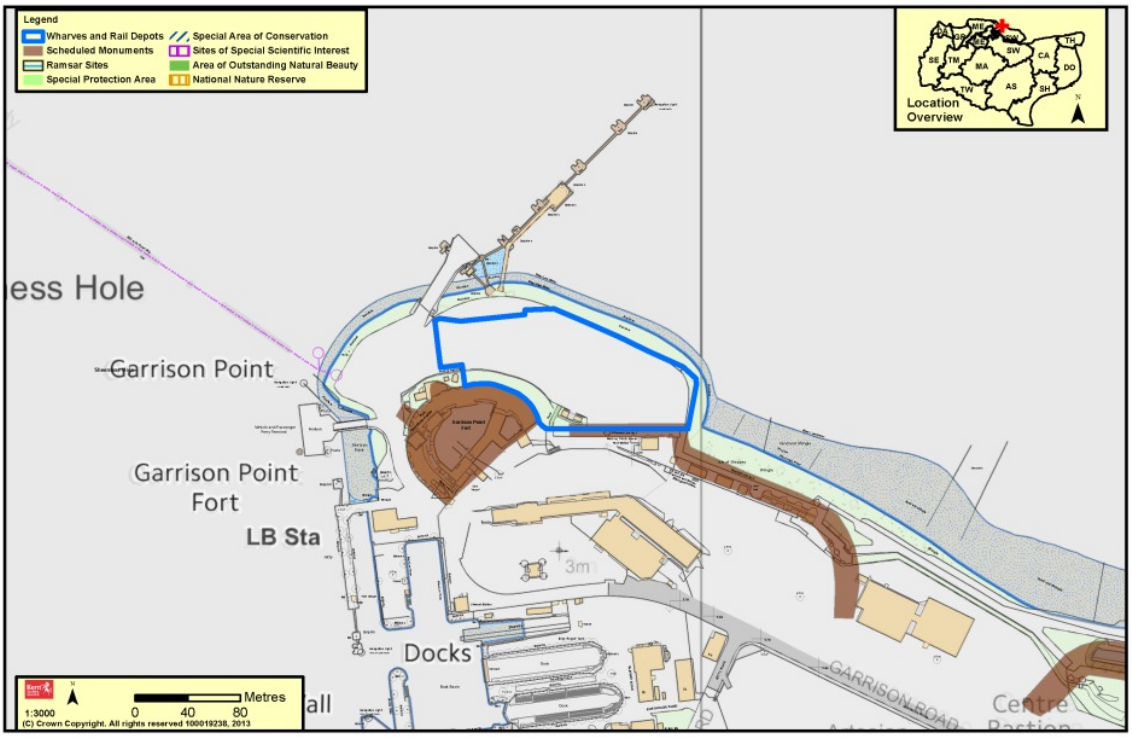
Western Docks, Dover

Site N: Wharf 42, Northfleet



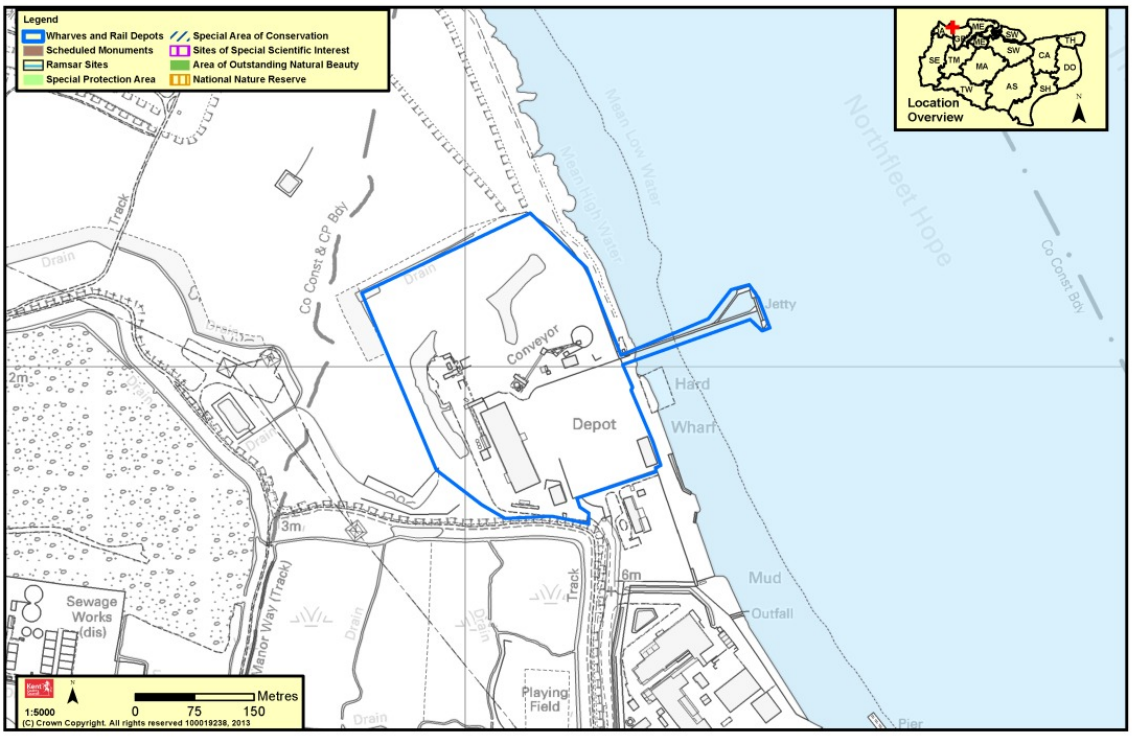
42 Wharf (Northfleet)

Site O: Sheerness



Sheerness

Site P: Botany Marshes (Northfleet Wharf)



Botany Marshes (Northfleet Wharf)

Appendix E: List of Replaced and Deleted Policies

This list identifies the 'saved' policies within the old minerals and waste plans for Kent and identifies the new policies in the Minerals and Waste Plan 2013-2030 that will replace them. It also identifies policies which will be deleted upon the adoption of the Minerals and Waste Plan 2013-2030.

Kent Minerals Local Plan Construction Aggregates (1993)		**The Policy(ies) in the Minerals and Waste Plan 2013-2030 Which Will Replace this Policy**	
CA1	Access Considerations (for aggregate wharves and rail depots)	CSM10	Sustainable Transport of Minerals
CA2C	Primary Planning Constraints (for aggregate wharves and rail depots)	-	Policy is to be deleted as there are no new identified wharves and railway depots, however Policy CSM9 encourages the development of new wharves and railheads.
CA3	Local Considerations (for aggregate wharves and depots)	CSM10	Sustainable Transport of Minerals
CA4	Proposed Locations (for aggregate wharves and depots)	-	Policy is to be deleted as no new mineral importation wharves or railheads are identified.
CA6	The General Approach (for land-won construction aggregates)	CSM2	Supply of Land-won Minerals in Kent
CA7	Provision of Geological Information in Support of an Application	DM15	Information Required in Support of an Application
CA8D	Exceptions to Areas of Search	CSM4	Exceptions Policy for Land-won Minerals
CA9	Borrow Pits	-	Policy will be deleted. However borrow pits can be considered as part of policy CSM4.

CA10	Mineral Consultation Areas (safeguarding mineral resources and potential supply points)	CSM5; CSM11; and DM7	Land-won Mineral Safeguarding; Safeguarded Wharves and Railheads; and Safeguarding Mineral Resources and Importation Infrastructure
CA12	The Structure Plan (regarding silica sand).	CSM2	Supply of Land-won aggregates in Kent
CA13	Environment (regarding the mining of limestone)	-	Policy is deleted. However policy SCM8 gives policy support to the prospecting of underground limestone.
CA16	Traffic Considerations	DM12	Transportation of Minerals and Waste
CA18	Noise, Vibration and Dust	DM10	Health and Amenity
CA19	Plant and Building	DM1	Sustainable Design
CA20	Plant and Building	-	Policy is deleted.
CA20A	Ancilliary Operations	DM21	Ancillary Development
CA21	Public Rights of Way	DM13	Public Rights of Way
CA22	Landscaping	DM18	Restoration and Aftercare
CA23	Working and Reclamation	DM18; and DM19	Restoration and Aftercare; and After-use
Kent Minerals Local Plan Chalk and Clay(1997)		**The Policy(ies) in the Minerals and Waste Plan 2013-2030 Which Will Replace this Policy**	
CC1	Provision for Development	CSM2	Supply of Land-won Minerals in Kent
CC1A	Provision for Development (secondary or waste material re-use)	-	Policy is deleted. There is no need for a policy supporting the preparation of suitable secondary or waste chalk or clay materials for re-use. It is considered that this related to potential supply of recycled or secondary materials for cement workings. However the aspirations of this policy

			are included in DM18A, Incidental Mineral Extraction
CC5	Chalk Areas for Cement (Eastern Quarry)	-	Policy is deleted.
CC9	Cement Wharves (safeguarding)	CSM11; and DM7	Safeguarded Wharves and Railheads; and Safeguarding Mineral Resources and Importation Infrastructure
CC10A	Minerals Consultation Areas (safeguarding)	CSM5	Land-won Mineral Safeguarding
CC12	Noise, Vibration and Dust	DM10	Health and Amenity
CC14	Land Drainage, Flood Control and Land Stability	DM9	The Water Environment
CC15	Nature Conservation	DM18	Restoration and Aftercare
CC16	Plant and Buildings	DM1	Sustainable Design
CC18	Ancilliary Operations	DM21	Ancillary Developments
CC20	Public Rights of Way	DM13	Public Rights of Way
CC24	Road, Traffic and Access	DM12	Transportation of Minerals and Waste
CC26	Landscaping	DM18	Restoration and Aftercare
CC27	Aftercare	DM18; and DM19	Restoration and Aftercare; and After-use
Kent Minerals Local Plan Oil and Gas(1997)		**Policy(ies) in the Minerals and Waste Plan 2013-2030 Which Will Replace this Policy**	
OG1AA	Coastal Planning		Policy will be deleted
OG2	Exploration	CSM8	Oil, Gas and Coal-Bed Methane
OG3	Appraisal	CSM8	Oil, Gas and Coal-Bed Methane
OG4	Development	CSM8	Oil, Gas and Coal-Bed Methane

OG5	Noise, Vibration, Dust and Gas	DM10	Health and Amenity
OG7	Land Drainage, Flood Control and Unstable Land	DM9	The Water Environment;
OG8	Nature Conservation	CSM8; and DM18	Oil, Gas and Coal-Bed Methane; and Restoration and Aftercare
OG9	Plant and Buildings	DM1	Sustainable Design
OG10	Hours of Working	-	Policy is deleted
OG11	Public Rights of Way	DM13	Public Rights of way
OG15	Road, Traffic and Access	DM12	Transportation of Minerals and Waste
OG16	Road, Traffic and Access	DM10	Health and Amenity
OG17	Landscaping	DM18	Restoration and Aftercare
OG18	Working and Restoration/Aftercare	DM18; and DM19	Restoration and Aftercare; and After-use
Kent Minerals Local Plan: Brickearth (1986)		**Policy(ies) in the Minerals and Waste Plan 2013-2030 Which Will Replace this Policy**	
B1	Release of Land	CSM2	Supply of Land-won Minerals
B2	Safeguarded Land	CSM5; and DM7	Land-won Mineral Safeguarding; and Safeguarding Mineral Resources and Importation Infrastructure
B3	Development Land	DM8	Extraction of Minerals in Advance of Surface Development
B4	Economically Workable Reserves	DM15	Information Required in Support of an Application
B5	Material Required for Restoration (soil depths)	-	Policy will be deleted
B6	Working and Restoration Scheme Requirements	DM18; and DM19	Restoration and Aftercare; and After-use

B7	Agricultural Aftercare	DM15	Restoration and Aftercare
B9	Access	DM12	Transportation of Minerals and Waste
B10	Mud and Stones on the Public Highway	DM15	Information Required in Support of an Application
B11	General Policy on Environmental Impact	DM10	Health and Amenity
Kent Waste Local Plan (1998)		**Policy(ies) in the Minerals and Waste Plan 2013-2030 Which Will Replace this Policy**	
W3	Locational Criteria	CSW6	Location of Non Strategic Waste Sites
W5	Land Raising	-	Policy is deleted
W6	Need (for waste facilities outside identified locations)	-	Policy is deleted
W7	Re-use (Category A waste)(identified locations)	CSM6	Secondary and Recycled Aggregates
W8A	River Dredgings	CSW15	Disposal of Dredgings
W9	Waste Separation and Transfer	-	Policy is deleted. Waste separation and transfer locations will be identified in the Waste Sites Plan.
W10	Composting and Digestion	CSW8	Approach top Waste Management for Non Hazardous Waste
W11	Waste to Energy	CSW9	Energy from Waste Facilities
W12	Landfill of Mineral Voids	CSW10; & CSW12	Non Hazardous Waste Landfill Closed Landfill Sites
W13	PFA	-	Policy is deleted
W17	Incineration	-	Policy is deleted
W18	Noise, Dust, Odours etc	DM10	Health and Amenity
W19	Water Resources/ Leachate/ Groundwater	DM9	The Water Environment
W20	Landfill: Surcharging/Unstable	DM9	The Water Environment

	Land/Land Water, Drainage and Flood Control	DM18	Restoration and Aftercare
W21	Nature Conservation Policy	DM18	Restoration and Aftercare
W22	Road Traffic and Access	DM12	Transportation of Minerals and Waste
W25	Plant and Buildings	DM1	Sustainable Design
W25A	Plant and Buildings	-	Policy is Deleted
W27	Public Rights of Way	DM13	Public Rights of Way
W31	Landscaping	DM18	Restoration and Aftercare
W32	Restoration/Aftercare	DM18; and DM19	Restoration and Aftercare; and After-use

Appendix F: Kent MWLP Sustainability Appraisal Objectives

Reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment.	Ensure that development does not lead to increased flood risk on or off site.
	Seek to mitigate or reduce flood risk through developments that are able to slow water flow and promote groundwater recharge.
Ensure that development will not impact on important elements of the biodiversity resource and where possible contributes to the achievement of the Kent Biodiversity Action Plan and other strategies.	Add to the biodiversity baseline by creating opportunities for targeted habitat creation (which, ideally, contributes to local or landscape scale habitat networks).
	Avoid hindering plans for biodiversity conservation or enhancement.
	Support increased access to biodiversity.
Protect and enhance Kent's countryside and historic environment.	Protect the integrity of the AONBs and other particularly valued or sensitive landscapes.
	Take account of the constraints, opportunities and priorities demonstrated through landscape characterisation assessments and other studies at the landscape scale.
	Protect important heritage assets and their settings, as well as take account of the value of the character of the wider historic environment.
Maintain and improve the water quality of the Kent's rivers, ground waters and coasts, and achieve sustainable water resources management.	Ensure that minerals and waste development seeks to promote the conservation of water resources wherever possible.
	Avoid pollution of ground or surface waters, particularly in areas identified as being at risk or sensitive.
Address the causes of climate change through reducing emissions of greenhouse gases through energy efficiency and energy generated from renewable sources.	Recover energy from waste where possible.
	Promote sustainable design and construction of facilities and support wider efforts to reduce the carbon footprint of minerals and waste operations.

Reduce and minimise unsustainable transport patterns and facilitate the transport of minerals and waste by the most sustainable modes possible.	Minimise minerals and waste transport movements, journey lengths and encourage transport by rail and water.
	Ensure that minerals and waste transport does not impact on sensitive locations, including locations already experiencing congestion and locations where planned growth or regeneration is reliant on good transport networks.
	Ensure that minerals and waste development does not contribute to poor air quality.
Plan for the correct waste management facilities, in the right place at the right time.	Put in place the facilities and infrastructure that will support integrated waste management and move waste management up the waste hierarchy.
	Minimise potential negative effects associated with waste management facilities.
	Support self sufficiency where possible.
Make efficient use of land and avoid sensitive.	Make best use of previously developed land locations.
	Avoid locations with sensitive geomorphology.
Help to tackle more hidden forms of deprivation and exclusion, such as that which is experienced by residents of rural areas and particular socio-economic groups within communities.	Help to redress spatial inequalities highlighted by the Index of Multiple deprivation and other indicators.
	Support efforts to create and sustain sustainable communities, particularly the improvement of health and wellbeing.
	Take account of locally specific issues associated with rurality.
Support the delivery of housing targets.	Ensure that minerals and waste development does not act as a constraint to housing.
	Ensure that the necessary aggregates are available for building, and that the necessary waste infrastructure is in place.
Support economic growth and diversification with higher value, lower impact activities.	Support the development of a dynamic, diverse and knowledge-based economy that excels in innovation.

	Stimulate economic revival and targeted employment generation in deprived areas.

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

G.1 This list of mineral sites identifies those land-won mineral workings in Kent which have extant planning permissions and which have been included in landbank calculations at the time of plan preparation.

G.2 The sand and gravel landbank calculations used data for the 2012 calendar year. Further details of landbank calculations are given in the 1st Kent Local Aggregate Assessment and for other economic minerals in Kent and the topic report TRM3: Other Minerals.

Table 4 Land-Won Mineral Sites in Kent which have extant planning permissions and whose remaining reserves are included in landbank calculations at the time of plan preparation. Reserve details for the aggregate sites cannot be published due to operator confidentiality requirements. Details given in italics show sites that were inactive during 2012. Sites which have been inactive for more than 10 years are not included in landbank calculations.

1. Aggregate Sites	Predominant Type of Aggregate	Operator Details
Hermitage Quarry	Crushed Rock	Gallagher Aggregates Ltd
Blaise Farm	Crushed Rock	Hanson Aggregates Ltd
Borough Green Sand Pit	Soft Sand	Borough Green Sandpits Ltd
Charing Quarry	Soft Sand	Brett Aggregates Ltd
Lenham Quarry	Soft Sand	Brett Aggregates Ltd
Faversham Quarries	Sharp Sand and Gravel	Brett Aggregates Ltd
Lydd Quarry (Scotney Court Farm)	Sharp Sand and Gravel	Brett Aggregates Ltd
Milton Manor Quarry	Sharp Sand and Gravel	Brett Aggregates Ltd
Aylesford Quarry[141]	Soft Sand	CEMEX UK
Denge Quarry	Sharp Sand and Gravel	CEMEX UK
Ightham Sand Pit	Soft Sand	H&H Ltd

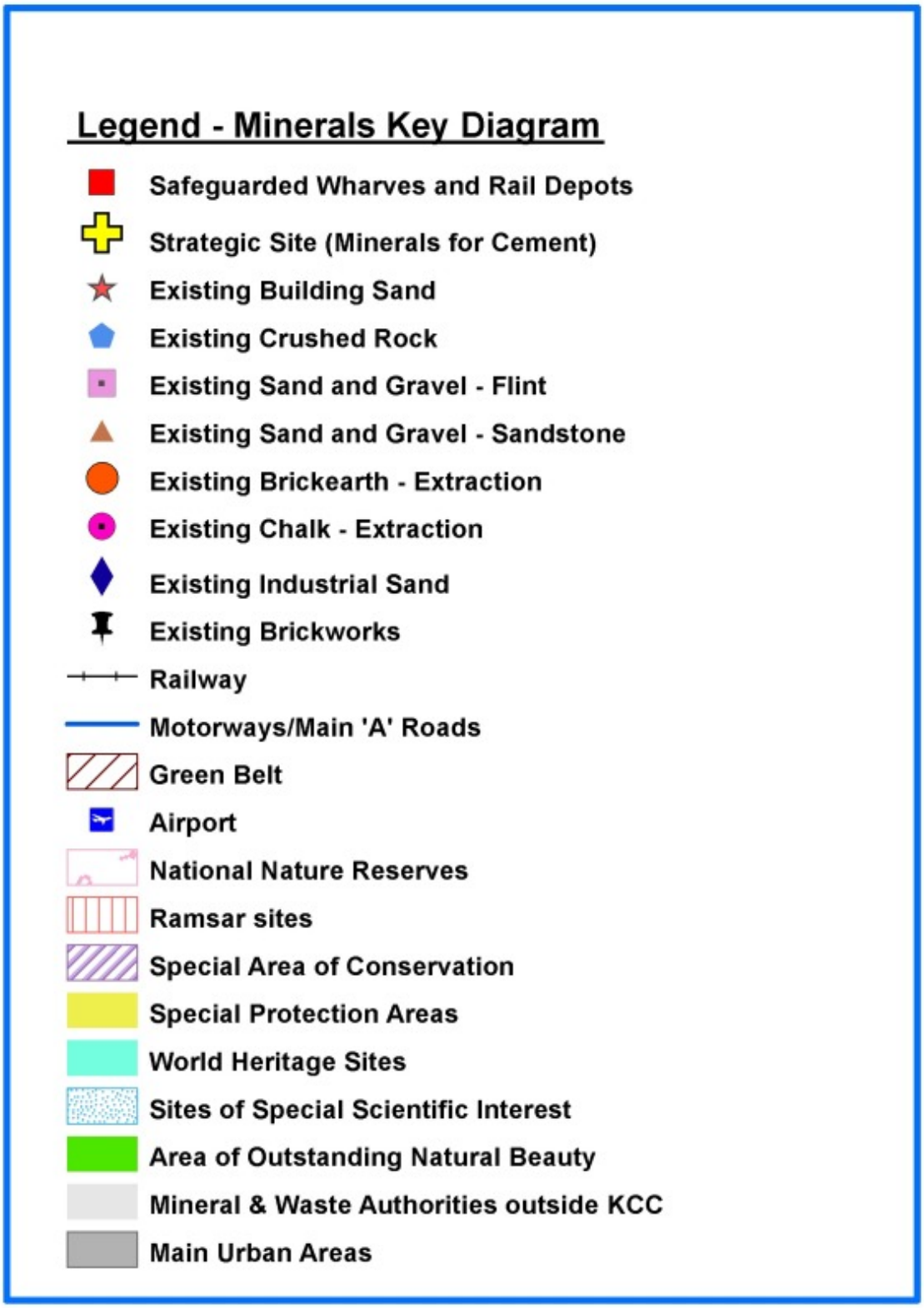
141 This is a silica sand (industrial sand) site which also provide soft sand

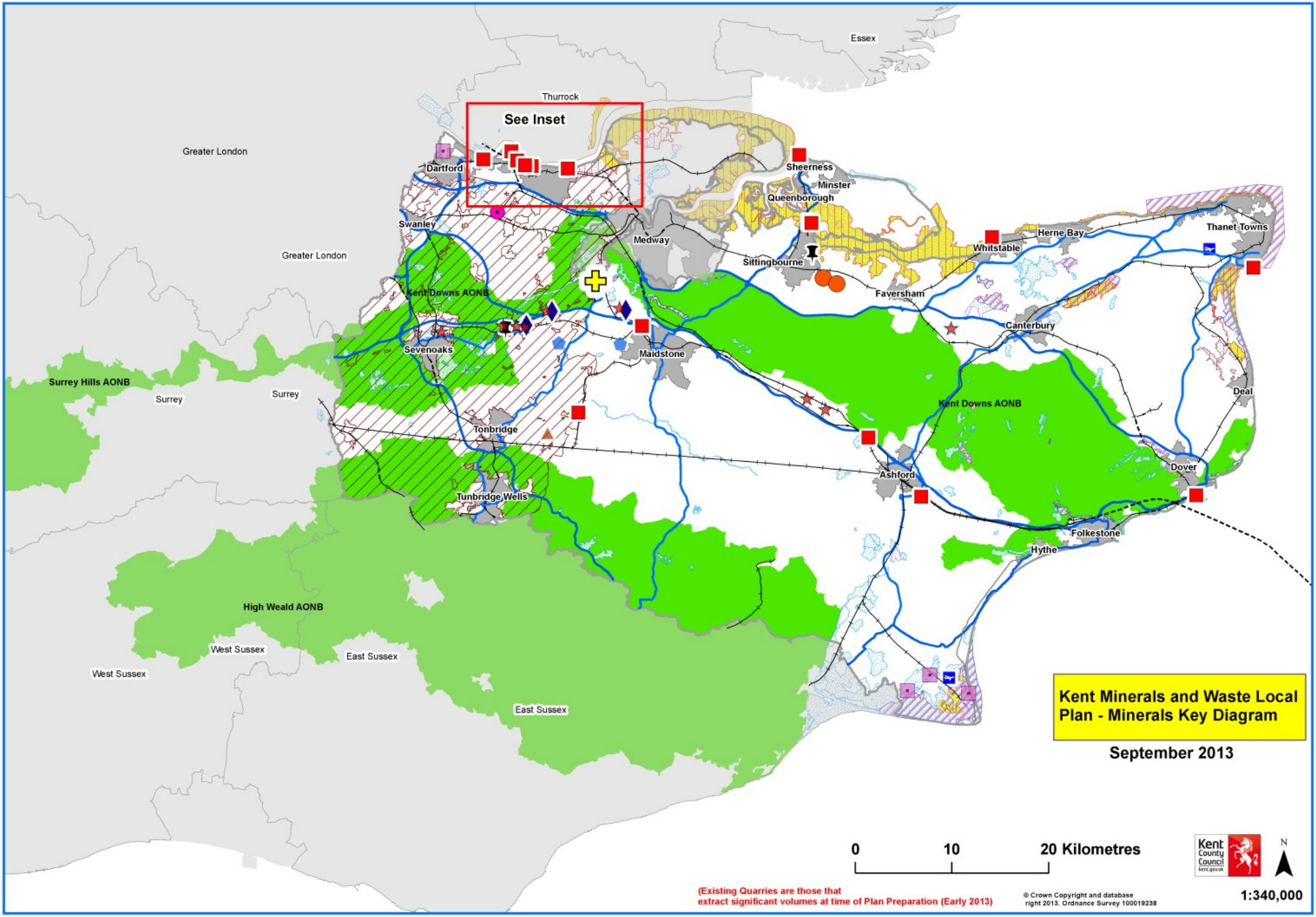
Wrotham Quarry (Addington Sand Pit)[142]	Soft Sand	Hanson Aggregates
Joyce Green Quarry	Sharp Sand and Gravel	J Clubb Ltd
East Peckham Quarry	Sandstone Sand and Gravel	J Clubb Ltd
Nepicar Sand Quarry[143]	Soft Sand	J Clubb Ltd
Greatness Farm	Soft Sand	Tarmac Ltd
Allens Bank, Lydd	*Sharp Sand and Gravel*	*Brett Aggregates Ltd*
Conningbrook Quarry	*Sharp Sand and Gravel*	*Brett Aggregates Ltd*
Highstead Quarry, Chislet	*Sharp Sand and Gravel*	*Brett Aggregates Ltd*
Shepherd's Farm Quarry, Lenham	*Sharp Sand and Gravel*	*Brett Aggregates Ltd*
Joyce Green Quarry	*Sharp Sand and Gravel*	*Hanson (Joyce Green Aggregates) Ltd*
Stone Castle Farm	*Sandstone Sand and Gravel*	*Lafarge Aggregates Ltd*
Squerries Sand Pit	*Soft Sand*	*Monier Ltd*
Winterbourne Quarry	*Soft Sand*	*Ferns Surfacing Ltd*
2. Silica Sand		
Nepicar Sand Pit	Silica sand	J Clubb Ltd
Addington Sand Pit (Wrotham Quarry)	Silica sand	Hanson Aggregates Ltd
Aylesford Quarry	Silica sand	CEMEX (UK) Ltd
3. Brickearth		**Operator**
Claxfield Farm	Brickearth	Wienerberger Ltd
Hempstead House	Brickearth	Ibstock Brick Ltd
4. Clay	**Use of Clay**	**Operator**
Norwood Quarry	Engineering (London Clay)	WRG Ltd

142 This is a silica sand (industrial sand) site which also provide soft sand
143 This is a silica sand (industrial sand) site which also provide soft sand

Pluckley	*Brick (Weald Clay)*	*Korex Ltd*
Babylon Tileworks	Tiles (Weald Clay)	Mr M Gash
5. Chalk	**Use of Chalk**	Blaise Farm
Medway Works (Holborough)	*Cement*	*Lafarge Cement Ltd*
Darenth Rd Quarry (Dartford)	Agricultural uses	J Clubb Ltd
Pinden Quarry (Dartford)	Agricultural uses	SBS Ltd
Detling Quarry (Maidstone)	Agricultural uses	John Bourne & Co Ltd
Beacon Hill Quarry (Ashford)	Agricultural uses	John Bourne & Co Ltd
Crundale Quarry (Ashford)	Agricultural uses	C Peach
Hegdale Quarry (Ashford)	Agricultural uses	R H Ovenden Ltd
Rowling Quarry (Dover)	Agricultural uses	R H Ovenden Ltd

Appendix H: Key Diagrams




Essex
Thurrock
See Inset
Greater London
Dartford
Swanley
Greater London
Medway
Sheerness
Minster
Queenborough
Sittingbourne
Whitstable
Herne Bay
Thanet Towns
Faversham
Canterbury
Kent Downs AONB
Sevenoaks
Maidstone
Surrey Hills AONB
Surrey
Surrey
Deal
Kent Downs AONB
Tonbridge
Ashford
Dover
Tunbridge Wells
Folkestone
Hythe
High Weald AONB
West Sussex
East Sussex
West Sussex
East Sussex
Kent Minerals and Waste Local Plan - Minerals Key Diagram
September 2013
0
10
20 Kilometres
N
(Existing Quarries are those that extract significant volumes at time of Plan Preparation (Early 2013)
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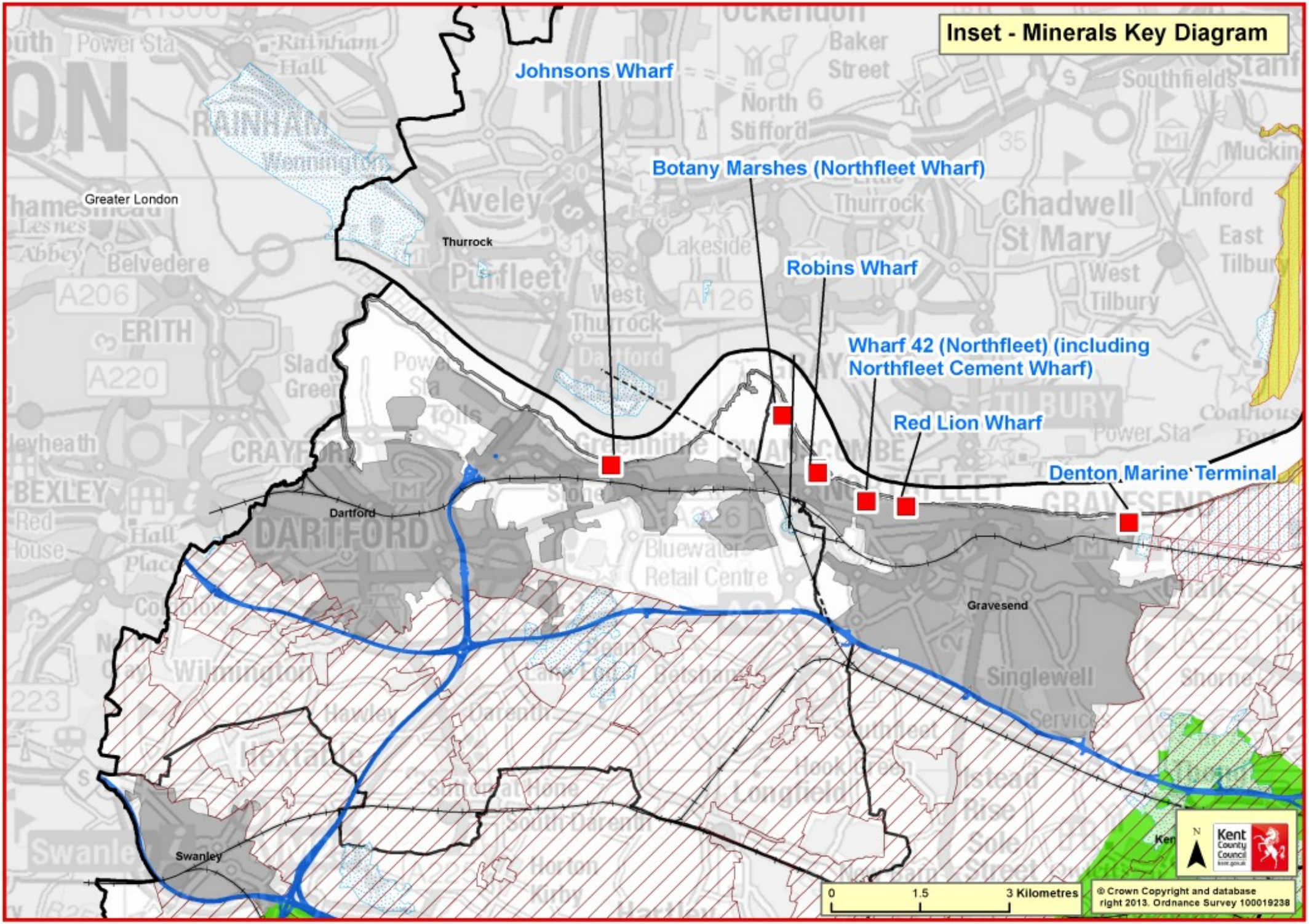
1:340,000


Inset - Minerals Key Diagram
Johnsons Wharf
Botany Marshes (Northfleet Wharf)
Robins Wharf
Wharf 42 (Northfleet) (including Northfleet Cement Wharf)
Red Lion Wharf
Denton Marine Terminal
Greater London
Thurrock
Dartford
Gravesend
Swanley
Rainham
Aveley
Purfleet
Chadwell St Mary
Tilbury
Bluewater Retail Centre
Wilmington
Singlewell
N
Kent County Council
0
1.5
3 Kilometres
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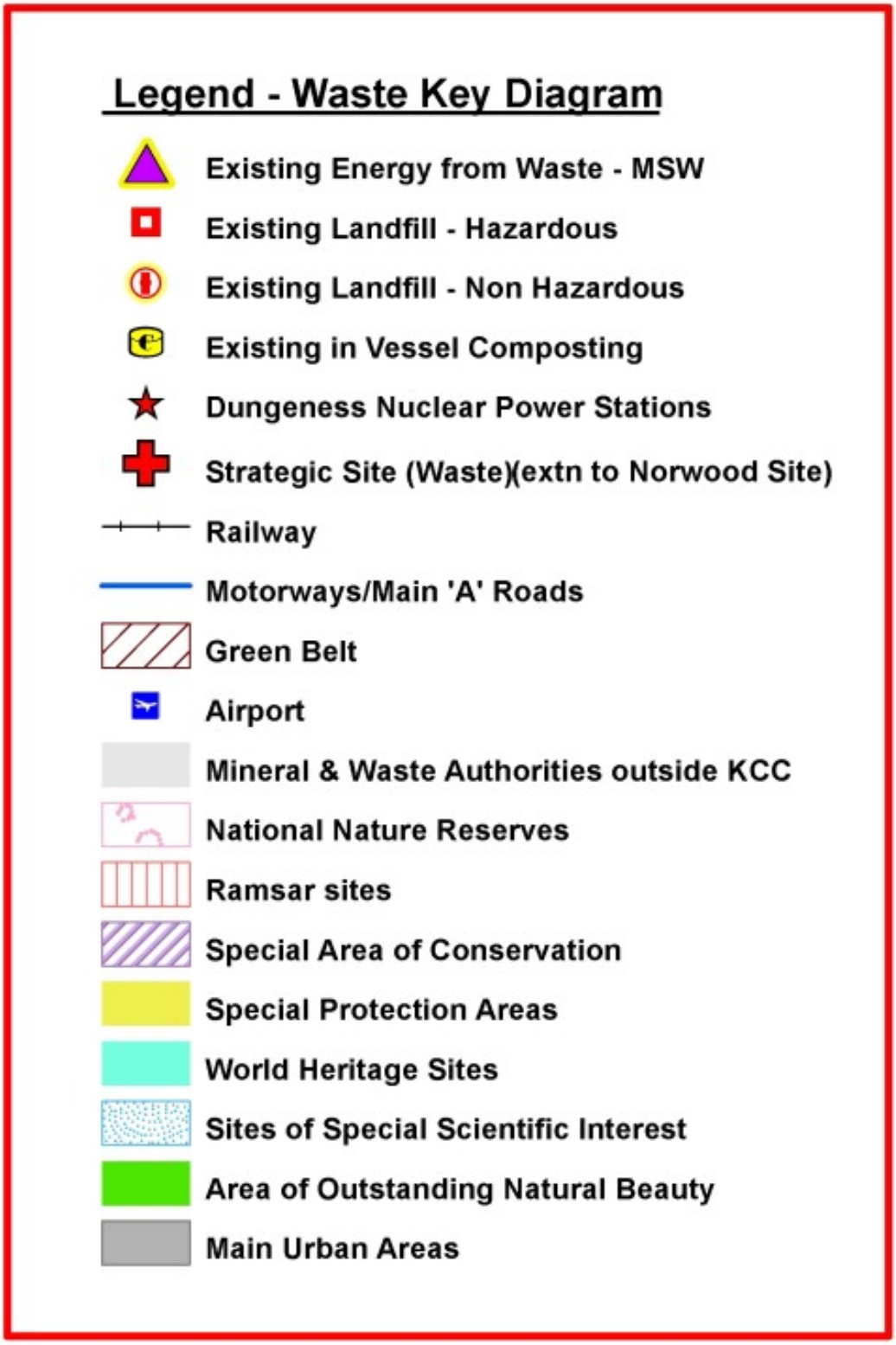
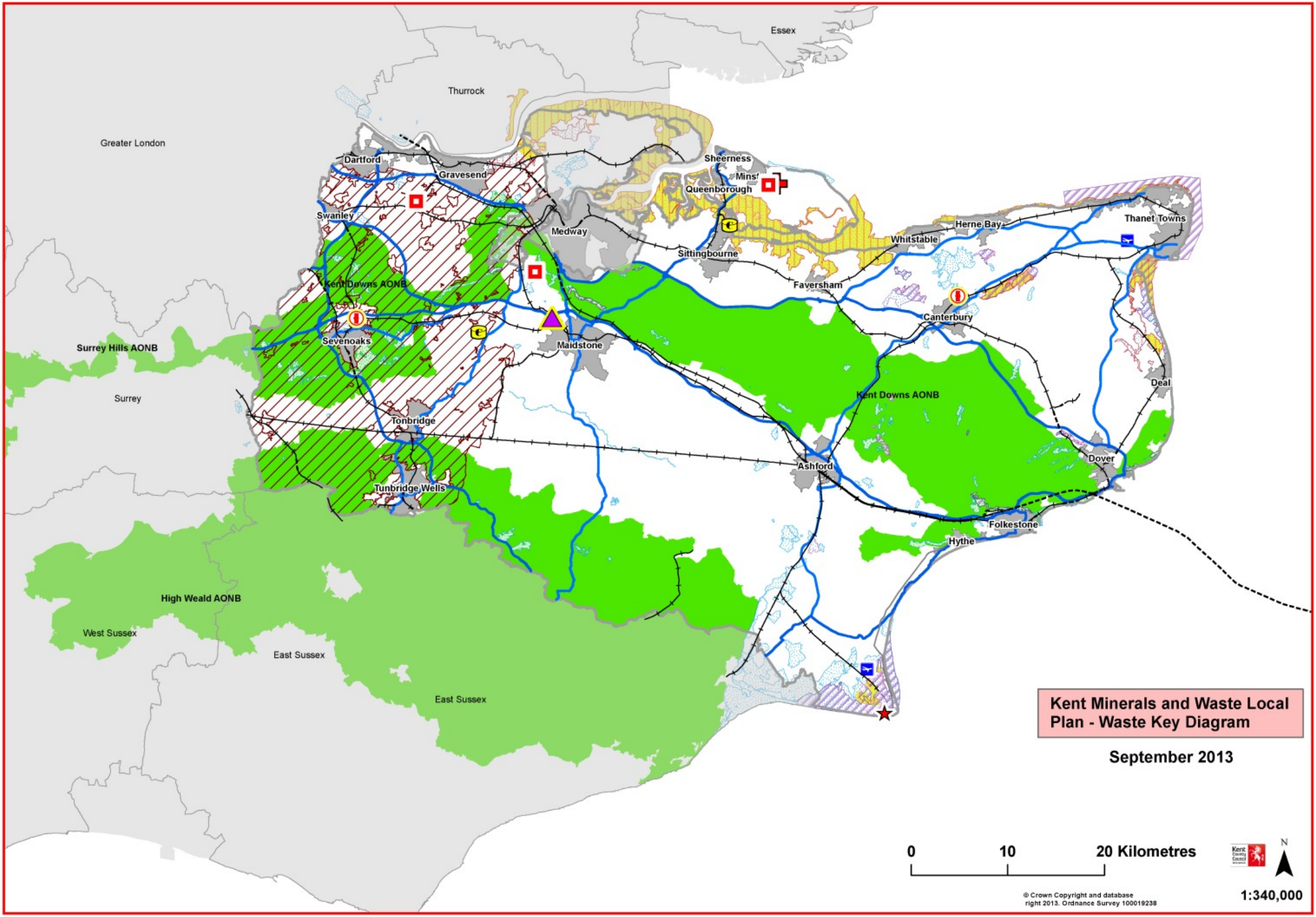

Legend - Waste Key Diagram
Existing Energy from Waste - MSW
Existing Landfill - Hazardous
Existing Landfill - Non Hazardous
Existing in Vessel Composting
Dungeness Nuclear Power Stations
Strategic Site (Waste)(extn to Norwood Site)
Railway
Motorways/Main 'A' Roads
Green Belt
Airport
Mineral & Waste Authorities outside KCC
National Nature Reserves
Ramsar sites
Special Area of Conservation
Special Protection Areas
World Heritage Sites
Sites of Special Scientific Interest
Area of Outstanding Natural Beauty
Main Urban Areas



Key for the British Geological Society (BGS) Kent Mineral Safeguarding Map (on the following page)

Legend

- District boundary
- Active site
- Other Sand and gravel sites
- Storm beach gravel
- Sub-alluvial river terrace deposits
- River terrace deposits
- Active site
- Other Brickearth site
- Former Brickearth extraction sites from Kent County Council
- Brickearth (Faversham - Sittingbourne area)
- Other Head Brickearth
- Active Silica sand site
- Other Silica sand pits
- Silica sand/Construction sand - Sandstone, Folkestone Formation
- Active Bedrock sand site
- Other Bedrock sand pits
- Former Sand extraction sites from Kent County Council
- Construction sand - Sandstone, Folkestone Formation
- Active site
- Other limestone sites
- Limestone - Hythe Formation (Kentish Ragstone]
- Active site
- Other confirmed building stone sites
- Limestone - Calcareous Tufa
- Sandstone - Folkestone Formation
- Sandstone - Sandgate Formation
- Limestone - Hythe Formation (Kentish Ragstone)
- Limestone - Paludina Limestone, Weald Clay Formation
- Sandstone - Tunbridge Wells Sand Formation
- Sandstone - Cuckfield Stone Bed, Tunbridge Wells Sand Formation
- Sandstone - Ardingly Sandstone Member, Tunbridge Wells Sand Formation
- Ironstone - Wadhurst Clay Formation
- Sandstone - Wadhurst Clay Formation
- Sandstone - Ashdown Formation

British Geological Survey
NATURAL ENVIRONMENT RESEARCH COUNCIL

Consultation Phase Resource Map

These maps were compiled as part of the consultation phase of the 'Delineating Kent Mineral Safeguarding Areas' project. They show inferred mineral resources and are based upon the British Geological Survey's (BGS) 2002 Kent, Medway and the London Boroughs of Bexley and Bromley Mineral Resources map. Geological units have been extracted from the latest BGS 1:50 000 scale digital geological map of the UK, DIGMapGB-50 version 6.20.
Active mineral extraction sites are shown. Details on their location were obtained from the BGS BRITPITS database of mineral workings.
The border around the onshore administrative boundary shows mineral resources up to five kilometres beyond Kent in order to allow consideration of mineral resources straddling the county boundary.
Mineral resources underlying urban areas, as defined in the Ordnance Survey 1:250 000 scale Strategi topographic data, have not been shown.

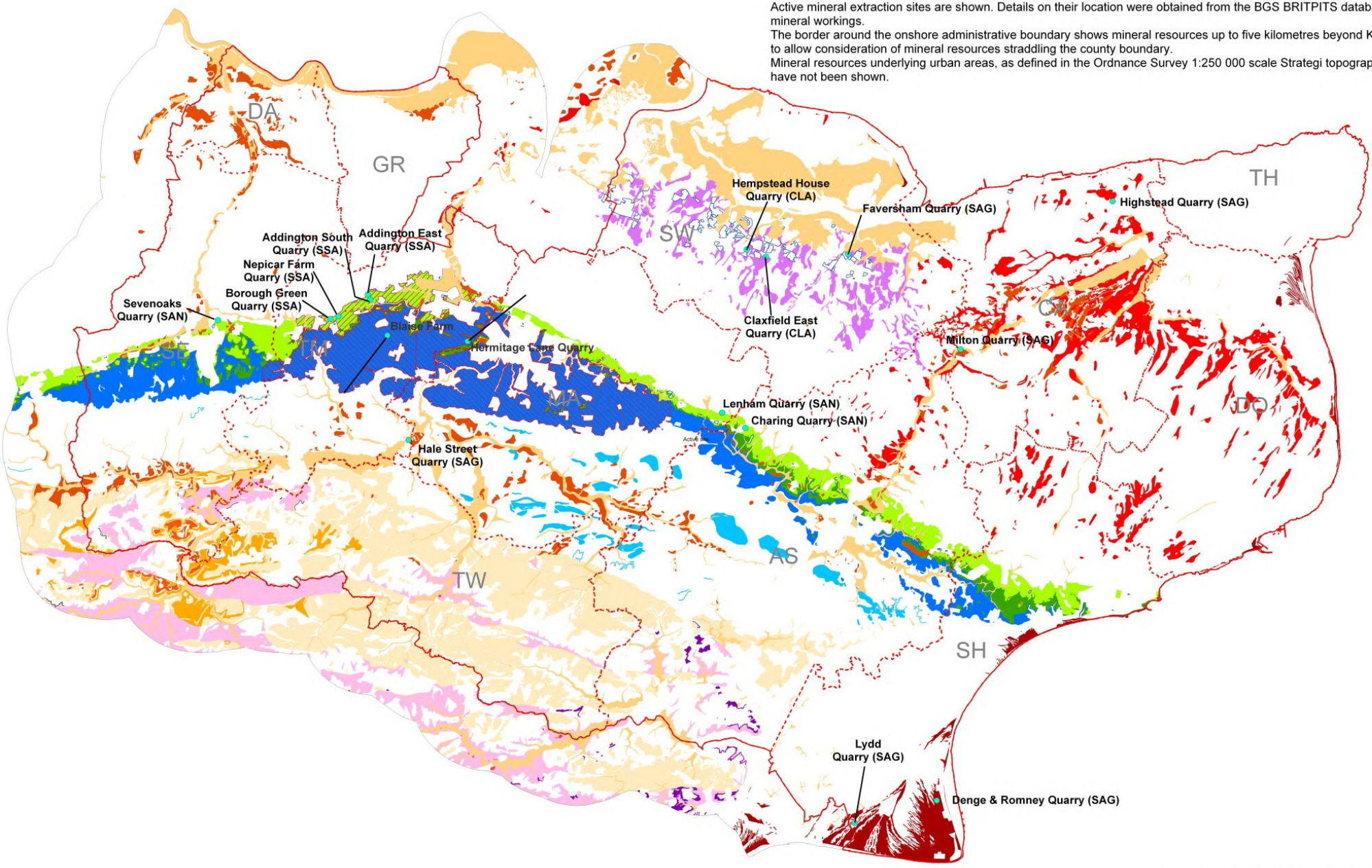


Figure 6 Bedrock sand and silica sand, superficial sand and gravel, building stone, crushed rock and brickearth

Hale Street Quarry (SAG)

Kilometres
0 5 10 15 20

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