

From: David Wimble, Cabinet Member for Economic Development and Special Projects

Simon Jones, Corporate Director of Growth, Environment and Transport

To: Growth, Environment & Transport Cabinet Committee – 7th July 2026

Subject: Updated Kent Mineral Sites Plan – Regulation 19 Pre-Submission Plan and Updated Kent Minerals & Waste Development Scheme

Key Decision: N/A

Classification: Unrestricted

Future Pathway of report: County Council (16 July 2026)

Electoral Division: Malling North East (Cllr Andrew Kennedy); Malling Central (Cllr Trudy Dean) and Maidstone Rural West (Cllr Robert Ford); Maidstone Rural East (Cllr Sarah Emberson); Malling Rural East Division (Cllr Sarah Hudson); Tunbridge Wells Rural Division (Cllr Mark Munday).

Summary:

This report provides an update on the progress of updating the Kent Mineral Sites Plan, following consultation on a draft Plan in 2023. In particular, the report recommends that the Pre-Submission Kent Mineral Sites Plan, included in Appendix A, is submitted to the Secretary of State for examination into its legality and soundness. Prior to submitting the Plan, the Council is obliged to seek representations by publishing it for a minimum of six weeks which, it is proposed, will occur during July - September 2026.

Subject to independent examination and adoption by the Council, the Plan proposed for publication and submission would replace the existing Kent Mineral Sites Plan adopted in 2020. Consistent with the draft Plan consulted on in 2023, it does not propose any new or amended allocations for soft sand or sharp sand & gravel supply, but it does propose a single new allocation of land south and west of Hermitage Quarry for the extraction of hard rock from the Limestone Hythe Formation (Kentish Ragstone). Comments on the earlier draft Plan, a further Call for Sites, and detailed technical assessment of the suitability of the site for quarrying development have been considered in the Pre-Submission Draft Plan now proposed for publication. In particular the development management criteria for the proposed hard rock allocation have been strengthened by officers to take account of

comments raised by consultees and community concerns and the technical assessment. It is noted that the soft sand allocation at Chapel Farm, Lenham is currently the subject of a planning application.

National planning reforms (brought into force in March 2026 by the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026) require all authorities to update older plans under a new system, however transitional arrangements allow the Plan before Committee to proceed under the previous system set out by the Town & Country Planning (Local Planning) Regulations 2012, subject to the Plan being submitted for examination by 31 December 2026. Progress of the Plan to submission by 31 December 2026 is therefore necessary if the Council is to proceed under the transitional arrangements provided by Government. There is Government expectation that planning authorities will have up to date plans in place to provide certainty for the industry and local community on planning matters. The Local Plan has been prepared in accordance with the current plan making legislation and is ready to progress under the legacy system. Progression via the new plan making system would result in the re-commencement of the plan making process and a significant delay in adoption and providing the certainty needed on mineral supply in Kent, potentially beyond 2030.

Allocation of sites in a local plan is not the same as grant of planning permission though it does provide a presumption in favour of development. Before developing an allocated site, separate planning permission would be required, and a related planning application would be determined by the Council.

Approval of an updated Kent Minerals and Waste Development Scheme (MWDS), included in Appendix B, reflecting the current timetable for updating the Kent Mineral Sites Plan is also recommended. This proposes publication of the Pre-Submission Plan in July 2026, submission to the Secretary of State for examination by 31 December 2026, examination in Spring/Summer 2027, and adoption in early 2028.

The Cabinet Committee's comments on this report, together with any formal recommendations it may wish to make, will be reported to County Council when County Council is asked to consider whether to approve publication and submission of the Pre-Submission Draft Kent Mineral Sites Plan.

Recommendation(s):

The Cabinet Committee is asked to:

1.
 - (i) Note the progress with updating the Kent Mineral Sites Plan and the role of County Council in approving and publishing for representations on soundness and legal compliance and for submission to Government for independent examination;
 - (ii) Make comment for the consideration of the Cabinet Member prior to reporting of the Pre-Submission Draft of the Kent Mineral Sites Plan 2026 (Appendix A) to County Council; and

2. Note a revised timetable for preparation of the Kent Mineral Sites Plan 2026 to be published in an updated Minerals and Waste Local Development Scheme (Appendix B);

1. Introduction

- 1.1 In Kent different minerals are supplied from a number of sources. Building sand (soft sand) is extracted from quarries; concreting sand (sharp sand & gravel) is extracted from quarries but mainly supplied via wharves from marine sources; and, premium quality hard rock (also used in concrete) is supplied from quarries in the form of Ragstone and is also imported. Ragstone is also used for heritage purposes and is sourced uniquely from quarries in Kent. Importantly for planning purposes, minerals are a finite resource and unlike other development can only be worked where they are found.
- 1.2 As the minerals and waste planning authority for Kent, Kent County Council has a statutory responsibility to prepare planning policy and determine planning applications relating to proposals for minerals supply. Planning policy that determines the suitability of proposals is included in the Kent Minerals and Waste Local Plan 2024-39 and the Kent Mineral Sites Plan.
- 1.3 The Kent Minerals and Waste Local Plan 2024-39 and the Kent Mineral Sites Plan need to be consistent with the National Planning Policy Framework (NPPF) that guides sustainable development more generally.
- 1.4 Specific policy concerning minerals development is included as chapter 17 in the NPPF. Amongst other things, this policy notes that:

'It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs' and local plan policies 'should provide for the extraction of mineral resources of local and national importance'. The policy also notes that 'When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy'.
- 1.5 There are a number of other policy considerations in the NPPF that are relevant to the local plan work, including those chapters that relate to conserving and enhancing the natural and historic environments, achieving sustainable development, climate change and sustainable transport. The NPPF policies need to be interpreted as a whole.
- 1.6 Allocations of land in the Kent Mineral Sites Plan provide greater certainty for the minerals industry, local communities, landowners and other stakeholders about how identified mineral supply requirements are to be met and where

mineral development is considered acceptable in principle, while still making clear that any allocated site remains subject to detailed development management criteria and the need for separate planning permission.

- 1.7 Policy CSM 2 of the Kent Minerals and Waste Local Plan 2024-39 sets out the matters to be considered when deciding to allocate land for mineral development as follows:
- the requirement for the mineral.
 - policies in the Plan which seek to protect the environment and communities (Development Management Policies);
 - relevant policies in other local plans and neighbourhood plans;
 - strategic environmental information, including landscape assessment and Habitat Regulations Assessment (HRA) as appropriate;
 - the deliverability of development in that location; and,
 - other relevant national planning policy and guidance.
- 1.8 Preparation of Local Plans is governed by legislation and policy, and the Government has recently introduced a new system of plan making which means Local Plans can still be prepared under the current system but only if they are submitted to the Planning Inspectorate for examination into their legal compliance and soundness before 31 December 2026. Any Plan submitted under the new plan making regime is unlikely to be adopted before 2030.

2. Key Considerations

- 2.1 The key policy choices are, firstly whether the County Council should now proceed to publication of a Pre-Submission Kent Mineral Sites Plan (in accordance with Regulation 19 The Town and Country Planning (Local Planning) (England) Regulations 2012) which would replace the existing 2020 Mineral Sites Plan and propose allocation of land south and west of Hermitage Quarry for hard rock extraction whilst retaining the existing site allocations for soft sand and sharp sand & gravel, and secondly, whether the Kent Minerals and Waste Development Scheme should be updated to reflect the revised Programme for publication, submission, examination and adoption of the Sites Plan.
- 2.2 The updated Kent Mineral Sites Plan is being prepared to address an identified need for additional hard rock provision confirmed in the Kent Minerals and Waste Local Plan 2024-39 that was adopted in March 2025. Consistent with the draft Kent Mineral Sites Plan published for consultation in 2023, the Pre-Submission draft Plan does not propose any change to the existing allocations for soft sand at Chapel Farm, Lenham and sharp sand & gravel at Stonecastle Farm, Hadlow and Moat Farm, Capel, as requirements for those minerals can be met from existing reserves and development of those allocated sites.
- 2.3 The site proposed for allocation for hard rock is the only hard rock site to have been nominated following two 'Call for Sites' exercises. The site is contiguous with the existing Hermitage Quarry and would contribute to maintaining a steady and adequate supply of land won crushed hard rock aggregate and also maintaining a supply of dimension stone, used as an important building stone,

particularly for heritage purposes. The proposed site lies within the administrative areas of Tonbridge and Malling and Maidstone Boroughs and falls within the parishes of Barming, East Malling and Larkfield and Ditton. The existing processing plant is within Aylesford Parish.

- 2.4 Consultation responses in respect of the hard rock site raised concerns about HGV traffic and road safety, ancient woodland and biodiversity loss, landscape effects, archaeology and heritage, groundwater, geology, amenity, public rights of way and carbon impacts. Representations in support of the allocation drew attention to the economic and training benefits, the sustainability of sourcing material locally and the increased carbon impact of importation, the company's track record in site restoration and the role it plays as the only option in providing heritage stone to preserve some of England's most historic buildings, including the Tower of London and Canterbury Cathedral.
- 2.5 Detailed technical assessment of the suitability of the new hard rock allocation has considered transport, ancient woodland and biodiversity loss, landscape, historic environment, groundwater, geology, amenity, health, air quality, public rights of way and carbon impacts. Constraints, particularly the presence of ancient woodland in the form of 'Plantation on Ancient Woodland Sites', were considered in more detail. The detailed technical assessment has informed revisions to the proposed site allocation and strengthened development management criteria which also took account of comments received at the earlier Regulation 18 consultation stage on the initial Draft Plan.
- 2.6 Allocation of a site in a mineral sites plan is not the same as the granting of planning permission. Allocation would establish that the County Council considers the site acceptable in principle. Any future quarry extension would still require a separate planning application and determination by the County Council as Mineral and Waste Planning Authority which would involve further environmental assessment and identification of necessary detailed mitigation and compensation of potential impacts.
- 2.7 It should be noted that existing operations at Hermitage Quarry occur in accordance with a conditional planning permission that satisfactorily mitigates amenity and environmental impacts. It is intended that similar controls would be in place for any future quarrying development.
- 2.8 Any comments made by the Cabinet Committee on the matters set out in this report, together with any formal recommendations of the Committee, will be recorded and reported to County Council for consideration alongside a report that seeks approval to publish the Pre-Submission Draft Kent Mineral Sites Plan and to proceed with the related next steps in the plan making process. Decisions on Local Plan considerations are a matter for County Council.

3. Background

Kent Mineral Sites Plan

- 3.1 The Kent Minerals and Waste Local Plan was originally adopted in 2016, was subject to Early Partial Review in 2020, and sat alongside the Kent Mineral Sites Plan adopted in September 2020. The adopted Mineral Sites Plan allocates sites for soft sand and sharp sand & gravel, but it did not identify a separate hard rock allocation, on the basis that there was no need for additional reserves to be identified at that time.
- 3.2 A review of the Kent Minerals and Waste Local Plan in 2021 concluded that updates were needed, including extension of the plan period and updated aggregate provision requirements. As part of that work, the need to identify additional hard rock reserves was recognised, and work commenced on updating the Kent Mineral Sites Plan so that, if possible, land could be identified for hard rock extraction. The Kent Minerals and Waste Local Plan 2024-39 was adopted in March 2025 and confirmed a hard rock shortfall of about 17.4 million tonnes over the Plan period. Subsequent monitoring (reported in the Local Aggregates Assessment) has identified a current need of some 19.9 million tonnes.
- 3.3 Work on the Mineral Sites Plan was paused in 2023 whilst the County Council progressed the Kent Minerals and Waste Local Plan 2024-39 through examination and adoption.
- 3.4 As part of the work of updating the Mineral Sites Plan, two 'Call for Sites' exercises were undertaken. This resulted in the nomination of land south and west of the existing Hermitage Quarry near Maidstone by the operator of the existing quarry. The promoted site covers about 96 hectares, with the promoter indicating that extraction subject to stand-offs and other planning constraints would meet the shortfall identified in the Kent Minerals and Waste Local Plan 2024-39 of 17.4 million tonnes. Part of the site is designated for planning purposes as ancient woodland. In this case, the relevant ancient woodland interest lies in the presence of ancient woodland soils and ground flora and fungi rather than surviving ancient woodland tree cover, as the existing tree cover is largely plantation sweet chestnut (formally known as 'Plantation on Ancient Woodland Sites' (PAWS)). Ancient Woodland is defined by Natural England as an area of land that has been wooded continuously since at least 1600 AD. It includes plantations on ancient woodland sites, replanted with conifer or broadleaved trees, that retain ancient woodland features, such as undisturbed soil, ground flora and fungi.
- 3.5 The allocated site extends to some 96ha. An area of some 49 hectares would be extracted and 84% (41 hectares) of the area to be worked is identified as PAWS and is actively managed as a sweet chestnut plantation. The remaining c.47 ha would provide for standoffs and compensatory habitat. The PAWS within this area, would remain undisturbed. Once restored, the extracted 49ha area would also contribute to compensatory habitat.

3.6 In 2023, the County Council published a draft Kent Mineral Sites Plan in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. This draft Plan also confirmed that, although the need for soft sand and sharp sand & gravel had been re-assessed for the extended plan period, this had not identified a need for further allocations for these aggregate minerals and so the existing adopted allocations would remain unchanged. This is still the case.

Consultation

3.7 Public consultation on the draft Plan was dominated by concerns about the nominated hard rock site. Some 326 objections were received from local residents and a further 25,473 objections resulted from a national Woodland Trust campaign. In addition, a petition addressed to a former Cabinet Member from Cllr Stuart Jeffrey (Leader of Maidstone Borough Council and local KCC Member for Maidstone Central) was signed by 403 names objecting to the loss of ancient woodland and farmland and suggesting that there are other sources of material for heritage purposes. 396 representations in support of the hard rock site were received.

3.8 In March 2026, a representation from Friends of Oaken Wood and 84 identical letters from residents objecting to the proposal were submitted to the Cabinet Member. Comments were also received from statutory consultees and other stakeholders. A Consultation Statement that details the consultation process, the text of the petition and a summary of the matters raised is provided in Appendix C.

3.9 Five comments were made regarding the three 2020 adopted site allocations at Stonecastle Farm, Moat Farm and Chapel Farm.

3.10 The main issues raised in respect of the Stonecastle Farm and Moat Farm allocated sites, related to disruption to local communities and the need for appropriate mitigation, including provision for recreational use.

3.11 In respect of the Chapel Farm, Lenham site, a mineral operator questioned the accuracy of the data supplied by mineral operators in the annual monitoring returns suggesting that the soft sand landbank position and reserves are under recorded. The comment also cast doubt on whether the Chapel Farm allocation site would come forward within the plan period, supporting the need for alternative sites to come forward. The South Downs National Park Authority advised that soft sand is constrained within the National Park and there is a need for Kent to use its Local Aggregate Assessment data to monitor its ability to maintain a steady and adequate supply to meet its requirements and wider regional needs.

3.12 The concerns raised about the land to the south and west of Hermitage Quarry mainly covered the following matters:

- Highways and Transport: Concerns about increased heavy goods vehicle traffic on local roads, potential impacts on the strategic network (Maidstone area), and road safety; any proposal should include a full Transport Assessment and HGV routing plan.

- Ancient Woodland and Biodiversity: The site incorporates valuable habitats and includes an area designated as ancient woodland (PAWS), which under national policy is considered irreplaceable and requires wholly exceptional reasons to be demonstrated and a suitable compensation strategy to be provided if the development is to progress; the loss of ancient woodland would be greater than that caused by HS2 and Lower Thames Crossing developments combined; there would be harm to protected species and biodiversity and any biodiversity loss should be suitably compensated for.
- Landscape: There would be loss of woodland character, loss of agricultural land and harm to the surrounding landscape, including possible impact on the setting of the Kent Downs National Landscape and cumulative effects with the existing quarry; any proposal should require detailed landscape and visual assessment together with substantial screening, buffering and restoration measures.
- Noise, Dust and Amenity: There would be noise, dust, blast vibrations, and lighting impacts from quarrying, which could impact health and amenity; there should be strict mitigation of impacts including significant buffers.
- Footpaths and Bridleways: The nominated area includes footpaths and bridleways and these should be protected or diverted with replacement routes to maintain public access.
- Climate Change and Carbon: Development in this location would conflict with net zero goals due to the loss of a significant carbon store (in the form of trees) and carbon emission impacts and would conflict with KCC's climate and Net Zero commitments and impact upon future scientific research.
- Heritage and Archaeology: There is potential for archaeological assets to be present at the site and impacts on the historic setting of nearby designated heritage assets; depletion of dimension stone resources for heritage restoration is threatened by aggregate working; detailed archaeological investigation is needed.
- Groundwater: There may be effects on groundwater quality and levels.
- Geology: Impacts on the nearby Oaken Wood Geological SSSI should be avoided.
- Alternative Sources: Other sources of aggregate are available and should be fully explored.

3.13 The Woodland Trust led a national campaign which generated 25,473 letters mainly concerned with impacts on Oaken Wood, including its designation as ancient woodland, habitat for important species of flora and fauna and function as a carbon store. It considers that compensatory planting or restoration would not mitigate or compensate the loss of ancient woodland.

3.14 Many representations considered that a more suitable alternative site could be found and so a second Call for Sites was undertaken from August to October 2023, but this did not identify any alternative hard rock sites.

3.15 In summary, representations supporting allocation of land south and west of Hermitage Quarry emphasised:

- The role of the site in helping to maintain a steady and adequate supply of hard rock in Kent, including Kentish Ragstone for heritage building and repair;
- The practical advantages of extending an existing quarry with established plant and infrastructure;
- The potential benefits of sourcing material locally rather than relying more heavily on imports;
- The economic value of the quarrying operation in terms of employment, skills development and associated supply chain activity;
- The operator's track record in site management and restoration; and,
- The contribution the quarry makes to the local construction sector, including aggregate supply and the management of construction and demolition waste.

3.16 Following the consultation, the Council undertook and commissioned more detailed assessment work concerning the nominated extension to Hermitage Quarry covering, amongst other things, ecology, landscape, health, air quality, carbon, alternative supplies and socio-economic effects. The assessments were used to help determine whether the site was suitable for allocation in accordance with adopted policy CSM 2 in the Kent Minerals and Waste Local Plan that guides decisions on allocating sites.

3.17 The key findings from the detailed assessment include:

- **Mineral Resource and Need:** Kentish Ragstone is the only hard rock mineral deposit worked in Kent and one of the few worked in the South East. Current Kentish Ragstone hard rock reserves in Kent will be exhausted by around 2033 (at current extraction rates). The nominated site contains significant Kentish Ragstone reserves which are needed to maintain a steady and adequate supply of crushed hard rock aggregate for construction. As well as being used for aggregate, Kentish Ragstone is an important building dimension stone needed for the conservation of many Grade 1 listed buildings including the Tower of London, Rochester and Leeds Castles and Canterbury Cathedral.
It is important to note that only a relatively small proportion of the material within a worked Ragstone sequence is suitable for use as a building dimension stone. In practice, a quarry worked solely to obtain a reliable supply of suitable building stone would still need to work a substantial area in order to yield a viable quantity of suitable quality stone for this specific purpose. This is because there is significant wastage arising from the narrow thickness of the Kentish Ragstone beds and the presence of hassock material between them, much of which cannot be used as building stone.
- **Alternatives:** Assessment of alternative supply options indicates that the site would provide a practical, deliverable indigenous source of hard rock aggregate because it is contiguous with an existing quarry and associated plant and infrastructure. There are other potential sources of aggregate and the capacity of Kent's wharf and rail infrastructure would support additional imports. However, there is no absolute certainty that sources elsewhere could continue to meet local requirements and there is no clear suitable alternative source of the Kentish Ragstone which is used as a building stone

for heritage purposes. This was accepted by the Planning Inspectorate and Secretary of State in granting planning permission for the existing workings at Hermitage Quarry. Ultimately mineral resources can only be worked where they are found and, accordingly, any future supply of Kentish Ragstone must be considered in the context of the locations where that geological resource actually exists.

- **Site Characteristics:** The land is currently used as farmland and woodland; it is contiguous with the existing Hermitage Quarry, the latest planning permission for which was issued in 2013. While quarrying would logically expand into the nominated area to allow ongoing access to the Ragstone resource, most of the proposed area is designated Ancient Woodland (PAWS) with an area of high quality farmland, which national and local policies seek to protect.
- **Constraints and Mitigation:** The assessment identifies that quarrying development in this area would need to address constraints. In particular, loss of ancient woodland and any affected ancient or veteran trees would normally be unacceptable unless 'wholly exceptional reasons' exist. As Ancient Woodlands cannot be recreated, a suitable compensation strategy is also required. It is noted that the ecological survey work undertaken for Gallaghers concluded that no Ancient or Veteran tree specimens exist within the proposed extraction area.
- **Other key constraints:** include a local wildlife site, protected trees covered by a woodland Tree Preservation Order, a public right of way, nearby dwellings and the ability of local roads to accommodate quarry traffic. The assessment (see Appendix F) notes that with appropriate mitigation (including woodland replanting, enhanced buffers, ecological enhancements, biodiversity net gain, public rights of way diversions and HGV and blasting controls), the site could be developed without unacceptable adverse impacts.
- **Socio-economic impacts:** Socio-economic assessment indicates that continuation of extraction at Hermitage Quarry would support direct employment, local productivity and supply chain activity and would help retain a source of Kentish Ragstone. However, if future hard rock requirements were met through increased importation or other alternative supply, the wider adverse impact on Kent's construction sector is likely to be modest, although more localised direct and indirect socio-economic effects would still arise.
- **Consistency with other Local Plans:** The proposed allocation has been assessed against the relevant adopted Tonbridge and Malling Borough Council and Maidstone Borough Council Local Plan policies. That assessment indicates that, subject to mitigation and controls that would be addressed through any subsequent planning application, overall, allocation of the site is consistent in principle with those plans, particularly in relation to sustainable development, support for the local economy, the need for development requiring a rural location, and transport and infrastructure matters. Environmental policies of the Local Plans, including those relating to landscape, public rights of way and the natural environment, have been considered through the detailed assessment work as discussed above.

- 3.18 Legislation requires an independent Sustainability Appraisal of draft planning policy to be carried out in order to identify and assess the likely social, economic and environmental effects of the Plan and to recommend any changes considered necessary. A draft Sustainability Appraisal was published alongside the Regulation 18 Plan for consultation. An updated Sustainability Appraisal has been completed to accompany the Pre-Submission Draft Kent Mineral Sites Plan and is included as Appendix D. A Non-Technical Summary of the Sustainability Appraisal is also provided as Appendix E. Recommendations of the Sustainability Appraisal concerned the need for changes to the development management criteria related to the Hermitage Quarry allocation, and these have been incorporated as appropriate.
- 3.19 To determine whether the site is suitable for development 'in principle' (and so can be allocated) the matters identified in policy CSM 2 (as set out in the Introduction) have been assessed. The details of this assessment are set out in a separate report (Appendix F). Notwithstanding the strong objections to the loss of ancient woodland, planning policy is clear that, where there are 'wholly exceptional reasons' and a suitable compensation strategy, loss of ancient woodland is acceptable in planning terms. At the examination, the Planning Inspector appointed by the Secretary of State will, weigh the competing planning policy interests in light of the detailed evidence and determine which takes precedence. That is a key part of the Local Plan examination.
- 3.20 The report's conclusion is that there is no overriding reason to exclude the land south and west of Hermitage Quarry from allocation. The report confirms the site's socio-economic benefits and geological suitability for working, subject to detailed safeguards set out as strengthened development management criteria in the Pre-submission Draft Kent Mineral Sites Plan.
- 3.21 Those criteria have been considerably strengthened by officers in response to comments received at Regulation 18 stage and the findings of the detailed assessment work, including by drawing clearer attention to transport, biodiversity, ancient woodland (PAWS), amenity and restoration requirements. Details of the criteria are set out in Appendix 1 of the Draft Mineral Sites Plan (Appendix A).
- 3.22 It is important to note that the proposed allocation engages particularly strong policy protection because the site includes a significant area of land (41 hectares) designated ancient woodland which is considered irreplaceable habitat. Appendix F includes detail on how it is considered that the ancient woodland policy tests, including the 'wholly exceptional reasons' and suitable compensation strategy requirements, could be met at the planning application stage. This Appendix has had regard to the evidence on the nature of the designation, the assessment of effects on the PAWS and associated habitat interest, the need for the mineral, the socio-economic impact, the importance of the material for heritage purposes and a suitable compensation strategy capable of being secured.

3.23 The wholly exceptional reasons in this case, can be summarised as:

- a. Significant need for crushed rock recognised in the adopted KMWLP to meet national and local policy requirements to maintain a steady and adequate supply of aggregate;
- b. Unique and nationally important supply of dimension stone for the repair and conservation of nationally significant heritage assets such as Tower of London, Leeds Castle and Canterbury Cathedral;
- c. No reasonable alternative site of indigenous (land won) material within Kent;
- d. The sustainability benefits of a local source of supply compared with increased reliance on imports - local extraction avoids long distance transport impacts, including increased carbon emissions and a reliance upon external supply; Local extraction results in reduced economic and environmental costs;
- e. Significant socio-economic benefits – The Gallagher Group has an annual turnover into the Kent economy of £200m. The quarry supports 140 direct jobs, with support for further indirect jobs in the 400 companies in the current supply chain. It provides skills training and apprenticeships, including a skills hub for the nationally important Lower Thames Crossing and community and social value contributions of circa £53m (for 2024/25), including sponsorship of Maidstone United, Heart of Kent Hospice and Demelza House;
- f. Resilience and industry stability benefits from long term continuity of supply;
- g. The practical deliverability advantages of extending an existing quarry with established infrastructure, and effective controls in place to mitigate environmental impacts;
- h. Continued operation of the site would maintain its contribution to waste management and recycling in Kent, including processing Construction, Demolition and Excavation (CD&E) waste into recycled aggregate and using Air Pollution Control residues (APCr) from Energy from Waste (EfW) plants with quarry fines to produce an EA-certified non-waste lightweight aggregate.
- i. Conversely, loss of recycled aggregate production would increase demand for primary aggregates, and,
- j. In plan making terms, the site is deliverable.

3.24 In summary, the proposed compensation strategy would comprise:

- a. Translocation of soils from the PAWS to facilitate mineral working;
- b. Replacement of the non-native coppice and modified grassland to be removed for mineral working, to be replaced as quarrying progresses with higher quality native broadleaved woodland;
- c. Management of the translocation and quarry restoration sites;
- d. Establishment and management of new native broadleaved woodland, traditional orchard and other neutral grassland on areas of modified grassland, outside the proposed mineral working area (on land currently in the operator's (Gallagher) control).

- e. Management of retained PAWS (Oaken Wood) adjacent to the proposed mineral working area (on land currently in Gallagher's control);
- f. New native woodland planting and habitat created on land adjacent to Hermitage Quarry and/or on land elsewhere in Kent;
- g. Existing woodland to be managed and enhanced adjacent to Hermitage Quarry and/or on land elsewhere in Kent;
- h. Compensation for the loss of any veteran or ancient trees; and
- i. The prioritisation of compensation measures on land within or adjacent to the allocated site.

3.25 The proposed compensation strategy would provide gains at least equivalent to that of the 'Westerly Extension', which was previously permitted by the Secretary of State for new native woodland and managed existing woodland. In addition, the strategy proposes a qualitative gain to be achieved by replacing non-native plantation with native woodland. The total net compensation would provide a gain of +112 hectares which consists of new native woodland planting and enhanced management of existing woodland. This excludes the 42 ha of woodland to be lost to mineral working. The total woodland creation and enhancement equate to 154 ha, which would be created compared to the 42 ha woodland (41ha of PAWS) which is assumed would be lost to facilitate mineral working. This equates to a 266% increase of native mixed species woodland (by creation and enhancement). Further details of the compensation strategy would be provided as part of any planning application process, in accordance with the principles included in the updated development management criteria in the Pre-Submission Draft Sites Plan. At plan making stage, a proportionate approach is required as to the level of detail needed to satisfy NPPF policy test.

3.26 It should be noted that the boundaries of the site would be refined as part of a planning application, and it is possible that the area of PAWS within the proposed extraction area could be reduced and the compensation areas adjusted accordingly. At the planning application stage, should it be deemed necessary/beneficial to extract in areas that form part of the current woodland management plan for the Westerly Extension, additional compensation areas would need to be identified so as not to diminish the value of existing commitments.

3.27 In addition to the above, it should be noted that the Secretary of State granted permission in 2013 for the current Westerly Extension to Hermitage Quarry following a public inquiry. That decision accepted that the proposal would result in the loss of ancient woodland but concluded that the very considerable need for crushed rock aggregate and dimension stone, together with biodiversity, socio-economic and other benefits, outweighed the adverse impacts in that case.

3.28 This previous decision provides context for the current proposed allocation, particularly in recognising the strategic importance of maintaining supply from Hermitage Quarry and the specific heritage value of Kentish Ragstone.

Next steps

- 3.29 Following publication, the Pre-Submission Draft Plan, supporting evidence and duly made representations would be submitted to the Planning Inspectorate for independent examination on behalf of the Secretary of State. The Planning Inspector would consider whether the Plan has been prepared in accordance with the relevant legal requirements and whether it is sound, namely whether it is 'positively prepared', 'justified', 'effective' and 'consistent with national policy'.
- 3.30 The examination may include public hearing sessions and can result in the Inspector recommending modifications to make the Plan sound. Importantly, the Council cannot adopt the Plan unless it has received a report from the Inspector concluding that the Plan, with any modifications, is legally compliant and sound.

Kent Minerals and Waste Development Scheme

- 3.31 The Minerals and Waste Development Scheme (MWDS) is essentially KCC's project plan for preparing, including updating, minerals and waste planning policy and guidance. Publication of a scheme is a legal requirement as part of the plan making process. Preparation of an updated Kent Mineral Sites Plan has taken place in accordance with the timetable published in the Kent Minerals and Waste Development Scheme, however, the current Scheme now needs updating to reflect the proposed programme for publication, submission, examination and adoption of the Kent Mineral Sites Plan.
- 3.32 The need for a revised timetable arises because planning policy resources had been dedicated to updating the Kent Minerals and Waste Local Plan and the detailed technical assessment of the nominated land south and west of Hermitage Quarry, together with the preparation of the supporting Sustainability Appraisal and other evidence, which needed to be undertaken to a level of rigour sufficient to ensure that any proposed allocation is robust, justified and capable of being found sound at independent examination. In addition, the Plan must now be progressed to meet the Government's deadline of 31 December 2026 for submission of plans prepared under the existing plan-making system. The proposed revised Scheme therefore provides for publication of the Regulation 19 Pre-Submission Mineral Sites Plan in July 2026, submission to the Secretary of State by 31 December 2026, examination in Spring/Summer 2027 and adoption in early 2028.
- 3.33 The proposed revised Scheme is included at Appendix B and the table below sets out the related changes to the timetable for the updated Kent Mineral Sites Plan.

Kent Mineral Sites Plan – Changes to Timetable

Key Stages	Current	Proposed
Evidence gathering including detailed technical assessment	July 2023 – June 2024	July 2023 – May 2026
Publication of draft Mineral Sites Plan for representations on soundness (Reg 19)	June – July 2025	July – Sept 2026
Submission to Secretary of State for examination	October 2025	By 31 December 2026
Independent Examination hearings	January 2026	June 2027
Inspector's Report	April 2026	November 2027
Adoption by Council	September 2026	February 2028

3.34 This will be the final mineral sites plan prepared under the existing plan making system.

New Plan Making System

3.35 The UK's new local plan making regime (which came into force in March 2026) introduces a different approach and timetable. Transitional arrangements nevertheless allow the County Council to continue preparation of the Kent Mineral Sites Plan under the existing 2012 Regulations provided it is submitted by 31 December 2026.

3.36 In practical terms, KCC must maintain progress on the current Plan so that it can be submitted by the end of 2026. Were that not to occur, the Council would need to consider how an updated mineral sites plan would be taken forward under the new system that includes a formal 30 month plan preparation timetable.

4. Options considered and dismissed, and associated risk

4.1 An alternative option to proceeding with a full Mineral Sites Plan under the legacy plan making system, would have been to prepare a standalone hard rock Mineral Sites Plan whilst leaving the existing 2020 Kent Mineral Sites Plan unchanged. That option is not considered appropriate because it would result in a fragmented planning framework, require a further separate update to the Mineral Sites Plan for the remaining minerals, and would be less consistent with the scope and approach of the draft Kent Mineral Sites Plan consulted on in 2023.

4.2 A further option considered was to prepare a single mineral sites plan prepared under the new plan making system. That option is not proposed because it would delay certainty on hard rock provision until significantly later, potentially beyond 2030.

- 4.3 In terms of the content of the Mineral Sites Plan, an option would be not to allocate the land extending the current Hermitage quarry and instead rely on alternative sources of hard rock. This option is not proposed because this risks continuing uncertainty about how the identified hard rock requirement is to be met, potential increased reliance on imports and ad hoc decision-making and potential socio-economic impacts, including 140 direct job losses (according to the operator) due to the closure of Hermitage Quarry and the loss of stone for historic restoration.

5. Financial Implications

- 5.1 The costs of updating the Kent Mineral Sites Plan, including consultation, preparation of supporting documentation and the eventual independent examination, will need to be met from the Growth and Communities Division planning policy budget.
- 5.2 No direct cost saving arises from the proposed decision, however, maintaining a current minerals planning framework helps reduce the risk of appeals to planning decisions and associated public inquiry costs, which are met from Growth and Communities budget (Planning Applications). Pursuing an approach which reduced the time taken to allocate the site at Hermitage Quarry would also provide greater certainty to businesses in Kent that may facilitate investment in the local economy. A Mineral Sites Plan that addresses all mineral types as proposed also reduces the plan making costs, by only requiring a single external examination.

6. Legal implications

- 6.1 The County Council has a statutory duty, as minerals and waste planning authority, to prepare and maintain an up to date development plan for minerals and waste matters in Kent. The Kent Mineral Sites Plan forms part of that statutory development plan and is important in the determination of planning applications. Proceeding with this update would therefore contribute to the discharge of the Council's plan-making responsibilities.
- 6.2 If the Kent Mineral Sites Plan is to proceed under the existing plan making system, the statutory process in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 must be followed, including Regulation 19 publication for representations on soundness and legal compliance, consultation in accordance with the Statement of Community Involvement, and publication and submission in accordance with the Minerals and Waste Development Scheme. The current report also proceeds on the basis that submission must occur by 31 December 2026 if the Plan is to remain within the legacy transitional arrangements.
- 6.3 There is a legal risk if the evidence base supporting the proposed allocation is not found to be sufficiently robust, particularly given the relationship to irreplaceable habitat with the proposed allocation at Hermitage Quarry and the need for any allocation to withstand scrutiny on soundness and consistency

with national policy. There is also legal and procedural risk if timetable requirements are missed. Conversely, failure to maintain an up to date minerals planning framework can reduce local control and increase the risk of Government intervention in plan making. In light of Local Government Reorganisation, it is noted that the authority that agrees to publish the plan for examination (proposed through this paper to be Kent County Council) may not be the authority that adopts the Plan (and as yet unnamed and unknown Successor Authority).

7. Equalities implications

- 7.1 An Equality Impact Assessment (EqIA) has been prepared and is provided as Appendix G. No specific adverse equalities implications have been identified from the act of preparing and consulting on planning policy itself. The decision principally concerns plan-making, consultation and associated evidence rather than direct service changes to protected groups.
- 7.2 The EqIA records that the Council must ensure that consultation and publication arrangements are accessible and proportionate, including availability of documents in appropriate formats and through appropriate channels.
- 7.3 Site specific issues raised through the process, such as impacts on amenity, access, rights of way and local communities, have been considered as part of the evidence base and would be considered again at any future planning application stage.
- 7.4 The current assessment is therefore that no disproportionate equality impacts arise from the proposed decision itself.

8. Data Protection Implications

- 8.1 Following a scoping process, a Data Protection Impact Assessment is not required. Personal data is provided to the County Council which it has a legal duty to collect as part of its plan making responsibilities. The local plan work does not introduce any new category of personal data processing beyond the normal handling of consultation responses and representations within the statutory local plan process. Personal data will, however, be collected, stored, reviewed and, where required by the statutory process, published or shared in connection with Regulation 19 representations and the subsequent examination. The Council's privacy notice sets out how the data is used.

9. Other Corporate Implications

- 9.1 The wider corporate policy framework has been taken into account, in particular the Council's wider environmental and economic growth objectives.
- 9.2 Relevant matters in 'Reforming Kent' (Statement 2025) include support for local businesses, investment and jobs, protection of the countryside and rural communities, ensuring that infrastructure needs are met to support economic

growth and quality of life, and a focus on practical environmental improvement. The Kent Mineral Sites Plan relates to these matters by planning for a steady and adequate supply of minerals needed for construction and infrastructure, while requiring detailed environmental safeguards, mitigation and restoration in relation to site allocations. It would also support local employment and investment.

10. Governance

- 10.1 The principal formal decisions are for the Cabinet Member and, where required by the constitution, County Council. In particular, County Council approval will be required for publication of the Pre-Submission Kent Mineral Sites Plan and for its submission for independent examination. The Cabinet Committee's role is to consider and endorse in relation to the proposed decision.
- 10.2 Delegated authority to the Corporate Director for Growth, Environment and Transport, in consultation with the relevant Cabinet Member, is sought to: Approve any non-material changes to the draft updated Kent Mineral Sites Plan and supporting documents prior to publication; to manage the submission documentation; and, if the Plan proceeds to examination, to agree and publish any main modifications and any further non-material changes required through the examination process. That approach follows that taken in the preparation of current Kent minerals and waste plans and is necessary for the efficiency of the plan making process. It should be noted that any main modifications would be the subject of formal consultation.

11. Conclusions

- 11.1 The Council has a responsibility to plan for a steady and adequate supply of aggregate minerals to meet local need. National policy expects that material is sourced indigenously from land-won sources where possible. The adopted Kent Minerals and Waste Local Plan and aggregate monitoring identify requirements for the main land-won aggregate minerals in Kent: Sharp sand and gravel, soft sand and hard rock. The existing Kent Mineral Sites Plan already includes allocations for soft sand at Chapel Farm West, Lenham, and for sharp sand and gravel at Moat Farm, Capel and Stonecastle Farm Quarry, Hadlow, which remain necessary to contribute to meeting aggregate needs over the Plan period. Updated monitoring (set out in the latest Kent Local Aggregate Assessment 2025) indicates that no additional soft sand or sharp sand and gravel sites are currently required, however a further requirement for approximately 19.9 million tonnes of hard rock over the Plan period has been identified. This is proposed to be addressed in an allocation for hard rock in the updated Mineral Sites Plan.
- 11.2 The Kent Minerals and Waste Local Plan, monitoring evidence and the representations received do not support the need for changes to the soft sand and sharp sand and gravels allocations, the land interests have confirmed their intention to progress these allocations, therefore satisfying the deliverability test and therefore no changes are proposed for these minerals and so it is

proposed that the 2020 allocations are taken forward from the 2020 Mineral Sites Plan.

- 11.3 Responses to consultation on the nomination of land south and west of Hermitage Quarry for allocation in the Plan for hard rock extraction raised objections and concerns around matters such as amenity, transport, and natural environment, including the loss of land designated as ancient woodland (in this case PAWS). Detailed assessment of the issues, however, indicates that, mitigation and compensation of impacts to an acceptable level is possible and so, on balance, the allocation of the site is appropriate and is in accordance with Policy CSM2 of the Kent Minerals and Waste Local Plan 2024-39. Allocation would provide greater certainty that a sustainable local supply of Ragstone, a mineral of high local value, can be secured, providing local aggregate and a source of heritage stone for the restoration of UNESCO protected buildings in London and the South East. This is consistent with a Secretary of State's previous finding that the building stone material cannot be sourced elsewhere. Allocation would support the Kent local economy, given the Gallagher Group's importance as a significant Kent employer, directly and indirectly, with an annual turnover of £200 million, an annual social value contribution of some £53m and a key skills and training provider, including via its apprenticeship and skills hub in the county. Continued operation at the site would also include production of recycled aggregate via the processing of construction and demolition waste delivered to the site for management.
- 11.4 The allocation of the hard rock site, raises competing planning interests as set out in the Government's National Planning Policy Framework, however, the Pre-Submission Draft Mineral Sites Plan is considered sound and its submission for examination by the Planning Inspectorate would allow for detailed independent scrutiny of competing planning interests. A similar conflict arose in 2012, when the then Secretary of State considered the planning application for the current quarry site, which involved the loss of an adjacent PAWS site, and the need for the quarrying activity, and a steady and adequate supply of minerals. Conditional planning permission was granted for the quarry extension. Whilst the NPPF test in respect of ancient woodland has been strengthened since 2012, it is considered that wholly exceptional reasons and a suitable compensation strategy can be demonstrated, as required by the updated NPPF, and so a Plan that allocates this site can be submitted for independent examination.
- 11.5 An updated Kent Mineral Sites Plan would replace the current adopted 2020 Plan. Consistent with the 2023 draft Plan, it would retain the existing allocations for soft sand and sharp sand & gravel, while also formally allocating land south and west of Hermitage Quarry for hard rock extraction.
- 11.6 Planning assessment (Appendix F), informed by detailed reports, confirms that, subject to mitigation, including suitable compensation for loss of ancient woodland, the Hermitage Quarry site can be developed in accordance with policy. Publication of a Pre-submission Draft Kent Mineral Sites Plan will allow formal public representations on the draft Plan prior to examination into its legality and soundness.

- 11.7 Sustainability Appraisal of the Plan has been completed (Appendix D) and a Consultation Statement (Appendix C) has been completed that reports on earlier engagement.
- 11.8 The updated MWDS (Appendix B), sets out a revised timetable for completion of the updated Kent Mineral Sites Plan.
- 11.9 This will be the final plan completed under the old plan making system. Progressing, an update to the Kent Mineral Sites Plan now, allows the Council to update and replace the adopted 2020 Mineral Sites Plan under the existing Regulations rather than having to prepare an immediate separate replacement plan under the new system. Submission by 31 December 2026 is therefore important.
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Recommendation(s):

The Cabinet Committee is asked to:

1.
 - (i) Note the progress with updating the Kent Mineral Sites Plan and the role of County Council in approving and publishing for representations on soundness and legal compliance and for submission to Government for independent examination;
 - (ii) Make comment for the consideration of the Cabinet Member prior to reporting the Pre-Submission Draft of the Kent Mineral Sites Plan 2026 (Appendix A) to County Council; and
2. Note a revised timetable for preparation of the Kent Mineral Sites Plan 2026 to be published in an updated Minerals and Waste Local Development Scheme (Appendix B)

12. Appendices

- Appendix A: Pre-Submission Draft Kent Mineral Sites Plan July 2026
 - Appendix B: Updated Kent Minerals and Waste Local Development Scheme, July 2026
 - Appendix C: Consultation Statement – Review of Comments Received to Regulation 18 Consultation on the Review of the Mineral Sites Plan.
 - Appendix D: Sustainability Appraisal, June 2026
 - Appendix E: Non-Technical Summary of the Sustainability Appraisal
 - Appendix F: Hermitage Quarry Suitability for Allocation Assessment Report
 - Appendix G: Equality Impact Assessment
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Background Documents

- [Kent Mineral Sites Plan 2020](#)
- [Kent Minerals and Waste Local Plan 2024-39](#)
- [Kent Minerals and Waste Development Scheme, September 2024](#)
- [Statement of Community Involvement 2021](#)
- [Kent Local Aggregate Assessment 2025 \(2015-24 data\), June 2026](#)
- [National Planning Policy Framework 2024 \(as amended February 2025\)](#)
- [GAL original response to Call for Sites with details of Land to the South and West of Hermitage Quarry](#)
- [Draft Site Identification and Selection Methodology, September 2022](#)
- [Initial \(RAG\) Assessment of the Suitability of Nominated Land to the South and West of Hermitage Quarry for Hard Rock, May 2023](#)
- [Draft Kent Mineral Sites Plan including details of the nominated hard rock site \(May 2023\)](#)
- [GAL Case for Continuation, June 2026](#), and its appendices:
 - A [Gallagher Presentation - Introduction and Overview. Gallagher Aggregates Limited, June 2026](#)
 - A1 [Letter from Hearnshaw Planning on behalf of Gallagher Aggregates Limited dated 15 June 2026](#)
 - B [Aggregates Need & Supply – Planning Context. Hearnshaw Planning, January 2026](#)
 - C [Premium Limestone and Kentish Ragstone Masonry – Planning Context. Hearnshaw Planning, January 2026](#)
 - D [Gallagher Aggregates Example Markets and Projects. Gallagher Aggregates, March 2026](#)
 - E [Ecological Assessment. Ecology Solutions Limited, March 2024](#)
 - F [Biodiversity Net Gain Assessment/Hazel Dormice. Ecology Solutions Limited, March 2024](#)
 - G [Biodiversity Net Gain Assessment/Hazel Dormice. Ecology Solutions Limited, October 2024](#)
 - H [Annual Report to Management Advisory Group \(Westerly Extension\). Red Ecology, November 2025](#)
 - I [Technical Note: Ecology Statement – Research and Case Studies. Red Ecology, February 2026](#)
 - J [Wessex Archaeology – Ecology Note \(Summary of reports included as Appendices K, L and U\). Ecology Solutions Limited, March 2024](#)
 - K [Geoarchaeological Borehole Survey Interim Report. Ecology Solutions Limited, March 2024](#)
 - L [Interim Report on the Geochemical Analysis. Ecology Solutions Limited, March 2024](#)
 - M [Alternative Sites Study – Kent](#)
 - [Main Document and Appendix A: Detailed Assessment for Sites \(A/25&30 Pikey Lane and East Malling Heath; Site D/51-Ditton South; Site E/55-Small Profts West; Site H/94 Langley Park; Site I/101 Stoneacre Farm; Site J/106 Leeds South East; Site K/107-Burberry Lane Site O/115-Cheqworth; and Dwq.GAL-HQ-23-11-B](#)

- showing site locations. Hearnshaw Planning/Gallagher Aggregates, January 2024
 - [Geological Information. Hearnshaw Planning/Gallagher Aggregates, February 2024](#)
 - N [Qualitative Assessment of Premium Crushed Rock. Gallagher Aggregates, November 2023](#)
 - O [Carbon Footprint Study for Freight Aggregates. Carbon Footprint, January 2024](#)
 - P [GHG Emissions Savings Analysis for Reduction Measures used Hermitage Quarry. Carbon Footprint, January 2024](#)
 - Q [Review of Kent Planning Policies – Embodied Carbon and Sustainability Considerations. DHA Consulting, December 2023](#)
 - R [Gallagher Aggregates - Social Value Overview. Gallagher Group, Collins McHugh Limited, March 2026 \(Amended Apr 2026\).](#)
 - S [Natural Capital Report. Savills, May 2024](#)
 - T [Proposed Landscape Strategy 2024 Draft. Hill-Wood and Co. April 2024](#)
 - U [Archaeological Desk Based Assessment. Wessex Archaeology, March 2024](#)
 - V [Transport Technical Note including Air Quality/Environmental Aspects. Stantec, December 2023](#)
 - W [Services and Utilities. Feedback from communications with UK Power Networks \(UKPN\)](#)
 - X [Initial review of proposed extension on land to the South and West of Hermitage Quarry in relation to blast vibrations. Blast Log Ltd, December 2023](#)
 - Y1 [Proposed Site Allocation Plan. Gallagher Aggregates GAL-HQ-26-10](#)
 - Y2 [Existing Condition Plan Gallagher Aggregates GAL-HQ-26-20 and Indicative Quarry Phasing Nos 1-4 Gallagher Aggregates GAL-HQ-26-21 , 22, 23 and 24](#)
 - Z [Hermitage Quarry – Completed Restoration Areas. Gallagher Aggregates GAL-HQ-26-06](#)
- 6no. WSP Reports – Assessment of Impacts of Nominated Land to the South and West of Hermitage Quarry for Hard Rock, April 2026
 - [Ecology Assessment, June 2026](#)
 - [Alternative Ragstone Supplies Assessment, 16 June 2026](#)
 - [Landscape Assessment, 15 June 2026](#)
 - [Carbon Assessment for Potential Extension of Hermitage Quarry, June 2026](#)
 - [Air Quality Assessment for Potential Extension of Hermitage Quarry, June 2026](#)
 - [Health Assessment of Impact, 15 June 2026](#)
 - [Nomination of Hermitage Quarry for Allocation – Socio-Economic Impact Assessment, BPP Consulting, June 2026](#)
 - [Strategic Cooperation Statement, Regulation 19 Kent Minerals Sites Plan, June 2026](#)
 - [Secretary of State for Department of Communities and Local Government, Decision Letter, Hermitage Quarry, Hermitage Lane, Aylesford, Application Ref. TM/10/2158341 dated 11 July 2013](#)

- [Pre-Submission Draft Kent MSP July 2026 – showing TRACKED CHANGES](#)

13. Contact details

Report Author: Sharon Thompson	Director: Stephanie Holt-Castle
Job title: Head of Planning Applications Group	Job title: Director for Growth and Communities
Telephone number: 03000 413468	Telephone number: 03000 412064
Email address: sharon.thompson@kent.gov.uk	Email address: Stephanie.Holt-Castle@kent.gov.uk