

From: [REDACTED]
To: [MWLP - GT](#)
Cc: friendsfoakenwood@gmail.com
Subject: Response to Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39
Date: 27 February 2024 08:24:44

You don't often get email from [REDACTED] [Learn why this is important](#)

Re: Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39 Consultation response

Dear KCC,

In this document you will find a response to the 'Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39' consultation from Friends of Oaken Wood. Friends of Oaken Wood is a local charity.

The response has been approved by all members of our committee. It has also been circulated to 200 group members via email and 1.1k members of our community Facebook group.

In summary, our response requests that the council strengthens its wording on these elements of the plan:

- Acknowledging and adhering to National Planning Policy Framework protections for ancient woodland.
- The need for crushed aggregate (98% of the current output of Hermitage Quarry) does not need to be met with Kentish Ragstone. There are alternatives.
- The supply of Kentish Ragstone is finite. To preserve a Kentish Ragstone supply for restoration projects (1% of the current output of Hermitage Quarry) then it is necessary to replace its other current uses with alternative materials.
- Defining Biodiversity Net Gain targets for minerals and waste sites.
- Clearly define environmental terminology (e.g. 'sustainable', 'safeguard' and 'conservation') in relation to mining practices.

Please see list below for detailed comments, with corresponding document references.

Kind regards,

[REDACTED]

Chair of Friends of Oaken Wood

Email friendsofoakenwood@gmail.com

Website www.friendsofoakenwood.org

Join our Facebook group: <https://www.facebook.com/groups/794255195449308/>

Friends of Oaken Wood full response

Document: 'Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39, Regulation 19 - clean untracked version, November 2023'

2.3.9 refers to ragstone as the only material crushed for aggregate in Kent. While it may be the only form currently manufactured, other forms of aggregate would also be viable material. The wording needs reviewing to make clear that there is no reason for crushed rock to be produced solely from Kentish ragstone simply because that is how it is currently supplied.

2.2.5 'The BOAs [Biodiversity Opportunity Areas] are not constraints to development. They are areas where minerals and waste sites will best be able to support the strategic aims for biodiversity conservation in Kent.'

This is an illogical, generalised statement and requires review. Mineral extraction and waste sites do impact the environment. Each location and proposal is unique and would require individual assessment against BOAs criteria. It cannot be true to say all such sites 'will best be able...' to meet these aims.

3.0.4 'Deliver sustainable solutions to the minerals and waste needs of Kent' and 'deliver a sustainable, steady and adequate supply of land-won minerals including aggregates.'

The above statements are contradictory. The use of non-renewable sources such as land-won minerals cannot be considered sustainable as they are, by definition, finite.

The council should review its terminology here. 'Sustainable' should be removed or very clearly defined.

3.0.4 'Safeguard economic mineral resources for future generations'

The above statement is misleading. The only way to safeguard mineral resources is not to use them. The council should review its terminology here. The statement should be removed or 'safeguard' very clearly defined.

Examples 5.9.1 and P.56 point 8

The plan must acknowledge that the way to prolong the availability of Kentish ragstone for restoration projects is to limit the additional, non-essential uses of Kentish ragstone. Other materials could meet these additional demands, such as

alternative sources of building rock (see 5.9.1) and crushed rock (see 5.2.7). A plan that references the 'finite' nature of the resource but does not address this issue is unsound.

Currently, just 1% of the ragstone produced in Kent is used for heritage projects while 98% is crushed for aggregate. With just a 10 year supply horizon defined in the document, it is clear that heritage buildings, such as the Tower of London, will not have a long-term supply of stone for restoration for the future if this continues.

5.0.1 '[minerals] are a finite natural resource, and can only be worked where they are found, it is important to make the best use of them to secure their long-term conservation'

This statement is contradictory as there is no way to secure the long-term conservation of a finite resource, so the council should review its terminology here. The statement should be removed, amended or 'long-term conservation' very clearly defined.

5.2.27 The need for crushed aggregate should not be simply defined by the volume that a private company has managed to sell. It should be defined by incontrovertible need.

5.12 'Sustainable transport of minerals' states that the council is 'aspiring to carbon neutrality and reducing harmful emissions'. However, we request that a line be added to say the impact of transport should be calculated against the carbon impact specific to any new proposed site. Different habitats will have different levels of carbon sequestration. The removal of vegetation and trees and the disturbance of soil will have an immediate and long-term impact unique to the particular site. Therefore any proposal to create a new quarry or extend an existing one on the grounds of not having to transport material in from outside Kent should have the proper carbon calculations made before a decision is reached. If this is already a part of the process the council should reference the relevant supporting document in the footnotes.

7.2.5 The reason for including the statement 'Kent Nature Partnership expects at least 20% to be achieved' is unclear unless there is also confirmation that Kent County Council will be adopting this target as a requirement.

7.2.5 'Separate guidance on the application of the biodiversity net gain requirements to minerals and waste developments as set out in Policy DM3 will be published.' No timescales are given. This risks a live plan being implemented without the means to soundly assess proposed sites.

Policy DM2 (P.118) states that mineral sites located in areas of 'ancient woodland and ancient or veteran trees will not be granted planning permission or identified in updates to the Minerals Sites Plan and any Waste Sites Plan unless the need for, and the benefits of the development in that location clearly outweigh any loss, justified by wholly exceptional reasons, and a suitable compensation strategy is in place.'

The council must clearly define how it proposes to calculate the criteria for

'benefits', 'loss', 'wholly exceptional' and 'compensation' under this plan. Ancient woodland is defined as irreplaceable (as stated by the National Planning Policy Framework). Any possible 'compensation strategy' would therefore be inadequate. In particular, soil relocation has been documented to be ineffective. Restoration would be unachievable in the case of ancient woodland.

'Monitoring Schedule: Delivery Strategy for Minerals' p. 151 makes no mention of 'building rock', which is mentioned elsewhere in the plan. 'Crushed rock' is included. The two are detailed throughout the plan as distinct materials. The reason for the omission is unclear and not explained.

Document: 'Pre-Submission Draft , Kent Minerals and Waste Local Plan 2024-39, Regulation 19 Publication, Biodiversity Topic Paper, January 2024

7.3 'The Statutory Biodiversity Metric and associated Calculation Tool, Technical Supplement and User Guide⁵¹ should be used in demonstrating biodiversity gain and compliance with Policy DM3.'

Amend 'should' to 'must'.

7.5 The 'overall gain to be delivered' should also take into account the BNG level set by the planning authority (e.g. the borough council). For areas of high commercial value, such as Maidstone, this is set at 20%.

7.7 The reason for including the statement that 'Kent Nature Partnership expects at least 20% to be achieved' is unclear unless it is followed by confirmation that Kent County Council will be adopting this target as a requirement.

7.8 There are no timescales given for how soon following the adoption of the draft plan the Biodiversity Topic Paper will 'be updated to provide guidance on how biodiversity net gain will be assessed... to ensure consistency with the adopted policy.' This risks a live plan being implemented without the means to soundly assess proposed sites.

