



# Summary of Responses to the Consultation on Proposed Modifications to the Mineral Sites Plan

January 2020

## **Introduction**

Following the Independent Examination hearings on the Kent Mineral Sites Plan in October 2019, the County Council undertook a further round of consultation on the proposed Main Modifications. A Sustainability Appraisal of the Main Modifications was published to accompany the consultation. The consultation ran for 8 weeks from 19<sup>th</sup> November 2019 to 14<sup>th</sup> January 2020. Additional (minor) Modifications required to correct grammatical errors were also published for completeness.

A total of 36 representations were received from 18 consultees consisting of statutory bodies, district, borough and parish councils in Kent, the minerals industry and members of the public. 8 Representations indicated they had no comment to make.

The purpose of this document is to summarise the comments received relating to the proposed Main Modifications and to provide a brief response from the County Council. These comments (prefixed by the *MM* reference) are summarised in a table at Chapter 2 of this report.

MM Ref No.	Section	Consultee	Summary of Representation	KCC Response
<b>3 Provision of Mineral Sites</b>				
MSP/MM1	Paragraph 3.5	Brett Aggregates (MSP 13)	<p>Whilst the paragraph has been modified, it still requires “<i>at least 7 years supply</i>”, during and at the end of the Plan period.</p> <p>The acceptance that there is likely to be a deficit in material is not compliant with Policy CSM 2 of the KMWLP. There has been no substantial evidence to indicate where this shortfall may be met, other authorities in the South East have their own issues with supply of the resource.</p> <p>Sites which were previously considered for allocation subject to mitigation should be considered once again to help make up this supply.</p>	<p>The proposed modification is a purely arithmetic correction to ensure conformity of paragraph 3.5 of the MSP to the figures in the adopted KMWLP CSM 2 Policy.</p> <p>KMWLP Policy CSM 2: Supply of land-won Minerals in Kent requires land-won sharp sand to be maintained at the then (2014 data) level of sales, based on the recorded 10-year average, over the Plan period (at least 10.08mt) and a landbank of at least 7 years supply (5.46mt) “<i>while resources allow</i>”. The policy acknowledges that this level of provision will decline and over the Plan period demand will be met from other sources, including marine dredged aggregates. The actual amounts will be kept under review with annual LAA findings.</p> <p>The work on assessing the acceptable, sustainable and deliverable option sites for allocation in the MSP promoted to the County Council demonstrated that alternative supply to land-won materials, to ensure a steady and adequate supply of aggregates, would be required over the Plan period. These have been demonstrated to be available. Therefore, the MSP is in compliance with adopted Policy CSM 2 of the KMWLP.</p>

<b>Appendix 1 – Site Allocations</b>				
<b>M13 Extensions to Stonecastle Farm Quarry, Hadlow/Whetsted</b>				
MSP/MM2	M13 Extensions to Stonecastle Farm Quarry	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM2	M13 Extensions to Stonecastle Farm Quarry	Tarmac (MSP 20)	Supportive of the modification.	Noted
MSP/MM3	M13 Extensions to Stonecastle Farm Quarry - Biodiversity	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM3	M13 Extensions to Stonecastle Farm Quarry - Biodiversity	CPRE (MSP 11)	Amendment is supported however it should have the same wording as the same criteria for site M10.	This is addressed by MSP/MM12
MSP/MM3	M13 Extensions to Stonecastle Farm Quarry – Biodiversity	Natural England (MSP 14)	Welcome the reference to securing biodiversity net gain.	Noted
MSP/MM3	M13 Extensions to Stonecastle Farm Quarry – Biodiversity	██████████ (MSP 26)	<p>More detail should be given on the concept of net-gain and what should be achieved.</p> <p>The term “unacceptable adverse impact” is too vague and more detail should be given as to the measurable parameters of this.</p>	<p>The application of the concept of Biodiversity net gain is explained in the Government’s Planning Practice Guidance.</p> <p>The judgement of what constitutes unacceptable adverse impact will be made by qualified and experienced professionals employed by the County Council.</p>

MSP/MM4	M13 Extensions to Stonecastle Farm Quarry - Heritage	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM4	M13 Extensions to Stonecastle Farm Quarry – Heritage	██████████ (MSP 10)	<p>The addition of the word “<i>nearby</i>” is too vague and the plan should provide a comprehensive list of heritage assets which could be affected by the proposals. This is inconsistent with modification MSP/MM20 which does provide a list.</p> <p>Furthermore, the use of the term “unacceptable adverse” in terms of impacts is too vague, more specific parameters should be included.</p>	<p>The addition of the term ‘nearby’ is to make it clear that the impact on Listed Buildings which might be affected by the operations needs to be assessed - this will be Listed Buildings near to the operations rather than all Listed Buildings. Development management policies included in the adopted Kent Minerals and Waste Local Plan (KMWLP) would be applied to ensure that there was no unacceptable adverse impact on such buildings (in particular Policy DM 5).</p> <p>The judgement of what constitutes unacceptable adverse impact will be made by qualified and experienced professionals employed by the County Council.</p>
<b>M10 Moat Farm, Capel, Tonbridge</b>				
MSP/MM5	M10 Moat Farm	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM6	M10 Moat Farm	██████████ (MSP 10)	This modification should be made consistent throughout the document.	See main modification MSP/MM2 which applies to the extension to Stonecastle Farm allocation. Chapel Farm is not in the Green Belt and so this text does not apply.
MSP/MM6	M10 Moat Farm	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted

MSP/MM6	M10 Moat Farm	Tarmac (MSP 20)	Supportive of the modification.	Noted
MSP/MM7	M10 Moat Farm – Transport	██████████ (MSP 26)	<p>Wording should be amended to state “<i>turn left from site access road onto Whetsted Road and turn left from Whetsted Road onto the A228.</i>” Traffic has always turned left from leaving the site so the wording is redundant. The A228 could easily accommodate traffic.</p> <p>There is no criteria for vehicles entering the site.</p>	The term ‘exiting the site’ relates to the movement made by HGVs when they transfer to the public highway. HGVs can turn either left or right onto the A228 from the Whetsted Road – this has been assessed as an acceptable arrangement and reflects the existing permission. The modification is required to clarify that HGV traffic is required to turn left onto the Whetsted Road when leaving the site, and not to require a left turn onto A228 from the Whetsted Road.
MSP/MM7	M10 Moat Farm - Transport	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM7	M10 Moat Farm – Transport	██████████ (MSP 10)	<p>Wording should be further amended to: “<i>All traffic would turn left on leaving the site on to Whetsted Road and left again (also Whetsted Road) heading North on the A228 before navigating on their final routing at the Southern end of the East Peckham by pass. Traffic arriving to the site will turn right into the site from Whetsted Road.</i>”</p>	The term ‘exiting the site’ relates to the movement made by HGVs when they transfer to the public highway. HGVs can turn either left or right onto the A228 from the Whetsted Road – this has been assessed as an acceptable arrangement and reflects the existing permission. The modification is required to clarify that HGV traffic is required to turn left onto the Whetsted Road when leaving the site, and not to require a left turn onto A228 from the Whetsted Road.
MSP/MM7	M10 Moat Farm – Transport	CPRE (MSP 11)	<p>It is noted that M13 Transport criterion 23 refers to ‘local highway network’ and M10 criterion 2 refers to ‘highway network’. It would be helpful to have consistent wording and suggest that ‘local highway network’ is used.</p>	KCC would be content to make this modification to ensure consistency and avoid any possible confusion.

MSP/MM8	M10 Moat Farm – Water Resources	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted.
MSP/MM8	M10 Moat Farm – Water Resources	CPRE (MSP 11)	<p>It is noted that this is similar to the criterion for M13 which reads: <i>‘Any application will need to be accompanied by detailed flood risk assessment.’</i></p> <p>Given that sites M10 and M13 are near to each other It would be helpful to have a consistent approach to the wording. Suggest that the M13 criterion is amended to read:</p> <p><u><i>‘Any application will need to be accompanied by a detailed flood risk assessment with measures identified to minimise and/or mitigate flood risk.’</i></u></p>	KCC would be content to make this modification to ensure consistency and avoid any possible confusion.
MSP/MM8	M10 Moat Farm – Water Resources	██████████ (MSP 26)	A comprehensive flood risk assessment should be undertaken which considers the impacts of nearby housing, landfill sites and the areas allocated for quarrying.	The purpose of a Flood Risk Assessment is to assess how development might change the risk of an area flooding, the wording of the criteria also expects that measures would be identified to minimise and mitigate the risk of flooding and this would include any features that are assessed as being of greater risk of being impacted by flooding as a result of the development.
MSP/MM9	M10 Moat Farm - Water Resources	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted.
MSP/MM9	M10 Moat Farm – Water Resources	██████████ (MSP 10)	There is an agricultural abstraction licence which should be considered within the	Whilst not considered essential, if necessary the County Council would be content to draw attention to these matters in the wording of

			policy. There should also be a requirement to consider impacts on the historic landfill.	the criteria. It is suggested that this wording could be as follows:  'This site overlies the gravel aquifer and near the edge of an SPZ3 for a public water abstraction borehole. <b><u>There is a historic landfill in the vicinity as well as abstraction licences.</u></b> Wet working, that being the extraction of materials from below the water table level, should be employed to negate the need to de-water the active quarried areas.'
MSP/MM10	M10 Moat Farm - Water Resources	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM10	M10 Moat Farm – Water Resources	Tarmac (MSP 20)	The modification is not precise enough to be effective. Wording should be clearer that monitoring should relate to the proposal for which planning permission is sought. Its current wording could infer that monitoring is require for existing or third-party development proposals, which should be subject to their own monitoring regimes.  Suggested alternative wording: <i>“A regime of local water quality is required to be agreed with the Environment Agency and South East Water <u>in relation to any proposal for development of this site</u>”</i>	The County Council is content with the proposed modification.
MSP/MM11	M10 Moat Farm - Water Resources	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted

MSP/MM11	M10 Moat Farm Water Resources	Environment Agency (MSP 23)	The 16m buffer should be stated for Stonecastle Farm Quarry also.  Would object to any proposals to divert the Main River.	Reference to a 16m buffer is included in the existing wording.  The are no proposals to divert the main river – the site could be developed without diversion of the main river.
MSP/MM12	M10 Moat Farm - Biodiversity	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM12	M10 Moat Farm – Biodiversity	Natural England (MSP 14)	Welcome the reference to securing biodiversity net gain.	Noted
MSP/MM12	M10 Moat Farm – Biodiversity	██████████ (MSP 26)	More detail should be given on the concept of net-gain and what should be achieved. The term “unacceptable adverse impact” is too vague and more detail should be given as to the measurable parameters of this.	The application of the concept of Biodiversity net gain is explained in the Government’s Planning Practice Guidance.  The judgement of what constitutes unacceptable adverse impact will be made by qualified and experienced professionals employed by the County Council.
MSP/MM13	M10 Moat Farm - Heritage	Tonbridge and Malling Borough Council (MSP 08)	Supportive of the modification.	Noted
MSP/MM13	M10 Moat Farm - Heritage	██████████ (MSP 10)	The addition of the word “nearby” is vague and the plan should provide a comprehensive list of heritage assets which could be affected by the proposals. This is inconsistent with modification MSP/MM20 which does provide a list.  Furthermore, the use of the term “unacceptable adverse” in terms of	The addition of the term ‘nearby’ is to make it clear that the impact on Listed Buildings which might be affected by the operations needs to be assessed - this will be Listed Buildings near to the operations rather than all Listed Buildings. Development management policies included in the adopted Kent Minerals and Waste Local Plan (KMWLP) would be applied to ensure that there was no unacceptable

			impacts is also too vague, more specific parameters should be included.	adverse impact on such buildings (in particular Policy DM 5.  The judgement of what constitutes unacceptable adverse impact will be made by qualified and experienced professionals employed by the County Council.
<b>M3 Chapel Farm, Lenham (Western Site)</b>				
MSP/MM14	M3 Chapel Farm	Borough Green Sandpits (MSP 19)	<p>Earlier surveys on the site indicated that some 82% is classified as grade 1 agricultural land, this type of soil should be afforded the highest levels of protection. It has not been demonstrated that this proposal would not impact the best and most versatile status of the soil.</p> <p>The revised wording introduced through MSP/MM14 requires the use of existing soils in restoration, therefore it is important to determine: the different soil types; how each type would be stripped and stored taking account of the need to store the different types in different areas; and that there is adequate room for soil storage (including the avoidance of tracking).</p> <p>Furthermore, it has not been demonstrated that removing the mineral below the topsoil and restoring the land to low level agriculture will not lead to areas being at risk of flooding or seasonal inundation. The landscape assessment provided by the promoter indicates that certain areas will be returned to wetlands; it has not</p>	<p>The impact on agricultural land was acknowledged in the Mineral Site Assessment (2018) (KCC/SP41) document that states (on page 63 and 64):</p> <p>“Natural England’s Agricultural Land Classification Map states that the site contains Grade 3 (Good to Moderate) soil. It is considered that while mineral extraction would result in a loss of this soil such a loss would be temporary as the site would be restored to agricultural land.” Restoration of the site would take place in accordance with Policy DM19 that requires details of “an assessment of soil resources and their removal, handling and storage”, “types, quantities and source of soils or soil making materials to be used” and “a methodology for management of soils to ensure that the pre-development soil quality is maintained”. The Policy also requires “the restoration of the majority of the site back to agriculture, if the site consists of the best and most versatile agricultural land”. This will ensure that soils are adequately protected and replaced as part of the restoration.</p>

			<p>been demonstrated how this maintains the agricultural classification of the land.</p> <p>Where the ALC of the existing land has not been taken into account, the requirements of the NPPF have not been met and modification MSP/MM14 is not sufficient in safeguarding the soils. A detailed ALC survey should be required, as well as further information on the proposals including stripping, drainage and land forming. Sites which have a lower quality soil should be invited to submit further information as the Chapel Farm allocation does not currently represent a sustainable solution.</p>	The Mineral Sites Plan does not envisage restoration to wetland. The operator has not objected to the need for restoration to agriculture as set out in the Minerals Sites Plan.
MSP/MM15	M3 Chapel Farm - Biodiversity	██████████ (MSP 26)	The term “ <i>unacceptable adverse impact</i> ” is too vague and more detail should be given as to the measurable parameters of this.	The judgement of what constitutes unacceptable adverse impact will be made by qualified and experienced professionals employed by the County Council.
MSP/MM16	M3 Chapel Farm - Biodiversity	██████████ (MSP 26)	More detail should be given on the concept of net-gain and what should be achieved.	The application of the concept of Biodiversity net gain is explained in the Government’s Planning Practice Guidance.
MSP/MM16	M3 Chapel Farm – Biodiversity	Natural England (MSP 14)	Welcome the reference to securing biodiversity net gain.	Noted
MSP/MM16	M3 Chapel Farm – Biodiversity	KCC Biodiversity (MSP 22)	Biodiversity criteria should be consistent across all three sites and make reference to net-gain.	The Development criteria are drafted in a manner that will ensure this occurs when taken together with the relevant development management policy in the KMWLP (Policy DM3).
MSP/MM17	M3 Chapel Farm - Biodiversity		<b>No comments made</b>	

MSP/MM18	M3 Chapel Farm - Landscape	Borough Green Sandpits (MSP 19)	<p>The modification is not sufficient in overcoming the impact on landscape. The site will have an adverse impact on the Kent Downs AONB. This is acknowledged within the Sustainability Appraisal and the comments from the Kent Downs AONB unit. The Unit stated that further detail is needed at the local plan preparation stage.</p> <p>The landscape assessment supporting the allocation is out of date. A contemporary assessment containing full details of mitigation and enhancement should be provided.</p>	<p>The Council maintains the position that the site can be developed consistent with the requirements set out in KMWLP Policy DM2 that concerns the protection of Areas of Outstanding Natural Beauty.</p>
MSP/MM18	M3 Chapel Farm - Landscape	Kent Downs AONB Unit (MSP 16)	<p>Allocation remains unsound.</p> <p>Support the amendment to the criterion which provides enhanced protection for the AONB, however the wording does not go far enough to provide sufficient protection to the Kent Downs in line with the NPPF and The Kent Downs AONB Management Plan. As recognised in the LVIA of the Mineral Sites Plan, a suitable mitigation scheme will be difficult to come by. A series of bunds was proposed at examination, however this is likely to be unfavourable to minerals operators and therefore it is essential that this specific requirement is set out in the wording.</p> <p>Additional wording should state:</p> <p><i>“Detailed information setting out proposed mitigation of landscape and visual impacts</i></p>	<p>The Council maintains the position that the site can be developed consistent with the requirements set out in KMWLP Policy DM2 that concerns the protection of Areas of Outstanding Natural Beauty.</p> <p>It is agreed that the mitigation was discussed at the hearings, however it is considered that setting out the detail of the mitigation to be employed in the manner proposed would be overly prescriptive. Details of mitigation would be proposed and their suitability assessed as part of a detailed planning application.</p>

			<i>and demonstrating that the setting of, and views into and out of, the Kent Downs AONB will not be adversely impacted, <u>which shall incorporate planted bunds across the length of the site on an east west axis.</u></i>	
MSP/MM19	M3 Chapel Farm - Heritage	Borough Green Sandpits (MSP 19)	<p>Archaeological appraisals have demonstrated that there is likely to be extensive archaeological findings within and surrounding the site. The site to the east of the Chapel Farm complex was withdrawn due to such sensitivity.</p> <p>It would therefore be appropriate for the allocation to be supported with a desk-based survey, field survey and evaluation trenching as appropriate. Otherwise, if extraction takes place and remains are discovered which need to be preserved in situ (as was the case with the eastern parcel), this could impact on the deliverability of the site in terms of contributing to soft sand supply for Kent.</p>	<p>The area originally proposed for allocation to the east of Chapel Farm was deleted from consideration in light of advice from County Council's Heritage team who, as was confirmed by Historic England, take the lead on advising the planning authority on the treatment of undesignated archaeological assets. Their advice for that area was based on the evidence for significant and extensive archaeological remains in that area located on prominent land to the east of the Stour. The area to the west of Chapel Farm and the Stour has very limited archaeological evidence. The proposal was accompanied by a desk-based assessment and there has been limited fieldwalking and metal detecting reported on the site. The Council's archaeological advisors have confirmed that they are satisfied that the site can be allocated without unacceptable adverse impacts on the archaeology and that there are sufficient controls within the development management process to enable appropriate mitigation to be identified at a planning application stage. Archaeological survey and evaluation would be required as part of the planning application submission and mitigation would be proposed in light of the results of that work.</p>

MSP/MM20	M3 Chapel Farm - Heritage		<b>No comments made</b>	
MSP/MM21	M3 Chapel Farm - Transport and Access		<b>No comments made</b>	
MSP/MM22	M3 Chapel Farm - Transport and Access	Borough Green Sandpits (MSP 19)	<p>The modification ensures that the site will only be worked sequentially with the permitted site at Burleigh Farm. Condition 2 of the planning permission allows for 15 years working at Burleigh Farm. Work commenced in December 2019 and should therefore complete in December 2034. This is 4 years after the end of the Kent Minerals and Waste Local Plan 2013-30 period.</p> <p>This means that Chapel Farm cannot contribute to the objectively assessed need for soft sand until after the Plan period. As expressed by KCC at the hearings, the two sites cannot be worked concurrently due to their combined impact on infrastructure (including the A20 road). However, the requirement to work the sites sequentially means that Chapel Farm cannot be worked until the end of the Plan period, therefore the Plan effectively makes no allocations for soft sand and a steady and adequate supply of the aggregate cannot be maintained for the Plan period.</p>	<p>The operative Burleigh Farm planning permission does not restrict mineral operations by the company from moving on to the Chapel Farm (assuming planning permission were to be granted) site <i>until</i> 2034. The condition (2) restricts the operations at Burleigh Farm to be completed <i>no later</i> than 15 years from the 2019 implementation date. Therefore, the operator has <i>until</i> 2034 to finish (including non-mineral productive restoration operations). The operating company, could, if market conditions allow, finish well before this year. The County Council understands that the level of soft sand production at the sites proximate to the Ashford growth area are in the region of 200+k per annum at this time. Therefore, it is anticipated that the available reserves Burleigh Farm (as given in the planning application) may last some 9 years. Finishing in possibly in 2028, two years before the end of the Plan period.</p> <p>Moreover, if the area does not have a soft sand aggregate replenishment such as the stated 3.2mt resources at Chapel Farm coming online toward the end of the Plan period, the area will fall below the at least 7-</p>

				<p>year landbank level (calculated as 3.97mt using published 2017 aggregate monitoring data) at approximately 2026. Thus, the mineral planning authority will likely need to permit reserves at Chapel Farm towards the end of the Plan period, not beyond it. The concurrency of extractive operations at Chapel Farm and Burleigh Farm is likely to involve one site being phased in as the other is being phased out and restored. To maintain a steady and adequate supply of soft sand aggregates in accordance with the NPPF, it is not necessary for both sites to be operating at maximum capacity simultaneously given the market conditions in this area.</p>
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## Sustainability Appraisal

Consultee	Summary of Representation	KCC Response
<p>██████████ (MSP 17)</p>	<p>The Sustainability Appraisal fails to take account of other planned development in the area such as the 2800 homes promoted within the Tunbridge Wells BC draft Plan. There are many adverse impacts of the M10 and M13 sites which have not been considered such as Green Belt (including cumulative impact), transport, flood risk, biodiversity, landscape and amenity.</p>	<p>These developments are at an early stage of consideration. The Borough Councils have not objected to the allocation of these sites on the grounds that they would hinder other development proposed in their Local Plans or result in unacceptable cumulative impacts.</p> <p>The SA of the Kent Mineral Sites Plan has considered cumulative impacts with the draft Tunbridge Wells Local Plan (see p.131 of the Mineral Sites Plan SA).</p>
<p>██████████ (MSP 12)</p>	<p>The Sustainability Appraisal is deficient in several respects. It does not take account of the numerous planned developments for the Tonbridge area, which could have a cumulative impact on the Green Belt, landscape, traffic, biodiversity,</p>	<p>These developments are at an early stage of consideration. The Borough Councils have not objected to the allocation of these sites on the grounds that they would hinder other development proposed in their Local Plans or result in unacceptable cumulative impacts. The SA of the Kent</p>

	<p>heritage, climate change and amenity. It does not take account of new data regarding flooding.</p> <p>Monitoring procedures at the landfill site near to Stonecastle Farm have not been carried out. Such monitoring should be carried out under Policy CSW 4.</p> <p>The allocation of Stonecastle Farm and Moat Farm will cause a number of issues which have not properly been addressed within the Sustainability Appraisal or any other document, this includes impact on water resources, flood risk, traffic, amenity, the Green Belt, landscape, heritage, community and wellbeing, sustainable economic growth and climate change.</p> <p>Policy DM7 enables mineral sites to be abandoned by operators.</p> <p>It also fails to take account of the historic landfills which have been identified within the vicinity of Stonecastle Farm.</p>	<p>Mineral Sites Plan has considered cumulative impacts with the draft Tunbridge Wells Local Plan (see p.131 of the Mineral Sites Plan SA).</p> <p>As set out in the development criteria and the KMWLP, any planning application for development of the sites would require submission of a detailed Flood Risk Assessment. This assessment would identify mitigation measures. Sand and gravel extraction is considered water compatible development in guidance issued by the Government.</p> <p>The landfill site is monitored under the terms of its licence any further monitoring required as a result of development of the allocated sites in the area would be considered at the planning application stage.</p> <p>It is considered that the Sustainability Appraisal has adequately considered the issues of impact on water resources, flood risk, traffic, amenity, the Green Belt, landscape, heritage, community and wellbeing, sustainable economic growth and climate change. The Mineral Sites Assessment 2018 (KCC/SP41) also considered impacts on the environment and communities.</p> <p>Other policies of the Plan, in particular Policy DM17, are intended to ensure that mineral sites will not be abandoned and will be properly restored.</p> <p>There is no evidence that the historic landfills in the area would prevent the development of the allocated sites. Evidence submitted with a planning application for processing in the area indicates that mineral development in these locations would not be affected by the existence of the historic landfills.</p>
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<p>██████████ (MSP 25)</p>	<p>Any adverse impacts of the development are dismissed. Mitigation measures are cited however no examples are given. Further detail is needed</p>	<p>The potential for adverse impacts has been considered in various studies and summarised in the Mineral Site Assessment report (KCC/SP41). Relevant statutory bodies e.g. Natural England and the Environment Agency have been consulted.</p>
<p>██████████ (MSP 27)</p>	<p>The section on resources makes reference to water. The sites conflict with aquifers which are accessed at two borehole sites for drinking water and fruit farm irrigation.</p> <p>The groundwater in the area may be impacted by leachate from the closed landfill site in the area. Monitoring is still being undertaken with regards to this and should be concluded before any minerals development is taken forward.</p> <p>The area is subject to flooding issues, the most recent being in December 2019. Therefore, the impact on flood risk combined with the planned housing development in the area and climate change should be taken into account.</p>	<p>The development criteria note the existence of the abstraction borehole and expect this to be properly considered at the planning application stage. Policy DM10 applies.</p> <p>Groundwater monitoring is required before any mineral development takes place – this will assess whether any mineral extraction would be affected by the historic landfill, but monitoring undertaken to support an planning application for mineral processing on the site suggests this will not be an issue.</p> <p>These matters would be considered in detail at the planning application stage. The Mineral Site Assessment 2018 noted the following:  <i>“The majority of the site is within Flood Zone 3 which has the highest probability of flooding. KCC’s Flood Risk Assessment concluded the following:</i>  <ul style="list-style-type: none"> <li>- <i>The main potential source of flooding to the site is fluvial flooding.</i></li> <li>- <i>There is potential for a high water table at the site, resulting in a potential requirement for dewatering.</i></li> <li>- <i>As the development involves an extraction of minerals as opposed to raising the ground level, it will not result in a loss of water storage for the flood plain. The resulting waterbodies could provide water storage and reduce flood risk off site.</i></li> <li>- <i>A 16 metre buffer should be provided around nearby watercourses.</i></li> </ul> </p>

		- Further hydraulic modelling would be needed to establish the impact of the site on the watercourses, including the watercourse running through the site.”
Capel Parish Council (MSP 21)	<p>The Plan does not take into account other developments planned for the Tonbridge area which could have a cumulative impact on the Green Belt.</p> <p>Since the publication of the KMWLP further work on flood risk in the area has been undertaken. The Plan does not take account of the Kent Climate Risk and Impact Assessment or the latest flood risk projections from the Environment Agency.</p>	<p>These developments are at an early stage of consideration. The Borough Councils have not objected to the allocation of these sites on the grounds that they would hinder other development proposed in their Local Plans or result in unacceptable cumulative impacts. The SA of the Kent Mineral Sites Plan has considered cumulative impacts with the draft Tunbridge Wells Local Plan (see p.131 of the Mineral Sites Plan SA).</p> <p>As set out in the development criteria and the KMWLP, any planning application for development of the sites would require submission of a detailed Flood Risk Assessment. This assessment would identify mitigation measures. Sand and gravel extraction is considered water compatible development in guidance issued by the Government.</p>

## Miscellaneous Comments

Consultee	Summary of Representation	KCC Response
CPRE (MSP 11)	There needs to be a modification added to include a criterion for Stonecastle Farm stating that it will not be worked concurrently with Moat Farm.	This is addressed by an existing criterion.
CPRE (MSP 11)	There should be a modification to add criteria to Moat Farm and Stonecastle Farm to encourage the sites being restored to agriculture as opposed to lakes.	It is not necessary to restore the land to agriculture. Restoration to wetland is considered appropriate and has been expressed as a requirement by the Environment Agency.
██████████ (MSP 10)	Stonecastle Farm is at the centre of a GPZ. Planning permission was refused in 2002 due to concern over the impact of quarrying on the aquifers, this may still be a concern. There is also concern over any potential impact on the land as a functional floodplain. Restoration proposals may not be sustainable, as groundwater maps show that certain parts of the site have a susceptibility to groundwater flooding.	<p>The Council maintain the position in The Mineral Sites Assessment 2018 (KCC/SP41) that states:</p> <p><i>“..the site extends into Source Protection Zones 1, 2 and 3. When planning permission was sought for Stonecastle Farm Quarry (approximately 20 years ago) the two phases being promoted now were refused due to a lack of information on the impacts they would have on local water supply; the water company could not recommend that these two phases be granted planning permission. The promoter has presented the water company (South East Water) with further information on the impacts to hydrology and hydrogeology. This included a commitment to “wet working” the site to remove the need for dewatering. South East Water have accepted that this reduces the risk of impinging on groundwater levels and are supportive of this change. They concluded that further monitoring would need to be carried out, and a Hydrometric Monitoring Strategy would need to form part of a development management requirement for the site. Further engagement will be undertaken with South East Water and the Environment Agency in the event of a planning application to be submitted, and policy provision would ensure that appropriate monitoring and mitigation</i></p>

		<p><i>take place so that the site does not have an adverse impact on the water environment.</i></p> <p><i>Overall it is considered that the potential impact of the site on the water environment is not a matter that would preclude the site from allocation.”</i></p>
██████████ (MSP 10)	<p>Wording for transport development management criteria for Stonecastle Farm should state <i>“All traffic would turn left on leaving the site on to Whetsted Road and left again (also Whetsted Road) heading North on the A228 before navigating on their final routing at the Southern end of the East Peckham by pass. Traffic arriving to the site will turn right into the site from Whetsted Road”.</i></p>	<p>HGVs can turn either left or right onto the A228 from the Whetsted Road – this has been assessed as an acceptable arrangement and reflects the existing permission.</p>
██████████ (MSP 10)	<p>Plan has not complied with Duty to Co-operate as the consultation process with local residents was inadequate. Statements of common ground have not been prepared with Tunbridge Wells BC. There are a number of new homes proposed in the area which Tunbridge Wells would have alerted the County Council to.</p>	<p>The Council has presented evidence that sets out how it has complied with the Duty to Cooperate. Tunbridge Wells BC have not objected to the Plan on the grounds that it has not been prepared in accordance with the Duty to Cooperate.</p>
Ryarsh Protection Group (MSP 24)	<p>Disagree with the County Councils calculations with regard to soft sand, a smaller amount is needed. The wording which allows consideration of proposals not within the Mineral Sites Plan should therefore be removed.</p>	<p>The calculation of soft sand requirements is consistent with the NPPF and associated Planning Practice Guidance.</p>
██████████ (MSP 09)	<p>The Mineral Sites Plan has been produced in a manner which is unlawful.</p>	<p>The Plan has been prepared in accordance with the legislation on plan making.</p>
██████████ (MSP 12)	<p>Duty to Co-operate has not been complied with. The County Council has not engaged with or prepared a Statement of Common Ground with Tunbridge Wells Borough Council despite the fact that they are allocating a large volume of development in the area surrounding Stonecastle and Moat Farm.</p>	<p>The Council has presented evidence that sets out how it has complied with the Duty to Cooperate. Tunbridge Wells BC has not objected to the Plan on the grounds that it has not been prepared in accordance with the Duty to Cooperate.</p>

	Community engagement has been poor. Public meetings were not offered to local residents.	Community engagement has been in accordance with the Council's Statement of Community Involvement. Public meetings were offered to all Parish Councils with sites proposed in their parishes.
Borough Green Parish Council (MSP 02)	KCC have identified a need for soft sand over the Plan period, to be met by the site allocated at Chapel Farm. However, the County Council has failed to take account of readily available sources of the material which would prevent the allocated of new sites; namely Park Farm Quarry in Wrotham and Land north of Borough Green Sandpits.	Existing soft sand sites have been factored in to the calculations of future soft sand requirements.
██████████ (MSP 26)	The Plan does not take into account other developments planned for the Tonbridge area which could have a cumulative impact on the Green Belt	These developments are at an early stage of consideration. The Borough Councils have not objected to the allocation of these sites on the grounds that they would hinder other development proposed in their Local Plans or result in unacceptable cumulative impacts.
██████████ (MSP 26)	Since the publication of the KMWLP further work on flood risk in the area has been undertaken. The Plan does not take account of the Kent Climate Risk and Impact Assessment or the latest flood risk projections from the Environment Agency.	As set out in the development criteria and the KMWLP, any planning application for development of the sites would require submission of a detailed Flood Risk Assessment. This assessment would identify mitigation measures. Sand and gravel extraction is considered water compatible development in guidance issued by the Government.
██████████ (MSP 26)	For the Stonecastle Farm development management criteria, wording should be amended to state " <i>turn left from site access road onto Whetsted Road and turn left from Whetsted Road onto the A228.</i> " Traffic has always turned left from leaving the site so the wording is redundant. The A228 could easily accommodate traffic.	There is no criteria for vehicles entering the site. Entering the site has not been identified by the Council's Transport Development Management team as an issue requiring specific attention within the development criteria. Policy DM 13 of the KMWLP will ensure that any proposals do not result in impacts on safety associated with vehicles entering the site.