Kent County Council

This Plan replaces the Sand and Gravel, and Ragstone sections of the Kent Minerals Subject Plan. These sections were adopted by the Kent County Council in November 1983.
**FOREWORD**

In July 1990 the County Council's Planning Sub-Committee authorised publication of a Consultative Draft Written Statement. Views were sought from the public, local councils, the minerals industry and other interested parties such as the National Rivers Authority, the Nature Conservancy Council and the Ministry of Agriculture, Fisheries and Food. In February 1991 the Planning Sub-Committee considered the views received and agreed changes to the Consultative document.

The resulting Draft Plan was then placed 'on deposit' for a period of 6 weeks until 31 May 1991. Unresolved objections to the Draft Plan were heard at a public local inquiry, held between November 1991 and February 1992. In December 1992 the Planning Sub-Committee considered the Inspector's report on the objections, and his recommendations. Modifications to the deposit Draft Plan were proposed. Objections to the proposed modifications were considered in April 1993 and further modifications proposed. Objections to the proposed further modifications were considered by the Planning Sub-Committee in October 1993, who then resolved its 'disposition to adopt' the Plan as modified. The modified Plan was adopted by the County Council on 14 December 1993.

**Objectives**  The Plan looks at materials used as construction aggregates. Its principal objective is to provide for their future supply to meet community requirements in an environmentally acceptable way. It is a Plan for both the industry and Kent residents. The Plan does not deal with other important minerals found in Kent, such as chalk - when used for cement making or as agricultural lime - clay and brickearth. These do not fall within this Plan’s definition of construction aggregates and are dealt with in the Approved Structure Plan or the Minerals Plan for Brickearth.

**Areas of Search**  An important element in the Draft Plan is the identification of areas of search for minerals. Areas of Search:

* identify where minerals are believed to be present, free of major environmental or conservation constraints (identified in part 5 of the Plan).

* guide the minerals industry to broad locations where working could be acceptable;

* identify areas where development should avoid sterilising minerals or could itself be adversely affected by future working.

It is important to note therefore that areas of search do not identify land where mineral working will necessarily take place within the plan period.

**Update**  Since November 1991, when the Local Plan Inquiry started, the following major policy documents have been published:

* PPG7 The Countryside and the Rural Economy
* PPG20 Coastal Planning
* Kent Structure Plan Third Review, Deposit Draft

Their contents will be incorporated into the Plan when it is reviewed. In the meantime they will, along with this Plan, be taken into account in planning control.

NB. In order to keep to a minimum the renumbering consequent upon modifications to the deposit Draft Plan, there is no
policy CA14 in the Plan.
DEFINITIONS

CONSTRUCTION These are rock, gravel, sand or other materials which are used in building or civil engineering work. Such works include road construction, concrete making, mortar, plaster and tile making.

AGGREGATES Rock, gravel and sand are commonly referred to as PRIMARY AGGREGATES. Minerals such as shale and chalk (when used as fill or hardcore), together with man made or waste materials such as slag, minestone, pulverised fuel ash and china clay waste are commonly referred to as SECONDARY AGGREGATES; the latter four are also known as SUBSTITUTE MATERIALS.

N.B. Although it falls outside the strict definition of construction aggregates, the Plan looks also at SILICA SAND, which is produced in Kent primarily for use in foundry work and glass making. The Plan considers these sands because they are found in the Folkestone Beds, which is the major source of Kent's building sand; the two are often worked together.

In 1989 over 14 million tonnes of construction aggregates were produced in or imported into Kent (together with a further 6 million tonnes used in the Channel Tunnel Project). 50 to 60 tonnes of aggregates are used in the construction of the average house, whilst a mile of concrete motorway requires some 100,000 tonnes.

ABBREVIATIONS

AOD/OD (Above) Ordnance Datum
ACONB/AsONB Area(s) of Outstanding Natural Beauty
dB(A) The deci-Bel scale used for rating the loudness of sound
DoE Department of the Environment
EC European Community
Leq The average continuous sound level
MAFF Ministry of Agriculture, Fisheries and Food
MPG Minerals Planning Guidance Note(s)
mt million tonnes
mtpa million tonnes per year
NNR National Nature Reserve
PPG Planning Policy Guidance Note(s)
SAC Special Areas of Conservation
SPA Special Protection Area
SERPLAN South East Regional Planning Conference
SSSI Site of Special Scientific Interest
## CONTENTS

<table>
<thead>
<tr>
<th>Part</th>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 1</td>
<td><strong>INTRODUCTION</strong></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The Need for a Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Scope and Purpose of this Document</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Proposals Map</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Plan Period and the Area Covered</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Monitoring and Review</td>
<td></td>
</tr>
<tr>
<td>Part 1</td>
<td><strong>THE PLANNING BASIS</strong></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>The Strategic Planning Context</td>
<td></td>
</tr>
<tr>
<td></td>
<td>National Policy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regional Guidelines</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Development Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Kent Structure Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Local Plans in Kent</td>
<td></td>
</tr>
<tr>
<td>Part 2</td>
<td><strong>THE REPORT OF STUDIES</strong></td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>The Main Findings and Issues</td>
<td></td>
</tr>
<tr>
<td>Part 2</td>
<td><strong>THE STRATEGY</strong></td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>The Main Findings and Issues</td>
<td></td>
</tr>
<tr>
<td>Part 3</td>
<td><strong>SOURCES OF SUPPLY</strong></td>
<td>24</td>
</tr>
<tr>
<td></td>
<td><strong>IMPORTS</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Principles of Site Selection</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Proposed Locations</td>
<td></td>
</tr>
<tr>
<td>Part 4</td>
<td><strong>SECONDARY AGGREGATES</strong></td>
<td>30</td>
</tr>
<tr>
<td>Part 5</td>
<td><strong>LOCAL SOURCES</strong></td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>The General Approach</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gravel and Concreting Sand</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ragstone</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Building Sand</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Silica Sand</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Limestone</td>
<td></td>
</tr>
<tr>
<td>Part 6</td>
<td><strong>CRITERIA FOR THE ASSESSMENT OF PLANNING APPLICATIONS</strong></td>
<td>52</td>
</tr>
<tr>
<td></td>
<td>General Considerations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Impact of Development/Principles of Working and Reclamation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Archaeology</td>
<td></td>
</tr>
<tr>
<td>Part 7</td>
<td><strong>THE RECLAMATION OF FORMER MINERAL WORKINGS</strong></td>
<td>69</td>
</tr>
</tbody>
</table>
APPENDICES

1  National Policy Considerations  72
2  The Development Plan Framework - Relevant Policies  78
   in the Approved Kent Structure Plan
3  Principles of Operation and Working  85
4  Principles of Landscaping  88
5  Principles of Reclamation  90
6  Planning Requirements for Certain Areas of Search  97

PROPOSALS MAP
   Key Plan and Insets

PRINCIPAL SOURCE DOCUMENTS

NATIONAL
* Minerals Planning Guidance Notes 1 and 6
* Planning Policy Guidance Note 16: Archaeology and Planning

REGIONAL
* A New Strategy for the South East (SERPLAN, RPC 1789)
* The Apportionment of the Production of Construction Aggregates in the South East up to 2006 (SERPLAN, RPC 1446)

LOCAL
* Kent Structure Plan
* Kent Minerals Subject Plan (Sand and Gravel, Ragstone)
PART 1
INTRODUCTION
THE PLANNING BASIS
INTRODUCTION

THE NEED FOR A PLAN

1.1 The Kent Minerals Local Plan is being prepared in stages. The Sand and Gravel and Ragstone sections were prepared in 1981-1982, and following a Public Inquiry were formally adopted by the County Council in November 1983. These sections remained in force until adoption of this Plan for Construction Aggregates. The Brickearth Section was adopted in May 1986. It was the intention that those parts of the Plan relating to sand and gravel and ragstone would be reviewed about every three years. Although the need for a review cannot be justified solely on the basis that this period has elapsed, there have been a number of developments which point to the need for a review.

Levels of

1.2 Firstly, in response to economic growth, consumption perspectives relating to future levels of consumption of construction aggregates have changed since the original sections of the Plan were drawn up in 1981/2. Revised national and regional guidance on future levels of consumption has now been published and new levels of provision incorporated into the Approved Structure Plan (in accordance with central government advice and the new regional guidelines). These need to be carried forward into the Local Plan.

Environ-

Secondly, there is a growing awareness of environmental issues. Great importance is now attached to the need both for sustainable development and to minimise the environmental impact of mineral related activities. In 1988 the government stated its intention (Our Common Future) to develop policies consistent with the concept of sustainable development, building on the 1980 `World Conservation Strategy':

'Development and conservation are equally necessary for our survival and for the discharge of our responsibilities as trustees of natural resources for the generations to come.'

Britain's

This intention is now set out in the White Paper Environment- 'This Common Inheritance' (September 1990). The mental government sees no contradiction in arguing both for strategy eco- nomic growth and environmental good sense; the challenge is to integrate the two. In its view there is a moral duty to look after the planet and to hand it on in good order to future generations.

The County Council recognises that the environment is an essential input to human well being and fully supports the government’s view that it is a valuable asset which must not be wasted or unnecessarily harmed. Ragstone

Thirdly, future supplies of ragstone were not assured when preparation of the Plan began in 1988 and this issue was identified as one needing to be addressed. In the event supplies have since been secured.

New

Fourthly, new resources of construction aggregates are being identified or becoming available. For example crushed rock is now being brought into Kent by sea and there is the possibility in the longer term of mining limestone in East Kent. Such resources could supplement, and eventually substantially replace, some traditional Kent land won minerals. In the longer term the County is likely to strengthen its already significant minerals importing role. Attention needs to be given to these new potentials, which are recognised in the Approved Structure Plan, for incorporation into a comprehensive minerals plan.
relating to construction aggregates.

Agri- Fifthly, since the Sand and Gravel and Ragstone cultural sections of the Minerals Plan were adopted, there has Land and been a change of emphasis in government policies for Nature the safeguarding of agricultural land and for conservation of the natural environment. The vation policies are summarised in Appendix 1. Consideration needs to be given to the implications of these changes for future mineral working in Kent.

Dungeness Lastly, technical studies relating to the impact on water resources of mineral working on Dungeness have been completed and reassessed. The Dungeness area has traditionally supplied about a third of Kent’s production of high quality construction aggregates and the studies need to be taken into account in determining the future for mineral extraction in this area.

THE SCOPE AND PURPOSE OF THIS DOCUMENT

Functions 1.3 The functions of the Minerals Local Plan are to:-

(i) develop and amplify national, regional and structure plan policies which bear upon the supply of construction aggregates and to relate the more detailed draft policies and proposals to specific areas of land;

(ii) set out a policy framework for the control of aggregate mineral working and supply, and for ancillary uses of land.

1.4 The Plan sets down policies and makes proposals for:

(i) the import into Kent of construction aggregates;

(ii) the use of substitute and recycled materials;

(iii) maintaining a landbank of permitted reserves of aggregates, by identifying areas of search for mineral working and safeguarding mineral resources;

(iv) the working and management of Kent’s construction aggregate resources in an environmentally acceptable way and their restoration to an appropriate afteruse at the earliest opportunity.

Impact on In respect of these land uses the County Council Local Environment recognises that the working and supply of minerals can have an adverse impact on the local environment. It is an important objective of the Plan that adequate protection be secured for areas affected by such developments. These issues are addressed by way of the control criteria that will be applied in considering applications for mineral working and its supply.

THE PROPOSALS MAP

1.5 The Proposals Map is an integral part of the Draft Plan. Its main purpose is to provide a comprehensive index of the Plan’s proposals on a map base. From this the reader can identify whether property interests are likely to be affected. Accordingly it is on an Ordnance Survey base and shows national grid lines and numbers, with the scale and an
explanation of the notations used. Larger scale insets are used, with their boundary shown on the main proposals map. The map:

(i) defines the area of the local plan;

(ii) identifies the proposals in the Draft Written Statement;

(iii) defines areas of search for mineral working and locations for wharves and depots to import minerals;

(iv) defines areas to which specific policies will be applied.

Report of Studies

1.6 A Report of Studies provides detailed background material. The Report was published in September 1990 to accompany the Consultative Draft of this Plan. It remains available and has been updated with an addendum. However this Written Statement is designed to be read on its own; it includes a reasoned justification for the policies and proposals.

THE PLAN PERIOD AND THE AREA COVERED

1.7 The Plan outlines a strategy for the longer term by looking forward both to 2006, in line with published Regional Guidance, and beyond. The strategy will be rolled forward when the Plan is reviewed. Within this framework the main objective of the Plan is to set down policies and make detailed proposals for the period to 2006. This encompasses both the timescale of the Approved Structure Plan, which sets a framework for development and the environment over the next 15 years, and the minimum 10 year period sought by the Government for the provision and maintenance of a landbank for all aggregate minerals.

1.8 The Plan covers the whole of Kent.

MONITORING AND REVIEW

1.9 It is important both to secure and to maintain a steady supply of materials to meet the community's requirements for construction aggregates, and at the same time to ensure that environmental standards are continually improved. To this end it is essential that policies and proposals in the Minerals Local Plan are monitored, reviewed and rolled forward on a regular basis. In particular it is important that a landbank is maintained for at least a 10 year period (see Appendix 1). Accordingly the County Council will review the Plan within 5 years of its adoption. It will also monitor the supply of, and demand for, construction aggregates every two years in the light of published regional statistics. This monitor may trigger an earlier review of Structure and Local Plan policies.
THE PLANNING BASIS

THE STRATEGIC PLANNING CONTEXT

Minerals 1.11 National and regional policies and guidance Planning are set out in Minerals Planning Guidance Notes 1 and Guidance 6 ('General Considerations and the Development Plan (MPG 1 & 6) System', and 'Guidelines for Aggregates Provision in England and Wales'). The latter uses a 1985 national survey of production and sales of aggregate to develop and carry forward, to 1996 and 2006,

Circular advice originally given in a 1982 government circular 21/82 which looked principally to 1991.

NATIONAL POLICY

1.12 The Government recognises that minerals are important national resources and that their exploitation makes an essential contribution to the nation's prosperity and quality of life. National policy is that for the economic well being of the country, it is essential that the construction industry is provided with an adequate and steady supply of the minerals it needs. The Government attaches great importance to the provision and maintenance of a landbank for all aggregate minerals (a stock of permitted reserves sufficient for at least 10 years extraction). It acknowledges that most of the construction aggregates required are likely to be supplied for the foreseeable future from traditional sources (i.e. pits and quarries and offshore sands and gravels). It is also recognised that mineral working has an impact on the environment, that strong conflicts of interest inevitably arise and that a balance has to be struck between the need for mineral extraction and the protection of the environment. A summary of national policy considerations as they relate to construction aggregates is set out in Appendix 1.

REGIONAL GUIDELINES

1.13 The government attaches importance to the effective and speedy implementation
The purpose of the Guidelines is to advise mineral planning authorities on the provision for aggregates that needs to be made. The following general supply policy is adopted for the South East Region:

"Demand in the South East is expected to continue Regional increasing in the period to 2006, but there is Supply nevertheless likely to be a continuing reduction Policy in the proportion of total demand met by material from local land-won sources. The minerals industry will continue in its endeavours to increase the contribution to total demand from marine, rail-borne and sea-borne sources in the light of what is practicable taking into account market and economic forces. The local planning authorities for their part will use their best endeavours to provide a framework to enable the industry to obtain planning permissions and to maintain regional production of local land-won aggregate at broadly the 1985 level (32.5mt). In some parts of the region, where exceptional circumstances prevail or are likely to prevail, it may not be possible for an individual authority to make sufficient provision for the industry to maintain local production at the 1985 level; in that event, local planning authorities collectively should take action to ensure that due allowance is made in other parts of the South East."

Mineral planning authorities were asked to have regard to these guidelines and the County Council endorsed them in September 1988. The indicative figures for the South East Region for 1996 and 2006 are set out in paragraph 2.1.1 below. Government advice is that, as far as possible, the indicative figures produced at the regional level will need to be translated into figures for each mineral planning authority area. This is a task for the Development Plan (see paragraphs 1.15 to 1.21 below).

An updated regional dimension was published Strategy in September 1990 by the London and South East Regional Planning Conference (SERPLAN, RPC 1789). This was presented to government as the planning strategy which the Conference believed to be required to carry South East England into the next century. The Strategy states that the level of development envisaged and the weight given to environmental constraints should be major factors in the shaping, through regional arrangements, of policies for aggregates supply and for the restoration and afteruse of extraction sites. The present basis of policy is to constrain local land won extraction to its present level. However
THE DEVELOPMENT PLAN

Planning

1.15 The Government considers Development Plans Policy
(Structure and Local Plans) to be a vital part of the
Guidance framework for controlling development. They are
intended to provide a firm basis for rational and
General consistent decisions on planning applications. The
Policy and importance of local plans as the basis for
sound and Principles, effective development control is
emphasised. Such and PPG12 plans provide the medium for
making proper provision Development for development and
at the same time for taking Plans account of the interests of
conservation and of the

Regional Planning

Guidance) need to protect the local environment. The
government's view is that local plans must make
realistic provision for the foreseeable development
needs of the area and that the planning process will not be
effective unless such provision is made.

Circular

1.16 Government advice is that both structure and
local plans should ensure that local, regional and national
demands for minerals can be met. The Structure Plan sets out
policies and general proposals within the national and
regional context and provides for the co-ordination of mineral
working with other elements of strategic planning. Mineral
planning authorities are encouraged to draw up minerals local
plans to give detailed expression to Structure Plan policies
and to provide the necessary framework for development control
(the they cannot be used to alter the Structure Plan). Minerals
local plans define the areas in which mineral working will or
will not normally be permitted and also those areas in which
mineral resources are to be safeguarded against sterilization
by other types of development. In addition local plans should
contain policies and proposals:

(i) setting out the criteria to be applied in determining
planning applications; this means identifying the
steps to be taken to minimise the impact of workings
on local communities and the countryside;

(ii) relating to restoration and aftercare, to facilitate
the beneficial afteruse of sites.

It is regarded by the Government as important that such plans
are kept up to date.

The Future

1.17 After consultation the government decided in
September 1990 that the 'two tier' system of Development Plans
(Structure Plans, along with mandatory district-wide local
plans) would be retained. At the same time all counties would
be required to prepare minerals local plans.

1.18 These intentions, together with proposals to
streamline the processes (for example Structure Plans will no
longer need central government approval), required
legislation. This Plan is incorporated into the amended
1.19 The County Council’s approach to the Approved provision of construction aggregates is fully in accord with national policy as applied to the South East. In accordance with government advice, the Plan Approved Kent Structure Plan seeks to provide for a sufficient stock of permitted reserves with planning permission (a land bank). In respect of sand and gravel this is to be for at least 10 years. The provision and maintenance of a 10 year landbank is a specific issue for Kent's Development Plan. Wherever possible the size of the permitted reserves is quantified. The relevant Structure Plan policies are set out in full in Appendix 2.

1.20 The Structure Plan’s objectives are an important starting point for local plan policies and proposals. The strategic minerals policies seek to:

(i) meet the community's requirements for construction aggregates (Policies MWD1 to 4);

(ii) encourage the import of construction aggregates by ensuring that adequate depot and wharf facilities are available in Kent to receive minerals from sources which lie outside the County (Policies MWD2 and MWD 3);

(iii) encourage the use of substitute materials (eg. minestone) and acceptable new local sources of supply; in respect of the latter the County Council has resolved to give favourable consideration to proposals for limestone mining in East Kent subject to local environmental and highway issues being able to be dealt with satisfactorily (Policy MWD2);

(iv) provide as necessary for the further release of land won workings (Policy MWD 4) and to prevent the sterilization of known resources (Policy MWD1). This is in recognition that imports, substitutes and possible new sources will not remove the demand for local land won resources, particularly sand and gravel. Policy MWD4 provides for the continuing production of about 2.0 million tonnes per year (mtpa) of gravel and concreting sand, about 1.9 mtpa of building sand, about 0.25 mtpa of silica sand and about 0.6 mtpa of ragstone.

(v) recognise that mineral working and supply are likely to cause some loss of countryside resources and to have at least a temporary, though sometimes lengthy, detrimental impact on the local environment. Many quarries in Kent are still operating with planning permissions granted over 40 years ago. In this respect the best of Kent’s countryside resources will be conserved, appropriate restoration and aftercare will be required at new workings and adequate protection provided for the environment in areas close to all extraction sites or other sources of supply. So far as the latter is concerned it is particularly important to have regard to the effects of vehicular traffic. Policies MWD 1 and MWD 3 set out the criteria against which all proposals will be considered.
Some or all of the following Structure Plan Policies will also be relevant, depending on the particular circumstances of each proposal; S1, S2, S5, S6, RS6, T5-T8, CC1-3 and CC5-CC11.

The Explanatory Memorandum to the Approved Structure Plan makes it clear that there is no automatic presumption against mineral working in the Metropolitan Green Belt, an approach which is consistent with government policy (as set out in Appendix 1).

1.21 The Minerals Local Plan is required to conform to the Kent Structure Plan.

LOCAL PLANS IN KENT

The Kent Minerals Local Plan (Construction Minerals Aggregates) is the principal operative plan so far concerned. Other Local Plans may also be relevant: the Kent Countryside Plan, the Stour Valley Plan, the Dungeness Countryside Plan, and plans prepared by District Councils. The policies in these Plans have been taken into account when preparing policies or proposals for specific areas.

1.23 Planning applications will be considered against all relevant Development Plan policies, and also against all relevant Draft Plan policies which have been adopted for development control purposes.

The advice in PPG1 (paragraphs 25 to 34) will guide the weight to be accorded to these Plans.
PART 2
THE REPORT OF STUDIES
THE STRATEGY
THE MAIN FINDINGS AND ISSUES

Consumption 2.1.1 The community's consumption of construction aggregates is expected to continue to grow both nationally and regionally. Published forecasts indicate that production in England and Wales will increase from some 200mt in 1985 to 245mt by 2005; also that the South East Region's consumption will increase from 55mt in 1985, to 68mt in 1996, and to 77mt by 2006. However recent trends indicate that these estimates may be too low and government work on a revised forecast has already begun. Historic consumption and supply patterns in Kent reflect those at the regional level.

Future 2.1.2 The minerals strategy in the Approved Demand Structure Plan is based on the following general conclusions:-

(a) Locally Won Gravel and Concreting Sand: Although recent production had been below the 2.0mt per year indicated in the previously approved Structure Plan, this figure is retained for the period to 2006 so as to take account of the demands expected to be generated by construction of the Channel Tunnel.

(b) Local Ragstone: The industry had contracted in the 1970s, but output rose steadily in the 1980s. An increase to about 0.6mt per year for the period to 2006, from the 0.3mt assumed in the Minerals Subject Plan, is sought.

(c) Secondary Aggregate: Whilst it was recognised that these materials could never make a major contribution to future requirements, they could be a useful supplement and their use should continue to be encouraged. Taking into account possible short term requirements for the Channel Tunnel, a contribution of about 0.4mt a year for the period to 2006 is considered to be realistic.

(d) Building and Silica Sand: To reflect the steady increase in output of building sand since 1977 a level of production of about 1.9mtpa is proposed for the period to 2006. The production level for silica sand remains at about 0.25mtpa for this period.

(e) A continued high level of imports is considered to be an essential element in the minerals planning strategy of both Kent and the South East region, and so is encouraged. Although the Structure Plan does not specify amounts, consumption and supply patterns indicate an annual contribution as follows for the period to 2006:

<table>
<thead>
<tr>
<th>Material</th>
<th>Range</th>
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<tbody>
<tr>
<td>Marine Dredged Aggregate</td>
<td>3.5 - 4.0mt</td>
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<tr>
<td>Imported Crushed Rock</td>
<td>2.5 - 3.5mt</td>
</tr>
<tr>
<td>Other Imported Sand &amp; Gravel</td>
<td>0.3mt</td>
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2.1.3 It is accepted in both national and regional policies that the South East region will not be able to meet forecast levels of consumption from its own resources. There is also at present no local source of good quality hard rock. For these reasons the proportion of regional consumption which is met by imports is expected to increase, from 41% in 1985 to 54% in 2006. The ranges expressed in 2.1.2 (e) above
reflect these regional considerations in Kent. The expectation is that as the contribution to Kent's construction aggregate requirements from local land won resources will remain steady, the anticipated increase in the communities requirements over the next 15 years would be met by imports.

**Imports**

2.1.4 For the foreseeable future Kent will continue to rely very heavily on imports to meet its construction aggregate requirements. Their availability at source is outside the direct control of the County Council. There is now questioning in the traditional source areas (e.g. the Mendips) of the continuing use of their own resources, with the consequent environmental disturbance, to help meet the consumption requirements of London and the South East. Also, increased sea-dredging is not a problem-free solution. Nevertheless, with recent investment in new ships for marine dredging and with increasing amounts of Scottish granite arriving, the indications are that imports can be increased during the Plan period.

2.1.5 Because of its long coastline, good rail links and situation near to London, Kent should be encouraged to continue developing its significant minerals importing rôle. Acceptable locations for import points need to be identified. A main planning consideration derives from the heavy vehicle traffic associated with such developments. Distribution from the import point into the local market will normally be by road. For these reasons facilities need to be well related to a sensible transport network. The import points also need to be located where they can operate without an unacceptable impact on the local environment.

2.1.6 With closure in 1989 of a siding at Sevenoaks, Kent was left with two operational depots for the import of hard rock by rail. The retention of existing and the provision of new importing points, particularly for rail borne material, is a major consideration for this Plan.

2.1.7 There is considered to be an urgent need to identify sites for new or expanded rail depots and wharves. If Kent's share of regional aggregates consumption remains at its 1987 level then on the basis of regional forecasts, by 2001 and 2006 a total Kent demand of some 12 to 13 mt a year is indicated. This would be an increase of 3 to 4 mt over 1987 amounts. If as expected the contribution to total consumption from land won resources remains about the same, then the increases will have to be provided for by imports. With an average annual throughout of some 500,000t, provision for up to six new or expanded import points by 2001 is indicated. The lack of import facilities is most apparent for serving South West and North East Kent.

**Substitute**

2.1.8 A significant contribution to Kent's construction aggregate requirements from substitute/secondary materials is most unlikely. In 1987 they contributed less than 3% of total aggregate sales.

**Local**

2.1.9 If imports can be increased then there will be a continuing reduction in the proportion (although not the actual amount) of total demand which is met from local land won sources. In order to secure an adequate supply of locally won minerals a landbank of reserves needs to be identified and rolled forward. This means proposing areas where, subject to detailed consideration, mineral working could be accepted. In principle, and consistent with regional guidance, planning permissions should continue to be granted such that local
production of construction aggregates in Kent can be maintained at about recent levels of production.

2.1.10 Of the local materials, ragstone, building sand and sandstone gravels have a landbank of permitted reserves either about or in excess of 10 years. On the other hand there is an existing shortage of high quality local (mainly flint) gravels, and increasing difficulty in identifying new resource areas for this aggregate where working is not open to strong planning objections.

SERPLAN 2.1.11 In March 1989 the County Council accepted, RPC1446 as its contribution to meeting South East Regional (The requirements for sand and gravel (see paragraph Apportion- 1.13), an 'apportionment' for Kent of 3.5 mtpa land won material for the forward planning of aggregate Production production for the period up to 1996. This apportionment includes building sand as well as gravel and concreting sand. It is accepted as a basis for planning, to be tested in the preparation or amendment of development plans and to be taken into account when determining planning applications. It is the intention of the South East Regional Planning Conference (SERPLAN) to review this apportionment every two years and to make any necessary adjustments every four years; in the meantime the apportionment is to be used as an indicative total for the period after 1996.

Agri- 2.1.12 A major factor in identifying future cultural prospects for mineral working is the degree of protection to be afforded to the best and most versatile agricultural land (ie. grades 1 and 2). Although if a return to good agricultural use can be secured there may be no objection to mineral working on such land, the County Council takes the view that this should happen only when supplies of the particular mineral cannot be maintained from elsewhere in an acceptable way. Where the minerals can be obtained from land of lower quality mineral working on land of grades 1 and 2 quality will not normally be permitted.

Environ- 2.1.13 Minerals are an essential part of modern life mental and the County Council, as the Mineral Planning Consider Authority, has a responsibility to secure an adequate supply for community needs. On the basis of average yields in Kent, an output of say 1.0 mtpa of gravel and concreting sand would mean an additional 20 hectares of land being worked each year. However their winning from the ground and their supply are sensitive activities, springing in part from the industry's image and style of working. In recent years there has been a considerable rise in public expectations as to how and where minerals are not to be worked.

2.1.14 The County Council recognises the detrimental impact on the local environment that mineral working and supply can have. The need to secure adequate protection is identified as a major issue for the plan.
2.2.1 Although the County Council would support in principle acceptable alternative methods which reduced the demand for construction aggregates, as a major minerals planning authority it has a duty to make provision to supply, in an environmentally acceptable way, the construction aggregates that the community needs. An aim of the Plan is to develop, roll forward and implement a 10 year programme which provides for the appropriate development of Kent's construction aggregates industry. The programme is part of a long term strategy for the provision of aggregate minerals. It is consistent with national, regional and Approved Structure Plan policies and is based on the twin objectives of:-

**Objectives**

(i) delivering land opportunities for the supply of minerals to meet community requirements, whilst at the same time

(ii) conserving the best of Kent's countryside resources, securing, maintaining and improving protection of the environment, and minimizing the impact on the community of mineral working and its supply.

2.2.2 Both the strategy, as expressed in the Approved Structure Plan, and the detailed policies and proposals in the Draft Local Plan, are developed against the assumption of a steady increase in the community's requirements for construction aggregates. In addition the County Council recognises that, like the South East Region as a whole, Kent does not now, nor will in the future be able to, meet the community's requirements from its own surface land resources. The Plan reflects these factors in three ways. Firstly the use of substitute or substitute materials is encouraged. Secondly the Plan carries forward government support for the principle of marine dredging of aggregates as a means of reducing the pressure to work land of high agricultural quality and/or of environmental value. Thirdly it is consistent with regional expectations that imports into the South East both of crushed rock and marine dredged material will continue to grow. For these latter two reasons new import points, focused onto rail and water transport, are encouraged as a major element of the strategy. The establishment of a network of import points is sought, with the provision of up to 6 new or expanded facilities by 2001. The precise number would depend upon the overall level of demand and their capacity.

2.2.3 In accepting that imports and the use of substitute materials will provide only partially for the construction aggregates that the community requires, the Plan develops national and regional local advice to maintain a rolling programme of permitted reserves (a landbank of local material). Consistent with the first objective of delivering opportunities for the supply of minerals, the Plan sets down a land use framework to maintain production, through the Plan period, of local aggregates for at least 10 years ahead.

This is done by identifying Areas of Search, where mineral working might be acceptable at some future date. Every application to work minerals will be considered against its relationship to these Areas of Search and against the case of
need for the particular mineral as it exists at the time the proposal is made (eg whether there is a 10 year landbank).

2.2.4 In accordance with the second objective of the Plan the County Council fully accepts national considerations that the need for minerals must be balanced against other relevant considerations, particularly those relating to the environment (eg nature conservation, which must be taken into account in all activities which affect rural land use). Accordingly broad areas are identified where mineral related development will not normally be permitted. Control criteria are set down which will be used firstly in the determination of planning applications for mineral working and supply, and secondly to secure the operation of any permitted proposals in an environmentally acceptable way.

2.2.5 Recent increases in the production of construction aggregates have called into question the continued relevance of the demand forecasts on which current national and regional policies are based. The forecasts use 1985 returns of production as a starting point. The County Council takes the view that these increases support rather than invalidate the general approach of the Plan to future mineral working and supply in Kent. The Structure Plan policies on which this Plan is based take account of more recent (1987) returns, and the appropriate size of the landbank for each mineral is being looked at again in the current review of the Structure Plan; this will take account of 1989 returns and any resulting changes will be carried forward into a review of this Plan. The aim of the County Council is to ensure a steady supply into the community of the aggregates that it needs and the most important consideration is to secure and maintain the identified 10 year landbank. If, during the period of the Plan, the rate at which the landbank is being used up exceeds that on which Approved Structure Plan Policy MWD4 is based, it is expected that this will result in a greater number of planning applications coming forward from within the Areas of Search. The lack of a 10 year landbank will then be taken into account when assessing the case of need on individual planning applications.

LOCAL LAND WON RESOURCES

2.2.6 In seeking to achieve and maintain a 10 year landbank of permitted reserves, the County Council has looked separately at each of its construction aggregate resources. It has concluded that there is no overriding difficulty in maintaining or in seeking to maintain a 10 year landbank in respect of:
* sandstone derived gravel and concreting sand.
* ragstone
* building sand

2.2.7 The predominantly sandstone gravels of the Gravels, upper Medway (mainly to the east of Tonbridge) at present have a landbank in excess of 10 years. Extensive Areas of Search are identified in the existing Minerals Plan and most of these are carried forward in this Plan. Because of their extent no new Areas of Search are identified. For the longer term additional sandstone gravel prospects could if necessary be identified in a subsequent review of the Plan on what is better quality agricultural land. For this reason no difficulties are foreseen in carrying forward and maintaining an appropriate landbank for sandstone gravels.
With the granting of major planning permissions at Hermitage Lane, Aylesford and at Blaise Farm, Offham (to the west of Maidstone), a landbank for ragstone in excess of 30 years has been secured and there is no need for the Plan to identify any Areas of Search.

Although there is at present a 10 year landbank for building sand, it is an important objective for this to be maintained. Accordingly Areas of Search are identified (between Borough Green and Charing) on the main resource, the Folkestone Beds. Many of these are carried forward from the existing Plan and because of their extent no major new Areas of Search are identified.

A subsequent review of the Plan will consider the prospects for working the Oldhaven and Woolwich Beds. These outcrop across North Kent and so could serve a different part of the County to that of the Folkestone Beds; they may also be able to make a modest contribution to maintaining gravel and concreting sand requirements.

2.2.8 The main planning difficulties are in seeking to re-establish and maintain a 10 year landbank in respect of

- silica sand
- flint based gravels

At present there are limited permitted reserves of silica sand, and in accordance with national policy for this resource, the Plan should seek to identify opportunities to achieve and maintain a landbank of at least 10 years. However the known deposits, between Aylesford and Addington, are within areas of high landscape value, part being within the North Downs Area of Outstanding Natural Beauty. As a general principle the County Council takes the view that the national importance of the mineral could provide sufficient justification for limited working to take place. Since building sand resources are widely available from elsewhere on the Folkestone Beds outcrop in other parts of Kent, such workings would be solely for silica sand. The specific case of need would be assessed as each planning application is dealt with.

In respect of the better quality coarse aggregates (mainly flint and chert derived gravels), approaching exhaustion rules out any major and long term contribution to supplies from Kent’s river valleys (principally the lower reaches of the Darent, Medway and Stour). Also with the strong planning constraints on further major working of the beach gravels at Dungeness, the County Council considers that to re-establish and maintain a 10 year landbank for this type of construction aggregate for the long term will be very difficult.

Because of the current lack of a 10 year landbank, some flint gravel resources under higher quality agricultural land (see paragraph 2.1.12) and under land of high nature conservation value are identified as areas of search. Even so, it is concluded that whilst these new areas might enable the re-establishment of a 10 year landbank for a number of years, the landbank will not be able to be maintained beyond the period of this Plan. For medium term prospects land of high agricultural quality on the Hoo Peninsula has to be considered. This will be considered for working only when the A228 to Chattenden has been improved to the satisfaction of the Highway Authority and when the Wainscott Northern By Pass
At present good operational, working and mental reclamation practices are not universal. With consideration to conform to an agreed set of operating standards so that the public can have confidence in how mineral operators will behave in Kent. The emphasis must be on high quality practices, with the industry being seen to be making a positive contribution both to Kent's economy and to its environment. Whilst over the last few years there have been significant improvements made by the industry, it needs a clear commitment to, and demonstration of, positive measures of environmental control. Operators must take account of best environmental practice and aim to be good neighbours. A high quality approach is especially important in respect of site reclamation. In order to improve the performance of both the planning authority and the industry in securing proper reclamation, clear objectives are needed. This is particularly so as there is now a shift away from the traditional 'agricultural' after use on lower quality agricultural land, and nature conservation oriented afteruses are becoming more important. To this end, Part 6 of the Plan sets out policies to secure and maintain the best possible operational, working and reclamation practices.

THE LONG TERM

2.2.13 The County Council takes the view that, whether or not alternatives become available, a 10 year landbank for flint gravels will not be able to be maintained at the currently specified level. In the longer term it is considered that the only prospect for the establishment and maintenance of a mined 10 year landbank for locally won aggregates of a limestone similar quality is from mined limestone in East Kent. This is a wholly acceptable alternative to flint gravels and development of the resource is a major policy objective. However, consistent with policy MWD2 of the Approved Structure Plan, when assessing Kent's land won construction aggregate requirements, no account will be taken of this prospect until production is assured.

2.2.14 The Structure Plan strategy, within which the more limited timescale of this Plan is developed, implies significant changes in the supply pattern of Kent's construction aggregate requirements. There will continue to be a long term future for local production of building and silica sands and ragstone, concentrated in mid Kent, and of sandstone gravels in the Upper Medway. However, it is expected that within the period of this Plan flint gravel working will be running down in the Darenth, Medway and Stour valleys and their tributaries. Gravel working will also be running down on the open gravel areas of Dungeness, to the east of Lydd.

2.2.15 Proposals for gravel working in North East Kent around Highstead, on the Hoo Peninsula and along Thames-side are seen as medium term prospects only. Because of their limited occurrence they cannot be considered as a long term resource and the community's requirements for higher quality materials will have to be met in other ways. By about 2010 it is envisaged that the contribution from imports, whether of crushed rock or marine dredged material, distributed through a network of wharves and rail depots, will have further increased; these imports will be supplemented by increased use
of recycled materials. Also by this time it is hoped that, in accordance with the Approved Structure Plan, the supply of hard rock from limestone mining in East Kent will be coming on stream.
SOURCES OF SUPPLY

PART 3 IMPORTS
PART 4 SECONDARY AGGREGATES
PART 5 LOCAL SOURCES
PART 3
IMPORTS
IMPORTS

National and Regional Policies

3.1 An essential element in the aggregates supply policy for the south-east region is the endevour of the minerals industry to increase the contribution to total supply from marine, rail-borne and sea-borne sources in the light of what is practicable, taking into account market and economic forces. The Government attaches importance to the effective and speedy implementation of these policies (see paragraph 1.13) and encourages the principle of marine dredging for aggregates.

Marine Aggregates

3.2 Despite some concerns about the size and security of resources, the industry is confident of an assured future for marine dredged aggregates. This is reflected in the recent delivery of new, larger shipping capacity which can now work the sea bed below 40 metres.

The Role of the Plan

3.3 Consistent with the regional supply policy, of the Approved Structure Plan (Policies MWD2 and MWD3) Planning encourages the import into Kent of construction aggregates. Implementation of the regional supply policy will be secured by seeking to ensure that adequate wharf and depot facilities are available to receive material brought into Kent by sea and by rail. Accordingly it is a major objective of this Plan to identify appropriate locations for new or expanded wharves and depots. A pattern of marine and rail depots across Kent is sought to increase security of supply and also to reduce the pressure on local land won resources. On the basis of the demand perspectives outlined in paragraph 2.1.7, up to 6 new or expanded import points are sought in the period up to 2001.

PRINCIPLES OF SITE SELECTION

Access-

3.4 Since distribution of material into the local market will normally be by lorry, aggregate import points are recognised as major road traffic generators. To reflect the importance of minimizing the impact of lorry traffic on the local community, when identifying potential new or expanded import points the first planning consideration is to secure that they enjoy good accessibility and have no undue impact upon road safety and road congestion. This may mean the construction of a purpose built access from the wharf or depot as part of the development.

Access from the wharf or depot as part of the development.

Considerations

From a more specific locational point of view, access to the primary road network may be available, parts of the route network are considered to be less well developed. For example some locations are on relatively poorly aligned single carriageway roads which can gain access to motorways or dual carriageways only through built up areas; this detracts from their accessibility. Where wharves are to be developed, principally to serve remote markets, a connection to the rail network will be necessary. An important objective will be to maximise the use of rail and water and to minimise the use of roads.

Accordingly:

POLICY CA1: WHEN CONSIDERING POTENTIAL LOCATIONS FOR WHARVES AND RAIL DEPOTS TO RECEIVE AGGREGATES, THE COUNTY COUNCIL WILL NORMALLY REQUIRE THAT THEY (i) HAVE NO UNDUE IMPACT UPON ROAD SAFETY AND ROAD CONGESTION, (ii) AVOID RESIDENTIAL AREAS AND (iii) IN THE CASE OF WHARVES ARE CAPABLE OF LINKING TO THE RAIL NETWORK.
3.5 Pursuant to the regional planning and planning conservation objectives of the Approved Structure Plan, as a general principle locations for new wharves or depots which are subject to strategic countryside and regional planning policy constraints are not considered to be acceptable. The County Council considers that the recognition and consistent application of these constraints should be the first step in identifying suitable locations. Accordingly:-

POLICY CA2A: PURSUANT TO THE APPROPRIATE STRUCTURE PLAN POLICIES PROPOSALS FOR WHARVES OR DEPOTS TO RECEIVE AGGREGATES WILL NOT NORMALLY BE PERMITTED ON LAND SUBJECT TO ONE OR MORE OF THE FOLLOWING CONSTRAINTS:

(i) SITES WHERE THE NATURE CONSERVATION INTEREST IS OF INTERNATIONAL IMPORTANCE (pursuant to the EC and national policy considerations set out below).

(ii) NATURE RESERVES AND SITES OF SPECIAL SCIENTIFIC INTEREST DESIGNATED BY ENGLISH NATURE (pursuant to Structure Plan Policy CC8).

(iii) AREAS OF OUTSTANDING NATURAL BEAUTY (pursuant to Structure Plan Policy CC7).

(iv) SPECIAL LANDSCAPE AREAS (pursuant to Structure Plan Policy CC7)

(v) THE BEST AND MOST VERSATILE AGRICULTURAL LAND (pursuant to Structure Plan Policy CC2).

(vi) AREAS OF SPECIAL SIGNIFICANCE FOR AGRICULTURE (pursuant to Structure Plan Policy CC8).

(vii) AREAS OF HIGH NATURE CONSERVATION VALUE (pursuant to Structure Plan Policy CC9).

(viii) IMPORTANT ARCHAEOLOGICAL SITES AND ANCIENT MONUMENTS, AND THEIR SETTINGS (pursuant to Structure Plan Policy BE4).

(ix) METROPOLITAN GREEN BELT (pursuant to Structure Plan Policy MGB2).

Sites where the nature conservation interest is of international significance are Ramsar Sites, and declared and potential Special Protection Areas and Special Areas of Conservation under the Birds Directive and the Habitats and Species Directive (see Appendix 1, paragraph 7).

POLICY CA2B: AREAS SUBJECT TO THE CONSTRAINTS LISTED IN POLICY CA2A WILL NOT NORMALLY BE REGARDED AS 'APPROPRIATE LOCATIONS' FOR WHARVES OR DEPOTS WITHIN THE TERMS OF STRUCTURE PLAN POLICY MWD3.

POLICY CA2C: WHARVES OR DEPOTS TO RECEIVE AGGREGATES WILL NOT NORMALLY BE PERMITTED OUTSIDE OF EXISTING PORT, INDUSTRIAL OR RAILWAY OPERATIONAL AREAS AND OF THE LOCATIONS IDENTIFIED IN POLICY CA4. SPECIAL CIRCUMSTANCES WILL HAVE TO BE DEMONSTRATED TO JUSTIFY EXCEPTIONS TO THIS POLICY.
With the exception of proposals that have already been implemented or otherwise committed, those in the Minerals Subject Plan adopted in November 1983 have been carried forward.

Local 3.6

Wharves and depots are developments of an industrial nature, generally permanent, which will generate some disturbance. As a matter of principle it is considered that they are normally inappropriate within primarily residential areas. For this reason locations are sought either on industrial estates, or at the edge or out of town. Also it is an important objective to avoid areas of environmental or conservation importance. (These would include areas identified in District Local Plans, eg. areas of local landscape importance), and local features such as Ancient Monuments, Sites of Nature Conservation Interest and Local Nature Reserves. Accordingly:

POLICY CA3: WHEN CONSIDERING PROPOSED WHARVES OR DEPOTS TO RECEIVE AGGREGATES THE COUNTY COUNCIL WILL NORMALLY REQUIRE THAT:

(i) THE PROPOSAL DOES NOT ADVERSELY AFFECT LOCAL FEATURES OF IDENTIFIED IMPORTANCE OR THEIR SETTING, AND/OR THAT SITE SPECIFIC PROTECTION POLICIES IN A LOCAL PLAN OR AREAS OTHERWISE IDENTIFIED AS OF CONSERVATION SIGNIFICANCE (EG CONSERVATION AREAS) ARE NOT COMPROMISED

(ii) THE OPERATION CAN BE CARRIED OUT CONSISTENT WITH THE REQUIREMENTS OF POLICIES CA16 TO CA23

(iii) THE PROPOSAL IS NOT UNDULY OBTRUSIVE IN THE LANDSCAPE

Isle of Grain

The existing import points at Grain, and at Sevington Grain to the south east of Ashford, are operating with temporary planning permissions. Because of the deep water facilities at Grain and its location within a Ashford major industrial type area, there is no objection in principle to the operation becoming a permanent one or to it being extended. This facility is particularly important at the present time as it imports granite, which can be used as an alternative to both flint gravel and limestone. However, this will be subject to such a proposal playing its part in bringing forward road improvements on the A228, and the Wainscott Northern Bypass. Similarly, because of its good accessibility and siting within a proposed employment area, permanent retention of the facility at Sevington is encouraged.

3.7 For railway operational reasons no proposals for new facilities are made on the line between Tonbridge and Folkestone.

PROPOSED LOCATIONS

3.8 Pursuant to these considerations and to the preceding policies, and to supplement the existing import points identified in the Report of Studies:-

POLICY CA4: SUBJECT TO THE REQUIREMENTS OF POLICIES CA2A AND CA3 BEING MET, PROPOSALS FOR WHARVES OR DEPOTS TO RECEIVE AND DISPATCH AGGREGATES WILL NORMALLY BE PERMITTED AT THE FOLLOWING
LOCATIONS IDENTIFIED ON THE PROPOSALS MAP:

**Wharves**

- STONE MARSHES, DARTFORD
and/or
- ISLE OF GRAIN

**Depots**

- SHEERNESS/QUEENBOROUGH
  - RIDHAM DOCK
  - DOVER HARBOUR
  - RICHBOROUGH
  - CLIFFE TERMINAL
  - STROOD

**Depots**

- NORTH FARM, TUNBRIDGE WELLS
  - HOLBOROUGH, MEDWAY GAP
    - ALLINGTON, MAIDSTONE
  - SHELFORD, CANTERBURY
  - HERSDEN, CANTERBURY
  - SEVINGTON, ASHFORD
  - EAST PECKHAM
PART 4
SECONDARY AGGREGATES
SECONDARY AGGREGATES

4.1 In Kent the main potential sources of secondary aggregates are:

**Substitute Materials**
- colliery spoil/ - the waste from coal mining, available from the old collieries in East Kent.
- ash - principally pulverised fuel ash from Kingsnorth Power Station on the Lower Medway.
- slag - from steelworks.

**Minerals**
- chalk - minor quantities are used as fill or hardcore.

ECOTEC 4.2 A study at national level (Estimating the Demand for Aggregate Minerals, ECOTEC, 1987) has indicated that usage of secondary aggregates is, and is likely to remain, of a minor order compared with the use of primary aggregates. It approximates to 5% of total consumption and no observable trend towards increasing use was found. This situation is mirrored at the local level. In 1987 0.2mt of secondary aggregate was produced in Kent; this was some 2% of the total production and import of some 10mt of construction aggregates.

4.3 Use of secondary aggregates can not only assist in meeting the community's requirements for construction aggregates, although only to a limited degree in volume terms, but can also bring planning gain in making practical use of otherwise waste materials. Policy MWD2 of the Approved Structure Plan encourages the use of substitute materials. This support is extended also to recycled material such as demolition debris. Accordingly:

**POLICY CA5:** THE COUNTY COUNCIL SUPPORTS THE USE OF SUBSTITUTE AND RECYCLED MATERIALS AND, WHEN DEALING WITH SUCH PROPOSALS WILL NORMALLY GIVE PERMISSION FOR THEIR IMPORT, REWORKING OR PROCESSING, SUBJECT TO THE LOCATION BEING ACCEPTABLE AND TO THE IMPACT OF THE OPERATION BEING ACCEPTABLE WITHIN THE TERMS OF POLICIES CA 16 TO CA 23.
PART 5

LOCAL SOURCES
5.1.1 Minerals can only be worked where they are found and the objective of this part of the Plan is to identify areas of search for future land won workings. 'Areas of Search' are identified on the Proposals Map. Any application to work minerals in these areas would be considered against:

(i) the viability of the mineral deposit, which in many areas can only be ascertained with certainty through boreholes;

(ii) the case of need for the mineral, having regard to the 10 year landbank position;

(iii) the site specific constraints pursuant to Approved Structure Plan Policy MWD1, which are set out in detail in Part 6.

Areas of search are designed to meet the following specific purposes:-

(i) to bring to the attention of the public and interested bodies the broad locations where mineral working might take place at some future date;

(ii) to guide the industry to broad locations where, subject to the planning considerations set down in Part 6, mineral working could be acceptable;

(iii) to identify areas where development could sterilise mineral resources or could be adversely affected by any future working.

They do not indicate areas where mineral working will necessarily take place within the plan period. Accordingly:-

POLICY CA6: IN THE AREAS OF SEARCH IDENTIFIED ON THE PROPOSALS MAP, PROPOSALS TO EXTRACT MINERALS WILL BE ACCEPTABLE PROVIDED THE COUNTY COUNCIL IS SATISFIED THAT THERE IS A CASE OF NEED TO RELEASE SUCH ADDITIONAL LAND SUFFICIENT TO OVERIDE THE MATERIAL INTERESTS IDENTIFIED IN STRUCTURE PLAN POLICY MWD1; AND ALSO PROVIDED THAT THE REQUIREMENTS SET OUT IN APPENDIX 6, AND OF OTHER RELEVANT POLICIES IN THIS PLAN, ARE SATISFIED.

When assessing the case of need, regard will be had to the provisions of Structure Plan Policy MWD4 and to any requirements of a specific infrastructure project.

The material interests identified in Structure Plan Policy MWD1 are agriculture, landscape, conservation and environment. If these interests, and the requirements of the other policies in the Plan, cannot be satisfied then the application will be refused.

Provision 5.1.2 Pursuant to consideration (i) in paragraph of 5.1.1 the County Council will require that a planning Geological application is supported by evidence that the site Information contains workable reserves of a quality which would justify weighing the need for the mineral against the
impact that its working would have on the local environment. The evidence will normally comprise borehole locations and readings, the estimated quantity and composition of the mineral and details of the thickness of topsoil, subsoil and overburden. If this essential supporting information is lacking then the County Council will use its powers to require such information. Accordingly:

POLICY CA7: THE COUNTY COUNCIL WILL REQUIRE IN SUPPORT OF AN APPLICATION FOR MINERAL WORKING EVIDENCE OF THE EXTENT AND QUALITY OF RESERVES IN THE SITE.

5.1.3 The areas of search derive initially from an examination of strategic or 'primary' planning constraints in relation to the potential mineral resources. These constraints are based on national policy considerations (set out in paragraph 1.12 and Appendix 1) and on the strategic countryside conservation policies of the Approved Structure Plan (set out in Appendix 2).

The County Council considers that the recognition and consistent application of these constraints should be the first step in evaluating future proposals for working local construction aggregate resources (including silica sand). The purpose of this part of the Local Plan is to provide a framework for identifying areas of search, by specifying those areas where mineral working will not normally be permitted. The objective is that land subject to such constraints in Kent should prima facie be kept free from mineral working. Accordingly:

POLICY CA8A: PURSUANT TO THE APPROPRIATE STRUCTURE PLAN POLICIES, PROPOSALS FOR THE WORKING OF MINERALS WILL NOT NORMALLY BE PERMITTED ON LAND SUBJECT TO ONE OR MORE OF THE FOLLOWING CONSTRAINTS:

(i) SITES WHERE THE NATURE CONSERVATION INTEREST IS OF INTERNATIONAL IMPORTANCE (pursuant to the EC and national policy considerations set out below).

(ii) NATURE RESERVES AND SITES OF SPECIAL SCIENTIFIC INTEREST DESIGNATED BY ENGLISH NATURE (pursuant to Structure Plan Policy CC8).

(iii) AREAS OF OUTSTANDING NATURAL BEAUTY (pursuant to Structure Plan Policy CC7).

(iv) SPECIAL LANDSCAPE AREAS (pursuant to Structure Plan Policy CC7).

(v) THE BEST AND MOST VERSATILE AGRICULTURAL LAND (pursuant to Structure Plan Policy CC2).

(vi) AREAS OF SPECIAL SIGNIFICANCE FOR AGRICULTURE (pursuant to Structure Plan Policy CC3).

(vii) AREAS OF HIGH NATURE CONSERVATION VALUE (pursuant to Structure Plan Policy CC9).
(viii) IMPORTANT ARCHAEOLOGICAL SITES AND ANCIENT MONUMENTS, AND THEIR SETTINGS (pursuant to Structure Plan Policy BE4).

Areas subject to such constraints will not be regarded as 'appropriate locations' for mineral working within the terms of Structure Plan Policy MWD1.

Sites where the nature conservation interest is of international significance are Ramsar Sites, and declared and potential Special Protection Areas and Special Areas of Conservation under the Birds Directive and the Habitats Directive (see Appendix 1, paragraph 7).

Applications within AONBs, NNRs and SSSIs will be subject to the most rigorous examination.

First Stage

These strategic planning constraints are used as a first stage 'filter' to identify those general areas where future workings will not normally be permitted.

5.1.4 At Dungeness and Hythe the following are also to be considered as primary planning constraints:

- Water resource safeguarding areas.
- Sea defence safeguarding limits.

These local constraints will apply alongside those identified in Policy CA8A.

Accordingly:

POLICY CA8B: AT DUNGENESS AND HYTHE PROPOSALS FOR THE WORKING OF MINERALS WILL NOT NORMALLY BE PERMITTED ON LAND SUBJECT TO ONE OR BOTH OF THE FOLLOWING CONSTRAINTS:

(i) WATER RESOURCE SAFEGUARDING AREAS
(ii) SEA DEFENCE SAFEGUARDING LIMITS

Areas subject to such constraints will not be regarded as 'appropriate locations' for mineral working within the terms of Structure Plan Policy MWD1.

5.1.5 The setting of the City of Canterbury is considered to be a local constraint having national importance. It is defined in the adopted Canterbury City Local Plan of 1985. The conservation of the City's setting should be regarded as a primary planning constraint in the locality and applied alongside those identified in Policy CA8A.

Accordingly:

POLICY CA8C: MINERAL WORKING WILL NOT NORMALLY BE PERMITTED WHERE PERMANENT DAMAGE TO THE SETTING OF CANTERBURY (AS DEFINED IN THE ADOPTED CANTERBURY CITY LOCAL PLAN OF 1985) WOULD RESULT.

Green Belt

5.1.6 For the sake of clarity it is emphasised that the
Metropolitan Green Belt is not a primary constraint on mineral working (see Appendix 1).

Circular 5.1.7 When assessing the importance of agricultural
16/87 land Government policy is that the best and most
High versatile land is a national resource for the longer
Quality term and should in general be protected from
Agricultural Land irreversible development. In such cases, therefore,
additional weight needs to be given to the agricultural
factor. In this Plan, the 'best and most versatile' land is
taken to be that in Grades 1 and 2 of the Agricultural Land
Classification System.

Where mineral resources of a similar type and of a quantity
sufficient to maintain a 10 year landbank can be identified on
land of a lower agricultural quality, mineral working will not
normally be permitted on the higher grade land. There are two
exceptions. Firstly, where a definite need for the mineral
has been proven, and there are no alternative areas on lower
quality land, the presumption may be overridden provided that
any consent is made subject to conditions to ensure a high
standard of restoration to agriculture and aftercare. On this
basis the agricultural constraint is not applied to flint
gravels because of the general shortage of such resources (see
section 5.2 below). Secondly, some areas of search for
sandstone gravels and building sand which are identified in
the 1983 adopted Minerals Plan are now known to be on higher
grade land. So as to give consistency to the Local Plan
process insofar as it provides a framework for long term
investment decisions, these areas are retained (and are
identified in Appendix 6, Insets U and V). These are not
regarded as precedents and as a prerequisite to any permission
for mineral working on such land, it will be necessary to
demonstrate that a high standard of restoration and aftercare
can be achieved.

Second Stage 5.1.8 The County Council has applied the primary
planning constraints set out in policies CA8A, CA8B
Filter and CA8C to those areas which on present information are considered to
contain workable and useful resources. A second filter is
then used to narrow down onto areas of search by excluding the
following:-

* land sterilized by, or committed to development in such
terms that prior working may frustrate other important
planning objectives

* mineral resources already existing, permitted or worked out

* resources which are considered to be too small to justify
being worked. In the case of gravels, where processing
plant is required, this applies to freestanding deposits
which are expected to yield less than 500,000 tonnes of
aggregate.

* locations where a local land use planning constraint is
considered to constitute an overriding prima facie case
against the successful outcome of an application to work
aggregate minerals. In most cases the constraint derives
either from previous planning decisions relating to the
area (for example poor road access), or from policies and
proposals in a District Local Plan.

Third Stage 5.1.9 More specific local constraints, which will Filterbe
taken into account when considering individual proposals, are dealt with in Part 6 (Criteria for the Assessment of Planning Applications).

An important third stage filter relates to nature conservation interests and the Plan's general approach at that stage is set out in Part 6 below (paragraph 6.2.2). Application of the constraints identified in Policy CA8A above leaves Sites of Nature Conservation Interest (SNCI's) within areas of search. Given the extent of sandstone gravel and building sand resources shown on the Proposals Map, as a starting principle the County Council would wish to see the landbank for these two mineral resources maintained from outside SNCI's. In accordance with Structure Plan Policy CC10 specific justification would be needed for any sandstone gravel or building sand working within SNCI's.

5.1.10 When assessing the importance of an archaeological site in national, regional or local terms, regard will be had, and in the light of professional judgement to the Secretary of State's non-statutory criteria for the scheduling of ancient monuments (as set out at the end of Appendix 1).

Existing

5.1.11 All potential construction aggregate Areas of resources have been looked at. Accordingly, areas Search of search in the existing Minerals Plan have been reviewed within the framework set out above. As a result many areas are carried forward, but the following have been excluded:-

(a) where it has since been established that the mineral resource is unlikely to be of a workable amount or quality;

(b) land which has since been designated as a Site of Special Scientific Interest;

(c) where planning permissions for working have been granted since the existing Plan was published.

5.1.12 The Kent Minerals Subject Plan which was approved in 1983 had two policies for 'areas of search', SG2 and SG3. The division was an attempt to identify separately those areas which it was considered would 'figure prominently in applications for working over the next ten years'. It was anticipated that they would form the first phase of land release from the areas of search as each needs case was justified. These 'first phase' areas, subject to Policy SG2, were known to contain viable reserves and to be owned by or be available to the industry within the Plan period; they were described as 'areas where sand and gravel deposits are known to exist'. In practice they have not formed the first phase of releases. As all proposals in any event need to be accompanied by evidence of workable reserves (see Policy CA7) and as there is no difference in land use planning terms between the 'SG2' and 'SG3' areas which would justify separate policy treatment in the Development Plan, the distinction is not carried forward.

Exceptions

5.1.13 It is anticipated that the land bank requirements will be met from proposals coming forward from within the areas of search. The special circumstances concerning flint gravels and silica sand are dealt with in Sections 5.2 and 5.5 below.

Accordingly:-
POLICY CA8D: MINERAL WORKING WILL NOT NORMALLY BE PERMITTED OUTSIDE AREAS OF SEARCH, UNLESS IT CAN BE SHOWN THAT A NEED EXISTS WHICH CANNOT BE MET FROM WITHIN THE AREAS OF SEARCH.

Borrow Pits

5.1.14 Borrow pits for specific construction projects (particularly road building) require specific attention; each such proposal will be considered within the context of Department of the Environment Circular `Use of Waste Material for Road 20/87 Fill', and having regard to whether the advantages of quick working and the saving of heavy traffic movements on local roads would be sufficient to set aside the prima facie constraints identified in Structure Plan Policy MWD1, and Policies CA8A, CA8B and CA8C above. Applications for borrow pits should be submitted at the same time as that for the particular construction project, so that their restoration and landscaping can be integrated into the permanent schemes. In any event a standard of working and restoration consistent with the policies set out in Part 6 below will be required.

Accordingly:-

POLICY CA9: PROPOSALS FOR BORROW PITS (TO MEET THE SPECIFIC REQUIREMENTS OF INFRASTRUCTURE PROJECTS) WHICH ARE WITHIN AN AREA SUBJECT TO A PRIMARY PLANNING CONSTRAINT SHOULD BE GIVEN APPROPRIATE CONSIDERATION AT THE TIME OF EXAMINING THE PARTICULAR PROJECT GIVING RISE TO THE NEED FOR THE BORROW PIT.

5.1.15 The Approved Structure Plan acknowledges that in many cases extensions to existing operations can offer advantages over the opening of a new pit. Such proposals will be looked at on their own merits to determine whether working and restoration can be achieved without an unacceptable local impact. Even so, if similar resources are available elsewhere, there will be a presumption against extensions in areas subject to Policies CA8A, CA8B and CA8C.

Mineral Consultation Areas

5.1.16 For the success of the Plan's strategy it is important for the Mineral Planning Authority to be consulted on any proposals for development which might prejudice the working or supply of minerals. Mineral Consultation Areas are therefore identified. These are:

(i) Areas of Search
(ii) Potential silica sand resources in the Addington/Ryarsh Area as shown on Consultation Plan 1
(iii) Proposed locations for Wharves and/or Depots on land not already used, or proposed, for industrial or commercial purposes

Pursuant to paragraph 7 of Schedule 1 of the Town and Country Planning Act 1990, District Councils are asked to consult the County Council on any proposals within these areas which fall to them to determine.

POLICY CA10: IT WILL BE THE OBJECTIVE OF THE COUNTY COUNCIL TO SAFEGUARD WORKABLE RESERVES AND POTENTIAL SUPPLY POINTS. WHEN CONSIDERING APPLICATIONS FOR DEVELOPMENT WITHIN THE MINERAL CONSULTATION AREAS, ACCOUNT WILL BE TAKEN OF THE EXTENT TO WHICH THE WORKING OR SUPPLY OF
MINERALS MAY BE PREJUDICED.
5.2.1 Historically gravels and concreting sand have been the most important of Kent's land won Structure construction aggregate resources. The Approved Plan Structure Plan seeks releases to enable a level of production from land won workings of about 2.0mtpa. A 10 year landbank would mean a stock of permitted reserves of about 20 million tonnes.

5.2.2 There are two main types of gravel and concreting sand in Kent, the higher quality, mainly flint, deposits from the main river valleys (Darent, Lower Medway and Stour) and from Dungeness, and the predominantly sandstone gravels from the Upper Medway Valley. In the recent past the former have contributed about 80% and the latter about 20% of Kent's gravel and concreting sand production. As at the present time it appears that they meet different requirements of the aggregates market, they are dealt with separately. Accordingly 10 year landbanks of 16 mt and 4 mt respectively are sought.

Flint 5.2.3 Flint gravels are becoming more difficult to identify and on the basis of an 80% proportion of Kent's production, the County has not had a 10 year (16mt) landbank for such gravels during much of the 1980s. The main reasons are the approaching exhaustion of workable reserves in the three main river valleys, and the major planning constraints against further extraction, particularly at Dungeness. At the beginning of 1990 permitted reserves of predominantly flint gravels and concreting sands were some 9mt. In the period to the end of 1990, permissions were authorised which would add a further 12mt to the landbank. In order to re-establish a 10 year landbank and to maintain it at the end of the Plan period, provision needs to be made for at least 20mt, with a further allowance for non-availability.

5.2.4 The areas of search identified in the Plan are estimated to yield in total some 37mt. This is a maximum and makes no allowance for losses due to local planning considerations. So, even with the inclusion of areas of search of that land of high agricultural quality which is not otherwise constrained, it is concluded that whilst this might lead to the re-establishment of a 10 year permitted reserve for some years, the landbank is unlikely to be able to be maintained well beyond the Plan period. Hence the emphasis of the strategy on providing for alternative sources of supply, particularly imports and in the long term new underground resources in East Kent.

5.2.5 Although some new resources are identified around Dartford and North East of Canterbury (see next paragraph), no major, long term areas of search are proposed in the main river valleys. Workable reserves of flint gravels here are either sterilised by built development, almost exhausted or subject to strong planning constraints. It is concluded that in the long term, flint gravel working in these areas will cease. Also no major new areas are identified on the open gravel at Dungeness; here important nature conservation and water resource constraints and Defence land requirements will curtail any further major lateral extensions of workings.

New Areas 5.2.6 Because of the current shortage of flint of Search gravels new areas of search have been identified. These are river gravels to the north of Dartford and to the east of
Gravesend, and some Head Gravel deposits around Faversham and to the south east of Herne Bay. They are primarily on land which until now has been protected because of its agricultural quality. Also in the later 1990s some new areas might be able to be released for working on high quality agricultural land on the Hoo Peninsula (see Policy CA11). Although working in most of these Areas would prima facie be contrary to Policy CARA, their inclusion reflects both the difficulty of re-establishing and maintaining a 10 year landbank for flint gravels and also the decision to run down mineral working on the open gravel areas of Dungeness.

5.2.7 Where high grade agricultural land is involved, agricultural restoration to the highest standards will be required (see Appendix 5).

5.2.8 In recognition of current traffic conditions on the Hoo Peninsula, the following policy will apply:-

POLICY CA11: WITH THE EXCEPTION OF APPROPRIATE EXTENSIONS TO ESTABLISHED OPERATIONS WHICH WILL MAINTAIN EXISTING PRODUCTION, NO PROPOSALS TO WORK MINERALS ON THE HOO PENINSULA, WHICH WOULD INVOLVE THE TRANSPORT OF MATERIALS BY ROAD, WILL BE PERMITTED UNTIL THE A228 FROM CHATTENDEN TO THE POINT AT WHICH THE PROPOSALS WOULD GAIN ACCESS TO THE ROAD HAS BEEN IMPROVED TO AN APPROPRIATE STANDARD AND THE WAINSCOTT NORTHERN BYPASS IS OPEN TO TRAFFIC.

Regard will also be had to the highway issues set out in Appendix 6.

5.2.9 Consideration will also be given to proposals to win gravel in conjunction with established brickearth workings in the Sittingbourne/Faversham area. At a subsequent review of the Plan areas of search for building sand might also be identified on the Oldhaven and Woolwich Beds (see part 5.4); these may yield some modest quantities of gravel and concreting sand.

5.2.10 Very large resources of deep buried channel gravels have been identified alongside the Thames from Dartford to Allhallows. The development of such large resources may justify infrastructure investment on a larger scale than normally considered. The County Council will consult landowners with a view to studying the overall feasibility and viability of working these resources. The relevant district councils and nature conservation bodies would be involved in any study. Should it be shown that the resources could be developed, they would be expected to figure prominently in a review of this part of the Minerals Plan.

There are however likely to be significant logistical problems with their development, in the means of access, the economics of working by comparison with imported crushed rock and bearing in mind the international, national and other strategic importance of many of the areas overlying and surrounding them, the extent of conflict with nature conservation and other environmental interests.

5.2.11 The predominantly sandstone gravels of the GravelsUpper Medway are at present worked from 3 pits. At the beginning of 1990 permitted reserves were some 4mt. The existing Minerals Plan identifies extensive areas of search. They are estimated to yield some 40mt of material, more than
sufficient to secure the maintenance beyond the period of this Plan of a 10 year landbank of 4mt. On this basis it is concluded that there is no justification for identifying further areas in the Draft Plan. The position will be looked at again when the Plan is reviewed.

5.2.12 From a locational point of view some existing areas of search in the Upper Medway, particularly those to the west of Tonbridge and to the north and west of Five Oak Green, are not well related to the A class roads, particularly by virtue of lorries having to pass considerable housing development. Accordingly when considering further proposals to work the sandstone gravels particular regard will be had, pursuant to Policy CA16, to whether suitable access can be gained to the main road network.
RAGSTONE

5.3.1 The Approved Structure Plan seeks releases to enable a level of production from local land won workings of about 0.6mtpa. A 10 year landbank would mean a stock of permitted reserves of about 6mt.

5.3.2 Permitted reserves (over 30mt) give a landbank which will remain well in excess of 10 years at the end of the Plan period. On the basis of Approved Structure Plan Policies MWD1 and MWD4 there is no case of need for additional working during the Plan period. Accordingly no areas of search for ragstone are identified in the Draft Plan. When considering any detailed proposals for ragstone working on the committed sites, regard will be had to Policies CA16 to CA23.
BUILDING SAND

5.4.1 Almost all of Kent's building sand requirements come from pits within the County. The main resource is the Folkestone Beds which are valued for their thickness and the fact that a range of sands can often be obtained from different depths within the same pit. There has been a significant increase in the demand for building sand in the 1980s and the returning popularity of brick building, including repairs to old structures, indicates that these higher levels of demand will persist. Accordingly the Approved Structure Plan seeks releases to enable a level of production from land-won workings of about 1.9 mtpa. A 10 year landbank would mean a stock of permitted reserves of about 19mt. At the beginning of 1990 permitted reserves of building and silica sand were some 32mt. However approximately half of this total is at one pit and therefore unlikely to be made available in its entirety during the Plan period. During 1990 a permission was issued which increased the total reserve by more than 2mt.

5.4.2 The Folkestone Beds outcrop right across the County. They are an extensive resource and considerable areas of search can be identified on land which is free of strategic planning constraints, pursuant to Policies CA8A, CA8B and CA8C. Most are carried forward from the existing Minerals Plan. The total yield from areas of search identified in the Plan is estimated conservatively at over 50mt. It is considered that these will be more than adequate to maintain a 10 year landbank both through and beyond the Plan period.

5.4.3 Because of water resource constraints on infilling, restoration of Folkestone Beds workings is usually to a lower level with relatively steep side slopes; this means a net loss of agricultural land. Given the extensive resource, the loss of higher quality land can be avoided. Accordingly no further land of grades 1 and 2 agricultural quality on the Folkestone Beds is identified as an area of search. When considering applications to extract building sand from the Folkestone Beds, other things being equal, land of lesser agricultural quality will be worked before that of higher quality.
SILICA SAND

5.5.1 The term "silica sand" describes sands which are used for a range of non-construction aggregate applications such as glass making, foundry purposes and a number of other industrial uses (for example glass fibre and water filtration). The distinction made between silica sand and building sand from sources in the Folkestone Beds is based primarily on their end-use applications and market specifications, rather than on an absolutely fundamental difference between the two materials "in the ground". Depending on the degree of processing applied to a silica sand, its as dug properties may be substantially modified. The extent to which this modification is possible will depend not only on the inherent properties of the sand itself but also on economic factors. The distinction between potential silica sand and building sand is not precise. Building sand resources in the Folkestone Beds may be considered as potential sources of silica sand, although silica sand operations are likely to be located at sites where the required grades can be produced economically.

National 5.5.2 The government recognises that silica sand is of national importance as an essential raw material for the glass, foundry and other industries. In its view such high quality sands are a scarce national resource and there is a need to maintain national productive capacity and long term permitted reserves. The government considers that taking account of likely investment levels and the need for security of supply, a 20 year site life should normally be regarded as reasonable.

Existing Resources 5.5.3 Most of Kent's silica sand production has come from that part of the Folkestone Beds between Aylesford and Addington. At present it is worked at Aylesford and Addington sandpits, where it is graded and dried for, amongst other things, moulding and glass manufacture. Silica sand is also worked from land adjacent to Ryarsh Brickworks, where it is used to make calcium silicate bricks. The Approved Structure Plan seeks releases to enable a level of production from local land-won workings of about 0.25mt pa. A 10 year landbank would mean a stock of permitted reserves of about 2.5mt. Provision for, and maintenance of, a landbank both during and at the end of the Plan period involves 7mt of sand.

5.5.4 Because of the undertaking to keep confidential the circumstances of individual operators, the amount of permitted reserves is not identified. There are considerable reserves at Aylesford which are worked together with building sand but they are available to a single operator and will be worked at their pace over the life of the pit (an estimated 20/30 years, depending upon levels of production). The permitted reserves at Ryarsh will be worked out within a few years. There is currently a shortage of fine grade silica sand at Addington.

5.5.5 With the exception of the Aylesford Pit itself, all of the area between Aylesford and Addington is subject to strategic planning constraints. Pursuant to Policy CA8A, mineral working here will not normally be permitted. However because of the importance of silica sand it is considered that Kent should play its part in maintaining national productive capacity by accepting the principle of long term permitted reserves as an exception to Policy CA8A. Because of the strong planning constraints on mineral working in this area,
and the importance of husbanding resources of silica sand, it would be reasonable to ensure that high grade deposits of silica sand are reserved for uses requiring such sand. However it is recognised that there will in most cases be secondary production of the lower quality sands for construction use. Accordingly:

POLICY CA12: ANY PROPOSAL TO WORK SILICA SAND WILL BE CONSIDERED AGAINST THE SPECIAL CASE OF NEED FOR THE MAINTENANCE OF SUCH RESERVES AND THE NEED FOR THEIR EXTRACTION BEING SUFFICIENT TO OVERRIDE THE MATERIAL INTERESTS IDENTIFIED IN STRUCTURE PLAN POLICY MWD1. IF SUCH A CASE IS PROVEN AND THE PROPOSAL SATISFIES BOTH WATER RESOURCE INTERESTS AND POLICIES CA15 TO CA26, PERMISSION WILL BE GIVEN.
5.6 LIMESTONE

5.6.1 Carboniferous Limestone is known to exist under a large part of east Kent. In other parts of the country this mineral is used as a high quality aggregate. The deposit thickness in east Kent probably exceeds 300 metres, so for the purposes of the strategy outlined in this Plan, the resource could be considered as inexhaustible. In September 1986, following consideration of the response to a consultation document, the County Council resolved that:

(a) subject to local and highway issues being able to be dealt with satisfactorily the County Council would give favourable consideration to a proposal for a limestone mine in East Kent;

(b) appropriate policies to reflect this support be added into the Structure Plan and the Kent Minerals Plan at the next available opportunity.

Structure

5.6.2 The Approved Structure Plan now includes a plan policy (MWD2) to encourage the development of acceptable alternative local sources of supply. To this end favourable consideration would be given to proposals for limestone mining in East Kent.

The

5.6.3 In principle there is a sound and workable prospect for the mining and processing of several million tonnes a year of limestone as a construction aggregate. Potentially it is a resource of regional significance which, if developed, could have major environmental benefits for Kent by reducing the surface working of local resources. However, there remains an overriding need to prove the deposit. This would be by drilling and geophysical investigation to examine roof bedding, rock quality and groundwater.

CRITERIA FOR THE DEVELOPMENT OF THE RESOURCE

5.6.4 Although alternative proposals may be developed, the limestone prospect is considered on the basis of a mine operating from plant at a base level of 5m AOD to the west of Richborough Power Station, through a drift inclined at 1 in 3.5 (passing under the railway at a depth of about 30 metres) to a starting level in the limestone assumed at 400m below OD under suitable roof bedding. An output in excess of some 3mt a year is assumed.

5.6.5 Because of the anticipated scale and nature of the development and of the fact that it is expected to be a major project of more than local importance, a formal proposal will need to be accompanied by an Environmental Statement so as to be able to assess all the likely impacts on the environment (eg. the effects of dust emissions). The following criteria would need to be satisfied:

(a) Surface facilities - that the environmental impact is minimized. This will mean using the lowest practicable plant. It will also mean the facilities being grouped, set into the ground or otherwise substantially shielded by shallow mounding. Controls will be sought over noise and dust emissions. It is expected that stockpiles will be housed, surfaced areas maintained and lorries sheeted. On the basis that the surface development
would be in the close vicinity of Richborough Power Station and the industrial development along Sandwich Road, ancillary development such as ready mixed concrete and asphalt would be acceptable in principle.

(b) Mining - it would need to be confirmed that no adverse effects (eg. by virtue of noise, vibration or dust) would be caused either by the mining itself or by the necessary blasting. Particular regard will need to be had to any possible effects on surface or underground water resources (for example from encroachment of seawater). Account would also have to be taken of the possible effects of subsidence on agricultural land at the surface and any possible change in the normal drainage of the affected area. Long term stability would need to be assured. The surface area has important nature conservation interests, (eg. the pastures, dykes and bird life). These will need to be identified through the ecological aspects of an Environmental Assessment. It is particularly important that water levels and quality are not put at risk.

(c) Infrastructure - because of the large volumes of material being moved, the amount going by road would need to be minimised. A commitment would be required to transport by rail or water all material not being delivered into the local East Kent market. The County Council would also need to be satisfied that appropriate infrastructure precedes the development. This is particularly important to ensure that Ebbsfleet Lane/Thorn Hill are not used by heavy vehicles from the development.

(d) Restoration - provision would need to be made for surface restoration and aftercare.

Accordingly:-

POLICY CA13: SUBJECT TO THE COUNTY COUNCIL BEING SATISFIED THAT THE IMPACT OF THE DEVELOPMENT IN RESPECT OF THE LOCAL ENVIRONMENT, WATER RESOURCES AND TRANSPORT IS ACCEPTABLE AND THAT REQUIREMENTS OF POLICIES CA16 TO CA26 CAN BE MET, FAVOURABLE CONSIDERATION WILL BE GIVEN TO PROPOSALS TO MINE AND PROCESS LIMESTONE FROM WITHIN THE APPROPRIATE AREAS IDENTIFIED ON THE PROPOSALS MAP.

The `appropriate areas' are the possible area of mining and the location for surface aggregate processing facility and mine access. In respect of transport arrangements the County Council will require a commitment to transport by rail or water all material not being delivered into the local East Kent market.
PART 6
CRITERIA FOR THE ASSESSMENT OF PLANNING APPLICATIONS

GENERAL CONSIDERATIONS

THE IMPACT OF DEVELOPMENT/PRINCIPLES OF WORKING AND RECLAMATION

ACCESS
LANDSCAPE AND THE LOCAL ENVIRONMENT
LANDSCAPING THE SITE
RECLAMATION

ARCHAEOLOGY
GENERAL CONSIDERATIONS

National

6.1 Government advice is that development plans Policy
should include policies:

(MPG1)

(i) on the development control criteria which will be applied
to planning applications;

(ii) for restoration and aftercare.

Regional guidance also identifies the need for environmental
safeguards, and high quality working, restoration and
afteruse.

6.2 The County Council accepts that adequate protection must
be provided to mitigate the impact that mineral working, its
handling and processing
can have on the local environment. Accordingly this Plan
Policy issue is now given more explicit policy expression in
the Approved Structure Plan. Policy MWD1 states that
permission for mineral extraction or associated plant and
buildings will only be granted at appropriate locations where
there are adequate measures:

(i) for access;

(ii) to minimise disruption to the landscape and local
environment;

(iii) to landscape the site;

(iv) to remove plant and buildings after workings have
ceased and to restore the land to an appropriate
after use, together with aftercare where
appropriate.

6.3 The purpose of this part of the Minerals Plan is to
develop the Structure Plan policy to secure adequate
protection for areas affected by mineral working and mineral
related developments. The criteria and policies set out below
also incorporate recent national guidance. A main objective
is to identify, for both the local community and the minerals
industry, the standards expected in Kent from mineral
developments. Also, mineral working can provide positive
opportunities for future land uses and regard will need to be
had to such possibilities. Any permission granted will
include conditions to secure that operations are carried out,
and the site restored, in compliance with these policies. The
County Council will seek to ensure that planning conditions
are complied with, using its enforcement powers where
appropriate.

6.4 The Government's view is that the cost of meeting
acceptable environmental standards falls on industry in line
with the 'polluter pays' principle. Whilst conflicts of
interest will not be eliminated, an important objective of
this Plan is to provide a rational framework for decisions
such that measures to minimise environmental impact, including
any necessary road improvements, are an integral part of any
proposal. Accordingly the industry will wish to build into
new projects the costs of meeting the environmental standards
set out in this Plan. The County Council will require by
condition detailed schemes of working, restoration and
landscaping to be approved before any substantive operations
commence on site and may require such schemes to be submitted
as part of the application where that is considered to be
necessary. Where existing workings have inadequate reclamation conditions the government looks to a partnership, by way of the Review of Mineral Sites, between the industry and the mineral planning authorities to put them in good order.

6.5 As a general principle the County Council looks to the industry to take upon itself the responsibility for securing high standards. Good site management is a major factor in mineral operations. High standards can be achieved and maintained only with careful and sustained attention to on-site management practices. Operators are a part of the local community and are encouraged to develop close links with it. The County Council will support actively any local training initiatives to improve and maintain standards. It also encourages, and would be happy to assist with, the establishment by operators of environmental management guidelines as an integral part of their operations in Kent. The guidelines would specify, and seek to maintain, objectives and standards which make clear an operator's wider responsibilities and achievements. The County Council will also have regard to the success or otherwise of the industry in site management when considering applications for new workings. Accordingly:

**POLICY CA15:** WHEN CONSIDERING APPLICATIONS FOR THE WORKING OR SUPPLY OF CONSTRUCTION AGGREGATES THE COUNTY COUNCIL WILL HAVE REGARD TO THE INDUSTRY'S PAST RECORD IN RESPECT OF COMPARABLE OPERATIONS AND TO THE FEASIBILITY OF THE RECLAMATION PROPOSALS BEING IMPLEMENTED.

6.6 The policies set out below incorporate the County Council's requirements for the detailed control of mineral sites. Advice on the content of planning applications to meet these requirements is set out in Appendices 3 to 6. Where proposals for new working or supply cannot comply with the provisions of policies CA16 to CA26, permission will not be given.
Access

Traffic

6.1.1 The road traffic associated with mineral working and its supply is usually one of the most significant environmental impacts, and will be a material consideration in determining applications. Daily heavy goods vehicle movements from a site can run into three figures and with comparatively small outputs to a scattered market, the prospects for rail or water transport are limited.

Whilst movement by rail or water is encouraged, it has to be accepted that local movements will normally be by road. There is some flexibility in the location of depots and wharves to receive imported aggregate and so they can be well related to the primary road network. However, because minerals can only be worked where they are found, extraction is sometimes proposed where access is not ideal. An access consistent with the principles of Approved Structure Plan Policies T6 to T8 will be sought, if necessary by the securing, as a prerequisite, of necessary highway improvements such as visibility splays and off site improvements. These will normally be secured at the applicant's expense, and regard will be had to the environmental impact of the necessary improvements themselves. In order to assess the impact of road traffic, the County Council will require proposals to include details of the expected volume and duration of traffic, its routeing, the size of vehicles and any marked seasonal variations. An important consideration will be to avoid as far as possible settlements or residential frontages close to the main carriageway. In evaluating the impact of lorry traffic, regard will be had to:

(i) proximity to existing and proposed developments;
(ii) existing traffic levels (including pedestrians);
(iii) the capacity and structure of the roads.

Permission will be refused if there is considered to be an adverse effect on the highway network. Accordingly:

POLICY CA16: WHEN CONSIDERING APPLICATIONS FOR THE WORKING OR SUPPLY OF CONSTRUCTION AGGREGATES THE COUNTY COUNCIL WILL:

(i) REFUSE PERMISSION IF IT IS CONSIDERED THAT THE PROPOSED ACCESS, OR THE EFFECTS OF VEHICLES TRAVELLING TO AND FROM THE SITE, WOULD ADVERSELY AFFECT IN A MATERIAL WAY THE SAFETY AND CAPACITY OF THE HIGHWAY NETWORK.

(ii) ENSURE THAT ANY HIGHWAY IMPROVEMENTS NECESSARY TO SECURE ACCEPTABLE ACCESS TO THE DEVELOPMENT ARE COMPLETED BEFORE MINERAL EXTRACTION OR SUPPLY COMMENCES.

If access to the public road network adjacent to the proposed site is considered to be unacceptable then the construction of a private road or conveyor to an appropriate point on the highway network would be considered.

6.1.2 Mud and debris such as stones and sand deposited on the public highway is unsightly and can cause a traffic hazard. For this reason operations must be carried out in
such a way as to ensure that vehicles only leave the site after such material has been removed from them. Accordingly:

POLICY CA17: THE COUNTY COUNCIL WILL REQUIRE MEASURES TO BE TAKEN AND MAINTAINED TO PREVENT MUD AND DEBRIS BEING DEPOSITED ON THE PUBLIC HIGHWAY.

These measures will include, as necessary:

(i) provision for cleaning lorry wheels and bodywork (eg a wheel splash, high pressure hose);
(ii) the hard surfacing of quarry access roads;
(iii) keeping access roads and hardstanding free from dust and mud;
(iv) the sheeting or covering of lorries.

LANDSCAPE AND THE LOCAL ENVIRONMENT

6.2.1 In a densely settled County like Kent extraction sites which are remote from any built development, particularly housing, are rare. The issue of protection for adjoining development will be examined in each case. Because of the wide variations in working practices for different types of material, of local variations in topography and screening and of the safeguarding limits inherent in the Plan's policies to protect against visual intrusion, noise and dust, the appropriate distance from built development in each case will be considered against the requirements of Policies CA16 to CA23. The direction and strength of the prevailing wind will also be taken into account.

6.2.2 For both geological and geographical reasons on nature many potential mineral workings affect or adjoin conserv- areas known to have nature conservation or other ation environmental interests. When considering proposals and other for mineral working or supply in such situations, it environ- will be an important objective, pursuant to govern- mental policy (See Appendix 1, paragraph 7) and interests to the Approved Structure Plan's countryside conservation (CC) policies, for important nature conservation and other environmental interests to be safeguarded and retained wherever possible. To this end a planning application within those areas listed in Appendix 6 will be required to identify the nature conservation or other environmental interest as appropriate and to set out any steps proposed for their safeguarding, retention or enhancement. An unworked area or buffer zone may be justified. Professional advice should be sought.

6.2.3 Noise can be a major determining factor in and the acceptability or otherwise of minerals Vibrationactivities. If a proposal is near to noise sensitive development then it will need to be supported by a noise, and if necessary a vibration, survey to demonstrate that the operations proposed will not give rise to a nuisance. The survey will include details of sources, ambient levels and measures proposed to reduce noise and vibration levels. Wherever necessary, suppression or insulation measures will be required and maximum permissible noise levels set. If in the opinion of the County Council noise and vibration nuisance cannot be prevented then permission will be refused.

6.2.4 To implement Policy CA18 below, noise control measures sought will include:
(i) Acoustic screening, by earth mounding, planting or fencing.

(ii) Siting of plant and access away from housing.

(iii) Control of working practices and cladding of plant.

(iv) Leaving unworked margins.

(v) Control over hours of working.

These measures would be such as to ensure that the following noise levels are not exceeded. They relate to the normal working day and to the facade of the most exposed point of the nearest residential building. In some cases however it may be more appropriate to relate levels to other buildings or to site boundaries. In such circumstances the following will be used as a guide:

(a) during site preparation and final restoration (eg. bund construction, soil stripping and spreading)
   * maximum Leq (1 hour) 75dB(A)
   * maximum peak noise level 80dB(A)

(b) during mineral working and reclamation
   * L90 - existing L90 + 5dB(A)
   * Leq - existing L90 + 10dB(A)
   * L Peak - existing L90 + 15dB(A)

If plant or machinery has to operate during the night, the maximum level will be the existing L90 at night minus 5dB(A).

These levels mean that Kent's standards would reflect those generally adopted nationally, although the position will continue to be reviewed in the light of fresh advice.

Dust

6.2.5 The County Council also will need to be satisfied that dust will not cause a nuisance in the area. Dust control measures will include as necessary:

(i) the use of conveyors rather than vehicles for internal haulage;

(ii) hard surfacing around plant and along access roads;

(iii) the seeding down of all exposed earth surfaces;

(iv) the watering of hard and exposed surfaces in dry weather;

(v) screening and tree planting.

Accordingly:

POLICY CA18: BEFORE GRANTING PERMISSION FOR THE WORKING OR SUPPLY OF CONSTRUCTION AGGREGATES, THE COUNTY COUNCIL WILL REQUIRE TO BE SATISFIED THAT NOISE, VIBRATION AND DUST FROM BOTH THE SITE AND HAULAGE VEHICLES CAN BE SATISFACTORILY CONTROLLED.

Plant and Buildings

6.2.6 The erection of plant and buildings at a mineral working site can be permitted development under the General Development Order (GDO), Schedule 2, Part 19. Under
Part 19A, development is permitted for purposes in connection with the winning and working, treatment, storage and removal of minerals provided that specified height and size dimensions are not exceeded and that the external appearance of the mineral site is not materially affected. When dealing with the siting of fixed plant and buildings at a mineral working, the MPA will apply the principles set out in Appendix 3. Accordingly:

POLICY CA19: WHERE THE EXTERNAL APPEARANCE OF THE WORKINGS WOULD BE MATERIALLY AFFECTED BY FIXED PLANT AND BUILDINGS, THE COUNTY COUNCIL WILL REQUIRE THAT APPROVAL IS GIVEN FOR THE SITING, DESIGN AND EXTERNAL APPEARANCE OF FIXED PLANT AND BUILDINGS.

POLICY CA20: WHERE THE EXTERNAL APPEARANCE OF THE WORKINGS WOULD BE MATERIALLY AFFECTED BY FIXED PLANT AND BUILDINGS, WHEN CONSIDERING DETAILS RELATING TO THE SITING AND DESIGN OF FIXED PLANT AND BUILDINGS, THE COUNTY COUNCIL WILL SEEK TO:

(i) GROUP THEM, TO FACILITATE SCREENING AND TO PREVENT SPRAWL.

(ii) APPROVE DESIGNS AND MEANS OF OPERATION WHICH MINIMISE VISUAL AND NOISE INTRUSION.

(iii) SECURE APPROPRIATE COLOUR TREATMENT, TO REDUCE THEIR SCALE AND IMPACT AND TO ASSIST THEIR INTEGRATION INTO THE LOCAL LANDSCAPE.

The County Council will normally require the removal of plant, buildings and haul routes as soon as possible once they are no longer needed for working or reclamation. When considering proposals pursuant to CA20(ii) the County Council will have regard to the effects of illumination in the open countryside.

Ancillary Operations

6.2.7 Under Part 19B of Schedule 2 of the GDO, development is permitted as ancillary to a working for the treatment or preparation of minerals. Such development includes value added processing, eg. ready mix concrete, mortar and asphalt plant and block and brick making works. The MPA can control the siting, design and external appearance of the proposed building, plant or machinery if the amenity of the neighbourhood would be injured. However where such secondary processing is proposed in relation to an importing depot then a full application for planning permission is required.

6.2.8 As a general principle, and so far as it is within the powers of the MPA to control, there is an initial presumption in favour of combined mineral working/importing sites with secondary ancillary processing operations where the major portion of the raw materials required for such operations is either won from or imported by rail or water to the site. This reflects sound traffic movement reasons for carrying out such preparation near to the main source of raw materials. Accordingly:

POLICY CA20A: AT ACTIVE WORKINGS AND AT RAIL DEPOTS AND MARINE WHARVES LOCATED OUTSIDE
ESTABLISHED INDUSTRIAL AREAS, THE COUNTY COUNCIL WILL PERMIT PLANT ADDITIONAL TO THAT REQUIRED TO WORK AND PROCESS THE MINERAL BEING DUG ONLY WHERE:

(i) THE MAJOR PORTION OF THE RAW MATERIALS REQUIRED FOR SUCH PLANT IS EITHER WORKED FROM, OR IMPORTED BY RAIL OR SEA ONTO THE SITE

(ii) THE SITE IS WELL RELATED TO THE DEFINED INTER URBAN PRIMARY OR SECONDARY ROUTE NETWORK

(iii) THE PROVISIONS OF POLICIES CA16 TO CA23 ARE MET

AND IN THE CASE OF MINERAL SITES THE COUNTY COUNCIL WILL REQUIRE THE PLANT TO BE REMOVED WHEN WORKING IS COMPLETE.

In respect of (i), at active workings the County Council will need to be satisfied that there are sufficient permitted reserves to justify the ancillary operation. In respect of (ii) mineral workings, wharves or depots not well related to the inter urban primary or secondary route network will not be considered suitable for ancillary operations. The last point reflects the County Council's view that ancillary operations are of a temporary nature when linked to a mineral working.

6.2.9 When considering whether there are any overriding objections and whether the provisions of Policies CA16 to CA23 can be met, the County Council will have regard to the principles set out in Appendices 3 to 5.

6.2.10 Within the Green Belt ancillary development, including such processing plant as requires specific planning approval, will not be permitted except in very special circumstances.

6.2.11 The Mineral Industry generally operates over the whole of the `traditional' working week i.e. between 7am to 6pm Monday to Friday and 7am to 1pm on Saturday, with no working on Saturday afternoons, Sundays and Bank Holidays. Where operational factors obtain greater flexibility is needed, for example to meet railway timetables, tides, special or urgent contracts. In each case hours of operations will be considered on their own merits. However because of the densely populated nature of Kent special justification for operating outside of the traditional working week will normally be required.

6.2.12 For these reasons, when giving permissions for mineral working and its supply the County Council will not normally make provision for maintenance work outside the traditional working week. However in recognition of the fact that exceptional situations may arise which necessitate some such work, conditions in the planning permission will be framed to allow for the approval of specific activities outside of normal hours if the exceptional circumstances are considered to warrant it.

6.2.13 Although there is a requirement under Rights of separate legislation for a right of way to be stopped, Wayup or diverted before it is obstructed, the County Council will take account,
as a material planning consideration, of the interests of footpath and bridleway users (eg. walkers and horse riders) when determining proposals for the working or supply of minerals. The use of primarily pedestrian rights of way to gain vehicular access to a site will normally be resisted. Accordingly:

POLICY CA21: WHERE PROPOSALS TO WORK OR SUPPLY CONSTRUCTION AGGREGATES COULD ADVERSELY AFFECT A PUBLIC RIGHT OF WAY, THE COUNTY COUNCIL WILL TAKE ACCOUNT OF THE INTERESTS OF ITS USERS.

If permission is granted the County Council will draw the attention of the applicant to his obligation to secure the diversion or stopping up of a public right of way before it is obstructed. Reversion to the original line of the footpath will be sought wherever that is practical.

LANDSCAPING THE SITE

Land- 6.3.1 Landscaping has two aims: firstly to screen operations from outside views and from nearby uses, particularly from dwellings; secondly in the longer term to assist the merging back of the site into the surrounding landscape. If possible and appropriate the restored area should become a landscape feature in its own right. Accordingly:

POLICY CA22: BEFORE MINERAL EXTRACTION OR SUPPLY COMMENCES THE COUNTY COUNCIL WILL REQUIRE TO BE SATISFIED THAT AN APPROPRIATE LANDSCAPING SCHEME IS AN INTEGRAL PART OF THE DEVELOPMENT.

The principles which the County Council would wish to see addressed in any scheme of landscaping are set out in Appendix 4.

RECLAMATION

Working and 6.4.1 The County Council accepts the reclamation principles set out in the Government's Guidance Note MPG7. It is essential that land worked for minerals is reclaimed to be capable of a sustainable and approved afteruse as soon as possible. There is a presumption that the best and most versatile agricultural land will be restored to the highest possible standard and as near as possible to the original grade. It is also an important principle that extensive mineral bearing areas are worked and reclaimed progressively, without a proliferation in the number of pits open at any one time. It will be expected that the intended afteruse of the site is identified at the outset so that operations can be directed towards achieving that use and any planning conditions will be framed with the intended afteruse in mind. Reclamation and afteruse requirements, as identified in Appendix 5, will be secured by conditions attached to a grant of planning permission. If there is serious doubt as to whether a satisfactory scheme of working and reclamation can be achieved, this will be a material factor in considering whether planning permission for mineral working should be given. Accordingly:

POLICY CA23: BEFORE ANY EXTRACTION OR SUPPLY COMMENCES THE COUNTY COUNCIL WILL REQUIRE TO BE SATISFIED THAT SATISFACTORY WORKING AND RECLAMATION SCHEMES ARE AN INTEGRAL PART OF THE PROPOSAL. THE SCHEMES SHOULD BE DESIGNED TO RETURN THE LAND TO A PLANNED AFTERUSE AT THE HIGHEST
STANDARD AND AS QUICKLY AS POSSIBLE, AND SHOULD TAKE ACCOUNT OF THE CUMULATIVE IMPACT OF ANY NEARBY WORKINGS.

The principles which the County Council requires to see addressed in any scheme of working and reclamation are set out in Appendices 3 and 5.

As a general principle, where reclamation of part of a site is not to be agriculture, forestry or for a built development, the County Council will seek to maximise any opportunities for nature conservation by encouraging the creation and enhancement of wildlife habitats and other conservation interests; these may be water areas.
6.5.1 It is an important objective for this Plan to provide an ordered framework to secure the marrying of archaeological interests with the community's requirements for minerals. Both known and potential archaeological interests need to be safeguarded.

6.5.2 Government policy on archaeology, as set out in PPG16: Archaeology and Planning (November 1990), is summarised in Appendix 1. The Government recognises that the desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications, whether that monument is scheduled or unscheduled. It also recognises the importance of allowing the opportunity for proper archaeological excavation in advance of development.

6.5.3 The Approved Structure Plan recognises that Kent has a particularly rich heritage of archaeological sites and ancient monuments. It is strategic policy to preserve them. Accordingly important archaeological sites and ancient monuments, whether scheduled ancient monuments or not, and their settings, will be protected and enhanced. Where development would lead to the destruction or sterilisation of an archaeological site or ancient monument, appropriate arrangements will be required for investigation and recording by a recognised archaeological team. Structure Plan Policy (BE4) is set out in Appendix 2.

6.5.4 In deciding whether there is any special justification for relaxing protection of an archaeological site or ancient monument, regard will be had to:

(i) its archaeological, historic, amenity and tourism importance;

(ii) the extent of destruction;

(iii) whether satisfactory arrangements can be made for prior investigation;

(iv) the case of need for the mineral working.

Applicants may be invited to furnish evidence of any justification.

6.5.5 Regard also needs to be had to the procedures of Practice set out in the Confederation of British Industry's 'Archaeological Investigations Code of Practice for Mineral Operators'.

6.5.6 For the purposes of considering proposals to work minerals, three levels of archaeological interest are identified:

(a) where the site, or part of it, is considered to be of such importance that the remains should be preserved in situ
(b) where preservation in situ cannot be justified, but excavations are considered to be necessary prior to working

(c) where excavation cannot be justified but a watching brief is considered to be necessary, to record finds of interest

A fourth level indicates no archaeological interest:

(d) where no archaeological response is required.

6.5.7 A three phase approach will be followed. The first step will be to establish whether there is any archaeological interest. The County Sites and Monuments Record should be checked to establish whether a Site of Archaeological Interest (as defined in the Town and Country Planning, General Development, Order 1988) would be affected. However, there may be other areas, not identified on the Record, where horizons of potential archaeological importance are buried beneath recent alluvial deposits. Accordingly, the earliest possible consultation with the County Archaeological Officer is strongly advised.

Assessment 6.5.8 The second step will be to ascertain the nature and importance of the archaeological interest. When assessing importance, regard will be had to the Secretary of State's criteria for the scheduling of ancient monuments (PPG16, Annex 13) which is reproduced at the end of Appendix 1. On those sites or parts of sites where an archaeological interest of potential importance has been identified to its satisfaction, the County Council will require further assessment in order to ascertain its nature and importance. The assessment may involve excavation and/or geophysical or other field survey to a specification approved by the County Council. Such work will be the responsibility of the operator and will ensure that all the relevant information is available to enable the archaeological interest to be properly identified before any proposal to work minerals is determined.

Preservation 6.5.9 The third step will be to secure appropriate safeguards for the archaeological interest. Policy in situCAS identifies the existence of an important archaeological site or ancient monument and its setting as a primary planning constraint against mineral working. So, where archaeological remains of importance have been identified which justify preservation in situ then there is a strong presumption against permission being given on that part of the site.

Excavation 6.5.10 Where archaeological excavation is considered to be necessary prior to mineral working, a detailed scheme of working will be required, to a programme and specification and by an archaeological body to be approved by the County Council.

6.5.11 On many sites there will be no known, or little potential, archaeological interest. Even so, it is an important planning objective to ensure that any archaeological evidence is not destroyed without the opportunity being provided for it to be recorded. Accordingly, mineral operators may be required to afford a watching brief and to make Brief available to archaeologists facilities of access to watch and if necessary to record any finds, whilst critical earth moving operations are taking place.

Watching
6.5.12 A planning application should show clearly how it is proposed to deal with the archaeological interest.

6.5.13 The applicant will need to have regard to the framework set out above, to Policies CA8A, CA8B, and CA8C and to the following policies:

**POLICY CA24:** On those parts of proposed mineral workings, or of proposed sites for the supply of minerals, where the County Council considers that archaeological remains of importance may exist, an archaeological assessment will be required to a specification and by an archaeologist or an archaeological organisation approved by the County Council before any application is determined.

**POLICY CA25:** On sites where remains of archaeological importance have been identified but where permanent preservation is not considered to be warranted, a scheme of working will be required to include provision to the satisfaction of the County Council for archaeological recording in advance of mineral extraction.

**POLICY CA26:** When granting planning permission for a mineral working, the County Council may require operators to afford access at all reasonable times to an appropriate archaeological organisation, and to allow that organisation to observe operations and to record items of interest and finds.

6.5.14 Some areas of search are already known to contain an archaeological interest of potential importance. In order for prospective operators to be able to establish the nature and extent of any interest, the earliest possible contact is advised with the County Archaeological Officer.
PART 7

THE RECLAMATION OF FORMER MINERAL WORKINGS
RECLAMATION OF FORMER MINERAL WORKINGS

7.1 The adverse view of the minerals industry by many members of the public results in part from their knowledge of past workings, either left derelict with abandoned plant and machinery, or only inadequately reclaimed. This legacy fuels the public's lack of confidence in the industry's ability and willingness to secure a high standard of reclamation.

7.2 Whilst sites worked since 1948 are subject to planning permission, early permissions may have no, or no adequate, reclamation conditions. There are also areas of dereliction resulting from workings which pre-dated planning controls. In such cases where reclamation has not been achieved the County Council will look to the industry to undertake the reclamation of derelict and despoiled workings still in their ownership. The County Council will encourage the reclamation of land under Section 1 of the Derelict Land Act 1982 which provides for grant aid for private companies and other bodies for reclamation works. The County Council will also, where possible and practical, pursue reclamation under the provisions of the Town Minerals and Country Planning (Minerals) Act 1981. The effectiveness of any action by the County Council will to a large extent depend upon the cooperation of the industry.

THE REVIEW OF MINERALS SITES

7.3 The review of mineral sites as required by the 1981 Act commenced in Kent on 1 August 1986. All sites which the Minerals Planning Authority has a duty to review (some 80 in total) were looked at along with some 50 sites which, although they had not been worked in recent times, had permitted reserves remaining (known as "dormant" sites). After consideration of the Survey, the County Council determined a first round of priorities. A programme of action has been authorised concentrating attention on those sites where it was considered that for planning reasons a resumption of mineral working would be undesirable. This action uses new powers available to the Mineral Planning Authority. Priority is now being directed to those sites where cessation of working could be secured through the making of Prohibition Orders - to prohibit the resumption of working.

7.4 Action under the Minerals Act to secure environmental improvements will be pursued by the County Council as an integral part of its duties as Mineral Planning Authority.
APPENDICES

Appendix 1   National Policy Considerations
Appendix 2   The Development Plan Framework
Appendix 3   Principles of Operation and Working
Appendix 4   Principles of Landscaping
Appendix 5   Principles of Reclamation
Appendix 6   Planning Requirements for Certain Areas of Search
NATIONAL POLICY CONSIDERATIONS

MPG1 and MPG6

1. Although there is always a presumption in favour of allowing applications for development, local policies for mineral extraction must balance the need for the development against environmental, social, agricultural and other relevant considerations.

2. Plans should indicate areas where mineral working may or may not be acceptable. Policies which rule out all forms of mineral working within an area will not normally be appropriate.

Safe-

3. Care must be taken to safeguard mineral deposits of economic importance against development that would sterilize them.

Extensions

4. Extensions to existing workings may generally be preferable to allowing new greenfield sites.

Agricultural

5. The agricultural implications of development must be considered together with the environmental and economic aspects. The best and most versatile agricultural land is a national resource for the longer term and should in general be protected from irreversible development. The agricultural quality of the land, the need to control the rate at which land is taken for development, the fact that minerals have to be worked where they occur, and the feasibility of a high standard of restoration are among the factors to be taken into account in deciding proposals for mineral working which affect agricultural land.

Areas of Outstanding Natural Beauty

6. Minerals applications in AONBs `should be subject to the most rigorous examination'; this Natural policy is also extended to applications affecting Beauty, National Nature Reserves (NNR) and Sites of Special Scientific Interest (SSSI). The need for the mineral Reserves must be balanced against other relevant considerations. Where consent is given, of careful consideration should be given to the need to impose conditions relating to the process of extraction and the restoration and aftercare of the site.

27/87.

7. In respect of nature conservation issues, the signatories (which included Britain) to the Ramsar Convention on Wetlands of International importance agreed to `formulate and implement their planning so as to promote..... as far as possible the wise use of wetlands'. Under the EC Directive on the Conservation of Wild Birds, the government is required to take special measures to conserve the habitat of all species of naturally occurring wild birds. In particular this means classifying the most suitable areas for these species as Special Protection Areas.

Before approving any development proposal affecting a site of...
international importance, it is imperative that the international conservation aspects are fully addressed. The Leybucht judgement in the context of SPAs is for the time being relevant. When the Habitats and Species Directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted unless the existence of imperative reasons of over-riding public interest can be proved, and there is an absence of alternative solutions. Developments within a Ramsar site should be the subject of similar rigorous examination.

8. Although careful consideration is needed, the protection given to other environmentally significant mentally statutory designated areas (AONB, NNR, SSSI).

9. The extraction of minerals need not be incompatible with Green Belt objectives provided that high environmental standards are maintained and that the site is well restored.

10. The need to protect the flow and quality of supply water should be taken into account.

11. Marine dredging has a very important role to play and should be encouraged as far as possible without unacceptable damage to sea fisheries and the marine environment, and at no risk to coastal erosion or navigation. It reduces the pressure to work land of agricultural or environmental value and the material can often be landed close to the point of demand. Local plans should endeavour to identify suitable locations for marine aggregates which.

12. Although there is no foreseeable prospect of materials becoming a major national source of aggregates, increased utilisation of wastes can reduce the demand for primary aggregates. Accordingly the use of secondary materials in a constructive and economic way is to national advantage and should be encouraged.

13. Coastal superquarries are expected to play a useful part in meeting some of the demands.

14. High quality silica sands are a relatively scarce resource and are of national importance. County Councils are advised to make provision for long term continuity of supply.

15. The objective must be to ensure that any environmental damage or loss of amenity caused by aggregate mineral working and ancillary activities is kept to an acceptable level.

16. There is a need for carefully designed working and phasing plans to cover landscaping, and screening, restoration and aftercare. Restoration Aftercare should be

17. Government advice is for Local Plans to include policies for the protection, enhancement and preservation of sites of archaeological interest and of their settings (see p.77 below).

18. The government recognises that archaeological remains are part of our sense of national identity and are irreplaceable, a finite and non-renewable resource. Care must be taken to ensure that remains are not needlessly or thoughtlessly destroyed. There should be a presumption in favour of the preservation of important archaeological remains, whether
scheduled or not, and their settings; this recognises that not all remains meriting preservation will be scheduled.

19. If physical preservation in situ is not feasible, an archaeological excavation to preserve 'by record' may be acceptable as a second best option. In these circumstances it would be entirely reasonable for the planning authority to be satisfied, before granting permission, that appropriate and satisfactory provision had been made for excavation and recording before development commences. This could be with an agreement, or by a condition prohibiting commencement of the development before any necessary archaeological works had been carried out.

**GOVERNMENT ADVICE**

*Landbanks*

20. A sufficient stock of permitted reserves (a landbank) should be maintained for all aggregate minerals through development plans. Landbank policies are suggested to ensure a rolling programme of permitted reserves to secure a continuous supply of material in the face of fluctuations in demand. The size of the stock of permitted reserves for each mineral should reflect the different lead times and different methods of operation which are involved. For sand and gravel, provision for at least 10 years extraction should be made unless exceptional circumstances prevail. For most types of rock a landbank of at least 20 years would not be inappropriate.

21. In the South East Region county landbanks are calculated by multiplying the 'apportionment' (see paragraph 2.1.11) by ten; this is as advised in SERPLAN RPC 1446.

22. Landbanks identified in Local Plans should be likely to become available to the minerals industry within the plan period.

23. Counties normally constitute the appropriate area for landbank purposes.

*MPG6*

24. Landbanks for sand and gravel in the South East should be sufficient for at least 10 years extraction at 1985 levels.
The following criteria, which are not in order of ranking, are used for assessing the national importance of an ancient monument and whether scheduling is appropriate. The criteria should not however be regarded as definitive, rather they are indicators which form part of a wider judgement based on the individual circumstances of a case.

(i) **Period**: all types of monuments that characterise a category or period should be considered for preservation.

(ii) **Rarity**: there are some monument categories which in certain periods are so scarce that all surviving examples which still retain some archaeological potential, should be preserved. In general, however, a selection must be made which portrays the typical and commonplace as well as the rare. This process should take account of all aspects of the distribution of a particular class of monument, both in a national and a regional context.

(iii) **Documentation**: the significance of a monument may be enhanced by the existence of records of previous investigation or, in the case of more recent monuments, by the supporting evidence of contemporary written records.

(iv) **Group Value**: the value of a single monument (such as a field system) may be greatly enhanced by its association with related contemporary monuments (such as a settlement and cemetery) or with monuments of different periods. In some cases, it is preferable to protect the complete group of monuments, including associated and adjacent land, rather than to protect isolated monuments within the group.

(v) **Survival/Condition**: the survival of a monument's archaeological potential both above and below ground is a particularly important consideration and should be reassessed in relation to its present condition and surviving features.

(vi) **Fragility/Vulnerability**: highly important archaeological evidence from some field monuments can be destroyed by a single ploughing or unsympathetic treatment; vulnerable monuments of this nature would particularly benefit from the statutory protection which scheduling confers. There are also existing standing structures of particular form of complexity whose value can again be severely reduced by neglect or careless treatment and which are similarly well suited by scheduled monument protection, even if these structures are already listed historic buildings.

(vii) **Diversity**: some monuments may be selected for scheduling because they possess a combination of high quality features, others because of a single important attribute.

(viii) **Potential**: on occasion, the nature of the evidence cannot be specified precisely but it may still be possible to document reasons anticipating its existence and importance and so to demonstrate the justification for scheduling. This is usually confined to sites rather than upstanding monuments.

Reference will be made to the above criteria and to professional judgement when assessing the importance of an archaeological site in national, regional or local terms.
THE DEVELOPMENT PLAN FRAMEWORK

THE APPROVED KENT STRUCTURE PLAN

The following policies are of direct relevance to the working and supply of construction aggregates in Kent. Others, for example the strategic and economic development policies, may also be applicable in some circumstances.

MINERALS

MWD1: Before permitting any mineral extraction or associated plant and buildings, the County Council will require to be satisfied that there is a need for such development which would override a material agricultural, landscape, conservation or environmental interest. Further, permission will only be granted if there are adequate access proposals, measures to minimise disruption to the landscape and local environment, to landscape the site, to remove plant or buildings after workings have ceased and to restore the land to an appropriate after-use, normally as working progresses. Wherever appropriate a period of aftercare will also be required. Steps will be taken to prevent the sterilisation of known resources.

MWD2: In order to ensure the continuing provision of minerals to meet the needs of Kent's construction industry, and to extend the life of Kent's land won sand and gravel resources, the County Council will encourage the import of construction aggregate, the use of substitute materials and the development of acceptable alternative local sources of supply. In respect of the latter, subject to Policy MWD1, the County Council will give favourable consideration to proposals for limestone mining in East Kent; when assessing Kent's land won construction aggregate requirements, no account will be taken of this project until production is assured.

MWD3: Pursuant to Policy MWD2 there will be a presumption in favour of proposals for marine terminals and wharves and rail depots, to receive and process imports of marine dredged aggregate, drystone and other aggregates on appropriate sites. In assessing whether a site is appropriate the County Council will consider all material planning interests, including those relating to agriculture, landscape, conservation, environment and access.

MWD4: The County Council will seek to maintain a land bank of permitted reserves of sand and gravel and ragstone sufficient for at least 10 years' production at 1985 levels. There will be a presumption in favour of proposals for the extraction of sand and gravel and ragstone at appropriate locations pursuant to Policy MWD1, that would release additional land to enable a level of production from land-won workings of about 2.0 million tonnes per annum of gravel and concreting sand, about 1.9 million tonnes per annum of building sand, about 0.25 million tonnes per annum of industrial sand and about 0.6 million tonnes per annum of ragstone, to be maintained countywide.

AGRICULTURE

CC 1: Development which will cause a loss of productive or
potentially productive agricultural land, or reduce the viability of farm holdings, will not be permitted, unless it can be demonstrated that the need for the development overrides agricultural considerations and no alternative site on non-agricultural land is available.

CC 2: Policy CC 1 will be applied with particular force in respect of land classified as Grade 1 and 2 (as defined by the MAFF land classification system) or on the better Grade 3 land, where there will be a presumption against development, other than for the purposes of agriculture.

CC 3: Seven Areas of Special Significance for Agriculture are defined:

North West Kent Market Garden Belt
Hoo Peninsula
North Kent Horticultural Belt
North East Kent
Ightham to Pluckley
North East of Ashford
Romney Marsh

The local planning authorities will give long term protection to these areas and will give priority to the needs of agriculture over other planning considerations.

(NB. These agricultural policies are to be reviewed in the Structure Plan 3rd Review, in the light of current national considerations; as reflected in DoE Circular 16/87).

COUNTRYSIDE CONSERVATION

CC 5: (i) In considering proposals for development or tree felling in the countryside existing trees and woodlands will wherever a practicable be conserved when they contribute significantly to the wildlife, the landscape or the appearance of a site or its locality.

(ii) The County Council will plant trees or grant aid tree planting in the countryside, where this will significantly improve the landscape, with priority given to areas seriously affected by Dutch Elm Disease.

(iii) Tree Preservation Orders will be made to protect trees and woodlands as necessary if their loss would seriously impair wildlife or the landscape.

CC 6: Development will normally not be permitted if it is likely to cause a loss of, or material damage to, landscape areas and features which are:

(i) representative of the Kent countryside by reason of their physiographic character or vegetation cover, with particular regard being paid to those areas of rare or possibly unique quality; or

(ii) of historic interest; or

(iii) of an unspoilt quality free from urban intrusion.
CC 7: Special Landscape Areas are defined as follows:

North Downs : including the scarp and crest
Greensand Ridge: from Westerham to Ightham : south of Maidstone
High Weald
Old Romney Shoreline
North Kent Marshes
Sandwich Bay/Pegwell Bay
Dungeness, and
Blean Woods

The local planning authorities will give long term protection to these areas, which incorporate the Kent Downs and proposed High Weald AONB, and will normally give priority to their landscape over other planning considerations.

CC 8: Development will not be permitted at or near nature reserves or Sites of Special Scientific Interest, unless it can be shown that the proposals will not materially harm the maintenance of the scientific interest.

CC 9: In the following areas of high nature conservation value, the policy is not to permit development harmful to the maintenance of scarce and potentially vulnerable wildlife habitats:

North Kent Marshes
North Downs Scarp and Crest
Dungeness
Sandwich Bay/Pegwell Bay
Blean Woods

CC 10: In areas to which Policies CC 8 and CC 9 do not apply development will not be permitted if it is likely to cause a loss of habitats or features which have importance for nature conservation, unless it can be demonstrated to the satisfaction of the local planning authorities that the need for the development overrides the nature conservation interest and no appropriate alternative site is available.

CC 11: Development, particularly urban or industrial development, will not be permitted if it materially detracts from the unspoilt scenic quality of scientific value of the undeveloped coastline, whether such development is on the coast or in the adjoining countryside.

RURAL SETTLEMENTS

RS6: Development will not normally be permitted in rural Kent other than at the villages or small rural towns unless, inter alia, it is demonstrated to be necessary to agriculture, forestry, the winning or import of minerals or other land use essentially demanding a rural location.

ARCHAEOLOGY

BB4: In the control of development and through policies and proposals in local plans:

(i) the archaeological, architectural and historic integrity of ancient monuments and of buildings of special architectural or historic interest and the character of their settings will be protected and enhanced;
(ii) changes of use will normally be permitted where these would provide the best reasonable means of conserving the character, appearance, fabric, integrity and setting of ancient monuments and buildings of special architectural interest;

(iii) important archaeological sites and their setting will normally be protected. Where development would lead to the destruction or sterilisation of archaeological sites, appropriate arrangements will be required for investigation and recording by a recognised archaeological team.

TRANSPORT

T5: The County Council and its agents will advise developers how to overcome any traffic problems likely to be generated by their proposals.

T6: Exceptional circumstances will be needed to justify proposed development which involves construction of new accesses onto the defined inter-urban primary or secondary route network or increased use of existing accesses onto primary or secondary routes or the continuation of these routes into urban areas where local plan policies for these routes have not yet been formulated. There will normally be a presumption that new development should have access via an access road onto a local route.

T7: Exceptional circumstances will be needed to justify proposed development that generates significant volumes of traffic, especially commercial vehicles, if it is not well related to the defined inter-urban primary or secondary route network or the continuation of these routes into urban areas where local plan policies for these routes have not yet been formulated.

T8: Before proposals for new development are permitted, the Local Planning Authority will require to be satisfied that highway improvements, the need for which arises wholly or substantially from the development in question, are or will be provided.

T11: All new development will normally be required to provide parking in accordance with the County Council's Vehicle Parking Standards.....

T12: Traffic management measures and road improvements will be carried out where they are a cost effective means of protecting the environment.

T13: As far as possible all traffic outside urban areas will be channelled onto the County's primary and secondary route network.

T14: As far as possible all long-distance traffic in urban areas will be channelled onto primary distributor roads and traffic between and within residential, industrial, and principal business districts of the same town, will be channelled onto district distributors.

PORTS

P1: The growth of cross-Channel traffic at Kent ports will be supported; road and rail improvements will be encouraged, provided the economic benefits can be shown to outweigh any environmental disadvantages. This policy will continue to
apply after the completion of the Channel Tunnel, and diversification into alternative uses, where compatible with other planning policies, will be supported in order to maintain the viability and continuing functioning of the ports.

P3: The growth of cross-Channel traffic through the port of Dover will be supported. An inland site for port operational uses will be accepted on the A2 route to the port, especially as part of a comprehensive development, assuming that land cannot practicably be made available by further reclamation within Dover Harbour. Suitable alternative uses within Dover Harbour, including leisure and tourist developments will be encouraged.

P4: The growth of cross-Channel traffic through Port Ramsgate, based on the present extent of port operational land, will be supported. Subject to completion of a new access, further expansion of the port operational area and suitable diversification of the port will be accepted, subject to environmental considerations and nature conservation constraints.

P6: The growth of cross-Channel traffic through Folkestone based on the present extent of port operational land will be supported, and proposals for further expansion will be assessed in the context of their demands on infrastructure and in the light of Structure Plan conservation and environmental policies. If cross-Channel services cannot continue, with or without completion of the Channel Tunnel, development of the port area including commercial, tourist and leisure uses will be encouraged, subject to access.

P7: The expansion of Sheerness port to facilitate the growth of cross-Channel traffic and deep sea trade will be supported. The necessary improvements to the A249 will be encouraged as part of this expansion.

P8: The further development of Dartford International Ferry Terminal will be supported, and the provision of a rail link into the site encouraged.

P9: The growth of cross-Channel traffic at Chatham will be supported subject to access, traffic and environmental considerations.

P10: The expansion of port traffic at wharves in Kent including Rochester, Ridham Dock, Whitstable Harbour and Richborough will be supported subject to traffic and other environmental considerations.

P11: The development of new ports and wharves on sites not currently used or approved for this purpose will not be permitted outside urban areas, unless a strong justification can be shown, having regard to infra-structure costs, economic impact and environmental considerations.
APPENDIX 3

PRINCIPLES OF OPERATION AND WORKING

1. The Key elements in operation and working are:-

   **Plant,**
   **Machinery**
   (a) excavating plant
   (b) processing plant

   **Buildings**
   (c) internal transport arrangements
   (d) external transport arrangements

   The main principles are to minimize the visual impact and to ensure adequate protection for the local community from any adverse effects of the working itself and of noise and dust generation.

   So far as plant and buildings are concerned this will mean:-
   
   i) keeping the height as low as possible, including where necessary their placing below ground level
   ii) grouping to facilitate screening and reduce sprawl
   iii) siting to take advantage of topography and natural cover
   iv) painting to reduce obtrusiveness

   Government regulations give a general planning permission to certain types of development which are ancillary to mineral working (eg. the erection of plant and buildings). This is known as 'permitted development'.

   The impact on the locality of plant and buildings is normally such that when granting permission the County Council will withdraw permitted development rights, so as to be able to control siting, design and external appearance.

   In respect of internal transport, the use of conveyors rather than wheeled transport is encouraged. Any haul route must be designed so as to minimize noise and dust nuisance; to this end haul routes will have an even surface and be well drained.

   2. Plant and machinery will be removed from the site as soon as it is no longer required.

   **Noise**

   3. Proposals should be accompanied by information on the prevailing background noise levels, together with an assessment, at the site boundaries, of:-

      (i) maximum noise levels;
      (ii) variations during the day.

   4. Noise is more intrusive when ambient levels are low. This applies particularly to the early morning and so particular attention will be paid to plant which is proposed to be used before the normal start time of 7am. There is no substitute for reducing noise at source. Noise can be reduced by cladding of plant or by using modern sound suppressed equipment and vehicles. Acoustic screens can be used in noise sensitive areas. Where necessary batch heaters in a coating plant should be enclosed and insulated in all but the most isolated locations.

   5. Whenever Health and Safety legislation requires the use of audible reversing warning, then means of design and operation will be required to address in a positive manner the inevitable conflict between safety and amenity. If such noise is considered to be unacceptably intrusive in surrounding
areas then permission will be refused.

**Traffic**

6. If access from the site to the primary road network is gained more appropriately by a specific route then the operator may be required to enter into a formal agreement to secure the desired routing. In some circumstances it may be appropriate to secure access and egress from different directions.

**Dust**

7. If the excavated material could be subject to windblow then the sheeting of loaded lorries will be required.

**Protection**

8. Safeguards are needed to prevent water pollution of water courses, working areas must be completely segregated - provision for the discharge of water from any washing plant may need to be agreed.

9. So far as the working itself is concerned, the County Council will take into account any physical constraints on the land. Where the possibility of ground instability is suspected, applications will be required to be accompanied by a stability report, describing and analysing the relevant issues and demonstrating how they would be overcome. Further information is contained in PPG14 (Development on Unstable Land).

**Ground Instability**

10. Adjoining land will need to be protected in order to safeguard land drainage interests. An unexcavated margin of at least 30 metres will normally be required alongside the banks of main rivers, and 15 metres alongside Internal Drainage Board watercourses. The face of workings adjacent to these margins will normally be required to be battered to a slope not steeper than 5 horizontally to 1 vertically, and maintained at that angle.

**Land Drainage**

11. The County Council recognises that a high standard of site management is a major factor in securing and maintaining a minerals operation which minimises its environmental impact. The County Council will look to the industry to achieve this standard. It means not only complying with planning requirements but also acting as a good neighbour and a responsible member of the local community. Regular litter collection, maintenance of verges, advance warning to local residents of new operations, are all examples of good practice. The environmental management (audit) system outlined in The Minerals Industry, Environmental Performance Study (HMSO 1991) is commended as a framework for establishing and maintaining good practice. Ensuring that lorries are not waiting for opening time either at the gate or in the immediate vicinity is an example of good practice. For its own part the County Council will monitor operations to ensure that the requirements of the planning permission are met and will investigate claims of unauthorised activities. Town and Parish Councils can play a part in the monitoring process.

**Site Management**

12. As regards being a good neighbour in the local community, the County Council supports the setting up of regular local liaison between representatives of local residents (normally the Parish or Town Council) and the operator.
PRINCIPLES OF LANDSCAPING

1. When considering proposals for mineral working or its supply, the County Council will examine the implications for the local landscape. If it is concluded that the intrusion into the landscape would be unacceptable, then permission will normally be refused. Features of landscape importance, which should normally be protected, include ancient woodland, historic parkland and gardens, hedgerows and trees (eg. old pollards) of particular historic or landscape importance.

2. Permission will not necessarily be refused if a satisfactory land form can be recreated. In circumstances where it is considered that in principle the impact on the landscape can be accepted, then when dealing with the details of landscaping the main objectives will be:

(i) in the short term to screen views and to soften the impact of operations. This will include the provision and maintenance of perimeter landscaping.

(ii) in the longer term to enhance the appearance of the locality and to assist in the merging of the worked site back into the surrounding landscape as restoration proceeds. This will mean recreating the original variety. Regard will also be had to nature conservation enhancement.

(iii) to restore habitat continuity and wildlife links with the surrounding countryside, and to maximise nature conservation interests in the design and composition of the landscape scheme.

3. A detailed landscaping scheme will be approved before extraction or import commences. Professional advice should be sought.

4. As many as possible of the existing landscape features should be retained and where necessary physically protected from damage, for example by fencing and/or a buffer zone.

5. Replacement planting, which should be at least on a one to one/equal area basis, should be of indigenous species and of a diversity reflecting the existing vegetation types in the area. Seed mixes should also be of native origin, avoiding vigorous hybrids. In certain special circumstances, for nature conservation reasons, some natural colonisation may be appropriate. Unsuccessful planting can often be ascribed to failure to observe the success of local species and reference is recommended to 'Atlas of the Kent Flora' (Philp, 1982).

6. Single rows of trees and shrubs have a limited impact and may add to the artificial appearance of the new landscape. As a general principle blocks of planting or 'shaw' type shapes are preferred.

7. Wherever possible, screen planting and earth modelling should be integrated into long term restoration proposals without major alteration. Screening and screen planting should normally be implemented in the first planting season following the grant of permission.
8. Temporary screening with topsoil and overburden should be seeded at the first opportunity. A gentle gradient on its outward facing slope will reduce the artificial appearance. Care should be taken however, to ensure that the loss, dilution or mixing of valuable soil reserves needed for agricultural restoration does not occur due to this action.

9. Landscaping should be designed and implemented with the eventual after use and landform in mind. The approved scheme will be implemented at the first available opportunity and so phased with the working and restoration schemes. For example tree planting and hedgerows, if created as soon as possible, will have the chance to become established before operations finish.

10. Maintenance is a major consideration and the planning permission will require a detailed scheme of management for the life of the site and its aftercare period. A maintenance agreement (to include a 5 year schedule setting out the required annual operations) should be concluded to ensure that the planting is protected from damage, watered, fertilized and kept weed free, and that losses are replaced promptly.
Reclamation is defined in the Government's Minerals Planning Guidance Note 7 as:-

'operations designed to return the area to an acceptable environmental condition'.

On this basis reclamation comprises:-

* restoration
* aftercare
* operations which occur both before and during mineral extraction (eg. the stripping and protection of soils)

1. Before granting a permission for mineral working the County Council will need to be satisfied that the site can be reclaimed satisfactorily, including the need to protect water resource interests. The drawing up of practical proposals for reclamation will require a careful site investigation prior to the submission of an application. The investigation will identify soil resources by defining the amounts and characteristics of topsoil, subsoil, soil-making materials and overburden, drainage and original landforms.

2. As a first principle progressive working will be sought. Not only does this minimize the amount of land open at any one time, but it also facilitates early and then progressive reclamation. An additional advantage is that if the quarry is worked to its full depth at one point then plant and machinery can be placed below surrounding ground levels. A method of working will be sought which minimizes the amount of land out of its normal use; this will form an integral part of any planning permission and be controlled by conditions. A productive use will be expected to continue on land not yet worked, and to be re-established as soon as possible on restored land. Accordingly in active quarries a balance will be sought between rates of extraction and restoration.

3. The opening of a new quarry can be by far the most intrusive phase of the whole operation. Accordingly the starting point and the sequence of working are important considerations.

4. A sustainable after use will be required, which becomes an integral part of the local scene. In some cases built development may be appropriate. Selection of the afteruse will entail attention to adjoining uses and to adjoining landscape features such as planting, landform and water. The government's policy to encourage diversification of the rural economy does not mean a lessened commitment to high standards of reclamation. In certain circumstances nature conservation can be accepted as a justified and viable afteruse. In any event provision for some wildlife habitats will always be sought. The appropriate District Council will be consulted on restoration and afteruse proposals.

5. The creation of extensive new water areas will not be acceptable on the best and most versatile agricultural land, and elsewhere will be acceptable only if:-
(i) a water feature is acceptable in the local landscape;
(ii) a realistic water based after use can be demonstrated and a need established. This could include the storage of water for its own sake.

All wet pits should be capable of supporting features of nature conservation value. The main elements in such a use are maintenance of high water quality, an irregular shoreline, shallows and islands and recolonization by indigenous species of water plants, shrubs and trees.

6. Where an agricultural after use is proposed the County Council will require restoration to the highest possible standard and as near as possible to the original grade. As a general principle an agricultural after use will be sought on the best and most versatile agricultural land and schemes of restoration and aftercare will be sought to enable such land to retain its long term potential as an agricultural resource.

7. The key to good land restoration is the correct management of soil resources. Topsoil and subsoil need to be stored and replaced in the correct sequence and in good condition so as to be able to carry the after use. Importing 'alien' substrata should be avoided. The planning permission will control the height, shape and location of soil storage heaps, as well as their management during storage, such as by seeding and weed control. The main principles are:-

(a) Topsoil has its own special characteristics of structure, organic matter, nutrient content and biological activity which, once lost, take many years and much effort to replace. Therefore topsoil, subsoil and other overburden should always be stripped separately and then either stored in separate mounds, or directly replaced in the correct sequence of defined thickness. Where possible, immediate replacement is better than intermediate storage (and also cheaper because double-handling is avoided). However, in the early stages, immediate replacement is impossible and it will have to be stored; often this same material can be used to advantage in creating temporary screen mounds.

(b) Movement of soil must be such as to minimise loss of structure by compaction, smearing, etc. The delicate balance of soil, humus, water and air is easily destroyed by careless handling or use of inappropriate machinery. Some soils are more susceptible to damage than others, and therefore a prior soil survey is important in suggesting ways in which the particular soil should be handled. A corollary of this is that soil stripping machinery should as far as possible follow defined routes which avoid running over topsoil and subsoil. Mechanical subsoiling will be required if necessary to relieve compaction.

(c) Soil should only be moved when soil and weather conditions are suitable: this is because wet soils are more easily damaged by smearing and compaction when soil movements are taking place. Wetness is difficult both to define and predict in the variable English climate. However, soil operations should generally
only be carried out between 1st May and 30th September. Outside this period, unless there is an exceptional dry spell, any apparent dryness is liable to be confined to the surface layers, or operations may have to be called off at short notice because of further rain. Even during the summer careful efforts of soil handling and restoration generally will be vitiated by persisting in soil movement during wet weather. Operators will be expected to use the best techniques for the handling of soils. Criteria for the control of soil movement need to be determined for each site individually since soils differ so much in character.

(d) The timescale over which topsoil in particular is kept in storage heaps should be minimised. When constructing soil stockpiles excessive compaction can be reduced by creating low wide mounds rather than tall narrow ones (3m maximum). It is likely that soils will deteriorate during storage by becoming anaerobic, and bacteriological activity in stored soils diminishes with depth and earthworms will be absent. So, even low heaps will deteriorate over long periods. This is linked to point (a) above about direct replacement where possible. There is evidence that topsoil heaps can be maintained in better heart by promoting grass growth on them. This is also desirable from an amenity point of view.

8. Where restoration is to be by infilling of imported materials, a permission will normally require phased working such that restoration progresses behind the extraction. If sufficient fill is unavailable at any time, extraction would be delayed to allow the progression to be maintained.

9. Where restoration is to be by infilling the planning permission will seek progressive backfilling and control over the intended gradients, drainage and contours of the final surface of the fill. This may involve surcharging of the site to allow for likely settlement. However in floodplains, final levels should be no higher than the original ground level. Where protection of the water supply is important, special consideration will need to be given to the materials used, to the method of restoration and to the final gradient. Where infill may generate harmful gases, special attention will be given, pursuant to DOE Circular 17/89, to all such proposals and in particular to those which are nearer than 250 metres to other development.

10. Where restoration to or near original levels is not sought, graded side slopes will be required which maintain a relationship with surrounding topography. This will mean appropriate variations in gradient and as a general rule the maximum slope sought will be 18°; this is also the limit for two-wheel drive tractors and for most forestry machinery. 11° would facilitate an agricultural after use. 7° is the maximum for high grade agricultural land and the limit for precision seeding and harvesting equipment.

11. When material is being replaced, careful ground preparation is necessary. If the soil has become compacted, deep ripping may improve drainage and root penetration. Early drainage is vital and invariably a piped drainage system will be required.
12. Where nature conservation is the proposed after-use, provision should be made for it to relate to and complement surrounding wildlife corridors. Any infilling will need to be consistent with nature conservation requirements and in circumstances where a lower nutrient status is preferred, the existing topsoil would not be reused.

Many mineral excavations can provide valuable wildlife habitats, especially where there is adjacent habitat to act as a source of colonisation and where substrata is exposed which allows the development of a range of species which tended to be ousted by competition from nutrient rich conditions.

Where nature conservation is the proposed after use, it may be appropriate to retain the exposures of strata. The interest may develop on the quarry floor or walls and so infill should be avoided or undertaken to a lower level to leave a "cliff effect".

The key is to plan the site prior to excavation. All wet pits should be capable of supporting features of nature conservation value. The main elements in such use are maintenance of high water quality, an irregular shoreline, shallows and islands and recolonisation by indigenous species of water plants, shrubs and trees. In dry quarries such as ragstone, a rough irregular surface with a variety of aspects will facilitate colonisation.

Where some restoration is undertaken, it may be better not to replace topsoil but to retain the lower fertility of the subsoil. Planting may not be necessary in all areas if there are sources of natural colonisation nearby.

Native trees and shrubs should be used where planting is undertaken. Any seed mixes for grassland areas should be of native origin, avoiding vigorous hybrids. Herbicides and fertilisers should normally be avoided.

A long term programme of management and monitoring should be prepared and undertaken. Management regimes of grass mowing etc. should be geared towards ecological objectives.

Where appropriate, access can be encouraged and environmental education facilities provided. This will help in creating an impression of a nature conservation afteruse as a positive initiative.

13. Aftercare needs to be seen as a long term commitment, and provision for it built into the initial planning of the overall scheme. Where the proposed after use is agriculture, forestry or amenity, the County Council will require at least a five year period of aftercare (maintenance in the case of nature conservation) following completion of restoration. Specific steps will be required to treat the land to bring it to an appropriate standard. The ultimate aim is that over time the reclaimed land does not have to have treatment very different from undisturbed land. However, the use of fertilisers and herbicides should be confined to proposed agricultural areas; they are normally detrimental to the creation or retention of nature conservation interest. Aftercare begins from compliance with the restoration conditions on particular parts of the site and can include steps such as planting, cultivating, fertilising, watering,
draining and measures designed to control leachate and landfill gas (as advised in Department of the Environment Circular 17/89).

14. Where the land is to be retained in grass during that period, aftercare will involve continuing maintenance including further soil testing, application of fertiliser, and possibly re-seeding as appropriate. Normally the best method of promoting good growth and preventing weed growth is to let out the land for controlled grazing. However, over-intensive grazing, or grazing in wet weather, particularly by horses or cattle, can be counter-productive resulting in ‘poaching’ of the soil and killing off the grass. Sheep are often best. An alternative to grazing is to cut for a hay or silage crop. Failing this, mowing will be needed. In some cases arable cropping may be desirable during the aftercare period.

15. On steeper slopes of a former quarry margins, permanent retention of the land for grazing may be best; or forestry may be an alternative. There is an interplay here between quarry gradients, landscape impact, farming practice in the surrounding area, and commercial considerations of alternative after-uses, which requires careful planning at an early stage if the end result is to be successful in environmental and land management terms. On the flatter quarry floor, it may be possible after an initial period to consider arable cropping.

Machinery

16. The use of equipment will be required which minimises the impact on the local area. This will apply particularly to potentially noisy operations and to those relating to soil movement.
APPENDIX 6

PLANNING REQUIREMENTS FOR CERTAIN AREAS OF SEARCH

Pursuant to Approved Structure Plan Policy MWD1 and to the policies in this Plan, applications in the following areas will need to have particular regard to the considerations identified.

These considerations are intended to advise prospective applicants of important matters identified during preparation of the Plan. They should not be regarded as comprehensive. When preparing an application, early discussion with the planning authority is strongly recommended.

INSET A

Land north of Dartford

* Provision of a route to the A282/Dartford Tunnel Approach Road will be a pre-requisite to any permission. Lorry traffic through the Temple Hill residential area will not be permitted.

* A scheme of mineral working and reclamation will be required which does not prejudice uses proposed in the Dartford Local Plan. This will include the need to both retain and enhance an appropriate environmental context for future uses.

* An application will need to identify all nature conservation interests. This will include an assessment of the different marsh habitats, wildlife and the existing dyke system. An assessment will also be required of the hydrological impact of mineral working. The application will set out any steps proposed for the safeguarding, retention and enhancement of the nature conservation interest. To this end a method of working and reclamation will be required which retains at least the majority of the existing dyke system and ensures that reclamation (particularly in respect of final land levels) is consistent with the nature conservation objectives of the Dartford Local Plan.
* Prior to any working English Nature will be requested to review the extent to which the Dartford Fresh Marshes qualify for SSSI status.

* Proposals will need to demonstrate that the foundations of Littlebrook Power Station would not be affected by alterations to the water table.

The following additional considerations apply to land east of Joyce Green Lane.

* Proposals for extraction will need to be considered against the context of the acknowledged strategic importance of the economic development potential of the area, the policy basis for which is set out in the Kent Structure Plan and the Borough of Dartford Local Plan.

* Accordingly any extraction must be co-ordinated with other developments or redevelopments in the area. This will be done in such a way as to protect the planned acute hospital at Darenth Park. It will also be essential to ensure that progress on important built development proposals, such as the proposed university campus, is not prevented or delayed.

* The need to safeguard a satisfactory water table regime in the general area.

* The need to ensure satisfactory operational conditions for the continued use of Joyce Green Hospital.

Land at Blackdale Farm

* Any proposals would need to take account of adjoining road schemes. Safeguarding Policy CA10 will apply.

INSET B

* Appropriate road access will need to be secured.
This may include a haul road direct to the A226.

Land in the vicinity of Queen’s Farm and East Court Farm

An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement. To this end regard will be paid to any relevant conclusions from the North Kent Marshes Study.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

INSET C

Land at St Mary Hoo and Allhallows

The Highway Authority will need to be satisfied that both the local highway network and the Ratcliffe Highway are capable of taking any additional movements proposed.

INSET D

Land in the vicinity of Kingsnorth

A scheme of working and reclamation will be required which does not prejudice the employment/development proposals in the Medway Towns Local Plan.

* Access will be required direct to the A228 such that traffic avoids Hoo village.

Land between Hoo and Kingsnorth

* Access will be required direct to the A228 such that traffic avoids Hoo village.

* An application will need to identify nature
conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

**INSET E**

Land at Isle of Grain Terminal

* Although only the frontage land is identified on the Proposals Map as a location for wharf/depot pursuant to Policy CA4, there would be no objection in principle to plant within the employment area identified on the Medway Towns Local Plan.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

**INSET F**

Land at Sheerness

* Any proposal which resulted in a significant increase in road traffic should
await the Iwade Bypass - Queenborough improvement scheme. Detailed traffic movement data would need to be considered.

* There will be a presumption against any proposal which damages the nature conservation interests of the Medway Estuary and Marshes SSSI.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

**INSET G**

Land at Ridham Dock

* Satisfactory arrangements will need to be made to secure the interests of users of the Saxon Shore Way Long Distance Footpath.

* Any proposal which resulted in a significant increase in road traffic should await the Iwade Bypass - Queenborough improvement scheme. Detailed traffic movement data would need to be considered.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the
existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

**INSET H**

Land to the north of Joco Pits at Borough Green

* Working and reclamation proposals will be required to meet the local landscape and afteruse policies of the Adopted Borough Green and Platt Local Plan.

* An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

**INSET J**

* Applications for mineral supply will need to have regard to the safeguarded line of the Rail Link.

Holborough

* An application will need to have regard to the proposals of the Medway Gap and Vicinity Local Plan.

**INSET K**

* Applications for mineral working or supply will need to have regard to the safeguarded line of the Rail Link.

Land at Allington Quarry

* Development proposals will need to have regard to the need to protect the Geological Conservation Review Site.

**INSET L**

Cliffe

* An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

* An application will need to be weighed against any
nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

Mineral supply proposals leading to additional road traffic will not be permitted.

**INSET M**

Land at Ham Farm, Faversham

* Working and reclamation proposals will be required to return the land to high grade agricultural use, in accordance with the Adopted Faversham Local Plan.

**INSETS N**

Land in the vicinity of Tonford Manor

* Working and reclamation will be required to make positive proposals to implement the public access, riverside, and landscape setting policies, and to further the landscape enhancement policies, in the Adopted Canterbury City Local Plan.

* Regard will need to be paid to securing satisfactory arrangements for any necessary diversion of public paths, in particular the Stour Valley Walk.

Land adjoining the A2

* An application will need to be accompanied by a geotechnical report demonstrating that there would be no risk to the stability of the A2. As a general guide the top of any excavation should be a minimum of 30 metres from the A2 fence line.
Land at Horton Manor

* An archaeological investigation of the site will be required before any working is permitted.

* An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

INSET O

* An application will need to have particular care in selecting and landscaping the site of any processing plant and machinery. The location of fixed plant and machinery off site may be necessary.

* Access from any working or plant site should be aligned to make travel in any direction other than direct to A299 difficult, unless traffic regulation measures prevent the use of Margate Road by heavy vehicles.

INSET P

Land to the west of Sturry

* A scheme of working will be required to make positive proposals to implement the public access, and landscape setting policies, and to further the landscape enhancement policies, in the Adopted Canterbury City Local Plan.

* An application will need to be accompanied by an archaeological assessment pursuant to Policy CA24. The nature of the assessment and the area to be covered, which should be substantial, are to be determined in consultation with the MPA.

* The Highway Authority will need to be satisfied that the local highway network is capable of taking any additional traffic
movements proposed. In particular direct access to A28 in advance of the Sturry Bypass would be unacceptable.

* Restoration proposals should recognise the nationally important setting of Canterbury. The creation of lakes following extraction will not be acceptable.

* An application will need to have regard to any possible hydrological impact on the nearby Stodmarsh potential SPA.

**INSET Q**

* Any proposal involving a large generation of traffic would be considered as premature in advance of the Sturry Bypass.

* An application would need to identify nature conservation interests both at and in the vicinity of the site, and to set out any steps proposed for their safeguarding, retention and enhancement.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

**INSET R**

Land at Richborough * Satisfactory arrangements will need to be made to secure the interests of users of
the Saxon Shore Way Long Distance Footpath.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

**INSET S**

Land west of Barden Park

* An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

* No access will be permitted to the road between Powder Mills and Leigh.

**INSET U**

Land in the vicinity of East Peckham

* Any proposal involving an increased generation of traffic would be considered as premature in advance of the Hale Street/East Peckham Bypass.

* An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

* Recreational factors will also need to be taken into account.

Land north of Postern Heath Farm, around Hartlake Farm

* Restoration and after-care proposals will be required which return
and to the south east of Stilstead Farm

Land at Tanyard Farm

An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement. Any application will need to make provision for the exclusion of the dykes, hedgerows and pollards, and for a nature conservation oriented afteruse.

**INSET V**

Land between Harrietsham and Charing

Road access via the villages themselves and along Charing Heath Road/Church Hill/Lenham Heath Road/Sandway Road/East Street will be prohibited.

* For areas to the south and west of Lenham a new access direct to the A20 will be required.

* For areas around Lenham Forstal, access to New Shelve Lane will be required.

Land in the vicinity of Kiln Wood, Lenham Heath Pit, north of Mount Castle Farm and west of Stubble Hill Farm

An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

Land west of Chapel Farm, at the Forstal, Cherry Farm, Burleigh Farm, Tile Lodge Farm and south of Newlands Farm

Restoration and aftercare proposals will be required which return the land to its existing high agricultural potential.

* Applications for mineral working will need to have regard to the safeguarded line of the Rail Link.

* An application will need to be accompanied by a geotechnical report demonstrating that there would be no risk to the stability of the motorway.

As a general guide the top
of any excavation should be a minimum of 30 metres from the motorway fence line.

**INSET W**

Land in the vicinity of Conningbrook * An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

* The Highway Authority will need to be satisfied that the local highway network is capable of taking any additional traffic movements proposed. If necessary, local road improvements/lorry routeing will be required.

Land south west of River Stour * Working and reclamation proposals will be required to meet the local area afteruse policies of the Ashford Local Plan.

Land at Sevington * Satisfactory arrangements will need to be made to secure both adequate landscaping for this visually prominent location at an important entry point to Ashford, and any necessary off-site highway works.

* Applications for the supply of aggregates will need to have regard to the safeguarded line of the Rail Link.

**INSET Y**

Land to the East and West of Lydd * An application will need to identify nature conservation interests and to set out any steps proposed for their safeguarding, retention and enhancement.

* Any permission for working to the north of Lydd would be subject to the land being restored to agriculture within a short timescale. Where agriculture is not an appropriate use the creation of new bodies of water will not be
acceptable.

* An application will need to consider airport safety.

* Mineral working will only be permitted where it can be shown that there will be no adverse effects on the water quality, efficiency and storage characteristics of the aquifer.

* An application will need to be weighed against any nature conservation interest of international importance and for the time being the Leybucht judgement stands. When the Habitats and Species directive is implemented, developments which would be likely to affect significantly a SPA or SAC should not normally be permitted, unless the existence of imperative reasons of overriding public interest can be proved, and there is an absence of alternative solutions.

INSET Z

W HYTHE/DYMCHURCH

* An application will need to have regard to the setting of Dymchurch Redoubt.