



## **Ashford Borough Local Plan and Mineral Safeguarding Matters Clarification from Kent County Council to Inspector's request for further – 14 June 2018 – ID/9**

In a request of 14<sup>th</sup> June 2018, the inspectors examining the Ashford Local Plan sought further information to respond to the matters set out in the second paragraph of section 2 of the Statement of Common Ground between Ashford BC and Kent CC regarding mineral safeguarding matters. Specifically, the following clarification was sought:

**(1) Because of the proximity to residential properties and hotels it is maintained that the scope for extraction activities would be reduced by the likely requirement for a buffer zone of as much as 100m in width. However, this would appear not to affect any resources in the central part of the site. Based on experience of other soft sand operations within Kent would any buffer zone have to be as much as 100m in width or is the figure of 35m more realistic?**

*The degree of any buffer zone would depend on the site characteristics. Quarrying of soft sand in Kent has a long history and in the past operations have been conducted at closer distances than 100m. However, what is acceptable may relate more to such matters as site characteristics, including site levels within the site and those of the adjacent land use. Effective use of changing land levels can enable acceptable mitigation of competing land-uses. Earth bunds within the site are often effectively used to visually and acoustically screen mineral development and that different operators have varying practices as to the proximity of the bunds to adjacent uses. An arbitrary imposition of 100m in all cases is not standard practice. The range of acceptability is in the 35-100m range and there are examples within this range across the County. In the case of the S2 site before you, it more likely due to the flatter topography that a range more towards the 100m would be appropriate. Where a potential mineral site is in proximity to a railway line, then the scheme of working needs to ensure the integrity of the railway line. The standoffs are determined by geo-technical evidence and informed by National Rail's advisor's on a case by case basis.*

*The current Mineral Sites Plan Option sites assessment work for the sites promoted for this Plan propose general buffer zones of 100m. In my view, it would be unlikely for a modern quarrying operation to justify significantly less than 35m or require significantly more than 100m for buffer zones to existing residential development.*

**(2) What would be the actual effect of any buffer zone on the viability of an extraction operation? Clearly a reduced area would lower the potential economic benefits, but they may still be lucrative given that the Sandstone (Folkestone Formation) is said to be important as a source of building and asphalt sands. Is there evidence from recent operations across the county that indicate the value of the reserve in relation to the area that could be worked and therefore whether it would be an attractive proposition for mineral companies?**

*The mineral is an unconsolidated sand and is extensively used in the construction sector as a mortar sand, and as part of the aggregate mix for coated stone (bituminous) materials used in highway construction. Reducing the size of a site with buffering reduces available yield. This may well have an effect on economic viability. Though for example a 12 Ha site is currently being promoted in Kent for allocation as a site in a Mineral Sites Plan that is estimated to yield over 3 million tonnes of soft sand with an extraction depth of 8.1m to a maximum of 24.6m. Therefore, depending upon the quality and depth of the resource, it is anticipated that the site in question could be within the overall parameters of economic viability. However, this would have to be confirmed with testing of the material, though given that the fairly uniform characteristics (an appropriate particle size distribution and low contamination levels) of the Folkestone Beds in Kent the site could in principle be attractive to the extractive industry.*

**(3) Paragraph 145 of the National Planning Policy Framework refers to maintaining a steady and adequate supply of aggregates, but we have nothing to indicate whether sites such as this are important in this respect. Is there any information about the stock of reserves in Kent over the period of the Minerals and Waste Local Plan and is there a 7-year landbank of sand?**

*The most recent data in the Kent Local Aggregate Assessment (LAA) published (see link <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy#tab-4>) demonstrates that Kent has some 9.2 million tonnes (mt) at the end of 2016. The ten-year average for this period is 0.584 million tonnes per annum (mtpa). This is sufficient to provide a 15.7 year landbank as of the end of 2016. Data for sales and reserves for the calendar year 2017 have recently been collected and another LAA will be prepared in due course. The data is currently publicly unavailable until it has been ratified by the South East England Aggregate Working Party (SEAWP) which is likely to be late in 2018. Current reserves are however sufficient to maintain a steady and adequate supply of aggregates until 2027 when an 'at least 7-year landbank' (of some 4 million tonnes) will exist. Further reserves (in the order of some 2 million tonnes) will need to be planned for to enable the National Planning Policy Framework (NPPF) landbank requirement to exist at the end of the Kent Minerals and Waste Local Plan period i.e. 2030. The current work on the Kent Minerals Site Plan will address this. Two sites have been identified as potential site options – Chapel Farm, Lenham close to the Ashford Borough border and West Malling Sandpit, Ryarsh and were subject to a Regulation 18 public consultation this year.*

**(4) One of the exceptions under Policy DM7 at 3) indicates that planning permission can be granted for non-mineral (residential) development if the minerals can be extracted satisfactorily beforehand without affecting deliverability. Given that the deep extraction likely to be necessary would delay any housing from coming forward and hence its deliverability how can this criteria apply in this instance?**

*Typically, in order to be attractive to the extraction industry any Folkestone Beds depth of extraction would be in the 10-20+m depth range. This would result in up to several years to complete and restore the site. Less time would be required if low level restoration is proposed rather than using inert wastes (excess soils) from the construction, demolition and extraction waste sector to restore to the original levels. The Minerals local plan promoted site referred to in point (ii) above is some 12ha and is anticipated to require 24 years to extract the mineral and fully restore the site to original levels. Although this would create a lower level development platform which may be less suitable or practicable for residential development. It would appear that this timescale would have a significant impact on the site's non-mineral development delivery as detailed in the Ashford Local Plan which is the subject of Independent Examination at this time.*

*On that basis, the Mineral Planning Authority is persuaded that the need for the non-mineral development as one the strategic borough development sites falls within criterion (5) of Policy DM 7. It is also satisfied that given the locally promoted strategic circumstances of this allocation that prior extraction of the mineral resources at the site would unduly delay development such that it could affect the delivery of the non-mineral development and be the Borough's housing delivery strategy.*

I trust that this addresses your concerns. If you have any further questions or need of additional clarification of the above, do not hesitate to contact the County Council.

20<sup>th</sup> June 2018