

Minerals & Waste Planning Policy
1st Floor, Invicta House
Maidstone, Kent
ME14 1XX

14 February 2024

Dear Ms Thompson,

Regulation 19 Pre-Submission Kent Minerals & Waste Local Plan (KMWLP) 2039.

Thank you for consulting the South Downs National Park Authority (SDNPA) on the Regulation 19 consultation of the Pre-Submission Kent Minerals & Waste Local Plan (KMWLP) 2039.

The South Downs National Park (SDNP) covers part of Brighton & Hove, and parts of the counties of East Sussex, West Sussex, and Hampshire. The SDNPA works closely with all four of the above authorities on joint minerals and waste plans (and other minerals and waste matters), and is also a member of the South East England Aggregate Working Party (SEEAWP) and South East Waste Planning Advisory Group (SEWPAG). Please note, this representation has been submitted by the SDNPA, and has not been prepared in collaboration with our partner planning authorities.

The Purposes of the National Park

The National Parks and Access to the Countryside Act 1949, as amended by Section 245 of the Levelling Up & Regeneration Act (LURA) 2023, requires all relevant bodies to seek to further the purposes of the South Downs National Park. For the avoidance of doubt, the purposes are to:

- **Purpose 1:** Conserve and enhance the natural beauty, wildlife and cultural heritage; and
- **Purpose 2:** Promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

The above is broadly reflected in the National Planning Policy Framework (NPPF) [December 2023] – see Paragraphs 182 and 183. More specifically, in terms of minerals, Paragraph 217 explains that Mineral Planning Authorities (MPAs) should, as far as practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks.

Soft Sand (SS) Provision, Position Statement, and SoCG

The provision of Soft Sand (SS) is a strategic cross-boundary matter for South East England Mineral Planning Authorities (MPAs). It is an important aggregate that, for certain end uses, cannot be substituted by other materials. The SS resource in Kent and SDNP is contained within the Folkestone Formation (Figure 1). This starts north-west of Lewes in East Sussex, extends across West Sussex and into Petersfield in Hampshire, before then swinging around to the north-east, continuing east across Surrey and Kent, and meeting the coast at Folkestone. The ability to identify SS resources in East Sussex, West Sussex, and Hampshire is constrained by the SDNP designation.



Figure 1 – The Folkestone Formation and Other Soft Sand (SS) Resources in South East England.

The South East England MPAs have agreed a **Soft Sand Position Statement** (Updated October 2023) – both Kent County Council (KCC) and the SDNPA are signatories. The Position Statement provides an agreed source of evidence and current policy on SS supply within the South East, and is designed to underpin Statements of Common Ground (SoCG) between South East England MPAs.

A Statement of Common Ground (SoCG) on Soft Sand (SS) was signed in July 2022 by Brighton & Hove City Council (BHCC), East Sussex County Council (ESCC), Kent County Council (KCC), Maidstone Borough Council (MBC), Surrey County Council (SCC), West Sussex County Council (WSCC), and the South Downs National Park Authority (SDNPA). The [Kent Duty-to-Cooperate Report 2024](#) refers to an earlier SoCG signed in June 2019 between the above MPAs (with the exceptions of MBC and SCC), but not this revised SoCG. The revised SoCG (July 2022)¹ sets out the agreed position between the parties on planning for Soft Sand (SS). In recent years, all SS supplied to the East Sussex, South Downs and Brighton & Hove (ESSDB&H) Plan Area has been by imports, including from Kent. Indeed, Paragraphs 2.7 and 3.10 of the SoCG explains that:

“The sales data collected annually by authorities does not consider the final destination of soft sand, therefore when planning for minerals in Kent, Surrey or West Sussex, these Authorities are taking account of materials that may have been used in East Sussex and other areas during any specific year within their LAAs. Therefore, in theory predictions of future requirements incorporate amounts for those areas accordingly”.

“It can be recognised that, in all probability, the Kent 10-year average has included supplies to the East Sussex Plan area. Kent is therefore planning to supply soft sand at a level which would be more than sufficient to meet demands to Kent, if they were to remain the same as anticipated, and that which would be sufficient to meet demands to East Sussex, if they were to remain the same through time”.

¹ See ESSDB&H Examination Library: <https://eastsussex-consult.objective.co.uk/kse/folder/95335>

Amongst other matters, the SoCG MPA signatories agreed that:

- Soft Sand (SS) resources will be safeguarded in Mineral & Waste Local Plans;
- As far as practical, provision for the maintenance of landbanks of SS should be made outside of the SDNP and any Areas of Outstanding Natural Beauty (AONB); and
- Surplus in Kent is acknowledged as having potential to meet wider need in the South East².

SDNPA comments

The NPPF requires MPAs to plan for a steady and adequate supply of aggregates, and to make provision for the maintenance of landbanks of at least 7 years for sand and gravel.

It was previously reported that the allocation in the Kent Minerals Sites Plan (2020) at **Chapel Farm West, Lenham**, would provide a surplus of 0.7mt of Soft Sand (SS) in Kent which would help contribute to the wider regional need. However, the latest information shows that even if the above allocation was to come forward, there would still be a theoretical **shortfall of 2.15mt** in Kent when considering both the plan period up to 2039, and an additional 7-year landbank. KCC has explained that, despite the above, the SS supply in Kent will not be exhausted over the plan period, but instead a 7-year landbank will not be available from approximately 2036 onwards. In conjunction, KCC has also explained that the above does not take account of windfall sites, and that the statutory requirement to review the KMWLP every five years will provide future opportunities to assess if further monitored supply requirements justify any allocation of additional sites for SS extraction. It is also noted that additional sites required to maintain landbanks of land-won aggregates at the levels stated in Policy CSM2 will be identified, if possible, in the review of the Kent Minerals Sites Plan.

The SDNPA welcomes the additional text proposed at Points 1, 3 and 5 in the Spatial Vision – and Point 5 in the Strategic Objectives – which, collectively, aim to deliver a sustainable, steady and adequate supply of land-won aggregates to the Kent area and beyond [emphasis added] through: identifying sufficient sites; safeguarding minerals bearing land; and collaborative working with communities, landowners, minerals and waste industries, environmental and voluntary sectors, and planning authorities. The above, and Paragraph 5.2.6, recognise the important role Kent has in ensuring a steady and adequate supply of regionally important minerals beyond the county boundary.

Moving Forward

Thank you again for the opportunity to comment, and please do not hesitate to contact me if you have any questions on the content of this letter. The SDNPA looks forward to continuing its work with Kent County Council (KCC) on strategic matters, including Soft Sand (SS) provision.

Yours faithfully



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² ESCC and BHCC are wholly reliant on imports of Soft Sand (SS), whilst WSCC has limited reserves.