

## Kent Minerals and Waste Local Plan 2024-39

### Plan Maker's Response to Recommendations of the Sustainability Appraisal of the Pre-Submission Draft (Reg 19) Plan

Policy	Sustainability Objective	SA Mitigation Recommendation	Plan Maker's Response
CSM 10 Oil, Gas and Unconventional Hydrocarbons	Climate change	The policy could be enhanced by requiring developments to implement best practice standards for controlling fugitive emissions of greenhouse gases.	This is a matter that would be addressed by the Environment Agency – see EA publication <a href="#">‘Monitoring and control of fugitive methane from unconventional gas operations’</a>
CSW 6 Location of built waste management facilities	Biodiversity	The policy should make reference to National Nature Reserves and priority habitats and species.	This is not necessary as the policy references ‘national designated sites’ and protection of priority habitats and species is addressed by Policy DM2.
CSW 6 Location of built waste management facilities	Landscape and the historic environment	Reference should be made to the requirement to protect the settings of AONBs	An amendment is proposed to Policy DM2 to ensure the setting of AONB (now national landscapes) is properly addressed in accordance with the NPPF. This would be applied to any proposal for a waste management facility.
CSW 6 Location of built waste management facilities	Waste	The policy should reference the proximity principle which promotes management of waste as near as possible to the source of arisings.	Objective 11 (12) is that waste is managed close to its source of production. Measures to ensure consistency with the proximity principle are embedded in policies of the Plan including Policy CSW6 and Policy DM13.
CSW 11: Permanent Deposit of Inert Waste	Transport	The policy should require applications to demonstrate that they support the proximity principle for waste.	The proximity principle is implemented via policy DM13.

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DM 1 Sustainable Design	Community and wellbeing	The policy should include benefits for communities and wellbeing from green and blue infrastructure.	<p>Change proposed – see text highlighted yellow</p> <p><b><u>maximise opportunities to contribute to green and blue infrastructure, to include benefits to communities (including Public Rights of Way), and to help achieve contribute to biodiversity net gain;</u></b></p>
DM 2 Environmental and Landscape Sites of International, National and Local Importance	Landscape and the historic environment	Recommendations can be found in policy DM 19.	See response to recommendation re DM19
DM 10 Water Environment	Flood risk	The policy should promote flood risk reduction where possible.	<p>Text added as follows:</p> <p>Planning permission will be granted for minerals or waste development where it does not:...</p> <p>3. exacerbate flood risk in areas prone to flooding (as shown in Figure 15) and elsewhere, both now and in the future.</p> <p><b><u>Measures to reduce flood risk where possible are encouraged.</u></b></p> <p>Note: Policy DM19 encourages plans for restoration of minerals sites to demonstrate 'measures to incorporate flood risk mitigation opportunities'</p>

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			The EA has not indicated that has any issue with this aspect of the policy but the proposed change is consistent with NPPF
DM 11 Health and amenity	Biodiversity	Litter and vermin should be added to the list of unacceptable adverse impacts within the policy.	Policy changed as follows (see highlighted text):  Minerals and waste developments will be permitted if it can be demonstrated that they are unlikely to generate unacceptable adverse impacts from noise, dust, <b>litter, vermin,</b> vibration ( <b>including vibration from blasting</b> ), odour, emissions ( <b>including emissions from vehicles associated with the development</b> ), bioaerosols, illumination, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment.
DM 11 Health and Amenity	Climate change	The supporting text should make clear that emissions of greenhouse gases are included within the scope of the policy	Policy DM11 is concerned with direct impacts on health and amenity in the locality and emissions of greenhouse gases would not create such a direct local impact.
DM 11 Health and Amenity	Flood risk	Consideration should be made of the adverse impacts which may occur from flood risk.	This is unnecessary as the matter of flood risk is addressed in Policy DM10.
DM 11 Health and amenity	Water	Supporting text should clarify that emissions to water bodies can affect health and amenity and therefore should be considered. The policy should require no	Proposed change to Policy DM11 (see text highlighted):

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		unacceptable adverse impacts on surrounding water bodies as well as surrounding land.	Proposals for minerals and waste development will also be required to ensure that there is no unacceptable adverse impact on the use of other surrounding land <b>(including waterbodies)</b> for other purposes and <b>associated permitted land uses</b> .
DM 12 Cumulative Impact	Flood risk	It is recommended that flood risk impacts are added to the supporting text.	Flood risk is included within "...the environment (including climate change), biodiversity interests or on the amenity of the local community."
DM 12 Cumulative Impact	Land	It is recommended that impacts on land quality and Green Belt are added to the supporting text	Impacts on land quality and Green Belt are included within "...the environment (including climate change), biodiversity interests or on the amenity of the local community."
DM 12 Cumulative Impact	Landscape and the historic environment	The policy should include considerations of impacts on the landscape and historic assets and the impact of light pollution. These should be added to the supporting text.	Impacts on 'landscape and historic assets and the impact of light pollution' are included within "...the environment (including climate change), biodiversity interests or on the amenity of the local community."
DM 12 Cumulative Impact	Water	It is recommended that the impacts on water quality and availability are considered and added to the supporting text.	Impacts on 'water quality' are included within "...the environment (including climate change), biodiversity interests or on the amenity of the local community."
DM 13 Transportation of Minerals and Waste	Community and wellbeing	The policy should also require additional measures for sites outside AQMA's but that are likely to affect AQMA's	Proposed change to Policy DM13 (see text highlighted):  Minerals and waste development will be required to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by

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			<p>preference being given to non-road modes of transport. Where development requires road transport, proposals will be required to demonstrate that:....  3 emission control and reduction measures, such as deployment of low emission vehicles <b><u>and environmentally sustainable vehicle technologies, installation of electric vehicle charging points (where appropriate)</u></b> and vehicle scheduling to avoid movements in peak hours. Particular emphasis will be given to such measures where development is proposed within an AQMA <b><u>or in a location where impacts on an AQMA will result.</u></b> (Figure 15).</p>
DM 14 Public Rights of Way	Biodiversity	The policy should ensure measure are taken to prevent the loss of biodiversity from creating a PROW diversion	This would be addressed via the application of Policy DM2.
DM 17 Planning Obligations	Flood risk	The policy should seek measures for improvement of flood risk where practicable	<p>Proposed change to Policy DM17 - add highlighted text to the list of 'Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development:'</p> <p><b><u>measures to reduce flood risk where practicable</u></b></p>

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DM 17 Planning Obligations	Landscape and the historic environment	The policy should also include a reference to protection and enhancement of other heritage assets and avoidance of light pollution	<p>Proposed change to Policy DM17 - add highlighted text to the list of 'Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development:'</p> <p><b><u>measures to protect and enhance other heritage assets and avoid of light pollution</u></b></p>
DM 17 Planning Obligations	Transport	The policy should include reference to use of non-road modes of transport where practicable	<p>Proposed change to Policy DM17 - add highlighted text to the list of 'Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development:'</p> <p><b><u>measures to encourage use of non-road modes of transport where practicable</u></b></p>
DM 17 Planning Obligations	Water	The policy should include obligations regarding the protection and improvement of water quality and levels.	<p>Proposed change to Policy DM17 - add highlighted text to the list of 'Matters to be covered by such planning obligations may include those listed below as appropriate to the proposed development:'</p> <p><b><u>measures to protect and improve water quality and levels</u></b></p>
DM 18 Land Stability	Flood risk; Water	The policy or supporting text should ensure flood risk and water quality are accounted for when addressing land instability from groundwater movement and dewatering	<p>Flood risk and water quality are addressed by Policy DM10.</p> <p>There are many impacts arising from land stability as well as flood risk and water quality which are not mentioned and so adding text would create a potential imbalance.</p>

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DM 19 Restoration Aftercare and After-use	Community and wellbeing	The policy or supporting text could include a specific reference to opportunities to promote enhanced public access and recreation.	Text (shown as highlighted) has been added to DM19 concerning benefits to the 'Kent community'.. <b>..deliver sustainable afteruses that benefit the Kent community, economically, socially or environmentally.'</b>
DM 19 Restoration Aftercare and After-use	Flood risk	The policy would be more beneficial with the addition of measures to reduce flood risk where practicable	This is already addressed in bullet point 21 in Policy DM19: 'measures to incorporate flood risk mitigation opportunities'
DM 19 Restoration Aftercare and After-use	Landscape and the historic environment	Information could be added to the supporting text referring to priorities for landscape enhancements identified in the Landscape Characterisation Assessments and for green space in the Kent Growth and Infrastructure Strategy.	Add new sentence (shown as highlighted) to para 7.17.2 after first sentence: <b>Restoration plans should have regard to priorities for landscape enhancements identified in the Landscape Characterisation Assessments and for green space in the Kent Growth and Infrastructure Strategy.</b>
DM 21 Incidental Mineral Extraction	All	The policy should make clear that such developments will be required to have no unacceptable adverse impacts on the environment and communities	The development plan should be read and implemented as a whole and this already addresses such issues.