Maidstone Green Party LP/20 Matters 2, 3, 4, 6 and 8

Submission to the Planning Inspector of the Kent Minerals and Waste Local Plan 2024-39
Before 13th Aug 2024
To louise@poservices.co.uk

Matters:

I wish to speak on matters 2, 3, 4, 6 and 8:

Matter 2 – Introduction, Spatial Portrait, Spatial Vision and Objectives

18. How are the 'Biodiversity Opportunity Areas' integrated with the Plan policies? Do the relevant policies allow the opportunity to consider the uniqueness of any proposed development site against BOA, The Local Nature Recovery Strategy and Nature Partnership Biodiversity Strategy criteria?

Mineral extraction and waste sites negatively impact on biodiversity and should be constraints for development. Currently the KMWLP only recognises ragstone as hard rock and the only site put forward for ragstone was an ancient woodland (Oaken Wood). It difficult to see how the constraint imposed by the insistence of ragstone as the only hard rock acceptable in the KMWLP helps biodiversity opportunity.

20. Does the Spatial Vision adequately address biodiversity and climate change impacts?

No. There is no description in the LP about how the need to reduce carbon to net zero will be achieved. There is no discussion on the role that decarbonised transport will achieve.

24. How would the Plan's policies be effective in meeting objective 8 in terms of the extraction of building stone for heritage buildings? Should reference be made to safeguarding specific resources?

This is of deep concern. There are regular references in the LP to ragstone as the only acceptable form of hard rock. Currently the only operational ragstone quarry crushes 98% of its ragstone for use as aggregate and provides just 1% for heritage restoration. Needless to say the supply of heritage stone is running out quickly.

Ragstone is in nationally important buildings such as The Tower of London, yet this is not referenced in CSM 9. With no sites put forward (other than the unacceptable on which is an ancient woodland) and with Kent and Surrey being the only places where ragstone exists, this seems a significant oversight.

Indeed, given the national / international importance of these buildings, it would seem prudent to conserve ragstone rather than allow it to be used for crushed aggregate.

Matter 3 – Delivery Strategy for Minerals

31. Should the Plan provide any distinction and/or protection for the use of Ragstone, particularly in relation to its use in conservation work and to maintain local vernacular, as opposed to its use as crushed rock?

Given the national importance of ragstone in the restoration and repair of historic buildings coupled with its extremely short supply, it is ludicrous that there seems to be no protection. The draft KMWLP is likely to exhaust ragstone in a few years, leaving internationally important castles such as Dover Castle, The Tower of London and Leeds Castle without access to stone.

Given the importance and increasing rarity of ragstone, there needs to be a specific plan to urgently conserve available reserves.

33. In general, how does the Plan seek to ensure that any significant constraints/adverse impacts of development of these specific allocations are overcome/mitigated to an acceptable level?

In the previous LP, KCC allowed for the relocation of ancient woodland soils. This has subsequently been shown not to be a viable method of preserving the unique biome and should be explicitly excluded as a mitigation. Indeed, given the unique and irreplaceable nature of ancient woodland (including PAWS), these should be explicitly excluded from site allocations.

Should the inspector not be willing to suggest this then the huge BNG associated with mitigation of irreplaceable ancient woodland should be explicitly referenced in the document.

35. Section 6 of this policy refers to site selection. Is this element of Policy CSM 2 justified, effective and consistent with national policy, particularly in terms of biodiversity and conservation?

No. Given the biodiversity and climate change emergency recognised by government, these aspects need far higher prominence in the consideration of site selections. The UK is already one of the most nature depleted countries in the world, yet simply taking into consideration a HRA will not provide the protection and restoration that nature requires.

There needs to be explicit reference to exclusion criteria, such as Ramsar, SSSI, and ancient woodland (of all types) in this section. Furthermore site selection should include potential to increase biodiversity.

Matter 4 – Protecting Mineral Resources, Infrastructure and facilities, and transport.

43. Should the supporting text explain the relationship between transport and climate change and the likely transition over the Plan period towards lower emission vehicles and potentially zero-emission vehicles?

The argument put forward so far has been the opposite, i.e. that the transportation of materials, particularly the importing of hard rock, will increase carbon emissions.

Firstly, no evidence for that assertion has been shared. There has been no consideration of increased carbon emissions from soil disruption nor any playing in of wider ecological impacts.

Secondly, the decarbonisation of transport is increasing quickly changing any carbon balance between local and other sources equally quickly. No modelling of this switch has been shared or considered in the LP.

Matter 6 – Minerals other than aggregates

50. Does this policy suggest that only proposals that contribute to the maintenance of the historic environment will be supported? Should it be made clearer that building stone is necessary not only to contribute to the maintenance of the historic environment but also to contribute to local distinctiveness? (Policy CSM 9: Building Stone in Kent)

Currently new buildings are using around 15,000t of ragstone each year according to Gallaghers (information shared by their CEO in a private meeting last year). The total construction ragstone is 25,000t which includes the 10,000 for historic restoration.

While the loss of long term access to ragstone for new build would be problematic, it is not as disastrous as the loss for historic restoration.

The suggestion that permission should only be granted for this purpose seems to ignore the fact that currently 97.5% of ragstone is crushed for aggregate.

Surely a better policy would be one that conserves the existing resources?

53. Does this policy adequately consider the environmental impacts, including on groundwater, to be taken into account in the consideration of development proposals and the implications of climate change? (Policy CSM 10: Oil, Gas and Unconventional Hydrocarbons)

The world experienced its two hottest days on record in July 2024. The last twelve months have exceeded the “safe” limit of 1.5C by a huge margin. KCC has declared a climate emergency yet there is no hint of how the KMWLP will enact the level of system change both in terms of mitigation and adaptation required for the future. For example, the science is quite clear that new reserves of hydrocarbons should not be sought or brought into production – there should be a rapid decarbonisation of society to prevent runaway climate

change – yet CSM 10 allows for the exploration and granting of permission for extract of new fossil fuels reserves.

The UN General Secretary has call for a halt on exploration and the UK Government is planning to halt new licences too. This policy need to align with the science and the politics.

Matter 8 – Development Management Policies

Policy DM 2: Environmental and Landscape Sites of International, National and Local Importance
86. Is this policy sufficiently clear and consistent with national policy in respect of conserving and enhancing the natural environment as required by chapter 15 of the NPPF?

7.2.4 aims to ensure that there are "no unacceptable adverse impacts". This aim, while laudable, is weak, particularly when the rest of the paragraph then talks of mitigation and compensation, for example, ancient woodland is irreplaceable (NPPF 186c), i.e. it's loss would be unacceptable yet according to DM2 mitigations might be allowed. The NPPF talks of a need for "wholly exceptional reasons" being needed to allow the loss of ancient woodland, while DM2 is far weaker as it simply required "overriding reasons".

DM2 text itself is even weaker than the preamble text, fails to mention ancient woodland and allows mitigation and compensation for loss of irreplaceable habitat for 'overriding need' – that is far weaker than the NPPF.

Policy DM 3: Ecological Impact Assessment
88. Is this policy sufficiently clear and consistent with national policy in respect of conserving and enhancing the natural environment as required by chapter 15 of the NPPF?

DM3 is very weak compared to the NPPF Ch15. Simply stating the permissions will be granted where 'unacceptable impacts' will be incurred, on the proviso that mitigation is secured, fails to convey the depth of protection needed under the NPPF. It seems strange that DM3 seeks to water down the requirements of the NPPF.

Furthermore, simply requiring a 10% BNG is strange given that this is the legal requirement. Kent is appalling lacking in biodiversity and a clear case can be made for a far higher figure than 10%. Indeed KCC's own new policy of 'Making Space for Nature' requires a significant expansion of biodiversity which is not reflected in DM3.

Policy DM 5: Heritage Assets
92. How would this policy meet bullet point 4 of the Spatial Vision?

DM5 fails to make any link to the long term requirement of ragstone for heritage restoration nor its rapidly diminishing supply. The problem is complex:

- Around 10,000t of ragstone being required for heritage restoration of nationally important buildings such as The Tower of London
- No suitable sites were brought forward in the call for sites

- 98% of current quarried ragstone is used for crust aggregate and 1% is for new buildings, i.e. 99% of current quarried ragstone is not used for this purpose.
- The only productive quarry has a few years of supply left at current rates but could have significant long term reserves should the policy of use of ragstone for crushed aggregate be reversed.
- The only site proposed for future ragstone quarrying was an ancient woodland, i.e. not suitable and would only provide 15 years of heritage stone at the current rate of use. 15 years is miniscule in comparision to the 1000+ years that some of these buildings have stood for and this would not provide a long term plan for their conservation.

Therefore DM 5 fails to meet the needs of historic assets in the longer term.

Policy DM 19: Restoration, Aftercare and After-use
113. Is this policy sufficiently clear and consistent with national policy, in particular, conserving and enhancing the natural environment as required by chapter 15 of the NPPF and the requirements of the Environment Act 2021 in terms of aftercare period?

Relocation of soil for use in restoration has been shown to be ineffective and largely pointless. For example there is no evidence that the unique biomes contained in ancient woodland soils (the key aspect of ancient woodland is the soil, not the trees) is preserved when relocated. Failed experiments at HS2 sites and at the previous extension to Hermitage Quarry have demonstrated that this is a pointless mitigation yet DM19 still claims this is a reasonable action to take.