

Minerals and Waste Planning Policy
1st Floor
Invicta House
Maidstone
ME14 1XX

Maidstone Borough Council

Maidstone House,
King Street,
Maidstone, Kent ME15 6JQ

 maidstone.gov.uk

 [maidstonebc](https://twitter.com/maidstonebc)

 [maidstoneboroughcouncil](https://www.facebook.com/maidstoneboroughcouncil)

By email to: mwlp@kent.gov.uk

Date: 12/07/2024

Dear Sir/ Madam,

Regarding the proposed review of the Kent Minerals Sites Plan

In June 2023, Kent County Council (KCC) launched a Regulation 18 consultation on the amendments to the Kent Mineral Sites Plan – Nominated Hard Rock Site Allocation (in addition to the further changes to the KMWLP review).

In response to this consultation, Maidstone Borough Council (MBC) wrote to KCC on 09 August 2023, setting out preliminary views on the proposed changes to the Minerals and Waste and Sites Plans, and confirmed that these would be subject to formal ratification.

On 07 September 2023, MBC sent a formal letter to KCC confirming our position at the time. This letter recognised that extending this site will meet a local need for minerals and allow existing on-site infrastructure and processing areas to be used. It also raised concerns that the proposed allocation lies within an area designated as a Local Wildlife Site and categorised as an ancient woodland, meaning that the development will cause harm to biodiversity. It emphasised its expectation that KCC will provide significant reassurances that there are exceptional circumstances to accord with the NPPF, and should this be demonstrated then maximum mitigation and restoration of the site to prevent the site coming forward for residential development will be expected.

The new MBC administration now wish to set out their position on this matter, therefore we provide to KCC an updated response to the above, given that the Minerals Sites Plan review is still within Regulation 18 stage. This will ensure that KCC understands MBC's latest stance before progressing to the next stage of the proposed Kent Mineral Sites Plan review.

MBC's Updated Response to the proposed Kent Mineral Sites Plan review

This response is regarding the nominated extension site at the existing Hermitage Quarry.

While MBC recognises the importance and sustainability of meeting local need for minerals, we have concerns over the potential implications of the nominated extension site at the Hermitage Quarry on the wider environment.

Partial loss of and disturbances on Oaken Wood ancient woodland

The original Hermitage Quarry has already seen a number of extensions over the last two decades; the last one in 2013 resulted in 14% loss of Oaken Wood ancient woodland. The nominated site represents further loss to parts of this woodland.

Despite being partially replanted with non-native Sweet Chestnut, Oaken Wood retains its ancient woodland characteristics including undisturbed soils, unique fauna and flora, fungi, and mycelium networks which support ecological processes and carbon storage. Indeed, the deciduous habit of Sweet Chestnut and its long-term management as rotational coppice have combined to preserve a notably diverse woodland ground flora, rich in ancient woodland indicator species including Bluebell, Wood Anemone, Primrose and Pignut.

As per the NPPF definitions, ancient woodlands are irreplaceable habitats that require at least 400 years to establish. Any development on this nominated extension site will need to demonstrate 'wholly exceptional reasons' as per the NPPF, 186(c):

development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;

This partial loss of Oaken Wood may cause significant ecological disturbances, leading to habitat fragmentation. This fragmentation may disrupt wildlife corridors, reduce biodiversity, and affect species that rely on large, continuous habitats. What remains of the interconnected network of ancient woodlands in this area (which is important for maintaining ecological balance) could become increasingly vulnerable, endangering the resilience of the ecosystems to environmental changes and human impacts.

Partial loss of and potential impacts on the Oaken Wood Local Wildlife Site

A large part of the nominated extension lies within the Oaken Wood Local Wildlife Site (LWS) designation. LWSs are important for the conservation of wildlife at local and

county wide level; their importance is recognised in the National Planning Policy Framework and Maidstone Local Plan Review 2021-38.

In principle, the allocation and development of the nominated site is in conflict with policy LPRSP14(A) Natural Environment of the Local Plan Review 2021-38 which reads:

Development proposals will enhance, extend and connect habitats to enhance the borough's network of sites that incorporates designated sites of importance for biodiversity, priority habitats, Local Wildlife Sites and fragmented Ancient Woodland; [...]

The risk of deteriorating the Oaken Wood SSSI

The nominated extension is within close proximity to Oaken Wood Site of Special Scientific Interest (SSSI) which was designated because it is a key geomorphological site. Only a fifth of SSSIs in Kent (21 out of 98) were designated for geological interest, highlighting the importance to preserve the condition of Oaken Wood SSSI.

The reasons for its SSSI designation in 1985 read:

“Oaken Wood is a key geomorphological site. It provides the best example in Britain of ridge and trough topography produced by intense cambering and gulling during the Pleistocene (tilting and cracking of surface rock outcrops by periglacial processes or deformation of underlying weaker strata). The ridge crests rise up to 8 m above the level of the trough floors, which extend for about 0.5 km in an eastwest direction. This unusual type of topography is confined to the Maidstone area and the north Cotswolds and is most spectacularly developed at Oaken Wood.”

MBC is concerned that hard rock extraction near this geomorphological site may lead to its deterioration, due to the activities associated with hard rock extraction. Risks and all appropriate measures must be robustly assessed as part of ongoing detailed technical assessment, noting that SSSIs are afforded the strongest legal protection from loss and deterioration.

Alternative options to meet hard rock needs and potential implications arising from recent Supreme Court ruling on Horse Hill, Surrey

MBC notes that no other site for the extraction of hard rock has been identified or come forward in the Call for Sites undertaken in 2022; results from the second Call for Sites are not yet available. Technical assessment is still ongoing.

MBC also notes that an alternative could be not allocating the site and instead relying on imports of hard rock from outside of the county.

In light of the documented road building end-use for most hard rock earmarked to be excavated from a Hermitage Quarry extension, the Minerals Planning Authority may wish to ascertain whether the recent Supreme Court ruling on Horse Hill, Surrey also requires 'downstream' emissions to be taken into consideration when calculating the total carbon footprint for the proposal.

MBC urges that KCC robustly assess all evidence, potential risks and options.

Conclusion

In conclusion, and for the reasons set out in this letter Maidstone Borough formally objects to any extension of Hermitage Quarry resulting in loss or deterioration of irreplaceable ancient woodland at Oaken Wood and conflict with the relevant designations therein.

I hope these further comments are helpful, and Maidstone Borough Council look forward to continuing, constructive dialogue on the above issues as part of the duty to cooperate.

Yours sincerely,

A handwritten signature in black ink that reads "Tony Harwood". The signature is written in a cursive style with a small flourish at the end.

Councillor Tony Harwood

Cabinet Member for Planning Policy and Management

Maidstone Borough Council, King Street, Maidstone, Kent ME15 6JQ