
Matter 7 Minerals and Waste**a) Is the CS consistent with national policy particularly in relation to safeguarding of mineral resources?**

1. The National Planning Policy Framework sets out national policy for minerals, including safeguarding. This is similar to previous guidance in MPS1 (para 13) that it replaced.
2. Paragraph 143 of the NPPF makes it clear that:
'Local Plans [including Minerals and Waste Plans] should:
 - *Define Mineral Safeguarding Areas and adopt appropriate policies in order that known locations of specific mineral resources ...are not needlessly sterilised by non-mineral development.. (bullet #3)*
 - *Safeguard*
 - *existing, planned and potential railheads, rail links to quarries, wharfage and associated storage, handling and processing facilities for bulk transport...of minerals...; and*
 - *existing, planned and potential sites for concrete batching ...and the handling, processing and distribution of substitute, recycled and secondary material.'* (bullet #4)
3. The Plan is currently inconsistent with the NPPF (and with previous terminology in MPS1). To be consistent the Plan should identify a Mineral Safeguarding Area (MSA) based on the location of mineral resources. The updated British Geological Survey guidance¹ provides further information on how safeguarding should be applied. BGS geological data should be used as the starting point for identifying the MSA.
4. Kent County Council's evidence base for its Minerals and Waste Development Framework² includes BGS resource maps, including for unsterilized sharp sand resources. This indicates that the resources, while concentrated in the area of the Hoo Peninsula, extend beyond the sites identified in Figure 7.1. An MSA should be identified and reflect this map more fully.
5. There is currently no reference in Policy CS22 to an MSA or the intention to define and delineate one. There is however reference to 'Safeguarding Areas' in the key to Figure 7.1.
6. Paragraph 145 of the NPPF concerns planning for a steady and adequate supply of aggregates and requires that:
'Such provision [in minerals plans] should take the form of specific sites, preferred areas/areas of search and locational criteria as appropriate'. (bullet #3)

¹ BGS (2011) Mineral Safeguarding in England – Good Practice Advice. Minerals and Waste Programme Open Report OR/11/046

² Kent County Council (2011) Evidence Base for the Minerals and Waste Core Strategy - Strategy and Policy Directions Consultation. Minerals Topic Paper 4 Mineral Safeguarding. Map 3

7. Policy CS22 refers to Areas of Search being defined in the forthcoming Land Allocations and Development Management DPD. However Areas of Search serve a different from MSAs, providing a greater degree of specification and certainty over where future working will take place. An MSA is still required to ensure that the resources are effectively safeguarded from sterilisation outside of Areas of Search or specific allocated sites.
8. The MSA should be identified on the Key Diagram and Figure 10 8 Hoo Peninsula Context Diagram given the potential coincidence of the Major Employment Site (Key Diagram) and Key Development Site (Hoo Peninsula map), to ensure that development does not unnecessarily sterilise mineral resources.
9. Policy CS22 does helpfully now state that (*new wording underlined*):
'all existing mineral railheads, wharves and associated storage, handling and processing facilities will be safeguarded ...' which is an improvement on the policy in the draft plan which we support. It goes some way to improving consistency with the NPPF. Reference to 'planned and potential' facilities would make it completely consistent and help to recognise the importance of maintaining adequate capacity over the long term and enabling strategically important facilities to develop.
10. The Plan should make it clear that the Land Allocations and Development Management DPD will identify in more detail the safeguarded facilities and set out clear policy on how safeguarding of resources and facilities (in terms of not permitting developments that may prejudice facilities' operation and expansion) will be applied and implemented.
11. Policy CS24 (bullet #7) should be updated to include reference to safeguarding of railheads and associated facilities, as should the Monitoring and Implementation Framework which should also include safeguarding of resources. This would then be consistent with the NPPF and with Policy CS22.