

Minerals and Waste Planning Policy  
Kent County Council  
1<sup>st</sup> Floor, Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

Dear Sirs

**Kent Minerals and Waste Local Plan  
Minerals Sites Plan – Options Consultation**

Birlinging Parish Council considered the Minerals Sites Plan Options Consultation at its meeting on Tuesday 13<sup>th</sup> March. The Council resolved to **OBJECT** to the identification of the site at Ryarsh (site M8 – “West Malling Sandpit”) as a site option for future sand extraction.

There are three main strands to our objection:

- The impact of the proposed quarry on the surrounding communities and the locality in general;
- The way in which the assessment of alternative possible sites has been carried out; and
- The assessment of the extent of future need for this type of sand (“soft sand”) has, in our view, not been fully justified.

**The impact of the proposed quarry**

We note that an amended plan has been published since the formal consultation process began and that this shows a reduced geographical extent for the proposed quarry and provides some clarification on other issues such as the access route within the site. Nevertheless, we are extremely concerned over the effects that such a large-scale and long-term operation will have on the communities of Ryarsh, Birling and Addington and the wider locality. These effects will be felt in very many ways and some could last for more than a generation.

We have highlighted below some of the ways in which we consider the impact of the proposed quarry to be unacceptable.

**Traffic.** This is one of our major concerns – not just the impact in the immediate vicinity of the proposed site, but over a much wider area.

We recognise and endorse the local concern over the inadequacy of Roughetts Road to accommodate the number of lorries and other vehicles that will be

generated by the quarry, and the associated impacts on other road users. However, there are other issues that will affect the wider community.

The identified preferred route for traffic leaving and entering the site is south along Roughetts Road to the junction with the A20 London Road. This junction is not suitable for traffic of this scale and nature. The approach to the A20 on Roughetts Road is up a steep incline; as a result, HGVs approaching this junction will already be labouring. Given the amount of traffic that now uses the A20, it is almost inevitable that the lorries will have to stop to give way. Emerging onto the main road from a standing start will be a laborious and slow process. Given the lack of adequate visibility along the A20 (particularly to the east, where there is a blind summit and a bend), traffic travelling along the A20 will have to slow down at short notice because the lorries will not have had sufficient time to merge with the prevailing speed of traffic on the main road. This is a recipe for multiple and frequent accidents and is not a situation that should be allowed to happen.

We are well aware that HGV traffic from earlier quarrying operations in the locality has historically used this route; however, the situation with regard to the sheer amount of traffic using local roads, including the A20, has deteriorated noticeably in recent years. There is now much more traffic needing to use these routes than there was when the earlier quarries were generating traffic, so what has happened in the past would not be acceptable under present-day conditions.

This is partly due to the general increase in the amount of traffic on the roads, but there has also been a significant amount of new development nearby which has specifically led to more traffic using the A20. This is a wider issue which, we understand, is the subject of a specific study prepared in connection with the new Tonbridge and Malling Local Plan; there needs to be more “joined-up thinking” by the various authorities on this whole issue. It is a reflection of the pressure that infrastructure of all types is experiencing in this part of Kent.

We are also concerned over the fact that, when there are problems with traffic delays on the M20 (as seems to happen quite often), people inevitably resort to using the A20 instead, and this further exacerbates traffic congestion on all the local roads.

Although HGVs leaving the quarry may be required to travel via Roughetts Road and the A20, past experience tells us that restrictions like this are not always adhered to and are difficult to enforce. It is inevitable, in our view, that the development of the quarry will result in even more “rat-running” through the nearby small villages, including Birling. As Kent Highways will know well, this has been a major concern for residents of Birling, including the Parish Council, for some considerable time. Not only does it create additional highway hazards with unsuitable traffic using our narrow roads, but it significantly reduces the quality of life of local residents. We are looking for action to be taken to reduce this problem, not increase it.

**Dust, noise and air quality.** Again, whilst we recognise that the most severe impacts are likely to be felt closer to the quarry site, these are matters that will impact upon a wider area.

For residents of Birling, the main concern is the effect of dust, particularly given the prevailing south-westerly wind. Whatever controls are attempted to control dust “at source”, it is inevitable that a quarrying operation of this scale and nature will result in dust causing a nuisance to local residents. We have some knowledge of this through the experience of our residents who live close to the quarry at Ham Hill.

Dust is not only a pervasive and wearisome nuisance, it is a health hazard. We are aware that some local residents have raised specific concerns over the potentially carcinogenic properties of silica dust. We do not have the technical expertise to comment on this, but we feel that it is an issue that requires much more detailed research, analysis and explanation.

Apart from the impact upon the village of Birling, we are also concerned about children attending Ryarsh school. The school is attended by youngsters from the surrounding communities, including a number who live in Birling. Again the prevailing wind will bring any dust from the quarry in the direction of the school. We feel that any action that puts at risk the health of the younger generation would be highly irresponsible; this is an issue where a highly precautionary approach should prevail.

The traffic issues that we have already mentioned will also, of course, have an impact upon air quality.

**Cumulative impact.** One of our strongest reasons for objecting to this proposal is the cumulative effect of historic, current and future mineral activity on all the surrounding communities in this part of Tonbridge and Malling. This may be less tangible than some of the more obvious physical impacts, but we feel that full recognition should be given to the effects that long-term exposure to quarrying activities can have on a community socially, environmentally and psychologically. We note that the County Council’s own Initial Screening Process gave the Ryarsh quarry an amber-red score on this factor, and this should speak for itself. We are, of course, aware that sand can only be quarried where it is found geologically, but that does not mean that the same communities should be subjected to decades of disruption and environmental damage time after time. In this particular instance it seems that there are options available for sourcing the same type of material elsewhere that would not perpetuate this impact locally.

**Landscape and visual impact.** The Parish Council is concerned about the visual impact that quarrying on this site will have on the character and appearance of the landscape in this sensitive area at the foot of the North Downs. We are somewhat surprised this is an issue that doesn’t seem to have raised more comments thus far. There is quite a big variation in land levels across the site and the impression is that the central part where the quarrying is proposed to take place is raised significantly and noticeably above its surroundings. This undulation is part of the general character of the area along the foot of the Downs and it provides part of the setting for all the villages in this part of the world, but especially Ryarsh and Addington. The proposed quarry site is highly visible in the landscape from viewpoints both within and outside the AONB.

Although this site is (just) outside the Area of Outstanding Natural Beauty, in visual terms it is virtually indistinguishable from it, as the boundary (on the map) is formed by the M20 which (in visual terms on the ground) is largely in cutting here and therefore doesn't give a clear visual sign of where the AONB begins and ends. The Parish Council notes that no detailed assessment of the landscape impact of the proposed quarry has been provided, but believes there is a strong case for saying that the visual impact will potentially be greater than for some alternative sites that are actually within the AONB. The shape of the landscape would be irrevocably changed.

Although we understand that national policy is that major developments in AONBs should be refused (except in exceptional circumstances and where it can be demonstrated they are in the public interest) and that appears to be why the Wrotham candidate site has been sifted out, we consider that it is a bit of an artificial line to draw here (that is, between sites just inside and just outside the AONB), given the particular local setting. We cannot envisage how this harmful impact on the AONB could be "mitigated" as suggested in the consultation document.

**Green Belt.** The proposed quarry at Ryarsh lies within the Green Belt and we note that the error in the County Council's original assessment has been corrected to reflect this.

We understand that national policy in the NPPF says that mineral extraction activity is not considered to be "inappropriate development" in the Green Belt. However, that is not a completely unqualified statement, and consideration of Green Belt issues does not stop there. What the NPPF actually says is that mineral extraction is not inappropriate provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. Also, in considering **any** planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Birling Parish Council considers that the plant and infrastructure associated with this proposal, and the fact that it will be there for a very long time, will have a harmful effect on the openness of the Green Belt. We believe this to be self-evident from looking at other similar operations in neighbouring parishes. This is an issue that should be given considerable weight, because it is a fundamental element of national planning policy. We note that some of the alternative sites that are discussed in the consultation document, such as the one at Lenham, are not in the Green Belt.

**Public Rights of Way.** The public footpaths that cross the site are used extensively and they provide a vital functional link between the villages of Addington and Ryarsh. They are also used by the wider public for recreational purposes. There is no safe alternative route for pedestrians, let alone one that is unaffected by road traffic noise and other hazards, or that is equally "commodious". The long-term loss of these important links would be harmful to the social and day-to-day life of the surrounding communities and is unacceptable.

**Other issues.** The Parish Council is aware that many other issues have been raised by local residents and other groups and we recognise that these reflect genuine concerns. However, the points we have mentioned above are those which are the prime concern of Birling residents and we believe that when considered

individually and together, they demonstrate a compelling case why this proposal should be abandoned and taken no further.

### **The site assessment and selection process**

The Parish Council has read with interest not only the formal consultation document issued by the County Council, but also the various supporting documents held on your website. We note the process that you have gone through in order to arrive at this point and to put forward the site options that are contained in the consultation.

In particular, we see that KCC put the four sites with the potential for extraction of “soft sand” which came forward as a result of the Call for Sites (Lenham, Ryarsh, Wrotham and Charing) through an “Initial Screening Process” under which they were each assessed against a number of sensitivity factors and given a red/amber/green score. As we understand it, the results of this Initial Screening Process were presented in a schedule that formed part of the background papers to a report to County Council Members in November 2017 at which it was agreed to carry out the current consultation process which identifies the Lenham and Ryarsh sites as being suitable for further examination (and identified the Wrotham and Charing sites as not suitable for further consideration). That schedule was published on the KCC website, although we see that it has subsequently been updated to correct some errors, specifically because the original document falsely said that some sites (including Ryarsh) were not in the Green Belt.

The Parish Council has serious concerns about this assessment and the way it was carried out and presented to County Council Members. We’re talking about the way in which the four sites (Ryarsh, Wrotham, Charing and Lenham) have been “scored” under the various headings as we consider the assessment to be misleading, inconsistent, incomplete and deceptive. Some of the reasons for our concerns are set out in the appendix attached to this letter.

The overall impression is that the various sites have not been scored on a consistent basis and overall the impact at Ryarsh has been played down. Given the inconsistencies highlighted, it would suggest that the work undertaken is not of the required standard.

This misleading and inadequate assessment is a significant factor that lies behind County Members’ decision to authorise the “rejection” of some sites and the progression of others and thus to carry out the consultation in its current form. In the opinion of the Parish Council this makes the whole site selection process seriously flawed. It gives us no confidence in the robustness or impartiality of the County Council’s analysis of the relative merits of the alternative sites. We believe that if County Council Members had been presented with a more comprehensive and accurate analysis, they might well have reached a different decision. We consider that the document ought to be rewritten and taken back to County Members for consideration afresh.

### **The assessment of need**

Irrespective of our concerns over the impact of the proposed quarry on the locality and the selection process that has been followed, the Parish Council is not convinced that the consultation document demonstrates a need for a quarry of the scale proposed in the first place. We question the assumptions that are used to justify the level of need that has been identified.

The figures that have been provided do seem quite volatile. The current estimate of a shortfall of 1.922mt has changed from an estimate of 5mt made as recently as 2014. The precise reason for this has not been made clear, but it seems likely that, at least in part, it is due to current reserves not being used up as quickly as previously anticipated. This leads us to ask what confidence can be placed on the figures now put forward.

Furthermore, the whole idea of planning for a “surplus” over and above the alleged shortfall of 1.922mt raises a lot of questions, including how much responsibility Kent should bear for “baling out” neighbouring areas. We understand that Planning Authorities have a general “Duty to Co-operate” with neighbouring authorities; although this applies more commonly to housing provision, we see no reason why it shouldn’t also apply to minerals. Although the consultation document makes some glib and very generalised references to cross-border issues, there is no detail on the broader context, nor of what steps KCC has taken to assess what sand resources are available elsewhere. For example, how are neighbouring Mineral Planning Authorities such as Medway UA, London Boroughs, Surrey, East and West Sussex and Essex addressing this issue, how far have they got in preparing their own parallel Local Plans, and how robust are the figures they are currently working to?

From the information that has been provided, it seems to us that the arguments put forward in paragraphs 2.10 – 2.12 of the consultation document seeking to justify a need to plan for over 7mt of soft sand are not well founded. We believe this to be a significant over-estimate. On that basis, we see no justification for pursuing the site at Ryarsh.

There is also a specific issue here to do with silica sand. The site assessment for Ryarsh makes reference to the reserve including 0.5mt of silica sand (in addition to the 3.1mt of soft sand) yet the consultation document says there is no policy requirement to identify sites for silica sand. Removing the reference to silica sand could reduce the overall length of the extraction period.

## **Conclusion**

For all the reasons set out in this letter, Birling Parish Council objects to the identification of the site at Ryarsh as a potential site for the quarrying of sand. Such a quarry would bring untold harm to the whole locality and we see no justification for putting forward this proposal in the first place.

We urge the County Council to abandon this ill-considered project and we ask that that site M8 “West Malling Sandpit” is not progressed any further in the KMWLP Minerals Sites Plan.

Yours faithfully

## **Kent Minerals and Waste Local Plan Minerals Sites Plan – Options Consultation**

Appendix to letter from Birling Parish Council

### Analysis of failings in KCC's "Initial Screening Process"

**Landscape designations/visual impact:** Ryarsh is scored amber, as are Charing and Lenham; all are considered to be within the setting of the AONB. Wrotham is red because it is actually in the AONB. However Ryarsh is immediately adjacent to the AONB and only separated from it by the M20 which is in cutting here and therefore not visually distinct. Charing, for example, is over 1km away from the AONB boundary. It would be right to distinguish between the impact at Ryarsh and that at Charing and, on that basis, Ryarsh ought to be scored red/amber.

**Nature conservation and geodiversity:** The narrative for Ryarsh reads very similar to that for Lenham in terms of proximity of BAP sites and ancient woodland, yet Ryarsh is scored amber-green and Lenham is amber; this is inconsistent.

**Water environment:** The narratives for Ryarsh and Charing are very similar, yet Ryarsh is amber-green and Charing is amber-red; this is inconsistent.

**Air quality:** Ryarsh is scored green, with a statement that it is not within or in close proximity to an AQMA. However, Wrotham is scored amber, with a narrative that identifies AQMAs on the M20, and at Borough Green and Larkfield. Ryarsh is actually closer to the Larkfield AQMA than Wrotham and yet there is no reference to this in the assessment of Ryarsh. The impact of Ryarsh on the AQMAs mentioned in relation to the Wrotham site must be at least as significant as for Wrotham. The published assessment is clearly inconsistent and not only totally misleading, but false.

**PROW:** The impact at Ryarsh is almost identical to that at Lenham. Ryarsh is amber, but Lenham is amber-red.

**Transport:** Ryarsh is scored amber-green (an assessment that the Parish Council would challenge anyway) but in terms of comparisons the situation here is more akin to Wrotham (amber) than it is to Lenham (amber-green).