



Canopy Coalition response to the Pre-Submission Draft Kent Mineral Sites Plan 2026

Representation concerning: Land south and west of Hermitage Quarry / Oaken Wood
Respondent: Canopy Coalition

FAO: Kent County Council Minerals and Waste Planning Policy team

Canopy Coalition is the national coalition of grassroots tree campaigners and campaign groups. We work to support those seeking to protect trees, woodland and green spaces and to influence decision-making so that trees and woodland receive stronger protection.

Canopy Coalition strongly objects to the allocation of land south and west of Hermitage Quarry for future hard-rock extraction.

We consider the proposed allocation to be unsound, principally because it is:

- not justified, as the evidence does not demonstrate that the proposed allocation represents an appropriate strategy when reasonable alternatives are properly considered; and
- not consistent with national policy, because it would enable the destruction of approximately 41 hectares of irreplaceable ancient woodland without, in our view, demonstrating reasons capable of meeting the exceptionally high policy threshold required for such loss.

We therefore request that the allocation be deleted from the Kent Mineral Sites Plan.

Ancient woodland is described as irreplaceable because once destroyed it cannot be recreated. Oaken Wood has already lost approximately 31 hectares to quarrying. The proposed allocation could remove approximately another 41 hectares.

Canopy Coalition considers that the evidence produced does not demonstrate that this extraordinary further loss is either justified or consistent with national policy and respectfully requests that the allocation is removed from the Plan.

1. The significance of the proposed loss

Kent County Council (KCC) identifies approximately 49 hectares as the potential extraction area, of which approximately 41 hectares is Plantation on Ancient Woodland Site (PAWS).

PAWS is ancient woodland for planning purposes. Government standing advice confirms that plantations on ancient woodland sites retain ancient woodland characteristics, including soils, ground flora and fungi, and receive the same protection under the National Planning Policy Framework as other ancient woodland.

Ancient woodland is expressly defined in national policy as an irreplaceable habitat.

The proposed impact cannot therefore reasonably be characterised simply as tree or woodland loss capable of being offset through subsequent planting. It would mean the permanent destruction of an ecosystem resulting from centuries of ecological continuity.

The scale is particularly striking because Oaken Wood has already suffered substantial loss. Approximately 31 hectares of ancient woodland were lost to the previous quarry extension. The current proposal places approximately a further 41 hectares at risk.

The cumulative loss is consequently in the region of 72 hectares.

In Canopy Coalition's view, that history should weigh heavily when considering whether a further extension into the same ancient woodland represents an appropriate strategy.

2. National policy establishes an exceptionally high threshold

Paragraph 193(c) of the December 2024 National Planning Policy Framework states that:

“development resulting in the loss or deterioration of irreplaceable habitats such as ancient woodland should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

Government standing advice reinforces this requirement and makes an important distinction between the two tests.

First, it must be demonstrated that wholly exceptional reasons exist.

Only after that has been established should compensation be considered. Government guidance is explicit that proposed compensation measures must not be taken into account when deciding whether wholly exceptional reasons exist.

This distinction is fundamental to the consideration of Oaken Wood.

KCC's published explanation identifies the reasons relied upon as including:

- maintaining a steady and reliable supply of hard rock;
- the role of Kentish Ragstone in construction;
- the requirement for Ragstone for the conservation of historic buildings;
- a lack of identified alternative Kentish Ragstone sites;
- reduced long-distance transport;

- economic and employment benefits;
- the availability of existing quarry infrastructure; and
- the continued operation of associated recycling and aggregate activities.

These may all be relevant planning considerations.

The question required by national policy, however, is not simply whether there are benefits associated with extending Hermitage Quarry. It is whether those benefits constitute wholly exceptional reasons sufficient to justify destroying approximately 41 hectares of an irreplaceable habitat.

Canopy Coalition does not consider that this has been demonstrated.

3. The heritage-stone argument needs to be separated from the aggregate argument

KCC places significant emphasis on the importance of Kentish Ragstone for the repair and conservation of historic buildings, referring to nationally important buildings including the Tower of London, Leeds Castle and Rochester Cathedral. The conservation of the historic built environment is plainly important.

However, KCC also acknowledges that relatively little Ragstone is required as dimension stone.

The majority of the mineral extracted would not be used to restore historic buildings. Material unsuitable for dimension stone would instead be crushed and used for general aggregate and other construction purposes.

The case for having access to a comparatively small quantity of a particular geological material required for specialist heritage conservation should not automatically establish the case for extracting approximately 20 million tonnes of hard rock, predominantly for ordinary aggregate use, from beneath ancient woodland.

KCC states that large quantities may need to be extracted in order to identify blocks of sufficient quality for dimension stone. Even accepting that proposition, the evidence should establish clearly:

- the projected quantity of heritage-quality dimension stone actually required over the Plan period;
- the proportion of anticipated extraction which would realistically be used as dimension stone;
- whether existing stocks or reserves could meet some or all of that specialist demand;
- whether alternative sources of suitable conservation stone exist;
- whether extraction could be limited specifically to meeting the demonstrable heritage requirement; and
- why the need for the much larger quantity of general aggregate produced alongside it must be met through the destruction of ancient woodland.

Without that distinction, the importance of repairing nationally significant historic buildings risks being used to justify a substantially wider commercial aggregate operation.

Natural heritage should not be destroyed on the basis of a need which has not been clearly separated and quantified.

4. The alternatives assessment does not demonstrate that the proposed strategy is justified

For a Local Plan to be sound it must be justified. Government guidance defines a justified plan as one which represents an appropriate strategy, taking into account reasonable alternatives and based upon proportionate evidence.

KCC records a hard-rock requirement of approximately 19.9 million tonnes over the relevant Plan period and indicates that existing Kentish Ragstone reserves could be exhausted around 2033 at current rates. KCC undertook two Calls for Sites. The only hard-rock site nominated was the proposed extension to Hermitage Quarry.

We do not consider that the absence of another voluntarily nominated site is sufficient evidence that Oaken Wood represents the only location for the quarry and the only appropriate planning strategy.

Indeed, KCC's evidence base itself identifies a range of possible alternative sources and strategies, including supply from outside Kent.

Given that the consequence of the preferred strategy would be the destruction of an irreplaceable habitat, the alternatives exercise should be exceptionally rigorous.

The fact that alternatives may be less commercially attractive, involve longer transport distances or require changes to existing supply arrangements does not of itself demonstrate that they are unreasonable.

Where the alternative is the permanent destruction of approximately 41 hectares of ancient woodland, inconvenience, additional cost or the loss of operational efficiency should be weighed against the fact that the habitat proposed for destruction is, by definition, incapable of replacement.

If alternative sites for mineral excavation are unsuitable, the evidence should clearly explain why.

More fundamentally, if no environmentally acceptable site is currently deliverable, the answer should not automatically be to allocate an environmentally unacceptable one.

The very purpose of the strong national protection afforded to irreplaceable habitats is that some locations should be excluded from development except in genuinely extraordinary circumstances.

5. Existing infrastructure and commercial continuity are not “wholly exceptional”

KCC identifies the ability to extend an existing quarry and use established infrastructure as a benefit of the allocation.

That is understandable from an operational and commercial perspective. It may be cheaper, easier and more efficient to extend an existing quarry than to establish alternative supply arrangements elsewhere.

But those advantages are characteristic of almost any proposed extension to an existing mineral site.

If the existence of processing plant, haul roads, an established workforce and other infrastructure were sufficient to establish “wholly exceptional reasons”, ancient woodland adjoining an existing quarry would arguably receive substantially less protection than ancient woodland elsewhere.

That cannot sensibly be the purpose of national policy. The test is intentionally demanding because the habitat cannot be recreated after it has been destroyed.

6. Compensation cannot make ancient woodland replaceable

KCC refers to an extensive compensation package associated with the proposed allocation, including approximately 154 hectares of woodland creation and enhancement.

Canopy welcomes genuine woodland creation and the restoration and enhancement of degraded woodland.

However, those benefits must not be confused with replacement of the ancient woodland that would be destroyed. Government standing advice is unequivocal that ancient woodland is irreplaceable.

New woodland cannot reproduce centuries of ecological continuity. This applies particularly to ancient woodland soils, fungal communities, seedbanks, veteran features and the complex associations between species which develop over very long periods.

Government guidance states expressly that compensation must not form part of the assessment of whether wholly exceptional reasons exist.

7. Soil translocation does not relocate an ancient woodland ecosystem

Canopy is also concerned by reliance upon the proposed translocation of woodland soils.

Ancient woodland is not simply a volume of soil beneath a collection of trees. Its ecological value derives from the relationships between soil structure, fungi, microorganisms, vegetation, deadwood, hydrology, topography and species which have developed over centuries. Moving soil from one location to another cannot reproduce those conditions.

Government standing advice specifically recognises that ancient woodland ecosystems cannot simply be recreated elsewhere.

8. Cumulative loss must be considered

Oaken Wood has already lost approximately 31 hectares as a consequence of the previous Hermitage Quarry extension. The present proposal threatens approximately another 41 hectares.

Ancient woodland protection would be severely weakened if repeated extensions could progressively consume the same woodland, with each proposal considered primarily against the economic benefits of continuing the established operation.

The cumulative effect is not merely numerical. Successive losses fragment what remains, increase edge effects, alter woodland microclimates and reduce ecological connectivity and resilience.

A decision concerning a further 41 hectares should therefore recognise both the direct loss and the wider consequence for the remaining ancient woodland.

9. Restoration is not equivalent to retention

The proposed scheme contains ambitious proposals for restoration and habitat creation.

These may produce ecologically valuable habitats in future. They do not, however, constitute an alternative to avoiding destruction in the first place. The mitigation hierarchy requires avoidance to be considered before mitigation and compensation.

This principle is especially important for an irreplaceable habitat because compensation cannot recreate what has been lost.

The existence of a potentially attractive restored landscape several decades from now therefore does not answer the fundamental question raised by this allocation:

Why must this quarry extension take place within ancient woodland at all?

10. There is a wider issue of confidence in ancient woodland protection

The potential scale of the proposed loss makes this allocation nationally significant.

National policy deliberately uses exceptionally strong wording in relation to ancient woodland. Development causing its loss should be refused unless there are wholly exceptional reasons.

If the requirement for general construction aggregate, the economic advantages of retaining an established business, existing quarry infrastructure and avoidance of increased transport distances are together sufficient to satisfy that test, it becomes difficult to identify what meaningful additional protection the designation “irreplaceable habitat” provides.

Canopy Coalition is concerned that allocation of Oaken Wood would establish an extremely damaging precedent.

The protection given to ancient woodland should mean that alternatives which may be more expensive, less convenient or operationally more difficult are seriously pursued before destruction is even contemplated.

Conclusions on soundness

Canopy Coalition considers that the proposed allocation fails the soundness tests in two important respects.

The Plan is not justified

The evidence does not demonstrate sufficiently that allocating approximately 41 hectares of ancient woodland represents the appropriate strategy when reasonable alternatives are considered.

In particular:

- the absence of another site nominated through a Call for Sites does not establish the absence of reasonable alternatives;
- the specialist need for heritage-quality Kentish Ragstone has not been sufficiently separated from the much larger general aggregate requirement;
- alternative sources and combinations of sources require greater consideration given the exceptional environmental constraint at Oaken Wood; and
- operational convenience and the existing commercial infrastructure at Hermitage Quarry appear to have been afforded considerable weight despite the permanent loss that would result.

The Plan is not consistent with national policy

National policy says that development resulting in the loss or deterioration of ancient woodland should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In Canopy Coalition's view, the reasons advanced do not meet that very high threshold.

The proposed compensation package cannot remedy that deficiency because national guidance expressly prevents compensation from being considered when deciding whether wholly exceptional reasons exist.