Wrotham Parish Council
Response to Regulation 19 Consultation by TMBC

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Section 1: Ightham Sandpit

Index

1. Borough Green Gardens and the Component Quarries
2. Topography
3. BG1 Policy and the 'Soundness Test'
4. Conclusions on the BG1 Policy

Appendix

A. Parish Alliance Response to Regulation 18

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Author Credentials

My name is Peter Gillin BSc Hons, and I have a degree in Physics and Applied Sciences. I have been Vice Chairman and later Chairman of Wrotham Parish Council (WPC) since being elected in 2005. I also served as Hon Secretary to the Tonbridge and Malling branch of CPRE for twelve years.

I attended the call-in Planning Inquiry into the H+H Celcon proposal to build an aircrete factory and bypass road in the AONB in Ightham Sandpit in 2007 as a Rule 6 member of WPC, and I observed proceedings throughout.

1.0 Borough Green Gardens and the Component Quarries

1.1 The land comprising Borough Green Gardens (BGGC) comprises development across around ten disparate land holdings, each with unique historical characteristics and in different ownerships; see Figure 1.

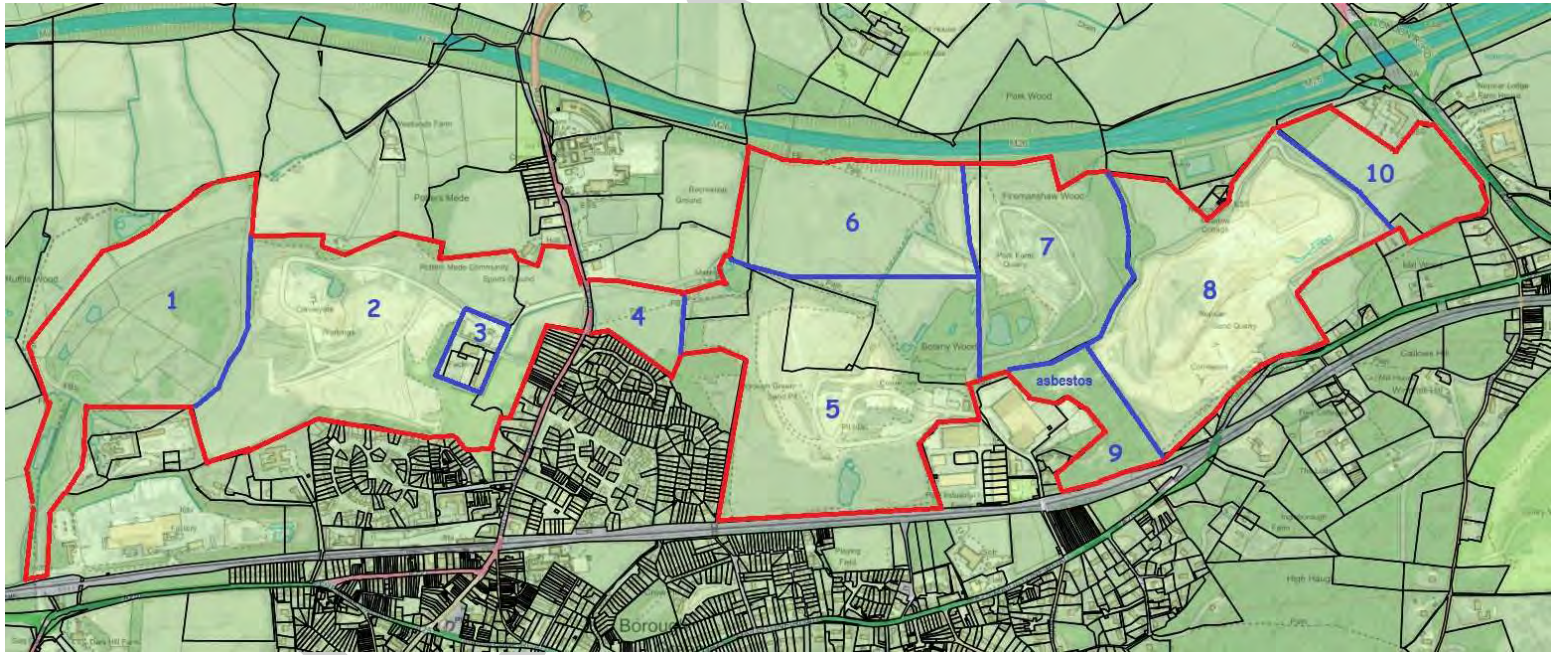


Figure I – Land areas with distinct histories and characteristics

1.2 In Figure 1, the red outline defines the BG1 Policy extent, and the blue numbered areas denote unique characteristics and history that are relevant to the policy. The names and brief descriptions of the areas are as follows.

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1) Ightham Sandpit is a quarry within the National Landscape where the sand reserve has been exhausted and the site backfilled and restored. It is now a beautiful and seemingly natural area within the National Landscape. The ground is heavily contaminated by petrochemical pollution, but this is not apparent on the surface. Neither the Environment Agency nor the Mineral Planning Authority registered or regulated any backfilling operations, and toxic, polluted waste was tipped illegally over decades. For proof, see Appendix A. The Policy states, "land at Ightham Sandpit, excluding any proposed access/new road, shall be safeguarded for natural and amenity green space to preserve the National Landscape". This implies considerable overall costs with no profitable development.
2) Borough Green Landfill is also an exhausted quarry that is operated by the family owners as a successful recycling operation. They take in demolished buildings and crush the concrete, which they export as recycled building material. All the business requires is space (an expansive hole in the ground) and the existing consents it benefits from. The previous owners sold the land with an onerous overage condition in the Land Deeds that disincentivises the current owners from building houses. The huge hole in the ground will take a very long time to fill, given the whole business model is based on a successful recycling operation and the current owners have little to gain from development.
3) A historic industrial estate that the current owners have invested in and benefit from.
4) Locally known as 'the horse field' with a footpath as a diagonal across it. The upper triangle is National Landscape and the lower is Green Belt. The Policy would require a roundabout and an ongoing easterly bypass road to intersect it and presumably considerable development to fund the road and new roundabout.
5) Borough Green Sandpit, including the ancient woodland of Botany Wood, remains an active quarry but is backfilling considerable areas, and most of its extraction operations are scheduled to complete around 2030/2031. That is assuming they do not move into the sand-rich area (6) to the north by agreement with the owners. Policy BG1 assumes that active quarries will not capitalise on adjacent lucrative sand reserves, in this case, in the northern adjacent field.
6) The northern field is a strong sand resource. The clay overburden varies between 3m and 5m, based on the historic record of Park Farm Quarry, which is adjacent and immediately to the east. Clay is a useful mineral used in brick manufacture, and its impervious nature is also used in quarry backfill to form cells when contaminated material needs to be isolated. Perversely, the field remains a greenfield and an untapped resource, although this would not be the case if the lucrative prospect of Borough Green Gardens had not been muted. Policy BG1 stifles the natural quarrying business cycle.
7) Park Farm Quarry was historically mined for the clay overburden, which was used in the Rugby Cement Works at Halling. The site still has sand, and an extant permission for sand extraction remains in place until 2042. It was abandoned decades ago, not backfilled or restored, which presents a significant and unaddressed problem for Policy BG1. It remains a large basin of considerable depth, sits north of the allocation, and is in the line of the Bypass Road. This will be considered in more detail under the heading of 'topography'.
8) Nepicar Sandpit is a vast excavation in the ground from which various types of sand are won and then blended ready for resale. This is a huge excavation, and I urge the Inspector to view the quarry for themselves to fully appreciate the scale of the remaining quarrying and restoration task.
9) In addition, the Nepicar Western Sand Extension is under active consideration by the KCC Mineral Planning Authority. Part of this area consists of 'made ground' containing asbestos fibres, deposited over the original sand deposit. A Remediation Strategy has been agreed, under which the contaminated ground is removed in layers and stored in the existing void in a condition that prevents asbestos fibres from being released. The sand deposits can then be mined from beneath the area known as 'The Pit'. The ultimate aim is to rebury the asbestos-contaminated ground at a deeper level and seal it with gault clay. The applicant cannot be certain how long this process will take, as the extent of the contaminated 'made ground' is currently unknown, but mining and subsequent restoration will likely take at least ten years. During all works to the Western Extension, it will not be possible to restore the main quarry void, as this is where the asbestos-contaminated land will be temporarily stored. This is likely to delay construction of the bypass road for decades. How will two thousand houses be built within the lifetime of this plan? The problems have been ignored, even though the Regulation 18 Consultation highlighted them. Application Reference: M/25/1791 (KCC/TM/0138/2025)
10) This area comprises untouched green fields awaiting quarrying and is reserved under KCC's Strategic Sand Reserve. It is far more logical to win all available minerals in a given area, where plant and expertise already exist to process them, than to halt quarrying prematurely, move all the equipment, and decimate a new

DRAFT

area. A huge house-building programme, as currently set out by government targets, requires significant quantities of sand. Why sterilise sand prematurely when housing is partly built from sand? Diesel costs are astronomical at present; it makes no sense to halt sand production and import the mineral.

2.0 Topography

2.1 Using Google Earth, it is possible to trace the approximate line of the BG1 Relief Road in white and produce an elevation profile showing distance on the x-axis and the AOD height in metres on the y-axis. AOD is the height above mean sea level.

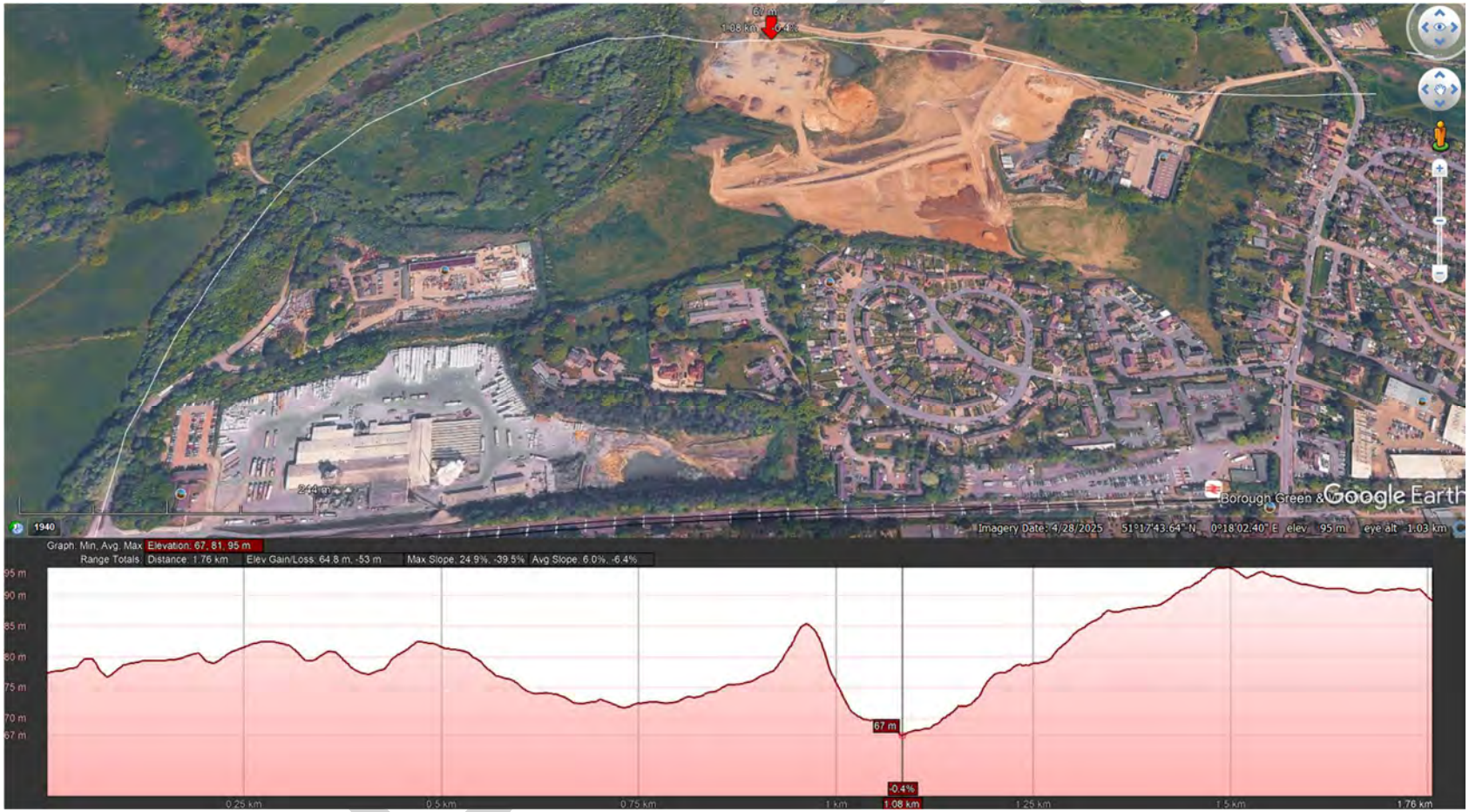


Figure 2 – The line of the western bypass showing the area between Darkhill in Ightham and the A227 south of Wrotham

2.2 This technology gives a unique view of topographical issues that face the BGGC proposal that have not been addressed by the policy. The restored but badly contaminated Ightham Sandpit forms a basin about 492m long (in road terms) with a variation of 13 m AOD. The problems start at the border with Borough Green Landfill, which subsides into a steep crater which is used for a recycling operation by BG Landfill. The land drops 18m AOD over 116m. This is an asset for a recycling operation, as it suppresses noise to adjacent dwellings.

2.3 Figure 3 is a north/south cross section that shows that Westlands Farm to the north is at 93m AOD, the quarry floor is 67m AOD, and Westbank to the south is 97m AOD. The consented restoration is to build up to the surrounding levels to maintain a natural landform. This indicates that a vast void remains to be filled. Newly laid 'made ground' is inherently unstable and would significantly increase the cost of constructing the road and new housing. The consented levels will require considerable quantities of backfill.

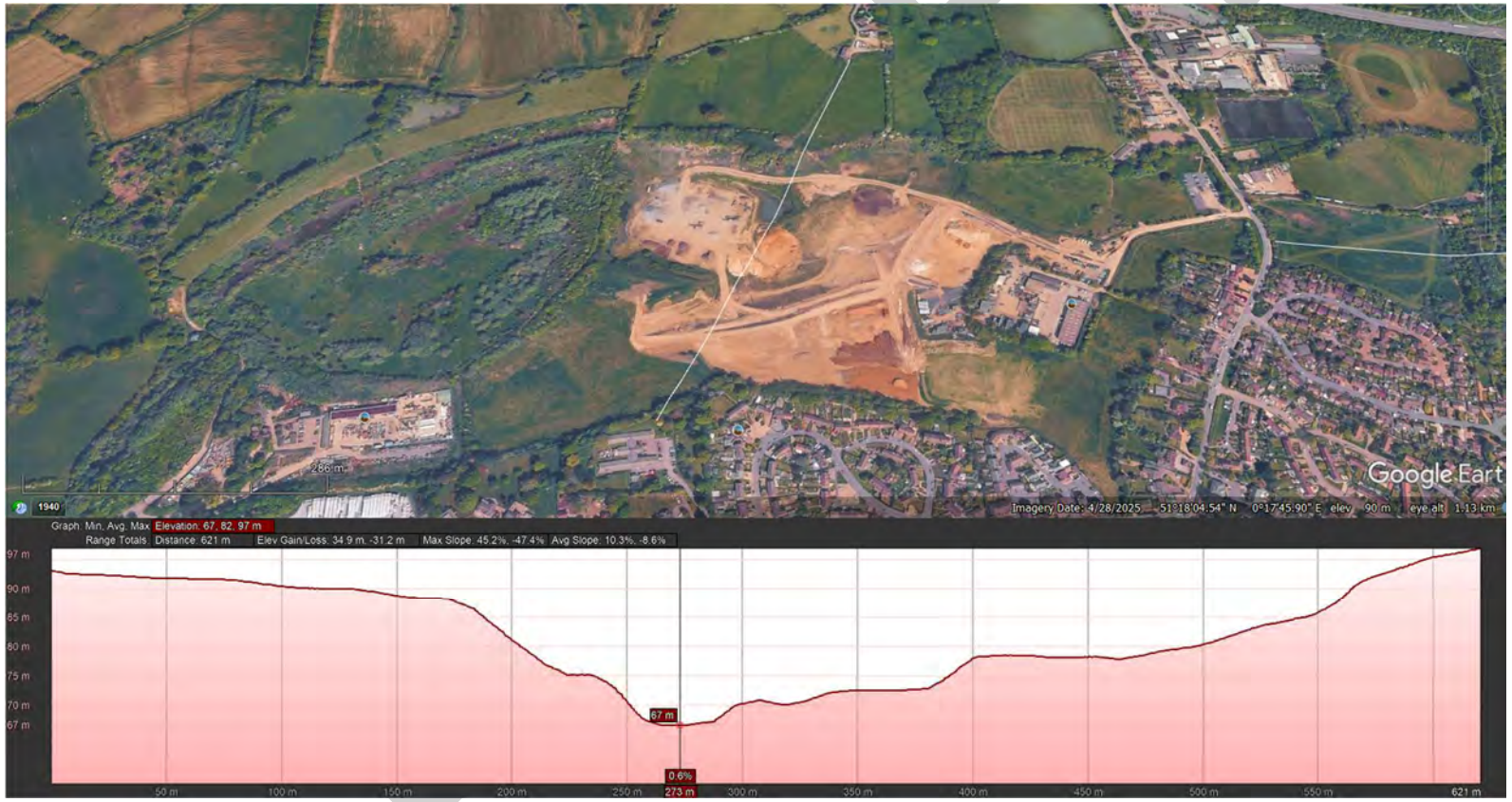


Figure 3 - A cross-section of the Borough Green Landfill Quarry void running north to south

2.3 The business model of BG Landfill is one of recycling waste to produce new aggregates. Every tipper that enters is carefully sifted for materials like metal and concrete/bricks that can be reprocessed into useful aggregates and resold. The company will only fill the void as a last resort.

2.4 It is not in their interest to backfill and build houses due to the onerous overages in the deeds in favour of the original quarry owner who sold the land on after extraction of the mineral was complete. None of these issues are addressed in the BG1 Policy.

2.5 Moving on to Figure 3, the topology to the east of the A227. The area through BG Sandpit is quite regular for a quarry nearing the end of extraction. The business model has been one of segmented extraction and backfill across the quarry. There are recycling operations, but they are not the overall driver, as at BG Landfill. The company has an agreement to extract sand in the greenfield between Nepicar Quarry and the A20, which is a strategic reserve under the Mineral Plan. Mining that area completely undermines the timing of policy BG1.

2.6 The road progresses through Area 6 in Figure 1, which is a greenfield that contains sand and clay overburden but is outside the ownership of BG Sandpit. This would be a logical progression for BG Sandpit's quarrying. The lack of mining interest in this field shows how lucrative housing development disrupts the natural quarrying business model, to the detriment of local aggregate mining objectives.

2.7 The road progresses through a small belt of woodland and into Park Farm Quarry. The mine stripped the clay above the sand and then abandoned the quarry, presumably because it predated planning regulations that enforce restoration. In Figure 3, the red pointer denotes the lowest point of Park Farm Quarry at 82 m AOD.

2.8 The topography of the quarry is unfavourable for road and housing development. The land steadily rises eastward to the quarry perimeter at 101m AOD, then falls rapidly over just 114m to 83m AOD, and then rises rapidly over 190m to 97m AOD. If you examine the terrain cross-section in Figure 3, it is immediately apparent that the quarry was abandoned.

2.9 The fact that the quarry is historic and has never been restored by planning conditions indicates that the owners are under no legal obligation to do so. They have not agreed to consented sand extraction or applied for backfilling consents. The land is left in limbo and impedes the road and housing. In short, it is a problem for the deliverability of Policy BG1, which has not been addressed.

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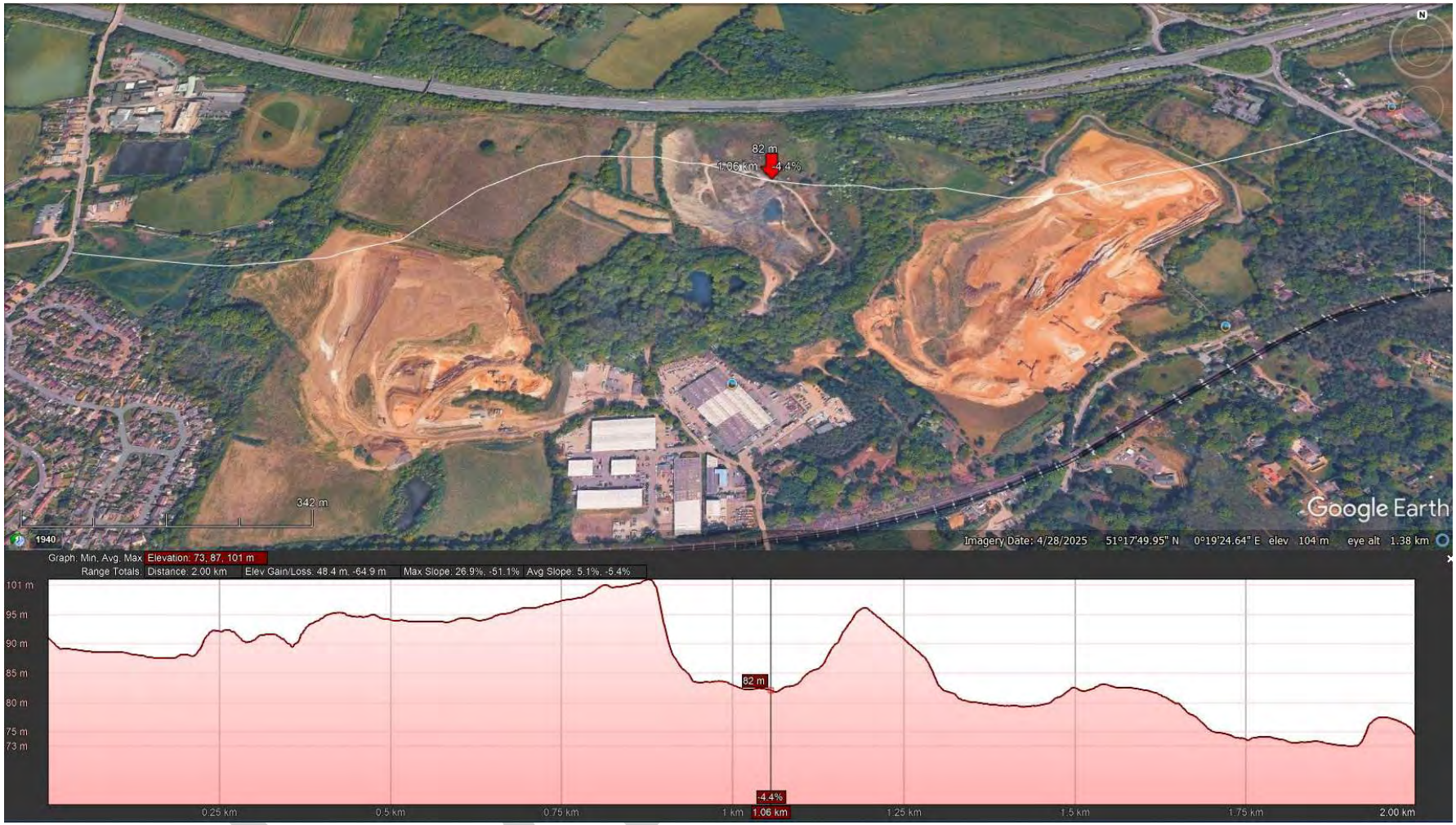


Figure 4 – The line of the eastern bypass showing the area between the A227 south of Wrotham and a new roundabout on the A20 at Nepicar

2.10 It can be observed in Figure 3 that there are three large quarries: -

1) BG Sandpit to the west.
2) The abandoned Park Farm Quarry in the centre, with the red arrow denoting the lowest point.
3) The massive Nepicar Quarry in the east.
4) The western extension to Nepicar Quarry awaits approval and remediation for asbestos fibre contamination.

5) Green fields sandwiched between Nepicar Quarry and the A20, reserved under the KCC Strategic Sand Reserve for quarrying.

3.0 Policy BG1 and the 'Soundness Test'

3.1 WPC submitted a comprehensive response to the Regulation 18 consultation, which outlined the unique challenges of attempting to develop across ten quarries at many different stages in the lifetime of a quarry. The report identified some unique problems, often associated with development on 'made ground'. These are not insignificant challenges and include, for example.

1. Serious and proven ground contamination over a complete quarry that requires large-scale remediation.
2. The presence of protected species across a large area.
3. Made ground instability issues.

The BG1 Policy failed to acknowledge these serious, substantiated issues, instead treating them as "too difficult" to address and excluding them from the policy's development. WPC's response under Regulation 18 is included in Appendix A of this report.

3.2 The policy is proposed as follows.

> *"Development proposals shall be informed by and accord with a comprehensive site-wide Strategic Framework Masterplan to ensure coordinated and comprehensive delivery of development and infrastructure"*

This statement sets out the policy strategy and explains why it's fundamentally unsound. Ten quarries are not the average ten green fields that make up a significant urban extension into farmland. For a Local Plan Policy to advocate such a difficult build over active quarries, some with unpredictable costs, it is completely inadequate not to address the significant problems that arise. The LPA should have assessed each quarry individually, considered informed comments from Consultees, and assessed whether it is indeed possible to produce a Strategic Framework Masterplan. Officers should have contacted the individual decision-makers at each of the ten quarries to assess the timescales each operation is working to and when they expect the land to be ready for development. This could have been cross-checked with MPA Officers, who have far more experience dealing with quarries. The LPA does not have a timeline for completing large quarrying operations, which operate individually and under different business models, across the policy allocation. The assumption above that a 'comprehensive site-wide Strategic Framework Masterplan' is even possible has not been justified by any due diligence.

3.3 The policy further states that.

> *"Each planning application shall include a phasing and implementation plan which shall demonstrate how the provision of the proposed new road will be coordinated with the occupation of the development and shall ensure that the new road is delivered and fully operational at an early stage of that phase of development, including shared services with other phases or parcels."*

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This part of the policy appears to assume that the plan will be 'application-led' and that applications will come forward in a logical progression such that the 'next' application will be in a position to construct the Bypass Relief Road and shared services, like sewers, electricity and gas, will be readily available for the next stage of logical progression along the line of development.

3.4 Given that the LPA has failed to provide any information on the completion dates of the ten quarries within the policy, and probably doesn't know them, it is difficult to understand how this statement can be considered sound and the policy deliverable. As set out in Section 1, the quarries operate under different business models; some are contaminated or have other problems, and none of this suggests an organised line of development feeding a road and services to the next.

3.5 The Local Plan preamble to Policy BG1 states as follows.



14.42 The west of the allocation site, as shown in the green hatching on the policy map and specifically land at Ightham Sandpit, excluding any proposed access/new road, ***is to be safeguarded for natural and amenity green space to preserve the National Landscape. Any use or development within this part of the site must accord with the requirements of the Kent Downs Management Plan, and any associated guidance, to improve the quality of the land and demonstrate how the overall development can demonstrate conserving and enhancing the National Landscape in line with the duty.***

Reference: Policy preamble, WPC emphasis

The National Landscape area hatched in green is to be 'safeguarded for natural and amenity green space to preserve the National Landscape'.

WPC provided irrefutable evidence at the Regulation 18 Consultation (Appendix A) that this land is heavily contaminated. BG1 Policy fails to acknowledge this, and it does not discuss whether providing public access to this space, where none was provided before, would be safe. If the land should be remediated, and WPC has expert testimony that it should be, then the policy should have highlighted this and considered the implications.

3.6 The policy advocates a natural progression of development, and given the timing of the various quarries, this should progress from west to east, if at all possible. This would require a road through Ightham Sandpit from the Darkhill Roundabout into Borough Green Landfill, then to the A227, where a new roundabout would be required. This is immediately problematic for the following reasons.

1. The Ightham Sandpit did not register as a landfill and was not regulated by the MPA or the Environment Agency. Consequently, the MPA never inspected the backfill. The consent was for inert waste and hassock along the bypass route, but because it was not regulated, contaminated waste from the Isle of Grain and other areas was illegally dumped. See Appendix A for evidence.
2. There is now a huge cost of remediation, and the LPA has not considered this in their Plan

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3. There are also a large population of Great Crested Newts ranging across Ightham Sandpit. Providing temporary habitat while the land is remediated and then translocating them back to the hatched green area will be costly, and the amount is unpredictable
4. The land is advocated for largely recreational use in line with the duty to enhance the National Landscape.
5. How will the temporary translocation of a protected species, remediation of the contaminated land, and relocation of the newts into the hatched area be financed? The land belongs to H+H Celcon, who do not gain from development sales, but remediation and road infrastructure are eye-wateringly expensive.
6. The ground is unstable, and the road will likely require piling. None of these high extra costs has been estimated. Under Policy BG1, there is no development revenue, and the project costs are critical to deliverability, but unknown.

3.7 Borough Green Landfill has a recycling business in the huge quarry void. It has all consents and is sustainable within the community. It is a family business that wants to continue as long as possible, as recycling is profitable and it fills the crater as little as possible. There is no incentive to sell off land for housing because of the onerous overage agreements the mining company included in the deeds when it sold the land to the current owners. There is no doubt they will eventually want housing on the land, but not at the expense of a profitable recycling business that depends on the quarry void and existing consents.

3.8 The timing of all of the above has not been considered by the LPA and will significantly delay the ongoing development envisaged.

3.9 These are the first two sites in BGGC and need to finance remediation, protected species, a new road, junction improvements and significant infrastructure. This is clearly completely unviable and undeliverable. The LPA has not adequately considered any part of the first section of BGGC and, as a result, it is unsound.

3.10 Immediately to the east of the A227 lies a field locally known as The Horse Field, Area 4 in Figure 1. Half of the land is within the National Landscape, and half within the Green Belt. The Policy does not state whether building in the Green Belt up to the NL land, in addition to the road, is proposed. The Policy may need to generate revenue to pay for infrastructure, and this could be to the detriment of the KDNL Duty.

3.11 After the Horse Field is the Borough Green Sandpit quarry, which has extracted most of its sand and backfilled many segments. According to outstanding consents, it should complete operations around 2030/2031, assuming it does not extend mining by a new application. To the north is an unquarried field with likely clay overburden and sand beneath. This is one possible expansion that could extend quarrying.

3.12 To the east is Park Farm Quarry, Area 7, where the clay was quarried, leaving sand beneath; then the mine was abandoned. This site presents significant problems for the BG1 policy. It is neither exhausted nor restored and presents as a huge basin with very difficult topography. (Refer to paragraph 2.10-2) It is difficult to see how it can be left as a massive basin which will be out of context with all the surrounding topography. Does the road progress as an elevated concrete flyover, with housing nestled below? It can't go through the Platt Industrial Estate to the south.

3.13 Nepicar Sand Quarry has roads with direct access into the basin. It could be used as a void for backfill of inert materials, but that would pointlessly sterilise the sand beneath. Logically, Nepicar Sand Quarry should extract the sand and then backfill it as a northern extension, as the existing consents run to 2042. The LPA has not asked any of these questions, and I doubt any of the Officers have ever walked through these lands on the network of existing footpaths, much diverted but still intact. Clearly, Policy BG1 is undeliverable in the lifetime of this Local Plan and, as such, unsound.

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3.14 Nepicar Sand Quarry is a vast void and will have a new western extension because the made ground next to the Platt Industrial Estate has lots of asbestos fibres contaminating it. The problem is that this contamination becomes airborne in the wind and endangers local workers and residents. The only practical solution is for Nepicar Quarry to safely remediate the site and allow them to mine the sand beneath the contaminated made ground, known locally as 'The Pit'.



Figure 4 - Photograph of Nepicar Sand quarry, taken from the Western Extension on Sunday 4 October 2026

3.15 The remediation plan utilises the huge quarry void to selectively take out the contaminated backfill in layers, store it in the void, and then mine the sand. This means most quarry resources will be directed to this new endeavour, halting quarrying and backfilling at the main quarry. This is because each quarry is limited by the number of HGV vehicle movements it can make a day, and the void contains the contaminated backfill. This could easily extend the quarry's life by ten or more years. Then they may

have to mine and backfill Park Farm Quarry; we just don't know. What is certain is that the LPA either doesn't understand these issues or has ignored our Regulation 18 submission. Either way, none of this has been considered in the Policy BG1 and, as such, it has resulted in indeterminate completion dates and an unsound policy.

3.16 The green fields sandwiched between Nepicar Quarry and the A20 primary road have not seen a spade in the ground, despite BG Sandpit having an agreement to mine the area. The area forms part of the Mineral Authority's strategic sand reserve under its current Mineral Plan. The BG1 Policy states as follows.

> *"17. Where development proposals may conflict with safeguarded mineral resources or safeguarded minerals and waste management infrastructure, they shall be supported by an appropriate assessment to demonstrate whether there are justifiable grounds for exemption from the presumption to safeguard, in accordance with minerals planning policy." Reference Policy BG1*

3.17 The Mineral Planning Authority have been consulted on this proposal and has pushed back with this robust response.

- TMBC needs to evidence that it has considered the Waste and Minerals Local Plan in relation to safeguarding sites. It notes the safeguarding of the Folkestone Formation belt is of great significance.
- Borough Green will need to be assessed against the presumption to safeguard this mineral deposit from sterilisation; prior extraction is one potential solution that should be explored.
- Long-term conservation of minerals should be recognised by the Local Plan.
- Further work within the TMLPD could be done to demonstrate the plan's ability to meet the County Council's position on mineral safeguarding in general and with regard to the Folkestone Formation in particular.

3.18 Prior extraction of the mineral and the consequent backfill restoration programme would effectively prevent full deliverability of the policy within the timeframe of the Local Plan and leave the Ightham to Nepicar Traffic Relief Road inoperable for decades, as it would prevent the construction of the final link and roundabout junction with the A20. This would add thousands of extra local vehicles to the existing Primary Road Network for decades to come.

3.19 Policy BG1 is undeliverable, as there can be no certainty that the works can be delivered in the lifetime of the plan. Further, it fails to cooperate with KCC.

4.0 Conclusions on the BG1 Policy

4.1 Difficult problems like the presence of protected species and site contamination, raised at the Regulation 18 Consultation, have been ignored. As a result, there is a hopeful objective for a 'Masterplan of Development', without ever establishing whether that is a realistic prospect.

4.2 A realistic development timeline has not been established; there are too many factors that cannot be quantified at the various stages of development. Quarrying and/or remediation could quite possibly continue after the lifetime of the Local Plan. This is because the output from quarries is regulated by the consented HGV daily movements.

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Delivering the development within the time frame, given the huge quarry voids to be filled and others yet to be opened, appears impossible.

4.3 The infrastructure required for the project includes two new roundabouts, an end-to-end road, and multiple junction improvements. Many of these works are considerably more expensive because they are carried out on made ground. No attempt has been made to quantify the costs or assess the project's viability.

4.4 Given time, the quarries will work through the multiple stages of the business model, but this is highly unlikely within the time frame of this Local Plan. In fact, Policy BG1 disrupts the multiple stages of quarrying.

4.5 The obvious conclusion is that this proposal is premature. Quarrying is not advanced enough to give any realistic prospect of the Policy being deliverable within the necessary timeframe. BG1 Policy should be set aside and come forward as part of a future Local Plan.

4.5 For all of the above reasons, the Policy is unsound.

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