

# Kent County Council

## Minerals and Waste Planning Policy

### Planning Applications - Minerals and Waste and County Council Development



## Statement of Community Involvement

Draft

October 2020



This document can be made available in an accessible format, including large copy print and audio. If you require the document in one of these formats please contact the Minerals and Waste Planning Policy Team on 03000 422370 or email

[mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk).

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## Abbreviations

DM	Development Management
DtC	Duty to Co-operate
KCC	Kent County Council
KMWLP	Kent Minerals and Waste Local Plan
LDS	Local Development Scheme
MWLP	Minerals and Waste Local Plan
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
NSIP	Nationally Significant Infrastructure Projects
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SOCG	Statement of Common Ground
SPD	Supplementary Planning Documents

## Executive Summary to the consultation draft

National planning policy and legislation recognises the importance of engaging with local communities to shape the places where they want to live, work and play. Under the Planning and Compulsory Purchase Act 2004, Kent County Council (KCC) is required to produce a Statement of Community Involvement (SCI) which sets out how it intends to involve communities in its planning activities.

This draft SCI sets out how and when communities can be involved in the development planning and development management activities for which KCC has responsibility. These include KCC's planning policies for the supply of minerals (sand, clay, chalk, ragstone, gravel etc.), the management of waste<sup>1</sup> and KCC's own services such as school buildings.

'Community involvement' includes all those with an interest in the County Council's planning activities – businesses (including the waste and minerals industries), local councils (including districts and parishes), community groups and individuals and a range of other local and national organisations.

The County Council's first SCI was adopted in 2006 and then updated in two addendums published in April 2013 and January 2014. This document is a complete revision to take into account changes in planning legislation, adoption of the Kent Minerals and Waste Local Plan 2013-30 (KMWLP) and Kent Mineral Sites Plan and production of additional non-statutory documents such as Supplementary Planning Documents (SPDs). **Comments on this draft document are invited until XXXX.**

The SCI sets out KCC's planning responsibilities and the principles, opportunities and approaches that guide our community involvement activities at various stages of planning policy preparation.

KCC's development management responsibilities are described along with the approach taken to publicity and consultation on planning applications at each stage of the process through to a decision.

Our aim is to ensure that everyone is clear on how they can contribute to, and what they may expect from, our plan making and development management activities. We aim to appropriately inform, consult and involve the Kent community and other relevant interested parties in the review of minerals and waste planning policy and in the consideration of planning applications that are our responsibility.

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<sup>1</sup> At the time of publication, existing waste and minerals planning policy for Kent was set out in the Kent Minerals and Waste Local Plan (KMWLP) (modified version adopted 2020) and the Kent Mineral Sites Plan (adopted 2020).

# 1. Introduction

## 1.1 What is the Statement of Community Involvement (SCI)?

- 1.1.1 This Statement of Community Involvement (SCI) sets out how Kent County Council (KCC) will engage and consult its residents and other stakeholders when reviewing its waste and minerals planning policy and when and how the public will be involved in the determination of planning applications for which the County Council is responsible.
- 1.1.2 The requirement to produce an SCI is set out in the Planning and Compulsory Purchase Act 2004 which seeks to improve community involvement throughout the planning process. This requirement is also supported by the Localism Act 2011 which outlines the importance of engaging with local communities to shape the places where they want to live, work and play as part of the planning system. The National Planning Policy Framework 2019 (NPPF) also recognises the need for early, proportionate and effective engagement with communities, local organisations, businesses, infrastructure providers and operators, and statutory consultees.
- 1.1.3 Since the Council's SCI was adopted in 2006, there have been significant changes to the planning system and ways in which the County Council engages with local communities. This SCI has been produced to ensure that the County Council is able to involve the community effectively in planning processes and reflects the most up to date legislation and practices. The County Council aims to ensure opportunities for engagement and strengthen community and stakeholder involvement in planning and development processes.
- 1.1.4 As outlined in the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. Plans and decisions should apply a presumption in favour of sustainable development, with plan-making positively seeking opportunities to meet the development needs of their area. Plans should provide certainty and a mechanism for efficient, timely decision-taking and for approving development proposals that accord with an up-to-date development plan.

## 1.2 Monitoring and Review of the SCI

- 1.2.1 The County Council is committed to monitoring, reviewing and amending the methods and level of engagement with the community in response to ongoing feedback on the success and effectiveness of the community engagement undertaken. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require SCI's to be reviewed every 5 years. Therefore, indicators (as set out in Appendix 5) will be used to inform such reviews, for example changes will be considered where an unsatisfactory level of community involvement has been identified. The County Council is continuously seeking new and innovative ways to communicate and engage with the community and the methods set out in this SCI reflect recent experience over what has, and has not been effective.

## 2. Consultation and Engagement

### 2.1 Engagement Principles

- 2.1.1 Consultation and engagement are an important part of the plan making and development management processes. The different parties involved have various rights and responsibilities, which are defined in legislation and guidance. The County Council is committed to providing communities and stakeholders with the opportunity to engage with the planning process and to help more people get involved in the future planning of the county. By presenting all of the relevant information and options at all stages of plan making and planning application determination, the County Council recognises the importance of:
- timely and early engagement;
  - clear and informative communication; and,
  - the need to maintain transparency.
- 2.1.2 Consultation and engagement methods that are relevant to the community and stakeholders being consulted, as well as being appropriate in scale, will be chosen to ensure that they are as effective as possible based on the different stages of the planning process. The importance of keeping interested parties up to date is recognised by the County Council and therefore emphasis is placed on ensuring that its website is updated on a regular basis.
- 2.1.3 Whilst proposals may not always please everyone, engagement will be inclusive, easily accessible, transparent and meaningful, addressing tensions in good faith and finding the right balance. In considering representations, it is of note that planning matters are determined against material planning considerations that are relevant to a particular application or policy. Decisions are not determined on the basis of sheer numbers objecting to or supporting a proposal, rather they are based upon the content and merit of the response.
- 2.1.4 The engagement principles of the SCI echo those of The Kent Partners Compact (2012)<sup>2</sup> which include effective consultation, representation and partnership working within Kent through:
- early engagement;
  - transparency;
  - accessibility; and,
  - feedback.
- 2.1.5 The County Council focuses on engagement through informing and updating the local community, maintaining dialogue and providing feedback and being open and responsive to comments.

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<sup>2</sup> [www.kent.gov.uk/ data/assets/pdf file/0019/5536/Kent-Partners-Compact.pdf](http://www.kent.gov.uk/data/assets/pdf_file/0019/5536/Kent-Partners-Compact.pdf)

2.1.6 All comments submitted in response to the County Council’s consultations on planning policy documents and planning applications will be processed in accordance with the General Data Protection Act (GDPR), as set out in the Planning Applications Group Privacy Notice available on the County Council’s website<sup>3</sup>. To ensure that involvement is effective, all comments received will be recorded, read and taken into consideration. A report setting out how comments have been considered will be provided following plan making consultations.

## 2.2 ‘Who’ will the Council Involve?

2.2.1 The County Council is legally required to consult statutory consultees as outlined in the 2012 local plan making regulations<sup>4</sup>. These include *specific consultation bodies* that are knowledgeable in specific subjects such as the Environment Agency and Historic England, a full list is provided in Appendix 2.

2.2.2 The Regulations also require the County Council to consult a number of *general consultation bodies* where relevant to the specific planning activity. These include voluntary organisations, those representing the interests of different groups in the authority’s area and organisations which represent the interests of a person carrying on business in the authority’s area. A non-exhaustive list of such bodies in Kent provided in Appendix 3.

2.2.3 As part of the local plan work the Minerals and Waste Planning Policy team will create a consultation database consisting of community groups, key stakeholders and statutory consultees who will be contacted when planning policy documents are published. The database will be updated throughout the development of the Local Plan to ensure new contacts and interested members of the public are involved. It will be managed in accordance with GDPR Regulations and our privacy notice. Please contact the Minerals and Waste Planning Policy team via [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk) or 03000 422370 if you would like your details added to the consultation database.

## 2.3 ‘How’ will the Council Involve?

2.3.1 The County Council is continuously developing and building upon the ways in which it consults and engages with local communities and stakeholders, with a general shift towards the increased use of electronic communication, including engagement through email, the internet and social media. These methods are more cost effective and time efficient and have the potential to reach a wider audience than previously. They also appear to be the preferred method of engagement by those making representations on planning matters.

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<sup>3</sup> Planning Applications Group privacy notice - <https://www.kent.gov.uk/about-the-council/information-and-data/access-to-information/gdpr-privacy-notice/environment,-planning-and-enforcement/planning-applications> Minerals and Waste Local Plan privacy notice - <https://www.kent.gov.uk/about-the-council/information-and-data/access-to-information/gdpr-privacy-notice/environment,-planning-and-enforcement/minerals-and-waste-privacy-statement>

<sup>4</sup> Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

2.3.2 The County Council is keen to hear community and stakeholder views on planning applications and plan making and will continue to engage with the community throughout the preparation of policy documents and assessment of planning applications. The council aims to encourage and facilitate broadly based participation and the way in which views are sought will vary depending upon the information which is being consulted upon. A variety of engagement tools will be used including, but not limited to, the following:

- County Council website
- Site notices
- Press notices
- Posters (E.g. Libraries<sup>5</sup>/Gateways/Parish notices)
- Public meetings
- Stakeholder/representative group workshops/drop-ins
- Consultations with key stakeholders including meetings
- Virtual/physical exhibitions (manned/unmanned)
- Letters/emails to interested parties
- Responding to queries via email and/or telephone
- Social media
- Hard copy documentation available for inspection at Council Offices (a full list of KCCs offices is available in Appendix 6), libraries<sup>6</sup> - plan making documents only

2.3.3 It is unlikely that the County Council would use all of the above tools at the same time and, for example, some planning applications may just use the County Council website and a site notice as a means of engagement.

## 2.4 Effectiveness of Public Involvement

2.4.1 To ensure that involvement is effective, all comments should be relevant to the planning process being consulted on and be clear and concise. All comments should be submitted within the consultation timeframe and it should be noted that all comments submitted on planning policy documents will be made publicly available. Comments on planning applications may be drawn to the attention of County Members, the applicant/agent and other interested persons. The County Council does not currently publish consultation or neighbour comments on a planning application on the County Council website, however these are shared with the District/Borough Council who may then publish these comments on their website in accordance with their own policies. All comments will be managed in accordance with our Privacy Notice.

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<sup>5</sup> It should be noted that there is public access to the internet from all libraries and gateways within Kent where documentation can be viewed by members of the public. A list of KCC's libraries and gateways are included in Appendix 6

<sup>6</sup> There may be times where, due to operational reasons, the County Council offices and/or libraries may not be accessible. In those unlikely circumstances, documents will be published in accordance with government advice.

## 3. Community Involvement and Plan Making

### 3.1 The Kent Minerals and Waste Local Plan and Sites Plans

- 3.1.1 KCC is the minerals and waste planning authority for Kent and, under the Planning and Compulsory Purchase Act 2004, is responsible for the production, monitoring and review of minerals and waste planning policy for Kent. Minerals and waste planning policy is set out in a series of documents that include policy and proposals for the future development and control of mineral working and waste management in Kent.
- 3.1.2 In order for a Local Plan to be adopted, it must be considered 'sound'. As set out in the NPPF, to be 'sound', a Local Plan must be:
- **Positively prepared** - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** - the Plan should be an appropriate strategy taking into account the reasonable alternatives, and based on proportionate evidence.
  - **Effective** - the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
  - **Consistent with national policy** - the Plan should enable the delivery of sustainable development in accordance with the NPPF.
- 3.1.3 Minerals and waste planning policy for Kent is currently set out in the Kent Minerals and Waste Local Plan 2013-30 (KMWLP) which was adopted in July 2016, and modified in September 2020 (in the Early Partial Review), and in the Kent Mineral Sites Plan that was adopted in September 2020. The KMWLP describes the overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent. In particular, the KMWLP incorporates the development management policies against which minerals and waste proposals are assessed. Together with the Kent Minerals Sites Plan, it also sets out appropriate locations for working the minerals needed over the next 10 years in order to ensure that a steady and adequate supply of aggregates can be maintained throughout this period. The KMWLP also sets out the need for waste management and ensures that such development occurs in suitable locations. The ways of managing waste are changing rapidly, waste is now seen as a resource rather than something that simply needs to be discarded, and is managed in accordance with the waste hierarchy. The Waste Hierarchy ranks waste management options according to what is best for the environment. It gives top priority to preventing waste in the first place. When waste is created, it

gives priority to preparing it for re-use, then recycling, then recovery, and last of all disposal (e.g. landfill).

- 3.1.4 The programme for reviewing the KMWLP is set out in the Kent Minerals and Waste Development Scheme which is available on the County Council's website. This provides a timeline for the community and stakeholders to find out about current planning policies on minerals and waste and the programme for their review. Progress against the Development Scheme, and any changes to it, are reported on the County Council's website.
- 3.1.5 During the preparation of minerals and waste planning policy, the County Council must ensure that all of the statutory consultation requirements as set out in the 2012 Town and County Planning Regulations (and any future revisions) are met. The current key stages in the preparation of a Local Plan are set out below. The County Council will engage with the community throughout the preparation of planning policy, and in addition to the statutory requirements, will carefully consider options for additional community involvement to ensure that all key stakeholders and local residents are made aware of planning proposals and are given the opportunity to comment on them.

## 3.2 Duty to Co-operate

- 3.2.1 The County Council has a legal duty to engage with other local planning authorities and prescribed bodies (specific and general consultation bodies) on an ongoing basis throughout the preparation of Local Plans and other planning policy documents relating to development that covers strategic matters – known as the 'Duty to Co-operate' (DtC).
- 3.2.2 Section 110 of the Localism Act 2011 sets out the 'Duty to Co-operate'. This applies to all local planning authorities, including County Councils, plus a number of other public bodies. The duty relates to sustainable development or the use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a County Council and requires that councils set out planning policies to address such issues. The duty also requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies and requires councils to consider joint approaches to plan making.
- 3.2.3 The NPPF also outlines the requirements associated with the Duty to Co-operate and notes that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy.
- 3.2.4 Throughout the production of planning policy documents, the County Council will report on how it is complying with the Duty to Co-operate.

### 3.3 Statements of Common Ground (SoCG)

- 3.3.1. Paragraph 27 of the NPPF outlines that in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground (SoCG), documenting the cross boundary matters being addressed and progress in cooperating to address these. In accordance with the NPPF, the County Council will produce SoCGs and, to ensure transparency, make them publicly available throughout the plan making process.
- 3.3.2. The diagram and table below set out the key stages in preparing planning policy documents and details the County Council's methods of engagement.

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### 3.4 Key Stages in Preparing Planning Policy<sup>7</sup>



<sup>7</sup> Note that the Regulations relate to The Town and Country Planning (Local Planning) (England) Regulations 2012

**Table 1 - Local Plan Preparation Methods of Engagement**

Stage of Local Plan Preparation	Methods of Engagement		
	We will...	We may...	You can...
<p><b>Stage 1</b></p> <p><b>Initial Evidence Gathering</b></p> <p>Gathering evidence and information regarding the Plan area in order to:</p> <ul style="list-style-type: none"> <li>Identify the issues the plan area faces and what potential options there may be available to address these matters to meet national and local targets, strategies and policies, while defining the Plan’s strategy and vision.</li> <li>Identify environmental, economic and social objectives to inform the Sustainability Appraisal (SA) and produce a</li> </ul>	<ul style="list-style-type: none"> <li>Publish the Sustainability Appraisal (SA) Scoping Report on the County Council website<sup>8</sup></li> <li>Publish technical papers (evidence Topic Reports) on the County Council website<sup>8</sup></li> <li>Invite comments from communities and stakeholders including the statutory consultation bodies (e.g. Natural England, Environment Agency, and Historic England etc) on the scope of the Sustainability Appraisal (SA) Report for a minimum of 6 weeks</li> <li>Respond to emails about the plan making process within 10 working days</li> </ul>	<ul style="list-style-type: none"> <li>Request information from third parties relevant to the development of the Plan’s evidence base</li> <li>Invite comment on technical documents</li> <li>Set up workshops and meetings with statutory bodies, groups and/or individuals relevant to the Plan’s objectives and evidence needs.</li> <li>Extend the consultation period to allow additional time e.g. where consultation takes place over holiday periods</li> </ul>	<ul style="list-style-type: none"> <li>View copies of the relevant documents on the County Council’s website<sup>9</sup></li> <li>Submit information and attend meetings when invited. NB: Comments must be received within the consultation timeframe and in writing</li> <li>Inform the County Council that you wish to be involved in the preparation of the Plan</li> <li>Make requests for information</li> <li>Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you</li> </ul>

<sup>8</sup> <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy>

<sup>9</sup> It should be noted that there is public access to the internet from all libraries and gateways within Kent where documentation can be viewed. A list of KCC’s libraries and gateways are included in Appendix 6

<p>Sustainability Appraisal (SA) Scoping Report.</p>	<ul style="list-style-type: none"> <li>• Provide policy documentation prepared by the County Council in an accessible format</li> <li>• Take into account any written representations received at this stage</li> </ul>		<p>have any queries about the process</p>
	<p><b>We will...</b></p>	<p><b>We may...</b></p>	<p><b>You can...</b></p>
<p style="text-align: center;"><b>Stage 2</b></p> <p style="text-align: center;"><b>Identification of issues and options for addressing those issues (Regulation 18)</b></p> <p>This stage usually involves the formulation of a consultative Plan document, based on the evidence gathered and is often referred to as an 'Issues and Options' document which will identify the main issues and different reasonable alternatives, from which the options that could be taken forward in the Plan are identified. On some less complex matters the Council may miss out this stage and go straight to Stage 3.</p> <p>Initiate Duty to cooperate engagement</p>	<ul style="list-style-type: none"> <li>• Notify specific statutory and general consultees that the County Council is preparing a Plan and invite comments on the 'Issues and Options' for a minimum period of 6 weeks</li> <li>• Take into account any written representations received at this stage</li> <li>• Publish the 'Issues and Options' on the County Council website</li> <li>• Provide a hard copy of key documents at the main County Council office</li> <li>• Provide policy documentation prepared by the County Council in an accessible format</li> </ul>	<ul style="list-style-type: none"> <li>• Publish a notice in local newspaper(s) which outlines details of the 'Issues and Options' document and Sustainability Appraisal (SA) and where they can be viewed</li> <li>• Organise and attend meetings/workshops with local communities and key stakeholders</li> <li>• Set up virtual/physical manned and unmanned displays and exhibitions at locations within the County</li> <li>• Produce posters to display at KCC libraries, gateways and parish notice boards</li> </ul>	<ul style="list-style-type: none"> <li>• View copies of the relevant documents on the County Council's website<sup>9</sup></li> <li>• Submit comments to the County Council online using the user friendly web portal, or via email to <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> or by post on the 'Issues and Options' (having assessed the evidence base, and the issues identified); including suggestions for any other options. NB: comments must be received within the consultation timeframe and in writing</li> <li>• Submit comments to the County Council about the Sustainability Appraisal (SA)</li> </ul>

	<ul style="list-style-type: none"> <li>Respond to emails about the plan making process within 10 working days</li> <li>Use social media to promote and raise awareness of the consultation</li> <li>Initiate Duty to Cooperate discussions with neighbouring authorities on matters of potential cross border significance</li> </ul>	<ul style="list-style-type: none"> <li>Extend the consultation period to allow additional time e.g. where consultation takes place over holiday periods</li> </ul>	<p>Report on the 'Issues and Options' document. NB: comments must be received within the consultation timeframe and in writing</p> <ul style="list-style-type: none"> <li>Attend meetings when invited</li> <li>Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the process</li> </ul>
	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<p style="text-align: center;"><b>Stage 3</b></p> <p style="text-align: center;"><b>Publication of a preferred approach (may include draft policies set out in a draft Plan) (Regulation 18)</b></p> <p>The County Council will review the comments received at Stage 2 and take them into account when preparing a Draft Plan.</p> <p>The County Council will undertake a full Sustainability Appraisal (SA) to assess the environmental,</p>	<ul style="list-style-type: none"> <li>Carry out a public consultation on the Draft Plan. Typically, the public consultation will be held for a minimum of 6 weeks</li> <li>Notify general consultation bodies (Appendix 3) and specific consultation bodies (Appendix 2) of the consultation details</li> <li>Engage with individuals/groups that have advised the County Council that they would like to be kept informed/involved in plan consultations</li> </ul>	<ul style="list-style-type: none"> <li>Publish a notice in local newspaper(s) which outlines the details of the Draft Plan and Sustainability Appraisal (SA) and where they can be viewed</li> <li>Organise and attend meetings/workshops with local communities and key stakeholders</li> <li>Set up virtual/physical manned and unmanned displays and exhibitions at locations within the County</li> </ul>	<ul style="list-style-type: none"> <li>View copies of the relevant documents on the County Council's website<sup>9</sup></li> <li>Submit comments to the County Council online using the user-friendly web portal, or via email to <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> or via post on what you think the Draft Plan should contain, having assessed the evidence base, and the issues identified, including any others that you think should be included within it. If the Plan has</li> </ul>

<p>economic and social impacts of the Draft Plan and its reasonable alternatives.</p>	<ul style="list-style-type: none"> <li>• Take into account any written representations received as a result of preparing the plan</li> <li>• Publish the Draft Plan, the full Sustainability Appraisal (SA) Report and related documentation on the County Council's website</li> <li>• Provide a hard copy of the Draft Plan, and Sustainability Appraisal (SA) at the main County Council office</li> <li>• Publish a notice on the County Council website which identifies the locations and times that hard copies of the Draft Plan and Sustainability Appraisal (SA) Report can be viewed</li> <li>• Respond to emails about the plan making process within 10 working days</li> <li>• Provide policy documentation prepared by the County Council in an accessible format</li> </ul>	<ul style="list-style-type: none"> <li>• Produce posters to display at KCC libraries, gateways and parish notice boards</li> <li>• Extend the consultation period to allow additional time e.g. where consultation takes place over holiday periods</li> <li>• Make other documentation available in hard copy to view at the main County Council office</li> </ul>	<p>allocations (that came from the Options identified at Stage 2) you can submit comments on how appropriate these allocations are in order to achieve the Plan's objectives. NB: Comments must be received within the consultation timeframe and in writing</p> <ul style="list-style-type: none"> <li>• Submit comments to the County Council about the Sustainability Appraisal (SA) Report. NB: comments must be received within the consultation timeframe and in writing</li> <li>• Attend meetings when invited</li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the process</li> </ul>
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	<ul style="list-style-type: none"> <li>Use social media to promote and raise awareness of the consultation</li> </ul>		
	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<p style="text-align: center;"><b>Stage 4</b></p> <p style="text-align: center;"><b>Publication of the Local Plan</b></p> <p style="text-align: center;"><b>(Regulation 19 and 20)</b></p> <p>The County Council will review comments we receive at Stage 3 and consider them when preparing the Local Plan that the County Council intends to submit to the Secretary of State for examination.</p> <p>The County Council will provide a Sustainability Appraisal of the Proposed Submission Plan; taking into consideration the comments received relating to the Sustainability Appraisal of the Draft Plan at Stage 3.</p>	<ul style="list-style-type: none"> <li>Publish on the County Council's website the following: <ul style="list-style-type: none"> <li>A copy of the process by which representations can be made.</li> <li>A statement identifying places and times where all the relevant documents can be viewed in hard copy</li> <li>The Submission Plan and the relevant evidence base of documentation the 'Examination Library'</li> <li>The Sustainability Appraisal (SA) Report of the Submission Plan</li> <li>Statement of the Representations Procedure<sup>10</sup></li> </ul> </li> <li>Provide a hard copy of the published Plan, and the</li> </ul>	<ul style="list-style-type: none"> <li>Place advertisements in the local newspaper(s)</li> <li>Organise and attend meetings/workshops with local communities and key stakeholders</li> <li>Set up virtual/physical manned and unmanned displays and exhibitions at locations within the County</li> <li>Produce posters to display at KCC libraries, gateways and parish notice boards</li> <li>Extend the consultation period to allow additional time e.g. where consultation takes place over holiday periods</li> </ul>	<ul style="list-style-type: none"> <li>View copies of the relevant documents on the County Council's website<sup>9</sup></li> <li>Submit comments to the County Council online using the user-friendly web portal, or via email to <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> or by post the Sustainability Appraisal report and the proposed Submission Plan and its evidence base. NB: Comments must be received within the consultation timeframe and in writing</li> <li>Request to be notified when the County Council submits the Plan to the Secretary of State</li> </ul>

<sup>10</sup> The Statement of Representations Procedure is a regulatory requirement sets out details of the consultation, including the duration, documents consulted on, how representations can be made and where the documents can be viewed.

	<p>Sustainability Appraisal (SA) at the main County Council office</p> <ul style="list-style-type: none"> <li>• Send a copy of the statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and the places and times they can be inspected to the general consultation bodies and specific consultation bodies invited to make representations at Regulation 18</li> <li>• Provide policy documentation prepared by the County Council in an accessible format</li> <li>• Publish a notice on the County Council website which identifies the locations and times that hard copies of the Draft Plan and SA Report can be viewed</li> <li>• Respond to emails about the plan making process within 10 working days</li> <li>• Use social media to promote and raise awareness of the consultation</li> </ul>	<ul style="list-style-type: none"> <li>• Make other documentation available in hard copy to view at the main County Council office</li> </ul>	<ul style="list-style-type: none"> <li>• Request to be heard at the Independent Examination (the decision of who is heard is made by the Inspector appointed to examine the Plan)</li> <li>• Request to be notified when the recommendations by the Inspector are published</li> <li>• Attend meetings when invited</li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the process</li> </ul>
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	We will...	We may...	You can...
<p style="text-align: center;"><b>Stage 5</b></p> <p style="text-align: center;"><b>Submission of the Local Plan</b></p> <p style="text-align: center;"><b>(Regulation 22)</b></p> <p>The County Council will submit the Local Plan (as published at stage 4), accompanying documentation, Sustainability Appraisal Report and representations to the Secretary of State for independent Examination.</p>	<ul style="list-style-type: none"> <li>• Submit the Plan and accompanying documents including the Sustainability Appraisal to the Secretary of State</li> <li>• Notify those people who requested to be notified that the Plan has been submitted to the Secretary of State</li> <li>• Notify statutory and general consultees that the Plan and accompanying documents including the Sustainability Appraisal, are available to view and the times and places where they can be viewed</li> <li>• Publish on the County Council's website the Submission Plan, accompanying documents including copies of the representations that we received to the proposed Submission Plan</li> <li>• Provide a hard copy of the published Plan, and the Sustainability Appraisal (SA) at the main County Council office</li> </ul>	<ul style="list-style-type: none"> <li>• Publish a notice in local newspaper(s) informing Kent's communities that the Plan has been submitted to the Secretary of State, where the Plan and relevant documents can be viewed online and in the main County Council office with public access</li> </ul>	<ul style="list-style-type: none"> <li>• View the Plan and documents that have been submitted to the Planning Inspectorate on the County Council website<sup>9</sup></li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the process</li> </ul>

	<ul style="list-style-type: none"><li>• As soon as reasonably practicable after submitting the Local Plan to the Secretary of State, the County Council will make the following documents available for inspection along with a statement outlining the places and times at which they can be inspected:<ul style="list-style-type: none"><li>○ A copy of the Local Plan</li><li>○ The Sustainability Appraisal report</li><li>○ A Statement of Representation</li><li>○ A notice stating the times and places where the documents can be viewed.</li></ul></li><li>• Respond to emails about the plan making process within 10 working days</li><li>• Use social media to promote and raise awareness of the consultation</li></ul>		
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	We will...	We may...	You can...
<p align="center"><b>Stage 6</b></p> <p align="center"><b>Examination of the Local Plan and Publication of the Recommendations of the Appointed Person (main and minor modifications)</b></p> <p align="center"><b>(Regulation 24 and Regulation 25)</b></p> <p>The submitted Plan is independently examined by a Planning Inspector(s) who will assess whether the Plan has been prepared in accordance with the Duty to Cooperate, the legal and procedural requirements and whether it is sound; in that it is positively prepared, justified, effective and consistent with national planning policy.</p> <p>Throughout the Independent Examination the Planning Inspector(s) may recommend minor and major modifications to the Plan. The County Council will subsequently publish these and</p>	<ul style="list-style-type: none"> <li>• Notify anyone who made representation in accordance with Regulation 20 and not withdrawn that representation at least 6 weeks prior to the opening of the Independent Examination hearings details of the following: <ul style="list-style-type: none"> <li>○ the name of the appointed Inspector(s) carrying out the independent examination;</li> <li>○ the date, time and place at which the hearing is to be held</li> </ul> </li> <li>• Publish the date, time and place at which the hearing is to be held on the County Council’s website via social media and at the main County Council office at least 6 weeks before the hearing is held</li> <li>• Provide an accessible venue for the hearings which will allow all interested parties to attend and participate – this includes equal access and hearing loops</li> </ul>	<ul style="list-style-type: none"> <li>• Publish in local newspaper(s) information to inform the communities of Kent the date, time and place the submitted Plan’s Independent Examination will be held, and the name of the appointed Inspector(s) who will carry out the Independent Examination</li> <li>• Publish the hearings as a webcast</li> <li>• Notify anyone who made representation at Regulation 18 and 19 of the hearing details</li> <li>• Carry out an additional consultation if there are modifications recommended by the appointed Inspector(s) – this includes making the recommendations of the person appointed and the reasons given for those recommendations available</li> </ul>	<ul style="list-style-type: none"> <li>• Attend the Independent Examination hearing(s) (NB: only those who have been invited to speak by the Inspector(s) can do so)</li> <li>• Keep up to date on the Local Plan process by checking the County Council website</li> <li>• View documentation related to the examination on the Council’s website (the ‘examination library’)</li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the process</li> </ul>

<p>they will be subject to a further consultation.</p>	<ul style="list-style-type: none"> <li>• Maintain an examination library setting out in hard copy all the documentation relating to the examination</li> <li>• Respond to emails about the plan making process within 10 working days</li> </ul>	<p>and give notice to those persons who requested to be notified of the publication of those recommendations, that the recommendations are available</p>	
	<p><b>We will...</b></p>	<p><b>We may...</b></p>	<p><b>You can...</b></p>
<p style="text-align: center;"><b>Stage 7 Inspector's Report (Regulation 25)</b></p> <p>Following the conclusion of the Independent Examination hearings into the Plan, the Inspector(s) who examined the submitted Plan will send a report to the County Council which identifies any recommended changes (modification) to the Plan, which together with the un-modified elements would form a sound Plan.</p>	<ul style="list-style-type: none"> <li>• Publish on the County Council's website a copy of the Inspector(s)'s Report</li> <li>• Provide a hard copy of the Inspector(s)'s Report at the main County Council's office location that has public access</li> <li>• Notify those who requested to be so notified that the County Council have published the Inspector(s)'s Report.</li> <li>• Respond to emails about the Inspector (s)'s Report within 10 working days.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide a hard copy of the Inspector(s)'s Report for inspection at various locations within the County</li> </ul>	<ul style="list-style-type: none"> <li>• View the Inspector(s)'s report into the Plan's Independent Examination and the modifications the Inspector(s) considers necessary for the Plan to be sound such that it may be adopted by the County Council</li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the process</li> </ul>

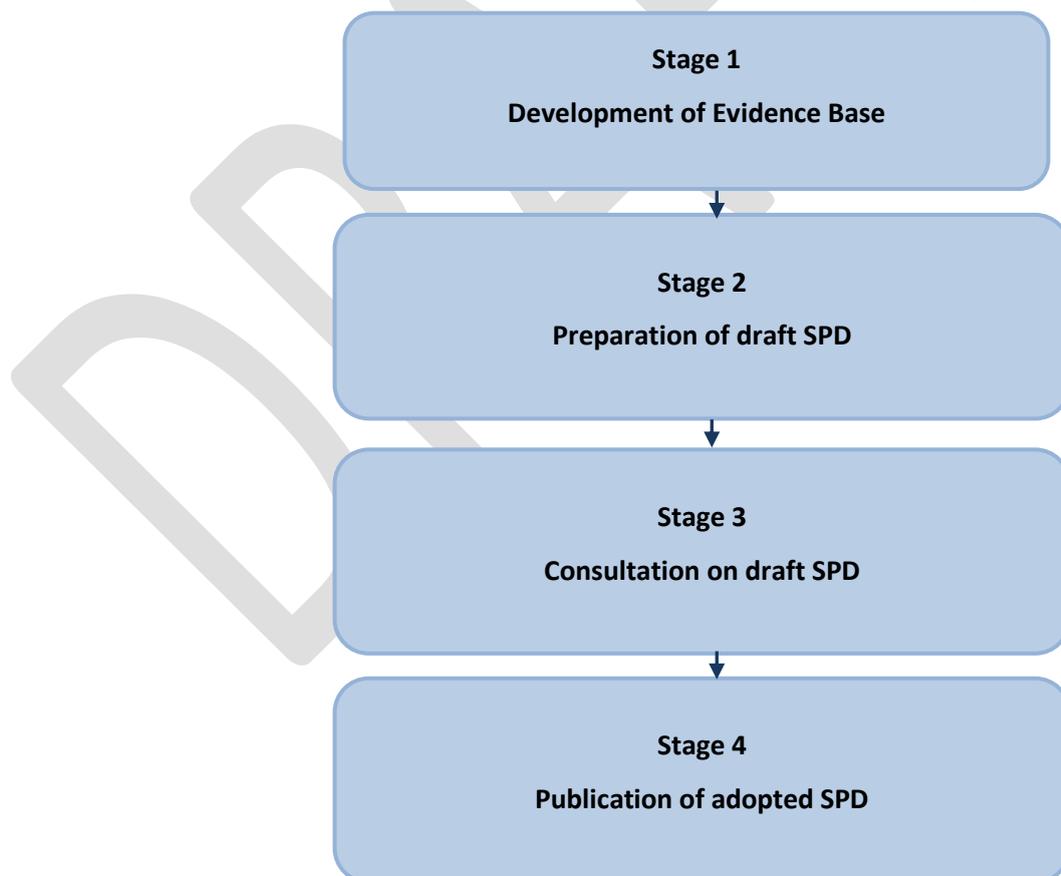
	We will...	We may...	You can...
<p style="text-align: center;"><b>Stage 8 Adoption (Regulation 26)</b></p> <p>Any recommendation modifications from the Inspector(s) will be made to the Plan and the Sustainability Appraisal of the Plan updated to ensure that the modified Plan meets the legal requirements in this regard. The Plan will then be reported to the County Council's planning policy portfolio responsible Cabinet member, the Cabinet and then the Full Council for adoption.</p>	<ul style="list-style-type: none"> <li>• Publish on the County Council website relevant documents including the adopted plans and adoption statement</li> <li>• Notify District/Borough Councils of the adoption of the Local Plan</li> <li>• Notify anyone who requested to be notified that the Plan has been adopted by the County Council</li> <li>• Send a copy of the adoption statement to any person who asked to be notified of the adoption of the Local Plan</li> </ul> <p>As soon as reasonably practicable after the adoption of the Local Plan, the County Council will make a hard copy of the following documents available for inspection at the main County Council office:</p> <ul style="list-style-type: none"> <li>• The Local Plan</li> <li>• An Adoption statement</li> <li>• The final Sustainability Appraisal (SA) Report of the modified Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Provide a hard copy of related documentation for inspection at various locations within the County</li> </ul>	<ul style="list-style-type: none"> <li>• View the Plan and the modifications, and the Inspector(s) report and the final Sustainability Appraisal for the Plan and the reports setting out the issues for the Plan's formal adoption on the County Council website</li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the process</li> </ul>

	<ul style="list-style-type: none"><li>• Details of the times and locations at which the documents of the Independent Examination can be viewed.</li></ul>		
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### 3.5 Supplementary Planning Documents (SPDs)

- 3.3.1. In addition to Local Plans the County Council will also occasionally produce Supplementary Planning Documents (SPDs). Their purpose is to expand on policy issues or provide further detail and guidance on the implementation of policies in the Local Plan. Whilst SPDs are not considered policy documents and are not subject to Independent Examination by a Planning Inspector, once adopted they form a material consideration that is taken into account in the determination of planning applications.
- 3.3.2. Public consultation and engagement throughout the formulation of an SPD is undertaken to ensure their effectiveness and relevance to policy implementation. Consultation methods are similar to those used in the preparation of a Local Plan.
- 3.3.3. Whilst the statutory requirements set out in the 2012 Town and Country Planning Regulations must be met throughout the production of an SPD, the requirements are more limited and the County Council has greater discretion as to the nature and extent of consultation.
- 3.3.4. The key stages in SPD preparation are set out below:



3.3.5. From time to time it may be necessary to update SPDs as planning policy and advice from Government changes. The table below outlines the methods of engagement that the County Council will take to engage with the community and stakeholders at each stage of the preparation of an SPD.

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**Table 2 – Supplementary Planning Document Preparation Methods of Engagement**

Stage of SPD Preparation	Methods of Engagement		
	We will...	We may...	You can...
<p><b>Stage 1</b></p> <p><b>Development of Evidence Base</b></p> <p>SPDs are material considerations in the planning process. An SPD has the value of further elaborating how a Plan’s policies are to be interpreted and implemented. Where information is needed to satisfy a certain policy requirement, it can illustrate how this is to be done. It can also provide additional information that is specific to the area but is in a less detailed form in the adopted Plan.</p>	<ul style="list-style-type: none"> <li>• Gather up to date information on a range of social, economic and environmental matters (as they relate to minerals and waste planning) and produce the scope of the SPD</li> <li>• Identify whether a Sustainability Appraisal (SA) is required</li> <li>• Respond to emails about the plan making process within 10 working days</li> <li>• Take into account any written representations received as a result of preparing the SPD</li> </ul>	<ul style="list-style-type: none"> <li>• Arrange meetings/workshops with relevant district/borough councils and other interested parties/key stakeholders</li> <li>• Publish evidence base and relevant documents on the County Council’s website</li> </ul>	<ul style="list-style-type: none"> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the SPD process</li> <li>• View any evidence base and relevant documents published on the County Council’s website</li> <li>• Attend meetings when the SPD is published for consultation</li> </ul>
<p><b>Stage 2</b></p> <p><b>Preparation of draft SPD</b></p> <p>The document production process.</p>	<ul style="list-style-type: none"> <li>• Draft the SPD using information gathered in Stage 1.</li> <li>• Undertake Sustainability Appraisal (SA), if required.</li> <li>• Engage with key stakeholders on the SPD matter</li> </ul>		<ul style="list-style-type: none"> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the SPD process</li> </ul>

	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<p><b>Stage 3</b></p> <p><b>Consultation on draft SPD</b></p> <p><b>(Regulation 12)</b></p>	<ul style="list-style-type: none"> <li>• Consult on a draft SPD for at least 4 weeks</li> <li>• Notify key stakeholders informing them about the consultation</li> <li>• Publish all relevant documents on the County Council's website along with details of the date by which representations must be made and the address to which they must be sent</li> <li>• After consultation, prepare a statement setting out the persons the Local Planning Authority consulted when preparing the SPD, a summary of the main issues raised how those issues have been addressed in the SPD.</li> <li>• Make a hard copy of the draft SPD and consultation statement available at the main County Council office</li> </ul>	<ul style="list-style-type: none"> <li>• Extend the consultation period to allow additional time e.g. where consultation takes place over holiday periods</li> <li>• Consult parish/town councils and wider if specific local issue demonstrates this would be appropriate.</li> <li>• Arrange meetings/workshops with relevant district/borough councils and other interested parties/key stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• View any evidence base and relevant documents on the County Council's website</li> <li>• View copies of the relevant documents on the County Council's website</li> <li>• Provide written comments to the County Council via post, online using the user-friendly web portal or via email to <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> about the Draft SPD during the specified time period. NB: Comments must be received within the consultation timeframe and in writing</li> <li>• Request to be notified when the SPD is adopted</li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the SPD process</li> </ul>

	<ul style="list-style-type: none"> <li>• Provide policy documentation produced by the County Council in an accessible format</li> <li>• Respond to emails about the SPD process within 10 working days</li> <li>• Use social media to promote and raise awareness of the consultation</li> </ul>		
	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<p style="text-align: center;"><b>Stage 4</b> <b>Adoption of SPD</b> <b>(Regulation 14)</b></p> <p>All SPDs have to go through a formal adoption process by the County Council</p>	<ul style="list-style-type: none"> <li>• Consider comments received on the draft SPD and amend the document if necessary</li> <li>• SPD is considered and adopted by Cabinet Member for Environment and Waste (SPDs are not subject to independent examination)</li> <li>• Once the SPD is adopted, the County Council will publish it on its website and make it available at the main County Council office with public access as soon as reasonably practicable, along with an Adoption Statement</li> </ul>		<ul style="list-style-type: none"> <li>• View copies of the relevant documents on the County Council's website</li> <li>• Contact the Minerals and Waste Planning Policy team via 03000 422370 or <a href="mailto:mwlp@kent.gov.uk">mwlp@kent.gov.uk</a> if you have any queries about the SPD process</li> </ul>

	<ul style="list-style-type: none"><li>• Send a copy of the Adoption Statement to anyone who requested to be notified of the adoption of the SPD</li><li>• Provide policy documentation produced by the County Council in an accessible format</li></ul>		
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## 3.6 Neighbourhood Plans

- 3.6.1 Neighbourhood planning was introduced by the Localism Act 2011 and gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. As outlined in the Neighbourhood Planning (General) Regulations 2012 and subsequent Neighbourhood Planning Act 2017, neighbourhood planning enables Parish/Town Councils or Neighbourhood Forums to prepare statutory Neighbourhood Development Plans that sit alongside the Local Plan prepared by the Local Planning Authority, and are used as a basis when assessing planning applications, alongside any other material planning considerations.
- 3.6.2 Whilst the County Council does not have a specific responsibility in relation to the process and production of Neighbourhood Plans, it is expected that Neighbourhood Plans will adhere to the requirements set out in legislation and have due regard to the Kent Minerals and Waste Local Plan 2013-30 and the Kent Mineral Sites Plan. Where resources allow, we will provide advice to groups preparing Neighbourhood Plans that are located in proximity to existing, proposed and safeguarded minerals and waste sites when such advice is requested.

## 4. Community Involvement and Planning Applications

4.1 The County Council is responsible for the determination of planning applications for three types of development:

- The extraction of minerals found in Kent, such as sand, clay, chalk, gravel and ragstone;
- The management and disposal of waste including energy from waste facilities, household waste recycling centres, waste transfer, recycling, composting, landfill sites and wastewater treatment facilities; and
- Development proposed by the County Council as part of its statutory services such as schools, country parks and certain roads.

All other types of planning applications are determined by the relevant District/Borough Council. Details on submitting a planning application are available on the County Council's website<sup>11</sup>.

4.2 Planning applications have to be determined in accordance with the Development Plan unless material considerations indicate otherwise. As part of the determination of an application, local authorities are required to publicise the application and all comments received are taken into account before reaching a decision. There are opportunities for involvement at various stages of an application and the County Council actively encourages involvement in the development management process and welcomes comments from all interested parties.

4.3 The National Planning Practice Guidance (PPG) sets out the statutory time limits for determining planning applications, these being 13 weeks for major developments and 8 weeks for all other types of development. A 16-week time limit applies to applications that are subject to Environmental Impact Assessment. In addition to the statutory time limits, the Government introduced the 'Planning Guarantee' process in March 2011. The Planning Guarantee is a Government initiative intended to streamline the planning application process with the ultimate objective of ensuring that no planning application spends more than a year in the planning system. This is on the basis that a planning application should take no more than 26 weeks to be determined, therefore leaving 26 weeks for an appeal decision to be issued if necessary. With the agreement of the applicant, the period for determining an application can be extended beyond these timescales.

4.4 While the County Council remains committed to improving timescales for reaching planning decisions, this needs to be balanced against its other aim to improve the quality of decisions in terms of consistency and in reflecting the interests of the community by ensuring all stakeholders are fully engaged in consultations.

4.5 The table below sets out the methods of engagement that the County Council will use to engage with the public, local communities and other stakeholders throughout each stage of the planning application process.

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<sup>11</sup> <https://www.kent.gov.uk/waste-planning-and-land/planning-applications>

**Table 3 - Planning Application Methods of Engagement**

Stage of Planning Application Process	Methods of Engagement		
	We will...	We may...	You can...
<p><b>Stage 1</b></p> <p><b>Pre-Application</b></p>	<ul style="list-style-type: none"> <li>Where resources allow the County Council will provide pre-application advice for County Council developments</li> <li>Where resources allow the County Council will provide chargeable pre-application advice on mineral, waste and major County Council developments<sup>12</sup></li> </ul>	<ul style="list-style-type: none"> <li>If appropriate, encourage potential applicants with large and/or potentially controversial proposals to engage with the local community and other stakeholders as early as possible and subsequently demonstrate how they have responded to the issues raised</li> </ul>	<ul style="list-style-type: none"> <li>The agent or applicant can request pre-application advice<sup>13</sup> by phoning 03000 411200 or emailing <a href="mailto:planning.applications@kent.gov.uk">planning.applications@kent.gov.uk</a></li> <li>If the applicant engages with the local community and other stakeholders at the pre-application stage, the community or stakeholder can make representations to the applicant in advance of an application being made</li> </ul>
<p><b>Stage 2</b></p> <p><b>Application is Validated</b></p>	<ul style="list-style-type: none"> <li>Send a letter or email of acknowledgement to the applicant or agent</li> <li>Allocate a Case Officer for each application who will be the main point of contact for all related enquiries</li> </ul>	<ul style="list-style-type: none"> <li>Contact the applicant or agent if the application is considered to be invalid and further information is required</li> </ul>	<ul style="list-style-type: none"> <li>View checklists and validation documents on the County Council website</li> </ul>

<sup>12</sup> KCC Charging Guide is available here [https://www.kent.gov.uk/\\_data/assets/pdf\\_file/0007/5200/planning-advice-charging-guide-and-form.pdf](https://www.kent.gov.uk/_data/assets/pdf_file/0007/5200/planning-advice-charging-guide-and-form.pdf)

<sup>13</sup> <https://www.kent.gov.uk/waste-planning-and-land/planning-applications/planning-advice>

	<ul style="list-style-type: none"> <li>• Make validation requirements clear and transparent</li> </ul>		
	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<b>Stage 3 Application is Publicised</b>	<ul style="list-style-type: none"> <li>• Publish the application on the County Council’s website and invite comments</li> <li>• Add the application to the weekly planning list which is available to view on the County Council's website</li> <li>• Publicise the application with at least one site notice in the vicinity of the site displayed for the statutory period and invite comments</li> <li>• Publicise the application in the local newspaper(s) and invite comments where an application: <ul style="list-style-type: none"> <li>- Is accompanied by an Environmental Statement</li> <li>- Is a departure from the Development Plan</li> <li>- Would affect a public right of way, or</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Further to the legal requirements for publicising an application, at the Case Officer’s discretion, notify neighbouring occupiers/landowners.</li> <li>• For major planning applications which are particularly controversial or those where there is a significant level of interest from the local community, the Planning Applications Committee may arrange a site visit and in exceptional circumstances a public meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Inspect the application on the County Council website</li> <li>• Comment, support or object, via email, online or post<sup>15</sup>, to any planning application N.B. Comments must be received within the consultation period and in writing</li> <li>• Note that anyone can comment on an application irrespective of whether/how they have been notified or made aware of the proposed development</li> <li>• Follow the progress of any current application via the County Council’s website</li> <li>• Contact the Planning Applications Group if you have any questions about the application<sup>16</sup></li> </ul>

<sup>15</sup> Comments can be made online at <https://www.kentplanningapplications.co.uk/>, by email at [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk) or post to Planning Applications Group, 1st Floor Invicta House, Maidstone, Kent ME14 1XX

<sup>16</sup> Contact the Planning Applications Group by emailing [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk) or phoning 03000 411200

	<ul style="list-style-type: none"> <li>- Would affect a listed building or conservation area</li> <li>- Is defined as a major development<sup>14</sup></li> </ul> <ul style="list-style-type: none"> <li>• Send an acknowledgement to all comments submitted by residents/members of the community online or via email or post confirming receipt</li> <li>• Take all written comments relating to planning matters into consideration</li> <li>• Carry out a site visit for the application</li> <li>• For details pursuant to condition and or non-material amendment submissions, notify the relevant Borough/District Council and where officers consider it necessary to the decision process consult with relevant consultees</li> </ul>		
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<sup>14</sup> 'Major development' means any development involving the winning and working of minerals or the use of land for mineral-working deposits, waste development, the provision of a building or buildings where the floorspace to be created by the development is 1,000 square metres or more, or development carried out on a site having an area of 1 hectare or more. (The Town and Country Planning (Development Management Procedure) (England) Order 2015)

	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<p><b>Stage 4</b></p> <p><b>Views of Relevant Bodies</b></p>	<ul style="list-style-type: none"> <li>• In accordance with national policy and legal requirements, seek the views of relevant consultees such as Highways England, Natural England, English Heritage, and the Environment Agency regarding their views on the application</li> <li>• Consult the relevant District or Borough Council for their views</li> <li>• Consult the relevant Parish/Town Council on all full or outline planning applications</li> <li>• Notify the elected County Member in whose area the application falls, advising them of all full or outline applications and offering the opportunity to express a view on the application</li> <li>• Take all written material comments relating to planning matters into consideration</li> <li>• For details pursuant to conditions or non-material amendment submissions, notify District/Borough Council and may consult other consultees given the nature of the submission</li> </ul>	<ul style="list-style-type: none"> <li>• Seek the views of additional relevant consultees where appropriate</li> <li>• Request further information from the applicant or agent following receipt of comments from consultees and other interested parties</li> <li>• Where time and resources allow, attend meetings with stakeholders if required</li> <li>• Extend consultation period if, for example, it falls over a bank holiday</li> <li>• Where time and resources allow, attend meetings if invited</li> </ul>	<ul style="list-style-type: none"> <li>• Comment, support or object, via email, online or post<sup>15</sup>, to any planning application N.B. Comments must be received within the consultation period and in writing</li> <li>• Contact the Planning Applications Group if you have any questions about the application<sup>166</sup></li> </ul>

	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<p align="center"><b>Stage 5</b></p> <p align="center"><b>Application/Submission is Assessed</b></p> <p>Assess the proposal against all relevant material planning considerations</p>	<ul style="list-style-type: none"> <li>• Assess the proposal against national policies, government guidance and local planning policies and any other material considerations including but not limited to; <ul style="list-style-type: none"> <li>- National planning policies, and Government guidance;</li> <li>- Local planning policies;</li> <li>- Comments received from statutory consultees including District/Borough Councils and Parish Councils;</li> <li>- Comments received by organisation and groups</li> <li>- Consider comments made by neighbours, relevant bodies and interested parties</li> </ul> </li> <li>• Take all written comments relating to planning matters into consideration</li> </ul>	<ul style="list-style-type: none"> <li>• Request further information from the applicant or agent following receipt of comments from consultees and other parties</li> <li>• Carry out a further discretionary consultation if additional information is provided</li> </ul>	<ul style="list-style-type: none"> <li>• In response to any further consultation, comment, support or object, via email, online or post<sup>155</sup>, to any planning application N.B. Comments must be received within the consultation period and in writing</li> <li>• Follow the progress of the application via the County Council's website</li> <li>• Contact the Planning Applications Group if you have any questions about the application<sup>16</sup></li> </ul>

	<b>We will...</b>	<b>We may...</b>	<b>You can...</b>
<p><b>Stage 6</b></p> <p><b>Negotiation of any amendments to application/submission</b></p>		<ul style="list-style-type: none"> <li>Where appropriate negotiate revisions to the application/submission to address concerns raised. Note that this can be done at an earlier stage if it is apparent that amendment of the application is required from initial assessments made at Stages 3 and 4</li> </ul>	<ul style="list-style-type: none"> <li>Follow the progress of the application via the County Council's website</li> </ul>
<p><b>Stage 7</b></p> <p><b>Decision is Reached</b></p>	<ul style="list-style-type: none"> <li>Aim to determine minor planning applications in 8 weeks, major applications in 13 weeks and for applications accompanied by an environmental statement 16 weeks. Note that the time period can be extended with the agreement of the applicant and planning authority</li> <li>Aim to determine details pursuant to condition within 8 weeks</li> <li>Determine applications that have attracted material objections from statutory consultees or other bodies or groups or local authorities or</li> </ul>		<ul style="list-style-type: none"> <li>View the decision on the County Council's website</li> <li>Attend Planning Applications Committee – usually held every 4 weeks. Please note that this is currently held virtually due to government guidelines and the Covid-19 pandemic. A link for</li> </ul>

	<p>members of the community in accordance with a protocol agreed by Members of the Planning Applications Committee, which at present requires applications to be referred to the Council's Planning Applications Committee for determination if material objections are received. The above requirement is subject to change at the Planning Application Committee's discretion.</p> <ul style="list-style-type: none"> <li>• Inform anyone who has submitted written comments of the outcome of the decision. In the case of petition, correspondence will be with the lead petitioner</li> <li>• Publish the decision notice on the County Council website</li> <li>• Provide documentation prepared by the planning authority in an accessible format</li> </ul>		<p>access and a copy of the papers are available via the County Council website<sup>17</sup></p> <ul style="list-style-type: none"> <li>• Representatives on behalf of objectors and supporters may be invited to address Members at the Committee in accordance with the County Council's public speaking arrangements. In which instance the applicants will be offered the opportunity to address Members of the Committee in reply. Please note that these are currently modified due to the Covid-19 pandemic and are replaced with a written script that is read by the committee clerk</li> <li>• Applicants for minerals and waste management development may appeal against the Councils refusal of planning permission, any conditions imposed or against non-determination. By law, no other party has the right of appeal.</li> </ul>
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<sup>17</sup> <https://democracy.kent.gov.uk/ieListMeetings.aspx?Cid=138&Year=0>

## 5. Further Information and Contact Details

### 5.1 Contact Details

For planning policy enquiries please contact the Minerals and Waste Planning Policy Team via the following details:

**Address:** Minerals and Waste Planning Policy Team

Kent County Council  
1<sup>st</sup> Floor, Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

**Telephone:** 03000 422370

**Email:** [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk)

**Website:** [www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy](http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy)

For planning application enquiries please contact the Planning Applications Groups via the following details:

**Address:** Planning Applications Group

Kent County Council  
1<sup>st</sup> Floor, Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

**Telephone:** 03000 411200

**Email** [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)

**Website:** <https://www.kent.gov.uk/waste-planning-and-land/planning-applications>

## 5.2 Accessibility

- 5.2.1 In line with the Equality Act (2010) the Council aims to ensure that all residents and communities have the ability to respond to consultations and have their voices heard.
- 5.2.2 All documents produced by the County Council will be produced in line with accessibility guidelines<sup>18</sup>. It is also the Council's intention for all planning policy documents produced by the County Council as part of its local plan work over 10 sides of A4 to have an executive summary or non-technical summary.
- 5.2.3 The information in this document and all other documents produced by the County Council can be made available in an accessible format, including large copy print and audio. If you require a planning policy document produced by the County Council in one of these formats please contact the Minerals and Waste Planning Policy Team on 03000 422370 or email [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk). If you require a planning application document produced by the County Council in one of these formats please contact the Planning Applications Group on 03000 411200 or email [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk).

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<sup>18</sup> <https://www.kent.gov.uk/about-the-council/about-the-website/accessibility-statement>

## Appendix 1 - Glossary

Term or Word	Definition
Community	Refers to 'the people of Kent' in the widest sense. It incorporates communities of interest (e.g. societies, associations, businesses, etc.) and communities of place (e.g. village, neighbourhood, town etc).
Development Plan	The statutory development plan for Kent is formed of the Minerals and Waste Local Plan, the Mineral Sites Plan together with the adopted local plans prepared by the Kent district planning authorities. The development plan has statutory status as the starting point for decision making. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the TCPA 1990 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
Development Plan Document	A statutory document forming part of the Local Plan which sets out planning policy proposals against which planning applications will be considered. Subject to rigorous procedures of community involvement, consultation and independent examination. Can take the form of a Local Plan, Core Strategy, site specific allocations of land, Area Action Plans and Proposals Maps.
Development Scheme	Provides a programme and timetable for all the Development Plan Documents to be prepared.
Development Management	A proactive and positive approach to delivering sustainable development through the planning application process, including the statutory requirements relating to publicising, consulting on and determining applications for planning permission and taking into account the opinions of local people and others.
Involvement, participation, engagement	These terms are used interchangeably to describe processes which enable people to inform, influence and understand issues, policies and plans.
Local Plan	The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.

	In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004.
National Planning Policy Framework	A document which sets out the Government's planning policies for England and how these are expected to be applied. The Framework sets national policy for local planning authorities and decision-takers, to work within both in drawing up plans and making decisions about planning applications.
Residents	The population at large, especially those people who will not necessarily be engaged through working with existing stakeholder organisations.
Spatial Planning	Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This will include policies which can impact on land use by influencing the demands on, or needs for, development, but which are not capable of being delivered solely or mainly through the granting or refusal of planning permission and which may be implemented by other means <sup>19</sup> .
Stakeholder	Individuals or organisations who have a strong interest in the issue, or may be affected directly by any decisions or plans. Includes statutory groups or agencies that the council is required to consult.
Statutory requirements	Actions required by the County Council as a result of legislation.
Transparent	Open to scrutiny by all.

<sup>19</sup> Source: Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)).

## Appendix 2 – Statutory Consultation Bodies

### Planning Policy -

The statutory consultees (specific consultation bodies) the regulations require the County Council to consult on plan making matter are as follows:

- All District and Borough Councils in Kent (including Ebbsfleet Development Corporation)
- Adjoining Local Authorities
- All Town and Parish Councils in Kent and those neighbouring Kent
- Kent Police
- Environment Agency
- Highways England
- Network Rail
- Union Railways - High Speed 1 (HS1)
- Historic England
- Natural England
- Homes and Communities Agency
- Coal Authority
- Telecommunications companies
- South East Coast Strategic Health Authority
- Eastern & Coastal Kent Primary Care Trust
- West Kent Primary Care Trust
- Relevant electricity companies
- Relevant gas companies
- Relevant sewerage undertakers
- Relevant water undertakers

### Planning Applications –

Consultations on planning applications are dependent upon the nature of the proposed development and type of application.

## Appendix 3 – General Consultation Bodies

### Planning Policy –

The general consultation bodies listed below is indicative of the types of organisations who may be consulted in the preparation of policy documents:

- Airport operators in Kent
- Areas of Outstanding Natural Beauty Management Units (Kent Downs and High Weald)
- British Aggregates Association
- British Geological Survey
- British Marine Aggregates Producers Association
- Campaign to Protect Rural England - Kent Branch
- Civil Aviation Authority
- Confederation of British Industry
- Country Land and Business Association
- The Crown Estate
- Defence Infrastructure Organisation
- Environmental Services Association
- Federation of Small Businesses
- Freight Transport Association
- Home Builders Federation
- Kent and Medway Citizens Panel
- Kent Association of Local Councils
- Kent Chamber of Commerce
- Kent Federation of Amenity Societies
- Kent Resource Partnership
- Kent Wildlife Trust
- Local Strategic Partnerships
- London Green Belt Council
- Mineral operators
- Mineral Products Association
- National Trust
- National Farmers Union
- Port and wharf operators in Kent
- Rural Kent
- Royal Society for the Protection of Birds
- Sport England
- Waste management operators

### Planning Applications –

Consultations on planning applications are dependent upon the nature of the proposed development.

## Appendix 4 – EqlA Requirements

The County Council is committed to promoting equality, and where appropriate, an Equality Impact Assessment (EqIA) will be undertaken to accompany planning policy documents to ensure that there is no discrimination against disadvantaged or vulnerable people, and to ensure that there is equal opportunity for all members of the community to be involved at various stages of plan production and the planning application process.

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## Appendix 5 – Monitoring Plan

The SCI is updated in accordance with government legislation and at least every 5 years the County Council may also update or review the SCI in accordance with technological changes or forthcoming development plan consultations. Any necessary changes will be incorporated into a revised SCI and the County Council will apply the process and principle of continuous monitoring and review to all material consideration planning documents.

The County Council will use indicators and triggers for corrective action to be made to the SCI, these include:

	Indicator	Trigger for Review
Early Engagement and Review		
Review of primary legislation  Review of planning guidance  Continuous Duty to Cooperate with neighbouring authorities	Changes to legislation and/or government policy and guidance on how communities should be involved in the planning system  Engagement with neighbouring authorities	Any changes to legislation and/or government policy and guidance on how communities should be involved in the planning system  Objections from neighbouring authorities about how the County Council has engaged with them; Neighbouring authorities refuse to agree SOCGs
Clear and Informative Communication		
Best practice across the county	Existence of other best practice  Level of community involvement  Feedback from community on clarity of communications and documentation	Particularly low level of community involvement  Complaints from community on clarity of communications and documentation
Need to maintain transparency		
Accordance with GDPR Regulations  Put into practice all of community involvement approaches as set out in the SCI	Feedback on availability and accessibility of documentation  Cases where Council is considered not to have complied with GDPR	Complaints from community on availability and accessibility of documentation  Successful cases against the Council for non-compliance with GDPR

## Appendix 6 – List of Main KCC Libraries, Gateways and Council Offices

### Planning Policy –

There are occasions where planning policy documents must be made available for inspection as part of the plan making process. Below is a list of locations where documents may be made available for inspection – these may vary depending on the scale and nature of consultation taking place:

#### Main Kent County Council Libraries:

- Canterbury Library, 18 High Street, Canterbury CT1 2RA
- Dartford Library, Central Park, Market Street, Dartford DA1 1EU
- Dover Library, Dover Discovery Centre, Market Square, Dover CT16 1PH
- Folkestone Library, 2 Grace Hill, Folkestone, CT20 1HD
- Gravesend Library, Windmill Street, Gravesend DA12 1BE
- Maidstone Library, History & Library Centre, James Whatman Way, Maidstone ME14 1LQ
- Sevenoaks Library, Buckhurst Lane, Sevenoaks TN13 1LQ
- Sittingbourne Library, Central Avenue, Sittingbourne ME10 4AH
- Tonbridge Library, 1 Avebury Avenue, Tonbridge TN9 1TG
- Tunbridge Wells Library, Mount Pleasant Road, Tunbridge Wells TN1 1NS

#### Gateways:

- Ashford Gateway Plus, Church Road, Ashford TN23 1AS
- Dover Gateway, 69-71 Castle Street, Dover CT16 1PD
- Eden Centre Gateway, Four Elms Road, Edenbridge TN8 6BY
- Gravesham Gateway, Civic Centre, Windmill Street, Gravesend DA12 1AU
- Maidstone Link, King Street, Maidstone ME15 6JQ
- Sheppey Gateway, 38-42 High Street, Sheerness ME12 1NL
- Tenterden Gateway, 2 Manor Row, High Street, Tenterden TN30 6HP
- Thanet Gateway Plus, Cecil Street, Margate, Kent, CT9 1RE
- Tonbridge Gateway, Tonbridge Castle, Castle Street, Tonbridge TN9 1BG
- Tunbridge Wells Gateway, 8 Grosvenor Road, Tunbridge Wells, TN1 2AB

#### Kent County Council Offices:

- Sessions House, County Hall, Maidstone ME14 1XQ
- Joynes House, New Road, Gravesend DA11 0AT
- Kroner House, Eurogate Business Park, Ashford TN24 8XU
- Montague House, Tunbridge Wells TN1 1EZ
- St. Peter's House, Dane Valley Road, Broadstairs CT10 3JJ
- Worrall House, 30 Kings Hill Avenue, West Malling ME19 4AE

### Planning Applications -

Please note that there is public access to computers at KCC libraries and gateways which will enable viewing of planning applications.



## Planning Applications and Minerals and Waste Planning Policy

Kent County Council

1<sup>st</sup> Floor, Invicta House

County Hall

Maidstone

Kent

ME14 1XX

### Minerals and Waste Planning Policy

Tel: 03000 422370

Email: [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk)

### Planning Applications

Tel: 03000 411200

Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)