



# Kent County Council

Minerals and Waste Policy

Minerals and Waste and County Council Development Management



## Statement of Community Involvement

Draft August 2016



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## Foreword

### Development Planning with Kent County Council: Getting Involved



Planning matters have an effect on communities Kent-wide, so we consider it vital that the residents, businesses and community groups of Kent are given the opportunity to have their say. We encourage members of the public to get involved wherever possible so that we can take into account their views, interests and aspirations with regard to how the county is developed over the coming years. Our Statement of Community Involvement (SCI) sets the standards for us to meet in involving the community in the preparation of local plan documents and the processing of planning applications. It sets out what we will do to ensure that the necessary information is available and

accessible, as well as how and when members of the community can get involved.

This SCI replaces the Statement adopted in 2011. Now that the Kent Minerals and Waste Local Plan 2013-30 has been adopted, there are new opportunities for community involvement as we progress with the next stages of the Local Plan. We hope that we can encourage you to get involved with our minerals and waste planning policy matters, as well as the planning applications which we determine.

**Matthew Balfour**

**Cabinet Member for Environment, Highways and Waste  
Kent County Council**



## Executive Summary

This Statement of Community Involvement (SCI) sets out how and when communities in Kent can be involved in the development planning and development management activities for which Kent County Council has responsibility. These relate primarily to preparation of the Kent Minerals and Waste Local Plan (MWLP)<sup>(1)</sup> and the determination of planning applications for minerals working, waste management and development undertaken by the County Council in association with its statutory services.

Community involvement, as recognised through the SCI, is addressed to all those with an interest in the County Council's planning activities - businesses, district and local councils, community groups and individuals and a range of other local and national organisations.

The County Council's first SCI was adopted in 2006 and two separate Addendum documents were published in April 2013 and January 2014. While the two Addendum documents served to update the SCI on certain matters, a full review of the SCI was deemed necessary to reflect recent changes in planning legislation, the Kent Minerals and Waste Local Plan 2013-30 which has now been formally adopted and additional non-statutory documents that the Council intend to publish such as Supplementary Planning Documents.

This document sets out the nature of Kent County Council's planning responsibilities, the principles that should guide our community involvement activities and the opportunities and approaches that should be adopted in the various stages of preparation of the MWLP.

The nature of the County Council's development management responsibilities is described along with the approach taken to publicity and consultation on planning applications during consideration and determination.

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 development and review of minerals and waste planning policy and in the consideration of planning applications for which we are responsible for formally determining.

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1 Consisting of a number of statutory planning documents specific to minerals and waste matters and covering the whole of Kent.

# 1 Introduction

## 1.1 Our Statement of Community Involvement: Role and Purpose

**1.1.1** The Planning and Compulsory Purchase Act 2004 introduced some fundamental changes to the planning system to improve community involvement throughout the planning process. Every local planning authority (LPA) is required to produce a Statement of Community Involvement (SCI) setting out how communities will be engaged in the preparation and revision of Local Development Documents and the consideration of planning applications.

**1.1.2** This Statement of Community Involvement (SCI) sets out how Kent County Council will involve the community in the planning matters for which it has responsibility. The term 'community' embraces all the individuals, groups and organisations that make Kent what it is and extends to local residents, Kent businesses, district, parish and town councils, voluntary and community groups and local and national organisations and individuals with interests in planning matters.

**1.1.3** Current arrangements attach more emphasis to community engagement and provision of opportunities to get involved early in the process of preparing plans. This should result in greater community involvement in planning and wider participation across all sections of the community.

**1.1.4** The SCI adopted in 2011 required revision due to:

- Changes in the planning regulations and procedures governing plan making.
- The introduction of the Localism Act (2011) and the 'Duty to Cooperate'
- Widening opportunities for engaging with people as a result of new technology.
- A new programme for the Kent Minerals and Waste Local Plan as set out in the Minerals and Waste Development Scheme 2010-16 brought into effect by the County Council in July 2014.<sup>(2)</sup>

**1.1.5** The County Council already seeks to involve the local community in its planning decisions in many ways. This document shows how we intend to build on these approaches, within the resources available, and work to encourage as many people and organisations as possible to be involved with, and contribute to, our decision making.

**1.1.6** Kent County Council believes that engaging with the whole community will lead to:

- A Minerals and Waste Local Plan that reflects local needs and circumstances.

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2 Available at: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-local-plan/development-scheme>

- Improved quality and efficiency in decisions by drawing on local knowledge and reducing conflict.
- Greater awareness and understanding for those involved about what is needed and what can be achieved.
- Connections being made both within communities and to others outside them.
- Greater ownership of outcomes for communities, or at least, a better understanding of how they have been reached.

**1.1.7** The SCI establishes the standards to be achieved by the County Council in involving the community in our key planning functions.

**1.1.8** Our SCI aims to meet legal requirements while addressing, through a clear vision and practical measures, the distinctive circumstances of Kent and the County Council's planning responsibilities. It recognises the importance of early engagement and sets out opportunities for effective involvement at different stages of the planning process. It shows how the results of community involvement will feed into the preparation of Local Plan Documents and Supplementary Planning Documents, and how the community can engage with development proposals. Once adopted<sup>(3)</sup> we will be bound by the approach the SCI establishes.

### **Our Aim**

**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 both the development and review of minerals and waste planning policy and in the consideration of planning applications for which we are responsible.**

## **1.2 Kent County Council: Our Planning Role**

**1.2.1** Kent County Council is committed to improving the economic, environmental and social well being of our county; our Sustainable Community Strategy *A Vision for Kent*<sup>(4)</sup> provides a framework for this. Town and country planning has an important role to play in delivering its vision.

3 In accordance with Town & Country Planning (Local Development) (England) Regulations 2008, Regulation 24(2)(b).

4 Available from:  
<http://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/vision-for-kent>

**1.2.2** It is important to involve members of the Kent community in all planning matters and decisions, as the planning system aims to make Kent a better place to live for all of its residents. The planning process often involves the weighing and balancing of different views, so it is important that we engage with the community to gather a variety of opinions.

**1.2.3** Kent County Council Planning Applications Group has two key planning functions:

- Preparation of the Minerals and Waste Local Plan
- Development management (planning applications) relating to minerals, waste and the County Council's own development.

### Minerals and Waste Local Plan

**1.2.4** England takes a plan-led approach to the planning system. Plans are prepared which ultimately set out what types of development can take place and where. Plans take into account what development is needed, as well as other factors such as the environment and the views of the community. Unless there are exceptional circumstances which would justify exemption, the development plan will form the criteria against which planning applications are assessed.

**1.2.5** The Planning and Compulsory Purchase Act 2004 (as amended) introduced a new system of requirements and procedures for local development planning in England. These requirements are applicable to Minerals and Waste Planning Authorities and form the basis for Kent County Council's suite of minerals and waste plans and supporting documents.

**1.2.6** The Localism Act 2011 made a number of amendments to the 2004 Act, as implemented by The Town and Country Planning (Local Planning) (England) Regulations 2012<sup>(5)</sup> Following the interim advice issued by Communities and Local Government<sup>(6)</sup> the current development plan consists of:

- **Adopted national policy** in the form of the National Planning Policy Framework (2012), Planning Practice Guidance (2014), National Planning Policy for Waste (2014) and the National Waste Management Plan for England.
- **Local Plans** - each district/borough planning authority is preparing a suite of Local Plan Documents. This is a folder of documents that sets out how your local area will change over the next few years. They cover most aspects of development and environmental protection. For Kent as a whole the County Council has prepared the **Kent Minerals and Waste Local Plan (KMWLP) 2013-30**. This sets out where mineral and waste development is likely to be

5 see sections 110-113 of the Localism Act 2011

6 Communities and Local Government (July 2010) Letter to Chief Planning Officers: Revocation of Regional Strategies.



acceptable in the future and the criteria against which planning proposals will be considered. The KMWLP and the Local Plans adopted by the district/borough councils form the Development Plan in Kent.

**1.2.7** This amended system replaces the previous arrangements for Structure and Local Plans although policies and proposals in old style Local Plans, where 'saved', may remain in force until replaced by the new style Local Plans.

**1.2.8** Planning for mineral working and waste management has distinctive characteristics; both deal with issues on a county wide basis. Minerals can only be worked where they are found. We all rely on minerals in our everyday lives - for the construction of roads and buildings, to make cement and for a variety of uses in industry and around the home. Kent is rich in minerals containing chalk, clays, brickearth, ragstone and a variety of sands and gravels. The KMWLP sets out where we should obtain the minerals we need over the next 20 years in order to ensure that a steady and adequate supply of aggregates can be maintained throughout this period. It also ensures that enough sites are provided to meet our needs for waste management and that these are 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.<sup>(7)</sup>

### Development Management

**1.2.9** All local authorities determine planning applications for their own development needed in connection with the services they provide. In the County Council's case this includes applications for school developments, libraries, some road and transport projects, children's centres, care homes and other social care facilities.

**1.2.10** Table 1 shows how planning roles are organised in Kent.

**Table 1: Development Plans and Development Management in Kent**

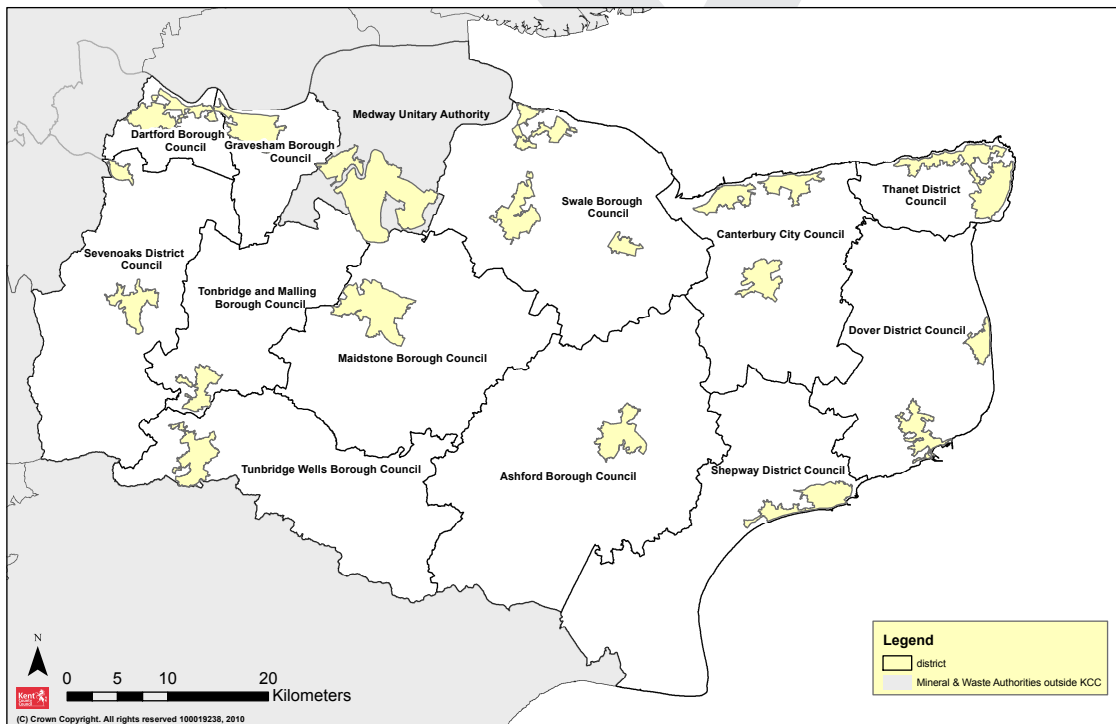
Planning authority	Development plan	Development management
Kent County Council	Kent Minerals and Waste Local Plan (KMWLP)	Development related to mineral working, such as the quarrying of sand, clay and chalk.  Development related to waste management, for example household waste recycling centres, waste water treatment, waste transfer and composting facilities.

7 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69403/pb13530-waste-hierarchy-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf)

Planning authority	Development plan	Development management
		Development by the County Council, such as for school facilities, children's centres, social care facilities and strategic highway schemes.
District/Borough Councils	Local Plans (LP)	Development management for most other planning application types such as commercial, industrial, residential or household building works.

**1.2.11** Kent County Council is the minerals and waste planning authority for Kent. The Local Planning Authorities (LPAs) in Kent are the twelve district/borough councils: Ashford, Canterbury, Dartford, Dover, Gravesham, Maidstone, Sevenoaks, Shepway, Swale, Thanet, Tonbridge and Malling and Tunbridge Wells. Medway, as a unitary authority, is not within the County Council's authority area and is therefore not covered by this SCI.

**Kent District and Borough Authorities**



**Kent District Councils (excluding Medway Unitary Authority)**

## 2 Community Involvement

### 2.1 Principles of Community Involvement in Plan-Making and Development Management

*"Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area..."*

National Planning Policy Framework (2012), Paragraph 155

**2.1.1** Our principles regarding community involvement are based on 'The Kent Partners Compact' (last reviewed in 2012)<sup>(8)</sup>, which sets the framework for effective consultation, representation and partnership working within Kent. The Compact includes principles such as early engagement, ensuring transparency, accessibility and feedback. In addition, in 2015 the Council adopted a new Voluntary and Community Sector Policy, which sets out our future relationship with the VCS, our future support to the sector and a new grant framework. The policy endorses the principles of the Compact. Its principles have guided the preparation of this SCI

**We will be guided by a number of principles in the approach we take to community involvement in our planning activities (KMWLP planning policy and development management):**

- **Accessibility.**
- **Responsiveness.**
- **Proportionality.**
- **Timeliness.**
- **Clarity and Relevance.**
- **Efficiency**

#### **Accessibility and Responsiveness**

**2.1.2** We want to make information easily accessible to everyone, recognising that different approaches suit different people. Some sectors of the community are often under represented in consultation responses. Barriers such as age, culture, language, geographical isolation, lifestyle or a general indifference or scepticism need to be overcome through careful use of methods and approaches. Whilst lack of response

8 [http://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)

may reflect consultation on issues on which individuals or organisations have little knowledge and/or interest, it may also reflect the conduct of consultation in an inappropriate or inaccessible manner.

**2.1.3** We recognise that we need to ensure our approach to community involvement does not unduly constrain the ability of sections of the community that have traditionally been rarely heard to take part. It takes considerably more initiative, imagination and effort to consult effectively and inclusively with certain sections of the community.

**Groups or individuals may be rarely heard for a number of reasons, for instance:**

- **Lack of spare time within some groups, such as working single parents.**
- **Difficulty understanding written or spoken English.**
- **Difficulty with sight or hearing.**
- **Mobility difficulties.**
- **Feelings of cultural isolation from the mainstream of society's activity.**
- **Geographical isolation.**
- **No permanent address.**
- **Long-term illness.**
- **All day working hours.**
- **Feelings of alienation from, or even suspicion of, the organisation that is consulting them.**
- **Lack of interest in being consulted by public bodies.**

**2.1.4** We shall aim to encourage and facilitate broadly based participation by:

- Writing and vetting our documents for plain English.
- Making materials available both online via our website<sup>(9)</sup> and/or our consultation portal<sup>(10)</sup> as well as hard copies.
- Providing access to a free tool to convert website text into speech to provide effective website access to people who find it easier to listen to, rather than read, website or document content.<sup>(11)</sup>
- Providing 'signposting' to translation services for people whose first language is not English.

9 <http://www.kent.gov.uk/waste-planning-and-land/planning-applications>

10 <http://consult.kent.gov.uk/>

11 'Browsealoud' can be activated from the home page of the KCC web site (<http://www.kent.gov.uk/about-the-council/about-the-website/alternative-languages-and-formats>) and can be run on all documents published on the site.



- Making copies of documents available at local authority offices across Kent via the libraries and 'Gateways' across the county.
- Undertaking 'awareness raising' at appropriate stages of plan preparation. This may be through public meetings, groups sessions, community forums or targeted information sessions.
- Encouraging all parties interested in the Kent Minerals and Waste Local Plan to register with our online consultation portal<sup>(12)</sup> allowing automatic notification of new consultations and events.
- Publicising specific events and consultation opportunities through the local media, council newsletters, on our website and through direct contact with those registered on our consultee database.
- Holding events during the day, during the evening and/or at weekends depending upon the circumstances of those whose opinions are sought.
- Ensuring venues are accessible by people with disabilities and held in locations with a good standard of accessibility by public transport.
- Utilising, where appropriate, existing local channels of communication.
- Providing clear points of contact by phone, email or post in all communications.

**2.1.5** We will ask those who we engage in our plan making to give us their views on how we can make improvements to our consultation arrangements.

### Proportionality

**2.1.6** We must be realistic as to what we can do if plans and planning applications are to be prepared/processed in a cost effective and expeditious manner. We need to balance effective involvement with the availability of resources (people, money, skills, time etc.) and share the costs between the County Council and the community. Providing opportunities for involvement must be proportionate to the breadth and depth of the matters subject to consultation.

### Timeliness

**2.1.7** Consultation will be encouraged at times when it can be constructive to the shaping of a Local Plan Document or a planning decision. The timescale given for response to a consultation will be dependent on the nature and potential impact of the policy or the planning application.<sup>(13)</sup>

<sup>12</sup> <http://consult.kent.gov.uk>

<sup>13</sup> This is based on the consultation principles set out by DCLG

<http://www.kent.gov.uk/about-the-council/about-the-website/alternative-languages-and-formats>

## Clarity and Relevance

**2.1.8** In our communications we will aim to provide relevant and well structured information making clear its purpose (provision of information, consultation, dialogue or any combination of these elements).

## Efficiency

**2.1.9** Wherever possible the County Council will co-ordinate public involvement in preparation of the Minerals and Waste Local Plan with the preparation of related plans and strategies to help create a better understanding of how issues and policies interrelate, to reach a wider community of interest and to reduce the scope for consultation overload.

**2.1.10** We will also aim to undertake consultation involving existing representative or consultative groupings, for example the Kent Association of Local Councils, Local Strategic Partnerships or groupings specific to minerals and/or waste planning interests such as the Kent Waste Partnership and minerals and waste industry trade associations.

## 3 Community Involvement and the Kent Minerals and Waste Local Plan

### 3.1 Kent Minerals and Waste Local Plan

**3.1.1** The County Council is required<sup>(14)</sup> to produce the Minerals and Waste Local Plan (MWLP). A MWLP comprises a series of documents that set out future policy and proposals for the development and control of mineral working and waste management in Kent<sup>(15)</sup> over the next 20 years. Plans in the latest MWLP replace the 'saved' policies and proposals from the existing Minerals and Waste Local Plans.

**3.1.2** In order for a Local Plan to be adopted, it must be considered 'sound'. To be 'sound' a Local Plan must be:

- **Positively prepared-** the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities.
- **Justified-** the Plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- **Effective-** the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy-** the Plan should enable the delivery of sustainable development in accordance with the NPPF.

**3.1.3** The most recent MWLP is the Kent Minerals and Waste Local Plan 2013-30, which was adopted in July 2016 after a being prepared over a period of several years. The previous Statement of Community Involvement (as amended 2014) details the various stages where community engagement was sought throughout the production of the Kent Minerals and Waste Local Plan<sup>(16)</sup>.

### Next Steps

**3.1.4** The programme for preparing the MWLP is set out in the Kent Minerals and Waste Development Scheme.<sup>(17)</sup> This provides the starting point for the community and stakeholders to find out about current planning policies on minerals and waste and the programme for the preparation of the Mineral and Waste Local Plan Documents. Progress with the timelines of the Development Scheme and any changes to it will be reported on our website.

14 Under the Planning and Compulsory Purchase Act 2004.

15 Excluding Medway.

16 see: <http://consult.kent.gov.uk/portal/mwcs/mwlp-eip/eip-library/>

17 See: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-local-plan/development-scheme>

**3.1.5** Table 2 shows the current stages involved in producing the new MWLP documents. The greyed cells defines the completed Mineral and Waste Sites Plans work in 2010 which will be superseded by the new Minerals and Waste Sites Plans.

**Table 2: The Kent Minerals & Waste Local Plans**

Kent Waste Sites Plan Kent Minerals Sites Plan	First Call for Sites
	Options Consultation
	Supplementary Options Consultation
	First Preferred Options Consultation
	Second Call for Sites
	Second Preferred Options Consultation
	Pre-Submission Plan Consultation
	Submission
	Pre-hearing Meeting (if required)
	Independent Examination Hearing
	Inspector's Report
	Adoption

### **Kent Minerals and Waste Local Plan 2013-30**

**3.1.6** The Kent Minerals and Waste Local Plan 2013-30, is the main Local Plan document. It 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. The Plan also describes the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning. The Kent Minerals and Waste Local Plan also incorporates the development management polices against which minerals and waste proposals will be assessed. Monitoring and implementation considerations are an integral part of the Plan.

Following adoption of the Kent Minerals and Waste Local Plan 2013-30, the County Council will commence the next steps of developing both a Minerals Sites Plan and a Waste Sites Plan. These documents will seek to identify sites for future potential mineral operations and waste management facilities in accordance with the strategy and principles adopted in the KMWLP.



## Kent Minerals Sites Plan

**3.1.7** Taking account of the principles and strategy of the Kent Minerals and Waste Local Plan 2013-30, the document will identify minerals sites and locations for mineral extraction, processing and safeguarding including facilities for importation. It will:

- (i) identify and allocate sufficient sources of land won construction aggregates and secondary aggregates to provide for the needs of Kent, including the provision of a landbank of reserves set out to meet the apportionment to Kent of primary land won construction aggregates in national mineral planning policy
- (ii) safeguard future sources of construction aggregates
- (iii) identify and safeguard sufficient raw materials to maintain supply to existing individual brick and tile works
- (iv) identify sufficient resources of raw material for cement manufacture to meet national policy requirements and consider the supply and use of chalk for non cement making purposes
- (v) identify sufficient silica sand reserves to meet national policy requirements including consideration of safeguarding of high quality silica sand reserves for appropriate end uses; and
- (vi) provide for the necessary safeguarding of existing and proposed mineral importing wharves and rail depots.

## Kent Waste Sites Plan

**3.1.8** The document will identify suitable locations and allocate sites for all types of waste management development (e.g. recycling, composting, processing, treatment, and landfill) based on the strategy and principles set out in the Kent Minerals and Waste Local Plan 2013-30 encompassing all waste streams (Municipal Waste, Commercial and Industrial Waste and Construction, Demolition and Excavation Waste including hazardous wastes, waste water and biomass). Where possible the Local Plan document will identify specific sites.

## Partial Review of the Kent Minerals and Waste Local Plan 2013-30

**3.1.9** During in the plan period from 2013 – 2030 it may be necessary to undertake a partial review of specific policies in the MWLP to ensure that the policies continue to provide a sound basis for determining planning applications. A partial review could be necessary for a number of reasons, such as changes to national polices by Central Government which could require amendments to the MWLP in order for the MWLP to adhere to the new polices. Alternatively, monitoring of the Plan may show that is a divergence between the forecasted and actual mineral extraction and waste arising caused by behavioural changes.

**3.1.10** In the event of a partial review of the MWLP, the County Council would seek a proportionate approach to community engagement to ensure that local views are considered as part of a Plan Review. The approach to consultation will vary depending on the nature and geographical coverage of the partial review to the MWLP and will as a minimum notify all consultees registered on our plan making consultation portal, including parish and borough/district councils and statutory bodies.

### **3.2 When and how can the community get involved?**

**3.2.1** It is important that members of the community are given an opportunity to engage with the preparation of any plan.

**3.2.2** Engagement includes:

- informing and updating the community regarding the progress and content of the Minerals and Waste Local Plan
- maintaining dialogue and providing feedback so those involved know they are being listened to; and
- being open and responsive to comments and proposals whilst emphasising the mutual benefits of early engagement and acknowledging that formal stages of consultation are subject to statutory time scales.

**3.2.3** We will continue to engage with the community throughout the preparation of the Minerals and Waste Sites Plans. The key stages are set out below.

#### **Second Call for sites**

**3.2.4** This initial stage encompasses gaining as much information as possible about potential mineral and waste sites within Kent. Anyone can submit a site for consideration. We will advertise this on our website and in the local press, as well as holding workshops with interested parties and stakeholders.

#### **Second Preferred Options Consultation**

**3.2.5** The 'Preferred Options' consultation will set out which site proposals are preferred and which have not been allocated, and the reasons why. This document will undergo public consultation.

#### **Pre-Submission Plan Consultation**

**3.2.6** The Preferred Options consultation will shape the document that we intend to submit to the Secretary of State for consideration. We will host a consultation on this final version.

#### **Submission**

**3.2.7** At this stage we will submit the Sites Plans to the Secretary of State. Whilst a formal public consultation may not be carried out at this stage, we will publicise our intentions to submit, as well as a summary of the issues raised so far and how they have been addressed.

#### **Pre-Hearing Meeting (if required)**

**3.2.8** Following submission, the Secretary of State will appoint a Planning Inspector to carry out a public enquiry on the plans. Prior to the independent examination the appointed Planning Inspector may wish to meet with the County Council to clarify the procedures and any critical issues that are to be discussed at the examination hearing if a written note is not sufficient.

#### **Independent Examination Hearing**

**3.2.9** Once a Planning Inspector has been appointed, we will publicise the date, time and place of the public enquiry. We will also write to all those who have made representations on the plans so far, instructing them how to make representations or speak at the enquiry.

#### **Inspector's Report**

**3.2.10** We will publicise the Inspector's Report once in receipt of it, as well as writing to all interested parties informing them of the outcome.

#### **Adoption**

**3.2.11** Once the plans have been adopted, we will notify all interested parties, and publish the news on our website along with a formal adoption statement. A hard copy of the adopted plans will be made available for public inspection.

#### **Monitoring**

**3.2.12** The council is required to monitor progress with plan preparation and the implementation and effectiveness of policies through its Annual Monitoring Report (AMR). The AMR reports on:

- How the council is performing against the programme and timescales set out within the Minerals and Waste Development Scheme.
- Whether it is meeting, or is on track to meet, the targets set out in the Minerals and Waste Local Plan and, if not, the reasons why.
- What impact the minerals and waste policies are having on other targets set at national, regional or county level.

- Whether any policies need to be replaced to meet sustainable development objectives.
- What action needs to be taken if policies need to be replaced.

**3.2.13** The AMR will be published on our website.

### Sustainability Appraisal

**3.2.14** Delivery of sustainable development is a central objective of the planning system. **Sustainability Appraisal (SA)** is a systematic and iterative process to appraise, record and consult on the sustainability of a strategy, plan or programme. It forms an integral part of plan preparation.<sup>(18)</sup> The Minerals and Waste Sites Plans will be subject to a Sustainability Appraisal to examine the economic, social and environmental impacts of the plan. This will incorporate the legal requirements of the European Union's **Strategic Environmental Assessment (SEA)** Directive.<sup>(19)</sup> Development of the SA provides a number of opportunities for consultation, in particular:

- **SA Scoping:** At the early, evidence gathering, stage of plan-making consultation will be carried out on the appropriate scope and framework of the SA.
- **SA of emerging objectives, options and preferred options** during the formative stages of Local Plan production.
- **SA Report:** documenting the appraisal and its findings in conjunction with each Local Plan Document at the publication (Pre Submission) stage.

**3.2.15** All SA documents produced at each stage in the development of the Local Plan Documents will be available for comment alongside the emerging plan documents themselves.

**3.2.16** Additionally **Appropriate Assessment (AA)**, required under the European Union's Habitats Directive, must inform all stages of plan preparation as well as the determination of relevant planning applications. It is required to ascertain that a plan or development proposal will not have an adverse effect on the integrity of any Natura 2000 or European sites<sup>(20)</sup> which are designated for the protection of specific habitats and species.

**3.2.17** Although AA should be undertaken in conjunction with SA (see above) they are separate processes and will be addressed in separate reports. AA is a legal requirement to demonstrate no adverse effect upon the integrity of sites, whereas SA is a means of comparing the sustainability of options. Both will inform the objectives and policy options of the Local Plan.

18 Article 19 (5) of the Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal to be carried out on Development Plan Documents.

19 Directive 2001/42/EC.

20 Special Areas of Conservation and Special Protection Areas.



### Duty to Co-operate

**3.2.18** All submissions of Local Plan documents will be accompanied by a Duty to Co-operate Report. This report outlines the variety of engagement approaches that have been undertaken during the preparation of the documents.

### Engaging with the Community: Accessing Our Documents

**3.2.19** All MWLP documents and supporting evidence will be available from our website<sup>(21)</sup> with all documents subject to public consultation also published on our consultation portal<sup>(22)</sup>.

**3.2.20** Consultation on earlier versions of the SCI indicated that many people welcome the opportunity to communicate electronically. This is facilitated through our consultation portal. However more traditional methods remain the preference for some. Paper copies of others MWLP consultation documents will be available for public inspection at Kent County Council's main office (County Hall, Maidstone), electronic copies will be available to view at Kent Gateways<sup>(23)</sup>.

### Engaging with the Community: Keeping in Touch

**3.2.21** We will ensure that all interested people and organisations are updated on progress throughout preparation of the MWLP documents. Stakeholders and members of the public will be able to access regularly updated information about the MWLP through our website. We will encourage use of our online consultation portal as the principal means by which all interested individuals, groups and organisations comment on our plan documents at all stages in their preparation.

**3.2.22** We will communicate directly with all consultees registered on our consultation portal. The portal provides users with openness and transparency for consultation - anyone can comment, view the comments of others and see how all comments have been managed. We may also use local newspapers, council newsletters and other media (including social media) to raise awareness at key stages in preparing the Minerals and Waste Local Plan documents.

### Engaging with the Community: Stakeholder Workshops & Meetings

**3.2.23** These provide an opportunity for more in depth discussion and dialogue with individual sectors of the community or a cross section of interests such as the minerals and waste industry, local planning authorities, authorities within the Kent

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21 <http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies>

22 <http://consult.kent.gov.uk>

23 Gateways provide a wide range of public and voluntary services in one location, conveniently situated on the high-street or in a town centre. Kent Gateways have opened in Ashford, Dover, Tenterden, Thanet, Tonbridge and Tunbridge Wells.

Waste Partnership,<sup>(24)</sup> Local Enterprise Partnerships (LEPs), statutory environmental agencies, statutory undertakers (water, gas, electricity and telecommunications companies) and other environmental groups to collectively discuss a range of issues or options being considered within the MWLP. We will liaise with and arrange groupings that embrace this range of interests throughout the preparation of the MWLP.

### Engaging with the Wider Community

**3.2.24** In formulating our plans it will be important for us to reach as wide an audience as possible. It would be beneficial to both our plans and the public interest to have comments and views from individuals and groups from the wider community, those unfamiliar with the planning process generally and more specifically in relation to minerals and waste matters. Where possible we will utilise existing consultative arrangements to achieve this, taking into account that our plans are county-wide in nature.

### Supplementary Planning Documents

**3.2.25** In addition to Local Plans the County Council will occasionally produce Supplementary Planning Documents (SPDs). Their purpose is to expand on policy issues or provide further detail on the implementation of policies in the Local Plan. SPD preparation involves a more simpler and straight forward process as they are not subject to independent Examination by a Planning Inspector. However, it is important for SPDs to be subject to full community involvement and, where appropriate, Sustainability Appraisal. There would be three stages leading up to the adoption of a SPD:

1. Public consultation on draft SPD;
2. Public consultation on any significant amendments to draft SPD; and
3. Adoption of SPD by the County Council.

**3.2.26** The approach to consultation will vary depending on the nature and geographical coverage of the proposed SPD.

### Supplementary Guidance

**3.2.27** The County Council may also produce Supplementary Guidance (SG) on matters relating to the delivery of development of scale applicable to areas greater than single districts. Although this would not be a SPD it can be given similar weight in decision making if it has been subject to the same consultation procedures and, where necessary, Sustainability Appraisal, as a SPD. The County Council will apply the same approach to consultation on SGs as that envisaged for SPDs.

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24 The Kent Waste Partnership (KWP) is made up of Kent's district and borough councils, which are responsible for waste collection in Kent, and Kent County Council as the waste disposal authority.

### **MWLP Engagement Opportunities: Summary**

**3.2.28** Table 3 overleaf summarises the steps we will take to engage with the community throughout the development of the Sites Plans, as well as other necessary documentation that we are preparing.

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**Table 3: Engagement opportunities within the preparation of the Minerals and Waste Local Plan documents**

<b>Consultation Event</b>	Notification to all consultees	Online publicity & documents published online	Paper copy of documents available for inspection	Evidence base published online	Stakeholder workshops	Meetings with interested parties	News release	Informal Members Group
Draft Statement of Community Involvement	✓	✓	✓					✓
Adopted Statement of Community Involvement	✓	✓	✓					✓
Draft Safeguarding SPD	✓	✓	✓					✓
Adopted Safeguarding SPD	✓	✓	✓					✓
Call for Sites Exercise Regulation 18	✓	✓		✓	✓	✓	✓	✓
Options Regulation 18	✓	✓	✓	✓				✓
Supplementary Options Regulation 18	✓	✓	✓	✓				✓
Preferred Options Regulation 18	✓	✓	✓	✓		✓		✓
Pre-Submission Regulation 18	✓	✓	✓	✓		✓		✓
Submission Regulation 19	✓	✓	✓	✓				✓
Independent Examination Regulation 20	✓	✓	✓	✓			✓	✓
Publication of Inspector's Report Regulation 25	✓	✓	✓				✓	
Notification of Adoption Regulation 26	✓	✓	✓				✓	
Sustainability Appraisal, Habitats Risk Assessment, Strategic Flood Risk Assessment	✓	✓	✓				✓	

### 3.3 How shall we judge the effectiveness of involvement?

**3.3.1** Community involvement will be considered successful if all interested parties have been given an opportunity to express their views and it can be demonstrated that these views have been considered during the preparation of Minerals and Waste Site Plans. We recognise that it will not be possible for plans to incorporate all views received but the decision-making process should be transparent.

We will aim to:

- Acknowledge receipt of your comments received as a result of a consultation.
- Provide timely feedback to those involved with specific consultation events.
- Provide a summary of key information received and our response.
- Provide regularly updated progress reports on our website on how preparation of the Minerals and Waste Site Plans are proceeding.
- Seek views from those who have participated in consultation events and workshops to guide any necessary improvements for the future.

**3.3.2** The approaches to community involvement set out in this SCI will be kept under review. If necessary we will undertake a formal review of the SCI.



## 4 Community Involvement and Planning Applications

**4.0.1** Planning applications have to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Applications that come forward, in accordance with established policy, should benefit from community support. However, applications may be in conflict with the development plan and/or be of such a scale as to attract wider public and community interest. The County Council actively encourages involvement in the development management process and welcomes comments from all interested parties.

### Kent County Council's Role in Development Management

The County Council deals with and determines applications for three types of development:

- The winning and working of minerals found in Kent, such as sand, clay and chalk.
- The management and disposal of waste including landfill sites, household waste recycling centres, waste transfer, composting and waste water treatment facilities.
- Development proposed by the County Council as part of its statutory services such as schools, care homes, and certain roads.

**4.0.2** We deal with approximately 250 planning applications and submissions each year: some 80% of these relate to the County Council's own development, and 20% to minerals and waste proposals<sup>(25)</sup>. Proposals can range from modest school building extensions and replacement and new school premises to large scale proposals for mineral working, waste management facilities and the replacement of and provision of new roads on the county highway network.

**4.0.3** The vast majority of planning applications in the county are dealt with by the 12 district councils in Kent. The district council arrangements for community involvement in the consideration of planning applications are set out in their own individual Statements of Community Involvement.

**4.0.4** The National Planning Practice Guidance sets out the statutory time limits for determining planning applications, these being 13 weeks for major developments and eight 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 in March 2011. The Planning Guarantee is a Government policy 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.

**4.0.5** While we remain committed to improving timescales for reaching planning decisions this needs to be balanced against the need for all stakeholders to fully engage in consultations, and the quality of the outcome.

**4.0.6** We aim to improve both the time taken to determine applications and the quality of decisions in terms of consistency and in reflecting the interests of the community. There are opportunities for involvement at various stages of dealing with an application. However, the resources available to the planning service are limited. The more that we add to the service in terms of community involvement the more likely the costs are to be shared between the County Council and the community.

#### **Nationally Significant Infrastructure Projects**

**4.0.7** In April 2012, under the Localism Act 2011, the Planning Inspectorate became the agency responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIPs). Previously NSIPs were dealt with under the Infrastructure Planning Commission (IPC). There are six key stages to the development consent process for NSIPs.

1. Pre-application- to include extensive consultation on the proposals.
2. Acceptance- following submission of a formal application for development consent, the Planning Inspectorate has a 28 day period to decide whether or not the application meets the standards required to be formally accepted for examination.
3. Pre-examination- everyone who has registered and made relevant representations will be invited to attend a preliminary meeting run and chaired by the Inspector.
4. Examination- the Planning Inspectorate has six months to carry out the examination, people who have registered at previous stages are invited to provide more details of their views in writing.
5. Decision- the Planning Inspectorate must prepare a report on the application to the relevant Secretary of State, including a recommendation, within three months of the six month examination period. The Secretary of State then has a further three months to make the decision on whether to grant or refuse development consent.
6. Post-decision- once the Secretary of State has issued the decision, there is a six week period in which the decision may be challenged in the High Court.

## 4.1 When and how you can get involved with planning applications

**4.1.1** We consider that our arrangements represent an appropriate balance between the breadth and extent of opportunity for community involvement, the time spent, costs incurred and efficient decision making.

### Online Planning Facilities for Development Management

The online planning application system allows greater accessibility to our decision making process through the following:

- Submission and publication of planning applications online.
- Access to supporting documentation for planning applications.
- Acceptance of online responses to consultation on planning applications from key stakeholders and the community.

**4.1.2** Most planning applications, with the exception of mineral proposals, are made on the standard application form (1APP) which is available online and to print in hard copy.

**4.1.3** While online planning initiatives are widely welcomed there will be those unable or unwilling to take advantage of the technology. Consultation responses submitted electronically are preferred and strongly encouraged as the running of duplicate paper and electronic arrangements has considerable resource implications in terms of both finance and the environment. For those without personal access, information and electronic documents on our website will be available through public libraries, Gateways, main County Council offices and other publicly accessible internet facilities. Opportunities to access applications at our offices may be arranged by appointment. For those applications within parishes, an electronic copy of the application documents may also be made available to the Parish or Town Council.

## 4.2 Pre-application stage

**4.2.1** Involving people and communities before an application is submitted allows them the opportunity to influence developments as they are being formulated. It can help to deal with matters that could otherwise develop into unnecessary objections at an early stage. We recognise that by working together on a project from the early stages, both developers and local planning authorities can achieve better outcomes for the community and stakeholders.<sup>(26)</sup> Open and constructive pre-application negotiation can not only save time, but produce a scheme that balances constraints with finding a planning solution for proposed development.

**4.2.2** Pre-application discussions with the County Council are strongly encouraged as they can help improve the quality and efficiency of the application process. We also suggest the statutory authorities and other stakeholders are approached for

26 NPPF (2012), para 188.

guidance and advice on mitigation measures and good practice for different types of development (see Appendix C for a list of relevant bodies). Timely involvement of local people in the pre-application stage can achieve development that takes better account of local interests and needs. This might just mean talking to neighbours, but for large applications we may advise developers to undertake pre-submission consultation with interested stakeholders.

### **Pre Application Discussion and Consultation**

At the pre-application stage we will:

- encourage developers to contact us as early as possible when formulating their proposals; and
- 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.

## **4.3 Submitting an application**

**4.3.1** Most planning applications are submitted via a standard application form (1APP) (except mineral proposals). The forms can be obtained from the Planning Portal<sup>(27)</sup> via our website. Most applications can be submitted online via the Planning Portal or by email or in hard copy form to the County Council.

**4.3.2** The application form for mineral, oil and gas development can be downloaded directly from our website.

## **4.4 Publicity and consultation**

**4.4.1** Once an application has been received and validated it will be publicised. There are current legal requirements for publicity associated with planning applications where an application:

- is accompanied by an Environmental Statement
- is a departure from the Development Plan
- would affect a public right of way, or
- would affect a listed building or conservation area.

**Or:**

27 The government's online service for planning at: [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

- is a major development, i.e.:
  - The winning and working of minerals or the use of the land for mineral-working deposits
  - Waste development
  - The provision of a building or buildings where the floor space 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.

**It must be publicised by:**

- a site notice displayed for at least 21 days – at least one notice on or near to the application site, **and**
- a local advertisement – with notice of particulars published in local newspaper(s).

**4.4.2** If the application does not fall within any of the above criteria it must be publicised by:

- a site notice displayed for at least 21 days – at least one notice on or near to the application site.

**4.4.3** In either case the County Council may also choose to formerly notify adjoining owners or occupiers at its discretion.

**4.4.4** In addition to the above requirements, local authorities must publish the following information online:<sup>(28)</sup>

- the address or location of the proposed development
- a description of the proposed development
- a date for comments to be made (at least 14 days from publication)
- where and when the application may be inspected, and
- how representations may be made.

**4.4.5** The above information will be published on our website, in accordance with the regulations.

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28 According to Article 15 of The Town & Country Planning (Development Management Procedure) (England) Order 2015.



### **Publicity for planning applications through advertisements and via our website**

We will continue to advertise planning applications in the press in accordance with statutory requirements and will also continue to publish a list of applications received to be determined by the County Council on our website. In addition, the online system provides details of application progress and enables application documents and final decisions to be viewed.

**4.4.6** A Case Officer will be allocated for each application and will be the main point of contact for all related enquires. We notify the county councillor in whose area the application has been made so that he/she is aware of the nature of the development proposed and can provide a focal point should, for example, local residents wish to make representations.

**4.4.7** We will continue to meet the current statutory requirements for publicity through site notices and a local advertisement where necessary. The extent of neighbourhood notification will depend on the type and scale of the proposal and the proximity of neighbouring property to the proposed development. Neighbourhood notification involves sending a letter which normally allows for at least 21 days for comments to be made.

### **Statutory consultees for planning applications**

**4.4.8** Specific consultees are required to be consulted on planning applications according to the type, location and scale of development.<sup>(29)</sup> A list of consultees for development management are detailed in appendix C.

### **Viewing applications and making comments**

**4.4.9** Copies of applications can be viewed by arrangement at the County Council's offices at Invicta House in Maidstone. In addition, application documents are also available to view electronically via our own website, on district council websites, Gateways and public libraries, and in some cases at parish/town council offices.

**4.4.10** Responses to consultation need to be in written form - a telephone conversation does not constitute a formal response as this carries a risk of misinterpretation. Our preferred method of response to consultation is through the online system. Representations are also accepted by email<sup>(30)</sup> and letter.

29 See Schedule 4 of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

30 [planning.representations@kent.gov.uk](mailto:planning.representations@kent.gov.uk)

**4.4.11** Where an application is amended, prior to a decision being taken, provision for further consultation depends upon the nature of the revised details and their connection with the terms of the objection(s) previously submitted. A minimum of seven days to respond will be provided when further consultation is undertaken.

**4.4.12** Any material planning considerations <sup>(31)</sup> raised by stakeholders and the community will be taken into account in the determination of the application. Points made through representations will be considered on the strength of the planning arguments put forward for each application rather than on the numbers of people expressing a view. We aim to make a clear link between your responses and our decision or action.

#### **4.5 Determining an application**

**4.5.1** The application of guidelines, decisions on procedures and good practice outlined in this section will be responsive to the circumstances of individual cases.

**4.5.2** Many applications are not contentious and are determined by Planning Officers under powers delegated to them by the County Council's Planning Applications Committee. Objections can often be resolved through negotiation.

#### **Site Meetings and Public Meetings**

**4.5.3** An **informal site meeting** between an applicant and Planning Officer(s) can sometimes help to clarify issues and are arranged as needs arise. Very occasionally it may be appropriate to involve residents in the vicinity of the application site and other officers.

**4.5.4** A **formal site meeting** may be held for more controversial cases. This can be attended by district and parish/town council members and officers as well as the applicant and County Council representatives. Such meetings enable members of the Planning Applications Committee to view the proposed site and gain a better understanding of the proposal. The need to convene a site meeting depends on the nature of the proposal and the planning issues raised. The decision as to whether a site meeting should be held rests with the Chairman of the Planning Applications Committee. It is not possible to convene a site meeting every time one is requested because of the substantial costs and time delays to progressing the application. Normally a site meeting would be held as close as possible to the Committee meeting at which the application is to be decided.

**4.5.5** For major planning applications which are very controversial or those where there is a high level of interest from the local community, a **public meeting** may be arranged. These meetings offer the chance for members of the public to directly

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31 While there is no legal definition of what constitutes a material planning consideration, it can potentially be any consideration that relates to the use and development of land. For planning applications, common material considerations include environmental impacts, local or residential amenity impacts, highways issues and opportunities for lessening the impact of the proposal. Impact on property value, for example, is not a material planning consideration.

address their concerns to the Committee. The need for a public meeting is at the discretion of the Chairman of the Planning Applications Committee. For practical reasons (such as capacity of the venue) invitations are restricted to those who have already corresponded on the application. In instances when public meetings are arranged, members often hold a separate site visit to inspect the site beforehand. Officers and the applicant also attend the public meeting and key stakeholders are invited.

### **The Planning Application Committee**

**4.5.6** In instances where applications attract unresolved planning objections that are material to the application, (i.e. where there are substantive planning objections that cannot be resolved by negotiation) applications may be determined by the **Planning Applications Committee (PAC)**.

**4.5.7** Applicants and objectors are able to address members at the Committee in accordance with our public speaking guidelines. These provide for a limited number of parties, who have previously expressed an interest in an application, to speak directly to the Committee for up to five minutes before the Member debate on the proposal. The Speaking to the Planning Applications Committee Protocol is set out in Appendix D of this document and is available from our website. Most Committee meetings are open to the public.

### **Planning Conditions**

**4.5.8** Conditions may be attached to planning consents to address matters that might otherwise make a proposed development unacceptable. These should not seek to duplicate controls that are more appropriately imposed by other regulators such as the Environment Agency.

## Planning Obligations

**4.5.9** There are powers available to the County Council<sup>(32)</sup> to grant planning permission subject to the completion of a planning obligation; this is a legal agreement between the applicant and the planning authority. Planning obligations are used to make development acceptable which would otherwise be unacceptable in planning terms and cannot be addressed by planning conditions. The agreement must be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.<sup>(33)</sup> Where a planning obligation is envisaged its proposed 'heads of terms'<sup>(34)</sup> will normally be included in the report to the Planning Applications Committee on a planning application.

## 4.6 Post-decision stage

**4.6.1** Following determination of an application, whether by delegation or by the Planning Applications Committee, a copy of the decision notice is published on our website and sent to the relevant district/borough council.

## Site Liaison Groups

**4.6.2** In granting planning consent for major mineral working, waste management or other significant community development we will continue to consider whether the establishment of a Liaison Group is appropriate. Such groups bring together the site operator, representatives of the local community and County Council officers (as required) to discuss site related issues. The frequency of liaison meetings can vary according to need.

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32 Under S.106 of the Town and Country Planning Act 1990 as substituted by the Planning and Compensation Act 1991 and as amended by the Community Infrastructure Levy Regulations 2010.

33 NPPF Para 204

34 'Heads of terms' is a document setting out the terms of a S.106 agreement as agreed in principle between the parties during the course of negotiations.

## 5 Sources of Advice on Planning Matters

**5.0.1** We would strongly encourage all potential applicants and interested parties to contact us for advice in the first instance.

**5.0.2** However, there are other sources of advice and support to help local communities engage with planning matters affecting their area. Planning Aid provides free, independent professional help on planning issues for local communities who cannot afford to hire a planning consultant. Planning Aid is run by the Royal Town Planning Institute. It complements the work of local authorities but is wholly independent of them. Planning Aid can help people to:

- Understand and use the planning system.
- Participate in the preparation of plans.
- Prepare their own plans for the future of their community.
- Comment on planning applications.
- Apply for planning permission or appeal against the refusal of planning permission.
- Represent themselves at public inquiries.

If you think Planning Aid could help you they can be contacted at:

**Planning Aid**

**Planning Aid England**

**Tel 020 7929 9494**

**Email: [contact@rtpi.org.uk](mailto:contact@rtpi.org.uk)**

**Web address: <http://www.rtpi.org.uk/planning-aid/>**



## Appendix A Definitions

Term or Word	What We Mean by it in this Document
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	A statutory development plan for the county is formed of the Minerals and Waste Local 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. Where possible we use 'involvement' as the main generic term.
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 acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications.
Public	The population at large, especially those people who will not necessarily be engaged through working with existing stakeholder organisations.

## Appendix A Definitions

Term or Word	What We Mean by it in this Document
'Seldom Heard' Groups	'Seldom heard' groups include those who may suffer social, health or economic disadvantage, religious and cultural minorities or other traditionally excluded individuals and communities. It may also include those who are, for example, "time poor", such as commuters and those who, for one reason or another, are not represented in traditional social networks, such as interest-based clubs and societies. Sometimes referred to as 'hard to reach' groups although this implies that the problem lies within these communities.
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>(35)</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 has to consult.
Statutory requirements	Actions required by the County Council as a result of legislation.
Transparent	Open to public scrutiny.

35 Source: Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)).

## Appendix B Involving Our Community: Consultees for Policy Development

We are developing a database of contacts for the Minerals and Waste Local Plan. Registration on the database is open throughout the development of the Local Plan to enable new contacts and interested members of the public to become involved. All consultees will be registered with an account on our planning policy consultation portal. This ensures notification about new consultation events and the option to submit comments on policy documents online.

You can register yourself as a consultee on our consultation portal at <http://consult.kent.gov.uk/>. Alternatively, you can contact us using the details below and request to be added.

Minerals and Waste Planning Policy Team  
Environment, Planning and Enforcement  
Kent County Council  
Invicta House  
County Hall  
Maidstone  
Kent ME14 1XX

email: [mwdf@kent.gov.uk](mailto:mwdf@kent.gov.uk)

tel: 03000 422370

We will aim to continually extend our database in a number of ways:

- by inviting a wide range of organisations to take part at the outset (an extended, open invitation)
- by asking existing contacts and networks to promote awareness of the process so that their contacts may become involved if they so wish, and
- by encouraging any person or group involved in any part of the process to suggest others who may be interested.

The following provides a list of consultation bodies that will be involved in the Minerals and Waste Development Framework. The lists relates to successor bodies where re-organisations occur.

Government requires that planning authorities **must** consult with a number of **Specific Consultation Bodies**<sup>(36)</sup> when preparing development plan documents in which they may have an interest. For the Kent Minerals and Waste Development Framework this list is as follows:

- All District and Borough Councils in Kent.
- 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.

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36 Under the 2004 Local Development (England) Regulations (as amended by the 2008 and 2009 Regulations).

The Regulations also specify that we consult a number of **General Consultation Bodies** where relevant to the specific planning activity. Such organisations can encompass:

- voluntary organisations some or all of whose activities benefit any part of the authority's area
- organisations which represent the interests of different racial, ethnic, national or religious or disability groups in the authority's area, or
- organisations which represent the interests of persons carrying on business in the authority's area.

The list of these general consultation bodies below is not exhaustive but indicative of the types of organisation 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.
- Ebbsfleet Development Corporation
- 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.



## Appendix B Involving Our Community: Consultees for Policy Development

- National Farmers Union.
- Port and wharf operators in Kent.
- Rural Kent.
- Royal Society for the Protection of Birds.
- Sport England.
- Waste management operators.

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## Appendix C Involving Our Community: Consultees for Development Management

For planning applications there are a range of statutory and non statutory bodies who should be consulted according to the nature and location of the proposed development and its potential impacts.<sup>(37)</sup> However, consultation is not necessary where a relevant body has issued standing advice for particular types of development, or they do not wish to be consulted.<sup>(38)</sup>

The relevant district/borough council and parish/town council (if applicable) must be consulted on every application for planning permission.

Neighbouring occupiers of a proposed development may be consulted if the Case Officer considers it appropriate. Those consulted will **usually** be within an 90 metre radius for County Council developments and 250 metres for minerals and waste developments. The scope of this consultation is discretionary and will depend on the scale and the nature of the proposal.

On a case by case basis, the following organisations are consulted:

- Airport Operators.
- British Pipeline Agency.
- Civil Aviation Authority.
- Coal Authority.
- County Fire Officer.
- Campaign for the Protection of Rural England.
- Department for Environment, Food and Rural Affairs.
- Historic England.
- Environment Agency.
- Internal County Council departments (Highways, Biodiversity, Public Rights of Way, Heritage, Local Level Flood Authority (SUDS)).
- Public Health England.
- The Health and Safety Executive
- Highways England.
- The Historic Buildings and Monuments Commission for England.
- Kent Police.
- Kent Wildlife Trust.
- Local Members.
- Ministry of Defence.
- National Grid.
- Natural England.
- Network Rail.

37 For full details on types of development and the required consultee see Schedule 5 of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

38 According to article 18 (1) of The Town & Country Planning (Development Management Procedure) (England) Order 2015.

**Appendix C** Involving Our Community: Consultees for Development Management

- The Ramblers.
- Sport England.
- The County Council's technical consultants.
- The Theatres Trust
- Union Railways - High Speed 1.
- Utility companies.

The Local Council Member will also be notified of any planning application.

To ensure that that all consultees, including the borough/district and parish/town councils, can comment on an application they will receive an electronic link to a copy of the planning application documents on our website.

## Appendix D Speaking to the Planning Applications Committee

### Speaking to the Planning Applications Committee Leaflet

#### Speaking to the Planning Applications Committee

Members of the public can speak to KCC's Planning Applications Committee as part of the process for determining a planning application. This leaflet explains this process.



##### Who can speak to the Committee?

If you wish to speak to the Committee you must already have sent in a written comment about the application prior to the committee report being published.

If that condition has been met, then residents, parish and town councils, residents' associations, local businesses and other people who live in the county can ask Democratic Services for the opportunity to speak to the Committee. Contact them as soon as possible to let them know that you may wish to speak. You will not normally be allowed to be represented by solicitors or other professional agents.

##### How will I know when the committee is meeting?

The Committee meets once a month, usually on a Wednesday at 10am.

If you have told Democratic Services that you may wish to speak about a particular planning application, they will write to you or contact you by email when they publish the report. This normally happens six working days before the Committee meeting. A copy of the planning officer's report will be on the website [www.kent.gov.uk](http://www.kent.gov.uk) and will also be sent to you by Democratic Services.

**Please read the report carefully before deciding whether or not you want to speak. The Committee Members will have read the report. What you can add is information that may be missing from the report or a particular emphasis you feel is not being made.**

**If after reading the report, you decide you do want to speak to the meeting, then contact Democratic Services by noon on the Monday before the meeting.**

##### How many people can speak?

Normally up to four people can speak on each application.

They are:

- two individuals or group representatives
- a representative from the Parish or Town Council and
- the applicant, who has the right of reply to any points made

Where there are speakers both for and against the development, priority will be given to ensure both viewpoints are represented.

If more than two individuals or representatives wish to raise similar points, Democratic Services will ask them to agree amongst themselves who should speak for them. If necessary, the Chairman of the Committee will decide which members of the public may speak.

##### What happens on the day?

If you are invited to speak to the Committee then you should aim to arrive at County Hall, Maidstone, at least a quarter of an hour before the meeting begins (i.e. normally by 9.45am). A member of staff will meet you and explain the procedures and answer any questions you may have.



**What will happen in the meeting?**

The Chairman will ask the planning officer to introduce the report and explain the reason for the recommendations.

Each speaker will be allowed up to five minutes to address the Committee about the application. It is, of course, up to you what you decide to say, but it might be useful to bear in mind the following:

- The committee will listen to what you say but will not debate the merit of your opinions with you.
- Concentrate on explaining the points that you originally made in writing. You should not attempt to surprise the Committee by raising issues you have not raised before with the planning officer.
- It is not an opportunity to circulate additional pages of written material to the Committee. However, if you wish to provide a single page summary of the main points of your presentation, then this should be submitted to Democratic Services by noon of the Monday before the meeting.
- The Committee must consider the application *on planning grounds*. You should not discuss the applicant's past behaviour nor speculate about what you think their possible future intentions may be. *The Committee can only consider the application that is before them.*
- The Chairman will let you know when you have half a minute left to speak and will also tell you when your five minutes is finished.

**What happens after I have spoken?**

After the speeches by the public and the applicant, the Committee will consider the application. Although this will be done in public, there will be no further opportunities for the public to speak.

**Useful telephone numbers and addresses****To get in touch with the Democratic Services Unit:**

Democratic Services  
Kent County Council  
Room 1.99, Sessions House  
County Hall, Maidstone ME14 1XQ  
Tel: 03000 416749  
Email: [andrew.tait@kent.gov.uk](mailto:andrew.tait@kent.gov.uk)

**To get in touch with the Planning Applications Group:**

Head of the Planning Applications Group  
Kent County Council, First Floor  
Invicta House, County Hall  
Maidstone, ME14 1XX  
Tel: 03000 411200  
Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)

**Website**

[www.kent.gov.uk](http://www.kent.gov.uk)

**Directions to County Hall HQ****By bus and coach:**

- The line 150 and line 7 buses' from Walderslade, Tonbridge and Tunbridge Wells, and the 101 bus from the Medway Towns all stop at County Hall.

**By rail:**

- To Maidstone East from London Victoria or Ashford, Canterbury West and the Kent Coast
- To Maidstone Barracks station on the Strood to Tonbridge line (for services from Chatham, Gravesend, Dartford, London Bridge and Charing Cross, change at Strood)
- To Maidstone West Station from Gatwick, Redhill and Tonbridge

**By car:**

County Hall is located on the A229 Maidstone to Chatham Road opposite Maidstone East Railway Station. (Sat Nav code is ME14 1XQ) Follow signs to the town centre and County Hall. There is no visitor parking at County Hall. Pay and Display car parks are sign-posted from major roads. The closest Pay and Display Car Park is the Maidstone East Station Car Park. Alternatively, there is a Park and Ride facility which runs from the Sittingbourne Road site, ME14 3EN to Maidstone. The Park and Ride site is off Junction 7 of the M20.



**This leaflet is available in alternative formats and can be explained in a range of languages. Please call 03000 414141.**

October 2016

## Appendix E Further Information and Assistance

Kent Partnership: A Vision for Kent (revised April 2006) ([www.kentpartnership.org.uk](http://www.kentpartnership.org.uk)).

Town and Country Planning (Local Development) (England) Regulations 2004 ([www.opsi.gov.uk](http://www.opsi.gov.uk)).

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 ([www.opsi.gov.uk](http://www.opsi.gov.uk)).

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 ([www.opsi.gov.uk](http://www.opsi.gov.uk)).

CLG (2008): White Paper: Communities in control: Real people, real power ([www.communities.gov.uk](http://www.communities.gov.uk)).

Habitats Directive (92/43/EEC), European Union ([http://ec.europa.eu/environment/index\\_en.htm](http://ec.europa.eu/environment/index_en.htm))

CLG (2008) The Killian Pretty Review - Planning applications: A faster and more responsive system (Final Report) (Available from: [www.planningportal.gov.uk](http://www.planningportal.gov.uk)).

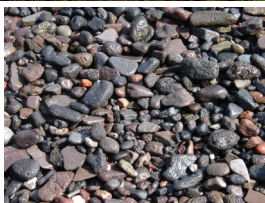
The National Planning Policy Framework (2012) (available from: <http://planningguidance.planningportal.gov.uk/>).

The National Planning Practice Guidance (available from: <http://planningguidance.planningportal.gov.uk/>).



This document can be made available in large copy print, audio and Braille versions. If you require the document in one of these formats or require a copy of the document to be translated please contact the MWDF Project Team on 03000 422370 or email [mwdf@kent.gov.uk](mailto:mwdf@kent.gov.uk).

For alternative language services also please see our website (<http://www.kent.gov.uk/about-the-council/about-the-website/alternative-languages-and-formats>) or call 03000 421553.



**Minerals and Waste Planning Policy Team**  
**Kent County Council**  
**Invicta House**  
**County Hall**  
**Maidstone**  
**Kent**  
**ME14 1XX**

**Tel: 03000 422370**  
**Email: [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk)**

**[www.kent.gov.uk/mwlp](http://www.kent.gov.uk/mwlp)**

