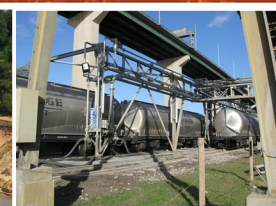
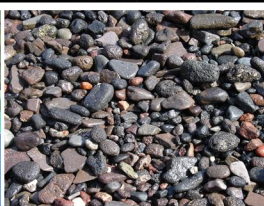


Kent Minerals and Waste Local Plan



Minerals and Waste Development Scheme

Draft September 2016



1 Glossary of Terms/Abbreviations Used in the Text	1
1 Introduction	3
1.1 The Transitional Period	4
1.2 The Minerals and Waste Development Scheme	6
2 Minerals and Waste Local Plans	7
2.1 Minerals and Waste Local Plan 2013 - 2030	7
2.2 Kent Minerals and Waste Sites Plans	8
2.3 Adopted Policies Maps	9
2.4 Arrangements for Production of the Plans	9
3 Key Supporting Documents and Evidence Base	11
3.1 Annual Monitoring Report	11
3.2 Local Aggregates Assessment	11
3.3 Statement of Community Involvement	11
3.4 Minerals and Waste Safeguarding Supplementary Planning Document	12
3.5 Sustainability Appraisal and Strategic Environmental Assessment	12
3.6 Appropriate Assessment under the Habitats Directive	13
4 Supporting Statement	13
4.1 Management and Resources	13
4.2 Evidence Base	13
4.3 Duty to Co-operate	14
4.4 Risk Assessment	15

Contents

DRAFT

1 Glossary of Terms/Abbreviations Used in the Text

Abbreviation	Explanation
Annual Monitoring Report (AMR)	A statutory document submitted to Government and published at the end of each year which monitors the progress of document preparation against the Development Scheme milestones and progress in meeting the objectives set in the Framework.
Kent Minerals and Waste Local Plan 2013-30	This adopted plan (July 2016) set out the County Council's vision, objectives & spatial strategy for Minerals and Waste. It contains a statement of strategy and, a set of primary policies and proposals for delivering the Core Strategy and sets the policy framework for the Minerals and Waste Sites Plans work and development management decisions.
Kent Development Plan	The portfolio of documents that together provide the framework for delivering the spatial planning strategy for minerals & waste. Along with local plans produced by the Kent borough and District Councils it forms the Development plan for the purposes of planning legislation.
Minerals and Waste Development Scheme (MWDS)	The project plan setting out the County Council's programme and timetable for the documents it intends to prepare for inclusion in the Minerals and Waste Local Plan.
Minerals Local Plan and Waste Local Plan	'Old style' local plans for minerals (MLP) and waste (WLP) being gradually replaced by the 'new style' Minerals and Waste Local Plans.
The Planning Inspectorate (PINS)	The Government agency responsible for programming and conducting the Independent Examination of local plans.
Regional Spatial Strategy (RSS)	This document was produced by the Regional Planning Body (RPB) and approved by Government. It set the context for the Minerals and Waste Plans and formed part of the statutory development plan. It has now been substantially revoked, although policies on the Thames Basin Heaths Special Protection Area and Oxfordshire Structure Plan Policy H2 concerning the Upper Heyford RAF base are both retained. The South East Plan was the RSS for the South East.

Statement of Community Involvement (SCI)	Sets out the Council's policy for involving the community and other stakeholders in the preparation and revision of mineral and waste Development Plan Documents (DPD) and the development management process. The SCI is not a Local Plan.
Strategic Environmental Assessment (SEA) & Sustainability Appraisal (SA)	A formal process that analyses and evaluates the social, economic and environmental effects of a plan or programme.
Supplementary Planning Document (SPD)	A document produced by the County Council that provides guidance on the implementation of policies in the Kent MWLP, for example in relation to minerals and waste safeguarding.

1 Introduction

1.0.1 Kent County Council, as the minerals and waste planning authority for the County Council's administrative area, must prepare and keep under review a Minerals and Waste Development Scheme (MWDS). The MWDS sets out a timetable for the production of the key planning documents of the Kent Minerals and Waste Local Plan 2013-30. This 2014-2017 MWDS replaces the previous 2013-16 version (published in July 2014).

The Minerals and Waste Development Scheme sets out the County Council's programme for the preparation of minerals and waste plans during the period 2016-2019. Under this programme the Council will prepare the:

- **Kent Mineral Sites Plan**
- **Kent Waste Sites Plan**

All documents in this Development Scheme will have county wide coverage, excluding the Medway Unitary Council Authority area.

1.0.2 The County Council is committed to the new programme set out in this MWDS and it's progress will be reviewed annually through the Annual Monitoring Report.

1.0.3 This Development Scheme has two key objectives:

- To inform the public and stakeholders of the documents that will make up the new planning policy framework for minerals and waste in Kent and the programmes anticipated for their preparation.
- To reflect the County Council's priorities and to enable work programmes to be set for preparation of the documents.

Legislative Context and Background

1.0.4 The Planning and Compulsory Purchase Act 2004 (as amended) sets out the system of requirements and procedures for local development planning in England. These requirements are applicable to all Minerals and Waste Planning Authorities and form the basis for the preparation of Kent County Council's suite of minerals and waste plans and supporting documents, as described within this Development Scheme.

1.0.5 The Town And Country Planning (Local Planning) (England) Regulations 2012⁽¹⁾ build on the 2004 statutory framework for the preparation and adoption of Development Plan Documents and Supplementary Planning Documents; the Regulations refer to Development Plan Documents as “Local Plans” since this term is believed to be more readily understood.

1.1 The Transitional Period

1.1.1 The Development Plan for Kent consisted of the following up to the adoption of the Kent Minerals and Waste Local Plan 2013-30:

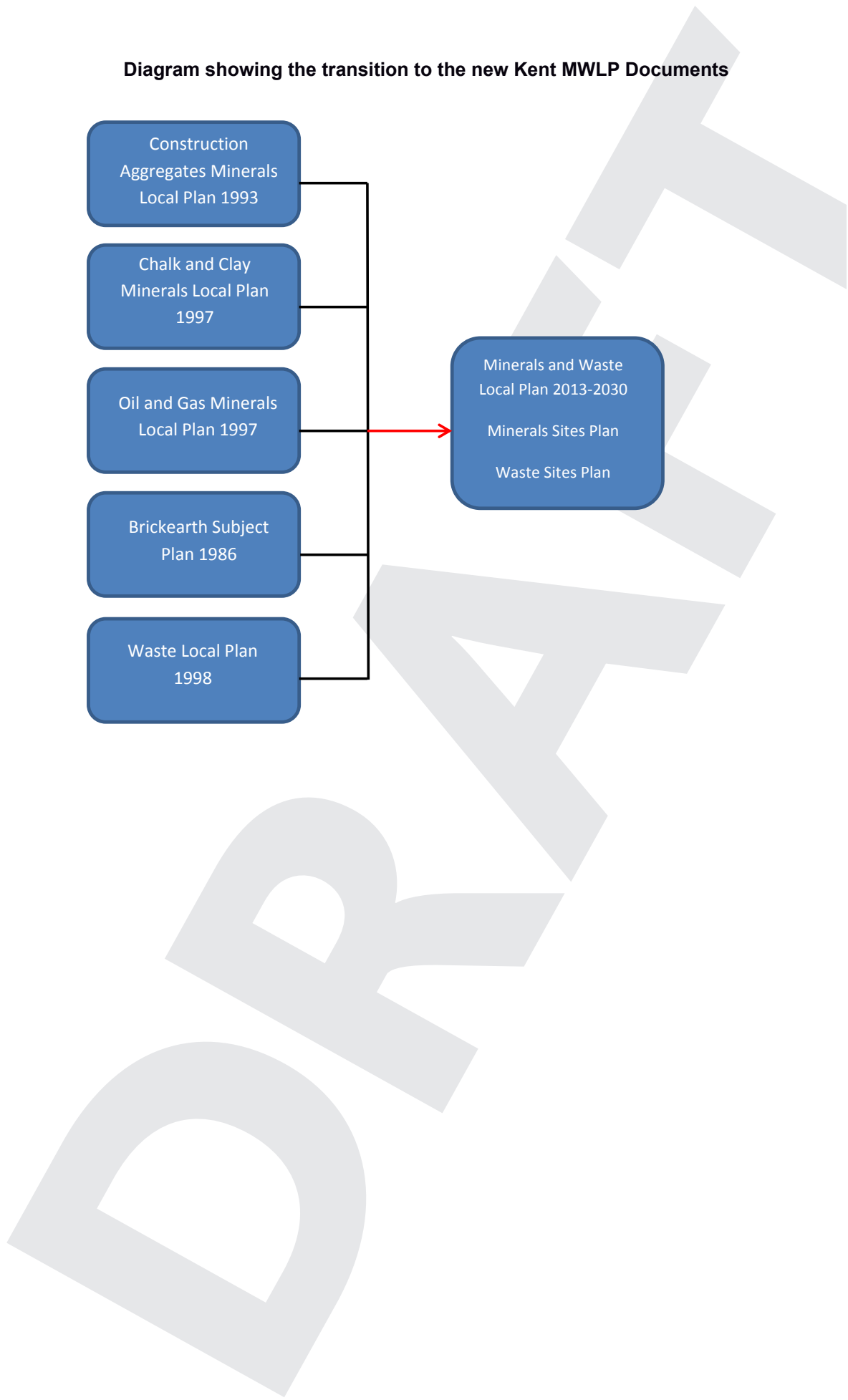
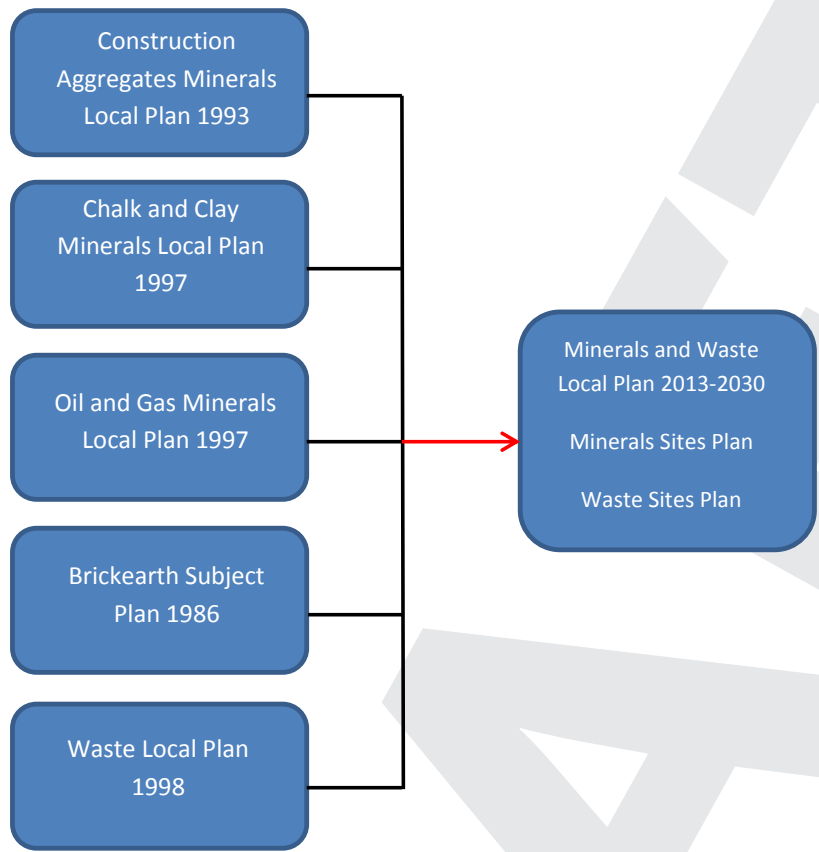
- Policies in adopted Local Plan documents produced by the Borough/District Councils in Kent;
- Kent Minerals Subject Plan: Brickearth saved policies (adopted May 1986; covers period to 2001);
- Kent Minerals Local Plan: Construction Aggregates saved policies (adopted December 1993; covers period to 2006);
- Kent Minerals Local Plan: Chalk & Clay/Oil & Gas saved policies (adopted December 1997; covers period to 2011);
- Kent Waste Local Plan saved policies (adopted March 1998); covers period to 2011).

1.1.2 The Kent Minerals and Waste 'saved' policies of these plan are no longer relevant in decision making on planning applications and appeals as they have been replaced by the adopted Minerals and Waste Local Plan 2013-30 (the Plan) policies and proposals as of July 2016.

1.1.3 The County Council is now preparing minerals and waste sites plans to deliver the strategy of the adopted Plan, as well as a Supplementary Planning Document (SPD) on safeguarding (that includes waste management infrastructure) to clarify how this should be addressed when non-minerals and non-waste development is proposed that affects safeguarded minerals and minerals and waste management infrastructure. These areas of plan making and plan related work is set out in more detail in Chapter 3. The relationship between the old and now superseded plans and the adopted Plan and the future Kent minerals and waste sites plans does not involve a simple one for one replacement. The following diagram shows the changes:

¹ As amended by sections 110 -113 of the Localism Act 2011.

Diagram showing the transition to the new Kent MWLP Documents

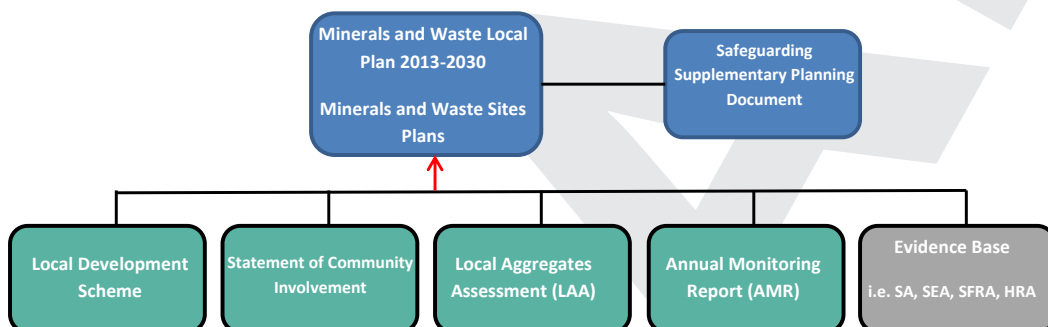


1.2 The Minerals and Waste Development Scheme

1.2.1 The diagram below shows the relationship between the minerals and waste plans and supporting documents that form the adopted Kent Minerals and Waste Local Plan 2013-30. The underlying evidence base has 'fixed' elements, such as the evidenced based topic papers that informed the Independent Examination of the plan in April and May 2015, though this is to be reviewed if monitoring of the Plan indicates that a partial or a full review (this being when it is possible that a new plan is required) of the Plan is undertaken.

1.2.2 The Annual Monitoring Report and the Annual Aggregate Assessment requirement will inform decision makers of changes, such as aggregate landbank levels, that may be material to the determination of planning applications and appeals and would need to be taken into account as well as the policy provisions of the adopted Plan.

Diagram to show the relationship between the Minerals and Waste Plan Documents



2 Minerals and Waste Local Plans

2.0.1 The following describes the main Kent Minerals and Waste Local Plan documents to be prepared and the key stages of their development, including public consultation to be undertaken, following the adoption of the Kent Minerals and Waste Local Plan (MWLP) 2013-30.

2.1 Minerals and Waste Local Plan 2013 - 2030

2.1.1 The Kent Minerals and Waste Local Plan 2013-30 is the strategic document which sets out the vision and delivery strategy for mineral provision and waste management in Kent. The Plan is formed of core strategic policies and monitoring implementation framework, as well as development management policies against which any proposals for minerals and waste development will be assessed. The Plan makes provision for the ensuring a ready and sustainable supply of minerals to meet construction and industrial requirements and the sustainable management of all wastes arising in Kent which will support the principles of the UK Government's waste hierarchy. The table below sets out the key stages which led up to the adoption of the Plan in July 2016.

2.1.2 Timetable for Key Stages

Minerals and Waste Local Plan 2013-30

Stages	Dates
Scoping of Sustainability Appraisal Consultation	September - October 2009
Issues Consultation	September - November 2010
Strategy & Policy Directions Consultation	May - August 2011
Mineral Safeguarding Consultation	February - March 2013
Pre-submission Consultation	January - March 2014
Submission Document Consultation	July - September 2014
Submission	November 2014
Independent Examination Hearings	April/May 2015
Proposed Modifications Consultation	August - October 2015
Further Proposed Modifications Consultation	January - March 2016
Inspector's Report	March 2016
Adoption	July 2016

2.2 Kent Minerals and Waste Sites Plans

Following the adoption of the Kent Minerals and Waste Local Plan 2013-30, the next steps in the process are developing and adopting a Minerals Sites Plan and a Waste Sites Plan for Kent. These Plans will identify and allocate sites for minerals and waste development in Kent. The recently adopted KMWLP 2013-30 will set the policy framework for the Minerals and waste Sites Plans work.

Mineral Sites Plan

2.2.1 The Mineral Sites Plan will identify mineral sites and locations for mineral extraction, processing and importation including safeguarding provisions that reflect the principles and strategy of the Minerals and Waste Local Plan 2013 - 2030. The minerals covered in the document will include; sand and gravel (including building sand), crushed rock, silica sand, brickearth, chalk, clay, and secondary aggregate minerals.

Waste Sites Plan

2.2.2 The Waste Sites Plan will identify suitable locations and allocate sites for all types of waste management development (e.g preparing for re-use, material recycling, organic composting, processing and treatment for recovery (for both energy/heat and alternative material uses), and final disposal, including landfill) based on the strategy and principles set out in the strategic Minerals and Waste Plan 2013-30. This will encompass all of Kent's waste streams (Municipal Solid Waste, Commercial and Industrial and Construction, Demolition and Excavation Waste) including hazardous wastes. A certain proportion of London's waste will also have to be anticipated and planned for in terms of additional overall capacity.

2.2.3 In 2010, the County Council undertook work to prepare a Mineral and Waste Sites Plan. This work was carried out in tandem with the KMWLP 2013-30. While the First Preferred Options Consultation was undertaken between May and July 2012, the Council's focus switched to advancing the now adopted Minerals and Waste Local Plan 2013 - 2030 strategy. Due to the lapse in time between the First Preferred Options Consultation the Council is intending to redo, given the elapsed time since 2012, the Call for Sites process to ensure that any changing circumstances can be properly taken into account. It is important to note that the dates for future stages of the timetable are notional estimates and therefore could be subject to change. The table below sets out the Key Stages leading up to adoption of the Kent Minerals and Waste Sites Plans.

Timetable for Key Stages of the Minerals and Waste Sites Plans

Minerals and Waste Sites Plans

Stages	Dates
First Call for Sites	May - October 2010

Stages	Dates
Options Consultation	May - August 2011
Supplementary Options Consultation	October - December 2011
First Preferred Options Consultation	May - July 2012
Second Call for Sites	November 2016 - January 2017
Second Preferred Options Consultation	September - October 2017
Pre-Submission Plan Consultation	July - September 2018
Submission	October 2018
Pre-hearing Meeting (if required)	December 2018 - January 2019
Independent Examination Hearing	February - April 2019
Inspector's Report	June - July 2019
Adoption	September 2019

2.3 Adopted Policies Maps

2.3.1 The Adopted Policies Maps illustrate the plan policies in minerals and waste plans on an Ordnance Survey base. Once a plan has been adopted, the County Council policies maps (including safeguarding areas and minerals and waste allocations) contained within it should be included on the Adopted Policies Maps maintained by borough/district planning authorities. The borough/district council maps shall be updated and amended whenever a new or revised Minerals and Waste Plan is adopted.

2.4 Arrangements for Production of the Plans

2.4.1 Arrangements for the production of the Minerals and Waste Sites Plans.

Organisational Lead	Minerals and Waste Planning Policy Team, Environment Planning and Enforcement, Kent County Council
Political Management	Informal Members Group, Environment, Highways and Waste

Organisational Lead	Minerals and Waste Planning Policy Team, Environment Planning and Enforcement, Kent County Council
	Decision making by Cabinet Member for Environment and Transport, Cabinet Committee and Full Council as appropriate.
Resources Required	Existing staff resources and consultancy
Community & Stakeholder Involvement	In accordance with the Regulations and revised Statement of Community Involvement.

3 Key Supporting Documents and Evidence Base

3.1 Annual Monitoring Report

3.1.1 Plan preparation progress and the implementation and effectiveness of adopted plan policies will be reviewed annually through the Annual Monitoring Report (AMR). Monitoring will indicate what, if any, changes, need to be made and these will be incorporated into any subsequent reviews of the MWLP.

3.1.2 In addition, the National Planning Policy Framework states that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA) based on:

- a rolling average of 10 years sales data and other relevant local information, and
- an assessment of all of the supply options (including marine dredged, secondary and recycled sources).

3.1.3 The AMR and LAA will be published annually on the County Council's website.⁽²⁾

3.2 Local Aggregates Assessment

3.3 Statement of Community Involvement

3.3.1 The Government have set minimum standards for consultation during plan preparation prior to its submission for examination.⁽³⁾ It is crucial that all interested parties, including local communities, the minerals and waste industry and environmental groups are involved in the preparation of planning documents.

3.3.2 The Kent MWLP includes the County Council's Statement of Community Involvement (SCI) which sets out how communities are to be involved in the preparation of Local Plan documents. The current version was adopted in January 2011, with an addendum published in April 2013. A second addendum was published in January 2014, and is currently being updated to reflect the increased level of electronic consultations to meet local need. The document sets the standards and opportunities for community involvement in the preparation and review of the Local Plan documents identified in this Development Scheme, as well as involvement in planning applications that the County Council determines.⁽⁴⁾ The County Council intends to update the SCI during 2016, to reflect the latest developments in the

2 Available from:
www.kent.gov.uk/environment_and_planning/planning_in_kent/minerals_and_waste/annual_monitoring_reports.aspx

3 See The Town and Country Planning (Local Planning) (England) Regulations 2012

4 The Statement of Community Involvement can be viewed at:
http://www.kent.gov.uk/environment_and_planning/planning_in_kent/minerals_and_waste/community_involvement.aspx

preparation of the Minerals and Waste Local Plan and to set out the consultation process to be undertaken during the preparation of Supplementary Planning Documents (SPDs) and the Waste Sites Plan and the Minerals Sites Plan. The SCI will also incorporate, where appropriate, any legislative changes to the planning system within the context of engagement and consultation.

3.4 Minerals and Waste Safeguarding Supplementary Planning Document

3.4.1 The County Council is preparing a Minerals and Waste Safeguarding Supplementary Planning Document (SPD). The purpose of the SPD is to provide guidance on the implementation of policies in the adopted Kent MWLP in relation to minerals and waste safeguarding matters; it does not introduce new policy. The adopted policies on safeguarding prevent the unnecessary sterilisation of the mineral resources in Kent deemed of economic importance by the British Geological Survey (BGS). The Plan also safeguards minerals and waste importation and processing infrastructure (wharves, railheads and the production of secondary and recycled mineral substitute products and waste management infrastructure).

3.4.2 Similarly, they ensure that the existing minerals and waste management infrastructure in Kent is not lost to, or its use compromised by the inappropriate proximity of non-mineral or waste developments, that by their nature, maybe incompatible with their continued operation. An example could be housing development within close proximity to an existing operationally unrestricted mineral wharf. The timetable for the preparation of the Minerals and Waste Safeguarding SPD is set out below.

Timetable for Key Stages

Minerals and Waste Safeguarding Supplementary Planning Document

<u>Stages</u>	<u>Dates</u>
1st Draft and stakeholder workshop	January - February 2016
2nd Draft and Member engagement	August - October 2016
Consultation	November - December 2016
Adoption	February- March 2017

3.5 Sustainability Appraisal and Strategic Environmental Assessment

3.5.1 The preparation of Minerals and Waste Sites Plans is subject to appraisal and testing through Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). SEA is a systematic process of identifying and addressing the environmental consequences of plans and programmes required by EU directive

that is currently in force in UK environmental law. The testing will take account of the likely significant environmental effects of implementing the strategies, policies and proposals brought forward with the objective of promoting sustainable development.

3.6 Appropriate Assessment under the Habitats Directive

3.6.1 The purpose of Appropriate Assessment (AA) is to assess the impacts of spatial plans, such as the proposed plans, against the conservation objectives of any European site (Natura 2000 designation) and to ascertain whether they would adversely affect the integrity of that site. There are a number of European sites in Kent and the County Council will, as necessary, apply Appropriate Assessment to the Plans as they are being prepared.

4 Supporting Statement

4.1 Management and Resources

4.1.1 This scheme amends earlier schedules to reflect the revised timetable in the estimated adoption of the Kent Minerals and Waste Local Plan documents.

4.2 Evidence Base

4.2.1 To create a sound evidence base for the Kent Minerals and Waste Sites Plans, relevant surveys and monitoring information is needed to ensure that any site allocations are fully assessed in terms of their environmental sustainability and deliverability and that they will deliver the strategy of the adopted Kent Minerals and Waste Local Plan 2013-30. The evidence base will identify the issues and constraints for site allocation and policy development.

4.2.2 The evidence base consists of a number of data indicators. A comprehensive list is included within the Data Monitoring chapter of the AMR but in summary the indicators consist of:

- The production of aggregates
- New mineral reserves
- Landbanks
- Safeguarding
- Sales of construction aggregates at wharves and rail depots
- Capacity of any new waste management facilities
- Municipal waste arisings
- Exports and imports of waste

- Exports and imports of minerals
- Capacity for handling waste materials in Kent.

4.2.3 All reports compiled for the Kent Minerals and Waste Local Plan to date are available from the County Council's website. ⁽⁵⁾

4.3 Duty to Co-operate

4.3.1 The 'Duty to Cooperate' arising from the Localism Act 2011, applies to all Local Planning Authorities, County Councils and prescribed bodies and requires that they must co-operate with each other to maximise effectiveness in preparing development plans.

4.3.2 The duty imposed on these groups requires that engagement should occur constructively, actively and on an on-going basis during the plan making process and that regard must be given to the activities of other authorities where these are relevant to the local planning authority in question.

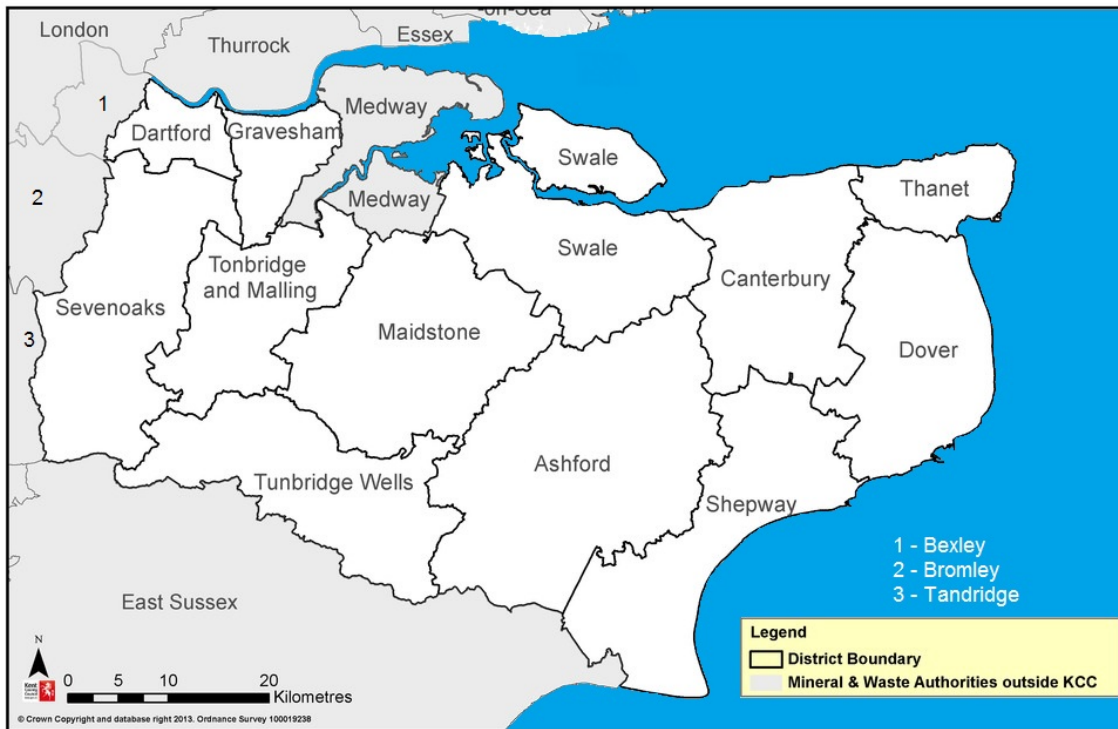
4.3.3 For Kent, this represents the boroughs/districts within the county, as well as those which may border Kent or authorities which import/export a significant amount of minerals or waste to and from Kent. In addition, Regulation 4 (1) of The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the prescribed bodies. ⁽⁶⁾

4.3.4 Within the Kent area both Kent County Council and Medway Council are minerals and waste planning authorities. It is recognised that the strategic nature of minerals and waste planning issues may not be confined within the respective areas of each authority. We will continue our commitment to joint working and sharing of evidence with Medway Council in particular to ensure that there is both common understanding and consistency in the development and direction of policy for the individual local plans.

5 Available from:
http://www.kent.gov.uk/environment_and_planning/planning_in_kent/minerals_and_waste/evidence_base.aspx

6 See The Town and Country Planning (Local Planning) (England) Regulations 2012.

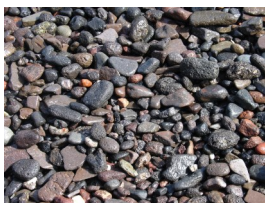
Map to show geographic area covered by Kent County Council and Medway Council



4.4 Risk Assessment

4.4.1 In preparing this Development Scheme, consideration has been given to potential risks that might impact on preparation of the framework. These risks include;

- **Personnel** - Availability of experienced personnel.
- **Decision Making** - Political Processes.
- **Soundness** - Working alongside key stakeholders to ensure the MWLP is delivered in accordance with the appropriate regulations.
- **External Bodies** - The length of time it takes to receive responses from stakeholders and the quality of these responses.
- **Community Engagement** - Issues of concern and the scale of response may influence the programme.



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

Tel: 03000 422370
Email: mwlp@kent.gov.uk

www.kent.gov.uk/mwlp

