



Summary of responses to the consultation on
the Draft Statement of Community
Involvement: Minerals and Waste Planning
Policy and Planning Applications – Minerals
and Waste and County Council Development
2020

February 2021

The consultation ran from Friday 20th November 2020 to Friday 15th January 2021. Approximately 5000 individuals were invited to comment on the consultation draft. This included members of the public, District, Borough and Parish Councils, statutory consultees, all members of the County Council and other relevant stakeholders.

A total of 16 representations were received from 15 consultees consisting of statutory bodies, district, borough and parish councils in Kent and members of the public. Three representations indicated they had no comments to make. The comments received are summarised in the table overleaf.

| <u>Consultee</u> | <u>Response (section headings/numbers relate to consultation Statement of Community Involvement Document)</u> | <u>KCC Response to matters raised by representation</u> | <u>Change to text (if necessary, section headings/numbers relate to amended post consultation Statement of Community Involvement Document)</u> |
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| Executive Summary | | | |
| SPD-01 | <u>Paragraph 4</u> Suggestion to identify key changes from previous Statement of Community Involvement, in this section | <i>The Statement is to be read as a new document in line with the statute which requires it is to be updated every five years. To aid clarity, it is not considered necessary to highlight the changes from the previous version. The changes were explained during the consultation on the document to aid individuals when making comments.</i> | <i>None required</i> |
| 1. Introduction | | | |
| | No comment | | |
| 2. Consultation and Engagement | | | |
| SPD-01 | <u>Section 2.1 Engagement Principles</u> No mention of Government Consultation Principles or the Gunning Principles and questions if these are standard for Statements of Community Involvement | <i>Public engagement on planning applications and local plan projects is dictated by statute. The relevant legislation is underpinned by the Gunning principles.</i> | <i>None required</i> |
| SPD-01 | <u>Paragraph 2.1.6</u> Mention Data Protection Act 2018 that needs to be complied with | <i>Agree</i> | <i>Reference included in Statement of Community Involvement 2021.</i> |
| SPD-01 | <u>Paragraph 2.4.1</u> Perhaps split in to two paragraphs as first part is on what the consultee must do and the second is what KCC will do with responses | <i>Agree – this aids clarity.</i> | <i>Text been split into two paragraphs in Statement of Community Involvement 2021.</i> |

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| SCI-15 | <p>Welcome engagement with groups by electronic means. Concerns that existing electronic tools used by the County Council do not readily assist groups in obtaining a rounded view from all members of certain interest groups. Suggestion that more up to date tools could be acquired to allow a registered user from a group (such as Secretary, Clerk, Chair) to then redistribute materials to own group members and receive responses electronically which can then be consolidated to a representative group response.</p> | <p><i>Such arrangements are already in place and we accept collaborative responses. We always attempt to engage local interest groups where necessary and parish councils are a statutory consultee throughout the planning process.</i></p> | <p><i>None required</i></p> |
| <p>3. Community Involvement and Plan Making</p> | | | |
| SCI-07 | <p><u>Paragraph 3.2 onwards</u> Should include reference to s.33A of Planning and Compulsory Purchase Act 2004, along with its link to Part 2 of the 2012 Regulations in terms of the definition of 'prescribed bodies'. (Marine Management Organisation & SE Local Enterprise Partnership under s.33(A)(9))</p> | <p>Agree</p> | <p>To be included in Statement of Community Involvement 2021.</p> |
| SCI-9/11 | <p><u>Paragraphs 3.2 and 3.3</u> Support engagement proposals set out in Statement of Community Involvement , including Duty to cooperate (DtC) and Statements of Common Ground (SOCG)</p> | <p>Noted</p> | <p>None required</p> |
| SCI-12 | <p>Need to ensure contact details updated when notified of a change by consultees to</p> | <p>Noted</p> | <p>None required</p> |

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| | ensure consultations are sent to correct email addresses and providing early notification of upcoming consultation would assist in meeting consultation timescale particularly where comments need board approval. Responses to how comments taken into account welcomed. | | |
| 4. Community Involvement and Planning Applications | | | |
| SCI-12 | <p><u>Table 3 – Stage 1 Pre-Application</u> Pre-app approach should be more proactive, emphasising benefits of engagement between KCC/Applicant at early stage. Engagement should be more encouraging and suggest rather than ‘if appropriate’ state ‘particularly for large and/or potentially controversial proposals to engage...’</p> | Whether pre-application advice is sought on a scheme or not is ultimately at the discretion of the applicant. It is however a valuable part of the development process, potentially resulting in higher quality developments. Text could usefully be included to reflect this in the revised Statement of Community Involvement. | Text included to emphasise benefits of pre-application advice. |
| SCI-07 | <p><u>Table 3 – Stage 3 Application is Publicised</u> Concern that KCC should consult neighbours within 250 metre buffer zone of a development on the basis that Policy DM8 identifies this zone of influence for a minerals or waste facility.</p> | There is no statutory requirement to consult neighbours on a development proposal and the revised Statement of Community Involvement reflects this. There are however, some cases where it may be considered particularly beneficial to consult neighbours. The revised Statement makes provision for case officers to include neighbour notification on a bespoke arrangement; this could be in excess of 250m in some cases. Planning applications for minerals and waste development are | None required |

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| | | <p>also advertised in the local press and through the posting of at least one site notice to reflect statutory requirements.</p> <p>The relevant District, Borough and Parish Council is consulted on every application.</p> <p>Policy DM8 requires a 250m buffer as this reflects the impacts of the site as a whole on new residential development, as opposed to a planning application which could only represent a small-scale addition to an existing site.</p> <p>On this basis, no further changes are considered necessary.</p> | |
| 5. Further Information and Contact Details | | | |
| | No comment | | |
| Appendix 1 – Glossary | | | |
| | No comment | | |
| Appendix 2 - Statutory Consultation Bodies | | | |
| SPD-02 | Mayor of London and Transport for London are listed as prescribed bodies in connection with Duty to Cooperate and would be helpful to be added to list of consultation bodies | Agreed - the Statement will be amended to include the Mayor of London and Transport for London in the list of Statutory Consultees | 'Mayor of London' and 'Transport for London' added to list of Statutory Consultation Bodies in Appendix 2. |
| SPD-07 | List omits Marine Management Organisation which should be included | Agreed - the Statement will be amended to include the Marine Management Organisation in the list of Statutory | 'Marine Management Organisation' added to list of Statutory Consultation Bodies in Appendix 2. |

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| | | Consultees | |
| SCI-13 | Suggest adding Parish Councils, Neighbourhood Planning Groups and Coastal Community Teams to list of consultees | Parish Councils are already a statutory consultee. Neighbourhood Planning Groups and Coastal Community Teams to be added to Appendix 3. | Update text to include Neighbourhood Planning Groups and Coastal Community Teams to list of general consultees in Appendix 3. |
| SPD-12/14 | Welcome inclusion of Ebbsfleet Development Corporation | Noted | None proposed |
| Appendix 3 - General Consultation Bodies | | | |
| | No comment | | |
| Appendix 4 - EqIA Requirements | | | |
| | No comment | | |
| Appendix 5 – Monitoring Plan | | | |
| | No comment | | |
| Appendix 6 – List of Main KCC Libraries, Gateways and Council Offices | | | |
| SCI-13 | Reassurance that consultation documents will be made available in local libraries in areas affected by consultation would be helpful – without access to car not necessarily easy to reach libraries included, particularly for residents with restricted mobility | The revised Statement identifies the main KCC libraries, gateways and offices where policy documents may be made available for inspection depending on the nature and scale of the consultation. However, all engagement will include web access and a copy therefore accessible via all libraries which have a computer for public use or personal computers/devices. Hard copies will be made available as appropriate. | None proposed. |
| Miscellaneous | | | |
| SCI-03 | Should be an assumption that production of material has a local market & recycled material should always be used in | Noted - not related to the current consultation | None proposed |

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| | <p>preference to newly extracted material. Does not appear to be great enthusiasm to re-purpose materials that have gone through the waste recycling process.</p> | | |
| SCI-04 | <p>Policies fail to take note of changes taking place in response to waste avoidance and climate change issues.</p> | <p>Noted - not related to the current consultation</p> | <p>None proposed</p> |
| SCI-07 | <p>No mention of Ebbsfleet Development Corporation within draft Statement of Community Involvement – should refer to KCC relationship with EDC as the determining authority for minerals and waste applications within its area of jurisdiction.</p> | <p>The Ebbsfleet Development Corporation is listed as one of the Statutory Consultation Bodies for planning policy matters in Appendix 2 of the draft Statement</p> | <p>None proposed</p> |
| SCI-08 | <p>Supportive of principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> | <p>Noted and support welcomed.</p> | <p>None proposed</p> |
| SCI-10 | <p>Concerns that applications are looked at as individuals rather than considering all in an area as well as the impact of routes from quarries to markets on adjacent areas transportation and road suitability.</p> | <p>Noted - not related to the current consultation</p> | <p>None proposed</p> |
| SCI-14 | <p>Note no reference to Nationally Significant Infrastructure Projects (NSIPs) (such as London Resort, Manston Airport) in</p> | <p>Noted – the NSIPs are not a consultee. Noted – not related to the current</p> | <p>None proposed</p> |

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| | <p>Statement of Community Involvement .</p> <p>Resident Association comments about waste capacity are not always appropriately considered, for example within the Dartford area.</p> | <p>consultation. Any comments raised at planning applications stage are considered as part of the determination of an application.</p> | |
| SCI-16 | <p>Consider than KCC should consult widely and concerns that changes to household waste recycling centres through lockdown included no consultation and has been counterproductive.</p> | <p>Noted - not related to the current consultation</p> | <p>None proposed</p> |