



Our ref: NH/24/04606
Your ref: Kent Minerals and Waste Local Plan
2024-39 Pre-Submission Draft (Regulation 19)
Public Consultation

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27 February 2024

FAO: Sharon Thompson
Minerals and Waste Planning Policy Team
Kent County Council

Dear Sharon,

**Kent Minerals and Waste Local Plan 2024-39 Pre-Submission Draft (Regulation 19)
Consultation**

Thank you for inviting National Highways (NH) to comment on the Kent Minerals and Waste Local Plan 2024-39 Pre-Submission Draft (Regulation 19) (January 2024), seeking a response by no later than midnight on 29 February 2024.

We have read the 'Guidance Notes on Making a Representation'. We understand that comments are sought on the Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 (the Plan), with the focus being on the proposed revisions to the adopted Plan. This Plan includes 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. Site allocations are covered in other documents.

We also understand that the purpose of the public consultation is to invite comments on the Plan's 'legal compliance' (including the Duty to Co-operate) and 'soundness' prior to submission to the Secretary of State.

Policy Context

NH is the company responsible for the Strategic Road Network (SRN), with our focus being on its safety, reliability, and operational efficiency.

The policy of the Secretary of State for Transport in relation to the SRN is **Circular 01/2022: [Strategic road network and the delivery of sustainable development](#)**. In responding to this consultation, NH has taken Circular 1/2022 as relevant national policy.

In addition, the policy context for our response includes the Government's [National Planning Policy Framework](#) (NPPF) (December 2023).

NH has recently updated its '[Planning Guide](#)' (October 2023) which sets out how the company engages with the planning system, including plan-making. This was updated in the context of 01/2022.

In terms of plan-making, our engagement is focused on exploring opportunities to reduce the reliance on the SRN for local journeys including a reduction in the need to travel and maximising opportunities for walking, wheeling, cycling, public transport and shared travel.

Our response is focused on the soundness of the Plan, in particular compliance with the 'Consistent with national policy' test. We have also provided a response in respect of the Duty to Co-operate, being one of the prescribed bodies.

National Highways' Response

Table 1 (below) sets out National Highways' representations on the Plan, with reference to legal compliance and the soundness tests.

Table 1: National Highways' representations

NH Rep. No.	Section of the Plan	Matter	NH response
NH001	Overall process of engagement	Legal compliance: Duty to Co-operate	We can confirm that during the preparation of the Plan, Kent County Council engaged constructively, actively and on an ongoing basis with National Highways. NH considers that the requirements of the Duty to Co-operate have been met.
NH002	Section 1: Introduction – National Planning Policy and Guidance	Soundness: Consistent with National Policy test	<p>This section needs to reference Circular 01/2022 (see above), which is national policy for the Strategic Road Network (SRN).</p> <p>In particular, the Plan should highlight para. 4 of the Circular (“... <i>The principal purpose of the SRN is to enable safe, reliable, predictable, efficient, often long distance, journeys of both people (whether as drivers or passengers) and goods...</i>”) and para.28 (“... <i>The policies and allocations that result from plan-making must not compromise the SRN’s prime function to enable the long-distance movement of people and goods...</i>”).</p>

NH Rep. No.	Section of the Plan	Matter	NH response
			This change is necessary to ensure the Plan recognises and is consistent with national policy (01/2022).
NH003	Policy CSW 6: Location of Built Waste Management Facilities	Soundness: Consistent with National Policy test	Section c of the policy should refer to ' strategic ' as well as local roads, in order to be consistent with the expectations of national policy (01/2022).
NH004	Policy DM 13: Transportation of Minerals and Waste	Soundness: Consistent with National Policy test	Section 2 of the policy should state: "... safely accommodate the traffic flows..." that would be generated to be consistent with the expectations of national policy (01/2022).

Concluding Comments

Thank you for engaging with NH on this consultation.

We recognise that Kent County Council has engaged with NH constructively, actively and on an ongoing basis during the preparation of this Plan.

The Plan's soundness would benefit from the changes suggested in Table 1 (above) in terms of demonstrating consistency with national policy, in this case Circular 01/2022. We are happy to discuss these points with Kent County Council if a further explanation is needed.

If you have any questions with regards to the comments made in this response, please do not hesitate to contact us via planningse@nationalhighways.co.uk

Yours sincerely,



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