



The Planning Inspectorate

Examination of Kent Minerals and Waste Local Plan 2024 – 2039

Inspector: Joanne Burston

Programme Officer: Louise St John Howe

Email: louise@poservices.co.uk

Telephone: 07789-486419

Post: PO Box 10965, Sudbury, Suffolk
CO10 3BF

Ms S Thompson
Head of Planning Applications,
Growth & Communities
Kent County Council
First Floor, Invicta House
County Hall
Maidstone
Kent
ME14 1XX

Date:

10 July 2024

Dear Ms Thompson,

Examination of the Kent Minerals and Waste Plan: Inspector's Preliminary Matters

I have now had the opportunity to conduct an initial assessment of the key documentation and the Regulation 19 representations.

I am pleased that the Programme Officer, Louise St John Howe, has been appointed and the examination website is already established. I have found the examination website to be well organised and I recommend it as a useful resource to those who have an interest in the Plan examination.

The purpose of this initial letter is to set out a number of key areas which require early attention and clarification so that I can determine how the examination proceeds.

Duty to Cooperate (DtC) – Statements of Common Ground (SoCG)

1. In the submitted Duty to Cooperate Report, dated May 2024, paragraph 3.5 provides a summary list of current SoCG. It indicates that some of the SoCG are "Not in Place".

Please could the Council:

- (a) clarify the current position on the SoCG which are absent;
- (b) confirm whether there are any outstanding issues arising from the DtC; and,
- (c) ensure that copies of all of the signed SoCG are included within the examination website for completeness. Please also ensure that the SoCG comply with accessibility and data protection standards as necessary.

2. Are there any strategic matters relevant to the Plan which would require cooperation with minerals and waste planning authorities in locations further afield than those adjacent to the Kent County boundaries? If so, what engagement has taken place with the relevant authorities?

Sustainability Appraisal (SA)

3. Could the Council please confirm that there were no regulation 19 consultation responses received to the SA?
4. Has the SA process been genuinely iterative and carried out in step with the stages of plan preparation?
5. Is there clear evidence to indicate why, having considered reasonable alternatives, the Plan's strategy is an appropriate one?
6. Following the Supreme Court decision in *R (on the application of Finch on behalf of the Weald Action Group) (Appellant) v Surrey County Council and others (Respondents)*, does the Council consider that this has any implications for the SA?

Other Matters

7. To what extent does the development plan contain policies designed to secure that the development and use of land in the Plan area contributes to the mitigation of, and adaptation to, climate change?
8. Is it sufficiently clear in the Local Plan what, if any, capacity gaps for each waste stream exist and how these will be addressed?

Potential Modifications

I am examining the Plan as submitted. However, I acknowledge that clarifications may be/or will be needed. Where the Council is amenable to proposed changes to the Plan, these will need to be presented as either "main modifications" which are those necessary for soundness (which will be subject to consultation and where necessary Sustainability Appraisal) or "additional modifications" which are those proposed by the Council to aid clarity and presentation of the document.

The hearings process is likely to resolve a number of potential main modifications to the Plan. However, there is nothing to prevent the Council starting to prepare schedules of potential changes to the Plan (main modifications, additional modifications and changes to the Policies Maps) where there are matters that can be readily addressed in preparation.

Next Steps

I would be grateful for a response via the Programme Officer to the matters set out in this letter by no later than 26 July 2024.

If there is anything that I have raised in this letter which requires clarification, please do not hesitate to contact the Programme Officer and I will respond accordingly.

Yours sincerely,

J Burston

INSPECTOR