



**Kent Minerals and Waste Local Plan 2024-39
Soundness Checklist - NPPF, December 2023**

This review of soundness is concerned with the consistency of the Kent Minerals and Waste Local Plan 2024-39 with the National Planning Framework (December 2023).

This document is based on a Planning Advisory Service template that has been updated to reflect updates to national policy.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p><i>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 where it is reasonable to do so and consistent with achieving sustainable development.</i></p>		

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<p><i>Vision and Objectives</i></p> <p>Has the LPA clearly identified what the issues are that the DPD is seeking to address? Have priorities been set so that it is clear what the DPD is seeking to achieve?</p> <p>Does the DPD contain clear vision(s) and objectives which are specific to the place? Is there a direct relationship between the identified issues, the vision(s) and the objectives?</p> <p>Is it clear how the policies will meet the objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD?</p> <p>Have reasonable alternatives to the quantum of development and overall spatial strategy been considered?</p> <p>Are the policies internally consistent?</p> <p>Are there realistic timescales related to the objectives?</p> <p>Does the DPD explain how its key policy objectives will be achieved?</p>	<ul style="list-style-type: none"> • Sections of the DPD and other documents which set out (where applicable) the vision, strategic objectives, key outcomes expected, spatial portrait and issues to be addressed. • Relevant sections of the DPD which explain how policies derive from the objectives and are designed to meet them. • The strategic objectives of the DPD, and the commentary in the DPD of how they derive from the spatial portrait and vision, and how the objectives are consistent with one another. • Sections of the DPD which address delivery, the means of delivery and the timescales for key developments through evidenced infrastructure delivery planning. • Confirmation from the relevant agencies that they support the objectives and the identified means of delivery. • Information in the local development scheme, or provided separately, about the scope and content (actual and intended) of each DPD showing how they combine to provide a coherent policy structure. 	<p>Chapter 3 Vision Chapter 4 Objectives (Page 53)</p> <p>Chapter 3 sets out the vision (Pages 53-55) and Chapter 4 (pages 57-58) sets out the objectives of the Plan.</p> <p>Chapter 8 sets out how policies relate to objectives and sets out who is responsible for delivery, when, and indicators against which progress will be monitored</p> <p>Supporting evidence of consultation with industry and agencies is set out in the Reg 22 consultation statement (SD04).</p>
<p><i>The presumption in favour of sustainable development (NPPF paras 11-14)</i></p> <p>11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) all plans should promote a sustainable pattern of development</p>	<ul style="list-style-type: none"> • An evidence base which establishes the development needs of the plan area (see Justified below) and includes a flexible approach to delivery (see 'Section 3 Effective', below). • An audit trail showing how and why the quantum of development, preferred overall strategy and plan area distribution of development were arrived at. 	<p>Sustainable development is an essential part of this Plan and confirmed in paragraphs 5.1.1, 5.1.2, 5.1.3 and 6.6.1 and Policy CSM1 and CSW1 which articulate the presumption in favour for minerals and waste development.</p> <p>Minerals can only be worked where they</p>

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<p>that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects; b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:</p> <p>i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or</p> <p>ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.</p> <p>For decision-taking this means:</p> <p>c) approving development proposals that accord with an up-to-date development plan without delay; or</p> <p>d) where there are no relevant development plan policies, or the policies which are most important for</p>	<ul style="list-style-type: none"> Evidence of responding to opportunities for achieving sustainable development in different areas (for example, the marine area) 	<p>occur – identification of constraints on resources identified and affects proposed provision. MSAs identified to safeguard resources from un-necessary sterilisation.</p> <p>Paras 5.2.21 – 5.2.26 set out the required provision for sand and gravel. Paras 5.2.27 – 5.2.31 set out the required provision for soft sand. Paras 5.2.32 – 5.2.37 set out the required provision for rock. Paras 5.2.31 – 5.2.39 set out required provision for industrial minerals.</p> <p>Policy CSM2 provides for maintenance of landbanks of minerals. The provision for the supply of minerals, reflecting objectively assessed needs, is a key contribution to sustainable development.</p> <p>Policies CSM5, CSM6 and CSM7 safeguard resources and infrastructure for the long term (beyond the Plan period) contributing to sustainable supply of minerals and mineral products. Policy CSM8 provides for recycling capacity to enable recycled aggregates to contribute to overall mineral supply.</p> <p>The Waste Needs Assessment (EB04-EB10) assessed how much waste</p>

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<p>determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.</p> <p>12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.</p> <p>13. The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should</p>		<p>management capacity will be needed over the plan period. Also see Section 6.3. Policy CSW4 provides the strategy for provision of waste management capacity reflecting delivery of the waste hierarchy and minimising disposal.</p> <p>The Plan recognises that protected designations may constrain development e.g. National Landscapes, Green Belt, Habitats Sites, Ancient Woodland, Sites of Special Scientific Interest, designated heritage assets, and locations at risk of flooding.</p>

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<p>shape and direct development that is outside of these strategic policies. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply: a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 67-68).</p>		
<p>Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.</p>	<ul style="list-style-type: none"> • A policy or policies which reflect the principles of the presumption in favour of sustainable development 	<p>Sustainable development is an essential part of this Plan and confirmed in Paras 3.0.1, 4.0.2, 5.1 Policy CSM1, 6.1 Policy CSW1 and 7.21 Policy DM23</p>
<p><i>Objectively assessed needs</i> The economic, social and environmental needs of the authority area addressed and clearly presented in a fashion which makes effective use of land and specifically promotes mixed</p>	<ul style="list-style-type: none"> • Background evidence papers demonstrating requirements based on population forecasts, employment projections and community needs. • Technical papers demonstrating how the aspirations and objectives of the DPD are 	<p>Waste: Para 6.3.6: An assessment has been made of the profile of management of the principal waste streams. The targets applied reflect ambitious (but realistic) goals for moving waste up the hierarchy</p>

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<p>use development, and take account of cross-boundary and strategic issues. Note: Meeting these needs should be subject to the caveats specified in Paragraph 16 of the NPPF (see above).</p>	<p>related to the evidence, and how these are to be met, including from consultation and associated with the Duty to Co-operate.</p>	<p>and seek to ensure that the maximum quantity of non-hazardous waste is diverted from landfill. See Waste Needs Assessment 2022 (EB04-EB10).</p> <p>Minerals:</p> <p>Local Aggregates Assessments and the Annual Monitoring Reports provide assessments of resources and consideration of future demand and supply.</p> <p>See the 11th Kent Local Aggregate Assessment (EB12).</p> <p>Para 5.2.19 identifies the site allocations for sand and gravel and for soft sand.</p> <p>Paras 5.2.21 – 5.2.26 set out the required provision for sand and gravel.</p> <p>Paras 5.2.27 – 5.2.31 set out the required provision for soft sand.</p> <p>Paras 5.2.32 – 5.2.37 set out the required provision for rock.</p> <p>Paras 5.2.31 – 5.2.39 set out required provision for industrial minerals. Policy CSM2 provides for maintenance of landbanks of minerals. The provision for</p>

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		<p>the supply of minerals, reflecting objectively assessed needs, is a key contribution to sustainable development.</p> <p>Vision and objectives (in Chapter 3) flow from information concerning legislative and policy requirements and spatial issues outlined in Chapters 1 and 2 of the Plan. This is underpinned by the submitted evidence base.</p>
NPPF Principles: Delivering sustainable development		
Supporting high quality communications infrastructure (paras 42-46)		
<p>Support the expansion of the electronic communications networks, including telecommunications' masts and high speed broadband. (43)</p> <p>Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of telecommunications development or insist on minimum distances between new telecommunications development and existing development. (44)</p>	<p>Policy supporting the expansion of electronic communications networks, including telecommunications and high speed broadband, noting the caveats in para 44.</p>	<p>Not applicable. Plan does not contradict.</p>
Delivering a wide choice of high quality housing (paras 60-68) and maintaining delivery (paras 75-81)		<p>Plan does not contradict – seeks to avoid/mitigate impacts on housing e.g.</p>

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		CSW6. Included as a 'sensitive receptor' in glossary.
<p>76. Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:</p> <p>a) their adopted plan is less than five years old; and b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.</p>	<ul style="list-style-type: none"> • Identification of: <ul style="list-style-type: none"> a) five years or more supply of specific deliverable sites; plus the buffer as appropriate • Where this element of housing supply includes windfall sites, inclusion of 'compelling evidence' to justify their inclusion (48) A SHLAA 	Not Applicable.
Identify a supply of developable sites or broad locations for years 6-10 and, where possible, years 11-15 (47).	Identification of a supply of developable sites or broad locations for: a) years 6-10; b) years 11-15	Not Applicable
Illustrate the expected rate of housing delivery through a trajectory; and set out a housing implementation strategy describing how a five year supply will be maintained. (47)	<ul style="list-style-type: none"> • A housing trajectory • Monitoring of completions and permissions (47) Updated and managed SHLAA. (47) 	Not Applicable
Set out the authority's approach to housing density to reflect local circumstances (47).	Policy on the density of development.	Not Applicable
Plan for a mix of housing based on current and future demographic and market trends, and needs of different groups (50) and caters for housing demand and the scale of housing supply to meet this demand. (para 159)	<ul style="list-style-type: none"> • Policy on planning for a mix of housing (including self-build, and housing for older people) • SHMA 	Not Applicable

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	<ul style="list-style-type: none"> • Identification of the size, type, tenure and range of housing) required in particular locations, reflecting local demand. (50) • Evidence for housing provision based on up to date, objectively assessed needs. (50) Policy on affordable housing and consideration for the need for on-site provision or if off-site provision or financial contributions are sought, where these can these be justified and to what extent do they contribute to the objective of creating mixed and balanced communities. (50) 	
<p>In rural areas be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate (54). In rural areas housing should be located where it will enhance or maintain the vitality of rural communities.</p>	<ul style="list-style-type: none"> • Consideration of allowing some market housing to facilitate the provision of significant additional affordable housing to meet local needs. • Consideration of the case for resisting inappropriate development of residential gardens. (This is discretionary) (para 53) Examples of special circumstances to allow new isolated homes listed at para 55. 	Not Applicable
<p>1. Building a strong, competitive economy (paras 85-87)</p>		
<p>85. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each</p>	<ul style="list-style-type: none"> • Articulation of a clear economic vision and strategy for the plan area linked to the Economic Strategy, LEP Strategy and marine policy documents where appropriate. • N.B. During the preparation of the Plan the South East LEP was disbanded. The website notes: <i>From 1st April 2024 the activities that have been undertaken by South East LEP to</i> 	<p>Steady and adequate supply of minerals is essential for development and economic growth. Paras 5.2.21 – 5.2.26 set out the required provision for sand and gravel. Paras 5.2.27 – 5.2.31 set out the required provision for soft sand.</p>

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<p>area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.</p> <p>87. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.</p>	<p><i>support local growth will be undertaken by local authorities.</i></p>	<p>Paras 5.2.32 – 5.2.37 set out the required provision for rock.</p> <p>Paras 5.2.31 – 5.2.39 set out required provision for industrial minerals.</p> <p>Policy CSM2 provides for maintenance of landbanks of minerals. The provision for the supply of minerals, reflecting objectively assessed needs, is a key contribution to sustainable development and provides the context and degree of certainty for investment by the minerals industry</p> <p>Paras 5.2.22 – 5.2.25 identify that it may not be possible to maintain landbank of at least 7 years for sharp sand and gravel due to exhaustion of resources and constraints and refers to ‘managed decline’ of land-based provision from Kent. Para 5.2.23 identifies that other sources of sand and gravel may be identified..</p> <p>Para 6.2.4 states: <i>In accordance with the Waste Hierarchy, the Plan gives priority to planning for waste management developments that prepare waste for re-use or recycling. The most recent assessment of waste management capacity requirements shows that, Kent's current recycling and processing facilities</i></p>

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		<p><i>have adequate capacity for the anticipated rate of usage. These calculations are based upon a rate of use that should only be regarded as a minimum, as the aspiration is to encourage more of the waste produced in Kent to be managed by methods at this tier of the hierarchy. Local needs may arise to enhance waste logistics on a case by case basis.</i></p> <p>Policy CSW4 provides for sufficient waste management capacity reflecting the waste hierarchy and targets to maximise recycling and recovery and minimising disposal. Together with the other waste and development management policies this provides the framework for investment and development by the industry to provide the infrastructure required to meet waste management needs.</p> <p>Specific locational requirements relating to the supply of certain different mineral and waste types are reflected in the strategic policies of the Plan (CSM policies and CSW policies) e.g. Policy CSW15 – Wastewater Development;</p>

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		Policy CSW 17 - Waste Management at the Dungeness Nuclear Licensed Sites.
<p>86. Planning policies should:</p> <p>a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;</p> <p>b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;</p> <p>c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and</p> <p>d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.</p>	<ul style="list-style-type: none"> • A criteria-based policy which meets identified needs and is positive and flexible in planning for specialist sectors, regeneration, infrastructure provision, environmental enhancement. • An up-to-date assessment of the deliverability of allocated employment sites, to meet local needs, (taking into account that LPAs should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of an allocated site being used for that purpose) para (22) 	<p>Barriers to investment to develop new sharp sand and gravel reserves identified as depletion of resources and environmental constraints on remaining resources.</p> <p>CSW1 allows for development of sustainable waste infrastructure.</p> <p>CSW6 sets out criteria against which proposals for waste development will be considered.</p> <p>CSM 2 provides for maintenance of landbanks of minerals to ensure supply (acknowledging that sand and gravel resources are becoming depleted) and identifies criteria for allocation of sites. Para 5.2.16 notes: <i>The criteria set out in Policy CSM 2 is used to select suitable sites for allocation in the Minerals Sites Plan.</i></p> <p>The DM policies set out further criteria and considerations against which proposals will be considered.</p>
<p>2. Supporting a prosperous rural economy (paras 88 - 89)</p>		

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<p>88. Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.</p> <p>89. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example</p>	<ul style="list-style-type: none"> • Where relevant include a policy or policies which support the sustainable growth of rural businesses; promote the development and diversification of agricultural businesses; support sustainable rural tourism and leisure developments, and support local services and facilities. 	<p>Mineral extraction will be within rural areas, providing employment and wider economic benefits.</p> <p>DM Polices intend to ensure no significant adverse impacts on rural areas.</p>

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<p>by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.</p>		
<p>Ensuring the vitality of town centres (paras 90-95)</p>		
<p>90. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:</p> <p>a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;</p> <p>b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;</p>	<p>The Plan and its policies may include such matters as: definition of networks and hierarchies; defining town centres; encouragement of residential development on appropriate sites; allocation of appropriate edge of centre sites where suitable and viable town centre sites are not available; consideration of retail and leisure proposals which cannot be accommodated in or adjacent to town centres.</p>	<p>Not applicable</p>

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<p>c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;</p> <p>d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;</p> <p>e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and</p> <p>f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.</p> <p>91. Local planning authorities should apply a sequential test to planning</p>		

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<p>applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.</p> <p>92. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.</p> <p>93. This sequential approach should not be applied to applications for small scale rural development.</p> <p>94. When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default</p>		

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<p>threshold is 2,500m² of gross floorspace). This should include assessment of:</p> <p>a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and</p> <p>b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).</p> <p>95. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 94, it should be refused.</p>		
<p>Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community services and residential development needed in town centres (23)</p>	<ul style="list-style-type: none"> An assessment of the need to expand (the) town centre(s), considering the needs of town centre uses. Primary and secondary shopping frontages identified and allocated. 	<p>Not applicable</p>
<p>3. Promoting sustainable transport (paras 108-113)</p>		
<p>108. Transport issues should be considered from the earliest stages of</p>	<ul style="list-style-type: none"> Joint working with adjoining authorities, transport providers and Government Agencies on infrastructure provision in order to support 	<p>Strategic Objectives for the Minerals and Waste Local Plan General</p>

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<p>plan-making and development proposals, so that:</p> <p>a) the potential impacts of development on transport networks can be addressed;</p> <p>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;</p> <p>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</p> <p>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</p> <p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p> <p>109. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made</p>	<p>sustainable economic growth with particular regard to the facilities referred to in paragraph 31.</p> <ul style="list-style-type: none"> • Policies encouraging development which facilitates the use of sustainable modes of transport and a range of transport choices where appropriate, particularly the criteria in paragraph 35. • A spatial strategy and policy which seeks to reduce the need to travel through balancing housing and employment provision. • Policy for major developments which promotes a mix of uses and access to key facilities by sustainable transport modes. • If local (car parking) standards have been prepared, are they justified and necessary? (39) • Identification and protection of sites and routes where infrastructure could be developed to widen transport choice linked to the Local Transport Plan. 	<p>1. Encourage the use of sustainable, low carbon modes of transport for moving minerals and waste long distances and minimise road miles.</p> <p>Policy CSM12- The sustainable transport of materials policy requires any new wharf and/or rail depot importation operations, or for wharves and rail depots that have been operational in the past (having since fallen out of use), that includes the transport of minerals by sustainable means (i.e. sea, river or rail) as the dominant mode of transport to demonstrate that:</p> <p>1. They are well located in relation to the Key Arterial Routes across Kent; and 2. The proposals are compatible with other local employment and regeneration policies set out in the development plan.</p> <p>Policy DM13- the transportation of minerals and waste policy requires development to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport</p>

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<p>sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.</p> <p>110. Planning policies should:</p> <p>a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;</p> <p>b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;</p> <p>c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;</p>		<p>Policy DM15- The safeguarding of transport infrastructure policy states that minerals and waste proposals must not give rise to unacceptable impacts on aviation, rail, river, sea, other waterways or road transport or where these impacts are mitigated.</p> <p>Policy CSM8- The secondary and recycled aggregates policy requires proposals for additional capacity for secondary and recycled aggregate production to have good transport infrastructure links.</p>

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d) provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);		
4. Achieving well designed and beautiful places (paras 131-141)		
<p>132. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</p>	<ul style="list-style-type: none"> • Inclusion of policy or policies which seek to increase the quality of development through the principles set out at para 58 and approaches in paras 59-61, linked to the vision for the area and specific local issues 	<p>Policy DM1 Sustainable Design states that</p> <p>Proposals for minerals and waste development will be required to demonstrate that they have been designed in accordance with best practice to:</p> <ol style="list-style-type: none"> 1. minimise greenhouse gas emissions which may arise from the construction and operation of the development; 2. minimise other emissions of pollutants which may arise from construction and operation; 3. minimise energy and water consumption during their construction and operation and incorporate measures for water recycling and utilisation of low carbon renewable energy; 4. minimise waste and maximise the re-use or recycling of materials during their construction and operation;

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		<p>5. incorporate climate change adaptation measures including sustainable urban drainage systems, suitable shading of pedestrian routes and open spaces and drought resistant landscaping unless there is clear evidence that this would be inappropriate;</p> <p>6. protect and enhance the character and quality of the site's setting or mitigate and if necessary compensate for any predicted loss;</p> <p>7. maximise opportunities to contribute to green and blue infrastructure, to include benefits to communities (including Public Rights of Way), and to contribute to biodiversity net gain;</p> <p>8. minimise the loss of Best and Most Versatile Agricultural Land and protect soils more generally;</p> <p>9. achieve a BREEAM Very Good' standard or equivalent where appropriate; and</p> <p>10. where possible, utilise existing buildings and achieve an efficient re-use or land.</p>
<p>5. Promoting healthy and safe communities (paras 96-101)</p>		

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>96. 97. 98. 99. Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:</p> <p>a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;</p> <p>b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and</p>	<ul style="list-style-type: none"> • Inclusion of a policy or policies on inclusive communities. • Promotion of opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments which bring together those who work, live and play in the vicinity; safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas. (69) 	<p>Paragraph 7.9.1 acknowledges that minerals & waste development can have adverse impacts on the environment and communities, Policy DM 11 sets out requirements to demonstrate that there are no unacceptable adverse effects</p>
<p>Policies should plan positively for the provision and use of shared space, community facilities and other local services (70).</p>	<ul style="list-style-type: none"> • Inclusion of a policy or policies addressing community facilities and local service. • Positive planning for the provision and integration of community facilities and other local services to enhance the sustainability of communities and residential environments; safeguard against the unnecessary loss of 	<p>Not applicable. Plan does not contradict. See Para 5.1.1 DM2</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	valued facilities and services; ensure that established shops, facilities and services are able to develop and modernize; and ensure that housing is developed in suitable locations which offer a range of community facilities and good access to key services and infrastructure.	DM 6 (2) DM11 DM12 (2) DM16 (17) DM19
Identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities; and set locally derived standards to provide these (73).	<ul style="list-style-type: none"> • Identification of specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. (73) • A policy protecting existing open space, sports and recreational buildings and land from development, with specific exceptions. (74) • Protection and enhancement of rights of way and access. (75) 	Not applicable. Plan does not contradict. Policy DM19 expects community aspirations to be taken into account wrt afteruse of sites.
Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.	<ul style="list-style-type: none"> • Policy enabling the protection of Local Green Spaces. (Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period. The designation should only be used when it accords with the criteria in para 77). Policy for managing development within a local green space should be consistent with policy for Green Belts. (78) 	See above. See Policy DM2 (3) g. See Policy DM 4 Green Belt
6. Protecting Green Belt land (paras 142-151)		

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>148. When defining Green Belt boundaries, plans should:</p> <ul style="list-style-type: none"> a) ensure consistency with the development plan’s strategy for meeting identified requirements for sustainable development; b) not include land which it is unnecessary to keep permanently open; c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period; d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development; e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent. <p>151. Once Green Belts have been defined, local planning authorities should plan positively to enhance their</p>		<p>Policy DM 4 Green Belt refers to national (NPPF) policy</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.		
7. Meeting the challenge of climate change, flooding and coastal change (paras 157-164)		Plan includes a specific objective (SO2) related to Climate Change.
158. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures ⁵⁶ . Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.	<ul style="list-style-type: none"> • Planning of new development in locations and ways which reduce greenhouse gas emissions. • Support for energy efficiency improvements to existing building. • Local requirements for a building's sustainability which are consistent with the Government's zero carbon buildings policy . (95)) 	Policy DM1 includes (clause 5) requirement to incorporate climate change adaptation into development and to minimise greenhouse gas emissions (clause 1), pollution (clause 2), and minimise energy and water consumption (clause 3).
160. To help increase the use and supply of renewable and low carbon energy and heat, plans should:	<ul style="list-style-type: none"> • A strategy and policies to promote and maximise energy from renewable and low carbon sources, 	Chapter 3 Spatial Vision for Minerals and Waste in Kent; Planning for Waste in Kent Point 10

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts);</p> <p>b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and</p> <p>c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.</p>	<ul style="list-style-type: none"> • Identification of suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources (see also NPPF footnote 17) • Identification of where development can draw its energy supply from decentralised, renewable or low carbon supply systems and for co-locating potential heat customers and suppliers. (97) 	<p>Chapter 4 Strategic Objectives; Waste Objective 13</p> <p>Policy CSW8 Waste Management for Non-hazardous Waste; Point 3</p> <p>Policy CSW 9 Energy from Waste Facilities for Non-hazardous Waste</p> <p>Policy DM1 Sustainable Design</p> <p>Policy DM12 Cumulative Impact</p>
<p>165. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.</p>	<ul style="list-style-type: none"> • Account taken of the impacts of climate change. (99) • Allocate, and where necessary re-locate, development away from flood risk areas through a sequential test, based on a SFRA. (100) • Policies to manage risk, from a range of impacts, through suitable adaptation measures 	<p>Chapter 4 Strategic Objective for the Minerals and Waste Local Plan; Objective 2</p> <p>Policy DM10 (point 3) requires reduction and avoidance of exacerbating flood risk.</p>
<p>176. In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and</p>	<ul style="list-style-type: none"> • Ensure early and close co-operation on relevant economic, social and environmental 	<p>See para 1.3.6.</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>marine plans. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes.</p>	<p>policies with the Marine Management Organisation</p> <ul style="list-style-type: none"> • Review the aims and objectives of the Marine Policy Statement, including local potential for marine-related economic development • Integrate as appropriate marine policy objectives into emerging policy • Support of integrated coastal management (ICM) in coastal areas in line with the requirements of the MPS 	<p>The LAA (EB12) highlights the importance of marine dredged material, and Kent wharves, to supply within Kent and wider SE, London and East of England. Para 5.2.11 identifies that potential shortfall in supply of sand and gravel from land won sources (due to depletion) may be met through increased reliance on marine dredged [and recycled] material. Policy CSM11 and Chapter 9 safeguard wharves to enable continued landings and supply of marine dredged materials.</p> <p>The Marine Management Organisation has been consulted on the Plan - see Reg 22 statement (SD04).</p>
<p>177. Plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and:</p> <p>a) be clear as to what development will be appropriate in such areas and in what circumstances; and</p> <p>b) make provision for development and infrastructure that needs to be relocated</p>	<ul style="list-style-type: none"> • Identification of where the coast is likely to experience physical changes and identify Coastal Change Management Areas, and clarity on what development will be allowed in such areas. • Provision for development and infrastructure that needs to be re-located from such areas, based on SMPs and Marine Plans, where appropriate. 	<p>Impacts on the coast would be addressed via Policy DM18 concerning land stability.</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
away from Coastal Change Management Areas.		
8. Conserving and enhancing the natural environment (paras 180-184)		
Protect valued landscapes (180)	<ul style="list-style-type: none"> • A strategy and policy or policies to create, protect, enhance and manage networks of biodiversity and green infrastructure. • Policy which seeks to minimise the loss of higher quality agricultural land and give great weight to protecting the landscape and scenic beauty of National Parks, the Broads and AONBs. 	Policy DM2 Environmental and Landscape Sites of International, National and Local Importance. Clause 2 applies to developments affecting AONBs (now called 'National Landscapes') and reflects NPPF protection afforded to these areas.
Prevent unacceptable risks from pollution and land instability (189)	<ul style="list-style-type: none"> • Policy which seeks development which is appropriate for its location having regard to the effects of pollution on health, the natural environment or general amenity. 	See DM policies
Planning policies should minimise impacts on biodiversity and geodiversity (185)	<ul style="list-style-type: none"> • Identification and mapping of local ecological networks and geological conservation interests. • Policies to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species 	Covered by: <ul style="list-style-type: none"> - Chapter 2 references the Kent Biodiversity Action Plan (BAP) species; Biodiversity Opportunity Areas; and the Nature Improvement Areas para 2.2.2-2.2.3 - Chapter 3 Spatial Vision Planning for Minerals in Kent: Point 8 - Chapter 4 Strategic Objectives; Point 9 - Policy CSW 15 Disposal of Dredgings

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
		<ul style="list-style-type: none"> - Para 7.2.5 refers to Habitats Regulations Assessments in screening suitability of sites for inclusion in the Sites Plan. The policy may also need to reflect the requirement for HRA screening for development proposals that are likely to have significant effects on Natura 2000 sites - Policy DM3 requires ecological impact assessments to accompany applications and demonstrate unacceptable adverse impacts are avoided and enhancement of biodiversity is achieved. This includes biodiversity net gain of at least 10% - Policy DM1 Sustainable design - Policy DM 2 Environmental and Landscape Sites of International, National and Local Importance - Policy DM 3 Ecological Impact Assessment - Policy DM 16 Planning Obligations - Policy DM 18 Restoration and aftercare Point 2, 16, 22
9. Conserving and enhancing the historic environment (paras 195-199)		
196. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment,	<ul style="list-style-type: none"> • A strategy for the historic environment based on a clear understanding of the cultural assets in the plan area, including assets most at risk. 	Not applicable. Plan does not contradict.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:</p> <p>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</p> <p>b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</p> <p>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</p> <p>d) opportunities to draw on the contribution made by the historic environment to the character of a place.</p>	<ul style="list-style-type: none"> • A map/register of historic assets • A policy or policies which promote new development that will make a positive contribution to character and distinctiveness. (126) 	<p>Policy DM 5 Heritage Assets-</p> <p>Policy DM 6 Historical Environment Assessment</p>
<p>10. Facilitating the sustainable use of minerals (paras 215-218)</p>		
<p>215. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.</p>	<p>Account taken of the matters raised in relation to paragraph 143 and 145, including</p>	<p>Chapter 4 Strategic Objectives 5-9</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
216	Policies for extraction articulated a) Provide for extraction of mineral resources of local and national importance	Policy CSM2 provides for maintenance of landbanks of aggregates and industrial minerals. The policy and supporting text quantify existing reserves and that required to provide for and maintain landbanks. This is necessary in order to ensure allocated sites (sand and gravel, brick earth and clay, silica sand, chalk) and development management decisions provide for sufficient reserves to ensure a steady and adequate supply of land won minerals. For aggregates, the amount will need to reflect the Local Aggregates Assessment (LAA) (EB12) as presented in Tables 9, 10, 11, 12 & 13 (pp 20-22).
216	b) So far as practicable, take account of contribution that secondary and recycled minerals and waste would make to supply	CSM8 provides for capacity to provide 2.7mtpa of recycled aggregates and sets out the types of sites that would be appropriate for development.
216 & 218	c) Safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas, and adopt policies to avoid sterilisation of resources	Policy CSM5 provides for safeguarding of mineral resources in MSAs and MCAs Policy DM7 sets out the procedure to follow including consideration of prior extraction. Policy DM9 addresses prior extraction explicitly.
	d) Prior extraction	Policy DM7

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	e) Safeguard existing, planned and potential sites for transport and manufacture	Policy CSM6 safeguards named sites – wharves and rail depots Policy DM8 sets out the procedures required for safeguarding to be implemented
	f) Criteria for protection of environment and health	Policy DM10 – water environment Policy DM11 – Health and amenity
	g) Noise	Policy DM11 – Health and amenity
	h) Reclamation (restoration) at earliest opportunity	Policy DM19 requires high quality restoration in a timely manner
217 (covers determination of applications, but of relevance are the following)	f) consider how to meet demand for extraction of building stone g) recognise the small-scale nature and impact of building and roofing stone quarries	Policy CSM9 provides for building stone extraction
219	Plan for a steady & adequate supply of aggregates c) provision for land-won and other elements of LAA f) maintain landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock	Policy CSM2 provides for maintenance of landbanks, reflecting the existing reserves and overall requirement set out in supporting text and reflecting the LAA (EB12)
220	Plan for steady and adequate supply of industrial minerals	Policy CSM2 addresses brickearth (clause 2), seeks to maintain sufficient stocks of silica sand (clause 3), chalk and clay (reserves identified as sufficient)

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
221 Energy minerals	Policies for onshore oil and gas and distinction made between exploration, appraisal and production of and address constraints on production and processing	Policy CSM10 covers exploration, appraisal and production and sets out criteria against which proposals will be considered
	CCS encouraged - if geological circumstances indicate feasibility	N/A
<p>Justified: The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.</p> <p>To be 'justified' a DPD needs to be:</p> <ul style="list-style-type: none"> • Founded on a robust and credible evidence base involving: research / fact finding demonstrating how the choices made in the plan are backed up by facts; and evidence of participation of the local community and others having a stake in the area. • The most appropriate strategy when considered against reasonable alternatives. 		
<p><i>Participation</i></p> <p>Has the consultation process allowed for effective engagement of all interested parties?</p>	<p>The consultation statement. This should set out what consultation was undertaken, when, with whom and how it has influenced the plan. The statement should show that efforts have been made to consult hard to reach groups, key stakeholders etc. Reference SCI</p>	<p>Covered by: Reg 22 Consultation Statement (SD04). Statement of Representations Procedure (EB16) See Duty to Cooperate Statement (SD03) and Statements of Common Ground (SD12-SD15) (more to follow) Statement of Community Involvement (EB15)</p>
<p><i>Research / fact finding</i></p> <p>Is the plan justified by a sound and credible evidence base? What are the</p>	<ul style="list-style-type: none"> • The studies, reports and technical papers that provide the evidence for the policies set out in the DPD, the date of preparation and who they were produced by. <p>AND</p>	<p>Extensive set of evidence base documents prepared and submitted</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>sources of evidence? How up to date, and how convincing is it? What assumptions were made in preparing the DPD? Were they reasonable and justified?</p>	<ul style="list-style-type: none"> • Sections of the DPD (at various stages of development) and SA Report which illustrate how evidence supports the strategy, policies and proposals, including key assumptions. <p>OR</p> <ul style="list-style-type: none"> • A very brief statement of how the main findings of consultation support the policies, with reference to: reports to the council on the issues raised during participation, covering both the front-loading and formulation phases; and any other information on community views and preferences. <p>OR</p> <ul style="list-style-type: none"> • For each policy (or group of policies dealing with the same issue), a very brief statement of the evidence documents relied upon and how they support the policy (where this is not already clear in the reasoned justification in the DPD). 	<p>Plan has evolved in a logical sequence with appropriate opportunities for comments on proposals.</p> <p>Sustainability Appraisal 2024 (SD05)</p>
<p><i>Alternatives</i> Can it be shown that the LPA's chosen approach is the most appropriate given the reasonable alternatives? Have the reasonable alternatives been considered and is there a clear audit trail showing how and why the preferred approach was arrived at? Where a balance had to be struck in taking decisions between competing alternatives, is it clear how and why the decisions were taken? Does the sustainability appraisal show how the different options perform and is</p>	<ul style="list-style-type: none"> • Reports and consultation documents produced in the early stages setting out how alternatives were developed and evaluated, and the reasons for selecting the preferred strategy, and reasons for rejecting the alternatives. This should include options covering not just the spatial strategy, but also the quantum of development, strategic policies and development management policies. • An audit trail of how the evidence base, consultation and SA have influenced the plan. • Sections of the SA Report showing the assessment of options and alternatives. • Reports on how decisions on the inclusion of policy were made. 	<p>Sustainability Appraisal 2024 (SD05)</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>it clear that sustainability considerations informed the content of the DPD from the start?</p>	<ul style="list-style-type: none"> Sections of the consultation document demonstrating how options were developed and appraised. Any other documentation showing how alternatives were developed and evaluated, including a report on how sustainability appraisal has influenced the choice of strategy and the content of policies. 	
<p>Effective: <i>the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.</i></p> <p>To be 'effective' a DPD needs to:</p> <ul style="list-style-type: none"> Be deliverable Demonstrate sound infrastructure delivery planning Have no regulatory or national planning barriers to its delivery Have delivery partners who are signed up to it Be coherent with the strategies of neighbouring authorities Demonstrate how the Duty to Co-operate has been fulfilled Be flexible Be able to be monitored 		
<p>Deliverable and Coherent</p> <ul style="list-style-type: none"> Is it clear how the policies will meet the Plan's vision and objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD? Are the policies internally consistent? Are there realistic timescales related to the objectives? Does the DPD explain how its key policy objectives will be achieved? 	<ul style="list-style-type: none"> Sections of the DPD which address delivery, the means of delivery and the timescales for key developments and initiatives. Confirmation from the relevant agencies that they support the objectives and the identified means of delivery, such as evidence that the plans and programmes of other bodies have been taken into account (e.g. Water Resources Management Plans and Marine Plans). Information in the local development scheme, or provided separately, about the scope and content (actual and intended) of each DPD showing how they combine to provide a coherent policy structure. 	<p>Chapter 3 sets out the ambitions and describes what will be achieved the Strategic Objectives in Chapter 4 sets out how they will achieve this.</p> <p>Chapter 8 shows how policies will implement the objectives.</p> <p>The Reg 22 Consultation Statement (SD04) sets out consultation with district and borough councils, government</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	<ul style="list-style-type: none"> Section in the DPD that shows the linkages between the objectives and the corresponding policies, and consistency between policies (such as through a matrix). 	agencies and the waste and minerals industry.
<p><i>Infrastructure Delivery</i></p> <ul style="list-style-type: none"> Have the infrastructure implications of the policies clearly been identified? Are the delivery mechanisms and timescales for implementation of the policies clearly identified? Is it clear who is going to deliver the required infrastructure and does the timing of the provision complement the timescale of the policies? 	<ul style="list-style-type: none"> A section or sections of the DPD where infrastructure needs are identified and the proposed solutions put forward. A schedule setting out responsibilities for delivery, mechanisms and timescales, and related to a CIL schedule where appropriate. Confirmation from infrastructure providers that they support the solutions proposed and the identified means and timescales for their delivery, or a plan for resolving issues. Demonstrable plan-wide viability, particularly in relation to the delivery of affordable housing and the role of a CIL schedule. 	<p>The need for minerals infrastructure is set out in Chapter 5 (Delivery Strategy for Minerals) and the need for waste management infrastructure is set out in Chapter 6 (Delivery Strategy for Waste).</p> <p>The Reg 22 Consultation Statement (SD04) sets out consultation with the waste and minerals industry.</p>
<p><i>Co-ordinated Planning</i></p> <p>Does the DPD reflect the concept of spatial planning? Does it go beyond traditional land use planning by bringing together and integrating policies for the development and use of land with other policies and programmes from a variety of agencies / organisations that influence the nature of places and how they function?</p>	<ul style="list-style-type: none"> Sections of the DPD that reflect the plans or strategies of the local authority and other bodies Policies which seek to pull together different policy objectives Expressions of support/representations from bodies responsible for other strategies affecting the area 	<p>Chapter 3 Spatial Vision.</p> <p>The five-year review document (BD02) identifies the plans and strategies that required updates to the Plan.</p> <p>The Reg 22 Consultation Statement (SD04), DTC Statement (SD03) and Statements of Common Ground (SD12-SD15) (more to follow) set out the engagement with district and borough councils.</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p><i>Flexibility</i></p> <ul style="list-style-type: none"> • Is the DPD flexible enough to respond to a variety of, or unexpected changes in, circumstances? • Does the DPD include the remedial actions that will be taken if the policies need adjustment? 	<ul style="list-style-type: none"> • Sections of the DPD setting out the assumptions of the plan and identifying the circumstances when policies might need to be reviewed. • Sections of the annual monitoring report and sustainability appraisal report describing how the council will monitor: <ul style="list-style-type: none"> a. the effectiveness of policies and what evidence is being collected to undertake this b. changes affecting the baseline information and any information on trends on which the DPD is based • Risk analysis of the strategy and policies to demonstrate robustness and how the plan could cope with changing circumstances • Sections within the DPD dealing with possible change areas and how they would be dealt with, including mechanisms for the rate of development to be increased or slowed and how that would impact on other aspects of the strategy and on infrastructure provision • Sections of the DPD identifying the key indicators of success of the strategy, and the remedial actions which will be taken if adjustment is required. 	<p>Chapter 8 Managing and Monitoring the Delivery of the Strategy</p> <p>To provide flexibility, policies CSM4 and CSW6 provide for proposals outside of allocated sites</p> <p>Annual Monitoring Report (EB13)</p> <p>SA 2024 (SD05) Baseline Methodology and Evidence</p>
<p><i>Co-operation</i></p> <ul style="list-style-type: none"> • Is there sufficient evidence to demonstrate that the Duty to Co-operate has been undertaken appropriately for the plan being examined? • Is it clear who is intended to implement each part of the DPD? Where the 	<ul style="list-style-type: none"> • A succinct Duty to Co-operate Statement which flows from the strategic issues that have been addressed jointly. A 'tick box' approach or a collection of correspondence is not sufficient, and it needs to be shown (where appropriate) if joint plan-making arrangements have been considered, what decisions were reached and why. 	<p>See DTC Statement (SD03) and Statements of Common Ground (SD12-SD15) (more to follow).</p>

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>actions required are outside the direct control of the LPA, is there evidence that there is the necessary commitment from the relevant organisation to the implementation of the policies?</p>	<ul style="list-style-type: none"> The Duty to Co-operate Statement could highlight: the sharing of ideas, evidence and pooling of resources; the practical policy outcomes of co-operation; how decisions were reached and why; and evidence of having effectively co-operated to plan for issues which need other organisations to deliver on, common objectives for elements of strategy and policy; a memorandum of understanding; aligned or joint core strategies and liaison with other consultees as appropriate. 	
<p>Monitoring</p> <ul style="list-style-type: none"> Does the DPD contain targets, and milestones which relate to the delivery of the policies, (including housing trajectories where the DPD contains housing allocations)? Is it clear how targets are to be measured (by when, how and by whom) and are these linked to the production of the annual monitoring report? Is it clear how the significant effects identified in the sustainability appraisal report will be taken forward in the ongoing monitoring of the implementation of the plan, through the annual monitoring report? 	<ul style="list-style-type: none"> Sections of the DPD setting out indicators, targets and milestones Sections of the current annual monitoring report which report on indicators, targets, milestones and trajectories Reference to any other reports or technical documents which contain information on the delivery of policies Sections of the current annual monitoring report and the sustainability appraisal report setting out the framework for monitoring, including monitoring the effects of the DPD against the sustainability appraisal 	<p>Chapter 8 Managing and Monitoring the Delivery of the Strategy includes details of indicators, who will monitor and links to AMR</p> <p>The LAA ((EB12) is prepared and updated annually.</p> <p>The Waste Needs Assessment (EB04-EB10) sets out provision of waste management capacity in Kent v forecast demand</p>
<p>Consistent with national policy: <i>the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</i></p> <p>The DPD should not contradict or ignore national policy. Where there is a departure, there must be clear and convincing reasoning to justify the approach taken.</p>		

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<ul style="list-style-type: none"> • Does the DPD contain any policies or proposals which are not consistent with national policy and, if so, is there local justification? • Does the DPD contain policies that do not add anything to existing national guidance? If so, why have these been included? 	<ul style="list-style-type: none"> • Sections of the DPD which explain where and how national policy has been elaborated upon and the reasons. • Studies forming evidence for the DPD or, where appropriate, other information which provides the rationale for departing from national policy. • Evidence provided from the sustainability appraisal (including reference to the sustainability report) and/or from the results of community involvement. • Where appropriate, evidence of consistency with national marine policy as articulated in the UK Marine Policy Statement • Reports or copies of correspondence as to how representations have been considered and dealt with. 	<p>The Plan does not contain any policies or proposals which are not consistent with national policy. The review of the Plan took account of policy that had been published since the original Plan was adopted in 2016. See five-year review document (BD02).</p> <p>Reference to NPPF is included throughout the document.</p> <p>See Appendix 1 for assessment of consistency with National Planning Policy for Waste</p>

Appendix 1 - Analysis of Consistency of Kent Minerals and Waste Local Plan 2024-39 with National Planning Policy for Waste (NPPW)

N.B. This is a bespoke checklist prepared by Kent County Council

NPPW Policy	How addressed by the Kent Minerals and Waste Local Plan 2024-39
A. A more sustainable and efficient approach to resource use and management through positive planning	
A1. Delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy	Addressed in main NPPF soundness checklist.
A2. Ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities	Addressed in main NPPF soundness checklist.
A3. Providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of or, in the case of mixed municipal waste from households, recovered, in line with the proximity principle	See strategic objectives including: SO11: <i>Minimise the production of waste and increase its reuse. Promote the movement of waste up the Waste Hierarchy by enabling the waste management industry to provide facilities that increase recycling, treatment and reprocessing to improve the management of resources and deliver further reductions in the amount of Kent's waste being disposed of in landfill and through waste to energy.</i>

Project: Kent Minerals and Waste Local Plan 2024-39
Document: Soundness Checklist (NPPF, December 2023)

NPPW Policy	How addressed by the Kent Minerals and Waste Local Plan 2024-39
	<p>SO12: <i>Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and, where applicable, innovative technology, such that net self sufficiency is maintained throughout the plan period.</i></p> <p>See section 6.5 which includes para 6.5.1: <i>The preference identified in response to earlier consultations during the formulation of the Plan was for a mix of new small and large sites for waste management. This mix gives flexibility and assists in balancing the benefits of proximity to waste arisings while enabling developers of large facilities to exploit economies of scale. National policy recognises that new facilities will need to serve catchment areas large enough to secure economic viability and this is particularly relevant when considering the possible sizing and location of facilities required to satisfy any emerging need indicated by monitoring e.g. in the relevant AMR.</i></p>
<p>A4. Helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment</p>	<p>See Strategic Objectives and in particular 1 to 4a. Policies in the Plan (see Chapters 6 and 7) will ensure the re-use, recovery or disposal of waste takes place without endangering human health and without harming the environment.</p>
<p>A5. Ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate</p>	<p>See Policy CSW3.</p>

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storage and segregation facilities to facilitate high quality collections of waste	
B. Using a proportionate evidence base	
B1. Ensure that the planned provision of new capacity and its spatial distribution is based on robust analysis of best available data and information, and an appraisal of options. Spurious precision should be avoided	See Policy CSW6 and Waste Needs Assessment (EB04-EB10)
<p>B2. Work jointly and collaboratively with other planning authorities to collect and share data and information on waste arisings, and take account of:</p> <p>(i) waste arisings across neighbouring waste planning authority areas;</p> <p>(ii) any waste management requirement identified nationally, including the Government’s latest advice on forecasts of waste arisings and the proportion of waste that can be recycled;</p>	<p>See Reg 22 Consultation Statement (SD04) and in particular information regarding membership of the South East Waste Planning Advisory Group</p> <p>See DtC Statement (SD03) and Statement of Common Ground with Medway Council (final draft being prepared)</p>
C. Identifying Need for Waste Management Facilities	

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C1. Undertake early and meaningful engagement with local communities so that plans, as far as possible, reflect a collective vision and set of agreed priorities when planning for sustainable waste management, recognising that proposals for waste management facilities such as incinerators can be controversial	See Reg 22 Consultation Statement (SD04). Note that, other than for radioactive waste at Dungeness, no other areas are identified for waste management in the Plan.
C2. Drive waste management up the waste hierarchy, recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal	See Chapter 6 and policies CSW2 and CSW6 in particular.
C3. In particular, identify the tonnages and percentages of municipal, and commercial and industrial, waste requiring different types of management in their area over the period of the plan	See Section 6.3 and Waste Needs Assessment (EB04-EB10)
C4. Consider the need for additional waste management capacity of more than local significance and reflect any requirement for waste management facilities identified nationally	See DtC Statement (SD03) and Statement of Common Ground with Medway Council (final draft being prepared). The Plan proposes the deletion of a strategic allocation for the landfill of hazardous waste (Policy CSW5) and removal of an express commitment to planning for certain waste arising in London. The Reg 22 Consultation Statement includes comments from neighbouring authorities on this matter. See Waste Needs Assessment (EB04-EB10)

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C5. Take into account any need for waste management, including for disposal of the residues from treated wastes, arising in more than one waste planning authority area but where only a limited number of facilities would be required	See DtC Statement (SD03) and Statement of Common Ground with Medway Council (final draft being prepared). See Policy CSW4 regarding waste from London. The Plan proposes the deletion of a strategic allocation for the landfill of hazardous waste (Policy CSW5) and removal of an express commitment to planning for certain waste arising in London. The Reg 22 Consultation Statement includes comments from neighbouring authorities on this matter. See Waste Needs Assessment (EB04-EB10)
C6. Is there evidence of collaborative work with other waste planning authorities (e.g. through 'RTABs'), and in two-tier areas with district authorities, through the statutory duty to cooperate, to provide a suitable network of facilities to deliver sustainable waste management	See Reg 22 Consultation Statement (SD04) and in particular information regarding membership of the South East Waste Planning Advisory Group See DtC Statement (SD03) and Statement of Common Ground with Medway Council (final draft being prepared)
C7. Consider the extent to which the capacity of existing operational facilities would satisfy any identified need.	See Section 6.3 and Waste Needs Assessment (EB04-EB10)
D. Identifying Suitable Sites and Areas	
D1. Identify the broad type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy, taking care to avoid stifling innovation.	Other than for radioactive waste at Dungeness, no other areas/land are identified for waste management in the Plan.

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<p>D2. Plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle, recognising that new facilities will need to serve catchment areas large enough to secure the economic viability of the plant;</p>	<p>See Strategic Objective 12: <i>Promote the management of waste close to the source of production in a sustainable manner using appropriate technology and, where applicable, innovative technology, such that net self sufficiency is maintained throughout the plan period.</i></p> <p>See section 6.3. No land is identified as the Waste Needs Assessment (EB04-EB10) indicates that sufficient waste management capacity exists in Kent to meet requirements.</p>
<p>D3. Consider opportunities for on-site management of waste where it arises.</p>	<p>See Policy CSW3.</p>
<p>D4. Consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities. Support for using heat generated by waste treatment.</p>	<p>See policies CSW6 and CSW8.</p>
<p>D5. Give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages.</p>	<p>See Policy CSW6.</p>
<p>D6. Waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against each of the following criteria:</p>	<p>Other than for radioactive waste at Dungeness, no other areas/land are identified for waste management in the Plan.</p>

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<ul style="list-style-type: none"> • the extent to which the site or area will support the other policies set out in this document; • physical and environmental constraints on development, including existing and proposed neighbouring land uses, and having regard to the factors in Appendix B to the appropriate level of detail needed to prepare the Local Plan; • the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport; and • the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential. 	
<p>D7. In preparing Local Plans, waste planning authorities, including by working collaboratively with other planning authorities, should first look for suitable sites and areas outside the Green Belt for waste management facilities that, if located in the Green Belt, would be inappropriate development. Local planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan.</p>	<p>Other than for radioactive waste at Dungeness, no other areas/land are identified for waste management in the Plan.</p> <p>See Policy DM4 – Green Belt</p>

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E. Monitoring and Reporting	
<p>E1. To inform the preparation of Local Plans and to inform the determination of planning applications as part of delivering sustainable waste management, local planning authorities should, to the extent appropriate to their responsibilities, monitor and report:</p> <ul style="list-style-type: none"> • take-up in allocated sites and areas; • existing stock and changes in the stock of waste management facilities, and their capacity (including changes to capacity); waste arisings; and, • the amounts of waste recycled, recovered or going for disposal. 	<p>See Chapter 8.</p> <p>See Annual Monitoring Report ((EB13).</p>