

Tunbridge Wells Borough Council (TWBC) response/comments on the Kent Minerals and Waste Local Plan (KMWLP) Main Modifications Consultation (17 October to 28 November 2024) (Sent to KCC 27.11.2024)

Link to consultation [Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39 | Let's talk Kent](#)

TWBC notes that no reasons are stated in the Kent Minerals and Waste Local Plan 2024-39 - Schedule of Proposed Main Modifications, which would have been useful in some cases for considering the proposed modifications, as well as assessing compliance with the recommendations set out in the accompanying Sustainability Appraisal.

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
MM8	Paragraph 2.2.1, page 24	These modifications (listed in the Mod ref) column all include the following amended wording: <u>National Landscapes (formerly known as</u> Areas of Outstanding Natural Beauty (AONB))	TWBC notes and agrees with this modification following the rebranding of all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales as National Landscapes in November 2023.
MM10	Strategic Objective 9, page 56		
MM11	Strategic Objective 15, page 57		
MM27	Paragraph 5.10.14, page 82		
MM38	Policy CSW 6, page 95		
MM68	Policy DM 19, page 145		
MM3	Paragraph 1.3, page 15	Create a new paragraph 1.3.10 as follows:	TWBC agrees with this addition, in line with the NPPF and DfT Circular 01/2022.

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p><u>The policy of the Secretary of State for Transport in relation to the Strategic Road Networks is Circular 01/2022: Strategic road network and the delivery of sustainable development. Particularly paragraph 4 of the Circular which states“...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...” and paragraph 28 which outlines “...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...”</u></p>	<p>For consistency, TWBC would suggest that the Circular and/or Strategic Road Network is also referred to under Policy CSM12: Sustainable Transport of Minerals, as it is noted that Key Arterial Routes are mentioned at criterion 1 of the policy and footnote 65. It is also noted that such modification is proposed for Policy CSW 6: Location of Built Waste Management Facilities where ‘Kent’s Arterial Routes’ are replaced with ‘Strategic Road Network’.</p>
MM5	Paragraph 1.5.1, page 19	<p>Amend the second sentence of paragraph 1.5.1 as follows:</p> <p>‘In respect of pollution, in arriving at its decision, the County Council and its partner planning authorities will:</p>	<p>TWBC agrees with this addition as it provides clarity in relation to the subsequent list of requirements.</p>
MM6	Paragraph 2.1.4 and 2.1.5 Footnote 25 Footnote 26 Page 21	<p>Amend paragraph 2.1.4 and 2.1.5 as follows:</p> <p>‘2.1.4 Kent is a member of The South East Local Enterprise Partnership (SE LEP). This encompasses East Sussex, Essex, Kent, Medway, Southend and Thurrock. LEPs are voluntary partnerships between local authorities and businesses which were formed in 2011 by the former Department for Business, Innovation and Skills (BIS) to help determine local economic priorities and lead economic growth and job creation within the local areas. LEPs are responsible for some of the</p>	<p>TWBC agrees with this modification which provides an update on the Kent and Medway Economic Partnership (KMEP) (which includes Tunbridge Wells borough) and is considered to</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>functions previously carried out by the regional development agencies which were abolished in March 2012. There were 38 LEPs in operation in October 2021.</p> <p>2.1.5 Figure 3 shows the extent of the SE LEP and the Thames Gateway area. The SE LEP area has 156,000 businesses and 3.9 million people. 1,526,000 people work within the LEP area, contributing £63bn Gross Value Added (GVA)²⁵. This represents 5% of the national contribution²⁶. The SE LEP's aim is to ensure the survival and stability of our economy in the short term and to drive sustainable economic renewal and growth in the medium to long term. The SE LEP has identified four strategic priorities which reflect the unique geography, assets and opportunities:</p> <ol style="list-style-type: none"> 1. business resilience and growth 2. UK's global gateway 3. communities for the future 4. coastal catalyst.' <p>Footnote 25 – GVA is explained in the Glossary in Appendix A.</p> <p>Footnote 26 – South East Local Enterprise Partnership Strategic Economic Plan</p> <p><u>'2.1.4 Kent is part of the Kent and Medway Economic Partnership (KMEP) which is responsible for producing the economic framework for the county. It brings together councils, businesses, educators, the health sector, and community groups to drive forward economic growth. It has produced the Kent and Medway Economic Framework which sets out 5 key ambitions and 21 action areas to develop the economy to be more productive, sustainable and inclusive. The 5 ambitions are, to:</u></p> <ul style="list-style-type: none"> <u>• enable innovative, creative, and productive businesses</u> <u>• widen opportunities and unlock talent</u> <u>• secure resilient infrastructure for planned, sustainable growth</u> 	<p>set out clear and positive economic ambitions for the County.</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<ul style="list-style-type: none"> • <u>place economic opportunity at the centre of community wellbeing and prosperity</u> • <u>create diverse, distinctive and vibrant places.</u> 	
MM7	Figure 3, page 23	Amend Figure 3 to remove reference to SELEP and replace with KMEP	TWBC agrees with replacement Figure 3 (revised map showing the extent of the KMEP, including Tunbridge Wells borough).
MM13	New paragraph 5.2.17, page 62	<p>Add a new paragraph 5.2.17 to Landwon Aggregate Supply Considerations section after paragraph 5.2.16 as follows:</p> <p><u>'A policy covering situations where non-identified land won mineral sites could be acceptable is included as Policy CSM 4. In considering proposals that create building stone from aggregate development, Policy CSM 9 shall also be considered.'</u></p>	TWBC agrees and welcomes this addition and cross referencing with other policies, given that the sharp sand and gravel sites (Stonecastle Farm and Moat Farm) referred to in the previous paragraph 5.2.15 are located within/straddle the boundary of Tunbridge Wells borough.
MM19	Paragraph 5.5.3, page 72	<p>Amend paragraph 5.5.3 as follows:</p> <p>'Land-won mineral safeguarding is carried out through the designation of Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs). Further explanation is provided below.'</p>	TWBC is concerned that no reason/explanation is given for the deletion of Mineral Consultation Areas (MCAs), when consultation between KCC and the relevant borough planning authorities on development within MCAs is

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
			<p>stated to be obligatory in National Planning Policy Guidance - Minerals.</p> <p>Therefore, TWBC objects to the proposed deletion - it having negative implications on the test of soundness for the KMWLP.</p>
MM20	Paragraph 5.5.7, page 73	<p>Delete this paragraph.</p> <p>5.5.7 The MCA designation is intended to ensure that consultation takes place between county and district/borough planning authorities when mineral interests might be compromised by non-minerals development, especially in close proximity to a known mineral resource. The designation of MCAs is not obligatory, but consultation on development within an MCA is. The MCAs within Kent cover the same areas as the MSAs.</p>	<p>As above, TWBC is concerned that no reason/explanation is given for the deletion of Mineral Consultation Areas (MCAs), when consultation between KCC and the relevant borough planning authorities on development within MCAs is stated to be obligatory in National Planning Policy Guidance - Minerals.</p> <p>Therefore, TWBC objects to the proposed deletion - it having negative implications on the test of soundness for the KMWLP.</p>
MM21	Policy CSM 5, page 74	<p>Delete bullet point two: Mineral Consultation Areas which cover the same area as the Minerals Safeguarding Areas</p>	<p>As above, TWBC is concerned that no reason/explanation is given for the deletion of</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
			<p>Mineral Consultation Areas (MCAs), when consultation between KCC and the relevant borough planning authorities on development within MCAs is stated to be obligatory in National Planning Policy Guidance - Minerals.</p> <p>Therefore, TWBC objects to the proposed deletion - it having negative implications on the test of soundness for the KMWLP.</p>
MM22	Section 5.8, page 77	<p>Amend paragraphs 5.8.1 and 5.8.2 as follows:</p> <p>‘5.8.1 The use of secondary and recycled aggregates is generally more sustainable than extracting primary land-won aggregates. It is for this reason that national policy expects MPAs to, so far as practicable, take account of the contribution that secondary and recycled materials would make, before considering extraction of primary materials. As considered in Section 5.2, the replacement of primary aggregates with secondary and recycled supplies materials is becoming increasingly important as indigenous land-won primary supplies diminish. The County Council is therefore keen to see the quantities of secondary and recycled aggregates being produced within Kent increase. <u>Inert Construction, Demolition and Excavation waste (CDEW) is the main source of recycled aggregate and Policy CSW4 includes ambitious targets for the recycling of such waste. In addition, Policy CSW 3 expects CDEW arising from all types of new development to be recycled, as well as the use of recycled materials in construction.</u></p>	<p>TWBC welcomes this modification in the interests of promoting and increasing recycling of aggregate waste and sustainability.</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>5.8.2 In 2016 the consented secondary and recycled aggregates processing capacity within Kent exceeded 2.7mtpa, 0.63 mtpa of which was identified as temporary capacity. Inert Construction, Demolition and Excavation (CDE) waste is the main source of recycled aggregate and a <u>Arisings of CDEW</u> this waste in Kent were estimated to be 2.6 mtpa which indicates that some capacity may be utilised for imported materials. In addition, arisings of materials suitable for conversion into secondary aggregates such as furnace bottom ash will increase if more Energy from Waste capacity is developed during the plan period in line with Policy CSW 8: Recovery Facilities for Non-hazardous Waste.'</p>	
MM30	Paragraph 6.2.6, page 88	<p>Add the following sentence to the end of paragraph 6.2.6:</p> <p><u>'Proposals for the management of residual waste by landfill or 'other recovery' will need to be accompanied by a waste hierarchy statement.</u></p>	<p>TWBC generally agrees with this addition to support landfill diversion targets and increased recycling. However, we are also aware that the funding of recycling activities may be amended, and it is currently unknown who will provide funding going forward. We therefore have concerns that there may be cost implications for TWBC.</p>
MM31	Policy CSW 3, page 89	<p>Amend second paragraph of Policy CSW 3 as follows:</p> <p>For major developments [71] the above should be demonstrated via the submission of a Circular Economy Statement. For development which has a total</p>	<p>TWBC agrees with this modification, which is considered to provide clarity within the policy wording</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p><u>floor space of greater than 1000 square metres and / or comprises greater than 10no. units of housing and / or where the site is 1 hectare or more, the above principles (1 to 4) should be demonstrated via the submission of a Circular Economy Statement</u></p>	<p>(rather than it being included as a footnote) for major development.</p>
MM38	Policy CSW 6, page 95	<p>Amend points a, b and c of Policy CSW 6 as follows:</p> <p>‘Planning permission will be granted for proposals that:</p> <ul style="list-style-type: none"> a. Do not give rise to unacceptable significant adverse impacts upon national and international designated sites, including National Landscapes (formerly known as Areas of Outstanding Natural Beauty (AONB)), Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPAs), Ramsar sites, and heritage assets. (See Figures 4, 5 & 6). b. do not give rise to unacceptable significant adverse impacts upon Local Wildlife Sites (LWS), Local Nature Reserves (LNR), Ancient Woodland, Air Quality Management Areas (AQMAS) and groundwater resources. (See Figures 7, 8, 10 & 15) c. are well located in relation to the Strategic Road Network Kent's Key Arterial Routes, and/or railheads and wharves avoiding proposals which would give rise to unacceptable adverse impacts on strategic and local roads and/or villages.’ 	<p>TWBC generally agrees with the proposed modifications, which are considered to strengthen the protection of designated sites and National Landscapes.</p> <p>However, we also note that proposed MM38 changes 'significant' to 'unacceptable' and MM48 (below) changes 'unacceptable' to 'significant' and consider that a reason/explanation would have been beneficial to provide clarity in relation to these changes of consistency in the policy wording.</p> <p>The amended reference to the Strategic Road Network (see comments for MM3 above) is also noted.</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
MM48	Policy DM 2, page 117	<p>Amend Policy DM 2 as follows:</p> <p>'Policy DM 2 Environmental and Landscape Sites of International, National and Local Importance</p> <p>Policy DM 2 Environmental and Landscape Sites of International, National and Local Importance Proposals for minerals and/or waste development will be required to ensure that there is no unacceptable adverse impact on they are not likely to cause significant harm to the integrity, character, appearance and function, biodiversity and geodiversity interests of sites of international, national and local importance, such that these proposals accord with the avoid, mitigate, compensate hierarchy. <u>Proposals in coastal locations that are considered likely to cause significant harm to Marine Conservation Zones should also accord with the avoid, mitigate and compensate hierarchy.</u></p> <p>1. International Sites</p> <p>Minerals and/or waste proposals <u>(for planning permission, or allocation within the Minerals Sites Plan and any Waste Sites Plan), located within or that are</u> considered to have a 'likely <u>significant effect</u>' to have any unacceptable adverse impact <u>(either alone or in combination with other plans or projects)</u> on international designated sites, including Ramsar <u>sites</u>, Special Protection Areas and Special Areas of Conservation ('National Site Network' as defined by the Changes to the Habitats and Species Regulations 2017 and 'Habitat Sites' as defined by the NPPF), will need to be evaluated <u>as part of an 'appropriate assessment'</u> in combination with other projects and plans and be in accordance with established management objectives for the national sites network ('network objectives'). <u>Where an 'adverse effect on integrity' of an international designated site cannot be ruled out as a result of a proposal</u></p>	<p>TWBC generally agrees with the proposed modifications, which are considered to strengthen the protection of designated sites and National Landscapes.</p> <p>However, as for our comment on MM38 above, we also note that proposed MM38 changes 'significant' to 'unacceptable' and MM48 changes 'unacceptable' to 'significant' and consider that a reason/explanation would have been beneficial to provide clarity in relation to these changes of consistency in the policy wording.</p> <p>The added reference to the Kent Nature Partnership Biodiversity Strategy is also noted and welcomed.</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>Before any such proposal will be granted planning permission or identified in the Minerals and Waste Sites Plan, it will need to be demonstrated that:</p> <p>a. there are no alternatives;</p> <p>b. there is a robust case established as to why there are imperative reasons of overriding public interest; and</p> <p>c. there is sufficient provision for adequate timely compensation <u>before permission can be granted, or the allocation can be included within the Minerals Sites Plan and any Waste Sites Plan.</u></p> <p>2. National Sites</p> <p>Designated National Landscapes have the highest status of protection in relation to landscape and scenic beauty. <u>When exercising or performing any functions in relation to, or so as to affect land, in a National Landscape, relevant authorities must seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape.</u> Regard must be had to the purpose of the designation when exercising or performing any functions in relation to, or so as to affect land, in an AONB. For the purposes of this policy, such functions include the determination of planning applications and the allocation of sites in a development plan.</p> <p>Planning permission for major minerals and waste development in a designated National Landscape will be refused except in exceptional circumstances and where it can be demonstrated that it is in the public interest. In relation to other minerals or waste proposals in a National Landscape, great weight will be given to conserving and enhancing its landscape and scenic beauty. Proposals within the setting of a National Landscape should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.</p> <p>Consideration of such applications will assess;</p>	

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>a. the need for the development, including in terms of any national considerations and the impact of granting, or refusing, the proposal upon the local economy;</p> <p>b. the cost of, and scope for developing elsewhere outside the designated area, or meeting the need in some other way; and</p> <p>c. any detrimental impact on the environment, the landscape and recreational opportunities, and the extent to which the impact could be moderated taking account of the relevant AONB Management Plan.</p> <p>Sites put forward for allocation for minerals or waste development in updates to the Minerals Sites Plan or any Waste Sites Plan will be considered having regard to the above tests. Those that the Minerals and Waste Planning Authority considers unlikely to meet the relevant test(s) will not be allocated.</p> <p>Proposals for minerals and/or waste developments within or outside of designated Sites of Special Scientific Interest or National Nature Reserves, that are considered likely to have any unacceptable adverse impact on a Site of Special Scientific Interest or National Nature Reserve, will not be granted planning permission or identified in updates to the Minerals Sites Plan and any Waste Sites Plan except in exceptional circumstances where it can be demonstrated that <u>impacts cannot be avoided in the first instance (through locating on an alternative site with less harmful impacts), or adequately mitigated, unless</u> there is an overriding need for the development and any impacts can be mitigated or compensated for, and:</p> <p>a. the benefits of the development <u>in the location proposed clearly</u> outweigh any impacts that it is likely to have on the features of the site that make it of special scientific interest; and</p> <p>b. the benefits of the development outweigh any impacts that it is likely to have on the national network of Sites of Special Scientific Interest.</p>	

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>Minerals and/or waste proposals located within or considered likely to <u>cause loss or deterioration of</u> have any unacceptable adverse impact on irreplaceable habitat such as Ancient Woodland and ancient or veteran trees will not be granted planning permission or identified in updates to the Minerals Sites Plan and any Waste Sites Plan unless the need for, and the benefits of the development in that location clearly outweigh any loss, justified by wholly exceptional reasons, and a suitable compensation strategy is in place.</p> <p>3. Local Sites</p> <p>Minerals and/or waste proposals within, or likely to have an unacceptable adverse impact on, the Local Sites listed below will not be granted planning permission, or identified in updates to the Minerals Sites Plan and any Waste Sites Plan, unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning benefit:</p> <ul style="list-style-type: none"> a. Local Wildlife Sites; b. Local Nature Reserves; c. Priority Habitats and Species; d. and that is of regional or local importance as a wildlife corridor or for the conservation and enhancement of geodiversity and biodiversity; e. <u>habitats and species identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045</u> ef. Local Geological Sites; fg. irreplaceable habitat including aged and veteran trees; gh. Country Parks, common land and village greens and other important areas of open space or green areas within built-up areas. h. Marine Conservation Zones' 	

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
MM52	Policy DM 3, page 119	<p>Amend Policy DM 3 as follows:</p> <p>'Policy DM 3 Ecological Impact Assessment</p> <p>Proposals for minerals and waste developments will be required to ensure that they result in no unacceptable adverse impacts on Kent's important biodiversity assets. These include internationally, nationally and locally designated sites, internationally and nationally protected species, and habitats and species of principal importance for the conservation, protection and enhancement of biodiversity, geodiversity and habitats and species identified in the Kent Nature Partnership Biodiversity Strategy 2020 to 2045.</p> <p>Proposals that are likely to have unacceptable adverse impacts upon important geodiversity and biodiversity assets (as defined in Policy DM2) will need to demonstrate that an adequate level of ecological assessment has been undertaken and should provide a positive contribution to the protection, enhancement, creation and management of biodiversity. Such proposals will only be granted planning permission following:</p> <ol style="list-style-type: none"> 1. an ecological assessment of the site, including preliminary ecological appraisal and, where likely presence is identified, specific protected species surveys; 2. consideration of the exceptional circumstances that clearly demonstrate the need for, and benefits of, the development and the reasons for locating the development in its proposed location, that clearly outweigh its impacts; 3. Where impacts cannot be avoided, then identification and securing of measures required to mitigate any adverse impacts (direct, indirect and cumulative) should be identified and appropriately secured; and, 	<p>TWBC agrees with the proposed modifications, which are considered to strengthen the requirements and provisions for ecological impact assessments in relation to geodiversity/biodiversity assets and achieving Biodiversity Net Gain.</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>4. finally, only as a last resort, the identification and securing of compensatory measures where adverse impacts cannot be avoided or mitigated for, then compensatory measures should be identified and secured.</p> <p>All development[104] shall achieve a net gain in biodiversity value in accordance with the requirements of the NPPF. All major development shall deliver at least a 10% net gain in biodiversity value with an expectation that the maximum practicable net gain is achieved. All planning applications must should be supported by a draft Biodiversity Net Gain Plan and relevant supporting reports that demonstrate net gain will can be achieved, implemented, managed and maintained.</p>	
MM53	Footnote 104, page 120	<p>Amend footnote 104 as follows:</p> <p>Please note an application to vary a condition of a planning permission under section 73 which is made after the commencement of the statutory framework for Biodiversity Net Gain on [January xx 2024 subject to parliamentary timetabling] is not in scope if the original permission to which the section 73 application relates was either granted before [January xx 2024 subject to parliamentary timetabling] or the application for the original permission was made before [January xx 2024 subject to parliamentary timetabling]. <u>An application to vary a condition of a planning permission pursuant to section 73 of the Town and Country Planning Act is exempt from BNG requirements where the original permission which the section 73 application relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024</u></p>	TWBC agrees with this modification which now provides clarification in relation to dates.
MM54	Policy DM 4, page 121	Amend Policy DM 4 as follows:	TWBC considers the amended policy to be ‘thin’ and it is

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>'Proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts, and shall comply with national policy and the NPPF.'</p>	<p>suggested that some additional wording be added to improve soundness:</p> <p><i><u>The openness of the Green Belt will be protected from inappropriate development.</u></i> <i>Proposals for minerals and waste development within the Green Belt shall comply with national policy.</i></p>
MM57	Policy DM 7, page 125	<p>Amend the last sentence of Policy DM 7 as follows:</p> <p>'Further guidance on the application of this policy is included in a <u>the Kent Minerals and Waste Local Plan Safeguarding</u> Supplementary Planning Document <u>(March 2021)</u>.'</p>	<p>TWBC welcomes the inclusion of this SPD (it is also suggested that a hyperlink to it be included), in accordance with our comments to previous consultations on the KMWLP review.</p>
MM58	Paragraph 7.8.2, page 130	<p>Amend the last sentence of paragraph 7.8.2 as follows:</p> <p>'Planning applications for sites located in areas prone to flooding must be accompanied by a suitable Flood Risk Assessment <u>which demonstrates the flood risk of the site can be safely managed without increasing flood risk elsewhere.</u>'</p>	<p>TWBC agrees with this modification and is considered to strengthen the policy wording in relation to flood risk, in line with national policy.</p>
MM60	Policy DM 10, page 131	<p>Change to text of Policy DM 10 as follows:</p>	<p>TWBC welcomes the proposed modifications and additions to the wording, as</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
		<p>'exacerbate flood risk in areas prone to flooding (as shown in Figure 15) and elsewhere, both now and in the future <u>(taking account of climate change recommended uplifts)</u>. Measures to reduce flood risk where possible are encouraged.'</p> <p>'All minerals and waste proposals must include measures to ensure the achievement of both no deterioration and improved ecological status of all waterbodies within the site and/or hydrologically or hydrogeologically connected to the site. <u>Applications for minerals and waste proposals within Source Protection Zones (SPZ) and Groundwater Vulnerability and Aquifer Designation areas must be accompanied by a hydrogeological and/or hydrological assessment(s) that investigate the potential present and future risks of unacceptable adverse impacts on the water environment associated with the proposed development and how these will be adequately mitigated to prevent such impacts. In all other cases, hydrogeological and/or hydrological assessment(s) may be required to demonstrate the effects of the proposed development on the water environment and how these may be mitigated to an acceptable level.</u></p> <p><u>For sites within areas at risk of flooding, a Flood Risk Assessment will be required to demonstrate flood risks to the site can be safely managed, without increasing flood risk elsewhere.'</u></p>	<p>they are considered to strengthen the policy and provide clarification in relation to climate change, source protection zones and flood risk assessments in accordance with national policy/guidance and Environment Agency advice.</p>
MM69	Policy DM 19, page 145	<p>Amend the final paragraph of Policy DM 19:</p> <p>'Aftercare schemes <u>concerned with Biodiversity Net Gain should be for at least 30 years. Schemes related to other forms of aftercare</u> should incorporate an aftercare period of at least five years. Where appropriate, voluntary longer periods for certain uses will be sought through agreement between the applicant and minerals planning authority.'</p>	<p>TWBC agrees with and welcomes this modification in accordance with our comments in relation to BNG and the minimum 30-year aftercare requirement (to comply with national policy and BNG regulations) sent in</p>

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
			response to previous consultations on the KMWLP review.
MM73	Paragraph 9.2.1, page 181	Amend paragraph 9.2.1 as follows: 'The following Policies Maps display the Mineral Safeguarding Areas (MSAs) in Kent. <u>The MSAs within Kent cover the same areas as the Mineral Consultation Areas (MCAs).</u> The maps cover the following authority's areas in Kent:	Please see TWBC's comments for MM19, MM20 and MM21 above. It is not clear why MCAs have been deleted in previous sections but are mentioned here.
MM75	Glossary, page 196	Insert definition of 'Ancient Woodland' into the glossary as follows: ' <u>Ancient Woodland - An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).</u>	TWBC welcomes this addition, given Tunbridge Wells borough has the largest area of ancient woodland coverage within Kent, and to assist the reader. (Noted it is the same definition as that given in Annex 2 of the NPPF).
Sustainability Appraisal (SA)		N/A	TWBC considers the SA objectives, outcomes and recommendations to be comprehensive, and it is evident that these have been incorporated into updates and main modifications for the

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
			KMWLP particularly in relation to biodiversity, flood risk, climate change, transport, economic growth and the waste hierarchy.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Representation Form

We welcome your comments on the Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39.

The Kent Minerals and Waste Local Plan 2024-39 was submitted to the Secretary of State for independent examination on 17 May 2024. The appointed Planning Inspector has now considered all representations made regarding the documents and discussed all relevant matters and issues during hearings in September 2024, and, in light of this, a number of Main Modifications have been identified that are required to ensure the Local Plan is sound and legally compliant.

Before the Inspector can make final recommendations on the proposed Main Modifications, they must be subject to public consultation.

An appraisal of the impacts of the Main Modifications on social, economic and environmental objectives has been undertaken and included in a Sustainability Appraisal (SA) which has also been published.

Please use this form to tell us your views on the soundness and legal compliance of the proposed Main Modifications and the accompanying Sustainability Appraisal. Your representations will be collated and passed on to the Planning Inspector who will then consider what further changes may need to be made to the draft Kent Minerals and Waste Local Plan 2024-39 before it can be adopted.

Once completed you can upload this form online at www.kent.gov.uk/mineralsandwaste

If you are unable to upload the form, please complete this Word/paper form and return it to:

Email: mwlp@kent.gov.uk

Address: Minerals and Waste Planning Policy Team, Planning Applications Group, Invicta House, Maidstone, Kent, ME14 1XX

Please ensure your response reaches us by midnight on 28 November 2024. Please note that responses received after this deadline will not be considered.

What information do you need before completing the questionnaire?

Before commenting on the proposed Main Modifications (MM) of the Kent Minerals and Waste Local Plan 2024-39, we would strongly recommend that you read [the Guidance Note](#).

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



This consultation specifically invites representations on the proposed Main Modifications and no other aspect of the Plan. The Guidance Note explains the soundness tests and statutory plan making requirements relevant to this consultation.

Please note: There will not be any other opportunities to make further representations or provide evidence relating to the Main Modifications following this process. Please include all the information, evidence and supporting information necessary to support or justify your representation and any suggested change(s) to the Plan. After this stage, further submissions will only be invited at the request of the Planning Inspector.

Full representations will be submitted to the Planning Inspector. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

You may also find it helpful to read our [Frequently Asked Questions](#).

Privacy: Kent County Council (KCC) collects and processes personal information in order to provide a range of public services. KCC respects the privacy of individuals and endeavours to ensure personal information is collected fairly, lawfully, and in compliance with the General Data Protection Regulation and Data Protection Act 2018. Read the full Privacy Notice at the end of this document.

Alternative formats: If you require any of the consultation material in an alternative format or language, please email: alternativeformats@kent.gov.uk or call: 03000 42 15 53 (text relay service number: 18001 03000 42 15 53). This number goes to an answering machine, which is monitored during office hours.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Section A - Personal Information

Q1. Please tell us in what capacity you are completing this form:

Please select one option.

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | As an individual |
| <input type="checkbox"/> | On behalf of someone else |
| <input checked="" type="checkbox"/> | On behalf of an organisation / affiliation |

Q1a. Please tell us your name or the person you are responding on behalf of:

Please provide a first and last name. Please write in below.

Gwenda Bradley – Principal Planning Officer

Q1b. Please tell us the name of your organisation / affiliation (if relevant):

Please write in below.

Tunbridge Wells Borough Council (TWBC)

Q1c. Please provide details of who should be contacted regarding this response:

Please include an address, phone number and email address in the box below.

Planning Policy
Tunbridge Wells Borough Council
Town Hall
Mount Pleasant Road
Royal Tunbridge Wells
Kent TN1 1RS
planning.policy@tunbridgewells.gov.uk
01892 554056

Section B - Representation

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM8, MM10, MM11, MM27, MM38, MM68	MM number
Various (as below)	Paragraph
Various (as below)	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

Mod ref	Policy/ Paragraph and page number	Suggested Modification to Policy Wording (KCC)	TWBC Comment
MM8	Paragraph 2.2.1, page 24	These modifications (listed in the Mod ref) column all include the following amended wording: <u>National Landscapes (formerly known as</u> Areas of Outstanding Natural Beauty (AONB)	TWBC notes and agrees with this modification following the rebranding of all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales as National
MM10	Strategic Objective 9, page 56		
MM11	Strategic Objective 15, page 57		
MM27			

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



MM38	Paragraph 5.10.14, page 82		Landscapes in November 2023.
MM68	Policy CSW 6, page 95		
	Policy DM 19, page 145		

Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM3	MM number
Paragraph 1.3	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with this addition, in line with the NPPF and DfT Circular 01/2022.

For consistency, TWBC would suggest that the Circular and/or Strategic Road Network is also referred to under Policy CSM12: Sustainable Transport of Minerals, as it is noted that Key Arterial Routes are mentioned at criterion 1 of the policy and footnote 65. It is also noted that such modification is proposed for Policy CSW 6: Location of Built Waste Management Facilities where 'Kent's Arterial Routes' are replaced with 'Strategic Road Network'.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM5	MM number
Paragraph 1.5.1	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with this addition as it provides clarity in relation to the subsequent list of requirements.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM6	MM number
Paragraphs 2.1.4 and 2.1.5 Footnote 25 Footnote 26	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with this modification which provides an update on the Kent and Medway Economic Partnership (KMEP) (which includes Tunbridge Wells borough) and is considered to set out clear and positive economic ambitions for the County.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM7	MM number
Figure 3	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with replacement Figure 3 (revised map showing the extent of the KMEP, including Tunbridge Wells borough).

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM13	MM number
New paragraph 5.2.17	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with and welcomes this addition and cross referencing with other policies, given that the sharp sand and gravel sites (Stonecastle Farm and Moat Farm) referred to in the previous paragraph 5.2.15 are located within/straddle the boundary of Tunbridge Wells borough.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM19	MM number
Paragraph 5.5.3	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input checked="" type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input checked="" type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

TWBC is concerned that no reason/explanation is given for the deletion of Mineral Consultation Areas (MCAs), when consultation between KCC and the relevant borough planning authorities on development within MCAs is stated to be obligatory in [National Planning Policy Guidance - Minerals](#).

Therefore, TWBC objects to the proposed deletion - it having negative implications on the test of soundness for the KMWLP.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Keep reference to MCAs in the Plan.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM20	MM number
Paragraph 5.5.7	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input checked="" type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input checked="" type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

TWBC is concerned that no reason/explanation is given for the deletion of Mineral Consultation Areas (MCAs), when consultation between KCC and the relevant borough planning authorities on development within MCAs is stated to be obligatory in [National Planning Policy Guidance - Minerals](#).

Therefore, TWBC objects to the proposed deletion - it having negative implications on the test of soundness for the KMWLP.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Keep reference to MCAs in the Plan.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM21	MM number
Policy CSM 5	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input checked="" type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input checked="" type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

TWBC is concerned that no reason/explanation is given for the deletion of Mineral Consultation Areas (MCAs), when consultation between KCC and the relevant borough planning authorities on development within MCAs is stated to be obligatory in [National Planning Policy Guidance - Minerals](#).

Therefore, TWBC objects to the proposed deletion - it having negative implications on the test of soundness for the KMWLP.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Keep reference to MCAs in the Plan.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM22	MM number
Paragraphs 5.8.1 and 5.8.2	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC welcomes this modification in the interests of promoting and increasing recycling of aggregate waste and sustainability.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM30	MM number
Paragraph 6.2.6	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC generally agrees with this addition to support landfill diversion targets and increased recycling. However, we are also aware that the funding of recycling activities may be amended, and it is currently unknown who will provide funding going forward. We therefore have concerns that there may be cost implications for TWBC.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM31	MM number
Policy CSW 3	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with this modification, which is considered to provide clarity within the policy wording (rather than it being included as a footnote) for major development.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM38	MM number
Policy CSW 6	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC generally agrees with the proposed modifications, which are considered to strengthen the protection of designated sites and National Landscapes.

However, we also note that proposed MM38 changes 'significant' to 'unacceptable' and MM48 changes 'unacceptable' to 'significant' and consider that a reason/explanation would have been beneficial to provide clarity in relation to these changes of consistency in the policy wording.

The amended reference to the Strategic Road Network (see comments for MM3 above) is also noted.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM48	MM number
Policy DM 2	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC generally agrees with the proposed modifications, which are considered to strengthen the protection of designated sites and National Landscapes.

However, as for our comment on MM38, we note that proposed MM38 changes 'significant' to 'unacceptable' and MM48 changes 'unacceptable' to 'significant' and consider that a reason/explanation would have been beneficial to provide clarity in relation to these changes of consistency in the policy wording.

The added reference to the Kent Nature Partnership Biodiversity Strategy is also noted and welcomed.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM52	MM number
Policy DM 3	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with the proposed modifications, which are considered to strengthen the requirements and provisions for ecological impact assessments in relation to geodiversity/biodiversity assets and achieving Biodiversity Net Gain.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM53	MM number
Footnote 104	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with this modification which now provides clarification in relation to dates.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM54	MM number
Policy DM 4	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input checked="" type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

TWBC considers the amended policy to be 'thin' and ineffective. It is suggested that some additional wording be added to improve soundness (see response to Q3).

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Suggested additional wording:

The openness of the Green Belt will be protected from inappropriate development. *Proposals for minerals and waste development within the Green Belt shall comply with national policy.*

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM57	MM number
Policy DM 7	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC welcomes the inclusion of this SPD (it is also suggested that a hyperlink to it be included), in accordance with our comments to previous consultations on the KMWLP review.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM58	MM number
Paragraph 7.8.2	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with this modification and is considered to strengthen the policy wording in relation to flood risk, in line with national policy.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM60	MM number
Policy DM 10	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC welcomes the proposed modifications and additions to the wording, as they are considered to strengthen the policy and provide clarification in relation to climate change, source protection zones and flood risk assessments in accordance with national policy/guidance and Environment Agency advice.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM69	MM number
Policy DM 19	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC agrees with and welcomes this modification in accordance with our comments in relation to BNG and the minimum 30-year aftercare requirement (to comply with national policy and BNG regulations) sent in response to previous consultations on the KMWLP review.

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM73	MM number
Paragraph 9.2.1	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input checked="" type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input checked="" type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Please see TWBC's comments for MM19, MM20 and MM21.

It is not clear why MCAs have been deleted in previous sections but are mentioned here.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Keep reference to MCAs in the Plan.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

MM75	MM number
Glossary	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

TWBC welcomes this addition, given Tunbridge Wells borough has the largest area of ancient woodland coverage within Kent, and to assist the reader. (Noted it is the same definition as that given in Annex 2 of the NPPF).

**Proposed Main Modifications to the Kent
Minerals and Waste Local Plan 2024-39
Consultation: 17 October to 28 November 2024**



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



You will need to complete questions 2, 3 and 4 for each Main Modification (MM) that you wish to comment on. Please duplicate these questions as many times as required to cover each Main Modification that you wish to comment on. If you would rather not provide feedback on a specific part, please state 'no comment' and move on to the next question.

Q2. Which proposed Main Modification does this representation relate to? Please be specific in terms of MM number, paragraph and policy number (as applicable).

Sustainability Appraisal	MM number
	Paragraph
	Policy number

Q2a. Do you consider the Main Modification makes the Local Plan legally compliant? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q2b. Do you consider the Main Modification makes the Local Plan sound? Please select one option.

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



The Inspector must be satisfied that the Local Plan meets four soundness requirements:

- is 'positively prepared',
- is 'justified',
- 'effective',
- 'consistent with national policy'.

In [the Guidance Note](#) you will find explanations on each of these four requirements and how they need to be met.

Q2c. If you consider the Main Modification to be unsound, please select the reason for this: Please select all that apply.

<input type="checkbox"/>	Not positively prepared
<input type="checkbox"/>	Not justified
<input type="checkbox"/>	Not effective
<input type="checkbox"/>	Not consistent with national policy

Q2d. If you consider this Main Modification to be unsound and/or not legally compliant, please explain why in the box below. Please be precise and give as much detail as possible.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q3. In light of the above, please explain in the box below what change(s) you consider necessary to make the Kent Minerals and Waste Local Plan 2024-39 legally compliant and/or sound.

Please be precise as possible and explain why this change(s) would make the Local Plan legally compliant and sound. Please also include in your response any suggested revised wording you feel is necessary.

Q4. If you support the Main Modification and wish to make any comments to that affect, please use the box below.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q5. If you wish to make any further comments on the Main Modifications, please use the box below.

Q6. Do you have any comments on the Sustainability Appraisal October 2024? Please tell us in the box below.

TWBC considers the SA objectives, outcomes and recommendations to be comprehensive, and it is evident that these have been incorporated into updates and main modifications for the KMWLP particularly in relation to biodiversity, flood risk, climate change, transport, economic growth and the waste hierarchy.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Q7. Do you have any other comments?

No

Thank you for taking the time to complete this form.

Full responses will be submitted to the Planning Inspector appointed by the Secretary of State for Independent Examination. They will be made publicly available on our website with all personal data removed. Please read our privacy statement below for further details.

Closing date for responses: midnight on 28 November 2024

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Minerals and Waste Local Plan Privacy Statement

We keep this privacy notice under regular review and was last updated on 4 January 2024.

Kent County Council (KCC) respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

Who we are

KCC collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and the Data Protection Act 2018. We are responsible as 'controller' of that personal information. The Planning Applications Group, as the minerals and waste planning authority for Kent, has a statutory duty to prepare a plan for waste management capacity and mineral provision in accordance with the Planning and Compulsory Purchase Act 2004 ('the Act') and the Town and Country Planning (Local Planning) (England) Regulation 2012 ('the Regulations'). Our Data Protection Officer is Benjamin Watts.

The personal information we collect and use

Information collected by us

In the course of providing a minerals and waste planning service, we collect the following personal information when you provide it to us:

- name
- address
- signature
- email
- telephone number
- full address of the development
- landowner and land occupier information
- any other information that you may provide to us within your correspondence.

We also collect 'special category data' (personal data which is more sensitive and is treated with extra care and protection, for example race and ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about health, and genetic and biometric data) if it is provided to us.

We also obtain personal information, including special category data if it is provided, from other sources as follows:

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



- name, address, signature, email, telephone number, full address of the development and comments submitted via agents and interested parties via KCC's consultation portal.
- name, address, email, telephone number shared with us from other third parties such as from the district councils, other enforcement agencies, other KCC departments, cabinet members, county councillors, central government.

How we use your personal information

We use your personal information to comply with our statutory duties and any legal obligations and where it is necessary to perform a public task in the public interest as the mineral and waste planning authority.

We store and use personal information submitted to us in relation to the Minerals and Waste Plan making processes in order to:

- make decisions about the use of land in the public interest
- to develop and review the Minerals and Waste Local Plans (MWLP)
- to produce and maintain a Statement of Community Involvement
- to undertake consultation events (such as in relation to a call for sites, site plans)
- to produce a Local Aggregate Assessment (LAA) and Annual Monitoring Review (AMR).

We have a statutory obligation to provide these services in accordance with planning legislation including:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004
- Town and Country Planning (Local Development) Regulations 2004 as amended
- The Town and Country Planning Act (Local Planning) (England) Regulations 2012
- Planning Act 2004
- Town and Country Planning Development Management Procedure England Order 2015
- Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- Local Government Act 1972
- Local Government Act 1974
- Local Government (Access to Information) Act 1985
- any Regulations made pursuant to the above legislation.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



Reasons we collect and use your personal information

We rely on public task or legal obligation as the lawful basis on which we collect and use your personal data.

We rely on substantial public interest as the lawful basis on which we collect and use your special categories of personal data.

We rely on the statutory or government purposes condition in the Data Protection Act 2018 to process your special category data.

We take the following appropriate safeguards in respect of your special category data when relying on the conditions above:

- We have a Special Category and Criminal Records Appropriate Policy Document in place when using your special category data. This policy is retained throughout the time we use your data and for 6 months after we cease to use it.
- We have a retention schedule which explains how long data is retained.
- We maintain a record of our processing in our 'Record of Processing Activities' and record in it any reasons for deviating from the periods in our retention schedule.

The provision of contact details and your correspondence or representation (including where you choose to provide special category data) enables us to provide a minerals and waste plan making service.

Anyone can make a representation in relation to a current consultation event (for example, in relation to the MWLP work and review of the Statement of Community Involvement), but comments must be made in writing and should not be anonymous.

Representations can be submitted via the consultation portal or directly to the MWLP Team. Any views or comments received as part of a MWLP consultation event will be taken into account and [at Regulation 19 stage] will be sent in unredacted form to the Secretary of State and the Planning Inspectorate as part of the plan making process.

As we have a statutory basis for collecting your personal data, if you do not provide your name and contact details, we may not be able to acknowledge your response or communicate with you and this may affect the service that we provide.

If you are submitting supporting information, which you would like to be treated confidentially or is special category data, please let us know as soon as you can, ideally in advance of submitting your representation or correspondence. You can do this by contacting the MWLP Team.

How long your personal information will be kept

All information submitted within a response to a consultation event (such as the MWLP, Statement of Community Involvement) including names, addresses,

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



signatures and contact details, will be retained by the council for 6 years after the end of the relevant plan making cycle.

All information submitted within a response to the Aggregate Assessment Survey and Annual Monitoring Review including names, addresses, signatures and contact details, will be retained by the council on a permanent basis.

Personal information including your name and contact details which is retained on our database during the plan making process for the purpose of keeping you informed about the plan making process will be deleted 6 years after the end of the relevant plan making cycle.

Personal information including your name and contact details retained on our consultation database will be retained for the purpose of keeping you informed unless you opt out of this via your registration within the consultation database.

Who we share your personal information with

All information (including personal data and special category data for which we have a legal basis to process) stored on our databases and in our case files may be shared with a contracted external provider who is carrying out planning or IT work on behalf of the planning authority.

All information submitted in response to a MWLP consultation event will be shared in redacted form on our website and on our consultation database. We usually publish the full text of consultation responses you provide on our website. We will redact your address, signature and email address and any special category data from your comment however, you should be careful not to provide any personal data or special category data (previously called sensitive personal data) about yourself in these comments which is capable of identifying you or anyone else. If you do so, you must be aware that these may be seen by the public at large and may be shared as detailed in this privacy notice.

All information submitted in response to a MWLP consultation [at Regulation 19 stage] (including personal data and special category data for which we have a legal basis to process) will be shared with the planning inspector appointed by the Secretary of State to conduct the minerals and waste plan examination, and during examination in public, will be subject to the current Planning Inspectorate privacy guidance.

All information submitted in response to a Statement of Community Involvement consultation will be shared only in redacted form.

All information submitted in response to a local aggregates assessment request will only be shared on our website in an aggregated format and this will not include personal data.

Where relevant, information may be shared in the event of a request made under the Freedom of Information Act 2000 or Environmental Information Regulations 2004. In

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



such cases personal data will be redacted and any information that has been provided on a confidential basis will be withheld, if an exemption under the relevant regulations apply.

We will share personal information (including unredacted information if required) with law enforcement or other authorities if required by applicable law or in connection with legal proceedings.

In the event of a legal challenge, unredacted correspondence (including personal data and special category data for which we have a legal basis to process) will be sent to the courts and may be disclosed to third parties.

Where relevant, unredacted correspondence (including personal data and special category data for which we have a legal basis to process) received will be sent to the Local Government and Social Care Ombudsman regarding alleged complaints about maladministration by a public authority.

We will share personal information with our legal and professional advisers in the event of a dispute, complaint or claim. We rely on Article 9(2)(f) where the processing of special category data is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

We will sometimes need to share the unredacted information we have with other departments in KCC and other external statutory bodies.

Your rights

Under the GDPR you have a number of rights which you can access free of charge which allow you to:

- know what we are doing with your information and why we are doing it
- ask to see what information we hold about you
- ask us to correct any mistakes in the information we hold about you
- object to direct marketing
- make a complaint to the Information Commissioner's Office.

Depending on our reason for using your information you may also be entitled to:

- object to how we are using your information
- ask us to delete information we hold about you
- have your information transferred electronically to yourself or to another organisation
- object to decisions being made that significantly affect you
- stop us using your information in certain ways.

Proposed Main Modifications to the Kent Minerals and Waste Local Plan 2024-39

Consultation: 17 October to 28 November 2024



We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us from delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the [UK Information Commissioner's Office](#) on individuals' rights under GDPR.

If you would like to exercise a right, please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Contact

Please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

You can contact our Data Protection Officer, Benjamin Watts, at dpo@kent.gov.uk, or write to: Data Protection Officer, Sessions House, Maidstone, Kent ME14 1XQ.

GDPR also gives you right to lodge a complaint with the [Information Commissioner](#) who may be contacted on 03031 231113.