



Kent Minerals and Waste Local Plan 2024-39 Public Examination

Public Hearing – KCC Opening Statement

1. On behalf of Kent County Council I would like to thank the Inspector for giving the Council an opportunity to make an opening statement to this hearings stage of the Independent Examination into the Kent Minerals and Waste Local Plan 2024-39. Before going any further allow me to introduce myself, I am Sharon Thompson, Head of Planning Applications at the Council. I am now pleased to introduce the team who, along with myself, will be assisting the Inspector with her enquiries during these hearings, they are:
 - Bryan Geake, Principal Planning Officer
 - Chloe Miles, Senior Planning Officer
 - Caroline Maclean, Senior Planning Officer
 - Ian Blake, Partner with BPP Consulting
 - Alan Potter, Partner with BPP Consulting
 - Hilary Livesey, Associate Consultant, Amey (Sustainability Appraisal)
 - Annabel Graham Paul, Counsel, Francis Taylor Buildings
2. The Plan before the examination follows a review of the Kent Minerals and Waste Local Plan 2013-30 which was adopted in 2016 with some limited changes adopted in September 2020 as part of an Early Partial Review. A separate Kent Mineral Sites Plan which allocates three areas of land suitable for development associated with the extraction of sands and gravel was adopted in 2020. Together these documents form part of the Development Plan which represents the planning policy framework for minerals and waste development in Kent. A potential update to the Kent Minerals Sites Plan is currently being considered in light of the identified need for hard rock, but this does not form part of the current examination. It is at Regulation 18 stage in the plan making process, with no decision made on whether to allocate a site or not.
3. The Kent Minerals and Waste Local Plan sets out how and where waste will be managed and how minerals will be provided for up to 2039. All development requires reliable minerals supply and effective waste management and so this Plan and the supporting Kent Minerals Sites Plan are of crucial importance to ensuring growth in Kent and to ensuring Kent makes a practical and sustainable contribution to the waste management and mineral requirements of other areas.
4. The adopted Minerals and Waste Local Plan, the Minerals Sites Plan together with the adopted Local Plans prepared by the twelve Kent district and borough

councils and any adopted Neighbourhood Plans form the statutory development plan for Kent.

5. The statutory 5 year review of the adopted Plan undertaken in 2021 found that whilst much of the adopted Local Plan is still relevant, and the policies were performing as intended, some updates were needed to respond to changes in government policy and legislation since 2016. These included:
 - changes to the NPPF, government policy and guidance on the achievement of a circular economy;
 - changes concerned with the need to adapt to and mitigate climate change and associated more towards low carbon growth;
 - changes relating to the protection and enhancement of the natural environment;
 - changes are also proposed in respect of an extended plan period to reflect national requirements for a 15-year plan horizon and associated aggregate mineral requirements;
 - the Plan proposes the deletion of the strategic waste site at Norwood Quarry, Isle of Sheppey and the strategic mineral site at Holborough;
 - a revised policy relating to the management of low-level radioactive waste; and
 - how the County plans for the provision of waste from London.
6. Revisions have also been proposed to ensure that the Local Plan takes account of the current local context including a need for the development of additional household waste management capacity and the Kent Environment Strategy and the Kent and Medway Energy and Low Emissions Strategy.
7. In light of the above, revisions have therefore been proposed in the Plan before you to its Vision, Strategic Objectives, policies and supporting text and monitoring framework.
8. Whilst not strictly required, the Council has taken the opportunity to review the changes to the Plan which were made as a result of the Early Partial Review Plan and adopted in 2020.
9. The Minerals and Waste Local Plan before you seeks to provide:
 - the long-term Spatial Vision and Strategic Objectives for the supply of minerals and management of waste in Kent;
 - a delivery strategy that identifies how the vision and objectives are to be achieved in the form of overarching strategic planning policies to encourage appropriate mineral extraction, importation and recycling, and management of waste of all types generated or managed in Kent;
 - Development Management policies that will ensure that waste and minerals development does not cause unacceptable adverse impacts and maximises benefits wherever possible; and
 - a framework for monitoring the Plan's implementation.

10. The Kent Minerals and Waste Local Plan does not identify specific sites for minerals and waste developments. The adopted Plan currently identifies that suitable mineral sites will be allocated in a separate Minerals Sites Plan. For a site to be acceptable for allocation, it has to align with the objectives of the Kent Mineral and Waste Local Plan, be justified and be deliverable. The quantity of mineral to be planned for is provided for in the Kent Minerals and Waste Local Plan, Policy CSM2.
11. The acceptability or otherwise of waste development is determined against a criteria based approach assessed against the Plan's policies, rather than allocations in a Waste Sites Plan.
12. It is noted that the Plan was submitted in advance of the Supreme Court's decision in respect of Finch v Surrey County Council in June 2024. We have however considered the Plan and its Sustainability Appraisal in light of the decision and consider that no changes are required in respect of the consideration of downstream effects of greenhouse gases. The County has no active oil and gas sites and there are no Petroleum, Exploration and Development Licences (PEDL) in the county. (The latter being a licence issued by the government which permits the operator to explore for, or produce, oil and gas in England and is necessary in advance of a planning application being made). There is therefore insufficient data at the plan making stage available to consider downstream effects with any certainty. Should a hydrocarbon development be proposed, the consideration of downstream emissions would be considered at planning application stage and the Government's licensing stage when meaningful data would be available.
13. Recognising the far reaching and long-lasting influence this Plan will have, its preparation has been guided by the principles of inclusivity, transparency and accountability that the Council has committed to in its Statement of Community Involvement. In practice this has involved widespread ongoing and proactive engagement and collaboration with communities, their representatives, local organisations and businesses. The passing of the Plan through each key stage of the plan-making process has been supported by effective consultation. The Plan has been prepared in cooperation with the district and borough councils of Kent, neighbouring local authorities and other minerals and waste planning authorities that may be affected by and wish to influence the direction and policies contained within the Plan. This has ensured that, where the Plan has cross-boundary impacts effective cooperation has taken place.
14. The Plan is based on an evidence base that is both proportionate and current, ensuring it identifies relevant issues and provides appropriate solutions. In particular the Plan responds to ongoing requirements for minerals to be provided for in a sustainable manner and the need to manage an increasing amount of waste in accordance with the waste hierarchy. The adopted Plan submitted for examination is permissive of waste development that supports management higher up the waste hierarchy.

15. The potential impacts of the emerging Plan were assessed by Sustainability Appraisal and Habitat Regulations Assessment and their findings have been properly taken into account.
16. As well as considering other local plans, the Plan has been prepared in a manner that assures consistency with national policy, in particular the National Planning Policy Framework, the National Planning Policy for Waste, the Waste Management Plan for England, and also the Planning Practice Guidance
17. The Plan is intended to cover a period to 2039 and so, for it to remain fit for purpose, it must be flexible and have been prepared with that in mind. The Council is confident that the Plan will stand up to the scrutiny of this examination, as an appropriate and sound basis for waste and minerals planning in Kent for the next 15 years.
18. Since the Plan was submitted, the Council has continued to liaise with representors. In certain cases, Statements of Common Ground have been prepared and submitted to the Inspector, along with the negotiation of the concerns of the Environment Agency raised in its Hearing Statement. This, as well as the Council's consideration of the Inspector's Matters and Issues, has resulted in the formulation of a small number of proposed modifications to the Plan which the Council invites the Inspector to recommend.
19. Finally I confirm the Council's commitment to help the Inspector with her examination. We intend to participate fully in the hearings and the team is also willing and able to deal with matters between hearing sessions should it be required. I can confirm that the necessary delegations are in place to support officer agreement to any further modifications to be expedited as necessary, though of course these would always be ultimately subject to ratification by Members of the Council who I would add are fully supportive of this Plan and what it seeks to achieve.

Sharon Thompson
Head of Planning Applications
Kent County Council