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By email to: mwlp@kent.gov.uk

Date: 09/02/2022

Dear Bryan

Kent Minerals and Waste local Plan 2013-30; Regulation 18 Consultation Draft

Thank you for consulting Maidstone Borough Council (MBC) on the draft refresh of the Kent Minerals and Waste Plan (2013-30). Maidstone Borough Council's comments on the draft plan are detailed below.

The Planning and Compulsory Purchase Act 2004 (as amended) places a legal duty on planning authorities to engage constructively, actively, and on an ongoing basis, to ensure the effectiveness of Local Plan preparation in relation to strategic issues. Effective and ongoing joint working between strategic policy-making authorities is integral to the production of a positively prepared and justified strategy. MBC and KCC have consistently and positively engaged on their respective plan making processes and MBC therefore considers that the duty to cooperate in plan-making between the two authorities has been satisfied to date and that cooperation is ongoing.

MBC are supportive of the plan as a whole and the overall aims of the policy refresh, however MBC are of the view that Policy CSW 3 (Waste Reduction) requires further consideration. The proposed new wording of the policy requires that for applications submitted to Maidstone Borough Council additional information be supplied at application stage. This will likely mean that MBC is required to add to their Local List a requirement for a Waste Management Supplement to accompany Design and Access Statements. Additionally, the Head of Service considers that a planning condition to this effect is unlikely to meet the legal tests.

I hope these comments are helpful and look forward to continuing, constructive dialogue on strategic issues as part of the duty to cooperate as our respective Local Plans progress.

Yours sincerely,

Rob Jarman

Head of Planning and Development

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