

Housing Strategy Topic Paper

Planning is a technical process, driven by legislation and government policy and advice. This topic paper uses a number of acronyms and technical terms, so the glossary below has been prepared to assist the reader.

Acronym	Term	Description
	Affordable Housing	<p>The NPPF defines affordable housing as: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:</p> <p>a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).</p> <p>b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.</p> <p>c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local</p>

		<p>incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.</p> <p>d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.</p>
AMR	Authority Monitoring Report	The Monitoring Report provides a framework with which to monitor and review the effectiveness of local plans and policies.
	Brownfield	See Previously Developed Land
	Brownfield Register	Registers of previously developed land that local planning authorities consider to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Local planning authorities will be able to trigger a grant of permission in principle for residential development on suitable sites in their registers where they follow the required procedures.
	Development plan	Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.
DPD	Development Plan Development	A DPD is a spatial planning document that is subject to independent examination. Under new regulations, DPDs are now known as local plans.
	Housing Delivery Test	Measures net additional dwellings provided in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November.
	Larger Villages	Most sustainable settlements in Maidstone's settlement hierarchy after the town centre, urban area and rural service centres: Boughton Monchelsea Coxheath Eyhorne Street (Hollingbourne) Sutton Valence

		Yalding
LP17	Maidstone Borough Local Plan	The Maidstone Borough Local Plan is the key document that sets the framework to guide the future development of the borough. It plans for homes, jobs, shopping, leisure and the environment, as well as the associated infrastructure to support new development. It explains the 'why, what, where, when and how' development will be delivered through a strategy that plans for growth and regeneration whilst at the same time protects and enhances the borough's natural and built assets. The plan covers the period from 2011 and 2031.
NPPF	National Planning Policy Framework	The NPPF was published in February 2019 and it sets out the government's planning policies for England and how these must be applied. Local plan policies must be in conformity with the NPPF.
	Neighbourhood Plan	A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.
	Previously Developed Land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
PPG	Planning Practice Guidance	The PPG provides additional guidance on how the national policies in the National Planning Policy Framework should be interpreted and applied.
	Rural exception sites	Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.
	Rural Service Centres	Most sustainable settlements in Maidstone's settlement hierarchy after the town centre and urban area: Harrietsham Headcorn Lenham Marden Staplehurst

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SA	Sustainability Appraisal	The SA is a tool for appraising policies to ensure they reflect sustainable development objectives, including social, economic and environmental objectives.
	Self-build and custom-build housing	Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing.
SHLAA	Strategic Housing Land Availability Assessment	The purpose of a Strategic Housing Land Availability Assessment is to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for employment over the plan period.
SHMA	Strategic Housing Market Assessment	A Strategic Housing Market Assessment assessed the local planning authority/s full objectively assessed need for new homes. This is expressed as the number of new homes needed over the time period the local plan covers. The SHMA also considers affordable housing needs and the need for additional care home places. The National Planning Practice Guidance advises that local planning authorities work with neighbouring authorities where housing market areas cross administrative boundaries.
SPD	Supplementary Planning Documents	An SPD provides further detail to a policy or a group of policies set out in a local plan. A SPD can provide additional detail about how a policy should be applied in practice. SPDs are a material consideration in planning decisions but are not part of the development plan.
	Windfall sites	Sites not specifically identified in the development plan

Background/Context

This topic paper considers the strategic housing matters that include the location, typology, mix, and tenure of housing development

Legislative Requirements

Housing Act 2004

- Provides a legal basis for the control of minimum housing conditions in existing and new housing stock.
- Provides a basis for the licensing of houses in multiple occupation (HMOs).

Self-build and Custom Housebuilding Act 2015 - Places a duty on certain public authorities to keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects and to place a duty on certain public authorities to have regard to those registers in carrying out planning and other functions.

Housing and Planning Act 2016

- Requires local authorities to meet demand for custom built and self-built homes by granting permissions for suitable sites.
- Amends provisions for the management of social housing, including right to buy.
- Amends private rental legislation.
- Simplifies and speeds up the neighbourhood planning process.
- Gives the Secretary of State more flexible powers to intervene if local plans are not effectively delivered.
- Enables the Secretary of State to require local authorities to hold a register of various types of land, with the intention of creating a register of brownfield land to facilitate unlocking land to build new homes; and enables "permission in principle" to be given to suitable housing-led sites identified in the brownfield register and in local and neighbourhood plans, and provides an opportunity for applicants to obtain permission in principle for small sites.
- Reforms the planning condition and obligations regime.
- Allows developers who wish to bring forward applications for housing relating to a major infrastructure project to apply for consent under the nationally significant infrastructure planning regime.
- Takes steps to improve the compulsory purchase regime, and make it clearer, fairer and faster.
- Establishes provisions for the disposal of publicly owned land.

Neighbourhood Planning Act 2017

- Reinforces the status of Neighbourhood Plans in the Development Plan.
- Ensures that all local planning authorities in England identify the strategic priorities for the development and use of land in their areas and interventions where documents are not in place and seeks to improve the involvement of communities and others in plan-making.

- Introduces a power for the Secretary of State to make regulations which prescribe the circumstances where certain conditions may or may not be imposed and descriptions of such conditions for the purpose of ensuring that conditions meet national policy tests in the National Planning Policy Framework.
- Removes permitted development rights for the conversion of drinking establishments (pubs).
- Shifts power from central government towards local government to set up and manage development corporations for new towns.
- Requirement for local authorities to record specified prior approvals for permitted development on the planning register to ensure they are counted correctly.
- Clarifications on Compulsory Purchase provisions.

Homes (Fitness for Human Habitation) Act 2018 - An Act to amend the Landlord and Tenant Act 1985 to require that residential rented accommodation is provided and maintained in a state of fitness for human habitation, and for connected purposes.

National Policy and Guidance Requirements

National Planning Policy Framework (NPPF)

The NPPF outlines three objectives for achieving sustainable development. The key one for this topic paper is the **social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

Overall Housing Need(s)

As there is an extant 2017 Local Plan, this review is based on the changes brought forward in the 2019 NPPF. The most significant requirement is the clarification that objectively assessed housing need should be met locally where possible. This is a significant requirement given that the current methodology increases the borough's annual target from 883 to 1,157¹ homes. The new requirement is based on the interplay of population growth (through household formation rates), property price and local income levels, and there is a 40% cap on the increase above the current level (883 units p.a.). This "worst case" scenario would establish a new housing target of 1,236 new homes p.a. from 2022. While the Strategic Housing Market Assessment (SHMA) based number is appropriate, it is recognised that while the Local Plan Review (LPR) is being prepared new indicators and changes to the national methodology may come forward. As such the Council is preparing for the target of 1,157 homes p.a., whilst keeping the position under review.

Housing Typologies

¹ Maidstone SHMA Dec 2021, Icen Projects Ltd

A significant shift in the 2019 NPPF is the requirement for local planning authorities to seek to meet the needs of a wide range of different types of housing. This includes housing required for families with children; affordable housing; self-build and custom build development; student accommodation; Travellers who have ceased to travel; private rented sector and build to rent; and, specifically the need for housing for older people. The 2019 SHMA identifies the need for each of these groups (with the exception of housed Travellers). An important point to make is that, should all of these constituent needs exceed the overall housing need figure (1,214-1,236), the overall housing need figure takes precedence, and it is the Council's role to make appropriate policies to balance these typologies needs within this overall figure.

Additionally, there is a requirement for 10% of all housing growth to be on sites of below 1Ha (paragraph 68).

Rural Housing

The LP17 includes a policy supporting Rural Exceptions sites in the borough (DM13). In addition to this, the 2019 NPPF adds the opportunity to include Entry-level Exceptions sites aimed at providing housing stock for first-time buyers in rural areas (paragraph 71).

There may be potential for setting a threshold of 5 units for affordable housing contributions in rural areas.

Opportunities for local/ village centres to establish networks of infrastructure should be explored, for example by having shared catchments for infrastructure items, identifying corridors which have functional relationships, or splitting assets between neighbouring villages.

Gypsy and Traveller Accommodation

There have been no updates to national policy and guidance in respect G&T Accommodation assessments. As the current new Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTTSAA) runs to 2031 a new GTTSAAA has been commissioned to cover the Local Plan Review period. Survey work for this study commenced in winter 2020. Owing to the COVID-19 lockdowns and subsequent public health advice, the new GTTSAA has been delayed.

National Planning Practice Guidance (PPG)

The NPPG offers practical advice on planning for a range of housing-related matters, covering:

Build to rent

Provides guidance on how residential developments specifically designed and targeted at the private rental sector should be planned for.

Effective use of land

Provides guidance on making effective use of land, including planning for higher density development.

Housing and economic land availability assessment

Sets out the method for assessing housing and economic land availability.

Housing needs of different groups

Advice on planning for the housing needs of different groups including self-build and custom build housing, affordable housing, rural housing, student housing, and private rented housing.

Housing for older and disabled people

Guides councils in preparing planning policies on housing for older and disabled people.

Housing: optional technical standards

Guidance on how planning authorities can gather evidence to set optional requirements and the nationally described space standard.

Housing supply and delivery

Guidance on 5-year housing land supply and Housing Delivery Test.

First Homes

Provides guidance on the incorporation of First Homes into affordable housing policy.

Rural housing

Guidance for councils in how to consider rural housing policies.

Self-build and custom housebuilding registers

Guidance on the preparation and monitoring of self-build and custom housebuilding registers.

Ministerial statements

The Written Ministerial Statement of the 24 May 2021 set out the government's plans to introduce First Homes, a new affordable housing home ownership product. This requires 25% of affordable housing to be offered for sale at a 30% discount at a minimum of 30% discount of the market price.

Maidstone Borough Local Plan 2017 (LP17) Policies: Strategic vs Non-strategic

The location and delivery of housing growth within Maidstone borough is considered to be a strategic matter which needs to be addressed by the LPR's strategic policies.

Key Strategic Policies

There are a number of existing strategic policies pertaining to the location of growth across the borough within the plan period which either relate to the borough overall (**SS1**) or to specific areas (**SP1-17**) of the borough where housing will be accommodated.

Housing is covered by a number of strategic policies within the LP17. Thematic strategic policies cover:

RMX1 (Retail and mixed use site allocations) sets out individual land allocations for retail and mixed use sites. Sites RMX1(1) to RMX1(6) will provide 263 dwellings.

H1 (Housing Site Allocations) sets out criteria for individual site allocations for housing varying in size, type and density that assist in meeting the housing need in the urban area, rural service centres and larger villages. (H1(1) to H1(65)).

H2 (Broad Locations for housing growth) sets out future locations for housing growth varying in size, type and density in Maidstone Town Centre, Invicta Park Barracks and Lenham that assist in meeting the housing need.

SP19 (Housing Mix) seeks to ensure the delivery of sustainable mixed communities across new housing developments and within existing housing areas throughout the borough.

SP20 (Affordable Housing) requires sites of 11 units or greater² to make an affordable housing contribution (30% within the urban area, 40% outside).

Specific housing allocations are included as strategic policies **H1(1)-H1(66)**, and broad locations as **H2(1)-H2(3)**. Detailed site allocation policies contain proposals for a mix of uses, including residential at **RMX1(1)-RMX1(5)**.

GT1 (Gypsy and Traveller site allocations) sets out criteria for individual site allocations that assist in meeting the gypsy and traveller pitch need in the Borough. (GT1(1) to GT1(16)).

Non-strategic Policies

DM9 (Residential extensions, conversions, and redevelopment within the built up area).

² This policy threshold has been superseded by the NPPF amendments, and now seeks affordable housing on major sites (defined as 10 units or more, or of 0.5ha or greater (other than in designated rural areas)).

DM10 (Residential premises above shops and businesses).

DM11 (Residential garden land).

DM12 (Density of housing development).

DM13 (Affordable local needs housing on rural exceptions sites).

DM14 (Nursing and care homes).

DM15 (Gypsy, Traveller, and Travelling Showpeople accommodation).

DM32 (Rebuilding and extending dwellings in the countryside).

DM33 (Change of use of agricultural land to domestic garden land).

DM35 (Live-work units).

LPR1i (A review of housing needs).

LPR1ii (To review the allocation of land at the Invicta Park Barracks broad location and at the Lenham broad location if the latter has not been achieved through a Lenham Neighbourhood Plan in the interim).

LPR1iii (Identification of additional housing land to maintain supply towards the end of the plan period and, if required as a result, consideration of whether the spatial strategy needs to be amended to accommodate such development).

All of these policies remain non-strategic, with the exception of density, which will be a matter with the potential to affect how much growth is allocated to different areas. It is expected that while mentioned in the strategic policies, density will remain controlled by a detailed DM Policy.

Relevant Supplementary Planning Documents (SPD) and Planning Policy Advice Notes

Affordable and Local Needs Housing SPD (2020) - Sets out Maidstone Borough Council's expectation for affordable and local needs housing provision in specific schemes for landowners, lenders, house builders and Registered Providers.

Residential Extensions SPD (2009) - Sets out guidance for how applicants can achieve high quality design outcomes for extensions within settlements and extensions within the countryside.

Kent Design Guide - Sets out a guide for developers and others to achieve high standards of design and construction. This provides local authorities a common approach to the main principles when assessing planning applications.

Maidstone Strategic Plan Requirements

The Strategic Plan sets out the Council's aspirations through to 2045, the vision is '*Maidstone: a vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential*'. The relevant priority based on the vision is:

Embracing Growth & Enabling Infrastructure

- Housing need is met, including affordable housing.
- Expanding the Council's role in the delivery of affordable and market rent housing.

The requirements in meeting this priority include:

- Have a place that people love and where they can afford to live.
- Ensuring that there is a good balance of different types of homes, including affordable housing.
- Safe and desirable homes that enable good health and wellbeing for our communities.
- Address homelessness and rough sleeping to move people into settled accommodation.

Kent County Council (KCC) Policy Framework

Better homes - This document describes the strategic direction for housing across the Kent, based on the local ambitions and aims of the districts, boroughs and Medway Council. It is unique in that it looks across a whole county area and brings district, borough, unitary and county council ambitions together in a bottom-up approach.

Better Homes, Active Lives (2011) - The Better Homes Active Lives housing project is to build and manage modern apartments for older and disabled people in Kent with money from central government. KCC is working in partnership with Housing and Care 21 (who are providing the housing) and ten of the 12 district and borough councils in the county.

Other Key Plans and Strategies (incl. Neighbourhood Plans)

Neighbourhood Plans - Form part of the Maidstone Development Plan. There are six made plans:

- North Loose Neighbourhood Plan 2015 – 2031 (2016)
- Staplehurst Neighbourhood Plan 2016 – 2031 (2016 and amended 2020)
- Loose Neighbourhood Plan 2018 – 2031 (2019)
- Marden Neighbourhood Plan 2017 – 2031 (2020)
- Lenham Neighbourhood Plan 2017 – 2031 (2021)
- Boughton Monchelsea Neighbourhood Plan (2021)

There are is a further plan which has passed referendum and forms part of the Maidstone Development Plan:

- Otham Neighbourhood Plan 2020 – 2035 (2021)

The Neighbourhood Plans list below have consideration for housing development in the neighbourhood plan area.

- North Loose Neighbourhood Plan – will consider garden development only in exceptional cases. A mix of housing types and densities that reflect local needs and demographic changes and respect the context and character of the area in which the development is located will be supported.
- Staplehurst Neighbourhood Plan – the design of new housing developments should be principally informed by local architecture and where possible incorporate design features to promote energy and water efficiency. Requires a range of appropriate tenures and sizes of new properties to meet local needs and demands will be delivered.
- Marden Neighbourhood Plan – support given to small-scale Gypsy and Traveller sites which provide adequate amenities for occupants and which do not result in unacceptable harm to the amenities of existing residents in the vicinity of the site, the character of the countryside or the biodiversity of the wider area. Support will be given to the development of rural exception sites for local needs housing where a proven need has been demonstrated. Support will be given to development which provides housing suitable for older residents.
- Lenham Neighbourhood Plan – requires proposals for self or custom built homes to provide a masterplan and design code. The plan allocates housing sites for approximately 1000 homes.
- Boughton Monchelsea Neighbourhood Plan – development for new or improved accommodation and facilities for Gypsies and Travellers will be considered in the context of other relevant policies in the plan; development providing for gypsies and travellers which does not comply with Maidstone Borough Local Plan policies will not be supported.

There are a number of neighbourhood plans which are emerging alongside the LPR. The Parish Council and MBC will need to work together to minimise any potential conflicts. In the case where there is a conflict, emerging neighbourhood plans will need to be in general conformity with the strategic policies of the adopted Maidstone Borough Local Plan and then also with the strategic policies contained in the LPR once adopted. Government legislation requires that where non-strategic policies in neighbourhood plans and local plans overlap, the last document to become part of the Development Plan takes precedence.

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Housing Strategy 2016-2020 - Sets out guidance for tackling housing challenges in the borough to provide a clear strategic vision. There are three priorities that the council and its partners need to address:

- Enable and support the delivery of quality homes across the housing market to develop sustainable communities.

- Ensure that existing housing in the borough is safe, desirable and promotes good health and wellbeing.
- Prevent homelessness, secure provision of appropriate accommodation for homeless households and supporting vulnerable people.

Housing Development Regeneration Investment Plan - Sets out opportunity sites that have been approved as having high priority for regeneration within the town centre. These include Lenworth House, Union Street and Brunswick Street.

Housing White Paper 2017 (Fixing our broken housing market) - Sets out methods to address shortfall in affordable homes and boost housing supply. It concentrates on the following:

- Planning for the right homes in the right locations
- Building homes faster
- Diversifying the market
- Helping people now.

Democratic Resolutions (Full Council/Committees)

Town Centre Article 4 Directions (SPI 10.09.2019) - Non-Immediate Article 4 Directions were made on 14 town centre sites to remove permitted development rights on office to residential development.

Town Centre Opportunity Sites (SPI 05.11.2019) - Planning Guidelines were adopted as material planning considerations for 5 town centre sites.

Meeting Objectively Assessed Need

The Council has an objectively assessed annual housing need target of 1,157 units currently. There is a need to provide a range of types of housing, including affordable housing as part of this mix. This is evidenced through the Council's Strategic Housing Market Assessment.

To inform the final local plan housing land supply there will need to be additional viability evidence carried out. This will test a range of site typologies across a range of locations across the borough to identify what financial constraints there are in delivering the policy outcomes identified in the Plan.

The Council has a need for 187 permanent pitches to be provided in the Borough during the period October 2011 and March 2031. A further 11 plots for Travelling Showpeople will be required over the same period. A new GTTSAAA has been commissioned to cover the Local Plan Review period. Survey work for this study commenced in winter 2020. Owing to the COVID-19 lockdowns and subsequent public health advice, the new GTTSAA has been delayed. Discussions with consultants undertaking the GTTSAA have indicated that there will be a significant need for new pitches in Maidstone over the plan period to 2037.

Supporting Evidence (Current and Future)

Strategic Housing Market Assessment (SHMA) – The SHMA finds that housing need is based on realistic, trend-based projections and there are no exceptional circumstances which would justify a lower level of housing need. On the other hand, there is no clear evidence that a higher level of housing provision would be justified, albeit that the Council will need to consider how the affordable housing need will be met in developing its local plan.

The SHMA identifies Maidstone Borough as falling within a housing market which extends to include Aylesford, New Hythe, Snodland, Ditton, Leybourne and Kings Hill. It will be important for the Council to actively engage with authorities in these areas on any cross-boundary issues arising in regard to housing provision through the preparation of the Local Plan Review. It also identifies wider functional relationships with Medway, Swale, Ashford, and Tunbridge Wells, as well as London.

The SHMA indicates a net need for 559 affordable homes per year, based on the 2019 NPPF definition of need. Of this 75% is for rented affordable housing and 25% for affordable home ownership products. Within the need for rented affordable housing, 45% is for social rented and 55% for affordable rented homes. The SHMA recommends that affordable home ownership homes are priced to be affordable to households who cannot afford lower quartile house process.

The Council is justified in seeking affordable housing through new development schemes. Local plans should include policies advising on the proportion of affordable housing sought through new development and the recommended tenure and size profile of this, taking account of the needs evidence and testing of residential development viability. In negotiating affordable housing on individual schemes, the Council should have regard to this as well as to the profile of need at the local level at the time of considering a planning application and, where applicable, the viability of the development scheme.

The total affordable housing need shown equates to 48% of the total housing need shown (as derived from the Standard Method). This is higher than current affordable housing delivery, but it important to note that the standard method implies a significant increase on historical housing delivery rates, and a substantial rate of housing growth. If this supports an increase in market housing affordability, it will reduce the need for affordable housing. It is important that housing is costed to be genuinely affordable for local people and therefore the SHMA recommends that rents are set at levels which do not exceed Local Housing Allowance levels.

Housing typologies

The younger person population (aged 25 to 44) in Maidstone is expected to grow by approximately 21% between 2019-37. House prices prevent many younger households from buying a home. The Help-to-Buy Equity Loan has provided some support for younger households in being able to buy a home, and a range of measures have been sought to provide options for younger households to

buy. This includes delivery of rented and low-cost home ownership housing and rent-to-buy homes, both in the urban and rural parts of the borough. Going forward, First Homes will deliver 25% of the overall affordable housing in the borough as affordable home ownership. Rural exception and entry level exception sites can contribute positively to this.

People aged over 65 represent 19% of Maidstone Borough's population but numbers are projected to increase by 15,800 (48%) between 2019-37 with a substantial growth of 9,300 persons aged 75+ driven by improvements in life expectancy. Linked to this is an expected increase in the number of people with a long-term health problem or disability which is anticipated to rise by 10,100 persons in the borough over the 2019-37 period. The numbers of people with mobility problems are expected to rise by over 3,400 over this period; with growth over 1,400 persons with dementia. A need is shown for 1,500 wheelchair-user homes.

Whilst many older households will continue to live in the general housing stock, some may require or choose retirement or specialist housing if a choice of attractive homes is available. A need is shown for 1,300 homes with support units, such as sheltered housing or retirement living, over the period to 2037, the majority of which are expected to be leasehold. There is also a need for 800 homes with care units, with a need for both market and affordable provision which can be met through provision of extra care housing. Additionally, there is a need for 1,200 care or nursing home bed spaces to 2037. Taking account of the current stock and expected demographic trends (including the expectation that some older households will downsize if the right properties are available), the SHMA points to a need for different types of homes in both the market and affordable sectors. Both strategic and local findings should be taken into account when the appropriate mix of housing on individual development sites is considered.

The SHMA outlines that these strategic and local findings should inform negotiations regarding the mix of housing to be delivered on individual development sites alongside consideration of the existing housing mix in the settlement, and where appropriate evidence of the profile of households on the Housing Register in an area or needs shown through local survey evidence.

The SHMA points to some potential for co-living / buying schemes to come forward in Maidstone, although it is unlikely that these schemes will contribute significantly to overall housing growth. Outside of London, Build-to-Rent development is currently a reasonably embryonic market, although there is a pipeline of such schemes progressing in central Maidstone. Consequently, it is appropriate for the Council to consider how policies may be applied. Self-build and custom build development are also growing sectors of the housing market, and one which has potential to contribute to housing delivery. There are, however, different potential delivery models for how this could be delivered which need to be considered in formulating planning policies. The SHMA outlines that self/ custom build schemes should be supported on both small and larger sites in the borough.

Strategic Land Availability Assessment (SLAA) Draft - The purpose of the SLAA is to identify and assess the land which is available to meet all objectively assessed needs for the LPR. This includes meeting needs for housing, employment, retail, and infrastructure purposes. This will draw together the outputs from:

- Call for Sites 2019
- Additional sites submitted to the Council, generally in response to the 2019 and 2020 local Plan Regulation 18 consultations
- Call for Sites - Site Assessments
- Annual Monitoring Report into existing Local Plan progress
- Windfall Assessment update
- Retail, Employment, Housing, and G&T Needs Assessments
- Alternative sources of sites
- Garden Settlement Assessments.

The SLAA will include site assessments of the Call for Sites proposals, looking into the suitability and achievability of sites to be allocated in the local plan. A sub-section of the SLAA will include an assessment of Garden Settlement proposals. The SLAA is a working document and will be published when finalised.

Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTTSAA) - A new GTTSAA has been commissioned and survey work for this study commenced in winter 2020. Owing to the COVID-19 lockdowns and subsequent public health advice, the new GTTSAA has been delayed.

Duty to Cooperate

At present the Council is proceeding on the basis that it is able to meet its housing need on sites within the borough. There are various housing market overlaps identified, from the macro (London influence) to the local (strong with the Malling area, and weaker with Medway/Tonbridge/Tunbridge Wells/ Ashford). Requests have been made from green belt authorities to the west of Maidstone for assistance in accommodating their identified growth. Additionally, in December 2020 MBC was approached by Tunbridge Wells Borough Council. The Council feels that no case has thus far been made that Maidstone specifically is in a particularly advantageous position to meet their need when compared to other Authorities in a similar proximity. Additionally, despite being largely outside of the green belt, there is not a significant surplus of land or infrastructure in Maidstone which makes it a particularly good candidate for absorbing neighbouring authorities' needs.

Development Management (DM) Input

- There is insufficient wording on infill in the town centre, this should be promoted.
- Greater detail is needed in SP20 relating to different types of affordable housing.

- Current implementation is to skip to financial contribution rather than securing on-site provision. This needs to be clarified.
- Clarity on self-build homes providing affordable housing contributions needs to be made.
- The requirements for new development allocations to provide additional infrastructure, on-site and/or off-site, need to be made clearer.
- Guidance on outbuildings/day rooms on Gypsy and Traveller sites.
- Need for caravans to meet definition of a caravan/status should be covered in the policy.
- DM5 – Development on brownfield land
 - Minor amendments to wording
- DM9 – Residential extensions, conversions and redevelopment within the built-up area
 - Principle of the unlikely to change, minor amendments to wording due to NPPF changes.
- DM10 – Residential premises above shops and businesses
 - Policy may need to be amended to reflect changes to permitted development rights
- DM11 – Residential garden land
 - Principle of policy unlikely to change, minor amendments to make the policy more specific
- DM12 – Density of housing development
 - Update to reflect changes in the NPPF around minimum densities
- DM13 – affordable local needs housing on rural exception sites
 - Principle of policy unlikely to change, minor amendments to reflect new definitions in the NPPF and way of providing affordable housing by non-RP's
- DM14 Nursing and care homes
 - Update to reflect the emerging SHMA evidence
- DM15 – Gypsy, Traveller and Travelling Showpeople accommodation
 - Minor amendments to update the policy to reflect the development of outbuildings /dayrooms on sites and further defined appropriate development

Regulation 18a (Scoping Themes and Issues) References

The introduction of the standard methodology has the potential to raise the housing target for Maidstone borough by 40% from 883 to 1,236 new homes per annum. There will be a need to identify sites and locations to achieve this annual figure over the plan period. The Strategic Land Availability Assessment evidence base document catalogues the suitability of available land in the borough.

From the current estimate of new homes, the review will need to find sites for is 9,227. This derives from taking out known supply from the plan requirement. It is expected that achieving the required level of growth will require a blend of the following type of sites:

- Maidstone Town Centre – Work in progress on guidance for five key Brownfield Sites
- Rest of Maidstone Urban Area.
- Edge of Maidstone

- In and at the edges of sustainable villages
- Countryside sites
- New Garden Communities
- Small sites
- Brownfield sites
- Exception sites.

Rationale will be set out for the preferred options amongst alternatives for future patterns of growth, with the required infrastructure to support this growth.

Initial Spatial Options are:

- Maidstone focus
- Dispersal spread to key locations across the borough
- Planned new settlements and Major extension to new settlements.

There will be a review of the settlement hierarchy which will be informed by evidence to determine if changes are needed. Currently the three classifications are:

- Maidstone town
- Rural Service Centres
- Larger Villages.

It appears that all relevant matters have been addressed as part of this consultation, in relation to the social infrastructure topic area.

Public Consultation Regulation 18a

OQ1: What can the Local Plan Review do to make the growth we need 'good growth'?

- Highest level of response to this question proposed the use of brownfield land for new development. Residents (283)
- There was support for providing infrastructure alongside or before new housing growth. Residents (57); Parish Councils (11); Developers (5); Agencies (7); Other (9)
- KCC is concerned that the quantum of housing required from the Objectively Assessed Need is too high, and should be locally determined (statutory consultee comment).
- Good growth must address health and wellbeing. This can be achieved by not only considering healthcare and leisure facilities, but also the wider determinants of health, such as access to green space, air quality and economic opportunity (statutory consultee comment).

TQ3: How do you think the council can achieve a consistent annual rate of housebuilding throughout the Local Plan Review Period?

- There was strong support for the provision of smaller sites which have shorter delivery timeframes and better integration with existing

communities. The risk of overdependency on large sites was also raised. Residents (276); Developers (13); Other (4)

- Support for using deliverable brownfield sites where possible. Residents (15); Developers (3); Other (4)
- There was support for building a diverse mixture of types of new homes. Developers (22); Other (12)
- The market is already adequately/over supplied and there is no need for more homes, in the short term at least. Residents (13); Other (5)
- Garden Settlements potentially provide for a continued rate of housing delivery over a long timeframe (statutory consultee comment).
- Sensible to assume that there will be delays to delivery of some sites in the Plan (statutory consultee comment).

TQ4: Have we identified all the possible types of housing sites?

- Emphasis should be on identifying brownfield sites, including surplus employment sites. Residents (270), Parish Councils (3)
- Support for local needs housing in new developments. Residents (13); Other (6)
- KCC seeks that homes are built, sited and designed to allow for benefits such as remote working, reducing the requirement for unnecessary travel whilst being more environmentally sustainable (statutory consultee comment).
- Garden Settlements potentially offer an opportunity to provide a wider scope of housing types (statutory consultee comment).

TQ5: What approaches could we use to identify more small sites suitable for allocation in the Local Plan Review?

- Support for a dynamic approach to land that has long been allocated for employment uses which has not come forward for that use. Residents (197)
- Promote a general plan policy which promotes the delivery of sustainable and deliverable "white land" within settlements. Residents (231)

TQ6: What approaches could we use to increase the number of new homes being built on brownfield sites and to make brownfield development more viable and attractive to developers?

- Building on brownfield sites/disused offices should be mandatory before greenfield sites are considered or put in the local plan. Residents (25); Other (10)
- Building on brownfield land needs to be made more profitable than greenfield (greater s106/CIL contributions for greenfield). Residents (27); Parish Councils (12); Other (7)

TQ7: What factors should we take into account when considering minimum density standards elsewhere in the borough, beyond the town centre?

- Density should follow the pattern of the existing developments in the area. Residents (47); Developers (14); Parish Councils (7); Other (10)
- Ensure infrastructure is put in place for new developments (e.g. roads wide enough to deal with the increase in road users). Residents (8); Parish Councils (4); Other (2)
- Densities in rural villages should not increase due to the adverse effects on the existing community. Residents (6); Other (5)
- Be careful that the density still provides alternative outlets such as gardens, parks and leisure facilities in order not to create mere dormitories. Residents (9); Other (2)
- Garden Settlements may provide an opportunity for variable housing density (statutory consultee comment).
- Tall buildings are not the only, or necessarily the most effective, means of achieving higher densities (statutory consultee comment).

TQ11: What is your preferred option for future patterns of growth (A, B, Bi or C) and why?

- Residents generally prefer development focused on Maidstone urban area. Residents (30); Parish Councils (8); Other (10)
- Developers generally prefer an approach which balances the Maidstone Urban area and other rural locations in and around villages. (Residents (19); Developers (22); Other (5)
- Support for larger consolidated growth locations such as urban extensions or garden settlements (statutory consultee comment).
- A blend of existing and new locations may be suitable (statutory consultee comment).
- A combination of A and B. Residents (265); Developers (1); Expert agency (1); Parish Council (2); Residents Association (1)

TQ13: If your favoured option won't achieve the number of new homes needed, at the rate they are needed, what combination of options do you think would be best?

- Generally, there is support for locating growth where there are good levels of existing infrastructure. Residents (110); Other (2)
- Local opposition to expanding existing rural villages. Residents (125)

TQ16: How can the Local Plan Review best plan for different types of housing which will be needed?

- Support for affordable housing, including local needs housing. Residents (292); Parish Councils (10); Other (14)
- Support for development which helps to establish multi-generational settlements. Residents (3); Developers (4); Expert Agency (1); Councillor (1); Parish Council (2)

- Developers advocate a dispersed land market which creates a bank of land to respond to different needs. Developers (15); Other (6)
- A blend of existing and new locations may be suitable (statutory consultee comment).

TQ17 – How can the Local Plan Review best plan for the accommodation needs of Gypsy & Travellers and Travelling Show people?

- Support for the designation of permanent sites for Gypsy and Traveller communities. Residents (17); Parish Councils (6); Other (7)
- Provision for Gypsy and Traveller communities considered at a county level. Residents (10); Parish Council (4)
- The best way to proceed is the Gypsy and Traveller Accommodation Assessment to see if any changes are needed to the Local Plan. Residents (1); Expert Agency (2)

Regulation 18b (Preferred Approaches) References

Policies relating to gypsies and travellers were:

- SP10 (c) Gypsy and Traveller Site Allocations
This outlined that a new GTTSAA has been commissioned and survey work for this study commenced in winter 2020. Owing to the COVID-19 lockdowns and subsequent public health advice, the new GTTSAA has been delayed.

Whilst work on the GTTSAA has been delayed, discussions with consultants undertaking the GTTSAA have indicated that there will be a significant need for new pitches in Maidstone over the plan period to 2037. The Call for Sites exercise invited the submission of Gypsy, Traveller and Travelling Showpeople sites, however only a small number were put forward for inclusion in the plan. As a consequence, Maidstone is likely to be facing a significant shortfall of sites.

On the basis that the GTTSAA has not been completed and there will be a likely significant shortfall in sites that will not be met by Call for Sites submissions, the most appropriate course of action is to undertake a separate Gypsy, Traveller and Travelling Showpeople DPD, with a targeted Call for Sites work to identify potential new sites, and a Pitch Deliverability Assessment to assess what proportion of the need can be met on existing sites through intensification or expansion, so that the needs of the community can be adequately and appropriately addressed and appropriate engagement can take place.

- HOU 8 Gypsy, Traveller and Travelling Showpeople accommodation
This policy ensures that the need for gypsy and traveller pitches are met whilst having consideration for the impact on the local character and landscape.

Public Consultation Regulation 18b

To be completed following Regulation 18b consultation.

Key comments regarding the policies on gypsy and travellers may be summarised as follows:

- SP10 (c): Respondents requested that allocations take a balanced approach and move away from housing gypsy and traveller communities in isolated rural locations. Consideration to be given to local connections and integration with existing communities.
- SP10 (c): Concern was raised that the G+T need is not addressed in the Local Plan Review and instead to be covered by the DPD.
- SP10 (c): A number of concerns were raised which included unauthorised sites; the number of sites which have permission but have not yet started; the use of sites by people outside of the community; the number of sites within certain parishes compared to other areas; unenforced lifetime conditions not being adhered to; and the impact of flooding on gypsy and traveller sites.
- HOU1: concerns were raised that the policy did not go far enough to cover all brownfield redevelopment across the Borough.
- HOU2: there was general support for the amendments to the policy
- HOU3: Concerns were raised over the wording of the policy not being clear and not accounting for its impact on heritage assets
- HOU4: The policy was supported, but there were concerns over the protections that it gave to amenity of neighbouring residents and an areas character.
- HOU5: concerns were raised as to having prescriptive densities does not allow flexibility or take account of local circumstances.
- HOU8: Respondents requested the strengthening of the position on transit sites.
- HOU8: Ensure reference to long and short views, as well as wooden screening are considered.

Public Consultation Regulation 19

To be completed following Regulation 19 consultation.

Deliverability

Deliverability should be considered with regards housing. Overall, there appears to be some agreement by the development industry that the delivery of 1,200+ new homes p.a. across Maidstone is viable without saturating the market in the

long term³. Over recent years there have been significant shocks to the market arising from Brexit and Covid-19. This initially dampened transaction rates across the UK, particularly in early summer 2020 which led to some recently completed homes struggling to sell, particularly at the more premium end of the market. More recently, indicators⁴ suggest that a post-Covid-19 lockdown bounce has occurred in the market, fuelled by changing consumer priorities and the stamp duty holiday. Whilst there remains significant degree of uncertainty surrounding the long-term outlook for the market, it is expected that, once these factors are in the past, the 1,200+ unit figure will be deliverable. Given that the objectively assessed housing need target is based on population, income, and house price interaction, it provides a self-fulfilling expectation of market absorption.

Imposing policy requirements on development sites affects the viability of their development. This needs to be understood by the Council in order to ensure that the policy requirements are within the appropriate envelope of the development. There are three main issues related to this that are raised in this topic paper, and it should be noted that they will each have a different impact on sites in different parts of the borough, as the residential and other values change.

- Affordable housing is normally the single largest policy requirement for residential development sites. The need for affordable housing, both in terms of price and typology vary across the borough. There is evidence that sales values are higher in the south of the borough than elsewhere (for similar products).
- Mixes of typology and size impact on viability. Developers have historically sought to provide larger family-oriented housing stock in the villages, with a greater emphasis on one and two-bed properties in the town centre.
- Different typologies of housing have different viability profiles.

Potential Objective(s)

The following objectives in the current Local Plan 2017 are pertinent:

2: To focus new development:

- i. Principally within the Maidstone urban area and at the strategic development locations at the edge of town, and at junctions 7 and 8 of the M20 motorway;
- ii. To a lesser extent at the five rural service centres of Harrietsham, Headcorn, Lenham, Marden and Staplehurst consistent with their range of services and role; and
- iii. Limited development at the five larger villages of Boughton Monchelsea, Coxheath, Eyhorne Street (Hollingbourne), Sutton Valence and Yalding, where appropriate.

While these locations are still an appropriate focus for growth, the Council has introduced a new spatial typology in the form of Garden Settlements. If any

³ Feedback from the Agents/Developers Forum (2019), which is a group set up to inform the Council's housing information audit.

⁴ MHCLG Statistical release, Housing supply: indicators of new supply, England: October to December 2020 National Statistics, Monthly property transactions completed in the UK with value of £40,000 or above

garden settlements are included within the preferred approach, this will need to be added to the hierarchy. Additional wording to the Objectives will need to be added to reflect the increased emphasis in the NPPF on planning for the delivery of an appropriate range of types of housing.

3: To transform the offer, vitality and viability of Maidstone town centre including its office, retail, residential, leisure, cultural and tourism functions together with significant enhancement of its public realm and natural environment including the riverside.

This objective is generally still relevant, but it may be beneficial to change “transform” to “improve”.

4: To reinforce the roles of the rural service centres through the retention of existing services, the addition of new infrastructure where possible, and the regeneration of employment sites including the expansion of existing employment sites where appropriate.

This objective is generally still relevant.

5: To support new housing in villages that meets local needs and is of a design, scale, character and location appropriate to the settlement and which supports the retention of existing services and facilities

This objective is generally still relevant.

Reasonable Alternative Approaches

Location of Growth

The Call for Sites and SLAA identify that there is a sufficient availability and suitability of land across the borough to meet the objectively assessed housing needs over the plan period. The main choice that has to be made is how much growth is allocated to different parts of the borough. The current Local Plan allocates development to Maidstone, including the north west and south east of the urban area, and the Rural Service Centres and Larger Villages located around the borough. The choices available to the Council are to continue this pattern, place additional emphasis on one or more of the locations within the existing hierarchy, or utilise one or more of the new growth locations brought forward in the Call for Sites (e.g. Garden Settlements).

Approach A: Continue to allocate sites according to the hierarchy set out in the current Local Plan 2017

This means sites will be allocated in and adjacent to Maidstone, and in and adjacent to Rural Service Centres and Larger Villages.

Approach B: Allocate development to one or more Garden Settlement location(s)

This will reduce the number of sites needed elsewhere in the borough. The number of Garden Settlements allocated is the focus of the Garden Settlements Assessment, as well as Sustainability Appraisal and Transport Modelling.

Approach C: Allocate more growth to the town centre

In line with the more ambitious employment and town centre Reasonable Alternatives, the town centre could become an expanded residential location. The value driven from the town centre residential could help to drive office and town centre uses locally.

Affordable Housing

There is a need identified to secure a range of types of affordable housing on new development across the borough, as evidenced through the Strategic Housing Market Assessment.

Approach A: Retain the Local Plan 2017 affordable housing policy

On sites that meet the affordable housing threshold of 10 units or more, or 0.5ha or greater⁵, maintain the policy of 30% affordable housing for sites within the Maidstone urban area, and 40% for those sites outside the urban area.

Approach B: Seek to maximise affordable housing

Look to maximise the amount of affordable housing. This would mean that affordable housing accounts for a higher proportion of the development value, and other items such as design quality, infrastructure contributions and open space on the site may need to be sacrificed

Approach C: Apply a more localised approach to affordable housing

This approach draws on the current LP17 approach, but seeks to further target the provision of tenures of affordable housing based on where there is localised need. This would include setting different targets for overall need, social rented, and other affordable products in different areas across the borough, potentially including the application of a lower threshold in high value rural areas.

Housing Typologies

There is a requirement to address all types of housing need within Maidstone's overall housing portfolio. New development can make a contribution towards meeting each individual need typology, but is unlikely to meet all needs within the objectively identified additional future housing supply. A far more significant opportunity exists in the repurposing of existing stock to be used more effectively to meet overall need. Planning would only have partial control over

⁵ NPPF threshold

this process, however, through the granting of permissions for conversion and/or redevelopment of stock which better meets the range of needs identified in the SHMA.

Approach A: Keep the Local Plan 2017 housing mix policy and add detail about typologies as set out in the NPPF

This is effectively a do-minimum option, to add reference to the greater detail established in the NPPF. How this would be done would likely be the focus of Development Management policies, and potentially an update to the Affordable and Local Needs Housing SPD. This approach is based on a site-by-site negotiation on planning applications.

Approach B: Apply a neighbourhood-level housing type and mix policy

This approach draws on the current LP17 approach, but seeks to further target the provision of typologies of housing based on local stock and need evidence. This would include setting different targets for the size and type of new homes in different parts of the borough.

Tests of Soundness

1. **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

All of the Reasonable Alternatives set out in this paper meet the objectively assessed housing need, and the issue of meeting need across wider market areas is also considered.

2. **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

The Sustainability Appraisal and Transport Modelling will test the relative sustainability of the different patterns of growth.

3. **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.

Sites that are generally considered to be available and suitable and achievable will be included in the SLAA. All reasonable alternatives meet need across the plan period. Strategic matters relating to housing will be considered through the Duty to Cooperate and Statements of Common Ground.

4. **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework (NPPF).

Each site has been considered across a range of suitability (SLAA) and sustainability (SA/ Transport Modelling) criteria to ensure that they contribute towards delivering sustainable development.

Unreasonable Alternatives

Building less than the Objectively Assessed Housing Need is considered to be an unreasonable alternative. Doing this would lead to the Plan being found unsound when examined by an independent Inspector.

There are limits to the capacity of individual areas. This is set out in the Strategic Land Availability Assessment. While it may be desirable to locate a quantum of development in a specific area, land needs to be available, and the design of development needs to be achievable. This limits the capacity that can be achieved in each area across the borough.

Sustainability Appraisal (SA)

The Sustainability Appraisal tested the plan against SA objectives. The outcome of that assessment is as follows:

SP10(a) is expected to have a significant positive effect when considered against SA1 and SA3. It was expected to have a minor positive impact when considered against SA4 & SA5, and no or neutral effect when considered against all other objectives.

SP10 (b) again was expected to have a significant positive effect when considered against SA1, and minor positive effect in respect to SA3 & SA5.

SP10 (c) has been considered in the Sustainability Appraisal and scored positively/neutral across all SA criteria.

HOU6 Returned a significant positive effect when measured against SA1, SA2, SA7 and SA11. It is likely to have a minor positive effect when considered against SA3, SA4 and SA5. HOU6 is likely to have minor negative effects when considered against SA8, and SA9 on account of the fact that such sites are often greenfield.

HOU7 returned positive scores when considered against SA1 and SA4, and scored neutrally against all others.

HOU9 is considered to have significant positive effects for SA7, SA9 and SA11 and minor positive effects when considered against SA1, SA2 and SA4.

HOU 10 returned the highest SA scores, with the potential to have significant positive effects when considered against SA1, 2, 6, 7, 8 and SA11, minor positive effects when considered against SA 4 and 5, and neutral effect on all others.

HOU11 returned neutral scores against all SA objectives with the exception of SA1, SA4 and SA5 for which it is expected to return minor positive effects.

HOU 8 has been considered in the Sustainability Appraisal and scored positively/neutral across all SA criteria.

