

Session 2 –Housing Needs (2); Housing Policies DM11-DM15.

No.	Issue.	Timescale.	Response.
2.1	<p>Policy DM11 For effectiveness:</p> <p>a) Council to consider whether DM11 should or should not be a strategic policy. If so, to also consider whether the reasoned justification should also draw attention to the role of Neighbourhood Plans.</p> <p>b) DM11(5).Removal of the word 'facilitate' and replacement with 'support'</p>	03/11/16	<p>a) The Council believes that DM11 should be considered as a strategic policy. In response to the Inspector's letter of 21 September (ED 011) the Council set out in its response (ED 012) that it agreed that modifications to a small number of the Policies were required to make clear their strategic nature and also to clarify that these should be the Policies with which Neighbourhood Plans should conform once the Local Plan has been adopted. The reasoned justification will be amended to include references to Neighbourhood Plans</p> <p>b) A revised Policy reflecting the changes in wording, plus the amended reasoned justification at (a) is set out below this table. (PC/123)</p>
2.2	<p>Policy DM12 For effectiveness:</p> <p>a) DM12(1) Change the words 'close to' to '<i>adjacent to</i>'</p> <p>b) DM12 (2) Amend to 'At <i>other sites within and adjacent</i> to the urban area...'</p> <p>c) In Policy DM12, Council to consider if any other wording to replace 'expected to achieve' would better provide intended flexibility. [but not 'should deliver']</p> <p>d) Delete first sentence of the final</p>	03/11/16	<p>a) A revised Policy reflecting the changes in wording is set out below this table. (PC/124)</p> <p>b) A revised Policy reflecting the changes in wording is set out below this table. (PC/124)</p> <p>c) The Council believes that this issue is superseded by (d) below which removes this sentence altogether from the</p>

	<p>paragraph (as 30dph unlikely to be appropriate in countryside outside settlements);</p> <p>e) Move final sentence to follow first sentence of the policy to clarify that efficient land use applies to all locations, but subject to the character considerations.</p>		<p>Policy.</p> <p>d) A revised Policy reflecting the changes in wording is set out below this table. (PC/124)</p> <p>e) A revised Policy reflecting the changes in wording is set out below this table. (PC/124)</p>
2.3	<p>Glossary</p> <p>For effectiveness: Add a definition of 'net density' to the glossary and ensure that all references to density in housing policy allocations use net density. This would be consistent with use of net density in Policy DM12.</p>	03/11/16	<p>The Council will insert a definition into the glossary of the Local Plan as follows: (PC/125)</p> <p><i>Net Density:</i> <i>Residential density is typically defined as the number of dwellings per hectare (dph) and is measured as "net" or "gross". Net density refers to the number of dwellings per hectare on land devoted solely to residential development and associated access roads. Land to be used for open space/ green infrastructure, education, employment, community facilities (including health care provision) and environmental mitigation is excluded from the density calculation.</i></p> <p>The Council has considered all allocations in the Local Plan as submitted and confirms that all densities quoted in site allocation policies are net.</p>
2.4	<p>Would the Council please provide a note to explain how changes to settlement boundaries were dealt with through public consultation and the committee process during the preparation of the Local Plan.</p>	03/11/16	<p>Through the preparatory stages of plan making, the Council carried out a number of public consultations on both the full plan and also specific elements of it. At the Publication stage the various elements of the plan were drawn together having been amended as a result of feedback from the consultations and also political</p>

			<p>decisions made in a number of Committee meetings.</p> <p>At this stage, amendments were made to the settlement boundaries of the adopted Local Plan (2000). Where additional site allocations were proposed, these were encompassed within the newly drawn settlement boundaries. Such changes were illustrated in the inset maps in relevant settlement policies in the plan. For settlements that do not accord with the settlement hierarchy, previously defined village boundaries were removed.</p> <p>The Publication version of the Local Plan was considered by the Strategic Planning, Sustainability and Transportation Committee on 13 January 2016 which resolved to recommend to Full Council both the commencement of the Publication consultation and thereafter the Submission of the Local Plan to the Secretary of State. The re-drawn boundaries were included in this version of the document. Full Council met on 25 January 2016 and agreed the recommendation by 38 votes to 13. The consultation was undertaken (with the amended boundaries) between 5 February and 18 March 2016.</p>
2.5	<p>Policy DM13</p> <p>For consistency with national policy in the WMS:</p> <p>a) Amend policy to reflect the wording proposed in Council’s written statement but, in relation to the 1000sqm floorspace threshold, change ‘and’ to ‘or’ to accurately reflect the PPG wording and intention.</p> <p>b) If the Government issues new guidance on affordable housing and</p>	03/11/16	<p>a) A revised version of the Policy is set out following the table that reflects the proposed changes in the Council’s written statement, and the subsequent changes in this action point. (PC/126)</p> <p>b) The Council will keep a watching brief on any changes</p>
		As soon as any policy	

	starter homes before close of examination, MBC to consider any need for associated policy revisions.	or guidance is issued	in guidance from government and act accordingly.
2.6	<p>Policy DM14</p> <p>For effectiveness:</p> <p>a) Amend Policy DM14 as per MBC written statement response to Agenda Qn2.35</p> <p>b) MBC and AONB Unit are asked to reconsider Criterion 6 wording so as to avoid introducing a new and different test for local needs housing in the AONB that may be inconsistent with national policy and statute. Wording should be consistent with wording in:</p> <ul style="list-style-type: none"> -national policy tests (conserve and enhance) -Statutory duty in CRoW Act (due regard etc) -purposes of the AONB 	03/11/16	A revised version of the Policy is set out following the table that reflects the proposed changes in the Council's written statement and further changes set out in (b). (PC/127)

Policy ~~DM14~~ SP18 Housing Mix (PC/123)

(paragraph numbering to be added when plan fully restructured to reflect other changes)

The key requirements for a mixed community are a variety of housing, particularly in terms of tenure and price, and a mix of different households such as families with children, single person households and older people. The borough is made up of a variety of household types including, for example, older people who have specific housing needs that are different to the needs of large families and different again to those of disabled people. Maidstone Borough Council recognises that to truly promote sustainable communities there must be a mix of types of housing that are provided in any given development or location. Through providing a mix of housing types the borough will be able to accommodate the needs of an increasingly diverse population within the borough. The council will actively seek to balance communities where particular house sizes or tenures have become prevalent beyond an evidenced need.

Evidence detailed in the Maidstone Strategic Housing Market Assessment (SHMA) 2015 guides the profiles of development that are required in urban and rural locations. This evidence is valuable in determining the local housing picture and as a consequence which types and tenures of housing are required. The council will not, however, set specific targets within policy because these would result in inflexibility and a situation where imbalances could begin to occur over time.

Custom and self-build housing is housing built or commissioned by individuals or associations of individuals for their own occupation. National Planning Policy and Guidance sets out the need for local planning authorities to identify and take account of such housing need in their area when planning for a mix of dwellings. Whilst the SHMA has not identified a need for custom and self-build housing to be strategically allocated in Maidstone, it is clear that this

sector can play a key role in helping achieve a higher level of home ownership, and that policies should be flexible to take account of changing market conditions over time.

Developers will need to access a range of sources, including the SHMA, to help shape their proposals. Local stakeholders, including parish councils, may often be able to provide targeted information that assists an applicant to submit a locally relevant scheme.

Neighbourhood Plans can also be used as a mechanism to allow some flexibility and local context while contributing to the overarching strategic needs of the borough. Where affordable housing is proposed or required, the housing register will provide additional guidance.

Policy ~~DM11~~ SP18 Housing Mix

Maidstone Borough Council will seek to ensure the delivery of sustainable mixed communities across new housing developments and within existing housing areas throughout the borough.

1. In considering proposals for new housing development, the council will seek a sustainable range of house sizes, types and tenures (including plots for custom and self-build) that reflect the needs of those living in Maidstone Borough now and in years to come.
2. Accommodation profiles detailed in the Strategic Housing Market Assessment 2015 (or any future updates) will be used to help inform developers to determine which house sizes should be delivered in urban and rural areas to meet the objectively assessed needs of the area. In relation to affordable housing, the council will expect the submission of details of how this information has been used to justify the proposed mix.
3. Where affordable housing is to be provided, developers should also take into consideration the needs of households on the council's housing register and discuss affordable housing requirements with the council's housing team at the pre-submission stage of the planning process.
4. Large development schemes will be expected to demonstrate that consideration has been given to custom and self-build plots as part of housing mix.
5. The council will work with partners to ~~facilitate~~ support the provision of specialist and supported housing for elderly, disabled and vulnerable people.
6. Gypsy, Traveller and Travelling Showpeople accommodation requirements will form part of the borough need for housing.

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

Policy DM12 Density of housing development (PC/124)

Policy DM12

Density of housing development

All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated.

Development proposals that fail to make efficient use of land for housing, having regard to the character and location of the area, will be refused permission.

Subject to this overriding consideration:

1. At sites within and ~~close~~ adjacent to the town centre new residential development will be expected to achieve net densities of between 45 and 170 dwellings per hectare.
2. At other sites within and adjacent to the urban area new residential development will be expected to achieve a net density of 35 dwellings per hectare.
3. At sites within or adjacent to the rural service centres and larger villages as defined under policies SP5-10 and SP11-16 respectively new residential development will be expected to achieve a net density of 30 dwellings per hectare.

~~In other settlements not listed above new residential development will be expected to achieve a net density of 30 dwellings per hectare. Development proposals that fail to make efficient use of land for housing, having regard to the character and location of the area, will be refused permission.~~

Policy ~~DM13~~ SP19 Affordable Housing (PC/126)

(paragraph numbering to be added when plan fully restructured to reflect other changes)

The Maidstone Strategic Housing Market Assessment supports the approach of seeking a proportion of dwellings to be provided on-site for affordable housing needs. The council has a net affordable housing need of 5,800 homes from 2013 to 2031¹, equivalent to 322 households each year. This is a significant need for the borough and a clear justification for the council to seek affordable dwellings through new development schemes.

~~Viability testing indicates that affordable housing is achievable across the borough on sites of five or more dwellings. The NPPG refers to circumstances where infrastructure contributions through planning obligations should not be sought from developers: affordable housing should not be sought from developments of 10 units or less, and which have a maximum combined floorspace of 1,000m². The viability testing has assumed the national threshold of 11 dwellings for affordable housing. To support community integration, affordable housing~~

¹ Maidstone Strategic Housing Market Assessment (June 2015)

will be provided on-site, and alternative provision will not be accepted unless there are exceptional circumstances that justify it. Any proposals for off-site or financial provision must be made at the time of the application.

Affordable housing targets will differentiate across the borough by geographical area and existing land use; this is due to relative issues such as sales values and policy considerations. Further viability testing has confirmed that the rural areas in Maidstone are more viable than urban locations, and brownfield sites (previously developed land) within urban areas are less viable than greenfield sites. Viability testing demonstrates that a 40% affordable housing rate can be achieved in the rural areas and a 30% rate within the redefined urban area. A 30% affordable housing requirement for the strategic urban brownfield site allocation at Springfield (policy H1(11)), which is important for the delivery of the local plan would result in limited capacity to provide for necessary supporting infrastructure because of site constraints. The Springfield residential site allocation can accommodate a rate of 20% affordable housing which allows for an appropriate balance of affordable housing with the need to provide for infrastructure.

In order to respond to the identified need for affordable housing of different tenures through the period of the plan, the council will seek an indicative target of 70% affordable rented or social rented housing, or a mixture of the two, and 30% intermediate affordable housing (shared ownership and/or intermediate rent). This ratio was used for strategic viability testing purposes and has been shown to be viable. Specific site circumstances may affect the viability of individual proposals and the council recognises that the need for different tenures may also vary over time².

To ensure proper delivery of affordable housing, developers are required to discuss proposals with the council's housing department at the earliest stage of the application process, to ensure the size, type and tenure of new affordable housing is appropriate given the identified needs. Where economic viability affects the capacity of a scheme to meet the stated targets for affordable housing provision, the council will expect developers to examine the potential for variations to the tenure and mix of provision, prior to examining variations to the overall proportion of affordable housing.

Retirement homes (sheltered housing) and extra care homes (assisted living) are not as viable as other residential uses in Maidstone. A 20% affordable housing rate will be sought for such developments, which will allow for an appropriate balance between affordable housing need and supporting infrastructure provision.

Residential care homes or nursing homes, where 24 hour personal care and/or nursing care are provided, are shown to be even less viable than retirement homes. Population projections predict that 18% of the borough's residents will be over 70 years of age by 2031, compared with 12% in 2011, resulting in a need for 980 additional care home places in the borough. Despite significant investment in recent years, the care homes market shows weak prospects in terms of providing any affordable housing so a zero rate is set.

² Through the new Housing and Planning ~~Bill 2015~~ Act 2016, the Government ~~has signalled its intention to place~~ is placing a duty on local planning authorities to require a proportion of Starter Homes on all reasonably-sized sites. Secondary legislation is expected autumn 2016 and the ~~the~~ council will maintain a watching brief and respond as appropriate.

Developers will be required to pay for viability assessments and any cost of independent assessment. The council will only consider reducing planning obligations if fully justified through a financial appraisal model or other appropriate evidence.

The Government has introduced a vacant building credit to incentivise brownfield development on sites containing vacant buildings. In considering how the vacant building credit should apply to a particular development, the council will consider whether the building has been made vacant for the sole purposes of redevelopment and whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

The affordable and local needs housing supplementary planning document will contain further detail on how the policy will be implemented.

Policy ~~DM13~~ SP19

Affordable Housing

On housing sites or mixed use development sites of five 11 residential units or more, and-or which have a combined floorspace of greater than 1,000m², the council will require the delivery of affordable housing.

1. The target rates for affordable housing provision within the following geographical areas, as defined on the policies map, are:
 - i. Maidstone urban area 30%, with the exception of policy H1(11) Springfield, Royal Engineers Road 20%; and
 - ii. Countryside, rural service centres and larger villages 40%.
2. Affordable housing provision should be appropriately integrated within the site. In exceptional circumstances, and where proven to be necessary, off-site provision will be sought in the following order of preference:
 - i. An identified off-site scheme;
 - ii. The purchase of dwellings off-site; or
 - iii. A financial contribution towards off-site affordable housing.
3. The indicative targets for tenure are:
 - i. 70% affordable rented housing, social rented housing or a mixture of the two; and
 - ii. 30% intermediate affordable housing (shared ownership and/or intermediate rent).

Developers are required to enter into negotiations with the council's Housing department, in consultation with registered providers, at the earliest stage of the application process to determine an appropriate tenure split, taking account of the evidence available at that time.

4. The council will seek provision of 20% affordable housing for schemes that provide for retirement housing and/or extra care homes.
5. The council has set a zero affordable housing rate for ~~for~~ fully serviced residential care homes and nursing homes.
6. Where it can be demonstrated that the affordable housing targets cannot be achieved

due to economic viability, the tenure and mix of affordable housing should be examined prior to any variation in the proportion of affordable housing.

The affordable and local needs housing supplementary planning document will contain further detail on how the policy will be implemented.

Policy DM14 Local Needs Housing on Rural Exception Sites (PC/127)

Policy DM14

Local needs housing on Rural Exception Sites

Outside of Maidstone, the five rural service centres and the five larger villages, The ~~the~~ Council will work with parish councils and local stakeholders to bring forward ~~sustainably located~~ local needs housing at its rural communities. The council will grant planning permission subject to the following criteria.

1. Development has been proven necessary by a local needs housing survey approved by the council which has been undertaken by or on behalf of the parish council(s) concerned. In consultation with the parish council and registered provider of social housing, the council will determine the number, size, type and tenure of homes to be developed after assessing the results of the survey. The council will also use the housing register to determine where there may be unmet housing needs.
2. People meeting the relevant occupation criteria will be given priority to occupy local needs housing (under the council's housing allocation scheme).
3. Local needs housing will remain available in perpetuity to meet the need for which it was permitted. This will be secured by planning conditions and/or legal agreements as appropriate.
4. Sustainability of the site and its settlement will be a prime consideration in decision making. The council will give preference to settlements and communities where a range of community facilities and services, in particular school, health, and shopping are accessible from the site preferably on foot, by cycle or on public transport. The site must also be safely accessed to and from the public highway by all vehicles using the site at all times.
5. The scale of development must be in proportion to the context of the settlement where it is located.
6. Where national landscape, ecological and heritage designations are affected by the proposed development, ~~the necessity for development proposals must be proven to outweigh the purpose for which~~ *have regard to the designation and its purpose is made whilst complying with national policy and guidance.*

An affordable and local needs housing supplementary planning document will be produced to expand on how the proposals in this policy will be implemented.

