

Maidstone Borough Local Plan Examination Session 2B: Housing Policies DM11 – DM15 – Response by Headcorn Parish Council, September 2016

- 1) Headcorn Parish Council is the elected body that represents the residents of Headcorn Parish. Headcorn Parish is a designated Neighbourhood Plan Area, and Maidstone Borough Council has assigned it Rural Service Centre status. The views expressed in this consultation response have been informed by the evidence gathered to underpin Headcorn's Neighbourhood Plan. Headcorn's Neighbourhood Plan is at an advanced stage, having completed its Regulation 16 Consultation on February 26, 2016 and is now at examination. Completion of the examination has been delayed, as the original examiner for Headcorn's Neighbourhood Plan was forced to withdraw, having lost her accreditation. Therefore, Headcorn's Neighbourhood Plan had to be sent to a second examiner, and the examination expected to be completed by the end of October 2016. Headcorn's Neighbourhood Plan enjoys considerable local support, with 93.9% of respondents for the Regulation 14 consultation supporting the draft Plan and similar support expressed at Regulation 16 Consultation. Therefore the views expressed in this consultation response about Headcorn's development should be seen as representative of the overall needs and priorities of the people and businesses within Headcorn Parish.

I. Policy DM11 – Housing mix

Qn2.12 Would specific size mix requirements result in predictability that avoided the need for negotiation or lead to inflexibility and unbalanced provision?

- 2) Headcorn Parish Council is concerned that changes to Policy DM11 to set a prescribed housing size mix at Borough-level would create undesirable inflexibility. It considers that a prescriptive approach would run contrary to NPPF policy on Neighbourhood Planning, as set out in paragraph 184 which states that "*Neighbourhood Planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community.*"
- 3) Any generic approach to prescribing housing size mix at a Borough level would clearly run contrary to the intention of this policy. This conflict in turn would mean that this aspect of the Local Plan would fail in an assessment of soundness.
- 4) Headcorn Parish Council considers that if the Local Plan is revised to specify housing mix and size within Policy DM11, then the revised policy wording should make clear that where Neighbourhood Plan policies cover the same issue, then the Neighbourhood Plan policies will take precedence. Headcorn Parish Council considers that this approach would be necessary to ensure that the Local Plan meets the definition of sound set out in the NPPF, both because it will avoid conflict with NPPF policy on Neighbourhood Plan and because it will reduce the risk of outcomes that conflict with the sustainability criteria within the NPPF.

Qn2.13 In the alternative could the matter be addressed by guidance in the proposed Affordable and Local Needs SPD?

- 5) Headcorn Parish Council considers that any guidance must be clear that the acceptability of planning proposals in different locations will depend on how well they accord with Neighbourhood Plan policies (where applicable), rather than simply setting generic targets. This is necessary to avoid any policy conflicting with government policy on Neighbourhood Plans.

Qn2.14 Does the Local Plan provide adequate support for custom and self-build homes in accordance with national policy?

- 6) Headcorn Parish Council notes that it was keen to encourage the provision of self-build plots through its Neighbourhood Plan. However, at the Regulation 14 consultation both MBC and developers opposed setting specific targets for self-build plots within developments. The compromise in Headcorn's Regulation 16 Neighbourhood Plan has been to provide incentives for developers to provide plots, but not to prescribe the provision of plots.
- 7) Headcorn Parish Council notes that self-build, including community self-build, projects have the potential to provide a valuable route for young households to achieve their aspirations for home ownership at the same time as helping to ensure a varied street scape. To the extent that self-build housing is a substitute to other ways for emerging households to get on the housing ladder, Headcorn Parish Council considers that any targets should be considered jointly with other forms of affordable housing.

Qn2.15 How might Policy DM11(5) effectively support specialist housing and should it be amended?

- 8) Headcorn Parish Council does not intend to comment on this question.

II. Policy DM12 – Density of housing development

Qn2.16 Would the Council please respond to the CPRE representations?

- 9) Headcorn Parish Council has nothing to add to its Regulation 19 comments on Policy DM12.

III. Policy DM13 – Affordable housing

Qn2.17 Should Policy DM13 threshold be amended to more than 11 dwellings or more for consistency with national policy in the Written Ministerial Statement of 28 November 2014?

- 10) Headcorn Parish Council does not intend to comment on this question.

Qn2.18 Should a different threshold be applied in the AONB or for Local Needs sites?

- 11) Headcorn Parish Council does not intend to comment on this question.

Qn2.19 Is the 70%/30% split justified on viability grounds and what modifications may be needed to accommodate national policy on starter homes?

- 12) Headcorn Parish Council considers that (regardless of the evidence on viability) the 70%/30% housing split in rural areas such as Headcorn does not meet the definition of sustainability set out in the NPPF. Headcorn Parish Council notes that the evidence underpinning Headcorn's Neighbourhood Plan would support the substitution of social rented housing with starter homes. Emerging households in Headcorn have a strong preference for buying and the Parish lacks sufficient shared equity dwellings to meet demand.
- 13) Headcorn Parish Council notes that, in order to be consistent with NPPF policy on Neighbourhood Plans, which gives communities control over the types of development in their area, Policy DM13 needs to be clear that the mix of housing types may differ, where Neighbourhood plans have identified different housing needs to those at Borough level.

Qn2.20 Would the suggested modifications represent a departure from the national definition of affordable housing and is that justified?

- 14) Headcorn Parish Council does not wish to comment on this question.

Qn2.21 Is rent to buy more closely related to intermediate housing which is part rent and part purchase and may include staircasing to increased ownership?

- 15) Headcorn Parish Council does not wish to comment on this question.

Qn2.22 Why are the text modifications needed for reasons of soundness and would they be effective?

- 16) Headcorn Parish Council does not wish to comment on this question.

Qn2.23 What form of alternative provision does Golding Homes propose?

- 17) Headcorn Parish Council does not wish to comment on this question.

Qn2.24 How much affordable housing has been provided since 2011 or 2013 other than through S106 developments (eg Council or Housing Association developments) and how much additional provision is anticipated from such sources?

- 18) Headcorn Parish Council does not wish to comment on this question.

Qn2.25 How much affordable housing has been achieved so far as a proportion of developments so far and those awaiting the completion of S106 agreements?

- 19) Headcorn Parish Council does not wish to comment on this question.

Qn2.26 Is affordable housing of all types needed in the countryside and villages?

- 20) Headcorn Parish Council notes that it carried out a detailed assessment of housing need in Headcorn Parish, drawing on the Headcorn residents' survey, census data and Maidstone's SHMA analysis. Headcorn Parish Council notes that the evidence showed that the entire demand for affordable rented housing in Headcorn Parish could be met out of existing supply, but that there was a significant shortfall in the supply of shared equity housing.

Qn2.27 Why would 30% provision be justified in these locations if they are considered unsuitable for 40% provision?

- 21) Headcorn Parish Council also considers that policies on the provision of affordable housing in rural areas such as Headcorn are too high.
- 22) Headcorn Parish Council notes that in the context of Headcorn Parish detailed modelling of housing need has been carried out. Based on this assessed need, the target for affordable housing in Headcorn's Neighbourhood Plan is 20% of houses in developments of more than 9 houses, with the first two out of every three units being shared equity.
- 23) Headcorn Parish Council considers that this level of provision, as well as the split in tenure types, is justified on the evidence. It notes that NPPF policy on Neighbourhood Plan makes clear that communities should be able to get the types of development they need. Therefore a prescriptive approach to setting targets at Borough level not only cannot be justified on the evidence, but also conflicts with the NPPF.

Qn2.28 If the proportion is reduced in those rural areas where affordable housing provision has been shown to be most viable, how would that affect overall provision against the DM13 target?

- 24) Headcorn Parish Council notes paragraph 14 of the NPPF states that sustainability is the golden thread running through the NPPF. As such it is sustainability, not viability that should be the key test. Headcorn Parish Council considers that the current proposals on affordable housing in the Local Plan do not meet the definition of sustainability set out in the NPPF.
- 25) In terms of the viability of alternative provision, Headcorn Parish Council notes that Maidstone's viability study did almost no testing of the option of providing affordable housing in edge of urban locations. However, what testing was done suggested that this would be viable. Headcorn Parish Council considers that it would also be more sustainable.

IV. Policy DM14 – Local needs housing

Qn2.29 Who are the local stakeholders and do they require definition?

- 26) Headcorn Parish Council considers that when deciding whether Local Needs housing is necessary, it is the local community, both their elected representatives

and individual residents, who are the most important stakeholders. Schemes should only be promoted where there is a clear local (community) need.

- 27) While developers play an important role in the delivery of housing schemes, they should not part of the consultations on whether there is demand for such schemes.

Qn2.30 Should the Policy DM15 itself explicitly refer to affordable housing?

- 28) Headcorn Parish Council considers that the key to "local needs" housing is that it should address local needs. This may well not be for traditional forms of affordable housing. For example, a community self-build scheme might address a local need, but would be rendered inoperable if the need for affordable rented housing was prescribed. However, where local needs housing is in the form of affordable housing, Headcorn Parish Council considers that the conditions for this housing should include a requirement that any occupants (including future occupants) have a strong link to the local community.

Qn2.31 Is the final sentence of paragraph 54 a reference to rural exception sites or to other forms of affordable housing provision in rural areas?

- 29) Headcorn Parish Council considers that the aim of this policy should not be to replicate the policy on affordable housing. As stated above, the key to the policy is in the name "local needs". It should be for the community to decide what is needed. In conversation with developers it might then want to adjust how it ensures the delivery of any scheme. The key is that any scheme should be community not developer driven.

Qn2.32 The Inspector invites comments on the alternative wording suggested by Rentplus and whether it is necessary to soundness?

- 30) Headcorn Parish Council has been unable to locate Rentplus's comments and is therefore unable to comment on the proposed change.

Qn2.33 Why is the term 'local needs housing' used in preference to Rural Exception Sites and could it cause confusion?

- 31) Headcorn Parish Council has no strong preferences on this terminology, but notes that the use of rural exception site would bring it in line with paragraph 54 of the NPPF.

Qn2.34 Is the phrase 'sustainably located' in the first sentence of Policy DM14 unnecessary and potentially confusing given that there is a separate accessibility criterion in DM14(4)?

- 32) Headcorn Parish Council considers that the location criteria set out in DM14(4) are overly onerous and run counter to the intention of paragraph 54 of the NPPF, which is to allow housing in local areas where it reflects local needs. Essentially the policy wording seeks to duplicate the proposed dispersal pattern within the Local Plan, but there is no need for this as it will already lead to an oversupply of

housing in rural areas, relative to potential need. For the policy to effectively meet local needs, housing needs to be located in the communities where the need has been identified. A household needing housing in their own community, for example for work reasons or to be close to family, is not helped by housing elsewhere. As such, Headcorn Parish Council considers that the existing location criteria associated with DM14(4) should be dropped. It should be replaced by a criteria setting that it should be in the most sustainable location possible within the community that has identified the need for housing.

Qn2.35 Does Policy DM14 apply to all locations outside the defined boundaries of Maidstone, the Rural Service centres and the larger villages and should that be explicit in the Policy?

- 33) Headcorn Parish Council does not consider that it is appropriate to differentiate between different types of rural community. It notes that the NPPF makes no such differentiation in its policy on rural areas.

Qn2.36 Is the wording of DM14(2) reconcilable with paragraph 17.73 or do they require modification?

- 34) Headcorn Parish Council considers that it is important that the occupation criteria should be the identified local community only, not a general borough-wide need.

Qn2.37 Is the amended wording proposed by AONB Unit necessary for soundness and is it covered by other Local Plan policies in any event?

- 35) Headcorn Parish Council does not wish to comment on this question.

V. Policy DM15 – Nursing and Care Homes

- 36) Headcorn Parish Council considers that in order to be judged sound this policy should be amended to include a condition that such developments should be located in areas that can be properly supported by the local ambulance service.

Qn2.38 How confident is the Council that the assessed need for development of this type can be met without specific site allocations?

- 37) Headcorn Parish Council has no comment on this question.

Qn2.39 Is the suggested amendment by Pickhill necessary for soundness and would it require further definition rather than terms such as 'easy reach'?

- 38) Headcorn Parish Council does not consider that the proposal by Pickhill Developments to allow Nursing and Care Home developments to take place outside defined built-up areas would meet the definition of soundness set out in the NPPF. Specifically it does not believe that this change would be justified and would not be consistent with national policy.

- 39) Headcorn has been assigned Rural Service Centre status by Maidstone Borough Council and is therefore covered by Policy DM15. Headcorn Parish Council notes

that the roads immediately around Headcorn are country lanes, which in many cases are too narrow to accommodate pavements. Therefore, locating Nursing and Care Homes outside the built-up area of the village would create problems of accessibility for residents, contrary to the definition of social sustainability set out in the NPPF.

- 40) Headcorn Parish Council considers that this proposed amendment is an attempt to circumvent policies restricting building in the countryside and that this would be contrary to national policy on building in the countryside as set out in paragraphs 54 and 55 of the NPPF.

Contact details

All queries on this consultation response should be addressed either to:

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Dr Driver is a member of the Headcorn Matters Neighbourhood Plan team and prepared this consultation response on behalf of Headcorn Parish Council, with support from the wider Headcorn Matters Neighbourhood Plan team.