

Session 13A –Alternative Sites and Countryside Housing Policies.

Inspector's Question 13.1

Does the site have any relevant planning history? (applications, permissions, appeals, previous allocations)

Inspector's Question 13.2

What is the site's policy status in the submitted Local Plan? (eg whether in defined settlement/countryside/AONB/conservation area/Landscape of Local Value etc)

Inspector's Question 13.3

What is the site's policy status in any made or emerging neighbourhood plan?

Inspector's Question 13.4

Is the site greenfield or previously developed (brownfield) land according to the definition in the glossary of the National Planning Policy Framework?

Inspector's Question 13.5

What previous consideration by the Council has been given to the site's development (eg inclusion in a Strategic Housing and Economic Development Land availability Assessment (SHEDDLAA) and does the Representor have any comments on its conclusions.

Inspector's Question 13.6

What is the site area and is has a site plan been submitted which identifies the site?

Inspector's Question 13.7

What type, and amount of development could be expected and at what density?

Inspector's Question 13.8

When could development be delivered and at what rate?

Inspector's Question 13.9

What evidence is there of the viability of the proposed development?

Inspector's Question 13.10

Has the site been the subject of sustainability appraisal and does the Representor have any comments on its conclusions?

Inspector's Question 13.11

What constraints are there on the site's development and how could any adverse impacts be mitigated?

Council's response to Questions 13.1 to 13.11

13.1.1 Questions 13.1 to 13.11 are either seeking information from the Council or a response from the Representors. To assist the examination, the Council has prepared a schedule which, where known, provides the information requested for each of the sites that are the subject of Session 13A (Appendix A).

13.1.2 During the preparation of the Local Plan, the Council undertook two calls for sites. In 2012/13 a borough-wide call for potential development sites generated the submission of 186 sites from landowners, developers and agents. A second call for sites was undertaken in 2014, requesting the submission of additional sites that were located in accordance with the emerging Local Plan settlement hierarchy. This exercise yielded 120 new sites and 41 resubmitted sites. Both calls for sites were widely publicised and a standard pro forma was used to assess or reassess each site. The same methodology was applied to the assessment or reassessment of sites submitted through the Regulation 18 consultations (11 new sites and 25 resubmitted sites emerged). The Council also identified further sites using local knowledge of previously submitted sites, focusing on the town centre and former urban capacity studies. All sites that were assessed through the SHEDLAA were subject to sustainability appraisal.

13.1.3 New development should be located at the most sustainable towns and villages where employment, key infrastructure, services and facilities, together with a range of transport choices, are available. The Council has established a settlement hierarchy by focusing new development within and adjacent to the urban area, with smaller scale contributions from the Rural Service Centres as a whole and then, at a more limited scale, the Larger Villages. An extensive search for sustainable and deliverable housing sites has been undertaken, and the Council is satisfied that it has allocated appropriate sites in sustainable locations in the Local Plan to meet its objectively assessed housing needs.

13.1.4 The 11 sites subject to examination in Session 13A have all been assessed through the SHEDLAA and have been subject to sustainability appraisal. All 11 sites were rejected, and the Council's position has not changed. Sites previously promoted and assessed through the SHEDLAA for 100% residential development that have been put forward for mixed use development at the Regulation 19 stage, including residential, have not altered the Council's view expressed in the SHEDLAA, i.e. that the sites are unsuitable for development.

Inspector's Question 13.12

What wording does the Representor seek?

Council's response

13.12.1 This is a question for the representor.

Inspector's Question 13.13

How does the Representor define a 'sustainable development proposal' for this purpose?

Council's response

13.13.1 This is a question for the representor.

Inspector's Question 13.14

Does the Framework not already allow that the weight to be accorded to development plan policies for the supply of housing should vary in the absence of a 5 year supply? In which case why would the policy itself need to make that provision?

Council's response

13.14.1 This is primarily a question for the representor. The Council considers the NPPF is clear that the weight to be accorded to development plan policies for the supply of housing should vary in the absence of a 5 year supply (NPPF, paragraph 49).

Inspector's Question 13.15

When did Policy H29 cease to be part of the development plan?

Council's response

13.15.1 Policy H29 of the Maidstone Borough-wide Local Plan 2000, which permitted infill development in the countryside, ceased to be part of the development plan on 27 September 2007, following the issue of the Secretary of State's Direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004. The Direction confirmed the schedule of policies of the adopted Maidstone Borough-wide Local Plan 2000 that were able to be saved, and Policy H29 was not saved.

13.15.2 The representor makes reference to the windfall calculation that contributes to the Council's housing land supply, and considers that the deletion of Policy H29 would have led to an over-estimation of windfalls. Policy H29 was deleted in September 2007, whilst the historic data used by the Council to estimate its small site (1-4 dwellings) windfall allowance covered the period 1 April 2008 to 31 March 2016. All sites contributing to the windfall allowance were brownfield sites, and the Council is confident that its small site windfall calculation is robust.

Inspector's Question 13.16

Why would the Local Plan be unsound without such a policy?

Council's response

13.16.1 This is a primarily question for the representor. The Local Plan directs development, including infill schemes, to those settlements identified in the borough's settlement hierarchy. However, there may be instances where infill proposals in the countryside are acceptable. Local Plan Policy SP17 'The Countryside' (proposed amendment Ref ED-025) makes clear that, provided proposals do not harm the character and appearance of an area, certain types of development will be permitted in the countryside. Criterion 1(ii)(c) permits small-scale residential development necessary to meet local housing needs. Policy 34a 'Design principles in the countryside' (proposed amendment Ref ED-026) sets out in detail the sustainability criteria for development proposals outside of settlement boundaries. The Local Plan therefore allows for appropriate limited infill development in the countryside.

Inspector's Question 13.17

What wording does the Representor seek?

Council's response

13.17.1 This is a question for the representor.

Inspector's Question 13.18

Why would the Local Plan be unsound without such a policy?

Council's response

13.18.1 This is primarily a question for the representor. Policy DM11 of the Local Plan states: "*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.*" The Council's register for custom and self-build housing plots will evidence demand and will support pre-application discussions with developers.

13.18.2 As at 4 November 2016, 142 individuals have registered an interest through the Maidstone Local Self Build Register, of which 12 reside in the borough. 140 of the 142 individuals have shown an interest in more than one local authority area, although 14 ranked Maidstone as their first preference. Out of 93 responses, a preference was expressed for single self-build plots (89%) and/or plots on small developments of 2-15 homes (69%) in suburban (76%) and/or rural (74%) locations, although 45% would consider an urban location. 86% of 93 responses would consider a plot within a larger mainstream housing development. Three housing associations have registered to date, two of which selected all local authority areas in the South East and did not cite Maidstone as their number one preference. All three would consider building within larger mainstream housing developments. One housing association expressed a preference solely for a rural or suburban location, whilst the other two were also happy with an urban location.

Inspector's Question 13.19

What wording does the Representor seek?

Council's response

13.19.1 This is a question for the representor.