

# AGENDA

## LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP MEETING



Date: Tuesday 22 September 2009

Time: 6.00 pm

Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors Chittenden, English, Harwood, Horne,  
Lusty (Chairman), Marchant, Moriarty,  
Nelson-Gracie, Robertson,  
Mrs Stockell, Thick and J.A. Wilson

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Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying

**Continued Over/:**

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**Issued on 10 September 2009**

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**David Petford, Chief Executive, Maidstone Borough Council,  
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
7. Minutes of the Meeting Held on 3 August 2009 1 - 4
8. Report of the Assistant Director of Development and Community Strategy - Gypsy and Traveller Pitch Allocations Development Plan Document: Project Scoping Report 5 - 34
9. Report of the Assistant Director of Development and Community Strategy - Progress Report on the Development of a Settlement Hierarchy for Maidstone Borough 35 - 58

## MAIDSTONE BOROUGH COUNCIL

### LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP

#### MINUTES OF THE MEETING HELD ON MONDAY 3 AUGUST 2009

**Present:** Councillor Lusty (Chairman), and  
Councillors Chittenden, English, Horne, Marchant,  
Moriarty, Nelson-Gracie, Robertson, Mrs Stockell,  
Thick, J.A. Wilson and Mrs Wilson

14. APOLOGIES FOR ABSENCE

An apology was received from Councillor Harwood.

15. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitution was noted:-

Councillor Mrs Wilson for Councillor Harwood

16. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

17. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

18. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

19. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed.

20. MINUTES OF THE MEETING HELD ON 25 JUNE 2009

RESOLVED: That the Minutes of the Meeting held on 25 June 2009 be agreed as a correct record and signed.

21. PARTIAL REVIEW OF THE REGIONAL SPATIAL STRATEGY FOR GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE

The Group considered the report of the Assistant Director of Development and Community Strategy regarding the partial review of the Regional Spatial Strategy for Gypsies, Travellers and Travelling Showpeople.

The Group was informed that following the submission of comments from this consultation, an Examination in Public will be held in February 2010. The Examination Panel Report will recommend changes to the submitted document which will be subject to consultation and then the outcomes of that consultation will be reported to Government to make a final decision by the end of 2010.

The Group felt it was important to ensure that the Council has a plan to gain help from Parish Councils and other bodies who may wish to support the Council's position at the Examination in Public.

The Group were concerned about what would be deemed as 'sustainability criteria' and felt it was important that this Council agreed the sustainability criteria for the provision of sites.

RESOLVED TO RECOMMEND TO CABINET:

1. That the council reaffirms its view that the setting of numerical pitch requirements for Gypsies and Travellers should be underpinned by sustainability and planning criteria and that officers request GOSE to allocate sites on an environmentally sustainable basis and that the South East Plan Policy should require that Local Authorities put forward sustainability criteria for the provision of sites in their Development Plan Documents;
2. That the council reaffirms its view that there should be an element of redistribution of future pitch requirements for Gypsies and Travellers across the region and that this is best achieved through a 50% redistribution element, rather than the 25% element inherent in the Preferred Option, resulting in a requirement for Maidstone borough of 31 pitches;
3. That, in view of Travelling Showpeople's specific site requirements future pitch provision is best met through a needs based approach. This would result in there being no requirement for additional pitches in Maidstone borough;
4. That the approach of joint-working at a county level on transit site provision be supported, acknowledging that the county level advice which does not identify a need for transit provision in Maidstone borough continues to be supported; and
5. That all advice areas (counties and county groupings) in the region be required to collect the relevant data on transit site needs and to act to address the identified requirement, as the Kent and Medway Advice area has done already.
6. That delegated authority be given to the Assistant Director of Development and Community Strategy to make the Council's case at the Examination in Public, in association with other Kent authorities as appropriate.

7. That the Cabinet seek all opportunities to maximise public support for the Council's position in the run up to the Examination in Public.

22. DURATION OF MEETING

6.00 p.m. to 7.10 p.m.

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## **MAIDSTONE BOROUGH COUNCIL**

### **LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP**

**22<sup>nd</sup> SEPTEMBER 2009**

### **REPORT OF ASSISTANT DIRECTOR OF DEVELOPMENT AND COMMUNITY STRATEGY**

**Report prepared by Sarah Anderton**

#### **1. GYPSY & TRAVELLER PITCH ALLOCATIONS DEVELOPMENT PLAN DOCUMENT: PROJECT SCOPING REPORT**

##### 1.1 Issue for Decision

- 1.1.1 To recommend to the Cabinet Member for Regeneration that the Project Scoping Report for the Gypsy and Traveller Pitch Allocations Development Plan Document be approved.

##### 1.2 Recommendation of Assistant Director of Development and Community Strategy

- 1.2.1 That the Cabinet Member for Regeneration is recommended to approve the Project Scoping Report to guide the preparation of the Gypsy and Traveller Pitch Allocations Development Plan Document

##### 1.3 Reasons for Recommendation

###### **Background**

- 1.3.1 At its meeting on 29 June 2009, Cabinet approved the Council's Local Development Scheme which sets out the timetable for the preparation of the constituent elements of the Local Development Framework. One of the documents to be prepared is the Gypsy & Traveller Pitch Allocations Development Plan Document (DPD) which will have the specific purpose of allocating sites for use by gypsies and Travellers. Work on this DPD has commenced.
- 1.3.2 The Council has appointed a firm of planning consultants, Baker Associates, to help with the first stages of the DPD's preparation. An important, early task has been to prepare a Project Scoping Report which is attached in Appendix A.

- 1.3.3 The Project Scoping Report is a starting point for the preparation of the DPD. It provides a useful guiding document for the DPD's preparation, setting out the policy context for the DPD, the key issues that it will need to address, the process for site selection and the approach to consultation. The Report will be public but will not itself be subject to public consultation.

### **Key issues raised in the Project Scoping Report**

- 1.3.4 Members' attention is brought in particular to the following points made in the Report:
- 1.3.5 **Maidstone Borough-wide Local Plan:** Whilst the Local Plan's Gypsy policy was not saved, the remaining saved policies of the Local Plan will remain extant whilst the DPD is being prepared. The weight that can be afforded to these policies during the DPD's preparation must take account of the policies in the much more recent South East Plan and national policy guidance published since the Local Plan was adopted.
- 1.3.6 **Evidence base for the DPD:** The Gypsy and Traveller Accommodation Assessment (GTAA) assesses need for the period 2006 to 2011. The timeframe for the DPD will be to 2016 therefore it is important that the evidence base is extended to cover the later period. The Report proposes that this be done through a review and update of the latest data available on both needs and supply.
- 1.3.7 **Flexibility in site provision:** The DPD is being prepared at the same time as the Partial Review of the South East Plan is being undertaken which will confirm the Borough's numerical requirement for pitches. It is likely that the DPD will be submitted before the partial review process has concluded. Furthermore it is unlikely that this requirement will ever be expressed as a maximum. The DPD will therefore need to allow for some flexibility in the number of pitches identified to ensure that the DPD Inspector can be convinced that the requisite requirement will be met.
- 1.3.8 **Spatial Options:** The process of preparing the DPD will need to test options for the spatial distribution of pitches. The most appropriate and achievable distribution can only be confirmed when the potential sites have been identified and assessed. The Report highlights the issues that could underpin the spatial approach:
- Meeting needs where they arise
  - Dispersing pitches more widely



- Balancing provision in urban and rural locations
- Seeking balanced, integrated communities
- Reflecting the emerging Core Strategy spatial options
- Reflecting areas of national policy restraint (AONB, Green Belt)

1.3.9 Further issues that will need to be tested include:

- Affordability of pitches
- Balance between public and private provision
- Providing a range of site sizes
- Providing for the different Gypsy and Traveller communities

1.3.10 **Site Assessment Criteria:** In line with the approach for conventional housing, the Report proposes that the three key factors of suitability, availability and achievability underpin the assessment of potential sites. Together these factors should determine whether a site is truly deliverable. The deliverability of sites is crucial. It is only by actual provision on the ground that the need for pitches will be addressed.

1.3.11 A number of workshops have been held with Parish Council representatives to help identify the key site assessment criteria. A similar event with Members is scheduled for 15<sup>th</sup> September and LDDAG will be updated on the outcomes of this discussion at the meeting. Subject to this, the Report proposes that the suitability of sites be assessed with reference to the following overall issues:

- Overall location
- Policy designations
- Access to services
- Relationship to surrounding land uses
- Site conditions
- Essential on-site services

1.3.12 The availability of sites will need to be confirmed through contact with landowners. Achievability relates to the economic viability of each site, having regard to the costs of developing it and its potential value for alternative uses.

1.3.13 **DPD timetable:**

Stakeholder engagement	August/December 2009
Informal public consultation	Jan/Feb 2010
Publication (formal public consultation)	July/August 2010
Submission to the Secretary of State	October 2010
Pre-examination meeting	December 2010
Independent examination	February 2011
Adoption	July 2011

1.3.14 The LDS programmes the first stage of informal public consultation to start in December 2009 but this has been slightly amended (above) to avoid the Christmas period. This change is not expected to have repercussions for the subsequent timetable.

1.4 Alternative Action and why not Recommended

1.4.1 The Project Scoping Report is not a statutory requirement and therefore need not have been prepared. However it is considered that it will provide a useful guide throughout the DPD preparation process.

1.5 Impact on Corporate Objectives

1.5.1 The content of the report impacts on the key objectives of the Strategic Plan, particularly those relating to homes and communities. It is relevant to the Sustainable Community Strategy objectives of building stronger and safer communities and reducing inequalities in the borough.

1.6 Risk Management

1.6.1 There are no substantive risks associated with responding to this consultation.

1.7 Other Implications [Insert an 'X' in the boxes below to indicate if the recommendations will have any implications in the specified area]

1.7.1

1. Financial

2. Staffing	<input type="checkbox"/>
3. Legal	<input type="checkbox"/>
4. Equality Impact Needs Assessment	<input type="checkbox"/>
5. Environmental/Sustainable Development	<input checked="" type="checkbox"/>
6. Community Safety	<input type="checkbox"/>
7. Human Rights Act	<input type="checkbox"/>
8. Procurement	<input type="checkbox"/>
9. Asset Management	<input type="checkbox"/>

1.7.2 Environmental/Sustainable Development: Such considerations are important in determining the allocation for sites for Gypsies and Travellers.

1.8 Background Documents

**NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED**

Is this a Key Decision?    Yes        No   

If yes, when did it appear in the Forward Plan?

Is this an Urgent Key Decision?    Yes        No

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# **Maidstone Borough Council**

## **Gypsy and Traveller Pitch Allocations Development Plan Document (DPD)**

### **Project Scoping Report**

September 2009





## **Contents**

- 1 Introduction
- 2 Policy context
- 3 Scope of the DPD
- 4 Evidence of local needs
- 5 Key issues
- 6 Policy guidance on identifying criteria
- 7 Key site requirements and site assessment criteria
- 8 The site selection process
- 9 Sources of potential sites
- 10 Engagement and participation
- 11 Sustainability Appraisal and Habitat Regulation  
Assessment
- 12 Timetable

## 1 Introduction

- 1.1 Maidstone Borough Council has decided to produce a Gypsy and Traveller Pitch Allocations Development Plan Document (DPD) as part of its Local Development Framework (LDF). The adopted DPD will identify sites for Gypsies and Travellers for the period 2006 to 2016.
- 1.2 This report is a starting point for the preparation of the DPD. It sets out the framework for the production of this DPD, including the need for the DPD, the policy context, the key issues to be addressed and the timetable for its production.

### Background

- 1.3 Historically there have been high concentrations of Gypsies and Travellers in Maidstone, mainly due to seasonal hop and fruit picking in the borough. Although employment in those traditional industries has declined, the Gypsy and Traveller communities remain.
- 1.4 Government policy relating to Gypsies and Travellers has changed over time. Before the 1990s councils were required to provide pitches for Gypsies and Travellers. However, in the early 1990s policy changed so that councils could either identify pitches or set out criteria in Local Plans. The majority of local planning authorities set out criteria based policies in Local Plans. Many of these were very restrictive with the result that fewer pitches than required have been achieved. Therefore there is now an overall backlog in provision, which has resulted in unauthorised developments and in some places encampments.
- 1.5 Maidstone Borough Council continues to be faced with a significant number of applications for Gypsy and Traveller accommodation on a range of sites. At appeal, decisions are frequently turning on the fact there is an identified and urgent need for pitches but no suitable alternative sites have been identified.
- 1.6 The intention of the Council is to seek to make positive provision for Gypsy and Traveller sites through the allocation of sites in a DPD. Providing sufficient caravan pitches for Gypsies and Travellers will help meet the needs of Gypsy and Traveller communities and it should also reduce the number of unauthorised sites and the conflict they cause and help make enforcement more effective.

### Purpose and objectives of the Development Plan Document (DPD)

- 1.7 The DPD will have a focused purpose, specifically to:
- Allocate sufficient deliverable permanent sites for Gypsies and Travellers to meet their identified needs and to achieve the emerging South East Plan pitch requirement for the period 2006 to 2016; and



- Ensure planned, managed, phased provision of pitches over the timeframe of the DPD.
- 1.8 As part of the production of the DPD more detailed objectives will be prepared, which will be informed by the sustainability appraisal, as outlined in section 11 of this report.
- 1.9 The base date for the DPD will be the 1<sup>st</sup> April 2006.

### **Definitions**

- 1.10 The definition of ‘Gypsies and Travellers’ is set out in Government Circular 01/2006:

*‘Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such’.*

- 1.11 Many Gypsies and Travellers continue to pursue an active itinerant lifestyle and are generally self employed people. However, increasingly communities are becoming more settled.
- 1.12 There are three types of sites identified as required to meet Gypsy and Traveller needs. These are:
- Permanent sites – these provide residents with a permanent home;
  - Transit sites – these are permanent sites that provide temporary accommodation for their residents, normally between 28 days and 3 months; and
  - Emergency stopping places – these are pieces of land in temporary use as authorised short term (less than 28 days) stopping places for all travelling communities.

## **2 Policy context**

### **Housing Act 2004**

- 2.1 All local authorities are required to carry out a Gypsy and Traveller accommodation needs assessments, under the 2004 Housing Act, and to produce strategies to deliver these needs which may include the provision of extra sites.
- 2.2 The Act also outlines that the cessation of a nomadic way of life does not reduce a Gypsy or Traveller’s cultural identity.

### **Circular 01/06 - Planning for Gypsy and Traveller Caravan Sites**

- 2.3 The Government Circular 01/2006 addresses the planning requirements of Gypsies and Travellers. The Circular emphasises the importance of ensuring that members of the Gypsy and Traveller communities have the same rights and responsibilities as every other citizen. Its main intention is to create and support sustainable and inclusive communities, where Gypsies and Travellers have fair access to suitable accommodation.
- 2.4 The Circular sets out new arrangements to ensure that sufficient sites are brought forward through the planning system to meet the identified needs of Gypsies and Travellers. The new approach can be summarised as:
- Gypsy and Traveller Accommodation Assessments (GTAA) are to be produced to assess needs and identify pitch requirements for each local authority area;
  - The Regional Planning Body is to check the pitch numbers provided by GTAAs and specifies pitch numbers for each local authority through the Regional Spatial Strategy;
  - Local authorities are to allocate sufficient sites to meet the pitch numbers through their Development Plan Documents (DPDs); and
  - Local authorities are to set out a criteria-based policy in their Core Strategies.
- 2.5 The Circular also states that ‘where there is a clear and immediate need.... local planning authorities should bring forward DPDs containing site allocations in advance of regional consideration of pitch numbers’. Furthermore, it states that ‘where there is an urgent need to make provision, local planning authorities should consider preparing site allocation DPDs in parallel with, or in advance of the Core Strategy’ (paragraph 43).

### **Planning Policy Statement (PPS) 3 – Housing**

- 2.6 National government policy on housing is set out in Planning Policy Statement (PPS) 3. It states that local planning authorities should plan for a mix of housing and for a mix of different types of households over the plan period. Paragraph 21 sets out some of the diverse range of requirements and groups that the plan should have particular regard, ‘including the need to accommodate Gypsies and Travellers’.
- 2.7 PPS3 also highlights that ‘key characteristics of 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.’ This is relevant to both market housing and the provision of sites for Gypsy and Traveller communities.

### **Partial Review of the South East Plan (Regional Spatial Strategy)**

- 2.8 The adopted South East Plan currently does not set out the numerical pitch requirement for each local planning authority. However, the South East

England Partnership Board is currently undertaking a Partial Review of the South East Plan to identify the number of pitches each local planning authority should provide for both Gypsies and Travellers and, separately, for Travelling Showpeople for the period 2006 to 2026. The process is taking into account the Gypsy and Traveller Accommodation Assessments (and Travelling Showpeople Assessments where these have been done separately) that have been undertaken across the region. The Partial Review will also confirm the approach to be taken to transit site provision.

- 2.9 The South East England Regional Assembly (as it was) consulted upon 4 options for the setting of the numerical pitch requirements in autumn 2008. Depending on the option selected, the requirement for Gypsy and Traveller pitches for Maidstone Borough could range from 31 to 48 pitches.
- 2.10 A ‘preferred options’ consultation process has recently taken place. The SEEPB’s ‘preferred option’ for Maidstone is to provide 35 additional permanent residential pitches. In responding to the Preferred Options consultation, the Council has confirmed its support for one of the previous options (Option C) which combined an element of regional redistribution of pitches and the application of planning and sustainability criteria. This would result in a requirement of 31 pitches for the Borough.
- 2.11 The evidence currently available at regional level is insufficiently robust to provide transit allocations for individual planning authorities. The Partial Review proposes that local planning authorities should make appropriate provision in Local Development Documents to meet requirements for transit and temporary stopping purposes.
- 2.12 Kent County Council has assessed the incidence of unauthorised encampments in the county and this revealed that there is currently no need for a transit site or stopping place in Maidstone.
- 2.13 The Partial Review is scheduled to conclude by the end of 2010, before the DPD will be examined.

### **Maidstone 2020 - The Strategy for the Community**

- 2.14 The Sustainable Community Strategy for Maidstone Borough 2009 – 2020 provides the vision for all communities in Maidstone:

*‘We want Maidstone borough to be a vibrant, prosperous 21<sup>st</sup> century urban and rural community at the heart of Kent, where its distinctive character is enhanced to create a safe, healthy, excellent environment with high quality education and employment where all people can realise their aspirations.’*

- 2.15 The Objectives of the Community Strategy that are particularly relevant to the DPD are to:
- Build stronger and safer communities;

- Develop Maidstone borough’s urban and rural communities as models for 21st Century quality and sustainable living;
- Retain and enhance Maidstone borough’s distinctive history, landscape and character; and
- Tackle health, education and employment inequalities in areas of disadvantage.

### **Maidstone Borough Council’s Housing Strategy**

- 2.16 One of the four housing priorities in the Council’s Housing Strategy (2005 – 2009) is to address the needs of vulnerable households.

### **Maidstone Borough-wide Local Plan**

- 2.17 The saved policies of the Maidstone Borough-wide Local Plan continue to form part of the statutory Development Plan. The saved policies will be sequentially replaced by the policies in the constituent DPDs of the Local Development Framework (see below). The weight to be afforded to extant Local Plan policies in the preparation of the DPD must necessarily take account of the content of the recently confirmed South East Plan and changes to government guidance since the Local Plan was adopted.

### **Maidstone Local Development Framework**

- 2.18 The Core Strategy is the principal document contained within the Local Development Framework, providing the strategic framework for all other DPDs. The Core Strategy will be adopted in December 2011 (Local Development Scheme 2009). In respect of Gypsy and Traveller issues, the Core Strategy will:
- Identify a spatial strategy for the allocation of Gypsy and Traveller sites to meet identified needs post 2016;
  - Identify criteria for assessing proposals for “windfall” Gypsy and Traveller sites from 2006-2026; and
  - Identify any other development management issues relating to the provision of Gypsy and Traveller sites 2006-2026.

- 2.19 Circular 01/06 also indicates that in rural areas and where there is a lack of affordable land to meet local Gypsy and Traveller needs, a rural exceptions site policy specifically for Gypsy and Traveller provision should be included in a relevant DPD.

### **Chain of conformity**

- 2.20 The DPD will need to be consistent with relevant legislation and national policy, including Circular 01/06 and Planning Policy Statement (PPS) 3 ‘Housing’.
- 2.21 It will also need to be in general conformity with the South East Plan. As the Partial Review will be completed before the DPD is examined, the DPD

should be able to reflect the pitch requirements arising from the results of the Partial Review.

- 2.22 The DPD is scheduled to be adopted 6 months before the Core Strategy. The content of the DPD must therefore be as consistent as possible with the emerging content of the Core Strategy.
- 2.23 The DPD will be produced and adopted before the Core Strategy. The Core Strategy is the principal document contained within the Local Development Framework, providing the strategic framework for all other DPDs. Consequently, the Core Strategy will:
- Identify a spatial strategy for the allocation of Gypsy and Traveller sites to meet identified needs post 2016;
  - Identify a spatial strategy and site criteria for guiding the development of “windfall” Gypsy and Traveller sites from 2006-2026; and
  - Identify other development management issues relating to the provision of Gypsy and Traveller sites 2006-2026.
- 2.24 The DPD will be focused on allocating Gypsy and Traveller sites to meet current needs from 2006 to 2016.

### 3 Scope of the DPD

- 3.1 The DPD will focus on the provision of permanent Gypsy and Traveller sites in response to the urgent need for sites evidenced by the GTAA and the continuing pressure for sites through planning applications and unauthorised developments.
- 3.2 The emerging South East Plan proposes that transit site provision should be agreed at the local (county) level based on local evidence. Any outcomes of this process can be accommodated in the forthcoming Land Allocations DPD.
- 3.3 The emerging South East Plan also sets out provisional requirements for Travelling Showpeople site provision. The options for provision in the Autumn 2008 consultation would result in a requirement for Maidstone of between 0 pitches and 4 pitches for the period 2006 to 2016. The Preferred Options consultation proposes a figure of 3 pitches for the borough however the Council has opposed this figure. If a confirmed requirement for Travelling Showpeople pitches in the borough results from the Partial Review process, this will also be taken forward through the Land Allocations Development Plan Document.

## 4 Evidence of local needs

### **West Kent Gypsy and Traveller Accommodation Assessment (GTAA)**

- 4.1 In 2005/6 a West Kent GTAA was published covering the areas of four boroughs of Ashford, Maidstone, Tonbridge & Malling and Tunbridge Wells.
- 4.2 The GTAA assessed the need for additional pitches for the 5 year period between 2006 and 2011. The findings suggest a need for 32 new pitches in the borough up to 2011. 75% of this requirement is due to the backlog of unmet need and 25% arises from future household formation, therefore highlighting the need to address both backlog and emerging need.
- 4.3 The GTAA involved interviews with 62 Gypsy or Travellers on authorised sites and 19 Gypsy or Travellers on unauthorised sites in Maidstone. This is approximately 50% of the estimated number of households living on sites in the borough. 49.4% of Gypsy and Travellers in West Kent live in Maidstone.
- 4.4 The GTAA identified a gross need for 32 additional pitches, comprising pitch needs arising from existing unauthorised developments and overcrowded households. The GTAA assumed turnover on public sites of 2-3 pitches/year.
- 4.5 The demand for transit/emergency stopping place provision has not been assessed through the GTAA survey.
- 4.6 There was clear support in the interview sample for more privately owned, permanent sites. 73% of respondents said their ideal site would be a private authorised site with the remainder favoring public sites. Preference was also given for smaller sites in countryside locations.

### **Need for review / extension to period 2016**

- 4.7 The GTAA was completed in 2005/6 and provides the Maidstone pitch needs up to 2011. As the DPD will provide allocated sites up to 2016, it will therefore be necessary for the DPD to build upon this evidence and identify the needs up to 2016.

## 5 Key Issues

### **Identifying alternative spatial options**

- 5.1 The DPD must identify and test options for the spatial distribution of pitches. Spatial options will be developed having regard to a review of the evidence and in consultation with stakeholders.
- 5.2 At the present time it is considered that spatial distribution options will be developed around the following issues:
- Meeting needs where they arise;

- Dispersing pitches more widely;
- Balancing provision in urban and rural locations;
- Seeking balanced and integrated communities;
- Reflecting emerging Core Strategy spatial options; and
- Reflecting areas of restraint (Areas of Outstanding Natural Beauty, Green Belt, flood risk).

5.3 In addition, there are likely to be a number of options to be identified around the following issues:

- Meeting affordable pitch needs;
- Split between private and public provision;
- Meeting the need for a range of site sizes; and
- Providing a range of sites for different Gypsy and Traveller communities.

5.4 There has been experience in the borough of concentrations of pitches in particular localities. The concentration of pitches can impact on local landscape character through incremental change. Circular 01/2006 states 'sites should respect the scale of, and not dominate the nearest settled community. They should avoid placing an undue pressure on the local infrastructure' (paragraph 54).

#### **The number of pitches required to meet needs**

5.5 As outlined above, the GTAA has assessed the need for Gypsy and Traveller pitches to be provided in Maidstone for the period 2006-2011. This document will inform the preparation of the DPD. One of the tests of soundness is whether a DPD is founded on a credible evidence base. The GTAA will, by the estimated time of adoption of this DPD, be over 5 years old. In addition, the GTAA only covers the period to 2011 whilst this DPD will cover the period to 2016.

5.6 There will therefore be a need to review and validate the conclusions of the GTAA to provide evidence of need for the complete timeframe of the DPD. As the original GTAA was undertaken jointly with 3 other authorities, a full scale review is thought unfeasible so it is proposed that the DPD evidence requirements be achieved through the assessment of the latest available data relating to:

#### **Needs -**

- The level of unauthorised encampments / developments;
- Waiting lists for public sites;
- Levels of overcrowding and concealed household/ new family formation;
- Temporary permissions likely to expire within the Plan period; and



- Household wishing to move from/to pitches from/to bricks and mortar accommodation.

Supply –

- Current and planned future supply on public and private sites, including permanent, non-personal consents granted since 1<sup>st</sup> April 2006; and
- Plot turnover and vacancy levels on public sites.

- 5.7 A new GTAA will be needed in due course to provide the evidence base for pitch allocations in the Land Allocations DPD for the post-2016 period.
- 5.8 The Partial Review of the South East Plan has examined the GTAA results from a regional perspective and has put forward a number of options, including a preferred option, for distributing pitch requirements across the region. The Partial Review has also rolled forward need estimates to cover the period to 2016 by applying a standard household growth rate. Circular 01/06 identifies that ‘the number of pitches set out in the RSS must be translated into specific site allocations’ (para. 30). This DPD must be in general conformity with the South East Plan. However, at this stage, there is uncertainty as to the final pitch requirements to be set in the South East Plan for Maidstone borough. According to the published timetable, the Partial Review EiP will be held in February 2010. It is therefore possible that the Partial Review of the South East Plan may not be completed prior to the submission of this DPD, scheduled for October 2010. As a result it will be important for this DPD to identify sufficient potential sites to both meet a range of potential pitch requirements for Maidstone borough and also to reflect the reviewed conclusions of need.
- 5.9 An approach to deal with uncertainty and to provide sufficient flexibility in site provision would be for the DPD to also identify phased sites as a contingency which could be brought forward if necessary.

#### **The size of sites**

- 5.10 National evidence and the result of the West Kent GTAA consultations would suggest that Gypsies and Travellers prefer small sites containing a small number of pitches to accommodate their immediate and extended family. Draft Guidance on the design of sites for Gypsies and Travellers, in particular public provision, (CLG, 2007) states that “smaller sites of between 6-12 pitches are most popular with Gypsies and Travellers” and suggests that “sites should not normally exceed 20 pitches in capacity” (para. 4.2.1). 81% of Gypsies and Travellers in the West Kent GTAA expressed a preference for permanent sites containing 1-15 pitches.
- 5.11 The DPD will therefore need to investigate whether small sites or a range of site sizes is the best approach to meeting the needs of Gypsies and Travellers in Maidstone borough, having regard to other planning requirements including respecting the scale of the nearest settled community.



### **Accommodating the site needs of different travelling communities**

5.12 Gypsies and Travellers are not a uniform homogeneous community, but rather a group of communities which share some features but have their own histories and traditions. Even within each main group there is fragmentation between different families which emphasises the lack of a cohesive community and the need to avoid over generalisations. However, the main cultural groups include:

- Romany Gypsies;
- Irish Travellers; and
- New Travellers.

5.13 The GTAA confirms that the predominant groups in the area are Romany Gypsies or English Travellers (93.3%) with Irish Travellers making up the balance (6.3%). Romany Gypsies and Irish Travellers are recognised in law as distinct ethnic groups and are legally protected from discrimination under the Race Relations Acts.

5.14 The DPD will therefore need to be sensitive to these dynamics when considering the relationship between identified local needs, overall pitch requirements and the number of potential sites. It will be important to ensure that sufficient sites have been identified to meet the needs of each community.

### **Meeting the legitimate planning concerns of the settled communities**

5.15 The scope of this DPD is focused on the provision of suitable sites to meet the future needs of Gypsies and Travellers. Issues relating to enforcement matters regarding existing sites will not be addressed in the DPD. However, in determining suitable criteria for assessing potential sites, it will be important to recognise the needs of the settled community, particularly with regard to protecting residential amenity, encouraging social integration, ensuring that the scale of provision does not dominate the nearest settled community and impacts on local infrastructure.

### **Achieving mixed and balanced communities**

5.16 The creation of sustainable communities and provision of services and facilities is a key aim of national policy and Circular 01/2006. Results of the GTAA consultation, also concluded that a high percentage of households in the GTAA area had children of school age (40%), therefore requiring a school nearby. The GTAA also concluded that 40 households in permanent accommodation had a member with a disability or long term illness (18.2%). 15 households living on sites included a member needing regular medical treatment from a doctor or hospital.

5.17 Therefore, it will be important for the DPD to recognize the needs of Gypsy and Traveller households when selecting sites. It will also be important to consider the relationship between new Gypsy and Traveller communities with existing settled communities, as set out above.

### **Making pitches affordable**

- 5.18 The GTAA identified that 40.2% of households living on sites were in receipt of Housing Benefit. This is higher than the GTAA consultants had found in other Gypsy and Traveller surveys where a figure of around 30% had been typical. 83% of all respondents living on sites stated that their household income was below £10,000. There is likely to be a continuing need for affordable pitches to be provided. The DPD will need to identify delivery mechanisms for appropriate sites and this may relate to public site provision (see below) to ensure that affordable pitches will be provided to meet local needs.

### **The balance between public and private provision**

- 5.19 The GTAA revealed a preference for private sites. Through the DPD process, there will need to be further engagement with the Gypsy and Traveller community to gain a further understanding of the individual needs of the different Gypsy and Traveller communities. The DPD will also then need to identify sites that provide a balance between the provision of public and private site provision.
- 5.20 Currently, there are two Council owned sites in the Borough: Water Lane, Ulcombe (14 pitches) and Stilebridge Lane, Marden (18 pitches). These sites provide pitches at subsidised rent levels. If additional public provision is to be made, the site(s) must be identified and be clearly capable of implementation, including by the confirmation of funding sources.

### **Deliverability of sites**

- 5.21 In view of the urgency of the need for additional pitches, there must be reasonable certainty that the sites identified in the DPD will be implemented i.e. that they are genuinely deliverable. Deliverability will be a key aspect of the site assessment process (see below).

## **6 Policy guidance on identifying criteria**

- 6.1 PPS3 identifies three key criteria for determining appropriate housing sites for delivery through the planning system. To be deliverable, sites should:
- Be available - the site is available now;
  - Be suitable – the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities; and
  - Be achievable – there is a reasonable prospect that housing will be delivered on the site within five years. (para. 54)
- 6.2 With regard to meeting the accommodation needs of Gypsies and Travellers Circular 01/2006, in addition, states that ‘local planning authorities will need to demonstrate that sites are suitable, and that there is a realistic likelihood

that specific sites allocated in DPDs will be made available for that purpose.’ (para. 33).

- 6.3 The approach to identifying appropriate site selection criteria for the DPD will build upon the framework:
- Is the site available?
  - Is the site suitable?
  - Is the site achievable?
- 6.4 A key consideration, again based upon Circular 01/2006, is that criteria should be “fair, reasonable, realistic and effective” (para. 32). Many previous studies and local plan criteria based policies across the country have used very restrictive criteria which have prevented many reasonable sites from coming forward. This is one of the principal reasons why the Government is no longer relying simply upon criteria based policies to bring forward suitable sites for Gypsies and Travellers.
- 6.5 The DPD will need to take account of the various criteria set out in national and regional policy, site guidance and views of the travelling and the settled communities, to establish a list of appropriate criteria.
- 6.6 The site assessment criteria will be set out clearly in the DPD.

## 7 Key site requirements and site assessment criteria

- 7.1 The DPD will undertake a process of assessing sites within Maidstone borough, to identify if they are suitable sites to meet the needs of Gypsy and Travellers. The DPD will assess the sites in terms of how sustainable they are, in relation to the following issues:
- General approach to location:
  - Policy designations;
  - Access to services;
  - Relationship to surrounding land uses;
  - Site conditions; and
  - Essential services.

### **General approach to location**

- 7.2 Circular 01/2006 identifies the following locations as being appropriate for Gypsy and Traveller sites:
- Sites on the outskirts of built up areas; and
  - Sites within rural or semi-rural settings.

- 7.3 In Maidstone borough, planning applications are often submitted for sites in rural areas, often at a distance from existing settlements, which reflects a desire of the Gypsy and Traveller community to live in the countryside.

### **Policy designations**

- 7.4 Sites can be located within nationally recognised designations but only when ‘the objectives of the designation will not be compromised by the development’ (Circular 01/06 para. 52). This would apply to the following national designations:

- Sites of Special Scientific Interest;
- North Downs Area of Outstanding Beauty;
- Scheduled Ancient Monuments;
- Conservation Areas;
- Registered Historic Parks and Gardens.

- 7.5 Green Belt: Circular 01/06 states that new Gypsy and Traveller sites in the Green Belt would normally be inappropriate development.

- 7.6 Flood risk is covered by national planning policy in Planning Policy Statement (PPS) 25. Caravans are identified as highly vulnerable to flooding (Table D2). PPS25 states that caravans should not be sited in areas that have a high probability of flooding or in the functional floodplain. For sites with a medium flood probability the ‘exceptions test’ must be passed. Any potential sites in the floodplain will need to be discussed with the Environment Agency.

- 7.7 Local landscape and nature conservation designations should not be used in themselves as the reasons for refusal for permission (Circular 01/06, paragraph 53) and the local designations in the Borough-wide Local Plan (Special Landscape Areas, Area of Local Landscape Importance, Sites of Nature Conservation Interest) should not be applied as a blanket constraint in the site assessment process. Rather, sites should be assessed for their actual impact on landscape and biodiversity. In particular, the Council’s Landscape Character Assessment and Landscape Guidelines document (2000) identifies areas sensitive to change, which will provide key evidence during the assessment of potential sites.

### **Access to services**

- 7.8 Circular 01/06 identifies that local authorities “should first consider locations in or near settlements with access to local services, e.g. shops, doctors and schools” (para. 65). In particular, there is a need to provide easy access to a doctors surgery and other health services and to ensure children attend school on a regular basis.
- 7.9 Sites should have good means of access to the local highway network but in terms of the availability of transport modes, the Circular states that “local

authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services” (para. 54).

### **Relationship to surrounding land uses**

- 7.10 The Government is keen to promote a peaceful and integrated co-existence between a Gypsy and Traveller site and the local settled community. In order to facilitate this, CLG Draft Guidance on the design of sites for Gypsies and Travellers states that “where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments” (para 3.1.6). However, Circular 01/2006 states that “sites should respect the scale of, and not dominate the nearest settled community” (para. 54).
- 7.11 The Draft Guidance also emphasises the importance of locating sites away from heavy industry and states that locations adjacent to industrial areas are unpopular because of their relative isolation, distance from local facilities and because of safety fears.
- 7.12 An important consideration is avoiding noise and disturbance. This can relate to the disturbance of the settled community, in terms of the movement of vehicles to and from the site, from the stationing of vehicles on site and on-site business activities. However, it can also be the disturbance of the caravan occupants from adjoining uses, such as from industrial areas, railway lines or from highways, given the greater noise transference through walls of caravans than through the walls of conventional housing.

### **Site conditions**

- 7.13 CLG Draft Guidance on the design of sites for Gypsies and Travellers identifies that, in terms of living conditions, “no sites should be identified for Gypsy and Traveller use that would not be appropriate for ordinary residential dwellings” (para. 3.1.6).
- 7.14 Consequently the following are not considered acceptable locations:
- Sites in areas at high risk of flooding, as discussed above; and
  - Sites located on contaminated land.
- 7.15 Other sites are unlikely to be suitable:
- Sites adjacent to rubbish tips;
  - Sites on landfill sites; and
  - Sites closer to electricity pylons.
- 7.16 In addition, sites should be capable of safe access, be reasonably level and should have sufficient space to accommodate a mobile home, touring caravan, and a small building (e.g. a wash block) and adequate manoeuvring space.

## Essential services

- 7.17 CLG Draft Guidance on the design of sites for Gypsies and Travellers states that sites must have access to water, electricity, drainage and sanitation, with electricity and sewerage for permanent sites normally through mains systems, although in some locations alternative provision maybe appropriate (section 3.3). Circular 01/06 adds that sites should avoid placing an undue pressure on the local infrastructure (para. 54).

## 8 The site selection process

- 8.1 All relevant information on the long list of sites collected through site survey will be summarised within a site assessment matrix. All sites will be assessed against the agreed site assessment criteria and the relative suitability of sites summarised. A landscape appraisal of all sites proposed which lie outside of built up areas will be undertaken by Enderby Associates.
- 8.2 Any sites where clear cut policy or physical constraints mean that they will not be suitable for accommodation, will be rejected.
- 8.3 In terms of availability, sites that are currently in an alternative use with no evidence or obvious prospect of being made available by the owner will also be rejected. A recommendation will be made as to whether or not each site should go forward into the shortlist of sites for further detailed assessment.

### Detailed site assessment

- 8.4 The remaining sites will be assessed in detail for their suitability, availability and achievability. In terms of suitability, sites will be judged against the site assessment criteria and results recorded in a sites database and in a summary matrix. An estimate of the capacity of each site to accommodate pitches will be established.
- 8.5 In terms of likely availability, landowners will be contacted and an understanding gained of site availability and potential constraints to release. These could include legal or ownership problems, multiple ownerships, etc. The potential mechanisms by which the site could be made available and the timescales for provision will be explored with landowners. All information will be recorded in the sites database.
- 8.6 Achievability means the relative economic viability of delivering each site taking into account cost factors (site preparation, infrastructure costs, etc) and whether the value of potential alternative uses of the site makes its delivery unlikely. Discussions will take place with infrastructure providers to determine the range and cost of services required to provide a properly serviced site. As part of this process, site costings of measures necessary to make the site suitable (e.g. levelling, landscaping, provision of services) will be set against the potential revenue streams.

## 9 Sources of potential sites

9.1 Potential sources will include:

### **Request for sites**

9.2 An early part of the research for the DPD is to undertake a 'Request for Sites' exercise. Parish Councils, landowners, including public sector landowners and RSLs, and the Gypsy and Traveller community will be invited to put forward sites to be assessed as future Gypsy and Traveller sites.

### **Sites from previous and current land availability studies, including SHLAA (2009) and UCSs (2002/6)**

9.3 Baker Associates has recently completed a full SHLAA for Maidstone borough and the full range of sites considered through this process will be explored to identify potential sites.

### **Land currently for sale on the commercial market**

9.4 Agents and developers will be asked to submit any land that could potentially be available for Gypsy and Traveller sites.

### **Major landowners**

9.5 Local agents will be contacted to identify any potential from land held by large private estates, church commissioners or other bodies.

### **Sites with previous planning history and/or unauthorised developments**

9.6 Existing sites with temporary and/or personal consents and unauthorised sites will be included within potential sources.

## 10 Engagement and participation

10.1 Continuous and appropriate engagement and participation with key stakeholders and local communities will be essential to the production of a good, sound DPD and to a well informed evidence base. Full details of the engagement and consultation which will be undertaken during the DPD will be provided within a consultation statement.

### **Stages of engagement**

10.2 The table below outlines the key stages for the production of the DPD:

Stage 1 - Initial engagement with key stakeholders and Request for Sites consultation	August/Dec 2009
Stage 2 - Informal public consultation (Site Options Report)	Jan/Feb 2010
Stage 3 - Formal public consultation ('publication' of the DPD)	July/August 2010

10.3 Engagement with stakeholders and the community is planned in 3 stages. The purposes of these stages of engagement are set out below:

10.4 The purposes of engagement at Stage 1 are:

- Identifying the key issues for the DPD;
- Information gathering (policy, site needs, potential sources of sites, Request for Sites);
- Informing communities on the site selection process; and
- Informing the site selection process including site requirements and suitable site criteria.

10.5 The purposes of engagement at Stage 2 are:

- Information gathering (site constraints, availability, deliverability);
- Assisting with site assessment. The informal public consultation in January/February will focus on the Council's initial assessment of the 'long list' of potential sites.

10.6 Following the Site Options Report consultation, the Council will decide which sites should go forward for inclusion in the DPD which will be subject to a further round of consultation in July/August 2010 (stage 3).

10.7 The purposes of engagement and formal consultation at Stage 3 are:

- refining strategy and policy options; and
- to receive formal objections to be taken forward to the DPD Examination

**Key groups for engagement**

10.8 A number of key groups have been identified who will be involved throughout the plan making process. These include:

*(i) Officer Experts Group*

10.9 Council officer expert group, including membership from the following departments: Development Control/Enforcement, Housing, Environmental Health, Kent County Council Gypsy and Traveller Unit and Spatial Policy.



The role of the Group is to provide expert advice on the key issues that should inform the content of the DPD as it progresses, based on knowledge of the area, the Council's interests, knowledge of the local Gypsy and Traveller community and the issues associated with pitch provision.

*(ii) Gypsy and Traveller communities*

- 10.10 It is important to gain the views of individual Gypsies and Travellers in need of site accommodation at an early stage in the process. Gypsy and Traveller support bodies and planning agents will be contacted, to identify Gypsy and Traveller families in need of accommodation. Face-to-face interviews with Gypsy and Traveller households will also be undertaken, to identify site requirements and to inform the development of appropriate site criteria.
- 10.11 Consultation with the travelling communities will need to be handled sensitively. Advice will be sought from national and local Gypsy support groups and the Kent County Council Gypsy and Traveller Unit as primary channels for contact with these groups. Advice will also be sought from bodies that have carried out GTAAs to understand the most effective ways of achieving good results and with other support groups active in the local area.

*(iii) Settled communities*

- 10.12 It will be important to understand legitimate, planning-related concerns expressed by the settled community. Existing communities will be represented by their Parish Councils (see section below) and settled communities will also have the opportunity to be involved throughout the DPD preparation process. This will include a 6 week informal consultation in January/February 2010 (see section below on the consultation methods).

*(iv) Parish Councils*

- 10.13 Briefings to Parish Councils have already commenced at this early stage of evidence gathering and engagement to:
- Set out the purpose of the DPD;
  - Explain the site survey process; and
  - Ask for input on key issues, site selection criteria, potential sites.

*(v) Maidstone Borough Council Members*

- 10.14 A briefing will be held for all Members of Maidstone Borough Council at an early stage in the production of the DPD (15<sup>th</sup> September 2009). Further input will be through Local Development Document Advisory Group and Cabinet meetings at key stages of the plan making process.

*(vi) Engagement on site suitability, availability and achievability*

- 10.15 During the process of site identification and detailed site assessment, landowners, agents and infrastructure providers will be contacted to help identify sites and with determining site suitability, availability and achievability.

*(vii) Key external stakeholders*

- 10.16 A number of key stakeholders will be contacted to inform them the DPD is being produced and ask them about specific issues relating to Gypsy and Traveller sites in Maidstone, including integrating the DPD with their work/strategies. This will include stakeholders such as:

- Gypsy Guild
- Other national and local Gypsy and Traveller organisations
- Police architect
- Site managers and maintenance officers
- Environment Agency
- Infrastructure providers

**Informal consultation on potential sites (stage 2)**

- 10.17 Issues of sensitivity and combating potentially negative press, misunderstandings and possibly inappropriate comments apply particularly to this stage of wider public consultation. At this stage, in line with the Council's Statement of Community Involvement (SCI), it is envisaged that the 6-8 week consultation period (stage 2) will involve:

- Carefully worded press releases to local media and myth busting factsheet;
- Special edition of Planning Viewpoint newsletter and/or Borough Update;
- 3 – 4 public consultation half day events, including exhibition, presentations and workshops;
- 2 or 3 meetings specifically with members from the Gypsy and Traveller communities;
- Letters and/or emails to organisations and groups included on the Council's LDF database;
- Limehouse on-line consultation; and
- Publication of report on the Limehouse system and hard copies available to view at libraries and council offices.

- 10.18 At this stage, meetings will be set up with different Traveller groups. CLG guidance recommends that hard-to-reach groups should be key stakeholders in researching their needs. This consultation will include any

families who have been identified as having particular local accommodation requirements.

- 10.19 Following the end of the consultation period, the consultation responses will be analysed to identify issues to be addressed and how further stages in the production of the DPD should be informed by the consultation results.

## 11 Sustainability Assessment and Habitat Regulations Assessment

### Sustainability appraisal

- 11.1 Integrating sustainability into the process of site selection from the earliest opportunity will help choose sites that contribute to more sustainable development in Maidstone. Demonstrating how sustainability has informed the selection of sites from alternatives is also an important part the sustainability appraisal process. This is not only to satisfy regulatory requirements of Strategic Environmental Assessment, but also good practice in the iteration of options to allow sustainable choices to be made.
- 11.2 Scott Wilson has been commissioned to produce a Sustainability Appraisal (SA) Scoping Report for the DPD by August 2009. This will develop a clear understanding of the principle sustainability issues for the DPD and a set of sustainable development objectives for the appraising the plan. These objectives will be used to help in testing the suitability of criteria for assessment and in the assessment of site impacts.
- 11.3 *Sustainability assessment of site selection criteria:* The first stage of assessment will be to use the sustainability objectives to check the coverage of the site selection criteria. This simple evaluation of the criteria will help make sure that no matters of importance to identifying sustainable sites are left out of the considerations for site selection.
- 11.4 *Sustainability assessment of the spatial options:* The alternative spatial options for the provision of sites will also need to be assessed.
- 11.5 *Sustainability assessment of sites:* For the assessment of individual sites a standard set of sustainability objectives is needed to ensure the systematic appraisal of sites. Therefore, Sustainability Objectives developed as part of SA Scoping will be used as the basis for these. However, it may be that they will need some adjusting to make them suitable for use in a site specific assessment, to be expressed using specific indicators rather than more broad 'directions of change'.
- 11.6 Part of the site assessment will need to be a SA of the identified sites. In keeping with the proposed two stage site assessment, the Sustainability Appraisal would also involve initial and detailed assessment stages.

- 11.7 Initial stages of site assessment will be to identify those sustainability issues that could act as a sieve to eliminate those sites with obvious or overriding, constraints to their development. Considerations at this stage could be access to nearby services, flood risk and impacts on nationally designated biodiversity and landscape areas. The SA will be incorporated into the overall site appraisal matrix for each site.
- 11.8 The detailed stage of assessment will look at the sites that remain in greater detail, including issues such as accessibility and landscape character constraints.
- 11.9 Reporting at this stage is likely to be integrated into the Site Options Report.

**Habitat regulations assessment (HRA)**

- 11.10 HRA will need to be undertaken to examine whether the proposals emerging in the DPD will have any significant impacts on internationally important nature conservation sites.

## 12 Timetable

- 12.1 The DPD will provide allocations in Maidstone borough for the time period of 2006 – 2016. The timetable for the production of the document is set out below:

Stakeholder engagement	Aug/Dec 2009
Informal public consultation	Jan/Feb 2010
Publication (formal public consultation)	July/Aug 2010
Submission to the Secretary of State	Oct 2010
Pre-examination meeting	Dec 2010
Independent examination	Feb 2011
Adoption	July 2011

## **MAIDSTONE BOROUGH COUNCIL**

### **LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP**

**22 SEPTEMBER 2009**

### **REPORT OF THE ASSISTANT DIRECTOR OF DEVELOPMENT & COMMUNITY STRATEGY**

**Report prepared by Fiona Fraser Boulton**

#### **1. PROGRESS REPORT ON THE DEVELOPMENT OF A SETTLEMENT HIERARCHY FOR MAIDSTONE BOROUGH**

##### 1.1 Issue for Decision

1.1.1 To consider endorsing the proposed methodology and recommended further steps required for the development of a robust settlement hierarchy for the forthcoming Core Strategy.

##### 1.2 Recommendation of the Assistant Director of Development & Community Strategy.

1.2.1 That the proposed methodology for developing a settlement strategy in order to inform the spatial distribution of development within Maidstone Borough is endorsed.

1.2.2 That the rural settlements audit data and its interpretation and analysis is endorsed.

1.2.3 That the sustainable development criteria as set out in the Bristol Accord are endorsed to inform the development of a settlement hierarchy.

1.2.4 That the proposed use of the background paper (Appendix 1) on settlement hierarchy as a basis for discussion with Parish Councils, representative groups of the rural population and other relevant stakeholders, such as key infrastructure providers is endorsed.

##### 1.3 Reasons for Recommendation

1.3.1 The Background Paper on Settlement Hierarchy (Appendix 1) presents a progress report on work that is still ongoing. The findings presented in this Paper are very much an initial indication of the likely direction a settlement hierarchy for Maidstone could take. The reason for presenting this work at such an early stage is to invite comment and

feedback from Members before going out to the Parish Councils and stakeholders for discussion before developing material for subsequent agreement by Members before public consultation.

- 1.3.2 Recent research and studies have shown that not all rural areas are thriving under the established approaches of national rural policy. This has called into question the efficacy of the spatial planning policies developed for rural settlements and economies. The traditional approach has been shown to be too simplistic, underestimating the actual complexities that exist in rural areas. This being the case, there is now a need to go back and unpick past policies and develop a more sophisticated approach that better understands the complexities of rural areas.
- 1.3.3 In developing a settlement hierarchy for the Borough it is important to complement straight forward audit data of the numbers and types of services and facilities available, as well as access to public transport with information as to how local populations actually use these facilities. The gathering of this more 'functional' data will provide a much better understanding of how settlements function in relation to each other, the behavior and needs of their communities, as well as to the wider area in general.
- 1.3.4 In order to do this it is necessary to engage more fully with all groups represented in the rural populations, including more hard-to-reach or socially excluded groups. It is also important to engage with key service providers, such as education and transport, to gain insight into their provision plans for the future. Liaison with local housing bodies and reviews of Local Affordable Housing Needs will also form important elements of the work.
- 1.3.5 Community strategies, such as Parish Plans and Village Design Statements, provide an invaluable source of information regarding community views and aspirations as well as helping to identify those settlements that have a need and a capacity for further appropriate development. It is important to engage with Parish Councils and those groups involved with the production of these strategies to gain their views and insights.
- 1.3.6 As noted above the Background Paper is very much an early stage of work in progress. It sets out the broad principles of the settlement hierarchy and it is envisaged that it will provide a valuable means of engaging with the rural population, providing as it would a more tangible basis for discussion.
- 1.3.7 The broad principles also help to meet some of the needs of the current stages of Core Strategy and transport planning. The initial stages of the audit analysis indicate there are 4 clearly distinct Rural

Service Centres (Lenham, Staplehurst, Headcorn and Marden), plus a further 7 settlements that are individually significant but distinctive enough to warrant their own category (Larger Villages). The Rural Service Centres would be the natural focus for development but Larger Villages and distinctively different enough to warrant their own category (Larger Villages). The Rural Service Centres would be the natural focus for development but Larger Villages and other settlements may also have need and capacity for development, particularly where local needs have been clearly identified. The categories as proposed are therefore only indicative and changes may be necessary as further careful work and consultation is undertaken.

#### 1.4 Alternative Action and why not Recommended

- 1.4.1 Non-endorsement. To continue with the more traditional approach of using purely rural settlement service audits as a basis for developing a settlement hierarchy would result in a less than robust evidence base. There is a very real risk that any spatial policy developed on the back of this evidence would not meet national policy (particularly with respect to the emphasis on the need to understand the function and roles of settlements) and consequently render the Core Strategy unsound.

#### 1.5 Impact on Corporate Objectives

- 1.5.1 Endorsement of the proposed settlement hierarchy approach and methodology would help the Council achieve a wide number of corporate objectives including:
- i. Enabling the development of a range of homes in accordance with local housing need in order to develop sustainable communities;
  - ii. Enabling the delivery of new affordable homes;
  - iii. Continuing the support of parish councils and representative groups in all communities of the borough;
  - iv. Improving communications and delivery of services to Gypsy and Traveller communities;
  - v. Actively promoting the commercial benefits of Maidstone to new businesses to increase the prosperity of the area, diversifying the economy and encouraging existing businesses to grow; and
  - vi. Working with the Local Strategic Partnership and other partners to deliver and support key regeneration projects.

#### 1.6 Risk Management

- 1.6.1 Difficulties may be experienced in engaging with all relevant Parish Councils and representative groups within rural populations. Steps will

be taken to ensure a range of communication networks within the Council are utilized and consultations are set up using a variety of means (workshops/e-mail/postal) across a range of time periods.

1.6.2 Information relating to the functional use of settlement facilities and services may be hard to access or collect. Resulting analyses may therefore be patchy or inconclusive. The study should not be seen as a single snap-shot event but the start of a longer process which develops over time and is subject to appropriate monitoring.

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	
3.	Legal	
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

1.7.2 Financial: work associated with the settlement hierarchy will be funded by the existing Local Development Framework budget.



**NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED**

Is this a Key Decision?      Yes                          No   

If yes, when did it appear in the Forward Plan? \_\_\_\_\_

Is this an Urgent Key Decision?    Yes                          No   

Reason for Urgency

N/A

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# Background Paper on Settlement Hierarchy

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Maidstone Borough  
Council Local  
Development  
Framework

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Fiona Fraser Boulton & Michael  
Murphy

September 2009

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## **1.0 Introduction**

- 1.1 The purpose of this paper is to provide background evidence to underpin the selection of the hierarchy, explaining national and regional policies and the choice of assessment criteria as well as proposing hierarchy options and recommendations. It is a 'for information' report as the work is still in its early stages and the categories presented are largely indicative only. It is intended that the paper will form a basis for discussion with the public, Parish Councils and relevant stakeholders in Maidstone Borough, as well as informing the Council's Core Strategy.
- 1.2 The methodology uses the most up-to-date information and data currently available. However, settlements are not static bodies – population, transport practices and services are all subject to change over time. This paper recognises that the rural service and facilities audit only provides a snapshot in time of the facilities and accessibility to services within the different settlements in Maidstone Borough. It will therefore be important to ensure a view to future potential for growth and improvement in sustainability is also encapsulated in any spatial policy.
- 1.3 The services audit and settlement hierarchy themselves only provide evidence not policy. The information gathered will be used to inform spatial options for the Core Strategy and Land Allocations DPD and ultimately be used to help develop policy. Updates to the audit will be undertaken as and when they are needed as new and relevant information becomes available.

### **Background**

- 1.4 Government has charged all local planning authorities with the responsibility of ensuring future new development should as far as possible meet the principles of sustainable development. The delivery of sustainable development underpins all national policy guidance and follows through into regional and local policy levels.
- 1.5 The benchmark for assessing sustainability and sustainable development in the UK is in the UK's sustainable development strategy<sup>1</sup>. This strategy recognises that in achieving sustainable development, four inter-related and equally important objectives need to be fulfilled:
  - Social progress which recognises the needs of everyone;
  - Effective protection for the environment;
  - Prudent use of natural resources; and
  - Maintenance of high and stable levels of economic growth and employment.

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<sup>1</sup> Securing the Future – The UK's Sustainable Development Strategy

- 1.6 Future patterns of development in Maidstone borough will need to embrace these four sustainability objectives in the context of local sustainability criteria. Achieving sustainable development is now at the heart of the development plan process and the emerging LDF will need to embrace sustainability in future development options.
- 1.7 The Maidstone Borough-wide Local Plan 2000 sets the current settlement hierarchy. Since adoption of this Plan there have been changes in national and regional policy guidance, which must be taken into consideration. Establishing a settlement hierarchy is an important way in which the Maidstone Borough Local Development Framework can contribute to sustainable development. The Settlement Hierarchy will therefore be one of the key pieces of evidence for the Core Strategy.

### **What is a Settlement Hierarchy?**

- 1.8 Settlements work by providing services for a wider area. The bigger the settlement the more services it tends to have. A settlement hierarchy is a way of arranging settlements based on factors such as population and function. Over time a settlement hierarchy has developed across the borough with Maidstone Town being at the top, providing the majority of services. Smaller settlements have been limited to providing more local services. As car ownership has increased this has led to a decline in services in many smaller settlements.
- 1.9 A settlement hierarchy involves the classification of settlement types according to a number of factors, including accessibility to services and the level of services provided by the settlement. The identification of these factors will provide a basis for indicating the current sustainability of different settlements as well as indicating where there are deficiencies within a settlement that could be addressed through development or other means.

### **Settlement Patterns across Maidstone Borough**

- 1.10 Defra<sup>2</sup> data classifies Maidstone Borough as a 'Significantly Rural' Local Authority District (LAD)<sup>3</sup>. This classification is based on the amount and kind of rural population a local authority district contains, i.e. the strategic settlement pattern, the defined settlement type and settlement population. The basis of this information is the 2001 Census. A 'Significant Rural' Local Authority District is one where either the rural population is greater than 37,000 or represents between 26% - 50% of the District's population.
- 1.11 In Maidstone Borough, over 45,800 people live in rural areas, representing 33% of its total population. The overwhelming bulk of the Borough is rural in nature

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<sup>2</sup> Department for Farming and Rural Affairs

<sup>3</sup> Defra Classification of Local authority districts and Unitary authorities in England – A Technical Guide, July 2005

and even at the end of the Plan period, despite the Growth Point status of Maidstone town itself, a substantial part of the Borough's population will live outside the main urban area. This suggests that the needs of the rural area could potentially be of considerable significance for a spatial strategy.

- 1.12 The settlement pattern which characterises Maidstone Borough echoes a settlement pattern which is characteristic of the SE Region as a whole. This is one where a large market town or administrative centre is surrounded by much smaller, more dispersed centres of settlement. The geography is quite distinctive – the majority of LADs lie on the fringes or between major or large urban areas. This reflects a particular rural settlement pattern where a single urban settlement dominates an extensive area of villages and scattered dwellings.

## **2.0 Policy context**

- 2.1 There is no specific guidance on how to undertake a settlement hierarchy. National and regional policy does provide some key issues that need to be addressed but regional policy contains no specific guidance on criteria to assist in the identification of settlement categories.

### **National Policy**

- 2.2 The concept of sustainable communities lies at the heart of government policy. Creating and maintaining sustainable communities is the primary objective of PPS1 (Delivering Sustainable Development). PPS1 promotes the creation of integrated planning frameworks which recognise the needs and broader interests of the community, to secure a better quality of life for the community as a whole. The policy statement indicates that planning should facilitate and promote sustainability and inclusive patterns in rural development.
- 2.3 Further national policy and guidance on settlement strategy matters is provided in PPS7 (Sustainable Development in Rural Areas), PPS3 (Housing) and PPS13 (Transport and Land Use):
- Most new development should be directed to existing towns and cities, to help maximise accessibility to employment and services by walking, cycling and public transport (i.e. PPS1 para 27 (vi), PPS3 para 37, PPG13 para 6, and PPS7 para 1(ii))
  - In rural areas, development should be focussed on settlements that can act as service centres for surrounding areas (i.e. PPS3 para 38, PPS7 para 3 and PPG13 para 6)

With regard to rural housing, the focus for significant growth should be market towns or local service centres, well served by public transport and other facilities, with development in villages and other small rural communities only

where needed to contribute to their sustainability (PPS3 para 38). Therefore, only limited growth should be expected through the expansion of villages.

2.4 Draft PPS4 (Planning for Prosperous Economies) consultation June 2009, indicates the Government's reviewed approach to supporting economic development. The main policies with respect to rural economies are EC9 (local planning approach to rural areas), EC13 (village and local centre shops and services), EC14 (LDF: re-use or replacement of buildings in the countryside) and EC15 (LDF's: tourism in rural areas). The main thrust of these policies are:

- To encourage local authorities to find out more about specific local economic and social needs and opportunities, as well as settlement patterns and accessibility to service centres, markets and housing.
- Local authorities should seek to protect and strengthen village and local centre shops, services and other small-scale economic uses.
- To recognise that proper planning for economic development at an appropriate scale in rural areas can ensure that communities can prosper and thrive whilst ensuring continued protection for the countryside.

## **Regional Policy**

2.5 National planning policies are currently interpreted and applied at the regional level through Regional Spatial Strategies (RSS). A settlement hierarchy for Maidstone Borough will therefore have to take account of the Regional Spatial Strategy for the South East, which is known as the South East Plan 2009 (SEP). A brief summary of the relevant SEP policies and their implications for Maidstone Borough are outlined below:

- SP2 - Regional Hubs: States that local development documents will include policies that support and develop the role of regional hubs. The SEP identifies a network of 22 regional hubs, which includes Maidstone (the development of which is further described in Policy AOSR7).
- SP3 - Urban Focus and Urban Renaissance: The prime focus for development in the South East should be urban areas, in order to foster accessibility to employment, housing, retail, and other services, and avoid unnecessary travel.
- BE4 - Role of Small Rural Towns/'Market' Towns): Local Planning Authorities should encourage and initiate schemes and proposals that help strengthen the viability of small rural towns, recognising their social, economic and cultural importance to wider rural areas and the region as a whole.
- BE5 - Village Management: Local Planning Authorities should positively plan to meet the defined local needs of their rural communities for small

scale affordable housing, business and service development, taking account of changing patterns of agriculture, economic diversification, and continued viability of local services. Local Development Documents should define their approach to development in villages based on the functions performed, their accessibility, the need to protect or extend key local services and the capacity of the built form and landscape setting of the village.

- AOSR6 – Rest of Kent: Sets out a housing requirement of 11,080 dwellings up to 2026 and an indicative job growth figure of 15,000 for that part of Kent outside sub-regional areas. Maidstone is identified as an accessible settlement of regional significance and has the potential to accommodate significantly higher levels of development during the Plan period than other urban settlements located outside the sub-regional strategy areas.
- AOSR7 – Maidstone Hub: Maidstone is the county town of Kent and serves as the focus for administrative, commercial and retail activities. It is designated as a hub under Policy SP2 of this Plan as it is well related to strategic rail and road networks and serves as an interchange point between intra and local rail services. It also offers opportunities for some new housing development. An indicative 90% of new housing at Maidstone should be in or adjacent to the town.

### **3.0 Justifying the use of a Settlement Hierarchy**

#### **Sustainable Development**

3.1 The delivery of sustainable development underpins all national policy guidance and follows through into regional and local policy levels. However, the term 'sustainability' is hard to define. Sustainable development principles have been taken and expanded into a broad set of fairly consistent criteria or characteristics. These criteria can be found in the UK's sustainable development strategy and the 'Bristol Accord'<sup>4</sup>:

- *Active, inclusive and safe*
- *Well run*
- *Well connected*
- *Well served*
- *Environmentally sensitive*
- *Thriving*
- *Well designed and built*
- *Fair for everyone*

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<sup>4</sup> The 'Bristol Accord' – the UK Presidency EU Ministerial Informal on Sustainable Communities, December 2005



## **Issues Faced in Defining Sustainable Rural Communities**

- 3.2 The outcome of achieving sustainable rural communities is an important one but not a simple one. For one thing, there is no consensus on a standard definition for sustainable settlements let alone for sustainable rural communities. The Bristol Accord states that *'sustainable communities are diverse, reflecting their local circumstances. There is no standard template to fit them all'*. It then goes on to say that sustainable settlements would include elements of all of the sustainable development characteristics (listed above).
- 3.3 In view of this lack of a general definition, it is left to local government levels to interpret and apply sustainable development criteria. In practice, however, key policy issues such as planning and housing have tended not to have these criteria applied in a consistent way. For example there has been some concern and debate in respect of their application to smaller settlements in a potentially restrictive way.
- 3.4 A second major issue that needs to be borne in mind is that the concept of sustainable communities is overwhelmingly based on an urban model and has been developed from examples of a single metropolitan centre or network of major towns or cities<sup>5</sup>. Many rural settlements do not compare well against all of the sustainable development objectives, particularly when they are considered as independent entities. In the past, the logical conclusion of this analysis has been that many rural communities are inherently 'unsustainable'.
- 3.5 Another major issue has been the tendency to view sustainability in terms of accessibility by private transport. There also seems to be a growing emphasis that public and community transport services are essential to support sustainable access (and so use) of services and facilities available at different levels of settlement. This presumption leads to the existence of transport services being used as key criteria in assessing the role of settlements and their place in any development hierarchy. This simplistic approach creates two fundamental challenges in assessing sustainability of settlements in rural areas:
- People's access to personal mobility significantly influences the way they engage with local settlements and the places they use to access services and facilities.
  - Assessing whether sustainable transport does or does not exist fails to take account of the reality of people being able and willing to use it. If application of the accessibility criteria show a settlement meets those criteria but in practice the timing and cost of the service limit its value, then this seriously undermines the basis of the assessment.

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<sup>5</sup> Building for the Future 2003, EU Ministerial Informal on Sustainable Communities 2005

- 3.6 Accessibility is important whether related to urban or rural settlements – the evidence is that everyone uses the car too much for future sustainability. However, there are alternatives to physical access – eg. outreach services, mobile units, access to broadband etc – which should be taken into account.
- 3.7 Sustainability does not relate solely to the use of transport. Consideration must also be given to the social and economic sustainability of an area. If development is prevented in all but the most ‘sustainable’ locations it would not allow others to grow and evolve. Therefore it is important to ensure consideration is given to whether development can help to enhance facilities and services in an area.
- 3.8 Research and studies undertaken across England over the past few years has revealed that the existing English approach to rural policy does not produce all of the outcomes sought – many services and facilities are closing, affordable housing for local needs is not developed and in the right location and design does not always fit local characteristics. It strongly suggests the approach of directing development to larger settlements, based purely on population size is too simplistic. People use settlements and services in different ways. Settlement policy should be more than just considering the self-sufficiency of communities. It should move toward an understanding of the function of settlements – such a move would open up a greater concept of interdependencies between settlements. Work undertaken in developing the Devon Local Area Agreement (2005-2008)<sup>6</sup> indicated that many (small) rural settlements do meet sustainable community criteria to some degree (even if this is by being well-served by links to other settlements for services).
- 3.9 The outcomes of all of these studies reinforces the notion that policy makers should be prepared to think of sustainable rural communities as a group of settlements or even as a distinct area of geography containing a range of settlements and dispersed hamlets as well as individual larger settlements.
- 3.10 An important factor when planning for sustainable rural settlements is to identify and understand the role and function of those settlements in relation to each other and to the wider countryside, as well as to larger urban centres such as Maidstone Town. Assessing the sustainability of a community and the impact of development on that sustainability should be based on evidence relating to the role and function of settlements (making up that community) and the way in which they are used by people to live their lives.
- 3.11 ‘Functionality’ is now identified as a key driver in planning policy at regional and local levels. Understanding functionality is based on an analysis of the roles that

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<sup>6</sup> Planning for Sustainable Rural Communities: Stage One Report, Final Report May 2008, Roger Tym & Partners with Rural Innovation

settlements play in peoples' lives as well as how settlements within the hierarchy interact and integrate with each other.

## **4.0 Methodology**

### **Past Methodology**

- 4.1 Developing a settlement hierarchy is the first step in the process of identifying and understanding the role and function of rural settlements. It provides a framework for managing the scale of development in different locations. Combined with other policy areas, it will indicate the level of growth that might be allowed to occur in particular places. The hierarchy helps to guide the search for sites when specific allocations are considered as well as providing guidance for 'windfall' schemes (development proposals on unallocated sites).
- 4.2 The 'traditional' approach to developing settlement hierarchies has been to collect together information which can be described as 'characteristic data' – ie. it describes what services and facilities are available in any settlement. This data is often subjected to weighting systems based on scale of settlement, access to public transport, and level and type of facilities. This weighting then determines what type of development a settlement is eligible to host. Current national policy now clearly states that the focus should be on 'functionality' rather than any issue related purely to relative size and scale.
- 4.3 The past approach to planning for rural settlements in Maidstone Borough, as set out in existing Development Plan policies (the Kent and Medway Structure Plan and the Maidstone Borough-Wide Local Plan 2000), focussed on delivering development by means of a traditional settlement hierarchy approach. Three type of rural settlement were identified – settlement with limited residential development; settlements which have the potential for more extensive levels of development; and settlements which are of significant conservation value. Rural economic development was approached through policies on allocation and retention of employment land and the conversion of existing buildings. Whilst the intention of this planning approach was to encourage diverse rural economies and thriving rural communities, it safeguarding the countryside for its own sake and resulted in rural communities not always meeting their needs, retaining their services or attaining sustainability.

### **Proposed Methodology**

- 4.4 Local planning authorities need to determine the relative merits of settlements when deciding how and where to allocate development. Characteristic data only provides data about what is available in terms of services: it does not provide any information as to how people use those services, employment or public transport. People often do not use local services even where they exist, or prefer to use services in neighbouring settlements.

- 4.5 To truly understand the functionality, network and relationships between settlements, there needs to be a comprehensive understanding at a local level as to how settlements relate to each other. This can be achieved by complementing characteristic data with functional data, i.e. how people use settlements for employment and services and the extent to which they use available public transport.
- 4.6 Maidstone Borough Council has opted to take a pragmatic approach by tailoring the 'traditional approach' to factor in the role and function of settlements, their interdependencies and the need to provide for change over the Development Plan period.

## **5.0 Settlement Hierarchy for Maidstone Borough**

- 5.1 Maidstone Borough is broadly characterised by having many smaller settlements with limited access to services and facilities and relatively little in the way of public transport provision. These are not generally features of sustainable settlements as the smaller settlements will of necessity be highly dependent on other (often larger) settlements for jobs and services, and will be highly dependent on private cars for travel.
- 5.2 This distribution pattern, combined with Maidstone town's status as a Growth Point and the direction of regional spatial policy regarding Maidstone, leads to the conclusion that none of the rural settlements should be expected to receive large amounts of development. However, modest amounts of development in some settlements may be justifiable where it is seen as contributing to local sustainability in the settlement.
- 5.3 Based on the characteristic data collected thus far, it is apparent that there are three distinctive categories of settlements within Maidstone Borough:
- Category 1 - Rural Service Centres
  - Category 2 - Larger Villages
  - Category 3 - Dependent Villages

### **5.4 Category 1: Rural Service Centres**

**Villages with a good range of services and facilities and some access to public transport.**

- 5.5 The South East Plan notes that small rural or 'market' towns play a key part in the economic and social functioning of the region and should be up to 20,000 in population. The Spatial Strategy set out in the Plan does not envisage them as a main focus for development, but as local hubs that will compliment the role of regional hubs. The SEP differentiates between key service centres and villages in terms of population, where key service centres have a population of 3,000 - 20,000 and rural villages have a population less than 3,000.

- 5.6 Bearing in mind that Maidstone Borough doesn't have a settlement with a population of more than 7,000, it follows that there are no settlements that achieve 'market town' status in the Borough. The tier of settlements below Market Towns is referred to in different terms in various strategic policies: 'service centres'/ local service centres' in PPS3 and PPS7, 'key service centres' in the South East Plan, and 'rural service centres' in the Kent and Medway Structure plan (KMSP). It is suggested that the most suitable term for Maidstone is 'Rural Service Centre' (RSC) where Policy SS7 of the KMSP (2003) identifies such centres as the focus for community services, improved public transport and small scale housing and employment serving the area.
- 5.7 For Maidstone, one of the primary aims of spatial policy for rural areas (as outlined in policy CS2 of the Core Strategy Preferred Options) is to identify a preferred hierarchy of suitable locations for development and indicating the appropriate scale of development at each. Considering the South East Plan and KMSP have no specific guidance on criteria to assist in the identification of rural service centres, we have looked elsewhere for best practice examples on the process for determining rural settlement hierarchies (namely the East of England Plan 2008, Horsham District Council's Background Paper on Settlement Sustainability 2005 and the Cambridgeshire & Peterborough Structure Plan 2003). This has enabled the development of a list of facilities and criteria considered desirable for a rural service centre (see Appendix 1). For ease of understanding, the common elements of the criteria in both plans are as follows:
- A primary school and good access to secondary education by bus
  - A doctor's surgery
  - A good range of shops and services that can meet day to day needs (particularly for food shopping)
  - Local Employment Opportunities
  - Frequent public transport services to higher-order centres
- 5.8 For the purpose of this analysis, and based on the survey results of the villages listed in Appendix 1, the criteria listed above have been interpreted by Maidstone as follows:
- Access to education: In order to warrant a positive score (√) the settlement must have a primary school and either secondary school provision in the village or within easy reach by cycle or bus (not more than a half hour bus journey)
  - Doctor's surgery: Whether there is a surgery in the settlement
  - Range of shops and services: Food stores that meet most weekly shopping needs and provide an element of choice, together with non-food outlets, a post office and pub. In order to warrant a positive score (√) the

settlement must have a combined total of 5 or more of these services from the categories below:

Convenience Stores, Comparison & Other and Food & Drink:

For example, a settlement that contains 3 convenience stores, a post office and a pub or restaurant will achieve a positive score (√)

- Access to higher order centres: Settlements have been given a positive score if an hourly bus service operates to Maidstone or a higher order centre between 7am and 7pm Monday to Saturday.
- Local employment opportunities: The settlement has an industrial estate/business park with at least 4 units.

5.9 In addition to outlining the criteria above, the Cambridgeshire and Peterborough Structure Plan indicates that rural service centres will generally have a population of over 3,000 people (para 1.17). This threshold is also considered appropriate for Maidstone, although it is important to note that this population figure is desirable rather than a necessity. Similarly, it must be noted that the criteria above are not rigid 'tests' to be met in full in order to merit Rural Service Centre designation. However, a village that failed to meet the majority of these tests would not be the type of settlement that the Rural Service Centre designation is intended to apply to.

5.10 Table 1 (overleaf) shows the results of this assessment. Settlements are ranked according to the number of criteria they meet. It is important to note that the final list of villages in Table 1 were chosen for assessment based on the number of criteria they met in an initial survey conducted for every village in the Borough (see Appendix 3 for criteria used). As expected, the range of criteria met during this initial survey showed wide variation. However,, some of the villages already designated as RSC scored highest. These villages, which fall into Category 1, are Lenham, Headcorn, Marden and Staplehurst.

5.11 As explained earlier in Section 5.5, meeting the criteria in full is not a rigid test to merit Rural Service Centre (Category 1) designation, and a degree of judgement is needed where settlements do not satisfy all criteria. Therefore, even though Sutton Valence and Coxheath meet the same number of criteria as Marden (see Table 1 above), we have decided they are best suited to a Category 2 designation. Similarly, Harrietsham is currently designated as an RSC but featured poorly in the facilities survey. Therefore, we have made the decision to include this as a Category 2 settlement also.

5.12 Further assessment and consultation will be conducted in the coming months in order to gain a better understanding of the larger villages referred to above.

**Table 1: Extent to Which Settlements Meet the Selection Criteria**

Settlement	3000 + Population	Range of Shops & Services	Doctor's Surgery	Access to Education	Access to Higher Order Centre	Access to Jobs	No. of Criteria Met
Lenham	√	√	√	√	√	√	6
Headcorn	√	√	√	√	√	√	6
Staplehurst	√	√	√	√	√	√	6
Marden	√	√	√	√	x	√	5
Sutton Valence	x	√	√	√	√	√	5
Coxheath	√	√	√	√	√	x	5
Yalding	x	√ (5)	√	√	√	x	4
Harrietsham	x	x (4)	√	√	√	√	4

### 5.13 Category 2: Larger Villages

#### **Villages that have potential to accommodate smaller-scale development**

5.14 Larger villages offer a limited range of services and facilities for their immediate communities and consequently are less sustainable locations than Rural Service Centres. However, a small proportion of growth in these settlements may be appropriate, primarily in the form of small-scale infill developments or minor extensions that address specific local economic, social or community objectives.

5.15 Larger villages vary in size and population throughout Maidstone Borough. So, for the purpose of differentiation from Rural Service Centres, larger villages will generally have all of the following:

- primary school
- post office
- general food store
- doctor's surgery
- community centre/village hall

The larger villages should also have an easily definable built form giving the impression of being within a 'built-up' area/village.

5.16 Based on the original settlement survey conducted on villages within the Borough (see Appendix 3), the criteria set out in Paragraph 6.2 above were applied and the results show that 5 of the villages outside of those already designated as RSC's meet the set criteria. The 5 villages are: Coxheath, Sutton Valence, Yalding, Hollingbourne and Kingswood. As mentioned above, Harrietsham is also being added to this Category and we are adding Boughton Monchelsea as a potential Category 2 settlement based on the number of criteria it meets and its sizeable population. This brings the total list of Category 2 (larger villages) to 7:

Boughton Monchelsea, Coxheath, Harrietsham, Hollingbourne, Kingswood, Sutton Valence and Yalding.

### 5.17 **Category 3: Other Settlements:**

#### **Settlements with very limited levels of facilities**

5.18 Category 3 is comprised of the remaining small villages and hamlets dispersed throughout the Borough. These villages are not expected to accommodate any significant levels of development, however, some small-scale development may be appropriate where it be clearly identified that local needs are met.



**Appendix 1: Services and Facilities in Selected Maidstone Settlements**

Settlement	Lenham	Headcorn	Marden	Staplehurst	Sutton Valence	Coxheath	Yalding	Harrietsham
Parish Population KCC estimate 2007	3,350	3,300	3,840	5,860	1,590	3,670	2,380	2,020
Convenience Stores	>5	>5	5	>5	<5 (1)	>5	<5 (1)	<5 (1)
Comparison & Other (pharmacy, bank, clothes etc)	>5	>5	<5	>5	<5 (3)	>5	<5 (0)	<5 (0)
Food and Drink	>5	>5	<5	>5	5 - all pubs	>5	<5 (4)	<5 (2)
Post Office	√	√	√	√	√	√	√	√
Permanent Library	√	√	√	√	No	√	√	No
Doctor's Surgery	√	√	√	√	√	√	√	√
Primary School	√	√	√	√	√	√	√	√
Access to Secondary Education	Yes - in village	Yes - by bus	Yes -by bus	Yes -by bus	Yes - private secondary school in village - bus trip to others	Yes -by bus	Yes - by bus	Yes - by bus
Access to Maidstone	Hourly bus service + train	Hourly bus service + train	2 hourly bus service + train	Hourly bus service + train	Hourly bus service	Bus every 15 minutes	Hourly bus service + train	Hourly bus service + train
Business Park: Employment	√	√	√	√	√	No	No	√

## Appendix 2: Extent to Which Settlements Meet the Selection Criteria

Settlement	3000 + Population	Range of Shops & Services	Doctor's Surgery	Access to Education	Access to Higher Order Centre	Access to Jobs	No. of Criteria Met
Lenham	√	√	√	√	√	√	6
Headcorn	√	√	√	√	√	√	6
Staplehurst	√	√	√	√	√	√	6
Marden	√	√	√	√	x	√	5
Sutton Valence	x	√	√	√	√	√	5
Coxheath	√	√	√	√	√	x	5
Yalding	x	√ (5)	√	√	√	x	4
Harrietsham	x	x (4)	√	√	√	√	4

### Guide to Appendix 2:

- Access to education: In order to warrant a positive score (√) the settlement must have a primary school and either secondary school provision in the village or within easy reach by cycle or bus (not more than a half hour bus journey)
- Doctor's surgery: Whether there is a surgery in the settlement
- Range of shops and services: Food stores that meet most weekly shopping needs and provide an element of choice, together with non-food outlets, a post office and pub. In order to warrant a positive score (√) the settlement must have a combined total of 5 or more of these services from the categories below:

Convenience Stores, Comparison & Other and Food & Drink:

For example, a settlement that contains 3 convenience stores, a post office and a pub or restaurant will achieve a positive score (√)

- Access to higher order centres: Settlements have been given a positive score if an hourly bus service operates to Maidstone or a higher order centre between 7am and 7pm Monday to Saturday.
- Local employment opportunities: The settlement has an industrial estate/business park with at least 4 units.

### Appendix 3: Original Settlement Survey

Facilities / Village	Boughton Mal	Grafty Green	Boughton Mon	Boxley	Sandling	Bredhurst	B/field & K/wood	Chart Sutton	Collier Street	Coxheath	Detling	Downswood	East Farleigh	Harrietsham	Headcorn	Hollingbourne
<b>EDUCATION</b>																
Nursery			√			√	√	√	√		√		√	√	√	
Primary School			√			√	√		√	√				√	√	√
Secondary School																
<b>COMMUNITY</b>																
Place of Worship	√		√	√		√	√	√	√	√	√			√	√	√
Public House	√	√	√	√	√	√		√	√	√	√		√	√	√	√
Village/Community Hall	√	√	√		√	√	√	√	√	√	√		√	√	√	√
<b>HEALTH</b>																
Doctor's Surgery							√			√				√	√	
Other										√					√	√
<b>LEISURE &amp; REC</b>																
Leisure Centre																
Recreation / Open Space							√	√	√		√				√	√
<b>RETAIL</b>																
General Store	√	√	√				√			√				√	√	√
Post Office	√	√	√				√	√		√	√			√	√	√
Greengrocer										√					√	
Newsagent										√				√	√	
Bank										√	√				√	
<b>TRANSPORT</b>										√						
4+ Bus Journeys/Weekday	√	√	√	√	√	√		√	√	√	√		√	√	√	√
Train Service													√	√	√	√
<b>EMPLOYMENT</b>																
Large Employer						√	√	√	√						√	
<b>SCORE</b>	<b>6</b>	<b>5</b>	<b>8</b>	<b>3</b>	<b>3</b>	<b>7</b>	<b>9</b>	<b>8</b>	<b>8</b>	<b>13</b>	<b>8</b>	<b>0</b>	<b>5</b>	<b>11</b>	<b>16</b>	<b>10</b>

<b>POP (parish 2001)</b>	428		2,041	9,521		355	1,545	822	648	3,856	777	2,225	1,394	1,750	3,241	858
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<b>POP (KCC parish est 2007)</b>	390		2,400	9,410		360	1,480	880	740	3,670	780	2,190	1,500	2,020	3,300	940
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**Appendix 3 Continued: Original Settlement Survey**

<b>Facilities / Village</b>	Hunton	Langley	Leeds	Lenham	Platt's Heath	Sandway	Linton	Marden	Net/stead	Otham	Sta/hurst	Stockbury	Sutton Valence	Teston	Ulcombe	Wormshill	Yalding	Lad/ford
<b>EDUCATION</b>																		
Nursery	√	√	√	√				√	√	√	√		√	√	√		√	
Primary School	√			√	√			√			√		√		√		√	√
Secondary School				√									√					
<b>COMMUNITY</b>																		
Place of Worship	√	√	√	√	√		√	√	√	√	√	√	√	√	√	√	√	√
Public House			√	√		√	√	√		√	√	√	√	√	√	√	√	√
Village/Community Hall	√	√	√	√	√		√	√	√	√	√	√	√	√	√	√	√	√
<b>HEALTH</b>																		
Doctor's Surgery		√		√				√			√		√				√	
Other				√				√			√		√				√	
<b>LEISURE &amp; REC</b>																		
Leisure Centre																		
Recreation / Open Space	√	√	√	√				√			√		√	√			√	
<b>RETAIL</b>																		
General Store		√		√				√			√	√	√	√				
Post Office				√				√			√		√	√			√	
Greengrocer				√				√			√							
Newsagent				√				√			√		√				√	
Bank				√				√			√							
<b>TRANSPORT</b>																		
4+ Bus Journeys/Weekday	√	√	√	√			√	√	√	√	√	√	√	√	√		√	√
Train Service				√				√			√						√	
<b>EMPLOYMENT</b>																		
Large Employer			√	√														
<b>SCORE</b>	<b>6</b>	<b>7</b>	<b>7</b>	<b>17</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>15</b>	<b>4</b>	<b>5</b>	<b>15</b>	<b>5</b>	<b>13</b>	<b>8</b>	<b>6</b>	<b>3</b>	<b>12</b>	<b>5</b>
<b>POP (parish 2001)</b>	613	1,128	679	3,301			536	3,771	839	527	6,003	683	1,574	579	862	198	2,236	
<b>POP (KCC parish est 2007)</b>	700	1,150	750	3,350			480	3,840	880	590	5,860	710	1,590	600	920	200	2,380	