

Session 5A – Housing Supply.

Inspector's Question 5.1

Is the Council proposing a formal modification to the land supply information in the Local Plan?

Council's response:

5.1.1 The Council is proposing a formal modification to the land supply information in the Local Plan as the information in the Regulation 19 Local Plan was necessarily based at the time the Council approved the document on monitoring data from 31 March 2015 (end of 2014/2015 monitoring year). This should now be updated to incorporate the most up to date evidence from 31 March 2016 (end of 2015/2016 monitoring year). This evidence is included in the Housing Topic Paper 2016 (SUB 005). In addition, the Council is proposing one further amendment to the Local Plan in relation to an additional housing allocation (to reflect the Staplehurst Neighbourhood Plan (ORD 026) in accordance with the Inspector's letter (ORD 026 (A)). The Neighbourhood Plan referendum is due to be held on 3 November 2016. The resultant additional 90 dwellings have been added to row 4 - Local Plan allocated sites - in amended Table 4.1

Ref.	Proposed change	Reason
PC / 76	<p>Amend Policy H1 to add additional allocation to read:</p> <p><u>H1 (XXXX) – Land at Lodge Road, Staplehurst</u></p> <p><u>Land at Lodge Road as shown on the policies map, is allocated for development of approximately 90 dwellings at an average density of 30 dwellings per hectare. In addition to the requirements of policy H1, planning permission will be granted if the following criteria are met.</u></p> <p><u>Design and Layout</u></p> <ol style="list-style-type: none"> <u>The eastern part of the site including the existing pond will be retained as a landscaped/ecological area and the integrity and connectivity of the existing framework of ponds, hedgerows and trees within and adjoining the site shall be retained and enhanced.</u> <u>Retain and enhance hedges and trees along the boundaries of the site including the hedge/tree line which separates the site from employment</u> 	<p>To update the housing land supply to reflect the Staplehurst Neighbourhood Plan.</p>

land to the northeast and east.

3. The development shall integrate well with, and complement, any development on site H1(49) to the west and south and employment development to the northeast and east to ensure good connectivity and an appropriate relationship between the sites.

Landscape/Ecology

4. The development proposals are designed to take into account the results of a landscape appraisal in accordance with the principles of current guidance.
5. The development proposals are designed to take into account the results of a detailed arboricultural survey, tree constraints plan and tree retention/protection plans.
6. The development proposals are designed to take into account the result of a phase 1 habitat survey and any species specific surveys that may as a result be recommended, together with any necessary mitigation/enhancement measures.

Access

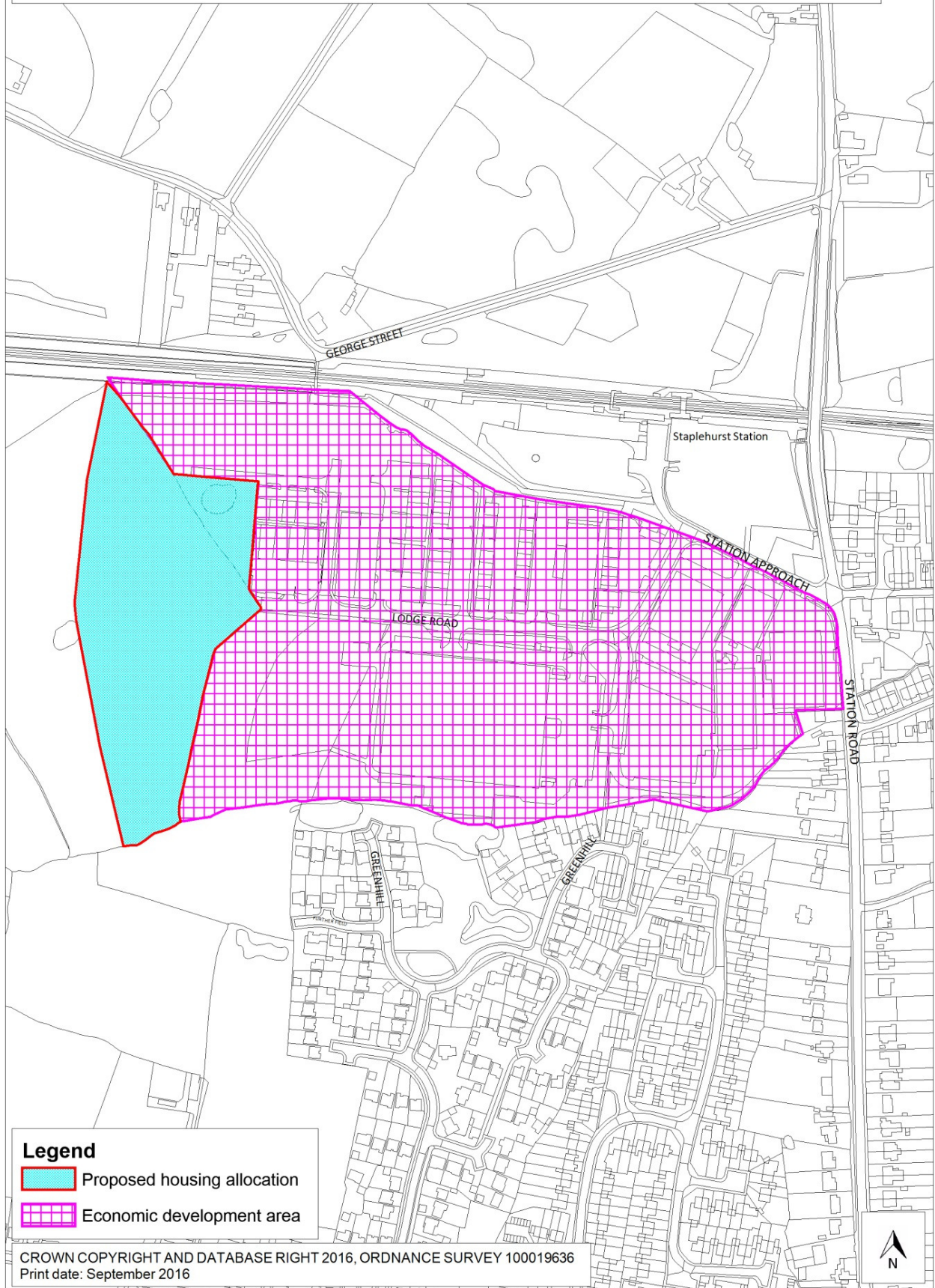
7. Vehicular access to the site shall be from Lodge Road.
8. The development shall provide a pedestrian/cycle path link to site H1(49) to the west and/or south, which shall run through the site to Lodge Road and also link to employment land to the northeast and east of the site.

Noise

9. Development will be subject to a noise survey to determine any necessary attenuation measures in relation to the railway line and existing and potential employment uses.

5.1.2 Amend Policies Map as follows:

Proposed allocation - Land at Lodge Road, Staplehurst



5.1.3 In relation to updating the housing land supply to base date 31 March 2016, the proposed amendments are as set out below:

Ref.	Proposed change	Reason																
PC /77	<p>Amend Para 4.3 to read:</p> <p>The Strategic Housing Market Assessment 2015 confirms the objectively assessed housing need for the borough over the plan period 2011 to 2031 as 18,560 dwellings (928 dwellings per annum(4)). This need is based on an analysis of national population projections with key local inputs, including net migration, household formation rates and housing vacancy rates. The council will monitor the impact of new data releases on its objectively assessed housing need and respond as appropriate. The council does not need to allocate land to meet the whole need of 18,560 dwellings because 5,248 <u>at 31 March 2016, 2860</u> homes have already been built since 2011 and 5763 have been granted planning permission on sites that are not yet completed. A reduction of 5% has been made to the number of dwellings expected to be built on sites with planning permission in order to allow for the non-implementation of some planning permissions. The local plan allocates a further 5690 <u>8,707</u> dwellings, and identifies broad locations for housing growth that can yield around 3,790 <u>3,500</u> dwellings. Adding a windfall allowance of 1600 <u>114</u> dwellings per annum from unidentified sites in the latter years of the plan period, the council will be able to meet its objectively assessed housing need of 18,560 dwellings in full, as set out in the table below.</p> <p>The housing trajectory (appendix A) demonstrates in detail how this need will be met.</p> <table border="1" data-bbox="225 1417 1241 1883"> <thead> <tr> <th data-bbox="225 1417 256 1518"></th> <th data-bbox="256 1417 826 1518"><u>Housing land supply</u></th> <th data-bbox="826 1417 1034 1518"><u>Dwellings (net)</u></th> <th data-bbox="1034 1417 1241 1518"><u>Dwellings (net)</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="225 1518 256 1630"><u>1</u></td> <td data-bbox="256 1518 826 1630"><u>Objectively assessed housing need/ Local Plan housing target</u></td> <td data-bbox="826 1518 1034 1630">-</td> <td data-bbox="1034 1518 1241 1630"><u>18,560</u></td> </tr> <tr> <td data-bbox="225 1630 256 1742"><u>2</u></td> <td data-bbox="256 1630 826 1742"><u>Completed dwellings 1 April 2011 to 31 March 2016</u></td> <td data-bbox="826 1630 1034 1742"><u>2,860</u></td> <td data-bbox="1034 1630 1241 1742"></td> </tr> <tr> <td data-bbox="225 1742 256 1883"><u>3</u></td> <td data-bbox="256 1742 826 1883"><u>Extant planning permissions as at 1 April 2016 (including a non-implementation discount)</u></td> <td data-bbox="826 1742 1034 1883"><u>5,475</u></td> <td data-bbox="1034 1742 1241 1883"></td> </tr> </tbody> </table>		<u>Housing land supply</u>	<u>Dwellings (net)</u>	<u>Dwellings (net)</u>	<u>1</u>	<u>Objectively assessed housing need/ Local Plan housing target</u>	-	<u>18,560</u>	<u>2</u>	<u>Completed dwellings 1 April 2011 to 31 March 2016</u>	<u>2,860</u>		<u>3</u>	<u>Extant planning permissions as at 1 April 2016 (including a non-implementation discount)</u>	<u>5,475</u>		To update the housing land supply to base date 31 March 2016.
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<u>4</u>	<u>Local Plan allocated sites (balance of allocations not included in line 3 above)</u>	<u>5,690</u>	
<u>5</u>	<u>Local Plan broad locations for future housing development</u>	<u>3,790</u>	
<u>6</u>	<u>Windfall sites contribution</u>	<u>1,600</u>	
<u>7</u>	<u>Total housing land supply</u>		<u>19,415</u>
<u>9</u>	<u>Housing land surplus 2011/2031</u>		<u>855</u>

Table 4.1 Meeting objectively assessed housing need

Inspector's Question 5.2

Is the Council proposing a formal modification to the H2(1) policy?

Council's response:

5.2.1 As a result of the updated evidence base available, the Council is proposing a formal modification to Policy H2(1).

5.2.2 In addition, the Borough Council wish to clarify that, Policy H2(1) (Maidstone town centre broad location for housing growth) does not defer contributions to a post 2026 period. For this reason, housing contributions within Maidstone town centre are expected throughout the plan period. In order to avoid contradiction between policies this requires a minor amendment to Policy H2 by deleting the post 2026 timescale as set out below. The expected timescale for each broad location is already specified within individual Policies H2(1) to H2(3).

Ref.	Proposed change	Reason						
PC / 78	<p>Amend Table 9.1 Broad locations for housing growth to read:</p> <table border="1"> <thead> <tr> <th>Policy Reference</th> <th>Area</th> <th>Approximate Dwellings yield</th> </tr> </thead> <tbody> <tr> <td>H2(1)</td> <td>Maidstone town centre</td> <td><u>990</u> 700</td> </tr> </tbody> </table> <p>Amend Policy H2 to read:</p> <p>Policy H2</p>	Policy Reference	Area	Approximate Dwellings yield	H2(1)	Maidstone town centre	<u>990</u> 700	To update the housing land supply to base date 31 March 2016 and to reflect the Housing Topic Paper (SUB 005)
Policy Reference	Area	Approximate Dwellings yield						
H2(1)	Maidstone town centre	<u>990</u> 700						

Broad locations for housing growth

The broad locations for future housing growth allocated under policies H2(1) to H2(3) have the potential to deliver up to 3790 ~~3,500~~ homes to meet the borough's housing need ~~post-2026~~. These locations will deliver a range of developments of varying sizes, types and densities. In addition to the specific requirements set out in the detailed policies for the broad locations, all sites should meet the following criteria.

Amend Policy H2(1) to read:

Policy H2 (1)

Maidstone town centre broad location for housing growth

Maidstone town centre, as defined on the policies map, is identified as a broad location in accordance with policy H2 for approximately 990 ~~700~~ dwellings. Development must comply with policy SP4. The council will prepare a master plan to develop the vision for the town centre and to guide development proposals.

Amend Para 9.2 to read:

9.2 It is acknowledged that there is an oversupply of poorer quality office stock in the town centre which is no longer fit for purpose. This has the effect of suppressing the town centre office market and thereby inhibiting new development which could better meet modern business needs. A route to tackle this is to rationalise the supply of the poorest stock through conversion or redevelopment to alternative uses. Over the time frame of the plan it is anticipated that the value of the lowest quality office stock, in terms of rents, will fall further making redevelopment for alternative uses increasingly viable. With a corresponding uplift in the market for town centre apartments, this trend could see the delivery of significant new housing in and around the town centre. ~~The impact of the temporary~~ permitted development entitlements for changes of use from office accommodation to residential use~~(4)~~ *have had a significant effect on the potential supply of residential units in the town centre. At 31 March 2016, a total of 665 dwellings had been consented through prior notification within the town centre during the first three years of its operation - with 85% achieved through the conversion of poor quality office stock. There is substantial further poor quality office*

	<p><u>floorspace in the town centre from which to realise further residential opportunities during the plan period. The Town Centre Study and recent interest from landowners also signal further potential opportunities within the town centre including at The Mall and the riverside west of the River Medway</u> through prior notification yet to be fully assessed, although a number of prior notifications have been submitted. In view of the market shifts needed, full delivery is unlikely to be realised until the end of the plan period. The town centre broad location has the potential to deliver in the order of 990 700 additional homes.</p>	
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Inspector’s Question 5.3

Is the proposed 990 dwelling yield for H2(1) (Town Centre) adequately justified?

Council’s response:

5.3.1 One of the NPPF core planning principles is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value (Paras 14 and 111).

5.3.2 The planning strategy incorporated in the Local Plan is to support the regeneration of Maidstone town centre including through the provision of additional homes in a highly sustainable location (with the availability of a range of services and sustainable transport options) which would add vitality to the centre throughout the day and night.

5.3.3 The town centre vision is: *By 2031 a regenerated and sustainable Maidstone town centre will be a first class traditional town centre at the heart of the 21st Century County Town that has maintained its place as one of the premier town centres in Kent by creating a distinctive, safe and high quality place...*

One of the key components in achieving this vision is creating a stronger mix and balance of uses within the centre to support long term viability including where appropriate residential development.

5.3.4 Local Plan Spatial Objective 3 is to transform the offer, vitality and viability of Maidstone town centre including its office, retail, residential, leisure, cultural and tourism functions together with significant enhancement of its public realm and natural environment including the riverside.

5.3.5 Policy SP 4 (Maidstone town centre) gives effect to the planning strategy for the town centre:

- 1. *The regeneration of Maidstone town centre, as defined on the policies map, is a priority. This will be achieved by:*
 - iv. *The retention of the best quality office stock whilst allowing for the redevelopment of lower quality offices...*
 - vii. *Select opportunities for residential redevelopment;*

5.3.6 The Local Plan (Para 5.34) and accompanying evidence (Qualitative Employment Site Assessment 2014, GVA (ECON 002) highlight that there is an oversupply of poorer quality office stock in the town centre which is less suited to modern occupier requirements because this stock is generally older, is not suited to flexible sub-division, is less energy efficient and has limited or no dedicated car parking.

5.3.7 A combination of reduced demand for office space (locally and nationally) together with the availability of new and better quality office accommodation in nearby areas (e.g. Kings Hill and Ashford) has the effect of suppressing demand for office accommodation in the Maidstone Town Centre, thereby inhibiting new development which could better meet modern business needs. A route to tackle this is to rationalise the supply of the poorest quality stock through conversion or redevelopment to alternative uses.

5.3.8 Over the time frame of the plan it is expected that the value of the lowest quality office stock, in terms of rents, will fall further making redevelopment for alternative uses increasingly viable. With a corresponding uplift in the market for town centre apartments, this trend is expected to see the delivery of significant new housing in and around the town centre.

5.3.9 At the time that the Regulation 19 Local Plan was drafted, permitted development rights enabled the conversion of office space to residential use without the need for planning permission for a limited 3 year period (until 30 May 2016) and it was envisaged that this could start to secure a step change in residential provision in the town centre in the short term. However, these changes were made permanent on 6 April 2016. This has clear implications for potentially increasing the future delivery of homes in the town centre in the much extended period to 2031.

5.3.10 Table 8.3 (the Housing Topic Paper (SUB 005) Appendix A) illustrates a significant rise in the number of office to residential prior notification approvals within Maidstone town centre rising from 43 dwellings in 2013/14 to 539 dwellings in 2015/16 alone. 85% of these were in the identified poorer quality office stock.

<i>Location of Prior Notification applications</i>				
	Total	2015/16	2014/15	2013/14
	(Dwellings)	(Dwellings)	(Dwellings)	(Dwellings)
All	907	694	144	69
Rural	102	62	33	7
Maidstone Urban	805	632	111	62
Town Centre	669	542	84	43
Town Centre (office to residential only)	665	539	83	43

5.3.11 Since 1 April 2016, a re-submitted prior notification on Brenchley House within the town centre has increased the dwelling capacity of this office block by 94 dwellings, though this is not registered in the table above as prior notification occurred after the base date of 31 March 2016.

5.3.12 An exercise has been undertaken to examine the capacity of the remaining poorer office stock located within the town centre. The calculations and methodology applied are included in the Housing Topic Paper Appendix D (SUB 005). The potential additional capacity from the balance of poor quality office stock is likely to be in the region of 350 dwellings.

5.3.13 The market take up of the prior notification provisions and the future supply of primarily poor quality office units mean that it is reasonable to expect this source of supply to contribute around a further 350 dwellings to the town centre broad location over the plan period. This represents only half the number of new dwellings generated in the first 3 years of the Plan period over the remaining 15 years.

5.3.14 The Town Centre Study (CEN 002) illustrates a number of potential development opportunities in Maidstone Town Centre – see Figure 6.2 Town centre opportunity sites. As the study indicates, many of the sites are identified from the analysis as speculative opportunities in the medium to longer term. These sites have been identified where greater development potential exists in a particular location, or where refurbishment or redevelopment could enhance the local environment. It is not possible to be definitive about which of these will come forward in the period to 2031 but the Study gives an indication of potential future opportunities in the medium to longer term.

5.3.15 The Town Centre Study (CEN 002) Paragraph 11.77 illustrates potential opportunities for 'the Riverside Quarter' which include making better use of sites next to the River Medway currently occupied by large single storey retail units and car parking. The units have no direct relationship with the river.



Extract from Figure 6.2 - Town centre opportunity sites -Town Centre Study (CEN 002)

5.3.16 The Study sees future potential for ground floor retail units with residential uses above and alongside. Para 11.80 illustrates that opportunities for residential development on four sites (13, 14, 24 and 35 - excluding Powerhub) could achieve a net gain of approximately 385 homes through a mix of apartments and houses. It is considered likely that some potential could be realised from this area and the Borough Council has assumed that half the number of units from this source could be achieved. Examples of recent interest include larger sites in the town centre, such as The Mall and Baltic Wharf.

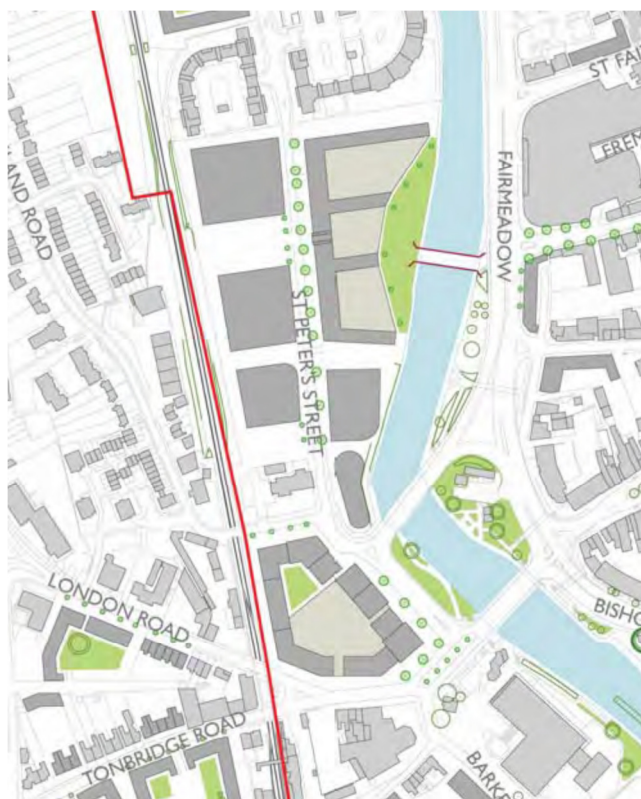


Figure 11.8 - Indicative development framework for the St Peter's area - Town Centre Study (CEN 002)

5.3.17 Representations to the Regulation 19 Local Plan on behalf of The Mall Limited Partnership recognise retail led redevelopment centred on The Mall (Policy SP4 and supporting text). For consistency with other town centre sites they seek inclusion of The Mall site within Policy RMX1 which contains details of retail and mixed use allocations. In particular they note that The Mall redevelopment is capable of delivering residential development as part of a retail-led scheme, in line with other schemes listed in Policy RMX1. Policy SP4 (Maidstone town centre) signals the regeneration of Maidstone town centre, as a priority including select opportunities for residential redevelopment and discussions between the Borough Council and the landowner to consider the various options for the site are ongoing. The Mall Limited Partnership has confirmed its intention to include a residential element in its long-term plans for redeveloping the site. A plan prepared by the owners in discussion with the Borough Council shows a first phase of 130 units wrapping round the front of the car park fronting onto Romney Place. It is the Borough Council's view that there are opportunities for further phases of development at the Mall site and anticipates that 400 dwellings would be achieved from this source in total over the plan period.

5.3.18 In February 2014 a public exhibition was held by the owners of the Mall (Capital & Regional and Aviva Investors) with the support of Maidstone Borough Council to promote *an exciting, once-in-a-lifetime, opportunity to develop The Mall Maidstone and the surrounding area*. The exhibition illustrated a potential redevelopment scheme for The Mall and its surrounds. An area currently occupied by the Sainsbury's store and extensive surface level car park was earmarked for substantial housing redevelopment (see illustration below). This is not a proposal in the Local Plan as it would require the relocation of the retail store or rationalisation of some of its parking which is not currently proposed, but it serves to illustrate a more intensive use for an extensive town centre site. The capacity of such an area would be of the order of 850 dwellings.

Extract from 'The Vision for Maidstone' Exhibition



5.3.19 Baltic Wharf, St Peter's Street consists of two areas of land with a combined area of 1.58ha. The larger part of the site is occupied by a 6-story listed building (the Powerhub building); the 3-storey Raglan building to the north and single storey outbuildings to the south. The smaller part of the site to the north is occupied by a car park. Baltic Wharf has consent (2014 on appeal) for a scheme of retail, office and mixed use development. At the appeal a residential scheme comprising 240 units (115 units from conversion and 125 new build) was proposed by the Borough Council and, although not considered viable at that time, improvements in the housing market may support the viability of a similar scheme in the medium term. Implementation of the planning consent relies on securing a retailer. The Council has had recent discussions with the owners of Baltic Wharf where residential use has been discussed. The owners have indicated that they would consider residential use as part

of a mixed use proposal in the context of overall viability, although this is not their current intention. There may be potential for the site to deliver around 240 dwellings within the town centre.

5.3.20 There are likely to be other redevelopment schemes within the town centre which include a residential component over the remaining plan period.

5.3.21 In summary, a number of sources of further housing development within the town centre over the longer term have been identified by the Council. There is a realistic prospect that some of this development will be achieved up to 2031 within enabling policy SP 4 (Maidstone town centre) as part of the regeneration of the town centre. Only a proportion (45%) of the identified sites is assumed to come forward during the Plan period. Clearly, the Council will continue to encourage such development in on-going discussions with landowners and this situation will continue to be monitored. The very nature of town centre opportunities means that it is difficult to be precise about which may materialise over the plan period. The table below illustrates an assumed potential from the more likely sources.

Source	Potential capacity	Assumed potential
Poor quality office stock	350	350
The Mall regeneration	400	400
Sainsburys and adjoining land	850	0
Riverside Quarter	385	190
Baltic Wharf	240	0
Other unidentified sites	50	50
Total	2,175	990

5.3.24 In conclusion, national and local planning policy supports the regeneration of the town centre. A key part of that regeneration is the removal of some of the poor quality office stock and the establishment of more residential units in this sustainable location. The recent trend of Prior Notification applications for Class Q of Part 3 permitted development proposals to redevelop poorer quality office stock; an analysis of future capacity from remaining, principally poor quality, buildings together with discussions with site owners, provides a reasonable basis for the Council's confidence that the potential yield within the Town Centre broad location should be increased to a total of 990 dwellings.

Inspector's Question 5.4

What should happen were the MoD not to make Invicta Park Barracks surplus to requirements?

Council's response:

5.4.1 At the time of plan-making, the Borough Council consider that there is a reasonable prospect that the site will come forward in the Plan period. The 26.2ha site is eminently suitable for housing development. In accordance with the NPPF core planning principle to encourage the effective use of land by reusing land that has been previously developed (brownfield land), it is considered appropriate to designate this sustainable site as a broad location for housing development.

5.4.2 In order to update the Inquiry, a meeting was held with representatives of the Ministry of Defence in September 2016. A letter from the Ministry of 13 Sep 2016 (Appendix A) makes it clear that no announcement can be made about the future of individual sites until publication of the Estate Optimisation Strategy. The MoD is actively looking at options whereby the Royal Engineers regiment at the barracks could be better served closer to the training area and the military units that they operate alongside. The Department is also conscious that this particular barracks site appears to offer a large sustainable brownfield site suitable for a housing led scheme. Planning work on the constraints, opportunities and capacity of the site has been carried out by MoD consultants this year and they will continue to refine this work. The Ministry reaffirm that it is appropriate that the Council continue to promote the site for a general or indeed specific allocation for housing in the Local Plan on the basis that it could be brought forward after 2025 and within the latter part of the Local Plan period.

5.4.3 In view of the potential earlier release of the Barracks site, the Borough Council wish to clarify that, Policy H2 (Broad locations for housing growth) does not defer contributions to a post 2026 period (PC / 78).

5.4.4 The housing trajectory indicates clearly that the Invicta Park Barracks site is not expected to deliver housing until post 2026.

5.4.5 The requirement in Policy H2 for a Phase 1 Habitat Survey and flood assessment, if necessary, is a standard detailed requirement for housing allocations in the plan (see Policy H1). It is not anticipated to result in any significant issues within the broad location which cannot be mitigated within such extensive development, and therefore does not confer any uncertainty as to the acceptability of the broad locations.

5.4.6 The Council will annually monitor policies in the plan including H2 and H2(2) following its adoption. In relation to this broad location the Borough Council will be conscious of lead times associated with bringing forward the broad location including allowing adequate time for the determination of an application, commencement on site, and build-out rates. Monitoring of the key local plan targets will indicate if there is a need to amend the approach in parts of the plan.

5.4.7 The Local Plan states that the Council considers it prudent to commence a review of the plan and its supporting evidence in a timely manner and a review of the local plan will commence by 2022 (Para 21.30). Thus, if it is clear at this stage that the MoD will not be releasing the Invicta Park Barracks in time to generate 1,300 dwellings, there will be a formal opportunity to review progress of housing delivery. A Local Plan review is considered the preferred approach as this will allow the monitoring of all contributions to housing provision by this time; an updating of housing need and the consequences for housing (and associated land uses and infrastructure). However, the Borough Council, in common with the HBF,

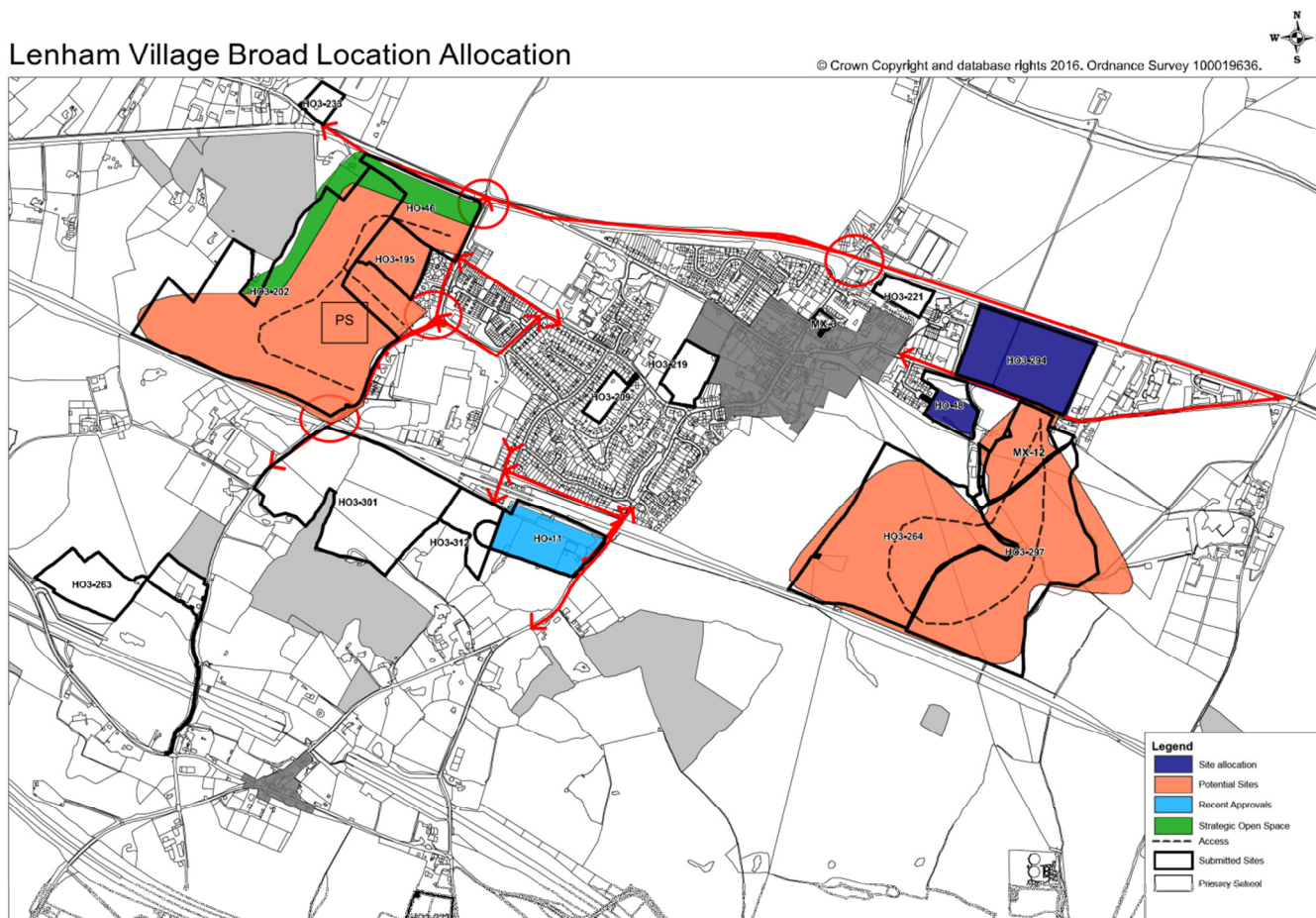
consider that the site is suitable. At this stage the Borough Council also consider that there is a reasonable prospect that it will come forward in the Plan period.

Inspector's Question 5.4 (sic)

Is it realistic to expect the H2(3) Lenham Broad allocation for 1,500 dwellings to be delivered within a 5 year period?

Council's response:

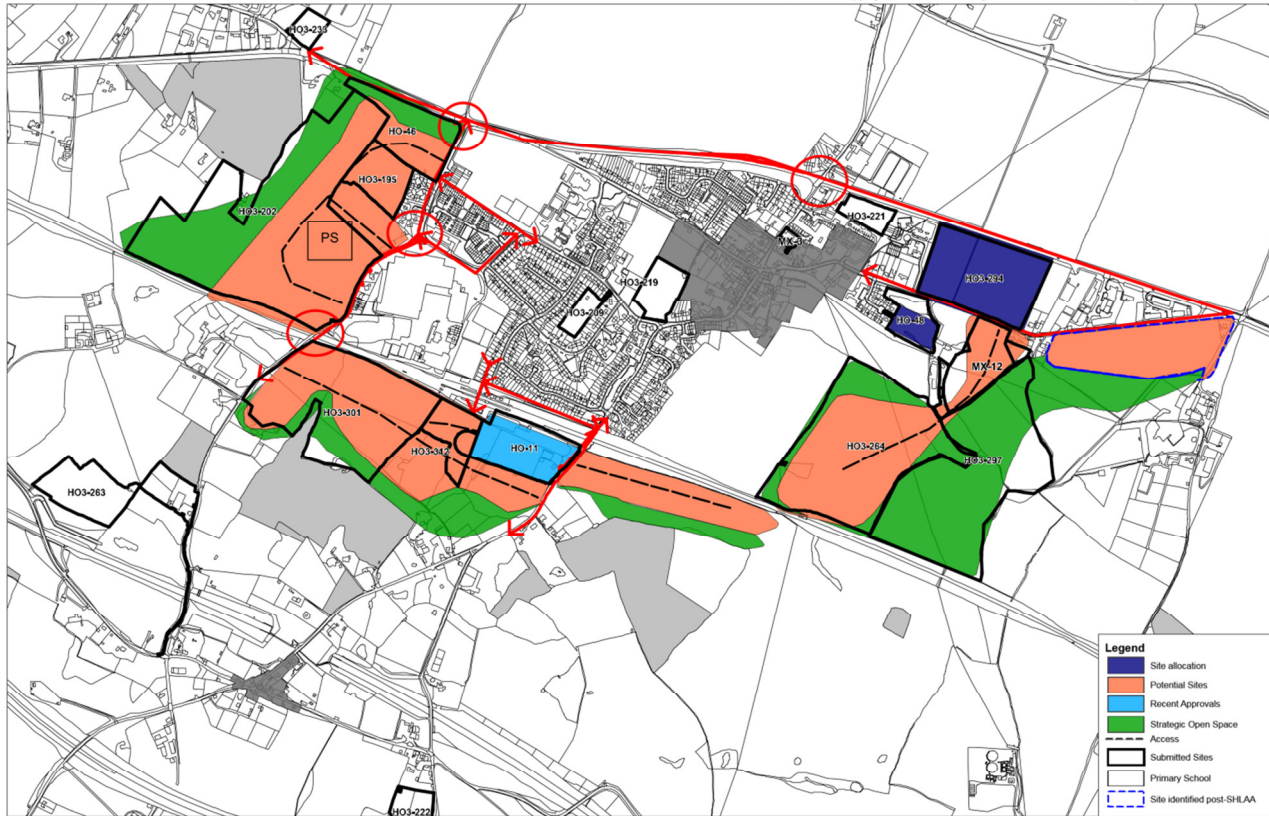
5.5.1 Policy H2(3) of the Local Plan illustrates two broad locations for future housing development to the east and to the west of Lenham. The broad locations are based on sites submitted for development by the land owners during Calls for Sites (see plan below).



5.5.2 Exploration of the 'Broad Location' Allocation at Lenham Village, May 2016 (STR 002; STR 002(A) and STR 002(B)) illustrates these options in more detail alongside a potential alternative which has three locations to the east, west and south of the rural service centre. This too is based on sites submitted for development by the land owners during Calls for Sites (see plan below).

Lenham Village Possible Option

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5.5.3 There will be the opportunity to develop individual parts of each area by different developers. Similarly, as delivery is not focused on a single area, there will be the opportunity for each of the areas to be developed independently of each other by different developers. This being the case it is considered feasible that 300 dwellings could be completed each year through the combined efforts of a number of developers. As 40% of the dwellings should be affordable housing, this should mean that less than 300 dwellings would need to be sold on the open market. Finally, on strategic sites, differentiation between house types, sizes and tenures within wider developments can allow for higher absorption rates as purchasers consider different developments as almost separate entities, even if this is within one overall development. It is considered that the locations at the edge of Lenham would be highly marketable.

5.5.4 The benefit of building at a Rural Service Centre is the availability of existing infrastructure to support development.

5.5.5 It is acknowledged that there is a need for significant upgrades to the Waste Water Treatment Works. Southern Water anticipate being able to accommodate the additional capacity at the Lenham Waste Water Treatment Works (WWTW) and will prepare a feasibility study. They have advised that the existing environmental permit is likely to require amending to enable expansion to take place. Southern Water have confirmed that they have two Price Review processes prior to 2026 and so have ample time to forward plan for the delivery of the requisite capacity.

5.5.6 At this stage Kent County Council as Education Authority anticipate the need for a new two form entry (2FE) primary school (estimated cost £6m) to serve the development and it would be the responsibility of the developers to provide a site and funding through CIL. The Exploration of the 'Broad Location' Allocation at Lenham Village, May 2016 incorporates a 2.2ha site for new 2FE primary school as required by Kent County Council as Education Authority. This study also accommodates a 1ha site for local facilities such as a shop but these would be provided commercially alongside the development.

5.5.7 The Len Valley GP Practice, Lenham is likely to require an extension and internal reorganisation to create additional capacity within the existing site. Existing S106 and CIL contributions could fund this work.

5.5.8 Traffic modelling for Lenham (Lenham Technical Note: Junction capacity assessment results, Mott McDonald, July 2015 - TRA 033) assesses the implications of the Lenham Broad Location at key junctions to ensure that the scale of growth proposed can be accommodated. Potential mitigation schemes have been developed for the three key junctions¹ to support alternative development options. The study concludes that development scenarios accommodating a larger amount of development to the west of the village can be accommodated with junction improvements which do not require land outside the highway (with the exception of a small amount of land for junction intervisibility at Junction 1).

5.5.9 Open space such as amenity space, children's play areas and smaller scale natural and semi-natural areas will be expected to be incorporated within development layouts. More strategic open space such as natural and semi-natural open space and sports pitches could be located at the periphery of Lenham.

5.5.10 The requirement in Policy H2 for a Phase 1 Habitat Survey and flood assessment, if necessary, is a standard detailed requirement for housing allocations in the plan (see Policy H1) and, as it is not anticipated to identify any significant issues which cannot be mitigated within such extensive development, does not confer any uncertainty as to the acceptability of the broad locations.

5.5.11 Whilst infrastructure must be delivered in a timely manner to support growth, it is not an impediment to development commencing in 2026.

5.5.12 The Council will monitor very closely policies in the plan including H2 and H2(3) annually following its adoption. In relation to this broad location the Borough Council will be conscious of lead times associated with bringing it forward including allowing adequate time for the determination of applications, commencement on site, and build-out rates. This will

¹ Junction 1 (A20: Pilgrims Way / Ashford Road / Ham Lane / Ashford Road). An extended signalised junction would be preferred and can be accommodated within the highway land boundary although the junction intervisibility zone would go across third party land requiring a departure from standard.

Junction 4 (Faversham Road/Old Ashford Road/High Street/Maidstone Road) would require improvement layout options (either mini-roundabout or a signalised junction) which can be accommodated within highway land.

Junction 5 (A20: Ashford Road / Old Ashford Road) would require improvement layout options (either a standard roundabout or a signalised junction with a signalised solution which can be accommodated within highway land to fully mitigate the impact of the development preferred at this stage).

clearly be commenced well in advance of the required delivery period so as not to delay house building.

5.5.13 The Borough Council, in common with the HBF, consider that the broad location is suitable. At this stage the Borough Council also consider that there is a reasonable prospect that there is sufficient lead time to undertake the necessary preparatory work ahead of implementation and then to develop the sites out within a 5 year period.

Inspector’s Question 5.6

Is the Council’s revised windfall allowance justified?

Council’s response:

5.6.1 In accordance with paragraph 48 of the National Planning Policy Framework (NPPF), local planning authorities may make an allowance for windfall sites if there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.

5.6.2 Based on an examination of completed dwellings on previously developed (brownfield) small sites (1 to 4 units) and large sites (5+ units) there is strong evidence of a regular and continuing supply of windfall sites in the Borough. Sites that have previously been identified through the Local Plan process have been removed from calculations, i.e. sites identified in the adopted Maidstone Borough-wide Local Plan 2000, Urban Capacity Studies 2002 and 2006, and the Strategic Housing Land Availability Assessment (2016 combined report). Garden land has been excluded from figures in accordance with the NPPF. It is important to note that sites within the town centre have also been excluded from figures as otherwise this would result in double counting the Town Centre Broad Location contribution.

5.6.3 An assessment has been made of completions from windfall sites since 2008/9 – a period which saw a severe down turn in house building activity (see table below)

<i>Windfall completions 1 April 2008 to 31 March 2016</i>			
	Large site dwellings (net)	Small site dwellings (net)	Total dwellings (net)
2015/16	125	60	185
2014/15	96	39	135
2013/14	111	59	170
2012/13	148	49	197
2011/12	139	51	190
2010/11	189	26	215
2009/10	228	38	266
2008/09	46	55	101

Total	1,082	377	1,459
Annual average windfall rates	136	48	

5.6.4 Analysis over the past eight years shows the average annual windfall rate for small sites at 48 dwellings. The supply from small sites has been fairly consistent and, since sites below five units are not allocated in the Local Plan, it is reasonable to expect this rate to continue during the plan period from 2019/20. Prior to this date there is a risk of double counting the windfall sites with planning permission and these early years have therefore been excluded. Small scale sites are therefore expected to deliver some 576 dwellings. Although dwellings built on garden land have been excluded from site forecasts in accordance with NPPF requirements, such sites continue to deliver an average of 28 dwellings per annum in Maidstone (Housing Topic Paper, Appendix A, Table 8.5 - SUB 005), so could deliver 336 dwellings from 2019/20 over a 12-year period under the enabling Local Plan policy DM10. Excluding this source from the Council's housing land supply forecasts introduces additional flexibility in supply.

5.6.5 The past eight years also shows the average annual windfall rate for large sites at 136 dwellings. For large windfall sites, there are a number of factors that affect the setting of a realistic future rate of development. In particular, it is important to take into consideration that sites have been allocated in the Local Plan, so fewer sites will be 'unidentified' in the short to medium term. The Council has therefore exercised caution and has assumed no large site windfalls over the next five years. After that it is reasonable to assume that the 'call for sites' exercise would not have revealed all medium to long term opportunities and so the Council has applied 50% of the average past windfall rate (68 dwellings per annum) for the period 2021/2026 – resulting in an additional 340 dwellings, and 100% (136 dwellings per annum) for the period 2026/2031 resulting in an additional 690 dwellings.

5.6.6 Looking forward, it can be seen from extant planning consents that, even allowing for the allocations made in the Regulation 19 Local Plan, the Borough's strong trend of windfall sites is set to continue. At 31 July 2016 the current supply position on sites with planning consent is shown in the table below:

Housing Supply: Sites with planning consent at 31 July 2016

Source	Dwellings with Planning Consent	% total dwellings
Dwellings on Local Plan allocated sites (LP 2000 & Reg 19 LP 2016)	3133	51%
Windfall sites	2998	49%
Total	6131	

5.6.7 This shows an increase in planning consents on windfall sites of 508 dwellings since 31 March 2016. The windfall total is significantly boosted by two sites: Tovil quarry for 108 dwellings and a re-submitted prior notification on Brenchley House within the Town Centre broad location for 183 dwellings which represents a 94 dwelling increase on the 31 March 2016 position. The table also illustrates that currently 49% of dwellings with planning applications are on windfall sites. Even with a Local Plan in place, windfall sites continue to form a very significant component of housing land supply.

5.6.8 In conclusion, the Borough Council consider it reasonable to include a windfall allowance in projecting housing provision. In making this allowance, it has avoided double counting and has provided a prudent estimate for larger sites of above 5 dwellings.

Inspector’s Question 5.7

Can the Council estimate how many windfall sites are included in current extant planning permissions in order to support their view that there would be double counting if the allowance were to be brought forward to an earlier date?

Council’s response:

5.7.1 Using the base date of the Regulation 19 Local Plan the table below shows that 45% of planning permissions at 31 March 2016 were on windfall sites.

Housing Supply: Sites with planning consent at 31 March 2016

Source	Dwellings with Planning Consent	% total dwellings
Dwellings on Local Plan allocated sites (LP 2000 & Reg 19 LP 2016)	3046	55%
Windfall sites	2470	45%
Total	5516	

5.7.2 An updated situation at 31 July 2016 on sites with planning consent is shown in the table below which illustrates an increase to almost 50% of planning permissions on windfall sites.

Housing Supply: Sites with planning consent at 31 July 2016

Source	Dwellings with Planning Consent	% total dwellings
Dwellings on Local Plan allocated sites (LP 2000 & Reg 19 LP 2016)	3133	51%
Windfall sites	2998	49%
Total	6131	

5.7.3 There would therefore be significant double counting if the windfall allowance were to be brought forward to an earlier date.

Inspector’s Question 5.8

Is the 5% allowance for non-implementation reasonable?

Council’s response:

5.8.1 Historic data reveals that over the past eight year period (2008/16) an average of 2.11% of dwellings on all sites with extant permissions expired in Maidstone Borough as shown in the table below.

Rates of expired planning permissions 2008 to 2016

	Total dwellings (net) on all permissions	Dwellings (net) on expired permissions	Annual % dwellings (net) on expired permissions
2015/16	5,605	89	1.59
2014/15	3,742	66	1.76
2013/14	2,116	66	3.12
2012/13	2,007	64	3.19
2011/12	2,987	53	1.77
2010/11	3,429	76	2.22
2009/10	3,514	127	3.61
2008/09	3,150	20	0.63
Total	26,550	561	2.11
Average	3,319	70	2.11%

5.8.2 An evidence-based approach would result in a non-implementation rate of 2.11% of total extant permissions for 5763 dwellings: 122 dwellings.

5.8.3 Nevertheless, for the purposes of determining a non-implementation discount for current extant permissions a prudent approach has been adopted to avoid overestimating the yield from this source: a rate of 5% has been applied, reducing the contribution to housing land supply from this source to 5,475 dwellings.

5.8.4 Other 'standard' rates of 10% are not applicable or justified as evidence shows that there is very little 'wastage' of planning consents in the borough.

Inspector's Question 5.9

Is there a need for reserve allocations in case anticipated supply is not forthcoming and if so:

- a) How much reserve supply would be needed?
- b) Should such sites be allocated now or in a review of the Local Plan?
- c) How would sites be selected?
- d) What would trigger their release

Council's response:

5.9.1 At the time of adoption, the Local Plan should meet objectively assessed housing need including the allocation of sufficient sites and broad locations.

5.9.2 The Borough Council has carefully examined the components which contribute to housing land supply.

- housing completions are not disputed and are coming forward at an accelerating rate.
- the contribution of extant planning consents has been adjusted downwards to take into account potential non-implementation. A cautious approach has been taken by applying a 5% discount (rather than the evidence based 2.11%).
- the allocated sites are all considered suitable, available and achievable and capable of delivering the number of dwellings proposed.
- concern is expressed about the deliverability of the broad locations within the Local Plan. Proposals in the Town Centre are already coming forward (particularly through prior notifications on poorer quality offices). In relation to The Barracks and Lenham, these locations are not relied on within the housing trajectory until 2026. This allows time to affirm availability; undertake the necessary preparatory work including masterplanning and achieve planning consent.
- there is a projected over-supply of 855 dwellings to add flexibility to housing supply

5.9.3 The Borough Council therefore has confidence that the objectively assessed housing need can be met.

5.9.4 The Council will monitor very closely policies in the plan including H1 and H2 following its adoption. Monitoring of the key local plan targets will indicate if there is a need to amend the approach in parts of the plan.

5.9.5 The Local Plan states that the council considers it prudent to commence a review of the plan and its supporting evidence in a timely manner and a review of the local plan will commence by 2022. Thus, if it is clear at this stage that any component of the housing land supply will not deliver the expected contribution towards the objectively assessed housing need, there will be a formal opportunity to review progress of housing delivery.

5.9.6 A Local Plan review is considered the preferred approach as this will allow a comprehensive approach to

- monitoring of all contributions to housing provision by this time;
- an updating of objectively assessed housing need based on the latest Government projections;
- a re-appraisal of market conditions and viability;
- a new Call for Sites, if necessary; and
- the consequences for housing (and associated land uses and infrastructure being reflected comprehensively within the Local Plan.

5.9.7 A review which starts by 2022 will allow an early opportunity to supplement housing land supply (along with associated physical, social and green infrastructure) should this be necessary at that time.

5.9.8 Reserve sites are a necessary component of plans prepared by authorities with substantial Green Belt constraints pressing around sustainable settlements given their need for permanence. This is not the case in Maidstone Borough and the approach of reserve sites is not necessary.

5.9.9 There is no need for reserve allocations in case anticipated supply is not forthcoming.

5.9.10 Aside from there being no need to allocate reserve housing sites, there are real practical difficulties with this approach.

5.9.11 First, it would be impossible to accurately determine how much reserve supply may be needed over the forthcoming 15 years. Will any of the components fail to deliver the predicted requirement for housing, and by how much? Will any of the components of the objectively assessed need (natural change or migration) rise or fall over the next 15 years and by how much?

5.9.12 Secondly, it may result in less sustainable sites being allocated as reserve sites. At the time of a review of the Local Plan a fresh Call for Sites exercise would be conducted if necessary, and this may reveal new, more sustainable sites (eg brownfield redevelopment opportunities) which were not available at the time the allocation of reserve sites was made.

5.9.13 Thirdly, the status of the reserve sites would bring uncertainty to residents and infrastructure providers – not knowing when triggers would be reached and the sites released. It is the Borough Council's case that they are not necessary. The reserve sites would therefore be allocated but not required, having an ambiguous planning status.

Inspector's Question 5.10

Is the Council's 5 years supply calculation accepted or disputed and, if so, why?

Council's response:

5.10.1 The NPPF is clear that local authorities should identify and update annually a five-year housing land supply of deliverable sites. There is no standard methodology for this calculation, and the Council's approach to establishing its five-year supply at 1 April 2016 is set out below. The methodology is PPG-compliant in that it delivers the under-supply of dwellings in the past five years over the next five years, and demonstrates a surplus of 155 dwellings. This represents 5.12 years' worth of housing land supply at 1 April 2016.

<i>Five-year housing land supply at 1 April 2016</i>		
		Dwellings (net)
1	Requirement 1 April 2011 to 31 March 2021 928 dwellings p.a. x 10 years	9,280
2	Number of dwellings completed 1 April 2011 to 31 March 2016	(2,860)
3	Residual requirement 1 April 2016 to 31 March 2021 (line 1 - line 2)	6,420
4	5% buffer against potential non-delivery (5% of 6,420)	321
5	Total requirement 1 April 2016 to 31 March 2021 (line 3 + line 4)	6,741

6	Total land supply 1 April 2016 to 31 March 2021	6,896
7	Surplus in delivery 1 April 2016 to 31 March 2021 (line 5 - line 6)	155

Housing Requirement

5.10.2 The Housing requirement is included in the SHMA Effects of the 2012 Household Projections, 2015 (HOU 004) and is debated in Sessions 1B and 2A.

Number of dwellings completed

5.10.3 The number of dwellings completed by 1 April 2016 was 2860 and is recorded at Appendix B of the Housing Topic Paper (SUB 005).

5% Buffer

5.10.4 Policy AOSR6 of the Regional Strategy for the South East, the South East Plan (2009), set an annual dwelling target for Maidstone of 554 units and the Strategy was not revoked (in part) until March 2013. The Maidstone Strategic Housing Market Assessment was published in January 2014 and established an objectively assessed need for the Borough of 980 dwellings per annum for the period 2011 to 2031, subsequently reduced to 928 dwellings following updated national household projections in 2015.

5.10.5 The table below demonstrates performance against housing targets, even during periods of recession, up to the point that the housing target was increased by 68% (retrospectively applied).

<i>Past delivery rates against annual housing targets</i>		
Year 1st April to 31st March	Annualised housing target	Completed dwellings (net)
2015/16	928	521
2014/15	928	413
2013/14	928	423
2012/13 (South East Plan 554 units)	928	630
2011/12 (South East Plan 554 units)	928	873
<i>Annual average 2011/2016 (SHMA 2015)</i>	928	572
2010/11	554	649
2009/10	554	581
2008/09	554	441
2007/08	554	992
2006/07	554	714
<i>Annual average 2006/2011 (South East Plan 2009)</i>	554	675

2005/06	460	756
2004/05	460	816
2003/04	460	379
2002/03	460	444
2001/02	460	722
<i>Annual average 2001/2006 (Kent Structure Plan 2006)</i>	<i>460</i>	<i>623</i>

5.10.6 In terms of housing delivery, monitoring of dwelling completions for the four months from 1 April 2016 to 31 July 2016 shows net completion of 339 dwellings (an improvement over previous years).

5.10.7 In terms of the pipeline for future completions, a further 697 dwellings were granted planning consent between 1 April 2016 to 31 July 2016 as set out in the table below.

Planning consents granted between 1 April 2016 to 31 July 2016

Source	Dwellings
Windfall	508
Lenham Broad Location (Ham Lane)	82
Local Plan allocated sites	107
Total dwellings	697

5.10.8 Current data illustrates a real market interest in bringing housing sites in the borough forward in the short term. It is forecast that the target of 928 dwelling completions will be exceeded from 2016/17.

5.10.9 In just over 2 years, the Borough Council has adjusted to the step change in housing provision required by the change from the housing target set by the South East Plan to the newly revealed objectively assessed need. This is not considered an unreasonable period during which to complete Call for Sites exercises to identify available sites; SHLAA appraisals to determine the suitability of sites; allocations in a Regulation 18 Consultation Local Plan - March 2014; a further Regulation 18 Local Plan - October 2015 and a Regulation 19 Publication Local Plan - February 2016 together with early implementation through the granting of planning permissions.

5.10.10 It is therefore reasonable to apply a 5% buffer to the Council's residual housing requirement, brought forward from the latter years of the plan in order to introduce additional flexibility in the delivery of five years' worth of housing sites.

Five-year housing land supply 1 April 2016 to 31 March 2021

5.10.11 Para 47 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. To be considered

deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable.

5.10.12 The Borough Council's housing land supply is based on

- extant planning permissions at 31 March 2016, and
- site allocations (or earlier phases of development on site allocations) which have a realistic prospect of delivery in the 5 year period to 31 March 2021.

Sites with planning permission

5.10.13 In accordance with the NPPF, sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

5.10.14 Housing Topic Paper Appendix C Table 8.11 (SUB 005) shows the sites (or parts of sites) with planning permission which are considered deliverable in the next 5 years. Where sites are critical for the delivery of the 5 Year land supply, recent contact has been made with the relevant land owner, agent or developer to update the position. As well as undertaking up to date research on site progress and phasing, the Borough Council has taken a cautious approach to reliance on planning permissions by discounting 5% (224 dwellings) of this potential supply from the 5 year land supply. Total supply from extant planning permissions is **4260 dwellings**.

Site allocations

5.10.15 Housing Topic Paper Appendix C Table 8.11 (SUB 005) shows the sites (or parts of sites) allocated in the Regulation 19 Local Plan are considered deliverable in the next 5 years. Where sites are critical for the delivery of the 5 Year land supply, recent contact has been made with the relevant land owner, agent or developer to update the position. Total supply from development on housing allocations is **2540 dwellings**.

Windfalls

5.10.16 It is expected that windfall development on small sites (1-4 units) will contribute 48 dwellings per annum in 2019/20 and 2020/21 giving a total supply from this source of **96 dwellings**.

5.10.17 In conclusion, 62% of the 5 year housing land supply is made up of extant planning consents. This picture is improving as between 31 March and 31 July 2016, a further 697 dwellings have been granted planning consent illustrating a real market interest in bringing housing sites in the Borough forward in the short term. The NPPF states that planning consents should be considered deliverable unless there is clear evidence that schemes will not be implemented within five years. The Borough Council's up to date contacts with landowners/ agents/ developers does not indicate any such clear evidence. Nonetheless, as a further precautionary measure, the Council has discounted the contribution from this source by 5%.

5.10.18 Landowners/ agents/ developers have also re-affirmed their position on the deliverability of sites (or part of sites) allocated in the Local Plan which are included to contribute to the 5 year land supply.

5.10.19 The Borough Council remains confident that supply of specific deliverable sites from each of the sources identified is sufficient to provide a five year housing land supply against the housing requirements with an additional buffer of 5%.

Rolling five-year housing land supply

5.10.20 To demonstrate the Council can maintain a five-year supply over the plan period, the rolling five-year housing land supply is set out in Housing Topic Paper Appendix G (SUB 005).



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12 Sep 2016

Dear Ms Whiteside

Invicta Park Barracks, Maidstone

Thank you very for your time and that of your fellow officers last week for meeting with myself and Louise following the earlier meeting in May.

As advised previously, the MoD, has been developing its Estate Optimisation Strategy, (known as the Footprint Strategy) that will enable it to progress a programme of rationalisation of its defence estate portfolio. The objective being to provide the Armed Forces with a better quality and more cost efficient estate. In addition the programme will see the MoD continuing to be a major contributor to the provision of surplus public land for housing development and economic regeneration.

To date, the MoD has already declared its future plan to vacate some 35 sites as part of its target to reduce the size of the built estate by 30% by 2040

Whilst no decisions about the future of other individual sites, not mentioned in previous announcements, can be made at this time, we are looking at options whereby the Royal Engineers regiment at the barracks could be better served closer to the training area and the military units that they operate alongside. Again this is subject to further ongoing work but the timelines for this could see the site being released in the 2025-2028 horizons.

The Department is also conscious that this particular barracks site appears to offer a large sustainable brownfield site suitable for a housing led scheme. Planning work on the constraints, opportunities and capacity of the site has been carried out by our consultants this year and we will continue to refine this work.

It is therefore appropriate that the Council continue to promote the site for a general or indeed specific allocation for housing in its Local Plan on the basis that , if declared surplus to defence needs, it could be brought forward after 2025 and within the latter part of the Local Plan period.

We will continue to update you on the programme and as advised DIO will be happy to attend the Local Plan Examination in October. I will also confirm when the Footprint Strategy is announced.

In the interim Louise will continue to liaise with you and the team to assist in any further studies that support an allocation for future redevelopment of the Barracks..

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Robert J C Smith BSc MRICS
Assistant Head
DIO Acquisitions & Disposals