

## **ANNEX 1**

**Ashford Borough Council**

**Cabinet Report 10<sup>th</sup> April 2014**

**Title: Proposed response to dealing with the Duty to Co-Operate in  
Local Plan Making**

**Extract from the Minute of the Cabinet Meeting 10<sup>th</sup> April 2014**

**East Kent Duty to Cooperate officer meeting 18<sup>th</sup> December 2014 -  
Minutes**

**Agenda Item No:** 11

**Report To:** CABINET

**Date:** 10<sup>th</sup> April 2014

**Report Title:** Proposed response to dealing with the Duty to Co-Operate in Local Plan making

**Portfolio Holder:** Cllr David Robey Portfolio Holder for Planning and Development

**Report Author:** Ian Grundy – Principal Policy Planner

**Summary:** This report outlines a possible approach to tackling the Duty to Co-operate and suggests a co-ordinated approach with other East Kent Local authorities and other partners. An approach to the matter is proposed and a simple protocol is suggested that sets out the basis for co-operation and understanding on local planning issues and it is proposed that this is agreed and then shared with the East Kent districts for their input.

**Key Decision:** NO

**Affected Wards:**

**Recommendations:** That the Cabinet:

- a) agrees the proposed approach and draft protocol set out in this report and the draft protocol is shared with the East Kent authorities for their comments;
- b) delegate to the Chief Executive, in consultation with the Leader, the authority to make minor amendments to the draft protocol in response to comments that the other authorities may make.

**Policy Overview:** 1. The duty to co-operate was created in the Localism Act 2011 and places a legal duty on local planning authorities to engage constructively, actively and on an on-going basis to maximise the effectiveness of local plan preparation relating to strategic cross boundary matters.

**Financial Implications:** None resulting from the report

**Risk Assessment** Failure to deal with the Duty to Co-operate in a positive

way may lead to successful challenges to the Council's planning strategy from neighbouring authorities.

**Equalities Impact Assessment**

None

**Other Material Implications:**

None

**Exemption Clauses:**

None

**Background Papers:**

None.

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**Report Title: Meeting the Duty to Co-operate**

**Purpose of the report**

1. The purpose of this report is to suggest that the Council takes a pro- active approach now and establish a relationship with other districts in East Kent that will enable us to work together for common benefit. A simple protocol is suggested that would set out a framework for collaboration and understand on emerging Local Plans. If agreed the emerging protocol would be shared with other the East Kent districts for their input and to see if there is any support for establishing such an approach – the protocol may need amendment before its final agreement by the partners authorities.

**Issue to be decided**

2. To agree the draft protocol and proposed approach to the Duty to Co-operate in East Kent and then seek the views of the East Kent local authorities and other partners.

**Background**

3. The duty to cooperate was created in the Localism Act 2011 and places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.
4. Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.
5. The Duty is wide ranging and applies to the complete range of plan-making activities but the main focus has been on housing requirements and how that is dealt with by local authorities. The Duty also applies to other public organisations in addition to neighbouring local authorities, such as Natural England, the Environment Agency and the HCA. In practice these bodies are already fully engaged with plan-making in the Borough.
6. Just how the Duty actually works is emerging from experience in practice (especially from the guidance emerging in Inspectors' letters). For many authorities trying to meet the Duty has been far from comfortable. Failures tend to be related to the most controversial issue – housing requirements – and specifically the failure to work with others assessing objectively assessed housing needs and showing how these needs will be met across administrative boundaries.
7. Ideally the timing of local plans would be synchronised or they would be prepared jointly to enable a properly informed debate. In terms of plan preparation, being out of synch with others can be awkward as local authorities may not be in a reasonable place to engage fully and give clear

answers to others seeking to test whether they are can accommodate some of their neighbour's housing requirement.

8. Each local authority is required to carry out a Strategic Housing Market Assessment (SHMA) to establish its own objectively assessed housing need and then carry out a Strategic Housing Land Availability Assessment (SHLAA) to test the capacity and deliverability of potentially available sites in its area. At a simple level local authorities will want to see that there has been consistency in the approach taken to both SHMAs and SHLAAs by different Councils.

### **Deliverability**

9. Another key focus for authorities working together on the Duty is strategic infrastructure planning. The East Kent Regeneration Board (EKRB) has already made a lot of headway here in producing its shared infrastructure priorities and using this to help inform the development of Community Infrastructure Levy plans and influencing strategic funding bids, especially to the LEP. This work will also inform the LEPs Strategic Economic Plan where the coherence of the East Kent and Ashford grouping as a strong sub-regional economic entity will need to be reflected.
10. The market's ability/ appetite to deliver growth is another key aspect of deliverability and an obvious area where districts could work together (e.g. to commission a market based assessment).

### **Working together**

11. Using the established framework of the EKRB provides an obvious basis to build on its current focus on economic development and infrastructure planning to embrace both housing and the other topics the Duty needs to cover.
12. Closer working at political and officer levels on these issues has obvious synergy with the joint working agenda (elements of a shared policy base or even joint local plans).

### **A possible model for East Kent, Ashford with other partners**

13. There has been regular contact with neighbouring authorities about their emerging Plans and it has become apparent that there could be some benefit in seeking a joined approach to the issue within an East Kent group.
14. A rational approach to meeting housing requirements is to look at broad housing market areas. In large part these reflect very generally travel to work patterns and, as it is a reasonable assumption that people's needs should be met where possible locally without encouraging unsustainable levels of commuting .
15. By linking plan making to infrastructure provision and deliverability and demonstrating a strong degree of political consensus as well as a sound technical evidence base, districts have the best possible basis for not only satisfying the Duty but also the second key test – demonstrating soundness.

16. A key first stage in progressing the Duty is to consider what grouping of local authority areas is appropriate to tackle each subject. There is a strategic housing market area that covers much of East Kent. More generally, it seems a reasonable assumption that the EKRB authorities are a coherent grouping of an appropriately sub-regional scale to cover most issues.

17. There will then be a wider ring of potential, more secondary, linkages, over a wider geographical area encompassing Rother, Tunbridge Wells, Maidstone and Swale.

18. A proposition is:

- EKRB which brings together the 5 districts and the County Council takes ownership of the Duty and members consider signing up to a Memorandum of Understanding - an outline of the contents is in appendix 1;
- The Board is supported by a planning officer group (with County Council involvement) which services the Board and the decisions it needs to take and also drives progress on joint working on the technical side of the Duty amongst member districts;
- Once or twice a year – or as needed - the Board widens the debate to embrace the wider ring of districts and other key public bodies that are subject to the Duty (such as the Environment Agency) with an agenda picking up key issues at the time;

19. The following next steps are therefore proposed.

- Agree a administrative model (political and officer levels) for handling the Duty in East Kent and Ashford;
- Agree a Memorandum of Understanding on how authorities will work together (a draft is included in appendix 1);
- Produce a workplan including:
  - Identify cross-boundary issues the Duty should include;
  - Produce a simple set of data summarising the respective provision of districts in relation to plan preparation; objectively assessed need; planned surplus or deficit
  - Exploring the scope for alignment of process (e.g. to increase the opportunity for joint commissioning etc) and create a more robust collective response to the Duty;
  - Consider the areas where a joint evidence base could be prepared;
  - Review the scope to consider joint positions or plan policies on specific topics;

- Agree the potential scope for statements of common ground on local plans and other policy documents between districts but also other public bodies subject to the Duty;
- Inputting to the LEP Strategic Economic Plan and the 'Growth Deal' for infrastructure;

### **Risk Assessment**

20. The Duty to Co-operate is a relatively recent requirement introduced through the Localism Act 2011 and the full implications of meeting or failing to meet the Duty are still to be realised but there is a clear risk that failing to be proactive and consider the long term implications could have significant effects on the Borough.
21. The Council could be asked to accommodate housing numbers from adjoining districts or indeed could be seeking to ask adjoining boroughs to take some of our identified housing need. In either case it will be helpful to have a formal structure in place to enable the decision- making process to be transparent and consistent across different authorities.

### **Other Options Considered**

22. The alternative option is to proceed individually and deal with the Duty to Co-operate on an issue by issue basis when the need arises. The proposal in this report suggest exploring a co-ordinated approach to the matter.

### **Handling**

23. If the Cabinet agrees the proposed approach set out in the report, the proposal will be shared with the other East Kent districts – Canterbury, Dover, Shepway, Thanet and the County Council – for their input and comments and reported back to the Cabinet before the final proposal is agreed.

### **Conclusion**

24. The Duty to Co-operate presents new challenges for local authorities in preparing their Local Plans. The greatest impact will be felt around the housing numbers debates and the fact that neighbouring authorities may ask their adjoining neighbours to assist them in accommodating their objectively assessed housing need.
25. There is benefit in seeking a joined- up approach to the issue with other East Kent districts to work together with other partners. This will set up a process and procedure that will enable the Duty to be undertaken in a consistent and collaborative way.

### **Portfolio Holder's View**

26. It is absolutely clear that the Duty to Co-operate is something that we have to take most seriously for our Plan to be considered sound by the Planning Inspector, and that we have to be able to demonstrate that we have worked closely together with neighbouring Councils in developing it. This protocol will enable us to do this, and I wholly endorse it.

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## APPENDIX 1

### **DRAFT Memorandum of Understanding between the East Kent Regeneration Board member Councils - Ashford, Canterbury, Dover, Shepway, and Thanet, working with Kent County Council.**

This Memorandum of Understanding is between the authorities that make up the East Kent sub-region. It recognizes the strong linkages between the authorities, especially in terms of strategic economic development; housing provision; regeneration; and other strategic planning interests.

Whilst the links within East Kent are strong there may be issues which need explaining over a wider area and the member councils commit to doing this as well.

The Memorandum sets out how the member councils will commit to active and ongoing co-operation across administrative boundaries to meet the requirements of the Localism Act and the guidance in the National Planning Policy Framework.

This Memorandum builds on the solid basis of work underway for some time in the East Kent Regeneration Board to tackle strategic economic development and infrastructure provision.

The Memorandum does not override the statutory duties and powers of the identified parties. It is not legally binding nor is it intended to cover every detailed aspect of their relationships; rather it is a statement of principles to guide relations between the parties and provide a set of workable ground rules for early discussion and co-operation in addressing strategic and cross-boundary issues.

### **Purpose**

This memorandum sets out how the member authorities will actively take forward their individual or collective Duty to Co-operate to '*engage constructively, actively and on an ongoing basis*' on planning matters that impact on more than one local planning area ('*strategic planning matters*'). The duty is further amplified in the National Planning Policy Framework (NPPF) which sets out the key '*strategic priorities*' that should be addressed jointly<sup>2</sup>.

There are a wide range of partner agencies which the member authorities will work closely with to fulfill the duty.

The Memorandum has the following broad objectives:

- To help secure a broad but consistent approach to strategic planning, transport and development issues across the East Kent sub-region and to consider any wider impact in the county;
- To identify and consider the appropriate response to spatial planning issues that impact on more than one local planning area within the East Kent sub-region;
- To ensure that the local planning and development policies prepared by each Local Authority are, where appropriate, informed by the views of other

member authorities. This will normally involve engagement with Development Plan Document and Supplementary Planning Document preparation;

- To support the strongest possible integration and alignment of strategic spatial and investment priorities in the East Kent sub-region;
- To identify and agree the infrastructure investment needs associated with proposed development and to address existing issues working with the LEP and other funding sources;
- To ensure that decisions on major, larger than local planning applications are informed by the views of other local Authorities across the East Kent sub-region;
- To ensure compliance with the Duty to Co-operate.

## **Working together**

We will work together to:

- agree those matters which are strategic in nature, based upon an appreciation of the wider demographic, economic, environmental and social context that affects the sub-region, and up-to-date evidence of development needs;
- agree an integrated and consistent approach to address these needs;
- agree the overall quantity, mix, and broad distribution/apportionment of development across the area, including its delivery through necessary strategic infrastructure;
- ensure that where strategic priorities cross local boundaries within the sub-region, and to areas outside it, to make sure they are clearly reflected in our individual plans;
- produce joint evidence where it is the most efficient and effective approach, and consider the scope for a joint policy base;
- involve other public sector agencies, including those identified in the legislation, to help inform choices and meet the Duty;
- ensure appropriate governance and officer support arrangements are in place to take forward the commitments in this Memorandum.

## **Review**

Each member authority will be responsible for its own processes of feeding into the EKRB debate and reporting back outcomes. The EKRB will produce an annual report reviewing the operation of the Memorandum on behalf of its members.

## **Extract from**

CA  
Published 15th April 2014  
*Decisions effective from 25th April 2014 unless they are called in or  
recommended to the Council for approval*

## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **10th April 2014.**

### **Present:**

Cllr. Clarkson (Chairman);  
Cllr. Cloughton (Vice-Chairman);  
Cllrs. Mrs Bell, Mrs Blanford, Galpin, Heyes, Hicks, Robey, Shorter

### **Apologies:**

Cllrs. Chilton, Howard

### **Also Present:**

Cllrs. Bennett, Britcher, Burgess, Clokie, Davey, Davison, Michael, Mortimer, Ovenden, Smith

Chief Executive, Deputy Chief Executive, Head of Legal and Democratic Services, Head of Planning and Development, Head of Communities and Housing, Policy Manager, Personnel Officer, Policy and Performance Officer, Senior Communications Officer, Member Services and Scrutiny Manager.

## **396 Proposed Response to Dealing with the Duty to Co-operate in Local Plan Making**

The report outlined a possible approach to tackling the Duty to Co-operate and suggested a co-ordinated approach with other East Kent Local Authorities and other Partners.

The Portfolio Holder for Planning and Development explained that the duty required Local Authorities to co-operate with neighbours on planning issues and in particular on the provision of housing. He said if there was a gap in an Authority's ability to comply with their Strategic Housing Land Availability Assessment, the duty stated that the Authority should approach neighbouring Authorities to see whether they were able to bridge that gap. He advised that the report set out a protocol on how it was proposed to be dealt with in conjunction with other East Kent Districts.

The Portfolio Holder for Housing and Customer Services said that in view of the Government's desire that Local Councils should ascertain their housing numbers and economic predictions it was essential that Ashford had a conversation with neighbouring Authorities. She explained that it would not be, for example, sufficient for Ashford to say that it didn't want to accommodate other areas' housing numbers. Furthermore there would be financial implications if the new Local Plan was found "unsound" and she said that one of the ways to ensure a successful plan was to commence an early dialogue with other Districts in East Kent.

In response to a question from a Member as to how wide the word "neighbour" extended, the Chairman advised that it even included parts of London.

A Member referred to his understanding that the Maidstone Local Plan showed a shortage of 2,500 homes and asked whether work was in process to assess what

capacity Ashford had. The Chairman confirmed that capacity figures were being examined.

**Resolved:**

**That (i) the proposed approach and draft protocol as set out within the report be approved and the draft protocol be shared with the East Kent Authorities for their comments.**

**(ii) the Chief Executive be granted delegated authority in consultation with the Leader to make minor amendments to the draft protocol in response to comments made by other Authorities.**

## **East Kent Duty to Co-operate Meeting Minutes**

**18.12.14 10-12pm Ashford Civic Centre**

### **Attendees**

Ashley Taylor, Ashford BC  
Simon Cole, Ashford BC  
Adrian Verrall, Canterbury CC  
Dave Shore, Shepway DC  
Steve Moore, Thanet DC

### **Apologies**

Adrian Fox, Dover DC

### **Purpose of meeting**

To agree how we take forward the actions arising in relation to the duty to co-operate issues that had been agreed at the previous meeting, informed by the topic proformas.

To provide an update on current Local Plan position, and to discuss SHMA/OAN.

### **Round Table Update on Local Plan Position, SHMA/OAN**

#### Dover

Inspector's Report into Land Allocations Local Plan received, it supported a 5% buffer for 5YHLS (see paras 38-40). Taking the Plan to Council for adoption on 28<sup>th</sup> Jan 2015. Next focus is on the G&T Local Plan. No current plans to review the Core Strategy or update SHMA.

#### Ashford

Reviewing all existing DPDs (excluding Chilmington AAP), to produce a single Local Plan. Reg 19 consultation proposed for Summer/Autumn 2015. Up to date SHMA published in early 2014, with addendum completed in Aug 2014, which considered the most recent population projections and C2 needs. OAN is 726pa (2011-2030). Current position is to plan for the OAN.

#### Thanet

Cabinet approved preferred option draft Local Plan for consultation on 11 December. Consultation proposed to commence 9 January 2015 for 2 months. Have carried out an internal review and update of the SHMA, including household projections informed by KCC popgroup modelling work. Draft Plan based upon 12,000 homes, which is equivalent to the short term migration, and higher economic growth scenarios. Looking to commission a fresh SHMA prior to submission of the Plan, expressions of interest to first stage in establishing the HMA, have not been forthcoming.

#### Shepway

Taking Issues and Options Places and Policies Local Plan to Cabinet on 21 Jan 2015, for approval to consult. Key duty issues relate to ED strategy, review of employment allocations, and potential impact on M20 motorway junctions. Housing provision planned in line with Core Strategy targets. Recent Lympne appeal for housing dismissed – Inspector concluded 4.6 YHLS, using the Liverpool approach which was adopted in Core Strategy – this is now subject to a high court challenge by the landowner.

### Canterbury

Received initial letter from Inspector following submission of Local Plan. Raised issue relating to duty to co-operate with Swale and how their request to accommodate additional housing was dealt with. Other issues in relation to housing provision/SHMA, as well as Habitats Regulations. Response required by 16 January, with potential hearings in March.

Most recent population projections show significant decrease in population growth expected in Canterbury, however taking into account need and economic growth potential, they consider that the 780 pa currently proposed is about right.

### **Review of Topic Proformas – agreeing actions, next steps and leads**

#### AONB and Landscapes

Actions - Review policy approaches to landscapes and AONB in current/emerging Local Plans, to check consistency. Consider potential to develop consistent/model policy approach.

Lead – Dover

#### Economy

Actions – Consider whether EKR B should take leading role in this area, looking at a future economic strategy for the sub-region. Consider need to potential joint ED and planning officer meeting to discuss issues.

Review of economic and employment growth proposals in current/emerging Local Plan, to ensure each authority's strategies fit together, and that they complement rather than compete with each other. Can the market deliver all that is proposed in the sub-region? Must recognise impact and relationship with housing.

Lead – Shepway

#### Housing

Actions – CLG household projections yet to be released. Check KCC work on household projections from the ONS population projections – are we meeting the need across East Kent.

Identify key constraints to meeting housing need in East Kent.

Lead – Ashford

#### Health

Actions - Agreed that main strategic issue where we should be working together is in relation to hospital provision. EK Hospitals Trust is carrying out a review of service delivery, consultation expected next year. No action necessary until then. Individual authorities to carry on liaison with health stakeholders in an individual basis.

Lead – not identified as no joint actions at present

#### G&Ts

Actions – Agreed current position that all dealing with meeting needs within individual Local Plans. Starting point is meeting own needs. No joint actions necessary at present.

Lead – not identified as no actions at present

### Water and Waste Water

Actions – none necessary at present. Strategic water supply issues dealt with through WRMPs. Individual authorities to continue liaison with service providers when necessary on an individual basis.

Lead – not identified as no actions at present

### Flooding and Coast

Actions – Review policy approaches to flooding and coast in current/emerging Local Plans, to check consistency and ensure no major issues.

Lead – Dover

### Habitats Regulations Assessment and Green Infrastructure

Actions – review where we are at with this issue. Update current position and proposals.

Lead – Canterbury

### Transport

Actions – KCC have not contributed as requested. Agreed the need to produce topic proforma. Main issues where co-operation required likely to be Brenley Corner and M20;M2 corridor. Thanet recently produced a joint paper on this to go to Highways Agency. Co-operation most likely to be between individual authorities and HA/KCC/Network Rail etc.

Lead – Canterbury

### **EK MOU – are we doing enough?**

Agreed that we are covering all bases from an East Kent perspective.

Agreed to take update reports to EKRIB as and when needed. Planners to continue to take the lead, and EKRIB likely to become more involved if significant issues arise, such as external pressure from W.Kent and London.

There is need for all to formally sign up/agree the MOU. Those that haven't should take through Cabinet/Executives.

EKCEO meeting 1 Oct – draft minutes attached.

### **Actions**

**Lead authorities to complete actions as set out above, and produce summary paper as an update. Next meeting March 2015 – agreed these should be quarterly.**

## **ANNEX 2**

**Swale Borough Council Letter to Heads of Planning Service  
adjacent Local Authorities (20<sup>th</sup> August 2013)**

**Canterbury City Council's response letter to Swale Borough  
Council (30<sup>th</sup> September 2013)**



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Heads of Planning Service  
Adjacent Local Authorities

Please ask for: Gill Harris / Alan Best  
Direct Tel: 01795 417118 / 417344  
Our Ref:  
Your Ref:  
Date: 20 August 2013  
e-mail: [planning@swale.gov.uk](mailto:planning@swale.gov.uk)

Dear Head of Planning Service

### **Swale Borough Local Plan Part 1: Revised Consultation Draft August 2013 - Duty to Cooperate**

Further to various meetings between ourselves on Duty to Co-operate since publication of the NPPF, all of us have been getting to grips with the implications of the NPPF on development targets for our individual districts and what that means in practical terms of site and infrastructure provision. The situation has been complicated by the fact that within Kent many plans are at different stages of preparation and the LEP system is yet to emerge as a robust means of dealing with strategic infrastructure.

There has been an interesting recent development arising from the Hastings and Rother Local Plan Examinations in Public, with a pro forma letter being circulated to neighbouring authorities at the behest of their respective Inspectors to ascertain the housing position of neighbouring planning authorities and the respective implications of Hasting and Rother not fully meeting objectively assessed needs locally. I understand that it is intended to explore the implications of this at the next Kent Planning Policy Officers Forum in September.

Swale has now moved from producing a Core Strategy to a Local Plan and is anxious to progress this as our adopted (2008) Local Plan is nearing its end date and is not wholly NPPF compliant. You will have received a copy of our new draft Local Plan for consultation under separate cover.

Research into the objectively assessed housing needs for Swale (2011-2031) indicated an annualised rate within the range of 604 - 890 dwellings per annum (the lower end being based on economic projections and the upper is demographic). The local market has only achieved the bottom of this range on a consistent basis and at no time in the last 30 years has the upper end ever been achieved, even with unconstrained sites, a more favourable economic context and a more generous public purse for infrastructure provision. The former South East plan target of 540 dwellings per annum has not been met for the last 3 years, due to the prevailing economic conditions, despite the availability of unconstrained allocated sites.

Every effort has been made to establish a suitable package of unconstrained and deliverable housing sites including a five year supply plus buffer. However, at the

objectively assessed need level of development, fundamental infrastructure and affordable housing requirements are unlikely to be deliverable given local land values. Economic development projections also suggest that the prospects for the local economy to provide sufficient jobs at the highest levels of annualised housing need will not be forthcoming and development is therefore not sustainable at this level.

Swale has consequently opted to keep housing targets at 540 dwellings per annum which represents a more deliverable target, and even this now generates major new infrastructure needs. This rate would indicate a shortfall within a range of 1,280 – 7,000 dwellings over the plan period to 2031. However, our plan also contains a quantified trigger for a review of development targets should the market perform at a rate higher than expected for a set period. Consequently, we believe that a responsible and pragmatic approach has been taken given the constraints around viability and deliverability in Swale at the present time.

In respect of employment land, you may wish to note that as of 2011/12 the Borough Council has a net supply of 571,405 sq m of floorspace, whilst the draft Local Plan allocates an additional circa 97,840 sq m. Notwithstanding an element of double counting within the two figures, some losses for draft Local Plan housing allocations and pending losses, this is likely to equate to a generous supply. Given this, the Council would be prepared to enter into discussions with authorities who may have issues with meeting their own identified needs for employment floorspace.

However, our main purpose in writing is to ascertain the housing position of neighbouring local planning authorities and establish whether there is any alternative way to meet needs through the Duty to Cooperate.

In order for us, (and subsequently any Local Plan Inspector) to determine the respective implications of not providing more housing locally, I would be grateful if you could advise of the following:

- (i) Is your current housing target as set out in the most recent adopted Local Plan likely to deliver less than/same as/more than the annualised housing target of the former South East Plan? Can you please confirm the relevant figures?
- (ii) Has there been an objective assessment of housing need subsequent to publication of the NPPF? (If so, please can you provide a link to your assessment?)
- (iii) Does your authority have a 5-year supply, including an appropriate buffer, of deliverable housing land within your District and what level of supply is this?
- (iv) If there has not been a recent objective assessment of housing need, when is this expected to be undertaken and when do you expect a review of your current Local Plan housing targets? Please confirm when the assessment of housing need was last undertaken?
- (v) If there has been a recent objective assessment of housing need, is this more or less than currently planned for in adopted plans?

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- (vi) Do you have any emerging /draft development targets emerging in response to a recent objective assessment of need?
- (vi) Finally and most importantly, in the light of paragraph 182 of the Framework, can you let me know to what extent your Authority's plans could assist in meeting our Council's unmet housing requirements. If this would be possible what would be likely to be the quantum and timescale? If assistance is not possible, can you please indicate brief reasons why not?

At this point, a 'without prejudice' officer level response would be adequate to assist us in scoping the potential for further discussion and I would be most grateful if you are able to respond on this basis by 30 September.

If you wish to discuss the matter please contact Gill Harris or Alan Best.

Yours sincerely

**James Freeman**  
**Head of Planning Services**

Date: 30<sup>th</sup> September 2013  
Your Ref:  
Our Ref: AV/swalelocalplan  
Ask for: Adrian Verrall  
Direct dial: **01227 862196**  
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Mr J Freeman  
Head of Planning Services  
Swale Borough Council

Dear James

## SWALE DRAFT LOCAL PLAN

Thank you for the opportunity to comment on your draft Local Plan, and also for your letter dated 20<sup>th</sup> August regarding development requirements.

I note that your Council are proposing the development of 540 dwellings per annum (dpa), as compared to an economic and housing need scenario of 740 dpa identified in the NLP report. The SA of the draft Plan seems to indicate that selected strategy would be negative as a result, in that it would not meet the economic strategy for the area or housing needs. Also, the draft Local Plan indicates (para 4.4.12) states that "Our evidence has concluded that it is difficult to demonstrate that growth at levels within the lower and middle bands of the 600-900 housing range would significantly adversely affect the Borough's principal environmental assets".

The SA concludes, in relation to the level of development proposed in the draft Plan, that "its performance in terms of achieving the objectives 'to provide affordable and decent housing adaptable to future needs of the community' and 'to meet the challenges of a growing and ageing population' is limited. This is because it is not based on the needs of the future population or the number of houses potentially needed to support the labour supply for the economic growth proposed. Given that the housing growth proposed is not based on objectively assessed need this would also potentially limit the achievement of economic SA objectives" (p12, NTS).

I note the view expressed in the draft Plan that Swale cannot deliver housing at the upper levels based on past delivery rates. However, it seems unlikely that this will be sufficient grounds on which to reject the recommended housing figures.

In relation to the questions in your letter:

(i) Our current housing target as set out in the most recent adopted Local Plan is likely to deliver about the same as the annual housing target of the former South East Plan. Although the adopted Local Plan sets a target of 440pa, the Council has effectively been working to the SE Plan requirement of 510dpa since 2009. Housing completions have averaged about 550dpa over the last 20 years.

(ii) A Development Requirements Study was undertaken by Nathaniel Lichfield & Partners in 2012. Although this slightly pre-dated the final version of the NPPF, the

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emerging principles from the draft NPPF were taken into account, and the study is therefore considered to be NPPF-compliant.

(iii) Canterbury does have an identified housing land supply, including an appropriate buffer, of deliverable housing land, of about 6.5 years.

(iv) The Council is intending to review its assessments once more reliable data is released from the Census regarding migration and household formation rates. It is anticipated that this review work will take place early next year.

(v) The Strategic Housing Market Assessment, the Development Requirements Study and the Sustainability Appraisal all suggest a significantly higher housing requirement than that in the adopted Local Plan (see below).

(vi) In terms of emerging/draft development targets, the draft Canterbury District Local Plan sets a total housing requirement of 15,600 units (780 dpa).

(vii) It is highly unlikely that Canterbury City Council could assist in meeting Swale's unmet housing requirement, for the following reasons:

- The Sustainability Appraisal of the DRS scenarios indicates that Scenario E (780dpa) represents the best balance between social, economic and environmental criteria.
- The Development Requirements Study concluded that levels of development above 780dpa would be unlikely to be deliverable, given market capacity and demand.
- The Habitat Regulations Assessment report of the draft Local Plan (based on 780dpa) identifies a potential risk that the implementation of proposed new developments in the draft Local Plan could result in significant effects on European sites from some development sites. Any increase in housing numbers would be likely to increase that risk.
- There are unlikely to be any suitable sites in our SHLAA which could serve the needs of Swale. All the SHLAA sites in Canterbury have been subject to a Sustainability Appraisal and the vast majority of sites that have been assessed favourably have either been proposed for allocation or are sites which can come forward under the existing Local Plan framework.

Please treat this letter as the City Council's response on the draft Swale Local Plan.

Yours sincerely



Head of Planning & Regeneration

**Canterbury City Council**  
Military Road  
Canterbury  
CT1 1YW

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DX 99713 CANTERBURY-3  
Minicom text telephone users only, please dial 01227 781 313



INVESTOR IN P

## **ANNEX 3**

**Ashford Borough Council response letter to Swale Borough Council (13<sup>th</sup> November 2013)**

**Medway Council response letter to Swale Borough Council (30<sup>th</sup> September 2013)**

# Planning and Development Services

Ask For: Simon Cole  
Email: [simon.cole@ashford.gov.uk](mailto:simon.cole@ashford.gov.uk)  
Direct Line: (01233) 330642  
Fax No: (01233) 330682

James Freeman  
Head of Planning Services  
Swale Borough Council  
Swale House  
East Street  
SITTINGBOURNE ME10 3HT



**ASHFORD**  
BOROUGH COUNCIL

Civic Centre  
Tannery Lane  
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(01233) 331111  
Typetalk (01233) 330744  
[www.ashford.gov.uk](http://www.ashford.gov.uk)  
DX 151140 Ashford (Kent) 7

Date 13<sup>th</sup> November 2013

Dear James

## **Duty to Co-operate – Housing provision for Swale**

Thank you for your letter dated 20<sup>th</sup> August 2013 regarding the above.

In answer to the detailed questions raised in your letter:-

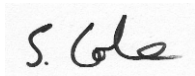
- i) the Borough Council's annualised housing target as set out in the 2008 Core Strategy amounts to about 1,175 dwellings per annum across the whole Plan period from 2006-21, the vast majority of which is planned for the Ashford urban area and its immediate surroundings. This reflects the South East Plan figures for the Borough.
- ii) The Council has commissioned an updated Strategic Housing Market Assessment (alongside Maidstone and Tonbridge & Malling Borough Councils) and we have only recently received a draft report which is currently being digested. It is our intention to publish the report early in the New Year following discussions with Members.
- iii) In our opinion, the borough does have a 5 year land supply of deliverable housing land albeit with very little buffer – see the recently published KCC Housing Information Audit for 2012/13.
- iv) See (ii) above.
- v) The initial outcomes from the SHMA indicate an objectively assessed housing for the borough lower than the 'policy-driven' Core Strategy / South East Plan target.
- vi) Whilst the SHMA outputs will be crucial in the Council's reassessment of housing targets in the new Local Plan 2030 (which will supersede the 2008 Core Strategy), it is understood that this is not necessarily the only issue that would determine a

development target for the borough. At present, it is too early to say what the eventual housing target for the borough in the new Local Plan will be.

- vii) As I have alluded to above, the borough council is in the process of identifying the scale of its objectively assessed needs when considered against the existing and emerging government guidance on the issue. We fully understand the need to proactively participate in the Duty to Co-operate and learn lessons from other areas of the country who are dealing with similar issues. To that end, although it is too soon to be able to indicate whether it would be possible for Ashford to accommodate the unmet housing needs of any other local authority, we do recognise the need for an on-going dialogue to hopefully resolve problems as far as possible and avoid the prospect of needing to object to neighbours' Local Plans.

Naturally, the points raised in (vii) above do constitute a 'without prejudice' officer response as Members here will first need to consider the outcomes of the recent SHMA work and its implications for development in the borough.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Cole', is enclosed in a light grey rectangular box.

Simon Cole  
Policy Manager



Please contact: Paul Cronk  
Our ref: LDF/Swale  
Your ref:  
Date: 30<sup>th</sup> September 2013

Spatial Planning Manager  
Swale Borough Council  
East Street,  
Sittingbourne,  
Kent ME10 3HT

**Housing and Regeneration Division**  
Regeneration, Community and Culture Directorate  
Development Policy and Engagement  
Medway Council  
Gun Wharf  
Dock Road  
Chatham  
Kent ME4 4TR

Telephone: 01634 306000  
Direct line: 01634 338146  
Email: paul.cronk@medway.gov.uk

**BY E-MAIL ONLY**

Dear Gill,

**Consultation Draft Swale Borough Local Plan – Part 1**

Thank you very much for formally consulting Medway Council regarding the above, and your letter dated 20<sup>th</sup> August 2013 concerning the duty to co-operate.

I note that your objectively assessed needs for housing was for between 604 and 890 dwellings per annum. The Council has chosen a figure of at least 540 dwellings per annum (10, 800 dwellings for the plan period). This figure matches the figure set out in the South East Plan (which has since been abolished). This would result in a shortfall of between 1,280 – 7,000 dwellings over the plan period to 2031. The Plan states that should the 5 year past trend of net housing completions exceed 600 dwellings per annum a review of the Local Plan would be triggered..

You refer to the fact that as of 2011/12, Swale had a net supply of 571,405 sq m of employment floorspace, whilst the Local Plan allocates an additional circa 97,840 sq m. You state that the Council would be prepared to enter into discussions with neighbouring authorities who may have issues meeting their own identified needs for employment floorspace.

At the moment, Medway's evidence base is also identifying a surplus of employment land provision. Consequently, Medway Council does not consider there to be any need for it to enter into such a discussion with you on this particular matter at this point in time. However, we will continue to liaise with you on this and other policy issues, and should there be any significant change in circumstances we will of course notify you of this.

Swale's jobs provision target is 353 per annum, 7,053 for the plan period (this has been reduced from the previous figure). The Local Plan says further housing will be necessary to meet jobs growth ambitions. It states that to advocate a jobs-led approach based upon the higher economic growth scenario; there would be a requirement for around 740 dwellings per annum.

In terms of the Medway Submission Draft Core Strategy, the Council maintained the same dwelling requirement of 815 dwellings per annum that was set out in the South East Plan. The Council considered that this figure represented a balance between the needs of the current population and the aspirations of the Thames Gateway as a growth area.

Our own Examination Inspector has pointed out to us in writing that we need to have an up to date assessment undertaken of our objectively assessed housing needs in order to justify the retained housing requirement figure. We have employed ORS Consultants to produce a Strategic Housing Market Assessment (SHMA) Update that sets out fresh demographic projections for the period to 2028. This Assessment will be available very shortly. It is likely to identify higher levels of housing requirement for Medway than those set out in the South East Plan.

Based upon the current housing requirement of 815 dwellings per annum, Medway has a housing supply of approximately 7.75 years (assuming a 5% allowance). However, should the Council have no other option then to withdraw its Core Strategy and begin work on a new Local Plan, urgent work would be undertaken to identify and justify a new interim housing target.

Medway Council would expect to prepare a full new SHMA once the full 2011 Census data is available, and the revised boundaries of individual Strategic Housing Market Areas are known. This is likely to be in around one year's time. We will of course be keen to liaise with neighbouring local authorities regarding this work. This would be the key piece of evidence to underpin any future housing requirement figure within a new Local Plan.

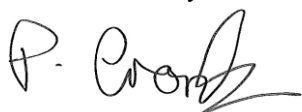
Given current uncertainty, Medway Council does not consider that it is in a position to assist your Authority' in meeting your unmet housing requirements. It is very likely that Medway Council will find it very challenging to meet any higher housing requirement of it's own. Consequently, it is highly unlikely that it would be able to assist other local authorities meet their own unmet housing requirements.

We can confirm that we remain fully committed to carrying on collaboration with you on planning policy matters of mutual importance, including work on a Joint SHMA if appropriate.

Medway Council does not specifically wish to request an appearance at your Examination. However, it would be happy to do so should the Inspector consider it beneficial.

I hope that the above is of assistance.

Yours sincerely,



**Paul Cronk**  
Senior Planner (Policy)

## **ANNEX 4**

**Email from SEEC re: London Plan**

**From:** [Cllr-John Gilbey](#)  
**To:** [Colin Carmichael](#); [Tricia Marshall](#); [Velia Coffey](#); [Ian Brown](#); [Adrian Verrall](#)  
**Cc:** [Cllr-Jean Law](#); [Cllr-Joe Howes](#); [Cllr-Peter Lee](#); [Cllr-Neil Baker](#)  
**Subject:** FW: SEEC update on London Plan  
**Date:** 18 December 2014 16:58:02

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FYI.  
John

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**From:** Nick Woolfenden [mailto:[NickWoolfenden@secouncils.gov.uk](mailto:NickWoolfenden@secouncils.gov.uk)]  
**Sent:** 18 December 2014 14:37  
**To:** Nick Woolfenden  
**Cc:** Heather Bolton  
**Subject:** SEEC update on London Plan

Dear SEEC member

In September, SEEC gave evidence about the Mayor of London's housing and growth plans at the Further Alterations to the London Plan (FALP) Examination. The Planning Inspector's report is now available [here](#).

The Inspector agreed with South East councils' views that the Mayor is right to increase London's housing targets, but that the Plan does not do enough to ensure London's full housing need is met in its boundaries. The Inspector recommends the Mayor adopts the Plan, but that he should engage with councils in the South East and start an urgent fundamental review of his growth plans during 2015 (a year earlier than planned).

Initial officer discussions are planned for January and the Mayor is proposing a Summit in Spring 2015 to talk about his plans with Councillors in the South East. We will update you on this in due course.

Do let me know if you have any questions. SEEC/SESL's original consultation response is [here](#) and EIP briefing is [here](#).

I hope you have a happy Christmas and best wishes for 2015.

Nick

Nick Woolfenden  
Head of Policy Co-ordination  
South East England Councils  
07713 089 469  
[www.secouncils.gov.uk](http://www.secouncils.gov.uk)

## **ANNEX 5**

**KCC household projections Oct 2014 ONS 2012 SNPP**

**See spreadsheet attached separately**

**KCC The Housing Register Bulletin 2014**

## The Housing Register 2013/14 Kent Local Authorities

<p><b>Related documents</b></p> <ul style="list-style-type: none"><li>• <a href="#">Homelessness</a></li><li>• <a href="#">Affordable housing</a></li><li>• <a href="#">Right to Buy</a></li><li>• <a href="#">Housing rents</a></li><li>• <a href="#">House prices</a></li></ul>	<p><b>This bulletin presents Housing Register information for local authority districts in Kent. This data was collected and published by the Department of Communities and Local Government through the Local Authority Housing Statistics (LAHS) return.</b></p> <p>The Housing Register is a list of households waiting to be housed by the Local Authority (LA) and participating housing associations. It is compiled by the LA and Registered Social Landlords (RSL).</p> <p>The Localism Act 2011 introduced significant amendments to enable housing authorities to better manage their waiting list by giving them the power to determine which applicants will or will not qualify for allocation of social housing and operate a more focused list which better reflects local circumstances.</p> <p>In 2012 a new Allocations Code of Guidance was issued that reinforced this and encouraged local housing authorities, through their allocations schemes, to be more creative in helping people to make progress in their lives. Suggestions to Local Authorities included giving priority to under-occupying tenants, freeing up much needed family sized accommodation, adopting a modern measure of overcrowding using the bedroom standard and giving extra priority to people who are in work or who make active contributions to their community and to ex armed forces.</p>
<p><b>Further information</b></p> <p><b>Business Intelligence Research &amp; Evaluation</b> Kent County Council Sessions House Maidstone Kent ME14 1XQ</p> <p>Email: <a href="mailto:research@kent.gov.uk">research@kent.gov.uk</a></p> <p>Tel: 01622 221623</p>	<p>At the end of 2013, additional statutory guidance was issued stating 'The Secretary of State believes that including a residency requirement is appropriate and strongly encourages all housing authorities to adopt such an approach. The Secretary of State believes that reasonable period of residency would be at least two years'.</p> <p>As a result, in 2013/14, most Local Authorities reviewed their allocation policies, hence the most recent figures in this bulletin have in some instances shown a dramatic fall compared to earlier years.</p>

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**The Housing Register** (Known as the housing 'waiting list')  
**Key points from the 2013/14 statistics are:**

**Summary**

(Based on revised guidance, see above)

- On the 1<sup>st</sup> April 2014 there were a total of 17,056 households on the Housing Registers of the local authorities in the Kent County Council Area (Note only 11 of the LA's have made a return to date). In addition there were a further 18,773 households in the Medway Unitary Area (Table 1).
- The number of households on individual local authority housing registers varies across the county. In the KCC area the Swale housing register has 3,652 households, while Sevenoaks has the least number of households with 551 (Table 1).
- Of the 17,056 households in the KCC area, 8,409 require a 1 bedroom property (approximately 49%), 5,369 require a 2 bedroom property (31%), 2,285 require a 3 bedroom property (13%) and 987 would like a property with more than 3 bedrooms (6%). An additional six households did not specify the size of accommodation required (Tables 2 and 3).
- At the local authority level, almost 11% of households on the Thanet waiting list required more than three bedrooms, a higher proportion than other Kent authorities (KCC area). The average for the county (KCC area) in this category was almost 6%. In contrast only 2.5% of households on the Sevenoaks list expressed a preference for more than 3 bedrooms (Table 3).
- Almost six out of ten (58%) households on the Maidstone waiting list require a 1 bedroom property. Although three other districts registered over 50%. In contrast only 37% of households in Dartford require a property with 1 bedroom (Table 2).
- Within the KCC area there are currently 10,487 households (based on 11 of the 12 LA's) in the 'reasonable preference' category of the housing register. This represents 61% of the total number on the waiting lists (Table 4).
- The 'reasonable preference' category by group varies across the county (KCC area). Shepway has the largest list with 1,942 households in this group. In contrast Swale and Dartford with 300 and 459 households respectively have the least (Tables 4 and 5).
- Looking at the individual preference groups, 3,396 households need housing on medical or welfare grounds with 3,342 considered to be living in unsatisfactory conditions (Table 5).
- Five local authorities in the KCC area (Maidstone, Sevenoaks, Swale, Tonbridge & Malling and Tunbridge Wells) have no or little housing stock of their own, preferring to use the services of local Housing Associations or Registered Social Landlords.

- 
- All twelve Kent districts, as well as the Medway Towns, participate in the Choice Based Lettings Scheme (CBL) which allows applicants to choose from a selection of dwelling types.

### **Note regarding the ‘reasonable preference’ category**

Local authorities must ensure that ‘reasonable preference’ is given to the following categories of people, as set out in section 167 (2) of the 1996 Act:

(a) People who are homeless (within the meaning of Part 7 of the 1996 Act); this includes people who are intentionally homeless, and those who are not in priority need.

(b) People who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3).

(c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.

(d) People who need to move on medical or welfare grounds.

(e) People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others).

The reasonable preference categories must not be treated in isolation from one another. As the categories can be cumulative, schemes must provide a clear mechanism for identifying applicants who qualify under more than one category, and for taking this into account in assessing their housing need.

There is no requirement to give equal weight to each of the reasonable preference categories. **Contact individual local authorities for details.**

The charity ‘Shelter’ has a guide to obtaining council housing, weblink: [shelter.org.uk](http://shelter.org.uk).



**Table 1**

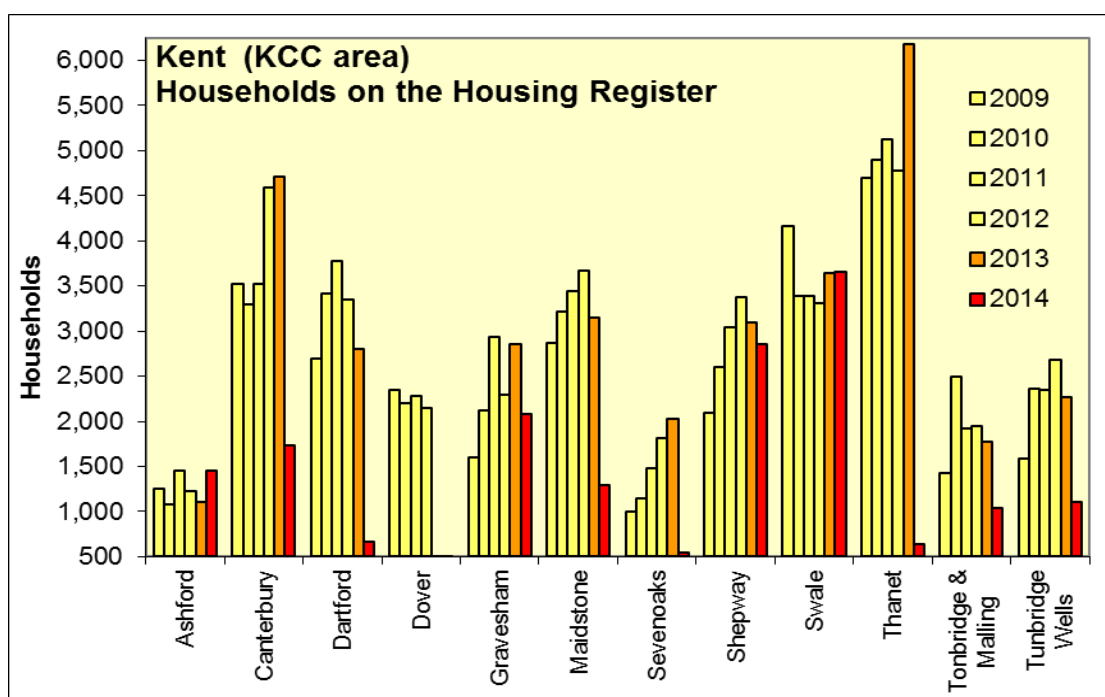
**Kent - The Housing Register (The 'Waiting list') households as at 1st April each year**

Source: DCLG Local Authority Housing Statistics (LAHS)

**Households on the housing register**

	Ashford	Canterbury	Dartford	Dover	Gravesham	Maidstone	Sevenoaks	Shepway	Swale	Thanet	Tonbridge & Malling	Tunbridge Wells	The Medway Towns	KCC area	Kent & Medway
1995	2,031	3,238	1,615	2,241	1,816	423	1,152	2,510	1,747	1,808	973	581	1,102	20,135	21,237
1996	2,179	2,743	1,596	2,117	2,018	845	718	2,408	2,144	1,393	873	626	2,191	19,660	21,851
1997	1,991	1,612	1,603	1,774	2,348	769	1,175	2,518	1,378	1,387	903	626	3,457	18,084	21,541
1998	2,153	1,548	1,565	1,959	1,983	848	1,387	2,577	1,966	1,422	192	546	2,244	18,146	20,390
1999	2,201	1,920	1,575	2,231	1,847	959	1,444	2,595	2,106	1,528	658	674	3,708	19,738	23,446
2000	2,151	2,164	1,557	2,186	906	926	1,377	2,759	2,461	1,997	920	981	4,570	20,385	24,955
2001	1,691	2,185	1,794	1,998	1,173	1,756	1,534	2,144	2,215	2,356	1,168	1,028	7,624	21,042	28,666
2002	1,438	2,738	2,042	1,895	1,291	1,512	1,475	3,027	2,070	3,444	1,330	995	3,462	23,257	26,719
2003	2,077	2,484	1,997	1,808	1,439	2,173	1,613	2,539	2,545	3,659	1,460	1,081	7,452	24,875	32,327
2004	2,665	2,814	2,582	1,850	2,085	1,254	1,736	1,886	3,328	3,242	1,913	1,147	8,039	26,502	34,541
2005	2,482	3,330	2,652	2,229	1,977	2,562	2,160	2,311	3,805	3,419	1,727	1,179	6,544	29,833	36,377
2006	1,174	3,039	3,728	2,534	2,141	1,764	2,625	2,652	4,311	3,394	1,897	1,447	11,870	30,706	42,576
2007	1,508	3,398	3,502	2,876	1,479	2,079	1,132	2,213	3,352	3,757	1,858	1,396	8,338	28,550	36,888
2008	1,762	3,758	3,225	3,033	1,610	2,290	916	2,118	4,432	3,255	2,350	1,774	7,885	30,523	38,408
2009	1,248	3,519	2,699	2,350	1,600	2,863	1,005	2,095	4,166	4,697	1,421	1,582	9,477	29,245	38,722
2010	1,078	3,290	3,413	2,197	2,121	3,222	1,144	2,603	3,395	4,898	2,492	2,355	7,885	32,208	40,093
2011	1,449	3,519	3,782	2,283	2,936	3,442	1,485	3,038	3,386	5,123	1,921	2,347	10,391	34,711	45,102
2012	1,220	4,588	3,356	2,153	2,294	3,674	1,818	3,375	3,307	4,780	1,945	2,677	13,939	35,187	49,126
2013	1,106	4,708	2,807	na	2,854	3,151	2,022	3,101	3,640	6,176	1,773	2,270	19,407	33,608	53,015
2014	1,451	1,734	666	na	2,083	1,288	551	2,857	3,652	634	1,036	1,104	18,773	17,056	35,829
2 yr % chg	18.9	-62.2	-80.2		-9.2	-64.9	-69.7	-15.3	10.4	-86.7	-46.7	-58.8	34.7		
1 yr % chg	31.2	-63.2	-76.3		-27.0	-59.1	-72.7	-7.9	0.3	-89.7	-41.6	-51.4	-3.3		

na is not available



**Table 2**

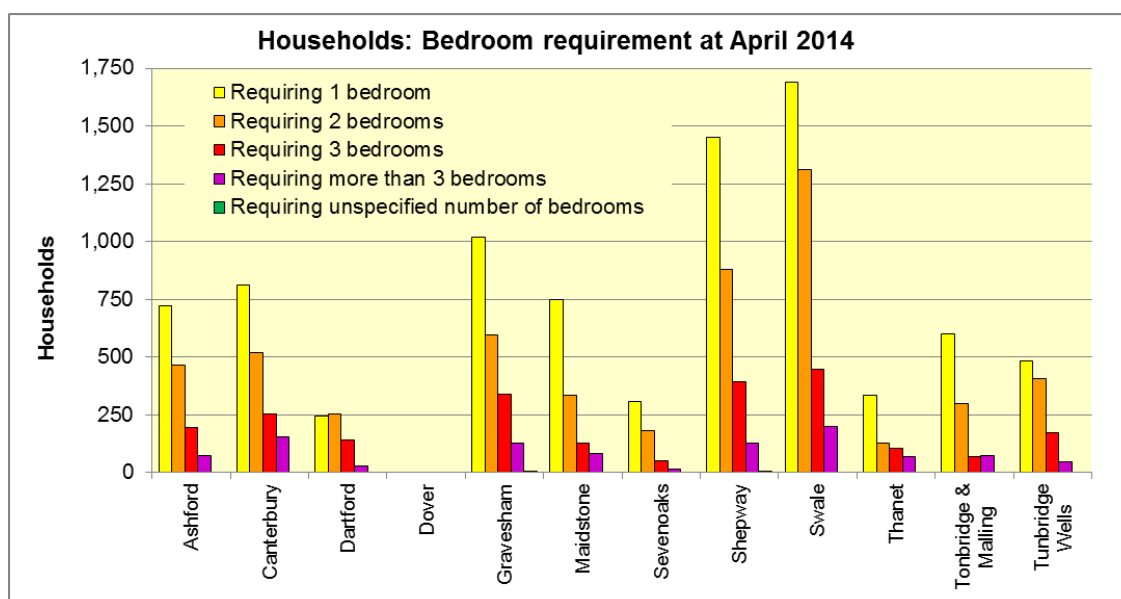
**Kent: Households on the housing waiting list at 1st April 2014**

Source: DCLG Local Authority Housing Statistics (LAHS)

Local Authority data are reported figures.

	Total h/holds on the housing waiting list	Requiring 1 bedroom	Requiring 2 bedrooms	Requiring 3 bedrooms	Requiring more than 3 bedrooms	Requiring unspecified number of bedrooms	Total h/holds on the waiting list in a reasonable preference category	as a % of total h/holds
Ashford	1,451	720	464	195	72	0	1,355	93.38
Canterbury	1,734	811	518	253	152	0	1,069	61.65
Dartford	666	244	253	140	29	0	459	68.92
Dover	na	na	na	na	na	na	na	
Gravesham	2,083	1,017	596	338	128	4	1,318	63.27
Maidstone	1,288	749	332	125	82	0	1,288	100.00
Sevenoaks	551	307	180	50	14	0	261	47.37
Shepway	2,857	1,453	881	393	128	2	1,942	67.97
Swale	3,652	1,691	1,313	449	199	0	300	8.21
Thanet	634	336	126	104	68	0	607	95.74
Tonbridge & Malling	1,036	598	299	68	71	0	1,036	100.00
Tunbridge Wells	1,104	483	407	170	44	0	852	77.17
<b>Kent</b>	<b>17,056</b>	<b>8,409</b>	<b>5,369</b>	<b>2,285</b>	<b>987</b>	<b>6</b>	<b>10,487</b>	<b>61.49</b>
Medway	18,773	10,255	5,718	2,435	826	0	1,516	8.08
<b>Kent &amp; Medway</b>	<b>35,829</b>	<b>18,664</b>	<b>11,087</b>	<b>4,720</b>	<b>1,813</b>	<b>6</b>	<b>12,003</b>	<b>33.50</b>

na is not available



**Table 3****Households on the Housing Register, with known bedroom requirement as at 1st April each year**

(Excludes households with unknown bedroom requirements)

Source: DCLG

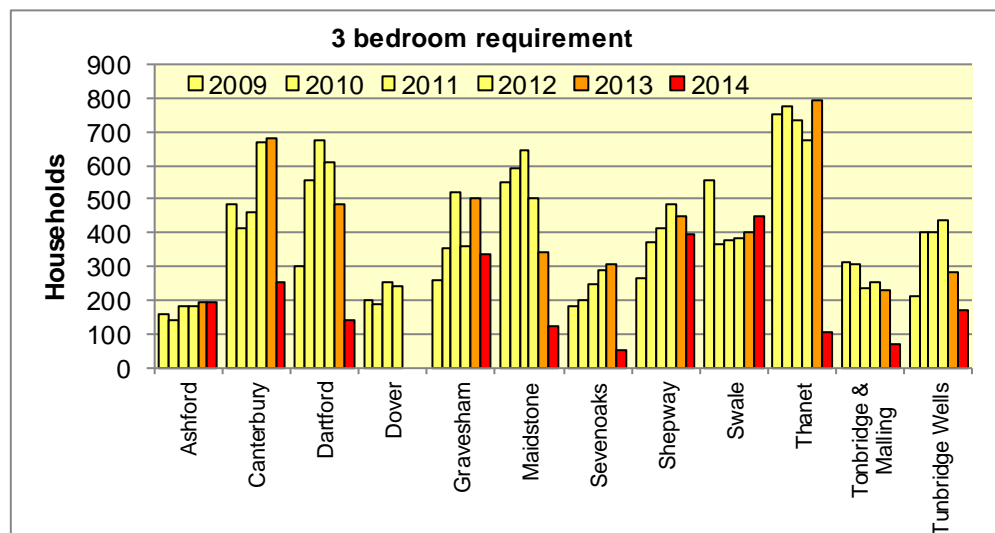
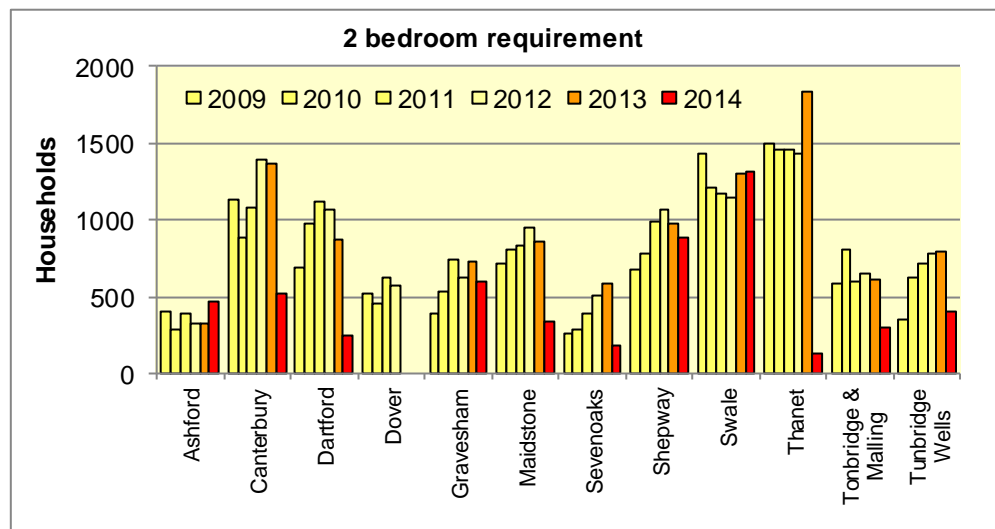
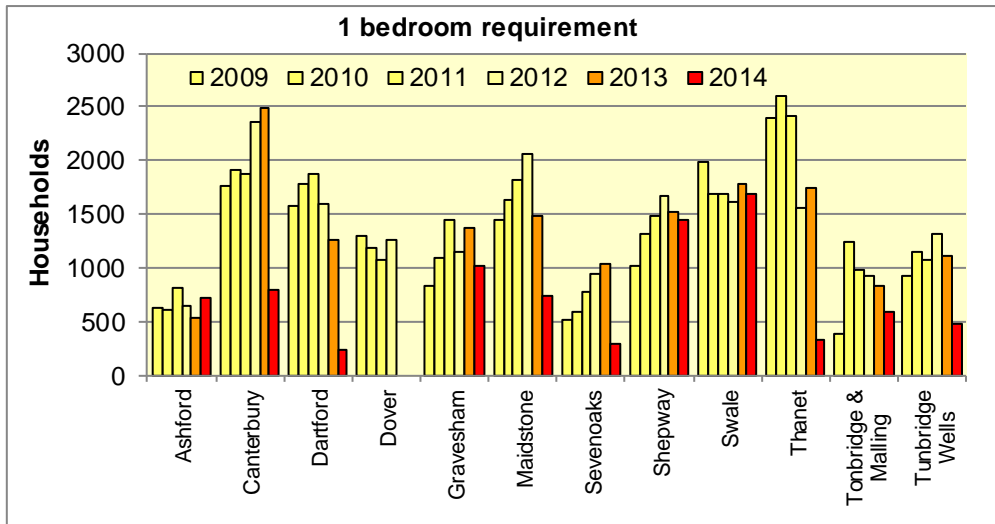
	Ashford	Canterbury	Dartford	Dover	Gravesham	Maidstone	Sevenoaks	Shepway	Swale	Thanet	Tonbridge & Malling	Tunbridge Wells	Medway Towns	KCC area	Kent & Medway
<b>1 bed</b>															
2009	639	1,775	1,579	1,306	834	1,447	520	1,021	1,986	2,405	399	940	4,918	<b>14,851</b>	19,769
2010	609	1,913	1,787	1,189	1,094	1,645	602	1,319	1,688	2,607	1,244	1,160	4,230	<b>16,857</b>	21,087
2011	819	1,874	1,887	1,078	1,455	1,816	785	1,493	1,689	2,418	994	1,072	5,413	<b>17,380</b>	22,793
2012	659	2,361	1,596	1,268	1,151	2,067	958	1,673	1,627	1,567	929	1,315	7,204	<b>17,171</b>	24,375
2013	537	2,489	1,275	na	1,382	1,482	1,038	1,530	1,780	1,745	841	1,116	10,255	<b>15,215</b>	25,470
2014	720	811	244	na	1,017	749	551	1,453	1,691	336	598	483	9,794	<b>8,653</b>	18,447
<b>2 bed</b>															
2009	399	1,136	690	520	388	710	256	683	1,438	1,491	590	352	2,795	<b>8,653</b>	11,448
2010	287	891	981	451	538	804	287	783	1,216	1,461	804	628	2,345	<b>9,131</b>	11,476
2011	396	1,079	1,118	624	744	833	388	988	1,174	1,452	593	716	3,278	<b>10,105</b>	13,383
2012	322	1,390	1,064	577	624	946	505	1,069	1,145	1,429	650	775	4,329	<b>10,496</b>	14,825
2013	322	1,373	872	na	733	857	583	975	1,299	1,837	609	795	5,884	<b>10,255</b>	16,139
2014	464	518	253	na	596	332	180	881	1,313	126	299	407	5,718	<b>5,369</b>	11,087
<b>3 bed</b>															
2009	160	487	303	199	262	552	183	263	554	752	313	214	1,361	<b>4,242</b>	5,603
2010	143	414	555	188	352	592	202	371	365	775	309	399	1,128	<b>4,665</b>	5,793
2011	184	460	673	253	518	642	248	416	377	732	237	400	1,341	<b>5,140</b>	6,481
2012	182	667	607	243	359	504	287	482	383	672	255	437	1,784	<b>5,078</b>	6,862
2013	193	680	487	na	504	341	309	449	399	795	231	280	1,179	<b>4,668</b>	5,847
2014	195	253	140	na	338	125	50	393	449	104	68	170	2,435	<b>2,285</b>	4,720
<b>More than 3 bed</b>															
2009	50	121	42	50	116	154	46	92	188	49	117	76	403	<b>1,101</b>	1,504
2010	39	72	85	49	137	181	52	123	126	52	123	168	182	<b>1,207</b>	1,389
2011	50	106	104	53	205	151	62	139	146	61	93	159	359	<b>1,329</b>	1,688
2012	57	170	89	65	154	157	67	144	152	47	111	150	622	<b>1,363</b>	1,985
2013	54	166	47	na	235	111	70	132	162	71	92	79	2,089	<b>1,219</b>	3,308
2014	72	152	29	na	128	82	14	128	199	68	71	44	826	<b>987</b>	1,813

### Table 3 continued

As a % of the Local Authority Housing Register

	Ashford	Canterbury	Dartford	Dover	Gravesham	Maidstone	Sevenoaks	Shepway	Swale	Thanet	Tonbridge & Malling	Tunbridge Wells	Medway Towns	KCC area
<b>1 bed</b>														
2009	51.2	50.4	58.5	55.6	52.1	50.5	51.7	48.7	47.7	51.2	28.1	59.4	51.9	<b>50.8</b>
2010	56.5	58.1	52.4	54.1	51.6	51.1	52.6	50.7	49.7	53.2	49.9	49.3	53.6	<b>52.3</b>
2011	56.5	53.3	49.9	47.2	49.6	52.8	52.9	49.1	49.9	47.2	51.7	45.7	52.1	<b>50.1</b>
2012	54.0	51.5	47.6	58.9	50.2	56.3	52.7	49.6	49.2	32.8	47.8	49.1	51.7	<b>48.8</b>
2013	48.6	52.9	45.4	na	48.4	47.0	51.3	49.3	48.9	28.3	47.4	49.2	52.8	<b>45.3</b>
2014	49.6	46.8	36.6	na	48.8	58.2	55.7	50.9	46.3	53.0	57.7	43.8	52.2	<b>49.3</b>
<b>2 bed</b>														
2009	32.0	32.3	25.6	22.1	24.3	24.8	25.5	32.6	34.5	31.7	41.5	22.3	29.5	<b>29.6</b>
2010	26.6	27.1	28.7	20.5	25.4	25.0	25.1	30.1	35.8	29.8	32.3	26.7	29.7	<b>28.4</b>
2011	27.3	30.7	29.6	27.3	25.3	24.2	26.1	32.5	34.7	28.3	30.9	30.5	31.5	<b>29.1</b>
2012	26.4	30.3	31.7	26.8	27.2	25.7	27.8	31.7	34.6	29.9	33.4	29.0	31.1	<b>29.8</b>
2013	29.1	29.2	31.1	na	25.7	27.2	28.8	31.4	35.7	29.7	34.3	35.0	30.3	<b>30.5</b>
2014	32.0	29.9	38.0	na	28.6	25.8	32.7	30.8	36.0	19.9	28.9	36.9	30.5	<b>31.5</b>
<b>3 bed</b>														
2009	11.0	13.8	8.0	8.7	8.9	16.0	12.3	8.7	16.4	14.7	16.3	9.1	13.1	<b>12.2</b>
2010	13.3	12.6	16.3	8.6	16.6	18.4	17.7	14.3	10.8	15.8	12.4	16.9	14.3	<b>14.5</b>
2011	12.7	13.1	17.8	11.1	17.6	18.7	16.7	13.7	11.1	14.3	12.3	17.0	12.9	<b>14.8</b>
2012	14.9	14.5	18.1	11.3	15.6	13.7	15.8	14.3	11.6	14.1	13.1	16.3	12.8	<b>14.4</b>
2013	17.5	14.4	17.3	na	17.7	10.8	15.3	14.5	11.0	12.9	13.0	12.3	6.1	<b>13.9</b>
2014	13.4	14.6	21.0	na	16.2	9.7	9.1	13.8	12.3	16.4	6.6	15.4	13.0	<b>13.4</b>
<b>More than 3 bed</b>														
2009	4.0	3.4	1.6	2.1	7.3	5.4	4.6	4.4	4.5	1.0	8.2	4.8	4.3	<b>3.8</b>
2010	3.6	2.2	2.5	2.2	6.5	5.6	4.5	4.7	3.7	1.1	4.9	7.1	2.3	<b>3.7</b>
2011	3.5	3.0	2.7	2.3	7.0	4.4	4.2	4.6	4.3	1.2	4.8	6.8	3.5	<b>3.8</b>
2012	4.7	3.7	2.7	3.0	6.7	4.3	3.7	4.3	4.6	1.0	5.7	5.6	4.5	<b>3.9</b>
2013	4.9	3.5	1.7	na	8.2	3.5	3.5	4.3	4.5	1.1	5.2	3.5	10.8	<b>3.6</b>
2014	5.0	8.8	4.4	na	6.1	6.4	2.5	4.5	5.4	10.7	6.9	4.0	4.4	<b>5.8</b>

Charts to accompany Table 3



**Table 4**

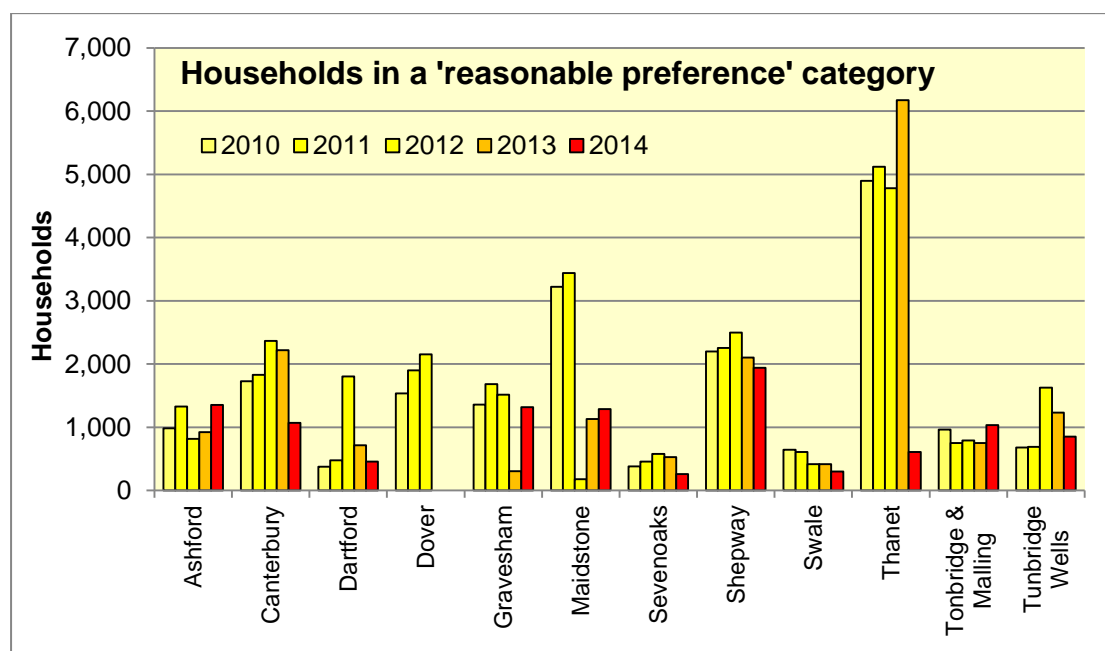
**Kent: Households on the housing register in a 'reasonable preference' category**

Source: DCLG HSSA and LAHS returns\*

	At the 1st April each year*								
	2007	2008	2009	2010	2011	2012*	2013	2014	1 yr %chg
Ashford	1,508	1,762	1,189	983	1,326	815	925	1,355	46.49
Canterbury	255	2,685	2,186	1,730	1,829	2,368	2,217	1,069	-51.78
Dartford	398	392	241	377	476	1,805	718	459	-36.07
Dover	na	na	na	1,538	1,900	2,153	na	na	na
Gravesham	1,165	1,262	1,170	1,360	1,683	1,515	307	1,318	329.32
Maidstone	2,079	2,290	2,863	3,222	3,442	180	1,132	1,288	13.78
Sevenoaks	1,132	844	387	379	457	577	528	261	-50.57
Shepway	1,294	1,665	2,095	2,200	2,257	2,497	2,105	1,942	-7.74
Swale	na	845	774	645	609	417	419	300	-28.40
Thanet	3,757	3,255	4,697	4,898	5,123	4,780	6,176	607	-90.17
Tonbridge & Malling	1,824	797	500	963	751	790	750	1,036	38.13
Tunbridge Wells	330	225	182	680	689	1,626	1,231	852	-30.79
<b>Kent</b>	<b>13,742</b>	<b>16,022</b>	<b>16,284</b>	<b>18,975</b>	<b>20,542</b>	<b>19,523</b>	<b>16,508</b>	<b>10,487</b>	<b>-36.47</b>
Medway	8,338	7,885	4,123	3,647	4,940	7,160	8,480	1,516	-82.12
Kent & Medway	22,080	23,907	20,407	22,622	25,482	26,683	24,988	12,003	-51.96

na: not available

\* 2012 data onward from DCLG LAHS return



## Table 5

### Waiting Lists: Households on the Waiting List in the 'reasonable preference' category by group, at 1st April 2014

Source: DCLG LAHS 2013-14

Note: Figures may not sum to total as households can be in more than one group

Group	Ashford	Canterbury	Dartford	Dover	Gravesham	Maidstone	Sevenoaks	Shepway	Swale	Thanet	Tonbridge & Malling	Tunbridge Wells	Kent (KCC)	Medway	Kent & Medway
<b>Total households on the waiting list in a 'reasonable preference' category</b>	1,355	1,069	459	na	1,318	1,288	261	1,942	300	607	1,036	852	<b>10,487</b>	1,516	12,003
<b>Homeless within the meaning given in Part VII of the Act, regardless of whether there is a statutory duty to house them.</b>	96	223	62	na	145	345	78	1,322	6	91	113	252	<b>2,733</b>	147	2,880
<b>Owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) of the Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3) of the act.</b>	131	20	56	na	0	389	31	15	53	30	10	25	<b>760</b>	142	902
<b>Occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.</b>	929	393	270	na	49	634	85	11	96	154	456	265	<b>3,342</b>	256	3,598
<b>A need to move on medical or welfare grounds relating to disability.</b>	443	391	64	na	233	127	98	1,108	145	156	296	335	<b>3,396</b>	737	4,133
<b>A need to move to a particular locality in the district of the authority where failure to meet that need would cause hardship (to themselves or others).</b>	20	42	5	na	0	14	0	80	0	0	0	42	<b>203</b>	234	437
<b>Additional preference to those in 'reasonable preference' groups with urgent housing needs.</b>	179	0	na	na	107	1,288	12	na	0	30	3	25	<b>1,644</b>	154	1,798
<b>Does the Authority operate a choice based lettings scheme</b>	Y	Y	Y	na	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

## **Background notes for the housing register data**

From 2003 local authorities have maintained 'open' waiting lists, whereby anyone can apply to go on any local authority waiting list. The introduction of open waiting lists coincided with a rise of waiting list numbers.

Local Housing Registers are generally managed by a local authority in partnership with local Housing Associations. However, a few Kent Local Authorities do not operate in this way. Although some local authorities no longer have any housing stock of their own, they work in co-operation with local Housing Associations. Generally people are able to join the housing register if they are over sixteen years of age, live within the local authority and are not subject to immigration control.

Residents from outside the local authority area can join the register but in most cases they will be awarded less priority. All applicants will be assessed and if successful will normally be placed in a band depending on their assessed level of housing need.

Following that, any available properties in all the participating authorities and associations will be advertised on a regular basis and applicants will be able to express an interest (this is called 'bidding'). Although there is no longer a legal requirement to keep waiting lists, many local authorities have chosen to do so in order to keep abreast of housing need, demand and to plan for appropriate measures on affordable housing for the future.

Many local authorities have in place a 'Choice Based' Lettings Scheme (CBL), all Kent local authorities operate this system. A Choice Based Lettings Scheme is the Government's preferred way to allocate Council properties and those of partner Registered Social Landlords. This type of scheme allows applicants to decide for themselves which, if any, homes to express an interest in.

If anyone requires social housing they need to contact the local authority or a registered social landlord to register their requirements and situation. Where local authorities and RSLs operate a common register of household requirements individual situations will be considered along with other applicants on the list. However, RSLs are independent bodies and can keep their own waiting lists.

### **Source data**

Information is collected and published by the Department of Communities and Local Government (DCLG), originally through the Housing Strategy Statistical Appendix (HSSA), the Business Plan Statistical Appendix (BPSA) and more recently the Local Authority Housing Statistics (LAHS) returns at 1<sup>st</sup> April each year.

Some imputation is undertaken to take account of missing data in order to provide regional and national aggregates.



## **ANNEX 6**

**Letter from Natural England re: Canterbury District Local Plan 19<sup>th</sup>  
December 2014**

Date: 19 December 2014  
Our ref: 138333  
Your ref: HRA for the local plan (publication draft)



[Adrian.Verrall@Canterbury.GOV.UK](mailto:Adrian.Verrall@Canterbury.GOV.UK)

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
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Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Adrian,

**Planning consultation: Habitats Regulations Assessment (HRA) on the Local Plan (Publication Draft)**

**Location: Canterbury City Council**

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Objection withdrawn**

Following the submission of the above for consultation on the 5<sup>th</sup> June 2014 and our response issued to you on the 18<sup>th</sup> July 2014, when Natural England highlighted a number of concerns regarding the HRA for the local plan, Canterbury City Council have worked positively to resolve these concerns. As a result, we are now satisfied that these issues have been addressed and documented in a subsequent topic paper 3, which we have been consulted on and we are now able to withdraw our objections regarding the following issues:

- 1) Recreation disturbance on the Swale Special Protection Area (SPA) – detail has been provided regarding the strategic mitigation to ensure that planned housing is not likely to have a significant effect through recreational pressure.
- 2) Recreation disturbance on the Thanet Coast and Sandwich Bay SPA – detail has been provided regarding the strategic mitigation to ensure that planned housing is not likely to have a significant effect through recreational pressure.
- 3) Air quality assessment on the Blean Complex Special Area of Conservation (SAC) – has been carried out and concluded as not significant.
- 4) Water quality assessment – has been carried out and in addition the SUDs policy and the water quality policy address the issue of water quality impacts particularly with regard to Stodmarsh SAC/Ramsar.
- 5) Assessment of recreation pressure on Tankerton Slopes and Swalecliffe SAC - was carried out and confirmed that management measures are in place.

Consequently, Natural England considers that the HRA complies with Regulation 102 of the Conservation of Habitats and Species Regulations 2010<sup>1</sup> and that the plan is unlikely to have a

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<sup>1</sup>Requirements are set out within Regulations 61 and 62 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 61 and 62 are commonly referred to as the 'Habitats Regulations Assessment' process.



significant effect on any European site either alone or in combination.

We understand that Canterbury City Council will shortly be providing us with some reworded text for policy SP7 to ensure that it is more specific with regard to the mitigation measures required for the coastal SPAs and we look forward to agreeing this.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Angela Marlow on 0300 060 3893. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Angela Marlow

Sussex and Kent Team

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The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>