

REPORT FOR DECISION

MEETING: PLANNING CONTROL COMMITTEE

DATE: 19 OCTOBER 2010

SUBJECT: DEVELOPMENT OF GARDEN SITES FOR SEPARATE DWELLINGS

REPORT FROM: ASSISTANT DIRECTOR FOR PLANNING,
ENVIRONMENT & REGULATORY SERVICES

CONTACT OFFICER: TOM MITCHELL

TYPE OF DECISION: COUNCIL

FREEDOM OF INFORMATION/STATUS: This paper is within the public domain

SUMMARY: The report identifies recent changes in national Planning Policy (PPS3) in respect of domestic gardens and suggests how this change is applied locally.

OPTIONS & RECOMMENDED OPTION The Committee is recommended to acknowledge the recent changes in PPS3 and support the proposed approach.

IMPLICATIONS:

Corporate Aims/Policy Framework: Do the proposals accord with the Policy Framework? YES

Financial Implications and Risk Considerations: Director of Finance and E-Government to advise regarding risk management N/A

Statement by Director of Finance and E-Government: N/A

Equality/Diversity implications: N/A

Considered by Monitoring Officer: N/A

Are there any legal implications?

No – The changes in national planning policy are issued as guidance only, which should be applied depending on local circumstances.

This report illustrates that the issue of ‘garden grabbing’ has not been a major issue in the Borough and it is not recommended that the local approach changes as a result of the amendments to PPS3.

Staffing/ICT/Property:

N/A

Wards Affected:

All

Scrutiny Interest:

N/A

TRACKING/PROCESS

EXECUTIVE DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

1.0 Introduction

- 1.1 The Government has recently made some revisions to national Planning Policy Statement 3 - Housing (PPS3). One of the key changes relates to the definition of private residential gardens from brownfield to greenfield. Therefore, proposals to develop new housing on gardens are now classified as being greenfield developments.
- 1.2 The changes to national policy have been made in response to the recent problems experienced in some local authorities, who have been inundated with proposals for developments on garden plots. This recent trend, which has been termed ‘garden grabbing’, has had a detrimental impact on the character of some local areas in authorities mainly located in the South of the country.
- 1.3 National and local guidance prioritises the release of brownfield land for housing before greenfield sites in order to help promote regeneration within urban areas and reduce urban sprawl. As such, the Council in recent years has been prioritising the release of brownfield land and generally preventing the release of greenfield sites for housing developments.

- 1.4 In particular, we have largely resisted the release of larger, more traditional greenfield sites that tend to serve some recreational or local amenity function. Such sites are clearly different to those plots that sit within the curtilage of private residential dwellings, which do not tend to serve any public recreational or amenity function, but which would now come within the definition of greenfield development.
- 1.5 Therefore, the definitional change now raises the question of whether proposals for developments on small infill garden plots are acceptable in principle, subject to proposals meeting general design and layout criteria, now that they are considered to be “greenfield”.
- 1.6 It should be noted that the changes in PPS3 do not affect the definition of developments that seek to demolish existing buildings and replace these with additional dwellings. Such developments (which may or may not encroach onto private gardens) will continue to be classified as brownfield where they coincide with the footprint of the existing building (s).

2.0 Recent Experience in Bury

- 2.1 Since 2003, there have only been **31** completions on private side and rear residential gardens. This equates to only **0.96%** of the 3,206 net completions over this period.
- 2.2 In terms of extant planning permissions, only **23** out of 3,154 units are units on private individual gardens (equates to just **0.73%** of outstanding permissions).
- 2.3 These small numbers demonstrate that “garden grabbing” has not been a major issue in Bury, however, these dwellings have helped to contribute to housing needs and play a role in reducing the need to release larger inappropriate greenfield sites elsewhere.
- 2.4 As indicated above, it should be noted that the changes in PPS3 do not affect proposals which seek to demolish large detached dwellings and replace these with apartments. In Bury experience has shown that such proposals tend to be rebuilt on the footprint of the existing property and are still considered to be brownfield. However, where there is significant encroachment into garden areas, beyond the footprint, the proposals could potentially be treated as greenfield and would need to be treated on their own merits (as outlined in the suggested approach in Section 4 of this report).

3.0 Five-Year Housing Supply

- 3.1 Despite the changes outlined above, PPS3 retains its emphasis on ensuring that each local authority maintains a five-year supply of deliverable housing land – this reflects the Government’s continued emphasis on the delivery of new housing. It states that where local authorities are not able to demonstrate a five-year supply that planning applications for residential development should be **considered favourably**.
- 3.2 In previous years, we generally had a healthy supply of housing land, hence the restrictions that we had in place over 3 years ago. However, housing completions and supply have started to dwindle in recent the years, primarily as a result of an increased housing requirement and the state of current housing market. It should

be noted that Bury is not unique in this and all of the Greater Manchester authorities have experienced a fall in housing completions. At the moment we can just about demonstrate a deliverable five-year supply of housing land (5.15 years to be exact) and it is likely that this will fall next year if completions and applications do not pick up. If this is the case, we are likely to face mounting pressure to release land which we would not otherwise want to see released for housing (potentially including protected open land and even land within the Green Belt).

- 3.3 Therefore, although housing numbers from garden developments only represent a small percentage of housing supply, they do nevertheless add to the housing supply, and contribute to the Council demonstrating a five year supply of housing land.

4.0 Proposed Approach

- 4.1 Whilst the release of garden land for further residential development now constitutes Greenfield development, it is recommended that the authority does not adopt a position of declaring such developments unacceptable in principle. Instead, it is recommended that such proposals are considered individually based on their own merits. Such an approach would be similar to that taken with proposals for the conversion of barns to residential use which are also classified as being Greenfield but are considered acceptable to help farm diversification, meet housing needs and protect older buildings.
- 4.2 Any applications received would, therefore, continue to be considered on their own merits and assessed against the following criteria:
- Design and appearance;
 - Adequate space and aspect standards; and
 - Adequate, safe and convenient access.
- 4.3 Larger Greenfield sites of importance would continue to be protected and the LDF target of delivering over 80% of the Borough's new housing on brownfield land would be unlikely to be affected by such an approach.

List of Background Papers:-

Planning Policy Guidance Note 3 - Housing

Contact Details:-

Tom Mitchell
Assistant Director Planning, Environment and Regulatory Services
Environment and Development Services
3 Knowsley Place
Bury BL9 0EJ

Tel: 0161 253 5321

Email: t.michell@bury.gov.uk