

**Update to  
Planning Policy  
Statement 3:  
Housing**

**DLP BRIEFING NOTE 23**

Prepared by  
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June 2010

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Following a commitment to put an end to what was termed *garden grabbing*, and to give further weight to their *localism agenda*, the coalition government published today (9<sup>th</sup> June) a third revision to Planning Policy Statement 3: Housing.

The revision makes two small but significant changes to the former PPS:-

- Residential gardens are specifically re-classified to exclude them from the previously developed/brownfield category of land
- Minimum net, housing density targets are scrapped

### **Residential Gardens Re-Classified**

From the outset, the coalition government's Manifesto promised to re-classify residential gardens in land-use terms. In his announcement of the changes, Decentralisation Minister Greg Clark outlined the proposals as, *a simple step that will dramatically transform councils' ability to prevent unwanted development on gardens where local people object and protect the character of their neighbourhoods.*

Annex B to PPS3 provided a definition of previously-developed land as:-

***'Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.'***

The revised PPS, whilst maintaining this definition, has added residential gardens to a list of exclusions, the definition now stating :-

***'The definition includes defence buildings, but excludes....***

- ***Land in built-up areas such as residential gardens, parks, recreation grounds and allotments....'***

Whilst in settlements, gardens will still be urban or within built up areas, the presumption that arose from their grouping as previously developed land no longer exists. Following these changes, it will be even more important that potential applicants/developers mount a robust case arguing sustainable development principles, and fully appraising the potential impacts of development when preparing for or making planning applications for housing on residential garden land.

### **Minimum Net Density Targets Scrapped**

The second change made to PPS3 is the removal of minimum density targets, targets which, according to the new government, have contributed to a lack of family sized homes that local people need. Paragraph 47 of PPS3 has therefore been revised to remove the previous reference to a density minimum of 30 dwellings per hectare (net) as a basis for both policy advice and decisions on development.

Councils will now be able to decide what level of density is appropriate for a particular area, and work with developers to deliver the right mix of homes for the local community. The intention behind this is to encourage the provision of more family homes, and this will have the additional benefit of allowing a greater mix in house and plot types/sizes, including larger housing, which in turn will allow for greater variety in the design of housing developments. It will however mean greater land takes and arguably a need for more land to be allocated in order to provide the same levels of housing. Overall however the removal of this restriction is to be welcomed as a positive move.

If you would like to hear more about these changes, or the implications they could have on your future residential developments, please do not hesitate to contact us.

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