

INTERIM PLANNING STATEMENT - HOUSING DEVELOPMENT IN GARDEN CURTILAGES

This advice note outlines the key national and local planning policies that are used by Chorley Council when assessing applications for new residential development in gardens in the Borough.

National Policy

Planning Policy Statement 1 (PPS1)

PPS1 sets out the Government's national planning policies on the delivery of sustainable development through the planning system. PPS1 emphasises the importance of good design to make attractive, usable, durable and adaptable places. It states that building design that is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

Planning Policy Statement 3 (PPS3)

PPS3 sets out the Government's national planning policies on housing. PPS3 emphasises that Local Planning Authorities (LPAs) should make effective use of land by re-using land that has been previously developed (brownfield land). PPS3 defines brownfield land as:

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

As the definition of brownfield land includes the curtilage of developed land, this means that the development of residential gardens counts as brownfield development.

PPS3 also highlights that land should be used efficiently. It states that housing sites should be built at a density of 30 dwellings per hectare as a minimum, until local density policies are in place. There needs to be justification for permitting housing densities below this level.

It states that the following matters should be considered when assessing residential design quality:

- Accessibility and connectivity to public transport and community facilities and services, with space that is safe, accessible, user friendly and used efficiently;
- The provision of or access to amenity and recreational space, as well as private outdoor space such as gardens and balconies;
- Integration with neighbouring buildings and the surrounding area in terms of scale, density, layout and access;
- Facilitation of the efficient use of resources, during construction and in use, with development seeking to adapt to and reduce the impact of, and on, climate change;
- The integration of car parking spaces within a high quality public realm and streets that are pedestrian, cycle and vehicle friendly;
- The creation or enhancement of distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity; and
- The provision for the retention or re-establishment of biodiversity within residential environments.

Chorley Borough Local Plan Review

Policies GN1 and GN2 identify the Borough's larger settlements where residential development is acceptable in principle. Policies GN3 and GN4 identify rural settlements, where more limited residential development is acceptable. Outside of these identified settlements, policies DC1 and DC2 severely restrict new residential development in the Green Belt and Area of Other Open Countryside.

The key design policies within the Chorley Borough Local Plan of relevance to housing developments are policies GN5 and HS4.

Policy GN5 relates to building design and retaining existing landscape features and natural habitats. It highlights that proposed developments will be expected to be well related to their surroundings and that the appearance, layout and spacing of new buildings should respect the local distinctiveness of the area. Supplementary Planning Guidance on Design has also been produced, which contains further guidance on good design, including interface standards for new housing to ensure privacy and to avoid overlooking. These standards will only be relaxed if it can be shown that the privacy of existing and future occupiers can be adequately safeguarded.

Policy HS4 relates specifically to the design and layout of residential developments. It states that proposals for residential development will be permitted provided that they meet criteria relating to site layout, respect for the surrounding area, the provision of reasonable privacy and amenity, safe and convenient access, design measures to help prevent crime and promote community safety and the provision of storage and recycling of residents' household waste.

When will planning applications be refused?

Planning applications for residential development within gardens will normally be refused if they do not accord with the aforementioned national and local policies and any other relevant national, regional, county or local policies, including those relating to the provision of affordable housing and housing supply. Applicants for new residential development in gardens need to pay particular attention to the following issues:

- **The context of the surrounding area including its character and the design and density of surrounding properties** - this is important in all locations, with particular care needed in Conservation Areas and on schemes in the proximity of Listed Buildings.
- **Layout** – layouts should take account of the pattern and arrangement of surrounding streets, spaces and buildings, to ensure integration into the streetscene.
- **Impact on trees** – many larger gardens have a range of attractive mature trees. Proposals should not impact adversely on trees with Tree Preservation Orders or other trees that make a valuable contribution to the character of the area.
- **Amenity** – the orientation and spacing distances between residential properties should respect privacy and residential amenity. Proposals should accord with adopted interface standards, unless the privacy of existing and future occupiers can be adequately safeguarded by other means.
- **Inappropriate piecemeal development** – development that compromises the future use of other adjoining land, or does not respect the existing site will

be considered piecemeal development that is contrary to the good planning of the area and design principles as set out in PPS3.

- **Refuse bin carry distances** – Applications should ensure that proposals enable convenient and safe pick-up and storage of domestic refuse and recycling receptacles. Further information on these matters can be found in Part H of the Building Regulations, “Manual for Streets” (Department for Transport, 2007) and in the Council’s “Waste Storage and Collection Guidance for New Developments”.
- **Access** - particularly in relation to classified roads - piecemeal development that results in multiple junctions on classified roads is unlikely to be acceptable.

Applications that are unsatisfactory in relation to any of these issues will normally be refused.