

**North Somerset Council  
Local Development Framework**

**Sites and Policies  
Development Plan Document**

**Evidence Paper  
Garden Land Developments**

## **National Study**

### **Background**

In April 2009 Communities and Local Government (CLG) sent out a letter to all Chief Planning Officers requesting data on planning applications on garden land. This was a response to concerns that the type and quantum of development on garden land had increased, but there was no firm data to refute or support this contention.

### **Definition**

There was found to be no universally agreed definition of garden land. Some identified then as brownfield sites, others do not. Also some authorities include garden sites within their strategic housing land availability assessments (SHLAA), as North Somerset do, whilst others do not.

### **The Study**

The study was intended to investigate both the scale of such developments within a national context and in particular whether local planning authorities (LPAs) regard it as a 'significant' issue within its area.

The objectives for the study were

- Determine both the quantum and type of development of back gardens over a five-year period from 1 April 2003 to 31 March 2008 and to access the geographical spread of such developments
- Establish what contribution back gardens make to housing supply provision
- Assess the effectiveness of PPS (Planning Policy Statement) 3 which sets out the national guidance in relation to determining such applications and the existence or otherwise of local policies to support interpretation of PPS 3 and
- Investigate the situation both at first instance decision-making and on appeal

Work was undertaken in two phases

Phase 1 was a questionnaire sent to all local planning authorities, phase 2 was a follow-up interview.

### **Key Findings**

The overall conclusion is that the matter of garden development, which has proved to be contentious over recent years, is not of national scope. The areas which reported an issue was London, the south-east and the west midlands. It was also found that the significance is greatest in significantly or semi-rural areas (as North Somerset) and least in large urban authorities.

The final report on the review of garden land was published in January 2010

The full report is available at

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/gardendevelopments.pdf>

## North Somerset Study

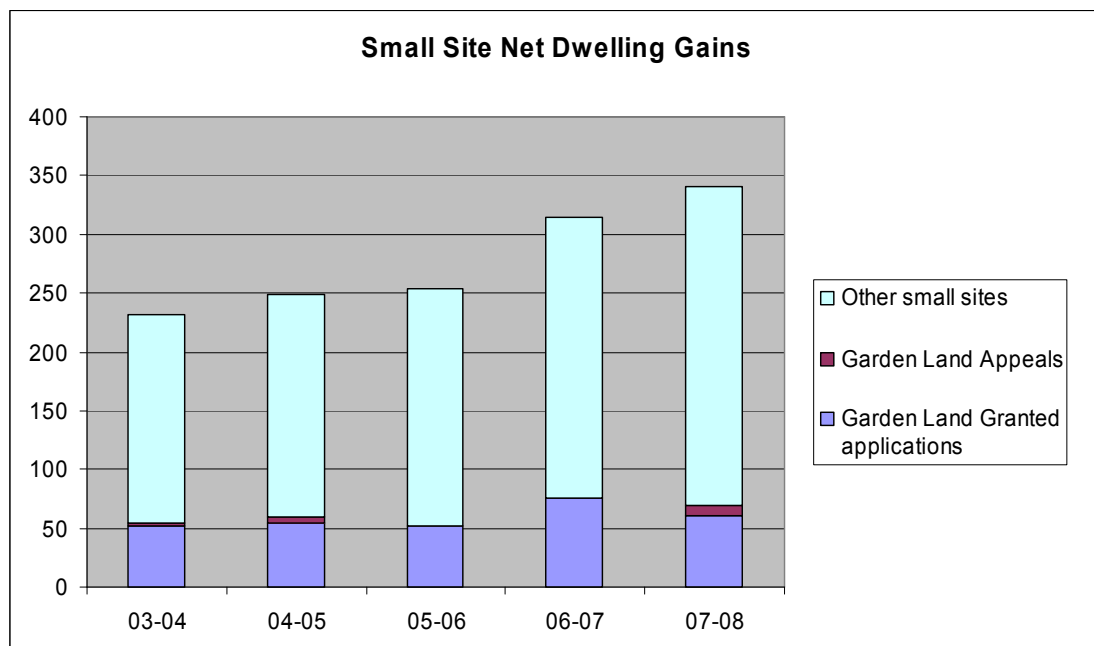
Following on from the CLG study, the Research and Monitoring Team collected data that was requested in the original questionnaire. Planning applications from the period 1 April 2003 to 31 March 2008 were investigated to ascertain how many applications were granted and passed on appeal on garden land which is defined as 'in the curtilage of an existing dwelling which resulted in a net gain'. As in the original study, residential and commercial conversions, replacement dwellings or renewal and amendments were excluded.

### Key Findings

- Minimal actual increase in applications, 311 dwellings in five years
- Garden land applications are a declining proportion of small site applications
- 5% of the garden land applications were passed on appeal
- Majority (70%) of garden land net gain applications are from Weston and rural areas
- Nailsea, Portishead and rural areas all have higher proportion of their small sites applications on garden land compared to Clevedon and Weston
- Approximately 5% of total North Somerset net gains over the five years were on garden land

### Findings

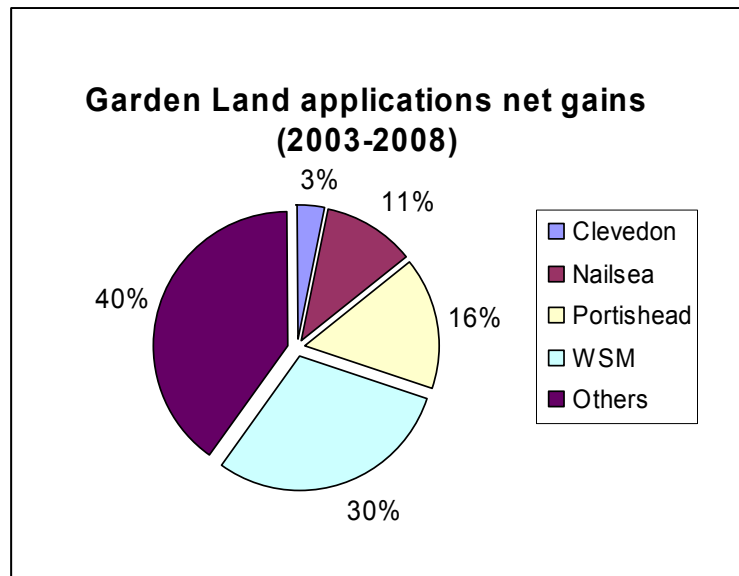
The results showed that over the five year period 226 applications were passed on garden land resulting in a net gain of 311 dwellings. This represents 30% of all small site applications (9 or less dwellings) and 22% of net gain applications over this period.



Although the number of garden land applications had increased over the five years, 44 to 56 applications (27%), it has not increased at the same rate as all small site applications (42%), therefore the proportion is falling.

In the five year period only 12 garden land applications were passed on appeal, this represented 5% of the total garden land applications during the survey period.

The geographical analysis shows some interesting results. Of the total 311 small sites net dwelling gains on garden land over the five year period, 40% were located outside of the four main towns and 30% were in Weston-super-Mare.



However the proportion of applications granted on garden land varied greatly across the district. Clevedon only had 6% of its small site applications on garden land. In comparison Nailsea's proportion was significantly high, the net gains were 59% of all Nailsea's small sites net gain applications, although actual number of dwellings were relatively low.

	Applications		Net Gains			Total small site completions	%	Total all site completions	%
	Garden land	Total	Garden Land	Total	%				
Clevedon	10	74	10	159	6%	143	7%	244	4%
Nailsea	25	36	35	59	59%	36	97%	76	46%
Portishead	31	69	49	117	42%	77	64%	2,067	2%
WSM	67	328	92	675	14%	492	19%	3,025	3%
Others	93	253	125	379	33%	330	38%	770	16%
	226	760	311	1,389	22%	1,078	29%	6,182	5%

It is difficult to measure completions on all small sites, however as a guide, the completion rate in the application decision year/town can be compared to the number of net gains. This is not a direct comparison as there will be a time lag for completion to take place, this is particularly true for the small sites where it would be expected that the majority of applications could take two to three years from the decision date would be completed. It also doesn't take into account the applications which have lapsed, which is estimated was found to be 18% of the garden land development for years 03/04 and 04/05.

However, the completion rates are still a useful guide. The results show that actual completions on the garden land applications are 29% of all small sites net gains.

The results also show that 5% of all North Somerset net dwelling gains are from garden land development over the five year period. This has fluctuated over the reporting period with a range from 4.2% to 6.7%.

## North Somerset Planning applications on Garden Land

	Site on Garden Land				Small sites net gains				Completions					
	No of permissions		Net gains - dwellings		No of permissions		Net gains dwellings		Total small sites net gains		Garden Land % of small sites		Total all sites net gains	
	Granted	Passed on appeal	Net add dwellings granted	Passed on appeal	Total applications inc appeals	Garden Land % of small sites	Total applications inc appeals	Garden Land % of small sites	Total small sites net gains	Garden Land % of small sites	Total all sites net gains	Garden Land % of all sites		
03-04	41	3	52	3	136	32%	231	24%	195	28%	1265	4.3%		
04-05	38	3	54	5	125	33%	249	24%	170	35%	1058	5.6%		
05-06	41	0	52	0	148	28%	254	20%	172	30%	1253	4.2%		
06-07	43	1	75	1	158	28%	315	24%	249	31%	1132	6.7%		
07-08	51	5	61	8	193	29%	340	20%	292	24%	1474	4.7%		
<b>Total over 5 year period</b>	<b>214</b>	<b>12</b>	<b>294</b>	<b>17</b>	<b>760</b>	<b>30%</b>	<b>1,389</b>	<b>22%</b>	<b>1,078</b>	<b>29%</b>	<b>6,182</b>	<b>5.0%</b>		

**Note:**

Garden Land excludes replacement dwellings, amendments and renewals

Garden land excludes conversions

Garden Land excludes farm building conversions

All exclude Outline planning application

10 applications (29 net gains) were for flats

9 applications were for s/c annexes



For further information please contact

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