The Development of Housing within Gardens – Final Interim Policy

Policy

Notwithstanding Policy H2 of the Hyndburn Borough Local Plan, the development of housing within the garden or curtilage of residential properties will not be permitted.

Reason

In many respects the Borough is characterised as an area with terraced housing built at high densities. Terraced properties with back yards comprise a significant proportion of the housing stock. There are very few houses with large gardens in the Borough. Where they exist, these areas are often characterised by larger houses built at lower density with a distinctive character that relate well to their surroundings and support a sense of local pride and civic identity.

Developing housing within the gardens of larger properties not only serves to increase the density of areas but also reduce their attractiveness, bringing about a steady erosion of their character and appearance. These areas often make a significant contribution to townscape and the overall quality of place. In many respects they represent a small, but significant, part of the Borough’s housing stock.

Although in policy terms gardens are considered to be “brownfield land”, Government Policy makes it clear that there should be “no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.”

The Borough Council have completed their Strategic Housing Land Availability Assessment. This concluded that there was sufficient land for new housing development over the next 15 years and that Hyndburn could exceed the housing provision target set out in the Regional Spatial Strategy. The Strategic Housing Market Assessment confirms the need for larger family properties and the need to retain the large properties that already exist within the Borough.

The development of housing within gardens makes a very small contribution to supply and it is considered that the benefits of retaining large garden areas, in terms of the positive impact they have on the local amenity, character and appearance of an area, outweighs the benefits of developing new houses within these areas. The Borough is developing the majority of new houses on brownfield land within the urban area and will continue to do so for the foreseeable future.
Whilst there is a strong presumption against building houses in garden areas, very occasionally applicants may be able to demonstrate that the erection of a dwelling would not have a significant impact on the openness and character of the garden/residential curtilage taking into account the presence of existing buildings that would be demolished as part of the development proposal. In these instances each application will be considered on its merits and applicants will be required to demonstrate an insignificant impact in terms of the loss of open garden/residential curtilage area.

The policy will apply to residential developments that are within the Urban Boundary as defined by the Proposals Map for the Hyndburn Borough Local Plan.

Evidence

Blackburn with Darwen and Hyndburn Housing Needs Assessment, 2008.
Hyndburn Borough Council – Strategic Housing Market Assessment 2008-09.
Planning Policy Statement 3 - Housing
Regional Spatial Strategy for the North West.

Adopted 15th September 2009