



Backland Development – Establishing the Principle for Development of Your Dream Home

A big question that self builders continuously ask is how they can unlock building on garden land. I think the reason for this is that generally these types of plots are relatively easy to find and have the benefits of all the existing services. They are also normally within easy reach of school and shops which is why they are usually a sustainable way to develop.

The recent changes to PPS3 and its interpretation of 'previously developed land' mean that backland development is still worth considering, it has just become more complex.

In June 2010 Planning Policy Statement 3: Housing (PSS3) was amended under the Coalition Government to reflect the new consideration of garden land as 'greenfield' as opposed to 'brownfield' or as otherwise referred to 'previously developed land'. Garden land is therefore no longer considered to constitute 'previously developed land', thus removing the principle for development upon such land.



The change was designed to restrict 'garden grabbing' and therefore presents a further policy barrier for self builders who are looking to develop a new property on such plots. Whilst it is not impossible for such developments to still gain planning permission, a robust planning case must be put forward to establish the principle for development on these sites.



Top Tip – When looking to submit an application for backland development (e.g. a dwelling in the rear garden of your property, or on a rear garden plot you are purchasing - make sure that your purchase is subject to the grant of Planning Permission!), it is essential to first consider planning policy and whether a case can be put forward to establish the principle for development on your site; as without this, planning permission will not be granted, regardless of the quality and design of the proposed scheme you have come up with!

Whilst good design is particularly important to such schemes, the design stage should follow on from the schemes grounding in planning policy, whereby it can be used to provide additional merits for the scheme based upon the planning case to be put forward. To download this PPS3, visit the Department for Communities and Local Government (DCLG) website (www.communities.gov.uk).