

Note on Previously Development Land and Minimum Density

The Government has issued revised guidance in Planning Policy Statement 3: Housing (PPS3) setting out the following changes:

- the definition of previously developed land in Annex B now excludes private residential gardens
- the national indicative minimum density of 30 dwellings per hectare is deleted from paragraph 47

The definition of Previously-developed land (also commonly know as “Brownfield Land”) is now:

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 definition includes defence buildings, but excludes:

- Land that is or has been occupied by agricultural or forestry buildings.
- Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures.
- Land in built-up areas such as private residential gardens, parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed.
- Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings).

There is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.

Paragraph 47 of PPS3 now states:

Reflecting the above, Local Planning Authorities may wish to set out a range of densities across the plan area rather than one broad density range.

This change in definition does not affect the development plan policies of the Council which are set out in the Local Plan. In simplistic terms, land within settlement boundaries is still suitable for development subject to the criteria set out in the Local Plan, while there is a restriction on development in the countryside (ie outside settlements).

What is of more import is the character of an area which the Council has been looking at through the Urban Characterisation and Density Study. These set out the characteristics of the areas six main settlements in Hart District: Fleet (including Elvetham Heath, Ancells Farm, and Church Crookham), Blackwater, Yateley, Hook, Odiham and Hartley Wintney (excluding their conservation areas which are being addressed separately through the conservation area appraisal programme).

Officers initial view is that the biggest change here relates to preventing flatted development at higher densities because it meets a national minimum density standard (which no longer exists), rather than preventing development *per se*.

As part of the return to local discretion through the future withdrawal of the South East Plan, the Council will have to assess what, if any, housing needs to be provided within the District and assuming some is to be allocated where this is to be provided, whether through new releases of greenfield land, major redevelopment areas or through smaller scale development in existing areas.