

YORKSHIRE & HUMBER

Association of Civic Societies

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YHACS Consultation Exercises: Garden Grabbing and Housing Green Paper

Dear Colleague,

In follow-up to our recent consultation on the YHACS policy statement on garden grabbing, we have now finalized the draft version of our policy. We received feedback from 13 societies—many thanks to those of you who took the time to do so. This feedback included views on the statement itself, as well as examples of the practice which have been identified in their local areas.

Most of the responses submitted agreed that the definition of all gardens as brownfield sites was detrimental to the character and green-built balance in our towns, cities and villages (Para. III.6). There was also a broad consensus that the garden grabbing phenomenon is part of a much more essential flaw in the planning system whereby central government influence pressures local authorities into making decisions that may not meet the needs of the community. General observations of the instance of garden grabbing varied quite widely across the region, with some districts reporting it to be quite a substantial issue for their local areas, while others were able to offer few if any examples in their experience. One practice which appears to be on the rise in several local areas is the use of former school premises for what could be considered garden grabbing developments—either redeveloping or demolishing the original school buildings and erecting multiple further dwellings.

Certain key points were raised by member society responses that have prompted a revision of the draft version of the policy statement. Listed below are the points, and in italics are the revisions made to the policy statement:

- (1) It was suggested that to imply garden grabbing is directly related to profits would be to impugn all development, as most development, even low-impact tandem development, is generally undertaken with a view to some profit.

As such, we have removed the phrase “typically for the primary purpose of profit” from the end of the following sentence from Para. II.4:

“Unlike more traditional instances of tandem development which involve the simple construction of a structure or home adjacent to and on the same site as an existing building with both sharing vehicular access, garden-grabbing generally entails a much more fundamental transformation of the site.”

- (2) There was concern that we emphasize that we do not classify all tandem development as garden grabbing. Not all tandem development has an adverse affect, and in some cases, the practice can greatly improve an area.

We have included a statement to emphasize that not tandem development in and of itself does not constitute garden grabbing: “Not all tandem development is necessarily detrimental to the local area, nor should it be termed ‘garden-grabbing.’” (Para. II.5)

- (3) There was a strong feeling that emphasis should be placed on the definition of brownfield development is the real concern, such that it should only allow for development that does not adversely affect the

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character of the immediate area, and that which does not fundamentally change the balance of the green space and built environment in a given area.

We have changed Para. III.6 to read

“First amongst these changes, as suggested by Clark, would be the removal of gardens from the definition of brownfield sites, thus releasing local planning authorities from the obligation to accept garden-grabbing schemes as “sustainable development.” This step is critical, as once gardens are no longer classified as brownfield development, then the likelihood of garden grabbing will be dramatically reduced.”

- (4) The emphasis on affordable housing (Para. III.8) in YHACS’ recommendations should be considered more closely. The ways of addressing affordable housing provision are quite different between rural and urban areas, such that it may be difficult to make a categorical statement about such housing in the policy statement.

We have removed Para. III.8, recognizing the difficulty in imposing a central affordability target on all areas. If local authorities are empowered to make appropriate decisions for their local areas, this target should be superfluous in overcoming the garden grabbing problem.

- (5) Finally, there was a fundamental critique of our policy statement that our proposals must take into adequate account the broader context of the garden grabbing problem. Specifically, one society in particular commented that YHACS should consider the possibility of releasing certain areas of the Green Belt for development in order to relieve pressures for the overdevelopment of our cities, towns and villages.

*This comment prompted the YHACS Executive Committee to consider the very real problem that if we are proposing a restriction of development at a time when there is a clearly demonstrated need for more development for housing, where do we suggest that new development should take place? On careful consideration of the above question and facts which are readily available via the National Land Use Database, the YHACS Executive Committee has come to the conclusion that there is still considerable scope for brownfield development of the non-garden grabbing kind, and that the single greatest proportion of previously developed land in our region and the rest of the country is comprised of disused structures, commercial or residential, that have been vacant for a year or more and yet are structurally sound. It is this category, along with land and/or buildings which are so contaminated or otherwise damaged that treatment would be required for redevelopment, that YHACS believes should be the priority for development and would contribute substantially to solving the increased need for housing. Thus, rather than proposing development on Green Belt land, YHACS has elaborated its recommendations in a new **Section IV YHACS’ Proposals**, in which we advocate a combination of reform of the planning policy guidance, the establishment of fiscal incentives for development of the above “genuine” brownfield sites, and the strengthening of local authority discretion in planning decisions.*

This letter serves as a request to all member societies for their views on the revised policy statement—a consultation exercise will be run until 10 October. During this period, we will also be putting together a YHACS’ response to the recent publication by the DCLG of the Housing Green Paper—Homes for the Future—and are seeking further member society views for this response, also by 10 October. If you have any views or comments on either of these policies, please send them to me at the above listed contact details. The Garden Grabbing Policy Statement can be accessed at our website at www.yhacs.org.uk under Policy Consultations, or by contacting me directly. The Housing Green Paper can be accessed at the DCLG website at www.communities.gov.uk under Housing or by ringing 08701 226 236. If you have any questions or need further information, please do not hesitate to be in touch. I look forward to hearing from you soon with your views on both with regard to both of these consultations.

Yours sincerely,

Katie Stewart, YHACS