

Town and country planning direction 2000

Circular Number 08/00

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The Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000

1. Planning Policy Guidance Note 3, Housing, (PPG3) issued in March 2000 introduces a new approach to planning for housing which, for most authorities, will mean that their development plan will require early review and alteration in respect of housing. Where local planning authorities need to revise their plans to take account of the guidance set out in PPG3 they are encouraged to do so as quickly as possible.

2. Guidance set out in PPG3 (paragraph 38) explains that in the interim, before development plans can be reviewed, local authorities in considering planning applications for housing development should have regard to the policy contained in the PPG as a material consideration which may supersede the policies in their plan. For the avoidance of doubt, PPG3 advises that this requirement also applies where the planning application relates to the development of a greenfield site *allocated* for housing in an adopted local plan or UDP. In these cases the application should be assessed, and a decision made on it, in the light of the policies set out in PPG3.

3. Paragraph 39 of PPG3 advises that the Secretary of State should be notified of proposals, which, in themselves or as part of a wider but contiguous allocation for housing, relate to a site of 5 hectares or more of greenfield land, or comprise 150 dwellings or more regardless of the size of site, and which the local planning authority resolve to approve. That paragraph also advises that the Secretary of State will be issuing a direction to this effect. The Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000 gives effect to this policy. A copy of the Direction which comes into force on 17 October 2000 forms the Annex to this Circular.

4. The Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000 ('the Direction') will apply to those applications defined in paragraphs 3 and 4 of the Direction. Applications for planning permission which are departures from the development plan and which fall within the scope of the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999 ('the Departures Directions') are expressly excluded from the scope of the Direction. These applications should continue to be notified to the Secretary of State in accordance with the Departures Directions.

5. The notification requirements set out in the Direction provide the Secretary of State with an opportunity to check general compliance with the guidance set out in PPG3, and to consider whether an application should be called in for his own determination. In line with his current policy, the Secretary of State will continue to be very selective about calling in planning applications.

6. Attention is drawn particularly to paragraphs 3(1)(c) and (2) of the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000. The Direction has potential application, not only to planning applications received on or after the date it comes into force, but also to applications received before that date where a local planning authority have not

given notice of a decision or determination before that date. "Decision or determination" in this context is defined in paragraph 3(2) of the Direction.

7. In the Direction, "greenfield land" is defined by reference to the definition of previously-developed land set out in Annex C to PPG3.

8. The approach to calculating the area of a residential development set out in [paragraph 4](#) of the Direction derives from Annex C to PPG3 and the approach to 'net site density' as also set out in that document. Planning applications for 'mixed-use' developments and applications that include proposals in addition to residential development, should be notified to the Secretary of State under the provisions of the Direction only where the residential component exceeds the thresholds set out in the Direction.

9. In considering, under paragraph [5](#) of the Direction whether an application for planning permission forms part of more substantial proposed development, local planning authorities should be mindful of situations where, for example, the determination of a particular application for planning permission could set the context for development over an area larger than that included in the planning application in question.

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