

<b>REPORT TO:</b>	<b>Planning Policy Committee - 26 January 2023</b>
<b>SUBJECT:</b>	<b>Brownfield Land Register 2022</b>
<b>LEAD OFFICER:</b>	<b>Kevin Owen, Planning Policy &amp; Conservation Manager</b>
<b>LEAD MEMBER:</b>	Councillor Richard Bower
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
<p>The recommendations supports:-</p> <ul style="list-style-type: none"> <li>• Improve the Wellbeing of Arun;</li> <li>• Delivering the right homes in the right places.</li> </ul>	
<b>DIRECTORATE POLICY CONTEXT:</b>	
<p>The proposals will help to enhance the quality of the natural and built environment, protect the district's natural and heritage assets and to promote economic growth in a sustainable manner, striking a balance between the need for development and the protection of scarce resources.</p>	
<b>FINANCIAL SUMMARY:</b>	
<p>The Brownfield Land Register is a necessary evidence document required by Government legislation and is maintained within existing budgets and the Brownfield Land Grant regime.</p>	

## **1. PURPOSE OF REPORT**

- 1.1. The report updates the Committee on Arun's' Brownfield Land Register 2022 and any changes to it since it was published in 2021. The Brownfield Land Register (BLR) will then be published and used as the basis for the annual BLR statistical return to Government (in a prescribed format) required by national legislation.

## **2. RECOMMENDATIONS**

- 2.1. That Planning Policy Committee resolves to:-

- i. Note the 2022 Brownfield Land Register (Part 1); and
- ii. That the Brownfield Land Register will be kept under review regarding preparation of a (Part 2) register and 'permission in principle' (including the carrying out of consultation and publicity requirements,) should any suitable sites be identified, in accordance with the Brownfield Land Register Regulations 2017.

### 3. EXECUTIVE SUMMARY

- 3.1. The production of a Brownfield Land Register is a requirement under the Town & Country Planning (Brownfield Land Register) Regulations, 2017. The Register is to be established in two parts (i.e. Part 1 and Part 2 explained below) and is to include all brownfield sites that are suitable for residential development. The Register is to be updated at least annually.
- 3.2. This report provides an update to the 2021 Register. There are 19 sites on the register (3 new sites which meet the criteria and have been identified for addition) and 4 sites have been removed because they have been implemented or are not available.

### 4. DETAIL

- 4.1. The Town & Country Planning (Brownfield Land Register) Regulations, 2017 introduced a duty for Local Planning Authorities (LPAs) to prepare, maintain and publish a register of brownfield land suitable for residential development within their areas.
- 4.2. Brownfield Land Registers must be kept in two parts. Part 1 establishes a baseline stock of 'brownfield land which meets specific previously developed land and delivery criteria (as described below). Part 2 introduces permission in principle (PiP) as a new route to obtaining planning permission for Part 1 sites that meet eligibility criteria, to make it onto Part 2 of the register where this may help to boost the supply of housing.
- 4.3. The Brownfield Land Register follows a standardised format and is made available nationally which improves the quality and consistency of data held by councils, provide greater certainty for developers and communities while encouraging investment in local areas.
- 4.4. The definition of brownfield land must be based on the National Planning Policy Framework (NPPF 2021) 'Annex 2 Glossary' definition "previously developed land" in order to be included within the Brownfield Register.
- 4.5. Brownfield sites included within Part 1 of the Brownfield Land Register are required to meet the following criteria:-

**Size:** The site must be 0.25 hectares or larger, or capable of supporting at least 5 dwellings;

**Suitable:** The site is considered suitable for inclusion on the register if the land is allocated in a development plan document (e.g. a Local Plan), has planning permission or PiP for residential development. The land may also be included on the register if the Local Planning Authority considers it suitable for residential development having considered any adverse impact on the natural environment; the local built environment; heritage assets in particular; local amenity; and any relevant representations received (i.e. from third parties);

**Available:** Sites are considered to be available for development if either all the owners of the site, or the developer in control of the land have expressed an intention to develop (or sell, in the case of an owners) the site and not more than 21 days before the entry date on the register, there is no evidence indicating a change to that intention. In addition, the Local Planning Authority must be satisfied that there are no ownership or other legal matters that might prevent residential development taking place, having regard to information publicly available on the date of assessment and any relevant representations received.

**Achievable:** Based on publicly available information and any relevant representations received, an achievable site is a site which, in the Local Planning Authority's opinion is likely to take place within 15 years of the entry date.

4.6. The full methodology for selecting and classifying the schedule of sites is set out in the Arun Part 1 Brownfield Land Register December 2022 document (Background Paper 1) published on the Council's web site. Sites are identified from available monitoring sources and specifically, from the annual update to the HELAA.

4.7. The key findings for Part 1 can be summarised as follows (there were 20 sites on the BLR Register in 2021):

- There are 19 sites on Part 1 of the BLR Register 2022 in total (8 sites have extant planning permission);
- There are three sites to be added to the BLR Register this year; BE113 Land adjacent to Tesco Express (Former site of The Rising Sun) 351 Chichester Road, LU25121 57 River Road and BR28019 5 Victoria Drive;
- 4 existing sites on the 2021 BLR Register are removed as their extant planning permission has now started or it has been completed;
- No sites without planning permission meet the eligibility for progressing onto part 2 of the BLR;
- The sites on the register comprise some 10.93 ha (19.39 ha including West Bank Littlehampton - LEGA) and would potentially generate between 380 - 400 dwellings (770 - 1,020 including West Bank LEGA) based on application data.

4.8. The Council keeps the part 1 BLR Register under review to determine whether there may be suitable sites that can be considered to include in Part 2 of the brownfield Register (i.e. permission in principle). The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 regulations exclude sites from Part 2 where sites are; 'major development' (sites of 10 or more dwellings or 1 ha or more or 1,000 sqm or more commercial development); are subject to schedule 1 Environmental Impact Assessment or affect European Habitats or that already have planning permission.

## 5. CONSULTATION

5.1. The BLR 2022 has been updated through interrogation of Council planning application and other monitoring data sources including consultations with Development Management colleagues. There is not requirement for external

public consultation on the BLR which is factual and formally published including nationally via a return to Government.

## **6. OPTIONS / ALTERNATIVES CONSIDERED**

6.1. The following options are available:-

- To note the Brownfield Land Register 2022 as evidence to support monitoring of housing supply and housing delivery; or
- Not to note the Brownfield Land Register 2022.

## **7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

7.1. There are not financial implications as the Brownfield Land Register is updated and managed within existing resources and funding.

## **8. RISK ASSESSMENT CONSIDERATIONS**

8.1. There are no adverse implications for the council or Arun communities arising from publishing the BLR

## **9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

9.1. The Register has been prepared in line with the Town & Country Planning (Brownfield Land Register) Regulations, 2017 which place a duty on local authorities to prepare, maintain and publish a register of brownfield land suitable for residential development and prescribe the way in which this should be carried out.

9.2. The Regulations require that Part 1 of the Register is updated at least once a year.

## **10. HUMAN RESOURCES IMPACT**

10.1. There are no implications for Human resources arising from the updating and publication of the BLR.

## **11. HEALTH & SAFETY IMPACT**

11.1. There are no adverse implications for Health and Safety on Arun communities arising from publishing the BLR.

## **12. PROPERTY & ESTATES IMPACT**

12.1. Arun District Council is freehold owner of part of the 17LU9 site, an area known as Littlehampton Marina (LM3037). Littlehampton Marina is demised by lease for a term of 125 years commencing 1971. There are no other direct implications arising from the BLR for Council estate or property.

## **13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE**

13.1. There are no direct implications arising from the BLR for equalities.

#### **14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

14.1. There are no direct impacts of publishing the BLR although encouraging the recycling of land and property will help to conserve land, natural resources and reduce carbon emissions.

#### **15. CRIME AND DISORDER REDUCTION IMPACT**

15.1. There are no direct implications arising from the BLR for crime and disorder.

#### **16. HUMAN RIGHTS IMPACT**

16.1. There are no direct implications arising from the BLR for human rights.

#### **17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS**

17.1. There are no direct implications arising from the BLR for freedom of information GPDR regulations.

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#### **CONTACT OFFICER:**

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#### **BACKGROUND DOCUMENTS:**

Background Paper 1 Arun Brownfield Land Register 2022:-  
<https://www.arun.gov.uk/helaa-brownfield-land-self-build-registers>