



Arun District Council

Brownfield Land Register (Part 1)

December 2023

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1.0 Introduction

- 1.1 The Government is seeking to maximise the numbers of new homes built on brownfield land including making the most efficient use of land. The Town & Country Planning (Brownfield Land Register) Regulations, 2017 introduced a duty for local planning authorities to prepare, maintain and publish a register of brownfield land within their areas and where appropriate, introduced Permission in Principle (PiP) as a new route to obtaining planning permission for these sites.
- 1.2 The aim of the Brownfield Land Register is to ensure standardised information and data about brownfield land that is suitable and available for residential development, is made accessible nationally and is kept up to date. The Government envisages that this will improve the quality and consistency of data held by local planning authorities, which will help to provide certainty for developers and communities, encouraging investment in local areas.
- 1.3 Brownfield Land Registers also offer the potential for granting permission in principle (PiP) on suitable sites. Where sites are granted a PiP, it must then be followed by an application for Technical Detail Consent (TDC) to agree the details of the scheme before obtaining full planning permission.
- 1.4 The sites which make it onto the Brownfield Land Register for Arun District have been included in accordance with the Town and Country Planning (Brownfield Land Register) Regulations 2017 (referred to as 'The Regulations' in this document). Further information on the requirements are set out later in this document. It should be noted that Brownfield Land Registers include all brownfield sites that are suitable for residential development irrespective of their planning status however, their inclusion in Part 1 of the register does not automatically mean that a site will gain planning consent for residential use.
- 1.5 The Brownfield Land Register complements intentions set out in the National Planning Policy Framework (NPPF 2023) which encourages the effective use of land in meeting the need for homes and other uses, including making as much use as possible of previously developed or 'brownfield' land. In addition, the strategy and policies of the adopted Arun Local Plan 2011-2031 seeks to minimise impacts on the countryside and environment and encourages, where possible, for development to make best use of available brownfield land and buildings, provided that it is not of high environmental value.

2.0 **Brownfield Land Register Requirements**

Definition of previously developed land (PDL)

- 2.1 'Annex 2 Glossary' of the National Planning Policy Framework (NPPF 2023) sets the definition of "previously developed land" as:

"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."

The Planning Policy Guidance confirms that in relation to the production of Brownfield Land Registers, LPA's must use the definition contained within the NPPF. Previously developed land is referred to as brownfield land. Sites must meet this definition to be included within the Brownfield Register.

- 2.2 Registers must be kept in two parts:

Part 1: Comprises all brownfield sites that meet the criteria set out in the Brownfield Land Regulations. These sites have been assessed by the Local Planning Authority as being appropriate for residential development. This list will include sites with current full planning permission, outline planning permission or permission in principle, which are non-implemented, as well as sites without planning permission that meet the criteria.

Part 2: Is a subset of Part 1. Part 2 will comprise only those sites in Part 1 that the Local Planning Authority has decided that the land would be suitable for a grant of PiP for residential development. If a site is considered to be suitable for inclusion in Part 2 there are several steps that the legislation requires must be followed. If no sites are considered to meet the criteria for permission in principle, the Part 2 of the Brownfield register can be left empty.

- 2.3 Arun District Council will publish the Brownfield Land Register on the council's website. This will be in the 'open data' spreadsheet format requested by the Government. It is a requirement of the Brownfield Land Register regulations that the registers are reviewed at least annually to ensure that sites which no longer meet the criteria for inclusion are removed and new sites are assessed and entered if it is appropriate to do so. Windfall sites should be included in the register as part of this process where they meet the brownfield land criteria.

Criteria for inclusion in Brownfield Land Registers (Part 1)

- 2.4 Sites included within Part 1 of the Brownfield Land Register are required to meet the following criteria (as set out in Regulation 4 of the 2017 Regulations):

1. **Size:** The site must be 0.25 hectares or larger, or capable of supporting at least 5 dwellings;
2. **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, including heritage assets in particular, local amenity and any relevant representations received (i.e. from third parties);
3. **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; or the Local Planning Authority considers 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.
4. **Achievable:** Based on publicly available information and any relevant representations received, an achievable site is a site which, in the planning authority's opinion is likely to take place within 15 years of the entry date.

Brownfield Land Registers and Permission in Principle (Part 2)

- 2.5 The inclusion of a site on Part 1 of a register does not mean it will automatically be granted planning permission or permission in principle. It is, however, possible for Local Planning Authorities to enter sites on Part 2 of the register which will trigger a grant of permission in principle. Sites suitable for residential-led development can only be included on Part 2 of the Brownfield Land Register after consultation and publicity requirements, and other procedures set out in the regulations have been met, (including Screening the site against the EIA requirements, if necessary), and the council remains of the opinion that permission in principle should be granted.
- 2.6 Sites listed on Part 2 of the Brownfield Land Register will be granted "permission in principle" (PiP) for residential-led development. PiP will settle the fundamental principles of development (use, location, amount of development) for the brownfield site giving developers/applicants more certainty that development can come forward on the site. PiP will be granted for the provision of dwellings falling within the range specified in the relevant entry in Part 2 and for any non-residential development described in the entry.
- 2.7 A developer will not be able to proceed with development, until they have also obtained "*Technical Details Consent*" (TDC). Technical Details Consent will

assess the detailed development design, ensuring appropriate mitigation of impacts and contributions to essential infrastructure are secured. Both the PiP and the TDC stages must be determined in accordance with the local development plan, the National Planning Policy Framework (NPPF) and other material considerations.

3.0 Arun District Council Brownfield Land Register

3.1 This section of the report comprises Part 1 of the Brownfield Land Register for Arun District Council, listing all sites considered to be suitable, available, and achievable for residential development in accordance with the criteria listed under Regulation 4 of the Brownfield Land Register Regulations. The list includes sites that have already been granted full or outline permission. The list does not currently include any sites granted “permission in principle” (PiP). The council will not be publishing entries in Part 2 of the Brownfield Register in 2023 but will review the register in 2024 to consider whether any grant of PiP would be appropriate.

Methodology

3.2 A key component of the evidence base for this work is the local authority’s Housing & Economic Land Availability Assessment (HELAA) together with planning application data and the council’s Local Plan evidence documentation. The HELAA presents a strategic picture of the availability and potential suitability of land within Arun District for development. Further, it attempts to establish realistic assumptions about the number of homes and amount of economic development that this land could yield and the timeframe within which this might come forward. HELAA data coupled with the call for sites and planning application activity in 2023 have been used to inform the BLR 2023 update.

3.3 The HELAA database was used as a starting point to identify sites for inclusion in the Arun Brownfield Land Register 2023. The council has already established a method of identifying sites through the HELAA process and undertook a ‘Call for Sites’ in summer 2023 which included an advert in the press, council press release and promotion on the call for sites web page, seeking sites for a range of uses including residential; Gypsy & Traveller and Travelle Showpeople; employment; leisure and tourism; and renewable energy. The call for sites also enabled landowners and developers to provide more up to date information for existing HELAA sites and promote new sites within the district.

3.4 The HELAA database was interrogated to identify all previously developed land over 0.25ha or considered suitable to accommodate five or more units. This includes sites without planning permission, sites with planning permission that have not been implemented (as per paragraph 010 of the Planning Practice Guidance (PPG)). If a site has planning permission for 5 or more dwellings (and meets the criteria set out in the Brownfield Land Register Regulations), then the site has been included. However, if brownfield sites under the size and quantity threshold are still suitable, available, and achievable for residential development they may still be included in Part 1 of the register (as per

Regulation 5 (3) of the Brownfield Land Register Regulations and paragraph 018 of the PPG).

Assessment of Sites

- 3.5 The council reviewed the list of existing HELAA sites to determine which sites are considered to be suitable, available, and achievable, when considered against the requirements of Paragraph 4 of the Brownfield Land Register Regulations. A number of considerations were taken into account as follows.

Sites including greenfield and brownfield land

- 3.6 Greenfield land is not appropriate for inclusion in the Brownfield Land Register. Where a potential site includes greenfield land within the boundary, the council has considered whether the site falls within the definition of previously developed (brownfield) land in the NPPF 2023 (as set out in para 2.1 above). Only the brownfield element of any mixed sites should be included in Part 1 of the register and may subsequently be considered for permission in principle.

Cross Boundary Issues

- 3.7 Brownfield sites that straddle local authority boundaries can be included in Brownfield Land Registers provided that they have been assessed against the relevant criteria. At the current time no sites spanning local authority boundaries were identified and none are therefore included within the Arun Brownfield Land Register 2023.

Assessment of Site Suitability

- 3.8 In addition to the criteria set out in Regulation 4 which define site suitability, Regulation 14A(7) of the Planning & Compulsory Purchase Act 2004 (as amended by the Housing and Planning Act 2016) also requires that when preparing registers of Land, Local Planning Authorities must also have regard to:-

(a) the development plan (the adopted Arun Local Plan 2011-2031 and 'made' Neighbourhood Development Plans);

(b) national policies and advice (e.g. NPPF, Planning Practice Guidance);

(c) any guidance issued by the Secretary of State.

This requirement means that in addition to the site suitability criteria as set out in the regulations, the Policies in the adopted Arun Local Plan 2011-2031, 'made' Neighbourhood Development Plans and the National Planning Policy Framework and Planning Practice Guidance are also relevant. Therefore, when considering sites for inclusion in the Brownfield Land Register a 'policy on' approach has been applied.

Register

- 3.9 The full list of the council's Brownfield Land Register 2023 is set out in the table 'Part 1: Arun District Brownfield Land Register' below. The table includes sites which do not have planning permission (including allocated sites and sites within 'made' Neighbourhood Development Plans) and sites with planning permission which have not yet been implemented, at the time of this report preparation. Therefore sites in the table with or without planning permission were either already identified in the HELAA and call for sites or through planning

application weekly lists data. It is important to note that the entries in the Brownfield Land Register (Part 1) are referenced with HELAA references to enable cross-referencing. Each site within the table includes a justification as to why it has been included in the Brownfield Register (Part 1).

- 3.10 Maps for the brownfield land sites without planning permission have been produced and are accessible via the council's website at <https://www.arun.gov.uk/helaa-brownfield-land-self-build-registers>. However, sites with planning permission are already available showing location plans and site information, via the council's application search page (<https://www.arun.gov.uk/weekly-lists>). The information can be accessed by typing in the planning application reference. Relevant information is contained in the 5th column of the table.

Online Register

- 3.11 Accompanying this report is an online register of all of sites listed in the table below. This register has been compiled in accordance with the Brownfield Land Register data standard published by the Department for Levelling Up, Housing & Communities and is a standardized open data spreadsheet with a consistent structure that will enable the information to be analysed by data analysis software. Local planning authorities are encouraged to make their registers available in this format so that they can easily meet the requirements of any request for information issued by the Secretary of State. The Government intends to use this data to develop a more comprehensive understanding about the location and capacity of brownfield land suitable for development in the UK.

HELAA Ref. No.	Site Name / Address	Site area (ha)	No. of dwellings	Justification for inclusion in the Brownfield Land Register (Part 1)
A1513	Chandlers BMW Site, Water Lane, Angmering	0.5	18 - 20	<p>Brownfield and vacant. Previous occupiers BMW have relocated.</p> <p>Located within built up area boundary (BUAB) in a suitable central part of Angmering village. Allocated for housing in the Angmering Neighbourhood Plan.</p> <p>Planning history suggests available for development subject to resolving development management issues.</p> <p>The Arun Local Plan Viability Assessment 2016 suggests viability issues however, the site is subject of applications and interest from development sector.</p> <p>A/11/23/PL was submitted for the demolition of all structures and erection of retirement apartments and associated highway works. The application was approved on 16 November 2023.</p> <p>DEL</p>
HP3	S & G Motors, Arundel Road, Walberton	0.75	26 - 28	<p>Located within the built-up area boundary (BUAB).</p> <p>The site is allocated within the updated Walberton Neighbourhood Development Plan (2019-2031) 'made' in July 2021 as suitable for housing for at least 28 dwellings (12 units of sheltered accommodation, 8</p>

				<p>affordable or starter homes along with 8 full market homes).</p> <p>The site is considered available as it has been considered as part of the Neighbourhood Plan Process.</p> <p>DEV</p>
LU33	Patterson Wilson Road, Littlehampton	0.54	14 - 16	<p>Located within the built-up area boundary (BUAB) within close proximity to local services and suitable being allocated within the 'made' Littlehampton Neighbourhood Plan 2014-2029 for housing (15 dwellings comprising primarily 2-, 3- and 4-bedroom houses) subject to accommodating land to deliver a business incubator.</p> <p>The Arun Local Plan Viability Study 2016 assesses the site is viable and achievable.</p> <p>DEL</p>
LU33a	Meadowfield House, Littlehampton	0.35	12 - 14	<p>Located within the built-up area boundary (BUAB) within close proximity to local services.</p> <p>The Arun Local Plan Viability Study 2016 assess the site to be viable and achievable. The climate change 100yr flooding risk contour affects this site and could potentially reduce the final yield for the site.</p> <p>DEL</p>
NEWBE10	Bartons County Infants School, Romney Broadwalk, Bersted	0.59	19-21	<p>Former school site within built-up area boundary (BUAB) owned by WSCC and available; school relocated to a new site.</p>

				<p>The Arun Local Plan Viability Study 2016 assesses the site to be viable and achievable. The climate change 100yr flooding risk contour affects this site and could significantly reduce the final yield for the site.</p> <p>BE/40/22/PL was submitted for the demolition of a former school building and the erection of 20 new dwellings. The application is currently undetermined.</p>
NEWLU40	Former Hospital Site, Fitzalan Road/Church Street, Littlehampton	0.54	14-16	<p>Within built-up area boundary (BUAB) in a suitable and sustainable location.</p> <p>Assessed as suitable in the 'made' Littlehampton Neighbourhood Plan 2014-2029 (approximately 15 dwellings comprising primarily 2- and 3-bedroom houses to be delivered in the period 2020 – 2029, subject to the provision of sufficient land to retain an appropriate medical services facility within the site or elsewhere).</p> <p>Loss/replacement of the health facilities would be material to redevelopment to residential including contribution to wider employment /regeneration of town.</p> <p>Assessed for housing in the Littlehampton Economic Growth Area Development Delivery Study 2016.</p>

				<p>The Arun Local Plan Viability Assessment 2016 assesses the site is viable and achievable. Recent promotion to confirm availability.</p> <p>DEL</p>
PS12	Former Waitrose, Littlehampton	2.2	110-120	<p>Within built-up area boundary (BUAB) of Littlehampton in a suitable and sustainable location accessible to services/town centre.</p> <p>Included in the Littlehampton Economic Growth Area in the Arun Local Plan (2011-2031) for town centre uses (Policy EMP SP2). In addition, a substantial amount of existing employment floor space is currently vacant.</p> <p>The land is identified in the Littlehampton Economic Growth Area study and is considered potentially available.</p> <p>The Arun Local Plan Viability Study 2016 assessed the site to be viable and achievable.</p> <p>Planning history: planning application LU/214/20/PL approved 01-03-21 for 50 residential units and flexible commercial floorspace. Not started.</p> <p>DEL</p>
BR10	Covers, Richmond Road, Bognor Regis	1.19	32 - 34	<p>Within built-up area boundary (BUAB) in a suitable and sustainable location.</p>

				<p>Included in the Bognor Regis Economic Growth Area in the Arun Local Plan 2011-2031) for town centre uses (Policy EMP SP2).</p> <p>Suitable and identified in the Bognor Regis Neighbourhood Plan (2015 – 2030) for low carbon residential led mix of uses with no insurmountable constraints. This area is subject to Bognor Regis Masterplan with regard to uses and location on site.</p> <p>The site is not promoted recently or available at present until the current business can relocate.</p> <p>The Arun Local Plan Viability Study 2016 assessed the site to be viable and achievable.</p>
17LU9	Littlehampton - West Bank	8.46	390 - 620	<p>Within built-up area boundary (BUAB) in a suitable and sustainable location withing the West bank of the Littlehampton Economic Growth Area in the Arun Local Plan (2011-2031) for town centre uses (Policy EMP SP2).</p> <p>Identified as suitable within the Littlehampton Economic Growth Area Development Delivery Study June 2016. Previously Developed Land DL forms part of NEWLU38 site.</p> <p>Identified as viable and achievable (GL Hearn June 2016).</p>
NEWFG2	Land Rear of Henty Arms, Ferring Lane, Ferring	0.83	13-15	<p>Within built-up area boundary (BUAB) in a suitable and sustainable location.</p>

				<p>Promoted and allocated in the Ferring Neighbourhood Plan (Policy 4 for up to 14 homes). The site is split in two areas: allotments and storage yard. Development is, however, dependent on the relocation of the allotments and contributing towards a new community centre.</p> <p>The Arun Local Plan Viability Study 2016 assessed the site to be viable and achievable.</p>
18R1	7 Sterling Parade The Street	0.24	5	<p>R/87/17/PL: Planning permission granted for 4 No. dwellings & reconfigure existing second floor flat. Not started.</p> <p>App R/148/21/CLP received 15th June for increase to 6 units. Decision - refused 14/10/21.</p> <p>R/34/22/PL: Approved 29/4/22</p> <p>R/278/22/PL submitted for 6 No. new flats. Approved 31.3.23. Not started.</p> <p>DEL</p>
LU18A	Toddington Farm (Land North and West of 1-3 Toddington Farm Cottages)	0.35	10	<p>LU/162/17/PL: Appeal allowed (7/1/19) for demolition of existing building, erection of 10 residential dwellings (Use Class C3) with associated open space, landscaping, parking, and access. Not started.</p> <p>LU/162/17/PL lapsed due to non-commencement 07-01-22</p> <p>LU/55/23/PL was submitted in March 2023 however has since been withdrawn.</p>

				DEL
BR19811	Westside Supplies, 17-18 Durban Road	0.08	8	BR/90/18/PL approved PP for 8 No. 1 bed flats and 6 No. 2 bed flats. Not started. BR/90/18/PL lapsed 10-04-22. BR/267/21/PL: Refused DEL
18BR2	Richmond Arms 224 London Road PO21 1AU	0.04	5	BR/142/18/OUT: planning permission for demolition and conversion of existing public house into up to 10 residential units. BR/158/21/PL variation of condition withdrawn - 10-06-21. BR/8/21/RES for RM of BR/142/18/OUT: Allowed on appeal with conditions 24.5.22. Not started. DEL
BE113	Land adjacent to Tesco Express (Former site of The Rising Sun) 351 Chichester Road.	0.19	6	The site is allocated in the Bersted Neighbourhood Plan for a minimum of 5 houses. BE/57/22/PL approved conditionally with S.106 for 6 dwellings - 03-10-22. Not started. DEL
BR28019	5 Victoria Drive	0.02	5	The site has permission approved under BR/280/19/PL for the redevelopment of existing retail site to a mixed-use development comprising a single ground floor retail unit with 5 residential units at first, second and third floor levels. Permission lapsed due to non-commencement. DEL

LU25121	57 River Road	0.04	6	<p>The site has planning permission approved under LU/251/21/PL for the change of use & redevelopment to provide development comprising 6 No apartments, with private amenity space, parking & cycle storage. including the partial demolition of the adjacent boundary wall to provide a new pedestrian access & the creation of a floating pontoon with resident morning space. Not started.</p> <p>DEL</p>
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4.0 Next Steps

Consultation

- 4.1 There is no legal requirement for Local planning authorities to undertake consultation on sites they propose to include within Part 1 of Brownfield Land Register. As the council has already established a method of identifying sites through the HELAA 'Call for Sites' process it is considered that an additional consultation / Call for Sites is not required for the preparation of Part 1.
- 4.2 The council has reviewed the BLR Register 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). Permission in Principle is subject to location, land use and the amount of development. The upper limits of the proposed development are up to nine homes, with less than 1,000 sqm of commercial floorspace and a site of less than one-hectare (The Town and Country Planning (Permission in Principle) (Amendment) Order 2017). This would, therefore, exclude sites on the BLR where sites are; 'major development' (sites of 10 or more dwellings or 1 ha or 1,000 sqm commercial development); subject to schedule 1 Environmental Impact Assessment or affect European Habitats and which already have planning permission. This step, however, must include the carrying out of consultation and publicity requirements, as well as other procedures in line with the Brownfield Land Register Regulations 2017.
- 4.3 At the current time, the council has not identified sites which are suitable for permission in principle and therefore Part 2 of the register will not contain any sites.

Review

- 4.4 Local authorities will be required to review their registers at least once a year. Where land has been entered into the register but is found to no longer meets the criteria, the site will be removed from Part 1, and if applicable Part 2.
- 4.5 The Brownfield Land Register will be kept under review and published to a similar timetable as the review and update of the HELAA which provides a key information source, as far as this is practicable for efficiency. As part of the future review of the Brownfield Land Register, the council will review existing sites, any new land which has been proposed for inclusion on the register and will also consider whether it may be appropriate to include a site on part 2 of the register.

Five Year Housing Land Supply

- 4.6 Where a site on a register is considered to be deliverable within 5 years, it can be counted towards the 5-year housing land supply (Note: sites on the Part 1 register include DEL were included within the 5 -year supply). Local planning authorities will be required to indicate whether sites are 'deliverable' when entering data on their registers. The information to be included in brownfield land registers is intended to complement the requirements set out in the National Planning Policy Framework for the 5-year housing land supply. Having an up-to-date register will assist local planning authorities in updating their HELAA and 5-year housing land supply.