

REPORT TO:	Planning Policy Committee 30 January 2023
SUBJECT:	Brownfield Land Register Update 2023
LEAD OFFICER:	Kevin Owen (Planning policy & Conservation Manager)
LEAD MEMBER:	Cllr Lury (Chair of Planning Policy Committee)
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
The recommendations support; - <ul style="list-style-type: none"> • Improve the wellbeing of Arun; • Delivering the right homes in the right places. 	
DIRECTORATE POLICY CONTEXT:	
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 the balance between the need for development and the protection of scarce resources (e.g. greenfield land).	
FINANCIAL SUMMARY:	
The Brownfield Land Register is a necessary evidence document required by Government legislation and is maintained with existing budgets and the Brownfield Land Grant regime.	

1. PURPOSE OF REPORT

- 1.1 The report updates the committee on Arun's Brownfield Land Register 2023 and any changes to it since it was published in 2022. The Brownfield Land Register (BLR) will then be published and used as the basis for the annual BLR statistical return to Government required by national legislation.

2. RECOMMENDATIONS

- 2.1 That Planning Policy Committee resolves to:-
- i. Note the 2023 Brownfield Land Register (Part 1);

3. EXECUTIVE SUMMARY

- 3.1 The production of a Brownfield Land Register is a requirement under the Town and Country Planning (Brownfield Land Register) Regulations 2017. The register is to be established in two parts (Part 1 and Part 2 explained below) and is to include all brownfield sites that are suitable for residential development and meet the criteria set out in the regulations. The register is to be updated at least annually.

- 3.2 This report provides an update to the 2022 register. There are 17 sites on the register and 2 have been removed because they have been commenced and there are no new sites identified that meet the criteria.

4. DETAIL

- 4.1 The Brownfield Land Register 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.
- 4.2 The Brownfield Land Register follows a standardised format and is made available nationally which improves the quality and consistency of data held by councils, provides greater certainty for developers and communities while encouraging investment in local areas.
- 4.3 The definition of brownfield land must be based on the National Planning Policy Framework (NPPF 2023) 'Annex 2 Glossary definition 'previously developed land' to be included within the Brownfield Register.
- 4.4 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, has planning permission or PiP for residential development or 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 owners) the site within the 21 days before the entry date on the register. In addition, there must be no evidence indicating a change to that intention and 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 representation 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.

- 4.5 The full methodology for selecting and classifying the schedule of sites is set out in the 'Arun Part 1 Brownfield Land Register December 2023' document (Background Paper1) published on the Council's web site. Sites are identified from available monitoring sources and specifically, including from the HELAA and call for sites and other sources.
- 4.6 The key findings for Part 1 can be summarised as follows (there were 19 sites on the BLR register in 2022)
- There are 17 sites on Part 1 of the BLR Register 2023 in total (5 have extant planning permission);
 - 2 existing sites on the 2023 Register are removed as their extant planning permission has started or been completed.
 - 3 of the sites have a planning application which is awaiting determination.
 - There are no new sites which comply with the criteria to be added to the register.
 - No sites without planning permission meet the eligibility for progressing onto Part 2 of the BLR.
 - The sites on the register comprise some 8.5 ha (16.91 ha including West Bank Littlehampton - LEGA) and would potentially generate between 320 - 370 dwellings (710 - 990 including West Bank LEGA) based on application data.
- 4.7 The Council keeps the Part 1 BLR under review to determine whether there may be suitable sites that can be considered to include in Part 2 of the Brownfield Register (PiP). The regulations exclude 'major development' from Part 2 of the register (i.e. sites of 10 or more dwellings or 1 ha or more, or commercial development of 1000sqm or more) and exclude any sites subject to schedule 1 Environmental Impact Assessment or affecting European Habitats.

5. CONSULTATION

- 5.1 The BLR 2023 has been updated through interrogation of Council planning applications and other monitoring data sources. There is no requirement for external public consultation on the BLR which is factual and formally published via a return to government.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 The following options are available: -
- To note the Brownfield Land Register 2023 as evidence to support the monitoring of housing supply and delivery; or
 - Not to note the Brownfield Land Register 2023.

7. COMMENTS BY THE GROUP HEAD OF FINANCE AND SECTION 151 OFFICER

- 7.1 There are no 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 and 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.

10. HUMAN RESOURCES IMPACT

10.1 There are no implications arising from Human Resources.

11. HEALTH & SAFETY IMPACT

11.1 Whilst there are no direct health and safety impacts from the proposals, a referral should be made to Environmental Health in the event of planning permission being required for development of any of the sites on the register, to advise on any health and safety impacts that may arise, including consideration of any contaminated land requirements.

12. PROPERTY & ESTATES IMPACT

12.1 There are no direct implications for Council property.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 There are no direct adverse implications for equalities/social value.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 There are not direct adverse implications for climate change or sustainability. By ensuring that brownfield land is included within the Brownfield Land Register alternative solutions for housing can be taken forward to make use of land previously developed on, rather than greenfield sites. Additionally, the upcoming BNG requirements from central government will ensure that developments which meet the criteria have positive impacts on the biodiversity within Arun.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 There are no direct adverse implications for crime and disorder.

16. HUMAN RIGHTS IMPACT

16.1 There are no direct adverse implications for human rights.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 There are no implications for FOI/data protection.

CONTACT OFFICER:

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BACKGROUND DOCUMENTS:

Background Paper 1: Brownfield Land Register Document 2023
<https://www.arun.gov.uk/helaa-brownfield-land-self-build-registers>