



# **Arun District Council**

## **Brownfield Land Register (Part 1)**

**November 2024**

## **Contents**

<b>Section</b>	<b>Title</b>	<b>Starts on page</b>
1.0	Introduction	3
2.0	Brownfield Land Register Requirements	4
3.0	Arun District Council Brownfield Land Register	6
4.0	Next Steps	16

## 1.0 **Introduction**

- 1.1 The Government is seeking to maximise the numbers of new homes built on brownfield (also known as ‘previously developed’) land and make the most efficient use of land. The Town & Country Planning (Brownfield Land Register) Regulations 2017 (hereafter referred to as ‘the Regulations’) introduced a duty for local planning authorities (LPAs) 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 LPAs, 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 PiP on suitable sites through allocation in a Part 2 register. Where sites are granted a PiP, it must then be followed by an application for Technical Details Consent (TDC) to agree the details of the scheme before obtaining full planning permission.
- 1.4 The sites on the Brownfield Land Register for Arun District Council have been included in accordance with the Regulations. Further information on the requirements is 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, inclusion in Part 1 of the register does not automatically mean that a site will gain planning permission for residential use.
- 1.5 The Brownfield Land Register complements intentions set out in the National Planning Policy Framework (NPPF 2023) which encourage 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. A consultation on proposed changes to the NPPF was published in July 2024 and, whilst the outcome of the consultation is still awaited, the draft document placed significant focus on the effective use of previously developed land (PDL) to help deliver the government’s ambitious new national housing targets. The consultation also sought views on potentially expanding the definition of PDL in the NPPF to include hardstanding and glasshouses and to redefine some previously developed land in the Metropolitan Green Belt as ‘Grey Belt’ land. The consultation does, however, carry only limited planning weight at the time this BLR is being produced (November 2024).

- 1.6 In addition, the strategy and policies of the adopted Arun Local Plan 2011-2031 seek to minimise impacts on the countryside and environment and encourage, where possible, development to make best use of available brownfield land and buildings, provided it is not of high environmental value.

## 2.0 **Brownfield Land Register Requirements**

### ***Definition of previously developed land***

- 2.1 ‘Annex 2 Glossary’ of the NPPF sets out 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 Practice Guidance (PPG) confirms that in relation to the production of Brownfield Land Registers, LPAs must use the definition contained within the NPPF. Previously developed land is referred to as brownfield land. Sites must meet this NPPF definition to be included in the Brownfield Land Register.

- 2.2 Registers must be kept in two parts:

**Part 1:** Comprises all brownfield sites that meet the criteria set out in the Regulations. The LPA has assessed these sites as being appropriate for residential development. This list will include sites with current full planning permission, outline planning permission or PiP, 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 where the LPA 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, Part 2 of the 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 Regulations that registers be 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 appropriate. 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 Regulations):-

1. **Size:** Sites must be 0.25 hectares or larger, or capable of supporting at least 5 dwellings;
2. **Suitable:** Sites are considered suitable for inclusion on the register if the land is allocated in a development plan document (e.g. a Local Plan) or has planning permission or PiP for residential development. The land may also be included on the register if the LPA considers it appropriate 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 sell or develop 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 LPA 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; and
4. **Achievable:** Sites are considered to be achievable if, in the LPA's opinion, development is likely to take place within 15 years of the entry date, having regard to publicly available information and any relevant representations received.

***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 PiP. It is, however, possible for LPAs to enter sites on Part 2 of the BLR which will trigger a grant of PiP. Sites suitable for residential-led development can only be included on Part 2 of the Brownfield Land Register after consultation and publicity requirements, and once 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 PiP should be granted.

- 2.6 Sites listed on Part 2 of the Brownfield Land Register will be granted 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). TDC 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 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 Regulations. The list includes sites that have already been granted full or outline permission. The list does not currently include any sites granted PiP and it should be noted that the Council does not intend to publish any entries in Part 2 of the Brownfield Land Register in 2024 but will review the register in 2025 to consider whether any grant of PiP would be appropriate at that time through inclusion in a Part 2 document. It should be noted that even though no sites are being proposed under Part 2 in this BLR, it is open to an individual/developer to submit an application for PiP at any stage, providing the statutory requirements are met.

#### ***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 applications 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 houses and amount of economic development that the 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 2024 have been used to inform this 2024 update to the Brownfield Land Register.

- 3.3 The HELAA database was used as a starting point to identify sites for inclusion in the Arun Brownfield Land Register 2024. The Council has already established a method of identifying sites through the HELAA process and undertook a 'Call for Sites' in Summer 2024, which included an advert in the press, a council press release and promotion on the 'Call for Sites' web page, seeking sites for a range of uses including: housing; economic development; Brownfield Land Register; Gypsy & Traveller and Traveller Showpeople; leisure and tourism; and renewable energy. The 'Call for Sites' also enabled landowners and developers to provide 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 potentially accommodate 5 or more units. This includes sites without planning permission, sites with planning permission that have not been implemented (as per paragraph 010 of the PPG). If a site has planning permission for 5 or more dwellings and meets the criteria set out in the Regulations, 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 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 suitable, available, and achievable, against the requirements of Paragraph 4 of the Regulations.
- 3.6 Under the NPPF 2023 definition, to be considered **deliverable (DEL)**, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. In particular:
- a) Sites which do not involve major development and have planning permission, and all sites with detailed planning permission should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).
  - b) Where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered

deliverable where there is clear evidence that housing completions will begin on site within 5 years.

- 3.7 Under the NPPF 2023 definition, to be considered **developable (DEV)**, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.
- 3.8 In compiling the 2024 Brownfield Land Register, the following considerations were taken into account.

#### ***Sites including Greenfield and Brownfield Land***

- 3.9 Greenfield (i.e. previously undeveloped) land is not appropriate for inclusion in the Brownfield Land Register. Where a potential site includes greenfield land within its boundary, the Council has considered whether the site falls within the definition of previously developed land in the NPPF (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.

#### ***Cross Boundary Issues***

- 3.10 Brownfield sites that straddle local authority boundaries can be included in Brownfield Land Registers if they have been assessed against the relevant criteria. Currently, no sites spanning local authority boundaries have been identified for inclusion in the Arun Brownfield Land Register 2024.

#### ***Assessment of Site Suitability***

- 3.11 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, LPAs must also have regard to:
- a) The development plan (including the adopted Arun Local Plan 2011-2031 and any 'made' Neighbourhood Development Plans);
  - b) National policies and advice (e.g. NPPF, PPG); and
  - c) Any guidance issued by the Secretary of State.

This means that in addition to the site suitability criteria set out in the Regulations, the policies in the adopted Arun Local Plan 2011-2031, 'made' Neighbourhood Development Plans and the NPPF and PPG are also relevant. Therefore, when considering sites for inclusion in the Brownfield Land Register a 'policy on' approach has been applied.



## ***Register***

- 3.12 The full list of the Council's Brownfield Land Register 2024 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) include HELAA references to enable cross-referencing. Each site within the table includes a justification as to why it has been included in the 2024 Brownfield Register (Part 1).
- 3.13 Maps for the brownfield sites without planning permission have been produced and are accessible via the [Council's website](#). However, sites with planning permission are already available showing location plans and site information, via the Council's [application search page](#). 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***

- 3.14 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 central government and is a standardized open data spreadsheet with a consistent structure that will enable the information to be analysed by data analysis software. LPAs 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.

**KEY**

DEL = DELIVERABLE

DEV = DEVELOPABLE

\* = NEW SITE

HELAA Ref. No.	Site Name / Address	Site area (ha)	No. of dwellings	Justification for inclusion in the Brownfield Land Register (Part 1)
20AB13	* Arundel Police Station, The Causeway, Arundel	1.0	12	'Made' Arundel Neighbourhood Plan – reserved for a residential redevelopment scheme in next Plan review, or sooner if the Plan is deemed out of date. The site is not currently available.  DEV
BN2122PL	* The Hollies, 84 Barnham Road, Barnham	0.34	5	BN/21/22/PL for demolition of existing care home and construction of 5 dwellings – approved.  DEL
22BN1	* Land at The Square, Barnham	0.34	37	'Made' Barnham & Eastergate Neighbourhood Plan – allocated for housing. Pre-application advice – refused 2020.  DEL
RU4	* Sussex Business Village, Lake Lane, Barnham	0.48	11	'Made' Walberton Neighbourhood Plan – allocated for mixed use redevelopment, including up to 11 dwellings.  DEV

NEWBE10	Bartons County Infants School, Romney Broadwalk, Bersted	0.59	20	Former school site within built-up area boundary, owned by WSCC and available; school relocated to a new site. Arun Local Plan Viability Study 2016 – assessed as viable and achievable. BE/40/22/PL for the demolition of a former school building and the erection of 20 new dwellings – approved.  DEL
BR19811	Land at Heath Place, Bersted	0.08	14	BR/90/18/PL for 14 flats – lapsed. BR/267/21/PL for 24 flats – refused. BR/238/23/OUT for 23 flats – refused. BE/134/23/OUT for 10 dwellings – withdrawn.  DEV
BE113	Land adjacent to Tesco Express, 351 Chichester Road, Bersted	0.19	6	Allocated in the Bersted Neighbourhood Plan for a minimum of 5 houses. BE/57/22/PL for 6 dwellings – approved.  DEL
BR10	Covers, Richmond Road, Bognor Regis	1.19	32 - 34	Within built-up area boundary in a suitable and sustainable location. Bognor Regis Neighbourhood Plan – identified for low carbon residential led mix of uses. Arun Local Plan – included in Bognor Regis Economic Growth Area in for town centre uses. Arun Local Plan Viability Study 2016 – assessed as viable and achievable. The site is not available until the current business relocates.  DEV

18BR2	Richmond Arms, 224 London Road, Bognor Regis	0.04	10	BR/142/18/OUT for demolition and conversion of existing public house into up to 10 residential units – approved. BR/8/21/RES for 10 flats – refused. BR/158/21/PL – withdrawn. BR/8/21/RES for 10 flats – allowed on appeal.  DEL
BR28019	5 Victoria Drive, Bognor Regis	0.02	5	BR/280/19/PL for the redevelopment of existing retail site to a mixed-use development comprising ground floor retail unit with 5 residential units at first, second and third floor levels – lapsed.  DEL
BR19	* Regis Centre Site, The Esplanade, Bognor Regis	1.57	90 - 100	BR/156/16/PL for mixed use redevelopment of the site – allowed on appeal. Lapsed. Pre-application advice – approved 2023. BR/83/23/PL for demolition of fire station on southeast corner of site and construction of a 116-bed hotel – approved.  DEV
24BR1	* The Arcade, Bognor Regis	0.15	36	Within built-up area boundary in a suitable and sustainable location. Promoted for 35 homes as part of economic regeneration Brownfield Land Release Fund 2023. Call for Sites 2024 update – 36 units in 2026-2027. Site available subject to resolution of flexible retail tenancies. Site is a locally listed building.  DEL
BR23822	* 2-10 The Hatters Inn, Queensway, Bognor Regis	0.08	43	BR/238/22/PL for three storey upward extension and redevelopment of existing first and second floors to deliver 43 flats – approved.  DEL

21AL3	* SRC Recycling, Fontwell Avenue, Eastergate	3.27	80	Immediately abuts built-up area boundary as proposed in 'made' Barnham and Eastergate Neighbourhood Plan. Pre-application advice – refused 2021. AL/57/23/PL for demolition of all existing buildings and structures and redevelopment of the existing car salvage and recycling facility for 80 dwellings – pending.  DEL
LU33	Ambulance Station, East Street, Littlehampton	0.54	9	'Made' Littlehampton Neighbourhood Plan – allocated for housing. LU/45/24/PL for redevelopment for 9 flats – approved.  DEL
LU33A	Meadowfield House, East Street, Littlehampton	0.35	23	Within built-up area boundary in a suitable and sustainable location. Arun Local Plan Viability Study 2016 – assessed as viable and achievable. Call for Sites 2024 – promoted. 'Made' Littlehampton Neighbourhood Plan – partly allocated for housing.  DEL
NEWLU40	Former Hospital Site, Fitzalan Road /Church Street, Littlehampton	0.54	14 - 16	Within built-up area boundary in a suitable and sustainable location. 'Made' Littlehampton Neighbourhood Plan – assessed as suitable. Littlehampton Economic Growth Area Development Delivery Study 2016 – assessed for housing. Arun Local Plan Viability Study 2016 – assessed as viable and achievable. Pre-application advice – refused 2023.  DEL

PS12	Former Waitrose, Avon Road, Littlehampton	0.6	110 - 120	Arun Local Plan – included in the Littlehampton Economic Growth Area for town centre uses and considered potentially available. Arun Local Plan Viability Study 2016 – assessed as viable and achievable. LU/214/20/PL for 50 residential units and flexible commercial floorspace – lapsed.  DEL
17LU9	Littlehampton - West Bank, Littlehampton	8.46	390 - 620	Littlehampton Economic Growth Area Development Delivery Study 2016 – identified as suitable. Previously developed land forms part of Strategic Allocation SD4 in Adopted Arun Local Plan. Littlehampton Economic Growth Area Development Delivery Study 2016 – identified as viable and achievable.  DEV
LU18A	Land at Toddington Lane, Littlehampton	0.35	10	LU/162/17/PL for demolition of existing building and erection of 10 residential dwellings – allowed on appeal. Lapsed. LU/55/23/PL for 10 dwellings – withdrawn.  DEL
LU25121	57 River Road, Littlehampton	0.04	6	LU/251/21/PL for change of use & redevelopment for 6 apartments and ancillary uses – approved.  DEL
18LU2	* 46a & 47 Pier Road and land north of Clifton Road, Littlehampton	0.6	8	LU/287/17/PL for 8 dwellings – approved. LU/3/22/CLE Lawful Development Certificate confirming LU/287/17/PL has been implemented and is extant – approved.  DEL

18R1	7 Sterling Parade, The Street, Rustington	0.24	6	R/87/17/PL for 4 dwellings – approved. R/148/21/CLP to increase to 6 units – refused. R/34/22/PL for 6 units – approved. R/278/22/PL for 6 new flats – approved.  DEL
HP3	S & G Motors, Arundel Road, Walberton	0.75	26 - 28	'Made' Walberton Neighbourhood Plan – allocated for mixed residential development for 28 dwellings minimum.  DEV

## **4.0 Next Steps**

### **Consultation**

- 4.1 There is no legal requirement for LPAs to undertake consultation on sites proposed for inclusion in Part 1 of Brownfield Land Register.
- 4.2 The Council has reviewed the Brownfield Land Register to determine whether there may be suitable sites that can be considered for inclusion in Part 2 of the Register (thereby automatically benefitting from Permission in Principle (PiP)). PiP is subject to location, land use and the amount of development. The upper limits of the proposed development are up to 9 homes, with less than 1,000 sqm of commercial floorspace and a site of less than 1 ha (The Town and Country Planning (Permission in Principle) (Amendment) Order 2017). This would, therefore, exclude sites on the Brownfield Land Register 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 must include carrying out consultation and publicity requirements, as well as other procedures in line with the Regulations.
- 4.3 The Council has not currently identified sites which are suitable for PiP, therefore Part 2 of the Register for 2024 does not contain any sites.

### **Review**

- 4.4 LPAs are 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, as far as this is practicable for efficiency. As part of future reviews 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' where they are to be included in the 5-year supply). LPAs are 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 NPPF for the 5-year housing land supply. Having an up-to-date register will assist LPAs in updating



their HELAA and 5-year housing land supply in the Authority Monitoring Report (AMR).