

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY COMMITTEE ON 25 JANUARY 2022

REPORT

SUBJECT: Brownfield Land Register

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DATE: December 2021
EXTN: x 37853
AREA: Planning

EXECUTIVE SUMMARY:

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.

This report provides a 2021 update to the 2020 Register. There are 20 sites on the register (3 new sites which meet the criteria have been identified for addition) and 9 sites have been removed because they have been implemented or are not available.

RECOMMENDATIONS:

That Planning Policy Committee:-

1. Notes the 2021 Brownfield Land Register (Part 1).
2. Agree for Officers keep under review the Brownfield Land Register in order to determine whether preparation of (Part 2) including the carrying out of consultation and publicity requirements, in line with the Brownfield Land Register Regulations 2017 is justified.

1. BACKGROUND:

- 1.1 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.
- 1.2 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).
- 1.3 Part 2 introduce 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.

- 1.4 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.
- 1.5 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.
- 1.6 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 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 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.
- 1.7 The full methodology for selecting and classifying the schedule of sites is set out in the Arun Part 1 Brownfield Land Register November 2021 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.
- 1.8 The key findings for Part 1 can be summarised as follows (there were 26 sites on the BLR Register in 2020):
- There are 20 sites on Part 1 of the BLR Register 2021 in total (9 sites have extant planning permission);
 - There 3 new sites to be added to the BLR Register this year; BR23911 The Beach, The Esplanade; BR19811; Westside Supplies, 17-18 Durban Road; 18BR2 Richmond Arms 224 London Road PO21 1AU;
 - 6 existing sites on the 2020 BLR Register are removed as their extant planning permission has now started or it has been completed;
 - 3 sites on the 2020 Register are removed because they are now considered not to be available and therefore, Not Currently Developable in the HELAA (BR19 Regis Centre Site, The Esplanade, Bognor Regis; R13 Sussex Works, Rear of

Windmill Parade, Worthing Road; and P5408 St Ninians Church, Pagham).

- No sites without planning permission meet the eligibility for progressing onto part 2 of the BLR

1.9 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.

1.10 The previously published BLR 2020 identified a single potential BLR site that could be considered not 'major development' for further investigation to establish whether the remaining criteria could be met and if suitable, progress to consultation. However, the owners of this site have since stated that the land is not available and so it has been removed from the BLR Part 1 Register.

2. PROPOSAL(S):

That the Planning Policy Committee notes the BLR report.

3. OPTIONS:

3.1 The following options are available:

- to note the Brownfield Land Register 2021 as evidence to support monitoring of housing supply and housing delivery; or
- Not to note the Brownfield Land Register 2021.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify)		x
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		x
Legal		x
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability	x	
Asset Management/Property/Land		x
Technology		x
Other (please explain)		x

6. IMPLICATIONS:

The Brownfield Land Register is necessary evidence to support monitoring of housing supply and promoting housing delivery through efficient reuse of existing previously developed land in accordance with national policy.

7. REASON FOR THE DECISION:

To ensure that the authority maintains a brownfield land register that is transparent and accessible to stakeholders and compliant with Brownfield Land regulations.

8. BACKGROUND PAPERS:

1. Brownfield Land Register Final Report and spreadsheets 2021:-
[HELAA, brownfield land and self build registers | Arun District Council](#)