

**Brownfield Register Briefing Note**  
Report by Planning Policy Officer

**Summary:** This report introduces the requirement for Local Planning Authorities to have a Brownfield Register.

**Recommendation:** That the report be noted

## **1 Introduction**

- 1.1 The Government is committed to maximising the number of new homes built on suitable brownfield land and has set out its intention to ensure that 90% of suitable brownfield sites have planning permission for housing by 2020.
- 1.2 The Housing and Planning Act (May 2016) makes provision for local authorities to prepare, maintain and publish a register of brownfield land. The register should identify previously developed sites in the district that have been assessed as being suitable for housing.
- 1.3 The register should comprise a standard set of information, prescribed by the Government, that will be kept up-to-date and made publicly available, to help provide certainty for developers and communities and encourage investment in local areas. The registers will then be used to monitor the Government's commitment to the delivery of brownfield sites.
- 1.4 The Briefing Note at Appendix A provides further information

## **2 Next Steps**

- 2.1 With the help of the GIS Officer, the Brownfield Register will be produced. The Broads Authority's Brownfield Register will be available by the end of December 2017 and a link will be sent to Planning Committee Members.

## **3 Financial Implications**

- 3.1 There are no financial implications.

Background papers: None  
Author: Natalie Beal  
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Appendices: APPENDIX A: Briefing Note on Brownfield Registers



**Briefing note on Brownfield Registers**  
**October 2017**

**1. What is brownfield land?**

The national planning policy framework (NPPF) defines previously developed land (PDL, or brownfield 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 has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private 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 in the process of time.'*

**2. What is it? Why do we need to do it?**

The regulations<sup>1</sup> require local authorities to prepare and maintain registers of brownfield land that is suitable for residential development.

Brownfield registers will provide up-to-date, publicly available information on brownfield land that is suitable for housing. This will improve the quality and consistency of data held by local planning authorities which will provide certainty for developers and communities, encouraging investment in local areas. Brownfield registers should include all brownfield sites that are suitable for housing development irrespective of their planning status.

**3. By when do we need to do it?**

The proposals came in to force in mid April 2017. Local authorities will be expected to have compiled their registers by 31 December 2017.

**4. What is it we actually need to do?**

Brownfield land registers must include all sites which meet the relevant criteria<sup>2</sup> regardless of their planning status. This includes sites that have extant planning permission for development that has not been implemented.

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<sup>1</sup> The Town and Country Planning (Brownfield Land Register) Regulations 2017:  
<http://www.legislation.gov.uk/uksi/2017/403/contents/made>

<sup>2</sup> Criteria: <http://www.legislation.gov.uk/uksi/2017/403/regulation/4/made>

The Government have set out the information that is required to be included in the register as well as specifying the format for presenting the data. So for each site, there is consistent information provided. See Appendix A for the column headings.

The register will include sites with extant full planning permission, outline planning permission and permission in principle as well as sites without planning permission (which have been allocated in the Sites Specifics Local Plan 2014 and draft allocations in the emerging Local Plan).

Brownfield registers should include all brownfield sites which:

- are *capable of accommodating 5 dwellings and over* (or more than 0.25 hectare in area);
- are *suitable* for residential development, irrespective of their planning status – this includes land which is subject to an extant planning permission for housing, is allocated in a local plan for housing, has permission in principle for housing or is otherwise appropriate for housing in the opinion of the LPA;
- are *available* for residential development; that is a developer or landowner has expressed an intention to sell or develop the land for housing and there are no issues of ownership or legal impediments<sup>3</sup> preventing that development or any publicly available evidence to indicate that it would not be available;
- residential development of the land is *achievable*, that is, the site is capable of development within 15 years of the date of entry on the register.

## 5. Two parts to the register

Part 1 of the brownfield registers will be a comprehensive list of all brownfield sites in a local authority area that are suitable for housing, irrespective of their planning status. However registers will also be a vehicle for granting permission in principle for suitable sites where authorities have followed the relevant procedures. If the authority considers that permission in principle should be granted for a site the local authority is required to enter that site in Part 2 of their register. Part 2 is therefore a subset of Part 1 and will include only those sites for which have permission in principle has been granted.

Putting a site on Part 1 of a register does not mean it will automatically be granted permission in principle. Local planning authorities will be able to enter sites on Part 2 of the register which will trigger a grant of permission in principle for those sites suitable for housing-led development only after they have followed the consultation and publicity requirements, and other procedures set out in the regulations and they remain of the opinion that permission in principle should be granted. Those sites which have permission in principle for housing-led development will be clearly identified by being in Part 2 of the register.

A site may not be included on Part 2 of the register where development of the site would:

- fall within schedule 1 of the Environmental Impact Assessment Regulations

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<sup>3</sup> The regulations do not refer to any *financial* impediments preventing development, accordingly the fact that a site may be stalled only for reasons of financial viability would not prevent its inclusion on the register as an available site.

- has been screened as Environmental Impact Assessment development
- or development would be prohibited under habitats protection legislation ie those sites may not be granted permission in principle through being placed on the register.

## **6. Updating the register**

Local authorities will be required to update the information relating to each entry and review the sites on their registers at least once a year. Authorities will be encouraged to conduct more frequent updates of the register where they wish to do so. This will ensure the process is proportionate and allow local authorities to respond to particular local circumstances.

## **7. Format**

As a minimum, local authorities should publish brownfield land registers in at least two formats:

- a 'csv' file;
- an INSPIRE compliant polygon format.

Local authorities may also wish to publish their data in other formats that may be more attractive to some groups of users. For example pdf, html etc.

## **8. Further information**

- NPPG and Brownfield Registers [www.gov.uk/guidance/brownfield-land-registers](http://www.gov.uk/guidance/brownfield-land-registers)
- Regulations: [www.legislation.gov.uk/ukxi/2017/403/contents/made](http://www.legislation.gov.uk/ukxi/2017/403/contents/made)
- Data standard: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/633593/BrownfieldLandRegisters-DataStandard.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/633593/BrownfieldLandRegisters-DataStandard.pdf)
- Frequently Asked Questions: <https://www.gov.uk/government/publications/brownfield-registers-and-permission-in-principle/brownfield-registers-and-permission-in-principle-frequently-asked-questions>
- An example Brownfield Register: <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/Regeneration-and-Development-Opportunities/Brownfield-Register.aspx>

## Appendix A: Data required for each site and explanation

- Organisation URI: To identify the Local Authority within whose area the parcel of land lies.
- Organisation Label: The name of the local authority that is identified using the
- Site Reference: A reference applied by the local authority to identify a site.
- Previously Part Of: The SiteReference that this site was previously a part of when reported on an earlier register.
- Site Name Address: The name and address of a site, which should be sufficient to describe its location
- Site plan URL: A URL to a web page giving a site plan for the site.
- Coordinate Reference System: The Coordinate Reference System that is used for the fields 'GeoX' and 'GeoY'.
- GeoX: Longitude or east grid reference for the visual centroid of the site boundary.
- GeoY: Latitude or north grid reference for visual of application boundary.
- Hectares: The size of the land in hectares
- Ownership Status: The ownership status of the land.
- Deliverable: To indicate if the land is 'Deliverable'.
- Planning Status: To indicate the stage, if any, that has been reached in the planning process for the site
- Permission Type: The latest type of permission that has been granted on the site
- Permission Date: The date permission was granted for the permission set out in the field 'permissionType'.
- Planning History: Links to webpages giving information about the planning history of the site
- Proposed For PIP: To indicate if the site has been proposed for residential development (permission in principle).
- Min Net Dwellings: The minimum net number of dwellings that the local authority estimates the site should support.
- Development Description: A description of any proposed housing development.
- Non Housing Development: A description of any proposed non-housing development
- Site Information: Links to webpages giving further information about the site.
- Notes: General information about a site and its entry on the register.
- First Added Date: The date that the site was first added to the register.
- Last Updated Date: The date that information about the site was last updated.