

BRECKLAND DISTRICT COUNCIL

Report of: Councillor Sarah Suggitt: Executive Member for Strategic & Operational Planning

To: Planning Committee: - 1st August 2023

Author: Andrew D’Arcy (Planning Policy Manager)

Purpose: The purpose of this report is to advise Members on an update to the Brownfield Land Register

Recommendation(s): It is recommended that:

- a) Members agree for the revised Brownfield Land Register (BLR) to be placed on the Council’s website;
- b) Members agree the individual recommendations regarding each of the sites on the revised Brownfield Land Register;
- c) Members agree to delegate powers to the Deputy Chief Executive to amend/remove sites on the Brownfield Land Register where they no longer meet the criteria set out in the regulations.

1 Background

- 1.1 Primary powers for Permission in Principle (PIP) were secured through the Housing and Planning Act, 2016. Secondary legislation in the form of the Brownfield Land Register Regulations and the Permission in Principle Order, came into force in April 2017. This legislation set out a requirement for local planning authorities to prepare and maintain a register of previously developed/brownfield land (PDL) (in line with the NPPF definition of previously developed land¹), to be published by the 31st of December 2017. Although the register is made up of one schedule, it is formed of two parts.
- 1.2 Part 1 of the register identifies brownfield land within the district that is larger than 0.25ha or capable of delivering 5 or more dwellings and is suitable, available and achievable. The tests of suitability, availability and achievability are set out in the regulations as follows:
 - Suitable sites are defined as being allocated through a plan, having permission or are suitable for residential led development in the opinion of the local planning authority;
 - Available sites are sites where the owner(s)/developer(s) have expressed an intention to sell or develop the land;
 - Achievable sites are defined as sites where development is likely to take place within the next 15 years. All sites on Part 1 of the register must be in conformity with local and national planning policy.
- 1.3 Brownfield sites were originally identified in the Strategic Housing and Economic

Housing Land Availability Assessments that were assessed as being suitable, available and achievable for housing. It should be noted that inclusion of a site on the register does not imply that planning permission would be granted for residential use. Any planning application would be considered in relation to relevant planning policies and other material considerations.

- 1.4 Part 2 of a brownfield land register is a subset of Part 1. Part 2 comprises only those sites in Part 1 that the local planning authority has decided would be suitable for a grant of permission in principle for residential development. The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. A Technical Details Consent would then be required before development can begin.

2 How the register has been compiled

- 2.1 The starting point was to take the Council's Strategic Housing Land Availability Assessment (SHLAA), 2014. This SHLAA revision included sites identified from the SHLAA revision in 2011 and additional sites being put forward from the first round of call for sites as part of the Local Plan process. Inclusion of sites primarily centered around existing towns and service centre villages with sites over 0.1 hectares in size. This includes both urban extension sites and brownfield sites. In light of the findings of the SHLAA it was considered that a number of Brownfield sites identified as being suitable, achievable and available in the first 5 year period could be added to the Council's existing 5 year land supply figures to produce a composite land supply. The document looked only at sites situated in locations that are in line with the settlement hierarchy of the emerging Local Plan (i.e. Market Towns and Local Service Centres). Where sites received a positive assessment through this study it was considered that sites were suitable, available and achievable. In addition brownfield sites with extant planning permissions and sites previously allocated through the Site Specific Policies & Proposals Development Plan Document were also considered for inclusion on the register as these are also in line with the regulations.
- 2.2 This resulted in twenty five sites being proposed for inclusion on the register. A report setting out these sites was approved by the Council's Planning Committee in November 2017. In February 2018 Committee also approved the placement of 3 sites on Part 2 of the Register, potentially granting Permission in Principle, where an existing permission is close to lapsing/has lapsed or the site is of strategic importance to the Council. The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. In September 2019, 11 sites were removed from Part 1 of the register following a review exercise and no new sites were added.

2.3 The Register is on the Council's website along with a form to allow new sites to be submitted for consideration. New sites would then be subject to consideration and, where appropriate, placed on the Register. Sites recommended for Part 2 will be considered by Planning Committee and will then be subject to a 42 day consultation period. Following the consultation period these sites will be brought back to planning committee for a decision on the grant of Permission in Principle on the sites.

3 Review and update of the BLR

3.1 Local planning authorities are required to keep their registers under review. Reviews will 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.

3.2 There are currently 14 sites on the existing Brownfield Register (as last modified and approved on 30 September 2019). Of these sites, there are 11 sites on part 1 of the BLR and a further 3 sites on part 2.

- 1 new site has been put forward for inclusion in part 1 of the BLR. The site is

- Site: Yard Brown Field, 149 Dereham Road, Mattishall NR20 3PD

3.3 This site has been assessed in accordance with the Regulations and the recommendation is not to include this site on the BLR. This is considered further in Appendix C to this Report.

3.4 Following the current review exercise, it is further recommended that:

- 3 sites are removed from part 1 of the BLR as they are now developed or under construction.

- BLR_14 Low Meadow Park, Thompson Road, Griston
- BLR_21 Hamilton Acorn Ltd. Halford Road, Attleborough (converted to a Place of Worship)
- BLR_22 Former Quantrills Industrial Estate, Church Street, Griston

- No sites are moved from part 1 to part 2 of the BLR
- No new sites to be included on the BLR
- 9 sites remain on the BLR with no amendments made

3.5 A more detailed overview on the status of current sites and recommendations going forward can be found in Appendix A. Plans showing the sites are in Appendix B.

4 Implications

Corporate Priorities

4.1 The Local Plan Review aligns with the following corporate priorities in the Breckland Corporate Plan 2020–2023.

- To deliver substantial and continued growth as proposed through our Local Plan,

in conjunction with our key partners.

- Enable the effective planning and delivery of housing solutions to meet local needs and aspirations to ensure that our residents including veterans have access to a range of housing options in the district.

Financial

- 4.2 It is considered that the preparation of the Breckland Local Plan can be delivered through to adoption within the Council's budget.

Staffing and Financial

- 4.3 It is considered that the preparation of the Register can be delivered within the Council's budget.

5 Wards / Communities Affected

- 5.1 The Brownfield Land Register has implications for all wards in Breckland.

Background Papers

Lead Contact Officer

Name and Post: Andrew D'Arcy: Planning Policy Manager

Telephone Number: 01362 656239

Email: Andrew.darcy@breckland.gov.uk

Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A: Schedule of Brownfield Sites

Appendix B: Maps of all Sites

Appendix C: Proposed Sites Assessment