



**Rochford District  
Council**

**PLANNING POLICY COMMITTEE**

**27 JULY 2023**

<b>REPORT TITLE:</b>	Brownfield Land Register 2023 Update
<b>REPORT OF:</b>	Director of Place

**REPORT SUMMARY**

This report consists of the 2023 update to the Council's Brownfield Land Register, which broadly aims to identify the capacity of brownfield sites in the District to meet long-term housing needs.

**RECOMMENDATIONS**

R1. That the Brownfield Land Register 2023, attached at Appendix A, is noted and published on the Council's website.

**SUPPORTING INFORMATION**

**1.0 REASONS FOR RECOMMENDATIONS**

- 1.1 The preparation and maintenance of a Brownfield Land Register is required by the Housing and Planning Act 2016, and the Town and Country Planning (Brownfield Land Register) Regulations 2017. The Brownfield Land Register provides a list of brownfield sites within the District that are considered to be suitable, available and achievable for residential development, subject to the criteria set out in the Brownfield Land Register Regulations 2017.
- 1.2 Having an up-to-date understanding of brownfield land capacity within the District is useful from the perspective of testing future growth strategies.

**2.0 OTHER OPTIONS CONSIDERED**

- 2.1 As above, the preparation and maintenance of a Brownfield Land Register is a legal requirement. There are no other reasonable options available.

**3.0 BACKGROUND INFORMATION**

- 3.1 The Brownfield Land Register 2023 forms the latest update of the Council's Brownfield Land Register. The broad purpose of a Brownfield Land Register is to establish a list of broadly available, suitable and viable brownfield sites that could contribute to meeting the Council's long-term housing needs.
- 3.2 Brownfield Land Registers are prepared within a regulatory framework and set of definitions established by the Town and Country Planning (Brownfield Land Register) Regulations 2017.
- 3.3 Brownfield land is commonly also referred to as 'previously developed land.' The definition of previously developed land, as set out in Annex 2 to the National Planning Policy Framework (NPPF), is: "*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.*"
- 3.4 For a site to be included within the Brownfield Land Register, it must:
- Meet the definition of Previously Developed Land, as set out in Annex 2 to the NPPF;
  - Have a site area of at least 0.25 hectares OR be capable of supporting at least 5 dwellings;
  - Be considered suitable for residential development (i.e. development on the site complies, or is likely to comply, with local and national planning policies);
  - Be considered available for residential development (i.e. on best information, the landowner/developer is willing to develop the site); and
  - Be considered achievable for residential development (i.e. on best information, it would be viable to develop the site within 15 years).
- 3.5 'Suitable for residential development' is taken to mean that the land at the entry date has been allocated in a local development plan document for residential development; has planning permission for residential development; has a grant of permission in principle for residential development; or is, in the opinion of the local planning authority, appropriate for residential development, having regard to any adverse impact on the natural environment; the local built environment, including in particular on heritage assets; any adverse impact on the local amenity which such development might cause for intended occupiers of the development or for occupiers of neighbouring properties; and any relevant representations received.

- 3.6 'Available for residential development' is taken to mean the relevant owner (or, where there is more than one, all the relevant owners), has expressed an intention to sell or develop the land and at a date not more than 21 days before the entry date there is no evidence indicating a change to that intention, having regard to any information publicly available on that date; and any relevant representations received; the developer has expressed an intention to develop the land and at a date not more than 21 days before the entry date there is no evidence indicating a change to that intention, having regard to any information publicly available on that date; and any relevant representations received; or in the opinion of the local authority there are no issues relating to the ownership of the land or other legal impediments which might prevent residential development of the land taking place, having regard to any information publicly available on that date; and any relevant representations received.
- 3.7 'Achievable for residential development' is taken to mean that, in the opinion of the local planning authority, the development is likely to take place within 15 years of the entry date, having regard to any information publicly available; and any relevant representations received
- 3.8 As the above tests must be met, Brownfield Land Registers do not form absolute measures of total brownfield land capacity in an area. For examples, small sites (with capacities of 4 or fewer dwellings) are not included, albeit they are included in the overall Housing trajectory published as part of the Authority Monitoring Report.
- 3.9 In total, the Brownfield Land Register 2023 identifies a total of 32 sites meeting the criteria for inclusion. Together, these 32 sites have a minimum capacity of 839 dwellings, which represents a 19% increase in the capacity identified at the time of the previous update.
- 3.10 Of these 32 sites, 18 are considered deliverable now, meaning we have reasonable certainty over the likelihood of them coming forward in the short-term. Together these sites have a minimum capacity of 318 dwellings which would only make a modest contribution to the c.6,500 homes that need to be built in Rochford before 2040. The remaining 14 sites may well come forward before 2040, however we have less certainty over these sites.
- 3.11 An interactive map of the Register has been prepared, which is available at <https://arcg.is/1zyqjT0>.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications arising from this report.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 By publishing and maintaining the Brownfield Land Register, the Council is fulfilling the requirements of the Housing and Planning Act 2016.

**6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 There are no direct resource implications arising from this report.

**7.0 RELEVANT RISKS**

- 7.1 There are no substantial risks arising from this report.

**8.0 ENGAGEMENT/CONSULTATION**

- 8.1 There is no engagement or consultation connected specifically to this report, however it will inform future Local Plan consultations which will be undertaken in accordance with the Council's adopted Statement of Community Involvement.

**9.0 EQUALITY IMPLICATIONS**

- 9.1 There are no equalities or diversity implications arising from this report.

**10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 There are no direct environment or climate implications arising from this report, however it is recognised that having an up-to-date understanding of brownfield land capacity in the District can inform planning strategy decisions which themselves may help to avoid or mitigate environment and climate implications associated with development.

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**APPENDICES**

Appendix A – Brownfield Land Register 2023 Report and Spreadsheet

**BACKGROUND PAPERS**

None.

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>