

Brownfield Land Register – Guidance Note and Summary

(December 2017)

What is the Brownfield Land Register?

All local planning authorities are now required to prepare and publish a [register of previously-developed 'brownfield' land](#) that is considered to be suitable, available and achievable for residential development. It is therefore important to note that the Brownfield Land Register is not a register of all 'brownfield' sites within the Council's administrative area, but only those previously-developed 'brownfield' sites that are:

- at least 0.25ha in size or capable of accommodating at least 5 dwellings; and
- considered to be potentially suitable for housing-led development, available now and with development potentially achievable within the next 15 years (including 'deliverable' sites that are potentially achievable within the 5-year housing land supply) – based on the Council's [Strategic Housing Land Availability Assessment \(SHLAA\)](#) and taking account of any constraints and deliverability issues.

It therefore excludes smaller 'brownfield' sites and those assessed to not be suitable for residential development, that are not presently available for development, or where it is considered that development would be unviable or otherwise not realistically achievable within the next 15 years. Brownfield housing sites under construction nearing completion are not included. Derelict/vacant industrial land and premises not considered suitable for alternative housing redevelopment are therefore not included in the Register.

Where some previously-undeveloped 'greenfield' land is within a SHLAA site, only the 'brownfield' part of the site is included in the Register. 'Brownfield' sites planned for a mix of uses are included where they are housing-led development schemes with only ancillary non-housing elements, but they are excluded where the residential element is only an ancillary component of the mixed-use development (eg. the Vaux site).

What is 'Brownfield' Land?

The Government's [National Planning Policy Framework \(NPPF\)](#) defines 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 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.”*

What is Permission in Principle?

Sites can only be included in Part 2 of the Brownfield Land Register if the Council also opts to grant ['in principle' planning permission](#) for the basic fundamental principles of development (ie. land use, location and amount). Prior consultation will be carried out by the Council on any sites proposed to be granted Permission in Principle (PiP).

For any sites granted Permission in Principle in Part 2 of the Register, in order to gain a full implementable planning permission, the landowner or prospective developer would need to submit a separate fee-chargeable application for 'Technical Details Consent'. The PiP-compliant development must then commence on site within 5 years.

Sunderland Brownfield Land Register 2017 – Summary

Sunderland City Council was part of the Government's pilot scheme for preparing Brownfield Registers in 2016, when an initial 15 sites were included in the Register. The criteria for which sites should be included in the new Brownfield Land Registers and the information to be recorded have since changed.

The Council's first full Brownfield Land Register identifies:

- 61 qualifying brownfield sites (>0.25ha or >5 dwellings capacity) that are suitable for housing-led development, available now and potentially achievable within the next 15 years;
- comprising a total 170.26ha of land;
- indicative SHLAA-based indicative capacity for 4,988 dwellings within the net developable areas of the sites at an overall average density of 29.30 dwellings per hectare – to allow for on-site infrastructure (eg. roads and open spaces) the SHLAA methodology assumes 100% net developable area for sites <0.4ha, 90% net developable area for sites 0.4-2.0ha, and 75% net developable area for sites >2.0ha, with an assumed average development density of 30 dwellings per hectare, unless a more precise figure is known from a planning permission, application or masterplan;
- assuming a -10% deduction proportion of the SHLAA indicative capacity for the 34 sites not yet fully permitted (ie. including outline and hybrid application sites) to represent the minimum number of dwellings figure required for Brownfield Land Register purposes, this would suggest these 61 sites could potentially provide for at least a minimum 4,594 new dwellings at an overall average density of at least 26.98/ha.
- 21 sites (prefixed with B) are split/subdivided parts of larger SHLAA sites that also incorporate previously-undeveloped 'greenfield' areas of land.
- 32 sites already have planning permission for housing development (including 3 outline and 2 hybrid full/outline permissions), while 4 others currently have live full or outline applications in the system – hence 52% of Brownfield Land Register sites currently have some form of planning permission.
- 38 sites are assessed to be 'deliverable' with at least some completions potentially achievable within the next 5 years, and thus form part of the Council's 5-year housing land supply.
- 5 permitted sites are already under construction, with 126 dwellings already completed out of a total 412 across those sites, but phasing of development means there is currently no guarantee the full sites will be completed and thus they are included on the Register for the time being – thus leaving an indicative residual capacity for a potential 4,862 dwellings across the 61 sites (with a residual minimum 4,468 new dwellings).

Additionally, a further 13 other 'brownfield' sites and 8 sites comprising a mix of 'brownfield'/'greenfield' land also have planning permission for residential development but as they are well under construction nearing completion they have not been included on the Brownfield Land Register. Taking account of these would, however, bring the full total of 'brownfield' sites suitable, available and achievable for residential development in Sunderland to 82 and meaning that overall 53 sites or 65% currently have some form of planning permission, compared to the Government's aim to get planning permission in place on 90% of suitable 'brownfield' sites by 2020.

Sunderland City Council has not proposed any sites for 'Permission in Principle' for entry into Part 2 of the Register at the present time. Hence the fields relevant to Part 2 currently remain blank in the Brownfield Land Register database.