

Brownfield Land Register

Briefing Note

(November 2018)

What is the Brownfield Land Register?

All local planning authorities are 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 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.*

What is Permission in Principle?

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. Sites that are subject to PiPs form part 2 of the Brownfield Land Register.

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.

As of 1st June 2018 in addition to the Local Authority applying PiPs to a site, developers can also apply for permission in principle (PiP) for small scale residential development followed by an application for technical details consent (TDC). These permissions will also be maintained on Part 2 of the Brownfield Land Register.

Sunderland Brownfield Land Register 2018 – Summary

Since the 2017 Brownfield Land Register 12 sites have been removed from the register of which, 7 sites have been completed in full, 2 sites have been removed as they are nearing completion, 2 sites now fail to meet the criteria and 1 site was found to be a duplicate.

The Council's 2018 Brownfield Land Register identifies:

- An additional 13 sites resulting in a total of **62 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;
- indicative SHLAA –based capacity for 4,587 dwellings within the net developable areas of the sites.
- assuming a -10% deduction proportion of the SHLAA indicative capacity for the sites not yet permitted to represent the minimum number of dwellings figure required for Brownfield Land Register purposes, this would suggest these 62 sites could potentially provide for at least a minimum 4,126 new dwellings.
- Of the 62 sites on the register 34 sites already have planning permission for housing development (including 3 outline and 2 hybrid full/outline permissions), as such 55% of Brownfield Land Register sites currently have some form of planning permission.
- 8 of the permitted sites are already under construction, with 213 dwellings already completed on these sites, leaving an indicative residual capacity for a potential **4,374 dwellings** across the 62 sites.
- 9 of the sites have planning applications pending consideration and 19 sites have no form of permission in place.
- 44 of the 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.

The City Council has not proposed any sites for 'Permission in Principle' for entry into Part 2 of the Register at the present time and no applications have been received from developers.