

## Brownfield Land Register

### Guidance Note

(December 2020)

#### 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'<sup>1</sup> 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.

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).

#### 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.

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 1<sup>st</sup> 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.

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<sup>1</sup> For a site to be considered 'deliverable' there must be a reasonable prospect that residential development will take place on the land within five years, beginning at the entry date into the Brownfield Land Register. (Ministry of Housing, Communities & Local Government: Brownfield Land Registers Guidance)

## Sunderland Brownfield Land Register 2020 – Summary

The 2019 Brownfield Land Register included 52 sites. Since the publication of last year's register, 23 sites have been removed as they are either nearing completion, have been completed in full, or are no longer considered to be available or developable within the next 15 years. In addition, 2 sites which were previously included as separate entries each have been merged reducing the overall number by a further site to 28 sites. There have been 16 new entries resulting in 44 sites on this year's register.

The Council's 2020 Brownfield Land Register identifies:

- An additional 16 sites resulting in a total of **44 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 minimum net dwellings<sup>2</sup> of 4,470 and maximum net dwellings<sup>3</sup> capacity for 4,746 within the net developable areas of the sites.
- Of the 44 sites on the register, 30 sites already have planning permission for housing development, as such 68.18% of Brownfield Land Register sites currently have some form of planning permission.
- 9 of the permitted sites are already under construction, with 88 dwellings already completed on these sites, leaving an indicative residual capacity for a potential **4,382 dwellings** across the 44 sites.
- 3 of the sites have planning applications pending consideration and 11 sites have no form of permission in place.
- 31 of the sites are assessed to be 'deliverable' with at least some completions potentially achievable within the next 5 years.
- The City Council has not proposed any sites for 'Permission in Principle' for entry into Part 2 of the Register at the present time.
- 2 applications have been received from private developers for PIPs, both of which received Permission in Principle.

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<sup>2</sup> The minimum dwelling range for each Brownfield Register site is approximately a 10% reduction of the maximum dwelling range, informed by Sunderland's SHLAA. The minimum range has been identified in accordance with the Brownfield Register Data Standard and the Town and Country Planning (Brownfield Register) Regulations 2017.

<sup>3</sup> Sunderland's SHLAA capacity has been used as the maximum dwelling range for the number of units for each Brownfield Register site.