

BCP Council

Brownfield Land Register Methodology December 2019: Bournemouth sites

1. Background

- 1.1 The Government has introduced a requirement for all planning authorities in England to prepare, maintain and publish registers of previously developed land within their area that they consider appropriate for residential development.
- 1.2 [The Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#) set out the detailed requirements for preparing and publishing the register. [National Planning Practice Guidance](#) on Brownfield Land Registers provides further information.
- 1.3 The Department for Communities and Local Government (DCLG) has also published a [Brownfield Land Registers Data Standard](#) setting out requirements for the format of the register.
- 1.4 Registers will be in two parts:-
 - Part 1: This comprises all brownfield sites that meet the criteria set out in the Brownfield Land Regulations. This list will include sites with planning permission as well as sites without planning permission that meet the criteria.
 - Part 2: This is a subset of the BLR and will comprise only those sites in Part 1 that the Council has decided would be suitable for a grant of Permission in Principle (PIP) for housing-led development after undertaking the necessary requirements for publicity, notification and consultation. A PIP is similar to an outline permission. A Technical Details Consent is required in order for the site to be developed. [The Town & Country Planning \(Permission in Principle\) Order 2017](#) sets out the detailed requirements for PIPs. [National Planning Practice Guidance](#) on PIPs provides further information.
- 1.5 No sites are proposed for Part 2 of the Register at this stage, so the fields relevant to Part 2 currently remain blank in the Brownfield Land Register database.

2. Criteria for inclusion in Part 1 of the Brownfield Land Register

2.1 Sites included within Part 1 are required to meet the following criteria:-

- Meet the definition of previously developed land (this has the same meaning as brownfield land) in [Annex 2 of the National Planning Policy Framework](#).
- Are 0.25 hectares or more in size or capable of accommodating at least 5 dwellings and
- Meet the Government's criteria, set out in [Regulation 4](#) of the Brownfield Land Register Regulations of being suitable, available and achievable for residential development.

2.2 In addition to the [Regulation 4](#) criteria, Regulation 14A(7) of the Planning & Compulsory Purchase Act 2004 (as amended by the Housing & Planning Act 2016) requires that when preparing registers, local planning authorities must also have regard to:-

- (a) The development plan (including Local Plans, Neighbourhood Plans, Supplementary Planning Documents)
- (b) National policies and advice (eg National Planning Policy Framework, Planning Practice Guidance)
- (c) Any guidance issued by the Secretary of State

3. Source of sites for assessment for inclusion in Part 1 of the Brownfield Land Register and initial filter

3.1 Sites were selected for assessment for inclusion in the register from the following sources:-

- Sites in the latest SHLAA Report (under preparation December 2019).
- Sites submitted in response to the Call for Sites for the SHLAA 2017 Update and Brownfield Land Register, which ran from 15th September – 10th November 2017.
- Extant planning permissions for 5 or more net units of residential development from our Housing Land Monitoring Database.

3.2 The first stage was to identify sites which met the definition of brownfield land. Those sites which did not meet the definition were filtered out.

3.3 Then the sites which did not meet the site size threshold were filtered out. In accordance with Regulations, sites that are smaller than 0.25 ha which have potential for less than 5 dwellings are not included. However any sites that are smaller than 0.25 ha but have potential for more than 5 dwellings have been

included. A decision had to be taken on whether to include a gross or net figure for 5 dwellings. The Regulations are not clear about whether the 5 dwelling threshold for inclusion in the BLR refers to net or gross dwellings. Schedule 2 of the regulations requires sites on the BLR to set out the minimum net number of dwellings which, in the authority's opinion, the land is capable of supporting. The Council has taken the decision to use a net figure, so sites with planning permission or identified with potential for 5 or more net dwellings which meet the criteria have been included.

- 3.4 The BLR is intended to be focused on sites for residential-led development. The Regulations define residential development as “development, the main purpose of which is housing development – i.e. housing-led development” Those sites - planning permissions or SHLAA sites without planning permission - which do not have a main purpose of housing development have not been included in the BLR. Account has been taken of the balance of residential and commercial floorspace on sites, based on either a planning permission or capacity assumptions from a SHLAA assessment.
- 3.5 The BLR includes sites with planning permission that meet the criteria which have been granted up to and including a cut-off date of 31 March 2019.
- 3.6 As the register is intended to include extant planning permissions, sites that are under construction have been excluded. Only those planning permissions which meet the criteria and have not started have been included.

4.0 Assessment of remaining sites

- 4.1 The remaining sites which meet the definition of brownfield land, the site size threshold and are housing-led were assessed as to their suitability, availability and achievability as set out in criteria in [Regulation 4](#). Regard was also had to relevant Local Plan policies or National policies or advice.
- 4.2 Planning Permissions were automatically assumed to meet the Regulation 4 criteria and local / national policy considerations as they have already been subject to detailed assessment of these issues through the planning application process. These were all included in Part 1 of the Register.
- 4.3 This then left the remaining sites - those submitted in response to the Call for Sites 2017, the latest SHLAA sites without planning permission, and one site submitted during 2018 – to be assessed. As there is a requirement to have regard to local and national planning policy, sites have not been included if they are contrary to Local Plan policy. For example, if the redevelopment of a site would result in the loss of an employment premises / tourism accommodation or community facility and could potentially be contrary to the policies of the adopted Local Plan, then it has not been included on the BLR at this stage.

- 4.4 This has meant that some sites that were submitted in response to the call for sites 2017, submitted during 2018 or sites within the latest SHLAA without planning permission have not been included as it has been considered that residential development of the site would be contrary to Local Plan policy or premature to a thorough assessment against policy. These include sites affected by policies to retain unallocated employment sites (Core Strategy Policy CS27), sites within the Lansdowne Employment Area (Policy CS8) or sites resulting in the loss of hotels (Policy CS29 Protecting Tourism and Cultural Facilities). Other sites submitted have been excluded where planning applications have been refused and re-submitted but are at a critical stage of negotiation and therefore too premature to assess an appropriate level of housing provision.
- 4.5 The Regulations require that the Council identifies which sites are deliverable. This is defined as “there is a reasonable prospect that residential development will take place on the land within 5 years beginning with the entry date.” Sites with planning permission are assumed to be completed within the next 5 years. For the SHLAA sites without planning permission, information on phasing of the sites has informed this field.