Brownfield Land Registers and Permission in Principle

Mide Beaumont/Jamie Wzietek
Planning – Development Management
Brownfield Land Registers and Permission in Principle

- Primary powers secured through the Housing and Planning Act 2016

- Secondary legislation came into force in April 2017:

  **Town and Country Planning (Brownfield Land Registers) Regulations 2017**
  Regulations require local planning authorities to prepare, maintain and publish registers of brownfield land suitable for residential development

  **Town and Country Planning (Permission in Principle) Order 2017**
  Order enables local authorities to grant permission in principle on suitable sites in their registers
Brownfield Land Registers and Permission in Principle

Brownfield land registers

• Will provide up to date, consistent, publicly available information on all brownfield sites that are suitable for housing – irrespective of planning status

• Will be kept locally

• Are a vehicle for granting permission in principle (PiP) on suitable sites – decisions must have regard to the development plan, NPPF, and other material considerations

Pilots

• 73 local planning authorities piloted the preparation of brownfield registers and the majority published registers last summer – informed secondary legislation

• They tested a national data standard, meeting Open Data principles, including the information to be provided about sites and the format for making information available
Requirement to keep a register

• Each authority must prepare and maintain a register of brownfield land that is suitable for housing within their area

• The first register to be published by 31 December 2017. Registers to be reviewed at least once a year

Information to be included

• Set out in Schedule 2 of the Regulations – must be kept updated for sites on Part 1

• Information required to be given to the Secretary of State in a specified format – regulation 18 of the 2017 Regulations
Requirement for registers to be kept in 2 parts:

Part 1:

- all brownfield sites that a local planning authority has assessed as appropriate for residential development – includes sites with extant planning permission
- all sites in Part 1 of the register are required to give the relevant information required by Schedule 2 to the 2017 Regulations

Part 2:

- a subset of Part 1, containing only those sites in Part 1 that the LPA has decided would be suitable for a grant of permission in principle (PiP) for residential development
- additional information required by Schedule 2 to the Regulations to trigger a grant of PiP
Open data and digital planning

- commitment to increasing amount of planning data available and utilising open data standards

- we have set out a national data standard that local planning authorities in England are encouraged to follow in preparing and publishing their brownfield land registers

- nationally consistent information on suitable brownfield sites available for residential development

- designed to ensure registers are accessible and capable of analysis

- data standard has been published alongside the policy guidance