



# BROWNFIELD LAND REGISTERS



ONE YEAR ON

*One year on from their introduction, and with the first round of annual updates due, we ask whether the BLR has been a missed opportunity, what might be done to make more of it, and whether this could be seen as a new dawn of smart planning.*

## Where did we get to?

This time last year Local Authorities (LA) in England were tasked with preparing Brownfield Land Registers (BLR), identifying all previously developed land in the authority area with potential to accommodate housing development. Publication of the BLR was due by the end of the year and most met this deadline. The first annual update of these will be due soon.

The majority of BLRs prepared last year include known sites already within the Strategic Housing Land Availability Assessment (SHLAA) or which benefitted from some form of permission. They included very little that was 'new'.

We have mapped all sites contained in the BLRs. You can explore a sample of BLR data in our interactive demo, here:

<http://troyplanning.com/brownfield-land-registers-interactive-map/>

The vast majority of LAs only prepared and submitted Part 1 of the BLR. This was flagged up as a risk in a survey of LAs we undertook in summer 2017. Reasons cited for this included lack of resources, time to prepare the Registers, and a concern about identifying and including new sites.

The findings of the 2017 survey can be found here:

<http://troyplanning.com/brownfield-land-registers-emerging-practice-and-advice/>

As at March 2018, information provided by the Ministry of Housing, Communities and Local Government (MHCLG) showed that only four LAs had included sites on Part 2 of the BLR – those benefiting from Permission in Principle (PiP). A further four LAs were proposing sites for inclusion on Part 2, but at the time of submitting their BLR, had not carried out the necessary consultation process on these.

The number of sites on, or proposed for inclusion on Part 2, as well as the potential dwelling yield from these, is broken down in Tables 1 and 2 below.

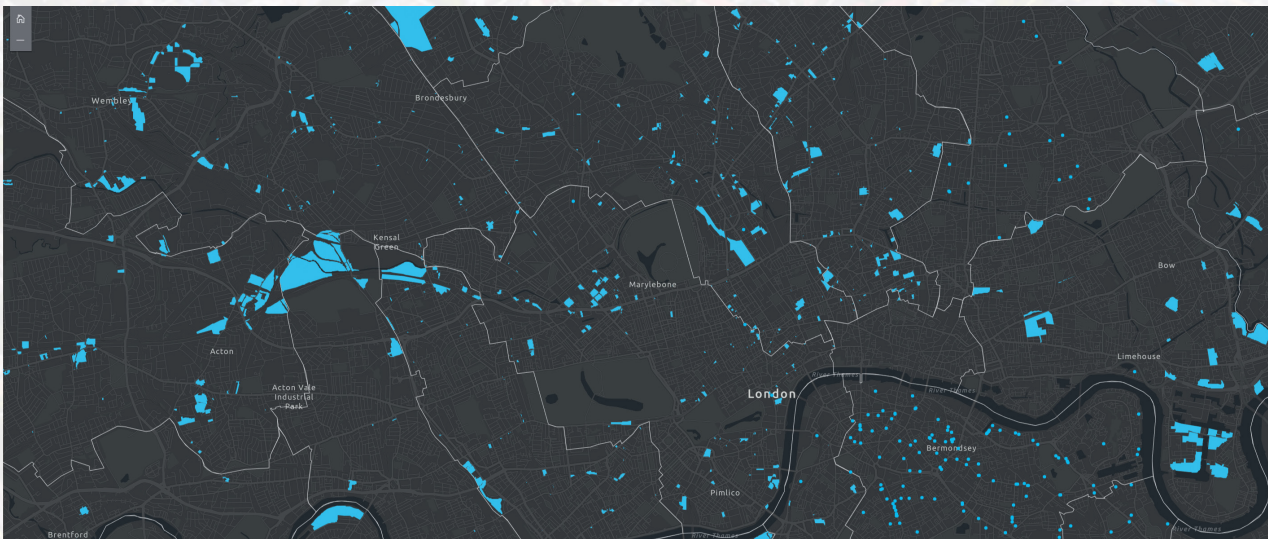
None of these LAs fall within London or the South East, despite the high housing needs and pressure on land for housing in these locations. Some of the sites included in Part 2 of the registers were already afforded some sort of permission. This trend will need to be monitored to see whether any 'new' sites making an additional contribution to housing supply form part of the BLR in future.

Table 1: BLRs that include sites on Part 2

Local Authority	Number of sites included on Part 2	Minimum number of homes that these sites could deliver
Blackburn and Darwen	26	887
Mansfield	4	292
East Riding	3	82
Breckland	4	144

Table 2: BLRs that propose sites for inclusion on Part 2

Local Authority	Number of sites proposed for PiP	Minimum number of homes that these sites could deliver
East Lindsey	8	206
Hambleton	1	25
North Tyneside	12	359
North Devon	2	8



Screenshot of our interactive Brownfield Land Register Map

## Policy and Regulatory Change

The revised NPPF, published in July 2018, places even more emphasis on the need to exhaust brownfield land capacity in the quest to meet objectively assessed housing need. It is recognised that brownfield land can help contribute to the new requirement that at least 10% of housing need should be met on sites of 1 hectare or less. The development of brownfield sites can also aid in the faster delivery of sites, where infrastructure is already in place to support development.

Alongside the shift in policy, new legislation came into effect in June 2018. This provides the opportunity to apply for PiP directly. Applications can be made for sites of up to nine dwellings, buildings with less than 1,000sqm of floorspace or for sites of less than one hectare in size. This new route to PiP can provide developers with a degree of certainty in that the location, land use and amount of development is acceptable, before seeking Technical Details Consent.

A key difference with this route to PiP compared to the BLR is that there is a right of appeal against the refusal to grant PiP. Also of note is that a direct application for PiP can only be sought for a site of between one and nine dwellings, but if granted via inclusion on Part 2 of the BLR, PiP can apply to sites with the potential to accommodate greater than five units on a site of at least 0.25 hectares. So there is greater scope to apply PiP to a wider range and scale of sites through the BLR route. This could prove helpful in planning for where growth might be most appropriate, as well as speeding up the delivery of small sites: an important part of the new NPPF and draft London Plan.

## Missed opportunities?

Although anticipated, it does seem unfortunate that little was done to identify additional sites for inclusion on Part 1 beyond those already 'known'. We believe that more could be done to identify new sites, taking a more proactive approach to land supply and, consequently, housing delivery.

The BLR should be seen as an opportunity to contribute to and deliver sustainable development, by creating compact cities and towns.

Part 1 of the BLR must be more than just a log of known brownfield sites:

- It could form a live site allocations document.
- It could help bring about new and different housing products, such as self-build homes on public sector land.
- It could help SME developers re-enter the market, to bring about diversity and quality whilst increasing delivery.

The omission of sites from Part 2 of the BLR was a missed opportunity to capture the capacity of sites that are deliverable. In the revised NPPF a change is made that allows for the 5-year housing land supply calculation to include those identified on brownfield registers. With the introduction of the Housing Delivery Test, it is important for LAs to fully explore all development opportunities.

## Updating the BLR

With the annual update to the BLR due by the end of this year, LAs should consider all available brownfield land within their boundaries and fully understand the capacity of it. In order to do this, the following options could be deployed:

- A capacity study can be a proactive way to identify potential, understand the appropriate density and development capacity of sites, based on the prevailing character of the area.
- Identification of sites can be undertaken through street-based surveys in sustainable locations. These can then be assessed for their suitability to be included as part of the BLR.
- Wider consultation with the development industry, Members and the community, to identify opportunities for growth and intensification.
- The use of data and visualisation tools to understand the scale of opportunity and establish parameters for development, which can be quickly tested with Members.
- Engagement with planning officers as well as other colleagues within the Council and public sector partners to ascertain the potential of sites, including the identification of all opportunities for bringing forward public-sector owned landholdings.

## How can we help?

Our team has excellent experience working across all housing land supply matters and has been actively involved in the production of BLRs and, over the last year, has been preparing urban capacity studies to help inform the annual BLR update:

- We participated in the BLR Pilot Project and assisted authorities in production of the first BLR last year, preparing databases and interactive mapping.
- We have extensive experience of preparing brownfield, development density, site assessment, urban capacity and housing opportunity studies, informing estimates of land supply and development potential.
- We understand the importance of place and design and can prepare maps and 3D visualisations, including use of virtual and augmented reality, to help communicate the potential for individual sites and areas.
- We can prepare design codes to establish the parameters for those sites progressing from Part 1 to Part 2 of the Register.
- We understand site viability and delivery matters, and thus the suitability, availability and achievability of sites for inclusion in the Brownfield Land Register.
- We can prepare monitoring frameworks that allow sites to be tracked over time as they move through the development pipeline.
- We can prepare all necessary details and documents to support inclusion of a site in the BLR, as well as applications for PiP.

# CONTACT US

Over the last year we have prepared urban capacity and housing potential studies which are helping to inform the Brownfield Land Register and land supply assessments in places such as Rugby, Elmbridge, Waltham Forest, Luton and across the West London boroughs. To find out more please email or call for an informal chat:



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