

Report To: EXECUTIVE CABINET

Date: 13 December

Executive Reporting Officer: **Member/** Councillor John Taylor – Deputy Executive Leader
Robin Monk, Director, Place.

Subject: **STRATEGIC HOUSING AND EMPLOYMENT LAND AVAILABILITY UPDATE 2017 AND THE BROWNFIELD LAND REGISTER**

Report Summary: Paragraph 159 of the National Planning Policy Framework requires local planning authorities to prepare an assessment to understand the available supply of land for housing and employment. At present this assessment is being refreshed in order to provide an up to date position across the Borough for the 15 year period from 1 April 2017 - 31 March 2032. This will build on the housing and supply position approved by Cabinet in March 2017. A complete review of all sites in the borough is in progress, particularly to maximise the potential from brownfield sites within or around Town Centres and having regard to the contribution that greenfield sites should make to future housing potential.

In April 2017, the government introduced the Brownfield Land Register (BLR Regulations) and the grant of planning permission in principle (PiP Regulations). These regulations are aimed at speeding up the delivery of housing on brownfield sites.



Part 1 of the Brownfield Land Register must be published no later than 31 December 2017 and is simply a list of brownfield sites (no part of which may be greenfield) which are estimated to accommodate 5 dwellings or more. The report therefore lists the brownfield sites that should be included on Part 1 of the register.

The inclusion of a site on Part 1 of the Register does not grant planning permission in principle. This is a separate process that requires detailed assessment and governance to be established. This is **not** required to be in place by 31 December 2017 and will be the subject of a future report to Executive Cabinet in 2018.

Recommendations: The Executive Cabinet is asked to:

- (i) Note the contents of this report and approve the publication of the brownfield sites identified at Appendix 1 for inclusion on part 1 of the Brownfield Land Register for Tameside.
- (ii) Agree to receive a further report in 2018 setting out the detailed requirements and recommended governance arrangements for assessing sites to be included on Part 2 of the Brownfield Land Register, granting Permission in Principle.
- (iii) Agree to receive a further report on the overall position for housing and employment land supply.

Links to Community The Tameside Housing and Employment Land Availability

Strategy:	Assessments are closely aligned with the Community Strategy, creating a spatial expression of its aims and priorities. The assessment highlights the land requirements that will allow continued economic growth in the Borough, thus supporting the aims and vision of a prosperous Tameside.
Policy Implications:	The best use of previously developed (brownfield) land is an important part of the evidence base that will be used to support the evolution of the Greater Manchester Spatial Framework (GMSF) and the proposed new Local Plan for Tameside.
Financial Implications: (Authorised by the Borough Treasurer)	There are no direct financial implications as a result of this report. If sites are developed then planning fee income and future Council tax income will assist the Councils Budget position.
Legal Implications: (Authorised by the Borough Solicitor)	Assessments of land availability are a requirement of the National Planning Policy Framework (NPPF). The publication of a Brownfield Land Register is now a statutory duty under the 2017 Regulations.
Risk Management:	Annual monitoring of sites ensures that the supply information is up to date and minimises the risk of challenge. It is acknowledged that in order to manage the risk of over-estimating the available supply it must be accepted that not all sites may actually be developed. Detailed procedures and governance arrangements will need to be established to manage any risks arising from challenges to any sites on Part 1 of the Brownfield Register being subsequently granted (or denied) planning permission in principle.
Access to Information:	The background papers relating to this report can be inspected by contacting the report writer Peter Taylor  Telephone:0161 342 5242  e-mail: peter.taylor@tameside.gov.uk

1. INTRODUCTION

- 1.1 The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. An assessment of land availability identifies a future supply of land which is suitable, available and achievable for housing and economic development uses. This now also includes a clear mandate to maximise the potential for the redevelopment of brownfield sites (previously developed land) particularly in and around Town Centres.
- 1.2 The most recent Housing and Employment Land Availability report was published earlier this year and updated land supply data as at 31st March 2016. The 2017 assessments are being fundamentally reviewed to ensure that we have maximised the contribution of the housing supply on previously developed land. This information will be utilised to inform both further development of the Greater Manchester Spatial Framework (GMSF) and the emerging Local Plan for Tameside.
- 1.3 The requirement for local authorities to publish a brownfield land register has been formalised through the publication of two sets of planning regulations in April 2017. These cover the publication of the brownfield land register (BLR Regulations¹) and the grant of permission in principle (PiP Regulations²). Following the publication of the statutory regulations the DCLG also published two sets of guidance notes on in July 2017 covering the two elements identified above.
- 1.4 The Guidance³ was issued to support local planning authorities in preparing and publishing brownfield land registers. The purpose of the brownfield land register is stated as allowing local authorities to provide up-to-date and consistent information on sites that are considered to be appropriate for residential development.
- 1.5 The BLR Regulations set a deadline of 31 December 2017 for the preparation, maintenance and publication of the register of brownfield land.

2.0 STRATEGIC HOUSING AND EMPLOYMENT LAND SUPPLY

- 2.1 In March 2017, Executive Cabinet approved the Strategic Housing and Employment Land Availability Assessment (SHELAA) to cover the period 1st April 2016 to 31st March 2031.
- 2.2 Over recent months officers have been working to update the SHELAA. Following discussions with members, further work is now being undertaken on the SHELAA with a particular focus on ensuring that we have maximised the contribution to housing land supply from Previously Developed Land (PDL), particularly in terms of the contribution from sites in and around our town centres. Alongside this, an assessment of Public Open Space is also being undertaken which will also further inform the SHELAA; this project is currently on-going.
- 2.3 A further and updated report will therefore be presented to Executive Cabinet in March 2018 with a new SHELAA to cover the base date of 1st April 2017 to 31st March 2032. It should also be noted that there is no legal deadline for the publication of the SHELAA as with the BLR.

¹ The Town & Country Planning (Brownfield Land Register) Regulations 2017

² The Town & Country Planning (Permission in Principle) Regulations 2017

³ <https://www.gov.uk/guidance/brownfield-land-registers>

3.0 BROWNFIELD LAND REGISTER

- 3.1 The purpose of the brownfield land register (BLR) is to allow local authorities to provide up-to-date and consistent information on brownfield sites that are considered to be appropriate for residential development. The BLR Regulations set a deadline of 31 December 2017 for the preparation, maintenance and publication of the register of brownfield land. Sites that meet the criteria identified below must be included in the Part 1 register.
- 3.2 Brownfield land is defined as previously developed land (PDL) and has the same meaning as the description set out in Annex 2 of the National Planning Policy Framework. In this case PDL is referred to as brownfield land. The regulations require all Local Planning Authorities to have a brownfield land register covering their area by 31 December 2017.
- 3.3 In determining site suitability regard must be had to the criteria set out in the Town and Country Planning (Brownfield Land Register) Regulations 2017 (4)(1)(a-d), that the land must be:
- At least an area of 0.25 hectares or is capable of supporting at least 5 dwellings;
 - Is suitable for residential development;
 - Is available for residential development; and
 - That residential development is achievable.
- 3.4 In accordance with the criteria of at least 5 dwellings, there are 87 sites capable of delivering somewhere in the order of 2,731 dwellings – which is equivalent to approximately 35% of the housing supply within the urban area of Tameside.
- 3.5 The register will consist of two parts; Part 1 will comprise all brownfield sites appropriate for residential development and Part 2 will comprise those sites granted permission in principle. Sites considered appropriate for Part 1 are not subject to any prescribed procedures, such as consultation. Part 1 can include sites with full or outline permission and sites without planning permission, put forward by landowners or developers that the Council considers are deliverable within the next 10 years. These sites are set out in Appendix 1. The Appendix also provides an indication of ownership and planning status which has informed the sites inclusion on the register – the planning status references are explained below.

Planning Status	Explanation
OUT	Outline planning permission
FUL	Full planning permission
AL	Allocated in the Unitary Development Plan
PEN	Decision pending on detailed matters or a more recent application
EXP	Expired permission but with clear potential
WITH	Withdrawn application but with clear potential
WRIT	Planning application written off but with clear potential
P3N	Prior notification for permitted development
CFS	Submitted by landowner/developer through TMBC call for sites
GMSF CFS	Submitted by landowner/developer through GMSF call for sites
NLUD	Identified in the National Land Use Database
SHLAA	Identified by TMBC officer knowledge

- 3.6 **Appendix 1** does not include any sites currently under construction as they are not considered available because they are already committed. However they will clearly contribute to the overall brownfield supply since 2015. Inclusion of sites on Part 1 of the register is not considered to be controversial. Some sites already have planning permission but have not commenced but for the remaining sites without permission inclusion on Part 1 of the BLR does not infer any form of planning permission; albeit they could benefit from Permission in Principle once they have been assessed appropriately for entry on to Part 2 of the register.
- 3.7 Part 2 of the register is a subset of Part 1 and it will only include sites that the LPA has determined should benefit from permission in principle for residential development. The entry of a site on to Part 2 of the BLR requires that the Council undertakes the necessary requirements for publicity, notification and consultation as required under Regulation 6 of the BLR Regulations. This principally entails the placing of a site notice in a visible place for not less than 21 days and publishing specific information on a website maintained by the council. There is no deadline set in the regulations for identifying sites to be on part 2 of the register. However, a clear set of procedures and governance is necessary in order to implement a decision making process for sites to be included on Part 2 of the Brownfield Register, granting Permission in Principle. Recommendations for this will be the subject of a separate report to Executive Cabinet.

4.0 CONCLUSION

- 4.1 The Council is required to produce a Brownfield Land Register under the Brownfield Land Regulations by the 31 December 2017. These sites, capable of delivering 5 or more dwellings, are set out at **Appendix 1**. Inclusion on Part 1 of the register does not infer any form of planning permission but sites will subsequently need to be assessed for inclusion on Part 2 of the register which will grant Permission in Principle. The procedures and governance arrangements for including sites on Part 2 of the register will be the subject of a separate report to Executive Cabinet in 2018.

5.0 RECOMMENDATIONS

- 5.1 As set out on the front of the report.