

<b>Local Plan Panel</b>		<b>Agenda Item:</b>
<b>Meeting Date</b>	25 April 2018	
<b>Report Title</b>	Brownfield Land Register for Swale	
<b>Cabinet Member</b>	Cllr Gerry Lewin, Cabinet Member for Planning	
<b>SMT Lead</b>	Emma Wiggins	
<b>Head of Service</b>	James Freeman	
<b>Lead Officer</b>	Gill Harris	
<b>Key Decision</b>	No	
<b>Classification</b>	Open	
<b>Forward Plan</b>	<b>Reference number:</b>	
<b>Recommendations</b>	1. That the Panel notes that a Brownfield Land Register for Swale is expected to be published on the Council's website, either by the date of the meeting or shortly thereafter, in accordance with The Town and Country Planning (Brownfield Land Register) Regulations 2017.	

## **1 Purpose of Report and Executive Summary**

- 1.1 The report outlines the process which has resulted in the imminent publication of a Brownfield Land Register on the Council's website and a summary of its results. Members are recommended to note the contents of the Register.

## **2 Background**

- 2.1 The provisions of The Town and Country Planning (Brownfield Land Register) Regulations 2017 require Local Planning Authorities to compile, publish and maintain a Brownfield Land Register on their websites. The register can be in 2 parts (if warranted), as set out below.

### Part 1 of the Register

- 2.2 Part 1 of the register should include previously developed land which meets the following criteria:
- The land should have an area of at least 0.25 hectares

- The land should be suitable for residential development
  - The land should be available for residential development
  - Residential development of the land is achievable
- 2.3 As per page 55 of the NPPF (2012), the definition of previously development land is: *“Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”*
- 2.4 Officers have used a similar methodology to the Council’s Strategic Land Availability Assessments to assess whether sites are suitable for residential development or not.
- 2.5 Fifteen sites are to be entered onto Part 1 of the Register which could potentially deliver a minimum of 1590 dwellings. The sites total some 38 hectares. They are generally located in Faversham, Queenborough & Rushenden and Sittingbourne, with a few in the surrounding villages. Please see appendix I for the detailed site list.

#### Part 2 of the Register

- 2.6 Part 2 of the Register should include any sites from Part 1 which the Council has decided to take forwards and grant permission in principle for, following a period of publicity and consultation. Entering sites onto Part 2 of the register is not mandatory and may not be appropriate.
- 2.7 No sites are to be entered onto Part 2 of the Register. Five of the sites form part of the Queenborough & Rushenden Masterplan and two form part of the Faversham Creek Neighbourhood Plan. A further three have applications currently pending consideration and four have extant planning permissions. The final site is an adopted Local Plan allocation. As such, no sites are to be taken forward for Part 2 of the Register because the planning policy context is already in place (which has itself been tested through statutory processes) to guide their development or they have already achieved permission. Consequently permission in principle could undermine the policy context and therefore would be inappropriate and not necessary in those cases where permission has been achieved or is under negotiation.

- 2.8 Research has indicated that this is a route which many local planning authorities have taken with their brownfield registers, as there are no sites which could benefit from that process.
- 2.9 The sites on the Register will make a valuable contribution to the Council's housing land supply and many contribute towards the expected 5 year housing land supply. Every reasonable planning measure to prioritise suitable brownfield sites for housing development has therefore been taken. It is not unreasonable to expect suitable windfall brownfield sites to come forward in future and these can be picked up in future updates of the Brownfield Register. However, brownfield sites are a dwindling resource and are not sufficient in themselves to meet the objectively assessed housing need for Swale.

### **3 Proposals**

- 3.1 The Brownfield Land Register is to be published on the Council's website (either by the date of this meeting or shortly thereafter) using the template and format recommended by the Ministry for Housing, Communities and Local Government. It will be reviewed annually in line with the Regulations, with sites being taken from the Development Management and Strategic Land Availability Assessment processes. There will also be text on the website which invites people to submit sites for consideration throughout the year. Members are invited to note this and the ongoing process for future reviews.

### **4 Alternative Options**

- 4.1 The Panel could disagree with the imminent publication of the Register; however this would contravene the Regulations referenced at the beginning of the report.
- 4.2 As per paragraph 2.7 above, no sites are to be taken forwards to Part 2 of the Register. However, should appropriate sites come forwards in the future; this process could be undertaken in an annual update.

### **5 Consultation Undertaken or Proposed**

- 5.1 Sites were taken from:
- The 2014/15 SHLAA (and addendum)
  - The call for sites carried out in August/September 2017
  - Extant planning permissions
- 5.2 Future sites will be taken from the processes outlined in paragraph 3.1 above, as well as the existing entries being reviewed.

### **6 Implications**

Issue	Implications
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Corporate Plan	Supports all Council's corporate priorities.
Financial, Resource and Property	Government grants have been made available to support the extra burden of publishing and maintaining the Register.
Legal and Statutory	Meets the requirements set out within The Town and Country Planning (Brownfield Land Register) Regulations 2017.
Crime and Disorder	None identified at this stage.
Sustainability	Suitability methodology carried out in line with the NPPFs aims to achieve sustainable development.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.

## 7 Appendices

Appendix I: Simplified version of the Swale Part 1 Brownfield Register showing all site entries.

The Brownfield Land Register will be located here:  
<https://www.swale.gov.uk/planning-policy/>

## 8 Background Papers

The Town and Country Planning (Brownfield Land Register) Regulations 2017.