



South Downs National Park

**Brownfield Sites Register**  
***Methodology***

*December 2021*

## 1.0 Introduction

- 1.1 Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 (BLR Regs 2017) requires local planning authorities in England to annually update their register of previously developed land. The purpose of these registers is to provide up-to-date and consistent information on sites that local authorities consider to be appropriate for residential development, having regard to criteria set out in regulation 4 of the BLR Regs 2017.
- 1.2 Links to the guidance and regulations are given in Appendix A.
- 1.3 The background to the introduction of the BLR Regs 2017 is the Government's recognition of the need to provide house builders with up-to-date and publicly available information on brownfield land. In order to facilitate the provision of additional homes, land included in Part 1 of the register will be brownfield land considered to be suitable and available for housing (at least 5 units), and on which housing is considered to be achievable. Land included in Part 2 will be sites with permission in principle.
- 1.4 It is important to note that this document is a technical report which provides evidence of the availability of brownfield land across the South Downs National Park. There is no land identified for inclusion in Part 2 of the register. **As such, this register does not allocate sites to be developed, and the inclusion of a site in this register does not imply that planning permission would be granted for residential development (unless it is included because it already has planning permission).** Determination of planning applications will require a high level of detail and understanding of the site constraints. All planning applications incorporating residential development will continue to be considered against the appropriate policies, including all that would apply to non-allocated sites irrespective of whether or not they are included in the brownfield register, and having regard to any other material considerations.
- 1.5 The South Downs National Park Authority is the local planning authority for the whole of the South Downs National Park. Its purposes as specified in the Environment Act 1995, are to:
- Conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
  - Promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- 1.6 These purposes provide the context for the consideration of the inclusion of sites in the brownfield land register.
- 1.7 This Brownfield Land Register Methodology explains the way in which sites have been selected for inclusion on Part 1 of the South Downs National Park Brownfield Sites Register ('the register'). To this end it:
- outlines the sources used for identifying land that could potentially be included in the register;
  - states the definition used for identifying which sites are brownfield;
  - outlines criteria used to assess whether or not sites should be included in the register;
  - highlights key points in the guidance for the use of the criteria;

- sets out assumptions made in doing the work;
- comments on methodology pertinent specifically to the assessment of Neighbourhood Plan and Employment Land Review sites;
- describes how the Brownfield Land Register 2021 has been finalised;
- looks forward to future work.

## 2.0 Identifying potential brownfield land for inclusion

2.1 The following documents have been used to source data for identifying brownfield land that could potentially meet the Criteria set out in the BLR Regs 2017. The methodology for each of these documents has involved a comprehensive assessment of sites within the National Park that may have some potential for development. These documents are available to download from [www.southdowns.gov.uk/planningpolicy](http://www.southdowns.gov.uk/planningpolicy):

- South Downs Local Plan Adopted July 2019;
- South Downs Local Plan Pre-submission September 2017;
- Schedule of Main Modifications to the Pre-Submission Local Plan;
- Schedule of Minor Edits to the Pre-Submission Local Plan;
- South Downs National Park Strategic Housing Land Availability Assessment (December 2016);
- South Downs National Park Authority Employment Land Review 2017 Update (see Appendix I: Potential and Existing Employment Sites);
- Made and emerging Neighbourhood Development Plans (NDPs) as Listed in Appendix B;
- Where available, sites rejected from made and emerging NDPs.

2.2 Work was done in the following stages to assess sites for inclusion on the Brownfield Land Register:

- Identifying whether or not land is ‘brownfield’;
- Assessing land against the criteria set out in the BLR Regulations 2017;
- Use of the Brownfield Land Guidance.

2.3 These stages are discussed in turn below.

### Is the land “brownfield land”?

2.4 Each site was assessed against the definition of brownfield land (which is the same as previously developed land) that is given in the National Planning Policy Framework 2021 glossary. This is quoted below:

Brownfield Land is:

*“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as 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”.*

- 2.5 However for the purposes of the register, more detailed guidance is given in Planning Practice Guidance (Paragraph 011 Reference ID: 59-011-20170728):

***How should local planning authorities deal with any greenfield land within the curtilage of a brownfield site?***

*Greenfield land is not appropriate for inclusion in a brownfield land register. Where a potential site includes greenfield land within the curtilage, local planning authorities should consider whether the site falls within the definition of previously developed (brownfield) land in the National Planning Policy Framework. Where it is unclear whether the whole site is previously developed land, only the brownfield part of the site should be included in Part 1 of the register and considered for permission in principle.*

### **Assessing the site against the criteria set out in the BLR Regulations 2017**

- 2.6 Those sites considered to be ‘brownfield’ were assessed against criteria which are set out in the Town and Country Planning (Brownfield Land Register) Regulations 2017 Regulation 4 and which are summarised below:
- (a) The land has an area of at least 0.25 hectares or is capable of supporting at least 5 dwellings;
  - (b) The land is suitable for residential development;
  - (c) The land is available for residential development as a result of the owner expressing an intention to sell or develop the land for residential development; and
  - (d) Residential development of the land is achievable as it is likely to take place within 15 years of the entry in the brownfield land register.
- 2.7 It is important to note that publically available information and any representations received by the Council in respect of the sites have also been taken into account in this assessment.

## Use of the Brownfield Land Registers Guidance

- 2.8 In applying the criteria in Regulation 4 of BLR Regulations 2017, the Brownfield Land Registers guidance was taken into account. This states that in addition to the criteria in Regulation 4, local planning authorities are required to have regard to:
- (a) The development plan;
  - (b) National policies and advice;
  - (c) Any guidance issued by the Secretary of State.
- 2.9 The South Downs Local Plan was adopted in July 2019. It forms the Development Plan (alongside made Neighbourhood Development Plans) for the National Park and is used as the basis for the assessment of the Brownfield sites across the National Park.
- 2.10 In addition, made and emerging Neighbourhood Plans listed in Appendix B have been taken into account.
- 2.11 Thus, the assessment of sites for inclusion in the Brownfield Land Register has followed the criteria included in the Regulations and has adopted a policy led approach in applying these criteria.
- 2.12 This guidance also makes the following relevant comments:
- Registers must include all brownfield sites with planning permission;
  - Windfall sites should be included as part of the annual review;
  - Where it is unclear whether the whole site is previously developed land, only the brownfield part of the site should be included in Part I of the register;
  - LPAs should utilise the work undertaken as part of the SHLAA to identify potential sites;
  - Where sites meet the relevant criteria they must be included in Part I of the brownfield land registers;
  - Sites above minimum size or capable of supporting at least 5 dwellings and which meet criteria should be included;
  - No publicity is required for part I of registers;
  - LPAs can be required to provide brown field register information in a particular format for the Secretary of State: LPAs are encouraged to make registers available in this prescribed format when published locally, so that they can easily meet the requirements of any request for information issues by the Secretary of State.

## Assumptions made in the assessment of sites

2.13 In applying the criteria in the Regulations and the guidance, the following assumptions have been made:

- Qualifying part brownfield sites have been included. In some cases, a judgement has had to be made as to whether part or all of the site is considered brownfield, taking into account the existence of outbuildings, hardstandings etc. that sit separately from the main built structure, but within the curtilage of the building(s). The site area figure included in the register relates to the brownfield part of the site: however, the housing figure included in the register is taken from published documents. This means that in theory it relates to the whole site. It would not be appropriate to identify the number of units on just the brownfield part of a site, as this would unduly fetter more detailed planning of the site layout, and therefore be detrimental to achieving high design quality.
- Where only a small part of a site is brownfield, and the brownfield portion is considered to not be capable of supporting 5 or more homes in its own right, it has not been included in the register.
- Sites proposed for mixed use have been included. In these instances, the site area relates to the whole site.
- Pre-submission NDP sites have been included unless there are good reasons why they are not considered to be suitable, available and achievable; generally it is assumed that they are suitable and available or else they are unlikely to have been allocated.
- If a site is allocated in a NDP for housing, then there is no need to apply any relevant protection policies (eg. Employment) from Local Plan.
- If a site has past planning permission or a positive pre application inquiry, then it is assumed that the site is developable.
- The cut-off date for planning permissions included in this register (December 2021) is 3 December 2021.
- If a site is allocated for employment in a NDP, it is not suitable for housing as it would be contrary to development plan. It is therefore excluded even if is brownfield.
- Where there exists flood risk constraints requiring a sequential test, or other protection policy constraints in the Local Plan (e.g. Policy SD49), the inclusion of sites has been considered carefully by officers to determine if their inclusion in the Register is appropriate.
- School playing fields are not considered to be brownfield sites.
- Gypsy and traveller accommodation is a sui generis land use class and therefore land allocated for this use should not be included in the register as it is not suitable for housing.

## The assessment of sites in Neighbourhood Plans

- 2.14 Neighbourhood Development Plans (NDPs) have designated sites to take account of a number of factors, and ahead of the South Downs Local Plan reaching an advance stage of production. What this has meant is that some of the sites rejected in a NDP may nevertheless be judged 'suitable' in the terms of the Regulations for inclusion in the brownfield sites register. Thus where the information is available, rejected sites have also been screened for inclusion on the Brownfield sites register.

## Assessment of sites in the ELR 2017 Update

- 2.15 Those sites where the recommendation column in the table I Appendix I of the ELR Update 2017 does not state that the sites should be either protected or safeguarded, have been considered for inclusion in the Brownfield Land Register and tested against the criteria in the Regulations. Regard has also been paid to NDP policies that may seek to protect sites for these purposes.

## 3.0 How to use the register

- 3.1 *Site Names:* Where appropriate these have been taken from the site source documents. In other cases, they are taken from the address of the site.
- 3.2 *SDNPA Brownfield Sites Register Reference:* this is a site reference particular to this Brownfield Land Register. Tables heading, "source" and "relevant policy number reference" set out other documents where the site can be found and its relevant reference number for that document.
- 3.3 *Link to Plan of Site:* this column contains links to places where the plans of sites can be found. For some sites, the link goes directly to a map of the site. For others, the link goes to a document within which the site can be found, or the landing page for that document. For example, the site plans for permissioned sites will be found on the public access webpage for the application file. The site can then be located by searching on the reference number of the site given in the Register, which relates to that document or by searching on a word in the address. (This approach ensures consistency of site boundaries by using the primary information source.)
- 3.4 *Site area:* this figure represents that brownfield land area of the site. Please note that in most cases the housing figure relates to the whole of the site.

## Part 2 of the register

- 3.5 Part 2 of a brownfield land register comprises sites granted permission in principle. There are currently no sites in the South Downs National Park considered suitable for permission in principle. Therefore Part 2 of the South Downs National Park register does not contain any sites.

## 4.0 Future work

- 4.1 The register will be reviewed annually in the context of SHLAA or HELAA<sup>1</sup> updates, calls for sites and forthcoming Authority Monitoring Reports.
- 4.2 It is not envisaged that a Part 2 of the register for the South Downs National Park will include any sites. This is to reflect the inherent conflict between granting permission in principle for a site in the National Park and ensuring adherence to the National Park statutory purposes and duty, which includes the need to evidence an overall positive impact on ecosystem services.

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<sup>1</sup> Housing and Economic Land Availability Assessment

## Appendix A Source documents

The following documents provide information on the methodology for creating the brownfield sites register:

Town and Country planning (Brownfield Land Register) Regulations 2017 (BLR Regs 2017)

<http://www.legislation.gov.uk/uksi/2017/403/contents/made>

Brownfield land registers DCLG 28 July 2017

<https://www.gov.uk/guidance/brownfield-land-registers> Brownfield land registers - GOV.UK

Brownfield Land register data standard DCLG 28 July 2017

<https://www.gov.uk/government/publications/brownfield-land-registers-data-standard> Brownfield land registers data standard - GOV.UK

## Appendix B Neighbourhood Development Plans

### **Made Neighbourhood Plans**

Albourne Neighbourhood Plan

Aldingbourne Neighbourhood Plan

Amberley Neighbourhood Plan

Arundel Review Neighbourhood Plan

Bury Neighbourhood Plan

Boxgrove Neighbourhood Plan

Clapham Neighbourhood Plan

Ditchling Streat and Westmeston Neighbourhood Plan

East Meon Neighbourhood Plan

Fernhurst Neighbourhood Plan

Ferring Neighbourhood Plan

Findon Update Neighbourhood Plan

Fittleworth Neighbourhood Plan

Hassocks Neighbourhood Plan

Hamsey Neighbourhood Plan

Henfield Neighbourhood Plan

Hurstpiertpoint and Sayers Common Neighbourhood Plan

Kirdford Parish Council

Lavant Neighbourhood Development Plan

Lewes Neighbourhood Plan

Liss Neighbourhood Plan

Milland Neighbourhood Plan

Newhaven Neighbourhood Plan

Patching Neighbourhood Development Plan

Petersfield Neighbourhood Plan

Petworth Neighbourhood Plan

Plumpton Neighbourhood Plan

Rogate Neighbourhood Plan

Ringmer Neighbourhood Plan

Seaford Neighbourhood Plan

Stedham with Iping Neighbourhood Plan

Storrington, Sullington & Washington Neighbourhood Plan

Upper Beeding Neighbourhood Plan

Walberton Neighbourhood Plan

Westbourne Neighbourhood Plan

Wisborough Green Neighbourhood Plan

Woodmancote Neighbourhood Plan

**Emerging Neighbourhood Plans with sites considered for the Brownfield Sites Register:**

Plaistow and Ifold Neighbourhood Plan – Submission version

Pulborough Neighbourhood Plan – Submission version

Sompting Neighbourhood Plan – Submission Plan (withdrawn but still includes relevant evidence)

Twyford – Submission version

West Chiltington – Pre-submission Plan