

Havering Brownfield Register 2019

The grounds for the requisition:

1. There is no detail on how the Brownfield Register was compiled;
2. At least one of the sites classified green belt land. Why has Chapmans Farm been registered on the Brownfield Register?
3. How many other sites on the Brownfield Register are classified green belts?
4. How many sites are variations to the draft Local Development Plan?

Havering Brownfield Register 2019 – Response to Councillor’s Requisition

Q1. *There is no detail on how the Brownfield Register was compiled*

The publication of the register does not require an explanation of how the register has been compiled. The reason for this is because such detail was provided to Cabinet on 17th January 2018.

In light of this, it was not considered necessary that such detail needed to be reaffirmed again, when simply updating the register under the agreed terms of the Cabinet decision.

Q2. *At least one of the sites classified green belt land. Why has Chapmans Farm been registered on the Brownfield Register?*

For a site to qualify for Part One of the register, under the Town and Country Planning (Brownfield Land Register) Regulations 2017, it firstly has to meet the definition of previously developed land (PDL). Annex 2 of the National Planning Policy Framework (2018) (as amended) defines Previously Developed Land (PDL) as:

‘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’. (NPPF 2019, Annex 2, Page 70)

A site would also need to comply with the criteria set out in the 2017 Regulations, as follows:

- The land is at least 0.25 hectares, or is capable of providing at least five self-contained homes;
- The land is suitable for residential or mixed-use development because the concept has been established through planning approvals, adopted site allocations or lapsed planning permissions;
- The land is available for development because landowners or developers have expressed an interest to sell or develop and there are no issues preventing development;
- Development is achievable and likely to take place within 15 years.

Further to this, the content of the Register adheres to the Cabinet decision of the 18th January 2018, with regard to the sources of sites to be included;

- Sites that have planning permission (or are waiting a decision)

- Sites (without planning permission) identified within the evidence base for the Local Plan

Chapmans Farm has been included on the register as it meets the requirements of the 2017 regulations, as detailed above and currently has a valid planning application ref: P1673.18, pending a decision.

The current use of Chapmans Farm is a commercial livery yard comprising of numerous associated structures, such as a barn and stable buildings of varying heights and sizes and as such is not considered to be an excluded use of land as described by the NPPF definition.

The associated regulations make no distinction or reference to exclude PDL from the register where a site is located within the Green Belt. Put another way, a site can be previously developed and in the Green Belt.

Q3. How many other sites on the Brownfield Register are classified green belt?

There are a total of 7 sites listed on the register that are located in the green belt, with 2 of the sites (ref: EMPK1 and EMPK3) to be removed from the register with immediate effect. The reason for their removal is that they do not meet the criteria set out in the Brownfield Land Register Regulations 2017 as detailed in Q1. Their inclusion was an error. Deleting these entries at this point does not impact the decision. All of the remaining Green Belt sites qualify for inclusion on the list.

The remaining 5 sites are as follows:

- HPK3 – Upper Bedfords Farm – Planning Permission granted 21/12/2017
- HPK4 - 1 Pinewood Poultry Farm – Planning Permission granted 26/01/2018
- HEA1 – Three Horseshoe Farm – Planning Permission granted 4/05/2017
- UPM1 – Ockendon Kennels – Application P0862.18 has a resolution to grant permission, subject to the completion of a Section 106 Legal Agreement.
- CRA2 – Chapmans Farm – Pending Decision – Due 08/04/2019

Q4. How many sites are variations to the draft Local Development Plan?

The Cabinet decision of the 18th January 2018 states that sources of sites to be included within the Register will include:

- Sites that have planning permission (or are waiting a decision)
- Sites (without planning permission) identified within the evidence base for the Local Plan

The Local Plan was originally submitted in March 2018.

Since this time, the evidence base supporting the Local Plan has progressed as a result of the Examination in Public (EiP), with new/additional sites (over and above those identified in March 2018 at submission) informing the borough's future housing

supply. The Brownfield Register includes these new/additional sites, where sites are compliant with the 2017 Regulations.

The list of sites is attached in appendix 1 of the Executive Decision dated 15th March 2019.

The sites highlighted in red have been removed from the updated register and were part of the original list of sites agreed at Cabinet on the 18th January 2018.

The reason they have been omitted from the register, is that the register does not include sites that are under construction at the time of publication. The purpose of the register is to provide publically, a simple mean of identifying developable brownfield sites. This 'red' list also includes three sites which were identified as 'permissioned' on the original appendix attached to the ED. As these sites have commenced, their inclusion on the register is unnecessary. Deleting these entries at this point does not impact the decision.

The sites highlighted in yellow are new entries onto the register since the Cabinet decision in January 2018, and have been sourced through the planning application process.