

Chelmsford City Council Brownfield Land Register 2026

What is the Brownfield Land Register?

The Town and Country Planning (Brownfield Land Register) Regulations 2017 (“the Regulations”) require local authorities to prepare and maintain registers of brownfield land that is suitable for residential development. Previously developed (brownfield) land has the same meaning as land of that description in Annex 2 of the National Planning Policy Framework (NPPF).

Brownfield Land Registers provide up-to-date and consistent information on sites that local authorities consider to be appropriate for residential development, having regard to the criteria set out in the Regulations. (<http://www.legislation.gov.uk/ukxi/2017/403/regulation/4/made>)

Local planning authorities can trigger a grant of permission in principle for residential development for sites on their registers where they follow the required procedures.

Brownfield Land Registers comprises two parts:

Part 1

Part 1 of the Brownfield Land Register comprises all brownfield sites that the Council has assessed as appropriate for residential development, having regard to the criteria set out in the Regulations. This includes sites with extant full or outline planning permission that have not been implemented and permission in principle, as well as suitable sites without planning permission.

Part 2

Part 2 is a subset of Part 1 and will include only those sites in Part 1 that the Council has decided that the land would be suitable for a grant of permission in principle for residential development. The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The first stage, or permission in principle stage, establishes whether a site is suitable in-principle. The second stage is when the detailed development proposals are assessed.

What sites have been included in Part 1 of the Brownfield Land Register?

Chelmsford City Council has published Part 1 of the Brownfield Land Register. It is available to view on the Council's website in the standardised format set out by the Regulations.

For brownfield land to be included on registers, it must be:

- at least 0.25 hectares in size of capable of supporting at least 5 dwellings;

- suitable for residential development;
- available for residential development; and
- achievable, meaning residential development is likely to come forward on the land within 15 years.

Regulation 5(3) allows local planning authorities to enter sites below the minimum site size or quantity of development provided that the land meets the other criteria in Regulation 4. This means it is at the local authority's discretion whether to apply a lower threshold and include smaller sites in the register. Chelmsford City Council does apply a lower threshold and includes all brownfield land that otherwise meets the criteria.

Regulation 4 sets out that for sites to be “suitable for residential development”, they must meet at least one of the following:

- (a) has been allocated in a local development plan document for residential development;
- (b) has planning permission for residential development;
- (c) has a grant of permission in principle for residential development; or
- (d) is, in the opinion of the local planning authority, appropriate for residential development, having regard to adverse impacts on the natural environment, the local built environment including heritage assets, any impact on the local amenity, which such development might cause, and any relevant representations received.

In addition to the criteria set out in the Regulations, section 14A of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to have regard to the development plan; National policies and advice; and any guidance issued by the Secretary of State. This includes development plan documents including the local plan and made neighbourhood plans, the NPPF, Planning Practice Guidance and any other statutory requirements or guidance.

The National Planning Practice Guidance on Brownfield Land Registers provides guidance on dealing with brownfield sites which includes areas of greenfield land within their curtilage. The guidance makes clear that greenfield land is not appropriate for inclusion in a brownfield register and that where it is unclear whether the whole site is previously development land, only the brownfield part of the site should be included in the register.

The Guidance also sets out that local planning authorities should consider how they can integrate well-established processes to identify sites that are already set out as part of the Strategic Housing Land Availability Assessment, to identify sites that may be suitable for including in brownfield land registers. In accordance with this guidance, the Council utilises the work undertaken as part of the Strategic Housing and Employment Land Availability Assessment (SHELAA) process to identify potential sites.

SHELAA sites to be considered for inclusion in Part 1 of the Brownfield Land Register include wholly brownfield sites promoted for residential

use in the latest published SHELAA that have been assessed as having a 'Green or Yellow RAG rating for suitability and availability, are available for development in the next 15 years and do not have planning permission and / or are not allocated in the Local Plan.

Where these potential sites also meet the criteria in the Regulations and section 14A of the Planning and Compulsory Purchase Act 2004, they must be included in Part 1 of the Brownfield Land Register.

The Council publishes a Housing Site Schedule in April each year. All previously developed land sites on the latest Housing Site Schedule published (whether they have Planning Permission or not) which have not yet been implemented and are expected to be delivered within the next 15 years have been included in Part 1 of the Brownfield Register.

If a site is no longer considered brownfield land or no longer needs to be listed because the development is complete, it will remain on Part 1 of the Brownfield Land Register with an end date.

Which sites are included on Part 2 of the Brownfield Land Register?

Annually the Council will review all the sites included on Part 1 of the Brownfield Land Register to determine whether they are considered appropriate for permission in principle to be granted for residential development. If the sites on Part 1 have a planning permission, permission in principle or are allocated in the Local Plan, they will not be considered for inclusion on Part 2.

How often will the Brownfield Land Register be updated?

After the initial publication of Part 1 of the register in December 2017, the Brownfield Land Register has been aligned to update on an annual basis with the latest published Strategic Housing and Employment Land Availability Assessment (SHELAA)

Quarterly reviews of the Brownfield Land Register ensure that sites which no longer meet the criteria for inclusion are listed with an end date and brownfield sites recently granted planning permission or permission in principle are added.

What information is included in the Part 1 Register?

The Ministry of Housing, Communities and Local Government provides guidance on how to publish brownfield land data to ensure brownfield land registers are:

- published in the agreed format and contain the required data
- kept up to date
- easily found online

<https://www.gov.uk/government/publications/brownfield-land-registers-data-standard/publish-your-brownfield-land-data>

The Council has followed this guidance, and the following table sets out what

data has been used or included within the Part 1 Register and where it can be found in the register. The Council submits Part 1 of the Brownfield Register on a quarterly basis to increase trust in the data.

Column Title	SHELAA Sites	HSS Sites
Organisation URI	Open Data Communities URI.	Open Data Communities URI.
Site Reference	SHELAA reference.	Planning application/PE reference or if allocated without planning permission or not a SHELAA site the site allocation reference is used.
Site Name	Site address.	Site address.
GeoY	North grid reference	North grid reference
GeoX	East grid reference	East grid reference
Site Plan URL	URL of web page hosting the site plan.	URL of web page hosting the site plan.
Hectares	The overall Ha of the site up to 2 decimal places.	The overall Ha of the site up to 2 decimal places.
Ownership Status	Must be one of the following: - owned by a public authority - not owned by a public authority - mixed ownership	Must be one of the following: - owned by a public authority - not owned by a public authority - mixed ownership
Column Title	SHELAA Sites	HSS Sites

Planning Status	Not permissioned.	Must be one of the following: • permissioned • not permissioned • pending decision Where part of a site has planning permission then it is marked as 'permissioned' and the notes field used to explain why only part of it is permissioned.
Permission Type	Will not be required.	One of the following must be added if the status of the site is 'permissioned': • full planning permission • outline planning permission • reserved matters approval • permission in principle • technical details consent • planning permission granted under an order other
Permission Date	N/A	Date of permission is in the following format yyyy-mm-dd
Planning History	N/A	N/A

Column Title	SHELAA Sites	HSS Sites
Deliverable	Yes NB - These are only sites expected to be delivered in the next 5 years.	Yes NB - These are only sites expected to be delivered in the next 5 years.
Net Dwellings Range From	Min net new dwellings that would be acceptable on the site.	N/A
Net Dwellings Range To	Maximum net new dwellings that would be acceptable on the site. This is the estimated yield taken from the SHELAA assessment.	Number of net new homes granted pp.
Hazardous Substances	Enter 'yes' if the local planning authority is required to conduct an environmental impact assessment on the proposed development otherwise leave blank.	Enter 'yes' if the local planning authority is required to conduct an environmental impact assessment on the proposed development otherwise leave blank.
Notes	Any other relevant information about a site is included.	Any other relevant information about a site is included.
First Added Date	Date first added to the register yyyy-mm-dd	Date first added to the register yyyy-mm-dd
Last Updated Date	Date site was last updated yyyy-mm-dd	Date site was last updated yyyy-mm-dd
End Date	N/A	Date site was developed or determined to no longer be brownfield land yyyy-mm-dd