

Bury Council

Brownfield Land Register
2022: Methodology and
Findings

1 Introduction

- 1.1 The Town and Country Planning (Brownfield Land Register) Regulations 2017 require each local planning authority in England to prepare, maintain and publish a register of previously developed (brownfield) land suitable for residential development. The government considers that the purpose of the registers is to provide up-to-date and consistent information on sites that local authorities consider appropriate for residential development. Guidance has been published to support local planning authorities in preparing and publishing brownfield land registers along with a brownfield land registers data standard.
- 1.2 Local authorities are required to update the information relating to each entry and review the sites on their registers at least once a year, and are encouraged to conduct more frequent updates of the register where they wish to so do. This report summarises the 2020 update of the Brownfield Land Register.
- 1.3 **It is important to note that the brownfield register presents only a partial picture of the amount of brownfield land that is available, suitable and achievable for new housing in Bury.** This is because sites under construction and those sites that are not wholly brownfield in nature are excluded from the register, as are sites with permission for conversion of change of use above existing premises, and small sites of less than 0.25 hectares or 5 dwellings capacity. The SHLAA continues to remain the comprehensive assessment of future housing land supply in the Borough and includes dwellings on sites that are excluded from the register for reasons set out above.
- 1.4 There are two parts to the brownfield register. Details are set out below.

2 Part 1 of the brownfield land register

- 2.1 Part 1 of the register must include all parcels of brownfield land at least 0.25 hectares in size, or capable of supporting at least 5 dwellings, that the Council considers to be suitable and available for residential development and for development to be achievable. The Council can also choose to include smaller sites in Part 1 of the register, but is not obliged to.
- 2.2 For the purposes of the register, brownfield land is the same as the definition of previously developed land as set out in Annex 2 of the National Planning Policy Framework:

"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 has been 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.”

- 2.3 Guidance states that greenfield land is not appropriate for inclusion in a brownfield register. It goes on to state that where it is unclear as to whether a whole site is previously developed land, only the brownfield part of the site should be included in Part 1 of the register.
- 2.4 The register should include sites with extant full planning permission, outline planning permission and permission in principle that has not been implemented, as well as sites without planning permission where the local authority has assessed them as appropriate for residential development.

Identification of sites

- 2.5 Government guidance states that local planning authorities should utilise work undertaken as part of the Strategic Housing Land Availability Assessment (SHLAA) process to identify potential sites.

Assessing whether a site is suitable, available and achievable

- 2.6 Regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 sets out that sites on the brownfield register must be:
- Suitable for residential development, which means that the land has either been allocated in a local development plan document for residential development; has planning permission or permission in principle for residential development or is considered by the Council to be appropriate for residential development having regard to any: adverse impact on the natural environment or local built environment (including heritage assets) taking into account the NPPF and relevant policies in the development plan; adverse impact on local amenity, either for occupiers of the development or those of neighbouring properties; and any relevant representations received.
 - Available for residential development, which means that there is known landowner or developer interest, or the Council considers there are no issues relating to ownership or other legal impediments that might prevent residential development, having regard to any information publicly available on that date and any relevant representations received.
 - Achievable in relation to residential development of any land, means that the Council considers that the development is likely to take place within 15 years of the entry date on the register, having regard to any information publicly available on that date and any relevant representations received.

- 2.7 Local authorities must also take into account Section 14A of the Planning and Compulsory Purchase Act 2004 that requires local planning authorities to have regard to the development plan, national policies and advice, and any guidance issued by the Secretary of State when identifying sites for inclusion on the brownfield land register.
- 2.8 Where sites meet the criteria in Regulation 4 and account is had to Section 14A of the Planning and Compulsory Purchase Act 2004, sites must be included in Part 1 of the brownfield land register. When a site no longer meets the criteria it should be archived on the register.

Bury's Part 1 brownfield land register

- 2.9 The Council has updated the Brownfield Land Register to reflect the current position on sites, directly informed by work on the Council's 2022 Strategic Housing Land Availability Assessment (SHLAA) given the close links between the requirements of the register and the production of the SHLAA. The 2022 Brownfield Land Register is a subset of the 2022 SHLAA.
- 2.10 Having regard to the relevant Regulations and guidance, a threshold of a site area of at least 0.25 hectares or capable of supporting at least 5 dwellings for inclusion on Part 1 of the register has been applied. Only wholly brownfield sites have been included on the register, with greenfield sites and those with a mixture of greenfield and brownfield land being excluded.
- 2.11 Following specific advice from DCLG in response to a question from Wigan Council, all sites that are under construction (including those that are stalled and not therefore actively under construction) have been excluded from the register. This is on the basis of such sites no longer being available for the purposes of the register as required by Regulation 4(1)(c). As part of the preparation of the SHLAA, the Council monitors whether sites with planning permission for housing were under construction as of 31 March each year. All sites under construction as of 31 March 2022 have been excluded from Part 1 of the register.
- 2.12 Sites granted planning permission since 1 April 2022 that have not been included within the 2022 SHLAA have not been included within the Brownfield Land Register at this time because their availability and achievability has not yet been assessed as part of the SHLAA process.
- 2.13 The Council is required to review the register at least once a year, to ensure that sites which no longer meet the criteria for inclusion are removed and new sites are assessed and entered if it is appropriate to do so. The intention in future is for the Brownfield Land Register to be updated alongside the annual SHLAA update, which has a base date of 1 April each year.
- 2.14 The consideration as to whether a site is suitable, available and development is achievable has been directly informed by the findings of the 2022 SHLAA, with a range of information being collected through the SHLAA process in

order for the Council to make an informed judgement. This is considered sufficient to meet the requirements of Regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017.

- 2.15 For each site on the register the Council has identified the minimum net number of dwellings that it estimates the site should support. For sites with planning permission this has been given as the number of homes that have been approved as part of that permission; on sites without planning permission this minimum is based on the number of homes in an expired planning permission or an assumption in relation to the potential density of development on each site having regard to its location etc. The Council is also required to identify the maximum number of dwellings a site is capable of supporting where that site does not have planning permission. For simplicity in compiling its register, the Council has assumed that the maximum is the same as the minimum. **It is important to note that this does not prevent developers from applying for a higher or lower level of housing on any of these sites.**
- 2.16 It is not considered that Bury’s brownfield land register falls within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004. The brownfield land register is not considered to be a plan or programme which sets the framework for future development consent for development which is likely to have a significant effect on the environment. The brownfield land register is not setting new policy, it is a register of sites, many of which either have extant planning permission or have previously had planning permission for residential development through which the likely impacts on the environment will have been considered, and all the sites have previously been identified as being suitable for residential development within the Council’s SHLAA. The decision that the register does not require SEA will be kept under review.
- 2.17 Please note that the Mondi Paper mill site in Ramsbottom is a significant brownfield site which may be suitable for residential development, however a planning application has been recently refused on this site due to flood risk and traffic concerns. As a result the site is currently archived on the brownfield land register and evidence would be required to demonstrate the issues could be adequately addressed before being included on the live register.

Number of sites / dwellings identified on the register

- 2.18 There are a total of 68 available sites on Part 1 of Bury’s brownfield land register. A summary is set out below.

Table 1: Brownfield land register Part 1 summary

	Site count	Min. net dwellings	Site area
Permissioned	18	809	34.05
Not permissioned	50	2,028	32.30
Total	68	2,837	66.35

Changes since the 2020 brownfield land register

- 2.19 The 2020 register included 61 sites with a capacity of 2,379 dwellings and an area of 82.42 hectares. In the 2022 update, 16 sites have been archived, 14 of which were either under construction or completed for housing, and 2 of which were no longer considered suitable, available or achievable.
- 2.20 23 new sites have been added in the 2022 update, 7 of which had planning permission at the SHLAA cut off date of 31 March 2022. A further 16 sites have been added which have either subsequently been granted planning permission, have been identified as suitable for inclusion on the register or become available since the 2020 register was published. The 2022 update includes sites that have been identified for conversion to residential use above existing premises. These sites were previously excluded from the register.

Relationship between the brownfield land register and the SHLAA

- 2.21 **It is important to note that the brownfield register presents only a partial picture of the amount of brownfield land that is available, suitable and achievable for new housing in Bury.** This is because sites under construction and those sites that are not wholly brownfield in nature are excluded from the register, as are sites with permission for conversion of change of use above existing premises, and small sites of less than 0.25 hectares or 5 dwellings capacity. The SHLAA continues to remain the comprehensive assessment of future housing land supply in the Borough and includes dwellings on sites that are excluded from the register for reasons set out above.

3 Part 2 of the brownfield land register

- 3.1 Part 2 of the brownfield land register is a subset of Part 1. Part 2 will comprise only those sites in Part 1 that the local planning authority has granted permission in principle for residential development, having been through the necessary publicity, notification and consultation requirements.
- 3.2 Permission in principle is a new tool which works alongside, not replaces, existing routes for obtaining planning permission. It can only be granted for residential-led developments and is intended to offer an alternative to obtaining outline planning permission, providing early certainty on the 'in principle' matters of use, location and amount of development. Local planning authorities can enter suitable sites in Part 2 of the brownfield land registers (subject to undertaking the necessary requirements for publicity, notification and consultation) which will trigger a grant of permission in principle.
- 3.3 The permission in principle consent route has 2 stages: the first stage (or permission in principle stage, which is triggered by entry in Part 2 of the

brownfield land register) establishes whether a site is suitable in principle for residential development, and the second ('technical details consent') stage is when the detailed development proposals are assessed. The scope of permission in principle is limited to location, land use and amount of development. Other matters should be considered at the technical details consent stage.

Part 2 of Bury's brownfield land register

3.4 No sites have been included on Part 2 of the brownfield land register by the Council at the current time.

4 Access to information

- 4.1 A summary site listing is provided as an Appendix to this report. The full detailed site listing has been published in a set csv format in line with the CLG brownfield land register data standard and is available from: www.bury.gov.uk/11050. Please note that the full listing includes archived sites as required by the Government, which can be identified by the EndDate column.
- 4.2 The site boundaries are displayed on the Council's online mapping system: http://maps.bury.gov.uk/webmaplayers8/Map.aspx?MapName=Bury_SHLAA_External. Click on "What would you like to do" in the top left of the screen, then "Choose map layers" and select the Brownfield land register layer.
- 4.3 The planning history of sites is available from the Council's online search facility by searching for the planning application numbers that are provided in the notes column of csv spreadsheet. To search for planning history, please see: <https://planning.bury.gov.uk/online-applications/search.do?action=simple&searchType=Application>.
- 4.4 Bury's brownfield land register is licensed under the Open Government Licence 3.0. For details please see <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>.

Appendix – Site Listing

Site Ref	Site Name	Site Area (Hectares)	Min. Net Dwellings
HL/1958/00	Former Petrol Station, Parr Lane, Unsworth, Bury	0.1	5
HL/1981/00	Works opposite 101 Mather Road, Bury	0.33	24
HL/2057/00	Fairfield Service Station, Rochdale Old Road, Bury	0.1	9
HL/2127/00	Wellington Garage, Deardens Street, Bury	0.07	5
HL/2146/00	East Lancs Paper Mill Site, Rectory Lane, Radcliffe	22.98	400
HL/2146/01	East Lancs Paper site, Land between Cockclod Street/Cunliffe Street, Radcliffe Manchester, M26 9PG	0.72	27
HL/2148/00	Former Radcliffe High School, School Street, Radcliffe	2.31	89
HL/2149/00	44-48 Stand Lane & 4-6 New Street, Radcliffe	0.09	35
HL/2158/00	St. Anne's House, North Street, Radcliffe	0.3	30
HL/2169/00	Rear of Unsworth Methodist Church, Hollins Lane, Bury	0.26	9
HL/2175/00	The Heathlands Village, Heathlands Drive, Prestwich	0.17	8
HL/2178/00	Land adjacent to 41 Station Close, Radcliffe, Manchester, M26 4GW	0.43	14
HL/2206/00	Site of Hartshead Works, Deal Street, Bury, BL9 7PU	0.5	39
HL/2219/00	Yard, North of Birch Street, Bury	0.16	10
HL/2227/00	Corner Walmersley Road/Moorgate, Bury	0.41	30
HL/2230/00	Land off Knowsley Street (Q-Park airspace), Bury	0.37	120
HL/2241/00	Former Police Station, Irwell Street, Bury	0.7	50
HL/2253/00	Land opposite 9 to 21 Unsworth Street, Radcliffe	0.34	17
HL/2255/00	Water Street / Hollybank Street, Radcliffe	0.14	7
HL/2264/00	South of Railway Street / North of Dale Street, Radcliffe	0.52	30
HL/2286/00	Land adjacent Metro, Heys Road, Prestwich	0.25	18
HL/2310/00	Buildings at Park Lane Farm, Philips Park, Whitefield	0.42	12
HL/2312/00	Garside Garage including Scrap Yard & Stables, Garside Hey Road, Tottington	0.33	10
HL/2338/00	Land at Bury Road/York Street, Radcliffe, Manchester, M26 2WH	6.21	200
HL/2339/00	Station House, Bury Road, Radcliffe	0.59	44
HL/2374/01	Acorn Business Centre, Fountain Street North, Bury, BL9 7AN	0.1	19
HL/2383/00	Works off East Street, Radcliffe	0.15	8
HL/2390/00	Site of Former Paradise Mill, John Street, Bury, BL9 0NH	0.35	30
HL/2441/00	Bealey Industrial Estate, Hallam Street, Off Dumers Lane, Radcliffe	5.16	90
HL/2460/03	Humphrey House, Angouleme Way, Bury, BL9 6EQ	0.27	40
HL/2492/00	Longfield Suite, Prestwich	1.89	200
HL/2520/00	Former Millwood School, Fletcher Fold Road, Bury, BL9 9RX	0.9	26

Site Ref	Site Name	Site Area (Hectares)	Min. Net Dwellings
HL/2526/01	William Kemp Heaton Day Centre (Site B), St.Peters Road, Bury, BL9 9RP	1.34	37
HL/2527/00	Former Whittaker House (remaining area), Whittaker Street, Radcliffe, M26 2TD	0.26	8
HL/2586/00	46-48 Bury Old Road, Prestwich	0.21	12
HL/2599/00	Spring Street Sawmills, Spring Street, Ramsbottom	0.12	5
HL/2724/00	Garage Colony at junction of Fern Street and Quarry Street, Peel Brow, Ramsbottom	0.12	6
HL/2765/00	1 The Rock, Bury, BL9 0JP	0.02	5
HL/2797/00	51 Rainsough Brow, Prestwich, Manchester, M25 9XW	0.11	15
HL/2821/00	6 School Street & 99 Blackburn Street, Radcliffe, Manchester, M26 0AP	0.03	5
HL/2826/00	Lake Hill, Walshaw Road, Bury, BL8 1PT	0.99	8
HL/2836/00	2 Cook Street, Bury, BL9 0RP	0.16	7
HL/2839/00	Former Ramsbottom Police Station, Bridge Street, Ramsbottom, Bury, BL0 9AB	0.07	8
HL/2842/00	Land off Rochdale Road, Bury, BL9 7AX	0.1	9
HL/2843/00	Bast House Farm Barns, Manchester Road, Ramsbottom, Bury, BL9 5LZ	1.41	6
HL/2844/00	54 Ringley Road, Whitefield, Manchester, M45 7LL	0.17	6
HL/2889/00	Car Park To The North Of 129 Croft Lane, Bury, BL9 8QH	0.18	8
HL/2891/00	Site of former Radcliffe Leisure Centre, Green Street, Radcliffe, M26 3ED	0.76	130
HL/2956/00	Wheatfield Centre, Victoria Avenue, Whitefield	1.12	30
HL/2957/00	Former Whitefield Library and Adult Learning Centre, Pinfold Lane, Whitefield, M45 7NY	0.21	15
HL/2967/00	Council Offices, 7 Whittaker Street, Radcliffe, M26 9TD	0.43	30
HL/2985/00	85 Bury Old Road, Whitefield, Manchester, M45 7AY	0.12	11
HL/2995/00	Land off Kay Street, Summerseat, Bury	0.19	16
HL/3000/00	7-9 Bury Road, Radcliffe	0.12	15
HL/3015/00	Victoria Buildings, 9-13 Silver Street, Bury, BL9 0EU	0.07	12
HL/3027/00	New Summerseat House, Summerseat Lane, Ramsbottom, Bury, BL0 9UD	0.84	12
HL/3100/00	Topping Mill, Topping Street, Bury, BL9 6DR	0.06	15
HL/3105/00	Former CPU Kitchens, Willow Street, Bury, BL9 7QZ	0.15	13
HL/3126/00	Castle Leisure Centre, Bolton Street, Bury, BL9 0EZ	1.84	200
HL/3127/00	Belle Vue Terrace Car Park	0.49	26
HL/3131/00	Woolfield House, Wash Lane, Bury, BL9 6BJ	0.12	11
HL/3137/00	125 Walmersley Road, Bury, BL9 5AY	0.05	7
HL/3150/00	Singleton Court, Bury Old Road, Prestwich, Manchester, M25 8FX	0.22	5
HL/3151/00	The Turf Hotel, 116 Wash Lane, Bury, BL9 7DJ	0.04	9

Site Ref	Site Name	Site Area (Hectares)	Min. Net Dwellings
HL/3162/00	Land at Stone Pale, Whitefield, M45 6JG	0.49	10
HL/3178/00	Clerke Street, Bury	0.12	30
HL/3180/00	Millgate Shopping Centre, Bury	5.88	400
HL/3182/00	The Castle surface car park, Bolton Street, Bury	0.12	40