
STATUTORY INSTRUMENTS

2017 No. 403

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

Revision of the register

17.—(1) The local planning authority must review the entries in the register at least once within each register year in accordance with this regulation.

(2) Where the local authority has entered land in the register in accordance with paragraph (1) or (2) of regulation 5 and the land no longer meets the criteria in paragraph (1) of regulation 4, the local planning authority must remove the entry from Part 1, and if applicable Part 2.

(3) Where the local planning authority has entered land in the register in accordance with paragraph (3) or (4) of regulation 5 and the land no longer meets the criteria in paragraphs (1)(b) to (d) of regulation 4, they must remove the entry from Part 1, and if applicable Part 2.

(4) Subject to paragraphs (5) and (6), the local planning authority must update, as necessary, the information required under Schedule 2 in relation to each entry of land in the register.

(5) The local planning authority must not update the information required under paragraph 2 of Schedule 2 in relation to an entry of land in Part 2.

(6) Where—

- (a) the local planning authority consider that the information required under paragraph 1(1)(m), (1)(n) or (1)(o) of Schedule 2 in relation to an entry of land in Part 1 should be updated,
- (b) there is an entry in Part 2 in relation to that land, and
- (c) development of that land has been granted permission in principle by a development order made under section 59A(1)(a) of the TCPA 1990 based on that entry,

the local planning authority must—

- (i) remove the entry of land from Part 2; and
- (ii) amend the information in Part 1.

(7) Before the local planning authority remove entries of land from Parts 1 and 2 under paragraphs (2) or (3), or amend information in Part 1 under paragraph (6)(ii) they—

- (a) may carry out such procedures (including consultation) as they see fit; and
- (b) must take into account any representations received, within such period as they may specify, as a result of such procedures.

(8) Where development of land was granted permission in principle by a development order made under section 59A(1)(a) of the TCPA 1990, and that grant has expired, the local planning authority must remove the relevant entry of land from Part 2.

(9) The local planning authority must consider in accordance with paragraphs (2) and (3), the criteria mentioned in regulation 4, as if—

- (a) for “entry date” in each place that it occurs in the definitions of “achievable” and “available for residential development”, there were substituted “review date”; and
- (b) for the definition of “relevant representations”, there were substituted—

““relevant representations” in relation to the definition of “achievable”, paragraphs (a), (b) and (c) of the definition of “available for residential development”, and paragraph (d) of the definition of “suitable for residential development”, means any representations which are—

- (a) relevant to the definition or paragraph of the definition in question; and
- (b) received by the local planning authority—
 - (i) as a result of any procedures carried out by the local planning authority in accordance with paragraph (7)(a) of regulation 17;
 - (ii) before the end of the relevant period specified in accordance with paragraph (7)(b) of regulation 17;”.

(10) In this regulation—

“register year” means—

- (a) for the first year, the year beginning on the date on which that part of the register is published for the first time;
- (b) for subsequent years, the year beginning with the anniversary of the date on which that part of the register was published for the first time; and

“review date” in relation to an entry of land in the register means the date on which that entry of land is reviewed under paragraph (1).