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STATUTORY INSTRUMENTS

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**2017 No. 403**

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

**Entry of land in the register**

5.—(1) The local planning authority must enter land in Part 1 where the land falls within the description in paragraph (1)(a) of regulation 3 and meets the criteria in paragraph (1) of regulation 4.

(2) The local planning authority must also enter land in Part 2 where—

- (a) the land falls within the description in paragraph (1)(a) of regulation 3,
- (b) the land meets the criteria in paragraph (1) of regulation 4, and
- (c) the authority have decided to allocate the land for residential development, having followed the procedures mentioned in paragraph (7).

(3) The local planning authority may enter land in Part 1 where the land falls within the description in paragraph (1)(a) of regulation 3 and meets the criteria in paragraphs (1)(b) to (d) of regulation 4, but does not meet the criterion in paragraph (1)(a) of regulation 4 (area of site or quantity of development).

(4) The local planning authority must also enter land in Part 2 where—

- (a) they have exercised their discretion to enter land in Part 1 in accordance with paragraph (3), and
- (b) they have decided to allocate the land for residential development, having followed the procedures mentioned in paragraph (7).

(5) Paragraphs (2) and (4) are subject to regulation 14 (exemptions).

(6) Before the local planning authority enter land in Part 1 they—

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

(7) Before the local planning authority enter land in Part 2, they must follow the applicable procedures in regulations 6 to 9 (publicity and notification) and 10 to 13 (consultation).