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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).

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#### Commencement Information

**II** Reg. 5 in force at 16.4.2017, see [reg. 1](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (Brownfield Land Register) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 14(3)(c)-(e) substituted for reg. 14(3)(c)(d) by [S.I. 2018/695 reg. 5\(3\)\(b\)](#)