

What are the environmental requirements of brownfield land earmarked for development?

By Kay Hinchsliffe

Selling sections of brownfield land for development gives a much-needed cash injection and frees up sites to tackle the housing crisis. However, the land must achieve a certain environmental standard before a developer can start building. Here, Adler and Allan Principal Ecologist, Kay Hinchsliffe discusses the environmental requirements for brownfield land and properties that are earmarked for development and how Adler and Allan can help yours reach that standard, making it much more attractive to developers while reducing costs to maximise revenues.

While precise requirements depend on whether your land is in England, Wales, Scotland or Northern Ireland and although different Local Authorities' rules might vary slightly, obtaining Outline Planning Consent for change of use of brownfield sites prior to sale will significantly increase the land's value and saleability.

And, given that 'development' usually means new housing, an essential component of this is being able to prove that the estate meets a satisfactory environmental threshold. This means that the applicant must show that the parcel they wish to put up for sale is uncontaminated and clear of any spill damage and other pollutions that would present risk to future residents prior to obtaining planning consent.

In addition, they must demonstrate that all environmental risks have been anticipated and that mitigation plans are in place to protect especially vulnerable features, such as watercourses, hedgerows or specific protected species of flora and fauna.

Broadly, the same standards are demanded across the UK, although they may be phrased differently and applied via different pieces of legislation. Depending on the site's environmental and historical features, regulatory bodies, such as the Environment Agency might have to be consulted, too. Meanwhile, overarching EU demands must be met, and these are unlikely to be abolished or changed upon Brexit – certainly not short-to-medium-term.

A proposed development on a brownfield site may well fit in with the local authority's housing plans, which certainly won't damage the chances of getting it approved. However, an application must still be made that satisfies statutory environmental protection standards and the site owner must provide any supporting information this exercise requires.

If the outlining planning consent proposal including change of land use is approved, the next step is to apply for full detailed planning permission. Here, environmental, archaeological and historical features and water courses present, plus any protected designations statuses (e.g. Site of Special Scientific Interest, SSSI), will be re-examined in great detail.

It is therefore vital that applicants can provide a robust environmental audit and it is a good idea to organise one every few years – ensuring, too, that they tick all the boxes on your local council's permissions regime requirements. They ably prove that you have been a reliable steward of the estate by adopting prescribed, managed procedures for containing and controlling spill incidents, minimising adverse environmental effects and limiting danger to people, property and businesses.

Providing the local Council with a full environmental audit will make for a much speedier planning process at both outline and full application stage, thereby saving the applicant both time and money.

To make this process as smooth as possible Adler and Allan provides brownfield site and asset environmental surveys to evaluate any risk to the ecology of the land proposed for either development or sale.

We deliver peace of mind in detecting and identifying the environmental risks posed today, so that any given site can be handed over to future owners with environments that are intact and legally suitable for development and human habitation.

Landowners are under increasing pressures at the moment. Being able to entrust environmental risk reduction and remediation for the development of brownfield sites to the market-leading specialist leaves them with one less thing to worry about.