

# Land Availability Assessment Methodology

June 2022

Development Plans



milton keynes council



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# 1. Introduction

- 1.1. The Land Availability Assessment (LAA) is a technical evidence-based document which Local Plan-Making Authorities are required, as outlined by paragraph 68 of the National Planning Policy Framework (NPPF) (2021), to produce to provide a clear understanding of the land available within their area.
- 1.2. The LAA will identify a future supply of land which is suitable, available and achievable, and may have potential for all types of development for the period 2022-2050. It will provide an important source of evidence to inform plan-making and decision taking but, as outlined in the National Planning Practice Guidance (PPG), it is not the role of the LAA to determine whether a site should, or should not, be allocated for development.
- 1.3. The LAA's role is to provide information on the range of sites which are available to meet a Local Authority's requirements, but it is the role of the development plan itself to determine which of these sites are the most suitable to meet those requirements. The key objectives of the LAA are therefore to:
  - Identify sites and broad locations with potential for development;
  - Assess their development potential; and
  - Assess their suitability for development and the likelihood of development coming forward (availability and achievability).
- 1.4. It is therefore important to note that the LAA gives no planning weight to any sites which are ultimately included and, the identification of a site in the LAA does not mean that it will be granted planning permission or that it will be allocated for development in future Local Plans (not least because, not all sites considered in the LAA will be suitable for development); this will be done through the normal plan-making procedures and will involve extensive public, and stakeholder engagement and consultation, prior to the allocation of any new sites for development. To this end, the LAA will be a key document informing a separate site selection process for allocations to meet the identified needs for the plan.
- 1.5. Furthermore, the fact that a site does not get included in the LAA does not preclude the possibility of permission for development being granted on that site in the future.
- 1.6. The LAA will be undertaken based on the information available at the time of the study being prepared. Circumstances and/or assumptions may change over time which could mean, for example, that sites could come forward sooner or later than originally envisaged,

or that identified constraints could change, or there may be additional constraints which were not identified at the time of the assessment. Any changes will be reflected when the LAA is updated, and the assessment/conclusions may be updated accordingly.

- 1.7. This document supersedes the previous Strategic Housing Land Availability Assessment (SHLAA) methodology (2017).

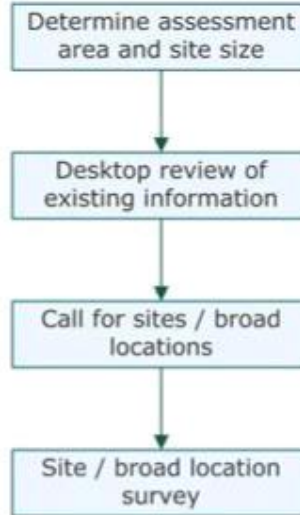
### **Local Context and Purpose of this Document**

- 1.8. In 2017, Milton Keynes Council (MKC) published a Strategic Housing Land Availability Assessment (SHLAA) which was prepared to inform the preparation of Plan:MK, MKC's current Local Plan. Plan:MK, which was adopted in March 2019, sets out the requirements for the Borough of Milton Keynes through to 2031 and allocates land to meet, its full housing requirement of 26,500 dwellings plus a substantial buffer and, sufficient land to meet its needs in relation to employment and other economic development, as well as setting out policies to guide the development of other land uses. The last study assessing employment land availability within the Borough was the Milton Keynes Employment Land Review and Economic Growth Study (EGELS) produced in November 2015, which was partially updated in June 2017.
- 1.9. With an up-to-date Local Plan only adopted approximately three years ago, MKC are at the early stages of preparing for the review of Plan:MK and are currently producing an updated evidence base which will inform the preparation of a new plan for the development of the Borough through to the year 2050. The long-term ambitions for growth in Milton Keynes have been set out in the Strategy for 2050 which was adopted by MKC in January 2020. The Strategy for 2050 sets out a long-term approach to spatial development. It aims for a steady population increase to around 410,000 people in the borough by 2050, as the best means of achieving Seven Big Ambitions. The Strategy for 2050 is not a statutory planning document. Nonetheless, it clearly sets out MKC's objectives and aspirations for growth in Milton Keynes, building upon the growth strategy already set out within Plan:MK, which has been informed by a suite of evidence studies and extensive stakeholder engagement. As such, it provides a strong foundation for developing a new Local Plan for Milton Keynes.
- 1.10. This evidence base will include a review of the 2017 produced SHLAA, which will, in line with the PPG, broaden the scope of the assessment. It will include land which is available for economic and all other development uses as well as housing. The only exception is land relating to Minerals extraction; at this stage we are not preparing a review of our Minerals Local Plan (2017) and therefore, will not be seeking new sites for this purpose to be submitted or assessed. Once complete, the LAA will therefore provide an assessment of land availability for all uses, including land for housing, economic development, leisure, and retail, which will supersede the 2017 SHLAA and elements of the 2015 MK Economic Growth

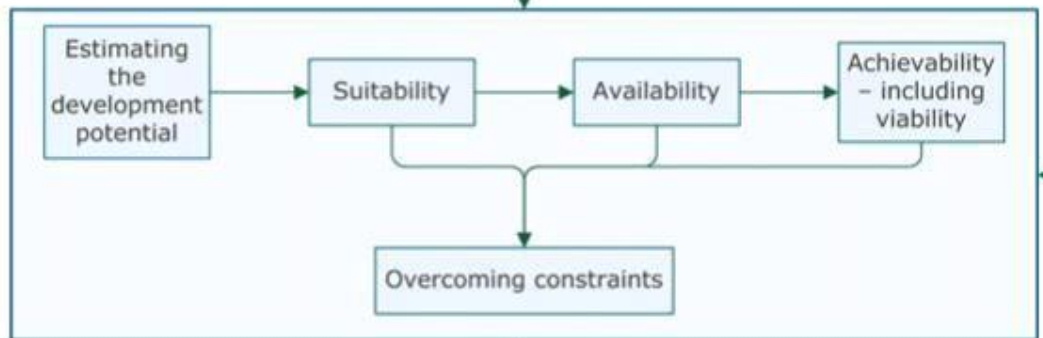
and Employment Land Study and the 2017 Employment Land Study, Supply and Demand – Partial Update.

- 1.11. As well as assessing potential new development sites, the LAA will review existing Plan:MK allocations (unimplemented) to check that the proposed use/site is still suitable, available and achievable. This will include assessing if the proposed use is still the most suitable or if there is the potential to change this, or change the mix of proposed uses, through preparation of the new Local Plan. For example, this LAA Study will review and assess what 'high quality' or 'strategic employment sites' within the Borough should be retained to meet future employment needs for office, factory and warehouse floorspace. Alternatively, the LAA will also assess what employment sites are no longer 'fit for purpose' and which might potentially be available for alternative uses. In assessing employment sites, a judgement also needs to be made in this LAA study on if a greater variety of uses should be permitted on some or all employment sites. Various community uses have been permitted on employment sites such as Kiln Farm as an exception to planning policy because of the difficulties of locating such uses in residential areas either because of the availability/cost of land or the lack of suitable buildings.
- 1.12. The role of this document is to set out the methodology that MKC will use in the preparation of the LAA. Whilst the approach will seek to build on that undertaken for previous SHLAAs and utilise lessons learnt from the processes of producing them, it will be predominantly based on the guidance outlined in the *"Housing and Economic Land Availability Assessment"* section of the PPG, which outlines the inputs and processes that should be followed by plan-makers in preparing their assessments.
- 1.13. As the primary focus of the LAA will be to inform the preparation of a new local plan for the Borough, no restrictions will be put in place at this stage in relation to the type and location of site, or broad location, which will be accepted for initial assessment within the LAA; existing policy constraints will however be considered and reported as part of the assessment. It is intended that the LAA will be a 'living document' and as such, sites may be reassessed against future emerging policy as it forms throughout the preparation of the new Local Plan. The assessment will start from a base date of 1 April 2022 and will assess the availability of land through to 2050, the proposed end date for the new Local Plan.
- 1.14. The following chapters outline each stage of the methodology that will be followed in preparing this LAA. The stages follow those outlined in the PPG but are amended/added to where necessary to take into account local circumstances and to reflect that this LAA is considering all land uses not just housing and economic land. The PPG provides a method flowchart which outlines the process of carrying out an assessment; this is reproduced below, with the detail of each stage expanded upon in the following chapters.

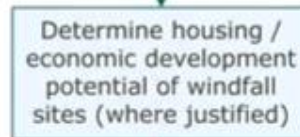
**Stage 1 - Site / broad location identification**



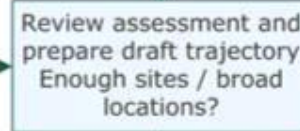
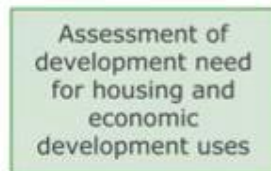
**Stage 2 - Site / broad location assessment**



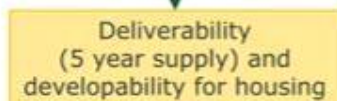
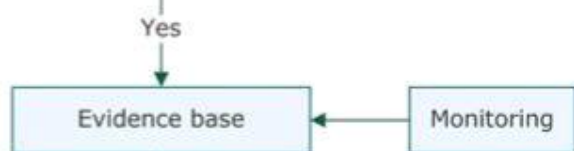
**Stage 3 - Windfall assessment**



**Stage 4 - Assessment review**



**Stage 5 - Final evidence base**



No

## 2. Method – Stage 1: Identification of sites and broad locations

### Extent of the Study

- 2.1. In accordance with the PPG, the area covered by the LAA will be the plan-making area, which in this case is the entire Borough area of Milton Keynes. Whilst it is recognised that a large proportion of parishes within the Borough of Milton Keynes are active in neighbourhood planning, as the development strategy for the new plan for the Borough has yet to be formalised and agreed, the LAA will assess sites from all areas, including those which have existing made Neighbourhood Plans or plans which are currently being prepared.
- 2.2. Plan:MK allocated land to meet its requirements in full, including a substantial buffer for housing supply. With the quantitative requirements for housing and economic development for a new plan period yet to be confirmed, the LAA will not be constrained by levels of need. Instead it will review all sites/broad locations to provide a full and complete audit of available land, as required by the PPG.

### Site size thresholds

- 2.3. The PPG outlines that plan-makers will need to assess a range of different site sizes from small-scale sites to opportunities for large-scale and, recommends that consideration is given to all sites and broad locations capable of delivering 5 or more dwellings, or economic development on sites of 0.25 hectares (or 500 square metres of floor space) and above. Whilst provision is made for alternative site-size thresholds to be considered, it is felt that the assessment of sites smaller than this will lead to a large amount of assessment work for a relatively insignificant development land yield. It is therefore considered that the thresholds set in the PPG are suitable for Milton Keynes and will therefore be applied to this LAA. However, no threshold will be put in place for other land uses beside housing and economic development.

### Who will be Involved?

- 2.4. As envisioned by the PPG, the LAA process will incorporate engagement with, and input from, a full range of consultees and key stakeholders at various stages of the process.
- 2.5. As a starting point, this methodology was published for a consultation period between 23 February and 20 April 2022 which enabled any interested party to provide comment on the processes MKC will undertake in preparing the LAA. All comments received were considered and, where appropriate, the methodology has been amended to reflect any updates to the process.

- 2.6. At the same time as consulting on the draft methodology, MKC also undertook an eight week 'call for sites' period to enable any landowner or developer to submit sites to be considered for inclusion within the LAA via an online form. The call for sites asked for detailed information about promoted sites including ownership information, the proposed use(s), existing features and constraints relating to the site, and deliverability information. Where necessary, direct correspondence will also be undertaken with landowners, developers, housebuilders and agents with regards to sites that are considered an existing commitment so as to ensure the Council has the most up-to-date information regarding these sites.
- 2.7. Other key stakeholders will also assist in the process of assessing the suitability of sites for development. The input of technical consultees in relation to issues such as highways, housing, the environment, flooding and others will ensure that key issues are thoroughly considered for each site.

### **Identifying Sites/Broad Locations**

- 2.8. The PPG outlines that plan-makers need to be proactive in identifying as wide a range of sites and broad locations for development as possible, including those existing sites that could be improved, intensified or changed. To ensure a robust approach is taken, MKC will:
- Undertake a desktop review of existing data sources and information to both cover sites which are already 'known' and also to actively identify new sites;
  - Undertake engagement with local ward members, parish and town councils and other departments within Milton Keynes Council (e.g. the Housing Department and the Estates Department) to identify new sites;
  - Carry out a Call for Sites to provide landowners and developers an opportunity to submit their sites; and,
  - Publicise the preparation of the LAA so as to reach as wide an audience as practicable and allow the opportunity to contribute.
- 2.9. The PPG also outlines the types of site that could be considered and the relevant data sources that could be reviewed to identify sites/broad locations. Taking this into account and reflecting on local circumstances, Table 1, outlines the type of sites that will be covered in the LAA.



**Table 1: Sources of sites with potential for housing or economic development which will be covered by the LAA**

Sites in the Planning Process
<ul style="list-style-type: none"> <li>• Sites with planning permission which are under construction;</li> <li>• Sites with unimplemented planning permissions;</li> <li>• Existing allocations in Plan:MK (2019), the Site Allocations Plan (2018) and made neighbourhood plans which have not yet obtained planning permission;</li> <li>• Sites with development briefs which have not yet obtained planning permission;</li> <li>• Land which is no longer required for its allocated use (e.g. employment sites which could be suitable for housing)</li> </ul>
Sites not currently within the Planning Process
<ul style="list-style-type: none"> <li>• Sites submitted through the Call for Sites or in response to formal local plan consultations ;</li> <li>• Sites where previous planning applications have been refused or withdrawn;</li> <li>• Sites under the ownership of Milton Keynes Development Partnership which are not currently within the planning system;</li> <li>• Land under the ownership of Milton Keynes Council;</li> <li>• Surplus and likely to become surplus public sector land;</li> <li>• Sites identified on the Council’s brownfield register;</li> <li>• Vacant and derelict land and buildings;</li> <li>• Redevelopment/re-design of existing residential or economic areas;</li> <li>• Sites/land in alternative uses which may be suitable for redevelopment e.g. car parks or commercial buildings;</li> <li>• Additional opportunities within established areas (e.g. in residential areas, under-used garage blocks);</li> <li>• Sites identified through other studies as not required in their existing use (e.g., redundant commercial buildings/land or, underutilised open space);</li> <li>• Sites in, and adjacent to, existing rural settlements;</li> <li>• Potential urban extensions.</li> </ul>

2.10. Following the identification of sites, a list of all the potential sites will be compiled and be subject to a sifting process to ensure sites are not duplicated, as they may have been identified via a number of sources. Each site will then be mapped and the high level details (e.g. location, size, constraints etc.) will be logged initially in a standard proforma.

2.11. In line with the PPG, an initial desktop review will then be undertaken of all sites to establish; which have a reasonable potential for development and should therefore be included in the detailed site survey part of the assessment and, those sites which should be

excluded at this stage. The assessment of potential Gypsy and Traveller sites will be done in accordance with the guidance set out within the Council’s latest Gypsy and Traveller Accommodation Assessment.

- 2.12. For sites already within the planning system, these will automatically be carried forward to the detailed site survey part of the assessment however, a full site survey will not be carried out unless there is potential for the site to be reallocated to an alternative use. Instead, existing information will be ratified and an up-to-date view on development progress will be sought from the landowner, developer or agent (for housing sites, recent monitoring data and data submitted for use in MKC’s annual five-year housing land supply assessment will also be utilised).
- 2.13. For all other sites, the initial desktop review will sift out those which do not fall within the scope of the study or where it is clear that they will not be suitable for development and should therefore be excluded from the more detailed stages of the assessment, reducing the need to assess sites later in the process which are in principle unacceptable. The reasons why sites may be excluded at stage 1 are set out in Table 2.

**Table 2: Reasons for Exclusion of Sites at Stage 1**

Category	Reason for Exclusion
<p>Site does not fall within the scope of the study:</p> <ul style="list-style-type: none"> <li>- Site is located entirely outside of the study area (Borough of Milton Keynes);</li> <li>- Site will deliver fewer than 5 residential dwellings;</li> <li>- For economic development including retail and leisure; site is less than 0.25 hectares or, will deliver less than 500 square metres of floor space.</li> </ul> <p>Note: no threshold is in place for other land uses beside housing and economic development.</p>	<p>Exclusion at this threshold is in accordance with the PPG.</p>
<p>Sites that are within a designated site of special scientific interest.</p>	<p>Sites of special scientific interest carry statutory protection and the presence of such a designation represents an overriding constraint.</p>
<p>Sites within Flood Zones 2, 3a and 3b.</p>	<p>Flood zones 2, 3a and 3b are considered to be overriding constraints and sites which fall entirely within them are usually excluded from further assessment. However, if a proposed use for all or part of a site meets the definition of ‘water-compatible development’ (which includes, for example, amenity open space</p>

Category	Reason for Exclusion
	nature recovery/biodiversity offsetting) or essential infrastructure, this will be taken into consideration. If part of a site falls within zones 2, 3a or 3b it is only considered to be an overriding constraint if the development proposed cannot be accommodated on the remaining part of the site outside of those flood zones.

- 2.14. Consistency with current Development Plan policies and designations (those contained within Plan:MK (2019), Site Allocations Plan (2018) and ‘made’ Neighbourhood Plans) will be assessed and recorded, however, sites will not be ruled out at stage 1 due to inconsistency with the development plan.
- 2.15. All sites excluded at this stage will still be mapped and the final LAA reports will list the site as unsuitable, alongside providing the reason for exclusion.
- 2.16. All other sites which are not excluded will be carried forward to stage 2 of the LAA and will be subject to a more detailed desktop survey including, seeking input from technical consultees and from other stakeholders as necessary, including town and parish councils and ward members), and a site visit/survey. This will seek to ratify previous information received about the site, gain a better understanding of the site and, to obtain further detailed information on the suitability, availability and achievability of the site to assist with the stage 2 assessment.
- 2.17. The type of information that will be checked, sought and recorded is in line with that outlined in the PPG (Paragraph: 015 Reference ID: 3-015-20190722) and will include:
- site size, boundaries, and location;
  - current land use and character;
  - land uses and character of surrounding area;
  - physical constraints (e.g. access, contamination, steep slopes, flood risk, natural features of significance, location of infrastructure/utilities);
  - potential environmental constraints;
  - consistency with the current development plan’s policies;
  - proximity to services and other infrastructure, such as public transport; and
  - initial assessment of whether the site is suitable for a particular type of use or as part of a mixed-use development.
- 2.18. To ensure that site surveys are consistent they will all be carried out by MKC staff, briefed in the requirements of the survey and using a standard pro-forma to record information.

### 3. Method – Stage 2: Site/broad location assessment

- 3.1. Stage 2 of the assessment involves assessing:
  - the development potential of the site;
  - whether the site is 'suitable' for the type of development proposed, or indeed an alternative type of development; and,
  - whether the site is 'available' and 'achievable'.
- 3.2. Information on development potential, suitability, availability and achievability will have been collected and analysed through a combination of the desktop assessments, site surveys, engagement and information submitted by landowners, agents and developers in response to the call for sites process, as outlined in Stage 1. The assessment of potential Gypsy and Traveller sites will be done in accordance with the guidance set out within the Council's latest Gypsy and Traveller Accommodation Assessment.

#### **Estimating the Development Potential of the Site**

- 3.3. The PPG advises that the estimation of the development potential of each identified site can be guided by the existing or emerging plan policy including locally determined policies on density. When assessing development potential, plan makers should seek to make the most efficient use of land in line with policies set out in the National Planning Policy Framework.
- 3.4. For sites which have an extant planning permission, the number of housing units or amount of other development permitted on the site will be used for the purposes of the assessment, unless MKC are aware that it is intended not to implement the permission. In this case, the development potential of the site will be re-assessed, with the amount of development that has been previously permitted on the site being taken into account. With regards to sites which are already under construction, the number of units/or remaining land to be developed as at the base date of the LAA will be used.
- 3.5. For existing Plan:MK allocations which do not yet have a planning permission, a new assessment of the development potential of the site will be undertaken, so as the potential for alternative uses or types of development can be assessed and to ensure the most efficient use of the land is being made. If a revised development potential or use arrived at within the LAA, any change to that allocation could only be made via the new Local Plan (or Neighbourhood Plan where relevant). Therefore, the LAA conclusion would not alter the status or weight of the allocation within the Development Plan.
- 3.6. For all new sites which have been identified through the LAA, an assessment of their development potential will be undertaken.

- 3.7. For the purposes of this LAA it is intended that at this stage, the development potential for each site will be assessed on a site-by-site basis taking into account the factors outlined in Policy HN1 of Plan:MK, the requirement of a development to provide land for other purposes (this will particularly be the case with regards to larger and strategic size sites) and any existing site specific information (e.g. information submitted as part of a call for sites submission or information in an existing Development Brief for the site). The Housing Land Supply Phasing Methodology (2021) sets out indicative housing densities which will be used as a starting point, but individual assessments will be carried out for each potential site taking account of the information set out above. When assessing development potential, making efficient use of land will be balanced with respecting the surrounding character and context. Higher density development will be encouraged in locations with good accessibility to facilities, that are well served by public transport, and where it can be accommodated by existing or improved infrastructure.
- 3.8. During the preparation of the new Local Plan, the LAA will continue to be updated to reflect the emerging development strategy and policy and, as such, the development potential of each site will also be kept under review and may be modified. However, with the exception of sites which are already under construction, it must be noted that the development potential of a site indicated in the LAA is only indicative and it will be for a site specific allocation within an emerging Local or Neighbourhood Plan or, a future planning application for the site, to determine the exact number of units or, amount of other development to be permitted on the site.

### **Assessing Suitability**

- 3.9. The PPG outlines that a site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated.
- 3.10. Utilising the information gathered through the desktop survey and site visit of each site, and through the input of technical consultees, the LAA will assess the suitability of each site, or broad location, for different forms of development, taking into account factors such as:
- National Policy;
  - Appropriateness and likely market attractiveness for the type of development proposed and alternatives;
  - Contribution to regeneration priority areas;
  - The potential impact of development upon existing features including landscape, , nature and heritage conservation;
  - Specific designations that apply to the site;
  - Surrounding land uses;

- Site conditions including consideration of physical limitations or problems such as access, infrastructure provision, ground conditions, flood risk, pollution or contamination;
- Limitations and conditions that would be experienced by occupiers;
- Services already available on the site;
- The emerging development strategy for the new local plan including planned/committed strategic infrastructure improvements.

- 3.11. For sites with extant planning permissions or which are allocated in Plan:MK, it is considered that these have been previously assessed in terms of their suitability for development and do not require another evaluation. Consideration will however be given as to the suitability of previously allocated land and the potential to designate allocated land for different or a wider range of uses. If a revised use is arrived at within the LAA, any change to that allocation could only be made via the new Local Plan (or Neighbourhood Plan where relevant).
- 3.12. Where a constraint or limitation has been identified that impacts upon a site's suitability for delivering any form of development which cannot be reasonably overcome, the site will be reported as unsuitable and will be ruled out of the LAA at this stage.
- 3.13. Where a constraint or limitation has been identified but there is reasonable evidence of how it could be overcome, or the constraint does not completely rule out all development on the site at some stage, these sites will be fully assessed and the constraints alongside potential mitigation measures will be recorded. The assessment of development potential of the site will also take account of this.
- 3.14. With regards to assessing sites against the existing adopted policies within Plan:MK, the assessment of suitability will outline where policy constraints currently exist however, these will not result in a site being deemed unsuitable on its own, unless other considerations would also lead to the conclusion that the site is unsuitable. These policy constraints will be recorded, but it will also be noted that consideration of the site through the preparation of the new local plan, or a change in policy in the new local plan, could result in these constraints being overcome or mitigated, thus resulting in the site being suitable for development in the future.
- 3.15. In addition, sites will be assessed against the seven big ambitions set out in the adopted MK Futures Strategy for 2050. Consistent with how this assessment is to be carried out for assessment against Plan:MK policies, the assessment of suitability will outline where inconsistencies with the adopted 2050 Strategy exist, however, these will not result in a site being deemed unsuitable on its own, unless other considerations would lead to the conclusion that the site is unsuitable. These inconsistencies will be recorded, but it will also

be noted that the consideration of the site through the preparation of the new local plan, or a change in policy in the new local plan, could result in those inconsistencies being overcome or mitigated, thus resulting in the site being suitable for development in the future.

- 3.16. Taking the above considerations into account, each site's suitability will be assessed as being either suitable (green), not currently suitable (i.e. sites which are suitable aside from a policy constraint which could potentially be overcome) (amber), or not suitable (red).
- 3.17. During the preparation of the new Local Plan, the LAA will be updated so as to allow the suitability assessment of each site to reflect upon the emerging development strategy and policies of the new plan.

### **Assessing Availability**

- 3.18. The PPG advises that a site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from landowners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.
- 3.19. For the purposes of this LAA, MKC will take the following approach to assessing availability:
  - For sites which are under construction or have an extant planning permission or allocation in Plan:MK (2019), the site will be deemed to be available unless, MKC has information to suggest otherwise. Information gathered through the Council's monitoring processes will be utilised and, where necessary, MKC will contact the landowners/developers to clarify areas of uncertainty.
  - For sites put forward through the Call for Sites, whereby a completed and signed form (including a map outlining the land under the ownership or option of the entity submitting the form) is submitted, the site will be deemed to be available. Where the Council becomes aware of issues such as ransom strips, existing tenancies or continued existing use of the site, which could affect when a site may be available, further information will be sought from the landowner/developer and this will be used to supplement the assessment of availability.
  - Where sites have been identified through other means, such as through refused planning applications, engagement with town and parish councils or aerial photography, efforts will be made to identify landowners and contact them to seek their views on the potential availability of the site for development and, where possible obtain a

completed Call for Sites submission. Where it is not possible to identify or contact owners, a reasoned judgement will be made as to the likelihood of development coming forward on individual sites and therefore whether the site should be deemed available or not.

- 3.20. Any sites which are not deemed to be available for development to commence before 2050 will be outlined in the LAA report as unavailable along with a reason for this judgement. Sites affected by factors which mean that development is not likely to commence until later in the new plan period (beyond 2040) will be considered not currently available.
- 3.21. Taking the above considerations into account, each site's availability will be assessed as being either available (green), not currently available (amber), or unavailable (red).

### **Assessing Achievability**

- 3.22. As set out in the PPG, a site is considered achievable for development where there is a reasonable prospect that the development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of the site, and the capacity of the developer to complete and let or sell the development over a certain period.
- 3.23. For the purposes of this LAA, MKC will take the following approach to assessing achievability:
- For sites which are under construction, have an extant planning permission or which are allocated in Plan:MK, the site will be deemed to be achievable unless the Council has information indicating otherwise. Information gathered through the Council's monitoring process will be used, and where necessary, landowners/developers will be contacted to clarify any areas of uncertainty.
  - For sites put forward through the call for sites, information submitted as part of that process relating to site viability will be assessed and used to inform the consideration of achievability, in combination with any relevant conclusions from the updated Viability Study which is also being prepared to inform the new local plan. National Planning Guidance contains guidance about carrying out viability assessments; they should include evidence on likely costs and values. Information submitted relating to market and delivery factors (including adjoining land uses, marketing information and proposed phasing) will also inform the achievability assessment. A site will be considered to be achievable if there is a reasonable prospect that it will be developed at a particular point in time. If the Council becomes aware of any constraints that could affect the achievability of the site, further information will be sought from the



landowner/developer and this will be used to supplement the assessment of achievability.

- Where sites have been identified through other means, such as through refused planning applications, engagement with town and parish councils or aerial photography, efforts will be made to identify landowners and contact them to seek their views on the potential achievability of the site, and where possible, obtain a completed Call for Sites submission. Where it is not possible to identify or contact owners, a reasoned judgement will be made as to the achievability of the site. As with sites put forward during the call for sites process, the conclusions in the Viability Assessment to accompany the new local plan will be used to inform the assessment of achievability.

3.24. Taking the above factors into account, each site's achievability will be assessed as being either achievable (green), not currently achievable (amber) or not achievable (red).

### **Overcoming constraints**

3.25. The PPG sets out that where constraints have been identified, the assessment will need to consider what action could be taken to overcome them. Examples of constraints include policies in the National Planning Policy Framework and the adopted or emerging development plan, which may affect the suitability of the site, and unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners, which may affect the availability of the site.

3.26. Identified constraints may not necessarily rule out a site completely, and consideration will be given to how they could be overcome. This consideration will utilise information submitted through the call for sites process, and expert opinion will be sought wherever appropriate, for example from highways, nature conservation and flooding to verify any conclusions. Where constraints, taking into possible mitigation, are deemed to be unacceptable in planning terms the site will be recorded as unsuitable and reasons for this outlined. Where it is concluded that there is a reasonable chance of the constraint being overcome, the site will continue to be included as a potentially suitable site.

### **Assessment of timescale and rate of development**

3.27. As set out in the PPG, information on suitability, availability, achievability and constraints can be used to assess the timescale within which each site is capable of development. For residential developments, this may include indicative lead-in times and build-out rates for the development of different scales of sites. On the largest sites allowance will be made for several developers to be involved. Information provided by developers and agents will be important in assessing lead-in times and build-out rates by year and we will also utilise our

most up-to-date Housing Land Supply Phasing Methodology which sets out assumptions on lead-in times and build-out rates specifically for Milton Keynes and is reviewed on an annual basis. Subsequent decisions on phasing of individual sites or broad locations for growth over the plan period to 2050 will be made as part of the wider plan-making process taking into account other evidence and the vision and objectives of the plan.

## 4. Method – Stage 3: Windfall Assessment

- 4.1. As set out in the PPG, an allowance for windfall may be justified in the anticipated supply if there is compelling evidence as set out in paragraph 71 of the NPPF. This sets out that any allowance should be realistic and have regard to past delivery rates and expected future trends.
- 4.2. The LAA will assess the nature of previous windfall development and completion rates on windfall sites and come to a judgement as to whether there are genuine local circumstances to justify a windfall allowance and what this allowance should be. Care will be taken to avoid duplication with sites already identified. Consideration will be given to whether historic windfall rates are likely to continue in the future. This will involve mapping windfall completions and assessing whether areas where windfall rates have been high still have potential for the future.

## 5. Method - Stage 4: Assessment review

- 5.1. The PPG sets out that once the sites and broad locations have been assessed, the development potential of all sites can be collected to produce an indicative trajectory including an indication of when development is likely to happen (i.e. within years 1 to 5, 6 to 10, and 11 and beyond). An overall risk assessment will be made as to whether sites will come forward as anticipated.
- 5.2. The review of the assessment will also look at those sites assessed as 'not currently suitable' due to constraints that could be overcome, but where it is uncertain when this might occur. Such an example might be where a planning policy position would need to change for a site to be considered suitable. Such a constraint could be overcome but it would not be the role of the LAA to assume this will happen, however the review of the assessment could comment on the implications of amending planning policy on housing land supply.
- 5.3. If it is concluded that there are insufficient sites/broad locations to meet objectively assessed needs, including the identified local housing need, the assessment will need to be revisited in the first instance. This may include carrying out a further call for sites or reviewing assumptions about the development potential of particular sites to ensure these make the most efficient use of land. This may include applying a range of densities that reflect the potential of different areas.
- 5.4. In accordance with the PPG, if insufficient land remains, it would be necessary to investigate how this shortfall could best be planned for in accordance with the duty to cooperate. If needs could not be met following that process, the Council would have to demonstrate why as part of the plan examination.

## 6. Method - Stage 5: Final Evidence Base

- 6.1. The outputs of the assessment will be:
- A list of all sites or broad locations considered, cross-referenced to their locations on maps;
  - An assessment of each site or broad location, including:
  - Where these have been discounted, evidence justifying reasons given;
  - Where these are considered suitable, available and achievable, the potential type and quantity of development, including a reasonable estimate of build out rates, setting out how any barriers to delivery could be overcome and when;
  - An indicative trajectory of the anticipated development based on the evidence available.
- 6.2. The LAA will form part of the evidence base for the new local plan and, will be a key document informing a separate site selection process for allocations to meet the identified needs for the plan in line with its vision and objectives. The LAA may need to be reviewed during the plan preparation process as new information becomes available.