



Historic England

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Our ref: PL00797117

Your ref:

Telephone

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Dear Mr Thom

**Luton Local Plan Review  
Community Involvement Paper – Issues and Options December 2024**

Thank you for consulting Historic England on the Luton Local Plan Review Community Involvement Paper – Issues and Options December 2024. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process.

We have set out our responses to your Issues and Options questions below, focussing on those questions most relevant to our remit.

Our response should be read in conjunction with our advice letter to you dated 20<sup>th</sup> September 2023 in which we provided early advice in relation to Local Plan preparation and the historic environment.

In commencing a review of the Local Plan, we would particularly highlight the following Historic England advice notes which we hope you will find helpful in your Plan preparation:

[HE Good Practice Advice in Planning 1 – The Historic Environment in Local Plans](#)  
[HE Advice Note 3 – The Historic Environment and Site Allocations in Local Plans](#)

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[HE Advice Note 8 - Sustainability Appraisal and Strategic Environmental Assessment](#)

## Luton Context

### 1. Is there anything you consider important we have not mentioned about Luton and its surroundings?

There is no mention of the historic environment in this section. We recommend a brief paragraph in this regard.

3.16/Map – We recommend the map includes a title as well as Conservation Areas, Scheduled Monuments and Registered Parks and Gardens.

We continue to have some concerns about the safeguarding of land for the East Luton Circular Road. This is due to the level of potential harm to designated heritage assets, particularly the scheduled monument at Stopsley Common, and the lack of clear and convincing justification for such harm.

## Developing our Vision and Objectives

### 2. What do you think of our draft Vision?

We welcome the reference to the historic environment. We recommend that preserved and enhanced is changed to conserved and enhanced, in line with the wording in the NPPF.

### 3. What do you think of our draft Objectives?

Objective 21 is a helpful start. We recommend the wording is amended as follows:

Recognise and celebrate the importance of Luton's history and its historic heritage assets and conserve and enhance its historic environment including its conservation areas, listed buildings, scheduled monuments and registered parks and gardens as well as non-designated heritage assets and cultural assets, and encourage the effective re-use of historic buildings

### 4. What period do you think our Local Plan should cover?

No comments

### 5. Do you have any views on what our future strategy should look like, where we should identify new sites for development and what factors and information we should consider?

In terms of the location for new homes we recommend that the density, scale, character and detailed design of new housing be appropriate for its context.

The capacity for an area to accommodate new housing development whilst maintaining its historic environment should be a key consideration, so that the quality and character of neighbourhoods, towns and villages is conserved. Integrating consideration of the historic environment into plan making alongside other considerations is a key principle of sustainable development.

Allocation of new housing sites should be considered in the most sustainable locations and densities and character should reflect that of the surrounding area. This approach will require a careful and detailed analysis of locations to ensure that distribution of housing is appropriate. The historic environment is a critical factor in this analysis in terms of considering the ability of sites and locations to accommodate new housing without undue harm to heritage assets and their settings.

Any proposals for growth should consider the potential impact on the historic environment. Our [HE Advice Note 3 – The Historic Environment and Site Allocations in Local Plans](#) offers information on a methodology for site selection assessment.

## Providing suitable and sustainable homes

### 6. How should we establish the number of homes we need to plan for and where should new homes be located?

Regarding number of homes, using the method set out in NPPF.

Regarding where, see advice above response to question 5.

#### Options

#### **Should the new Local Plan seek to increase densities and/or build upwards, including more taller buildings? If so, where?**

Historic England recognises the need for gentle densification in our towns and cities to make best use of available land. However, where there are opportunities for densification, this must be managed carefully in a way that seeks to conserve and enhance the historic environment. We refer you to our publication, '**Increasing residential density in historic environments**' which can be found [here](#). This study explores the factors that can contribute to successfully delivering developments which increase residential density in historic environments. It uses a combination of literature review and case studies to provide a series of recommendations to support decision making.

That said, we do not agree that tall buildings should be specifically encouraged.



However, given the growth pressures that will be experienced by Luton over the coming years, you may consider addressing the matter of Tall buildings and the skyline in a DM policy. See our advice note 4 on [Tall Buildings](#) which provides further advice in relation to tall buildings and local plan policy.

Any policy should indicate what considerations are needed for taller buildings, where buildings may or may not be appropriate etc. and in particular consider the impact on the historic environment.

If you are proposing the development of a tall buildings policy in the plan, then we recommend that you commission a tall buildings study to inform the policy. We would be happy to advise further regarding the detail of such a study.

**Should the new plan seek to regenerate or re-shape older/existing housing, for example through densification and/or adding additional storeys and how could any disadvantages be mitigated?**

See response to previous question.

**Should we focus on the re-use of existing suitable buildings and bringing empty homes back into use?**

Yes. We recommend the inclusion of a policy to promote the re-use of buildings.

The greenest buildings already exist. The repair, maintenance, continued use and reuse of buildings is one of the easiest ways to avoid the unnecessary release of additional carbon and the generation of waste associated with demolition and new build.

See our response to question 31 for further detail.

**7. How can we provide affordable housing for Luton and what information should we consider?**

No comment

**8. Thinking about type and size, what mix of homes should be provided?**

No comment

**9. What approach should we take to HMOs in Luton?**

No comment

**10. Should we further encourage people to build their own home and if so how?**



No comment

**11. How should we provide housing for older people and those with specialist needs?**

No comment

**12. What should we consider in ensuring that new homes and outside spaces are the right size?**

No comment

**13. How should we ensure that new housing is accessible and adaptable for those with specialist needs?**

No comment

**14. How can the needs of the travelling community be provided for and where?**

No comment

**15. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

**Supporting economic development**

**16. How should we develop Luton's economy going forward?**

No comment

**17. What do you think the future role of the airport should be in terms of contributing to economic growth?**

No comment

**18. How should we ensure that new business investment benefits Luton and its residents?**

No comment

**19. How can we support economic growth and how and where should land be used to achieve this?**

Assessment of potential employment sites will need to consider potential impacts on the historic environment.



**20. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

**Town centres & retail**

**21. What trends and information should we consider in planning for retail, leisure and services in Luton?**

No comment

**22. What role should Luton have as a retail centre within the sub-region thinking about nearby settlements?**

No comment

**23. What approach should we take to proposals for retail, leisure and community uses in Luton's District and Neighbourhood Centres and other areas outside the town centre?**

No comment

**24. How can Luton town centre be improved and what retail, leisure and employment opportunities should we encourage?**

Advice can be found on our website in relation to [historic towns and high streets](#) as well as our [Heritage Led Regeneration Toolkit and case studies](#)

High streets and retail in general are under considerable pressure at the present time. The Local Plan should seek opportunities to support High Streets and enhance the historic environment of these areas. The retention of original/historic or significant shop fronts elements is often integral to the character of these buildings and that of the wider street scene.

The Local Plan should highlight the importance of retaining or restoring historic shop front features. This is both in terms of the positive contribution historic shop fronts make to the character of an area, but also the economic benefit of providing traditional and bespoke shopping units to shop owners.

A good example of how historic shop fronts can positively contribute to an area both aesthetically and economically is where Derby City Council teamed up with English Heritage (now Historic England) to help restore an area of Victorian and Edwardian shops, the Strand. The restoration of a number of shops within the area has meant that a previously underused section of the city provides bespoke shopping, now sees a much larger footfall and is



considered to be a national success. The council have also seen a ripple effect of surrounding properties being restored.

Similarly, more recent High Street Heritage Action Zones throughout the country have seen similar benefits.

**25. Should we seek to further restrict the type of development in certain areas of central Luton?**

No comment

**26. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

## Health and Wellbeing

**27. What should we do to address deprivation and improve life outcomes in Luton and what health facilities are required?**

No comment

**28. How could a new Local Plan protect against negative impacts from noise, light pollution and hazardous substances?**

No comment

**29. How can we improve air quality and mitigate against poor air quality?**

No comment

**30. Are there any Issues or Options you think we have not considered in this Chapter?**

Historic England's website highlights some of the research and evidence around this topic, and considers the relationship between heritage and [physical health](#), [mental health](#) and [wellbeing](#).

For example, our website highlights that the design and layout of historic towns and cities can support people to keep physically active. Natural England, in their Green Infrastructure framework (2023) emphasise the important role of heritage to high quality green space which should respond to and enhance the character and history of an area to create beautiful, well designed and distinctive places. Evidence also demonstrates that heritage contributes to life satisfaction.

Therefore, we recommend that the Local Plan should highlight and explore the potential for positive impacts of heritage in relation to health and wellbeing

## **Addressing and adapting to Climate change**

### **31. How can we adapt to and mitigate against the impacts of climate change? This includes flooding from rivers and rainfall and temperature extremes.**

We particularly refer you to our recent advice note [Adapting Historic Buildings for Energy and Carbon Efficiency](#) and suggest including this link within this section.

#### **Re-use of Buildings**

In addition to heritage protection, there is also now further imperative to make the case for the reuse of buildings in order to meet carbon reduction targets and to support a low waste circular economy. We therefore recommend the inclusion of a policy to promote the re-use of buildings.

The greenest buildings already exist. The repair, maintenance, continued use and reuse of buildings is one of the easiest ways to avoid the unnecessary release of additional carbon and the generation of waste associated with demolition and new build.

The UK has the oldest building stock in Europe with around 21% of buildings constructed before 1919, and 80% of the buildings that will exist in 2050 have already been built. Historic buildings will play a critical role in helping the UK transition to a Net Zero society.

#### **Retrofitting/Energy Efficiency and Heritage Assets**

We recommend including a policy specifically relating to heritage assets and energy efficiency. Further advice in this regard is given below.

Improving the carbon and energy efficiency of buildings while protecting their significance are compatible goals. Historic buildings can and must adapt to ensure they remain in a low carbon climate resilient society.

Energy efficiency and carbon efficiency are not always interdependent and improvements in energy efficiency do not automatically equate to a saving in carbon. It is possible to improve the energy efficiency of a building while at the same time increasing the overall carbon emissions due to the emissions associated with the sourcing, manufacture and transport of materials.

When considering energy efficiency measures, the current and future impacts of climate change must also be considered, such as increased temperatures and rainfall. It is possible to increase energy demand if measures result in a greater need to install cooling measures to manage periods of higher temperatures. An increased need for air conditioning, for example, can result in an increased use of power and also releases harmful greenhouse gases from refrigerants.

Historic England recommends taking a [whole building approach](#), which is a systematic process for devising and implementing suitable, coordinated, balanced and well-integrated solutions that:

- are based on a thorough understanding of the building in its context and how it performs
- avoid harm to the significance of the building
- minimise the risks of negative or unintended consequences
- ensure a healthy and comfortable internal environment
- increase climate resilience and minimise environmental impact
- are proportionate, effective, and cost efficient

Taking this approach does not mean that building works must be carried out all at the same time. Work can be undertaken in phases to suit budget constraints, tie in with replacing services or fit around other planned building works. Properly considering and coordinating the phases can prevent unnecessary works being undertaken at any stage. Savings from early energy efficiency interventions can fund later improvements.

### **Renewable energy**

Historic England is broadly supportive of renewable energy development. Our advice note [Commercial Renewable Energy Development Historic Environment Advice Note 15](#) provides further advice on Local Plans and renewable energy including site selection and development of policies and maps in plans.

We recommend including a policy for renewable energy projects in the Plan. We make the following comments regarding the policy considerations for renewable energy projects and the historic environment and we would expect the emerging policy to reflect these considerations. However, we note the

tight boundary around the Borough and the built-up nature of much of the area and therefore not all of the technologies listed below will be as relevant.

Policies should include consideration of the impact on the historic environment for all commercial renewable energy technologies, including wind power, solar photovoltaics (PVs), hydropower, biomass and Energy from Waste facilities (EfW).

Para 165b5 of the NPPF advises LPAs to consider identifying suitable areas for renewable and low carbon energy sources in their plans and strategies. Therefore, your plan's evidence base should include studies assessing areas of potential, particularly for the suitability of wind and solar power generation. An appropriate methodology should be used; i.e. all heritage assets in the area should be identified, arbitrary distance measurements should be avoided, and the setting of heritage assets should also be included as a consideration.

Renewable energy policies should include reference to heritage assets and their settings (in conjunction with Local Plan heritage policies) and should seek to ensure that any harm to the significance of a heritage asset is satisfactorily addressed in the planning balance.

The policy, or its supporting text, should not use arbitrary distance measurements for assessments from heritage assets to locations proposed for large-scale renewables. Instead, the policy should ensure that settings are fully assessed, on a case-by-case basis.

Biofuel crops such as short rotation coppice (willow) and Miscanthus can have a substantial below ground impact on buried archaeology, especially waterlogged archaeology. Palaeochannels, peats, kettle holes and other glacial features that preserve waterlogged sediments are often the very areas targeted for growing energy crops. Many of these impacts on the archaeological resource are covered by the Preservation of Archaeological Remains guidance (i.e. such as the impacts of dewatering sensitive waterlogged features):

<https://historicengland.org.uk/images-books/publications/water-features-historic-settings/>

### **Renewable technologies and the historic environment**

We also recommend a specific policy relating to the inclusion of renewable technologies within Conservation Areas and with regard to historic buildings



and the wider historic landscape. A sustainable approach should secure a balance between the benefits that such development delivers and the environmental costs it incurs. The policy should seek to limit and mitigate any such cost to the historic environment

**32. How can the Local Plan help Luton be more resilient and adaptive to flood risk?**

**SuDS**

Historic England recommends the inclusion of a policy on the use of Sustainable Drainage Systems. We recommend that the policy should also state that SuDS need to be designed so that they do not impact on archaeology. Impacts can be caused by draining waterlogged archaeology or introducing surplus water and pollution from surface runoff into archaeological sediments via soakaways. Consideration should be given to the most appropriate course of action to protect buried waterlogged archaeology through the design of SuDS.

**33. How can we improve water quality in Luton's rivers and improve water efficiency in new developments?**

No comment

**34. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

**Protecting and enhancing our natural environment**

**35. How should a new Local Plan approach biodiversity net gain?**

No comment

**36. How can green and blue infrastructure in Luton be improved and enhanced?**

The Plan should include appropriate policies for the protection and enhancement of green and blue infrastructure.

Historic England would highlight that Green and Blue Infrastructure should not only be considered in terms of the natural environment, health and recreation but also the role it can play in conserving and enhancing the historic environment. It can be used to:



- conserve and enhance heritage assets
- improve setting of heritage assets
- improve access to heritage assets
- create a sense of place and tangible link with local history
- create linkages between heritage assets and other green infrastructure

Conservation and enhancement of the natural environment is an important facet of sustainable development. There is an important synergy between the historic and natural environment. Countryside, landscape parks and the open spaces in our cities, towns and villages often have heritage interest, and it would be helpful to highlight this. It is important not to consider 'multi-functional' spaces only in terms of the natural environment, health and recreation.

It may be helpful to make reference in the text to the role GI can have to play in enhancing and conserving the historic environment. It can be used to improve the condition and setting of heritage assets and to improve access to them. Likewise, the historic environment can help contribute to the quality, character and distinctiveness of green spaces by helping to create a sense of place and a tangible link with local history.

Opportunities can be taken to link new GI networks into already existing green spaces in town or existing historic spaces such as churchyards to improve the setting of historic buildings or historic townscape. Maintenance of GI networks and spaces should also be considered so that they continue to serve as high quality places which remain beneficial in the long term.

**37. Are there any local Green Belt or Chilterns National Landscape matters that we need to consider?**

No comment

**38. How can the Local Plan help to conserve and enhance Luton's natural environment?**

No comment

**39. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

## **Community Facilities and Indoor Sport and Recreation**



**40. What community facilities do you feel need to be enhanced, protected, or new provision provided for within your area?**

No comment

**41. Are there any sites that you consider to meet the criteria for Local Green Space designation?**

See response to question 24. Local Green Space can have the dual benefit of helping protect and enhance the setting of heritage assets. This potential synergy should be highlighted in the Plan. However, note all formal sports provision may have a positive impact on heritage – for example – it would not be appropriate to level as site to provide sports pitches where there is sensitive archaeology. Likewise, floodlights, changing room facilities etc may have a negative impact on the setting of heritage assets. Therefore, careful consideration is needed in this regard.

**42. How can the Local Plan help to ensure access to a network of high-quality open spaces?**

No comment

**43. How should the Local Plan approach the potential need for additional burial spaces?**

No comment

**44. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

## The Historic Environment

**45. How can we best conserve and enhance the historic environment in Luton and are there any areas and buildings we should focus on?**

### Options

- i. Should the Local Plan set out a strategic heritage policy that sets out a clear spatial approach (which is locally specific) to development securing protection and identifying opportunities for enhancement and identifying where development would be appropriate?**

Historic England would expect to see the inclusion of a Strategic Policy for the Historic Environment in the Local Plan. Strategic policies are a very

important part of the plan, particularly given the need for Neighbourhood Plans to be in conformity with these policies.

Paragraph 20 of the NPPF makes it clear that Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision, amongst other things, the conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation. Paragraph 21 requires that Plans make explicit which policies are strategic policies. Therefore, we would strongly advise the inclusion of a strategic historic environment policy that addresses these matters.

**ii. Should heritage policy be more integrated with different policies within the plan?**

As well as a separate section on the historic environment, heritage aspects should also feature throughout the Plan.

Paragraph 203 of the NPPF requires Local Plans to set out a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment. Ideally the strategy should offer a strategic overview including overarching heritage policies to deliver the conservation and enhancement of the environment.

A good strategy will offer a positive holistic approach throughout the whole plan whereby the historic environment is considered not just as a stand-alone topic but as an integral part of every aspect of the plan, being interwoven within the entire document. So, policies for housing, retail, and transport for example may need to be tailored to achieve the positive improvements that paragraph 8 of the NPPF demands.

Site allocations may need to refer to the historic environment, identifying opportunities to conserve and enhance the historic environment, avoid harming heritage assets and their settings and may also be able to positively address heritage assets at risk.

The plan may need to include areas identified as being inappropriate for certain types of development due to the impact they would have on the historic environment.

A good strategy will also be spatially specific, unique to the area, describing the local characteristics of the borough and responding accordingly with policies that address the local situation.

We would expect references to the historic environment in the local plan vision, the inclusion of a policy/ies for the historic environment and character of the landscape and built environment, and various other references to the historic environment through the plan relating to the unique characteristics of the area.

**iii. Should the Local Plan set out heritage policies for renewable energy, energy conservation, zero carbon and climate change extremes, adaptation and mitigation?**

See our response to question 31.

**iv. How can the Local Plan seek to conserve and enhance heritage assets (including designated and non-designated assets) and their settings and archaeological sites including encouraging the re-use of historic buildings, and celebrate the diverse population and culture of the town?**

The Plan should include a range of policies for heritage assets. Of course, much will depend on the final arrangements for National Development Management Policies and the LURA and you should be mindful of the proposals.

However, we set out our current general recommendations in relation to policies for the historic environment. We also recommend that the evidence base should be updated. We set out below our recommendations in relation to a sound and robust evidence base too.

The Plan should include policies for both designated (Listed Buildings, Conservation Areas, Registered Parks and Gardens, Scheduled Monuments) and non-designated heritage assets. These policies need to be consistent with national policy and legislation and attach the appropriate tests dependent on the level of harm and asset type, although not repeat the NPPF verbatim.

Whilst policy wording should be in line with the NPPF, we are also looking for a local flavour. Policies should be locally specific wherever possible. Policies should be spatially specific, unique to the area, describing the

local characteristics of the area and responding accordingly with policies that address the local situation.

More detail is given in relation to each asset type below.

**a. Listed Buildings**

Listed buildings include a variety of structures reflecting the areas architectural, industrial and cultural heritage. We will look for policies that carefully consider the preservation and preferably enhancement of these assets and crucially, of their setting.

In some instances, a full consideration of setting may require close co-operation with adjoining districts where landscape setting may fall within the boundary of these neighbouring authorities. Where relevant, we will seek evidence of this cross-boundary co-operation in the evidence base.

We also encourage a policy that addresses the potential listing over the plan period of as yet unidentified heritage assets that further demonstrate the development and activity of the district and its inhabitants.

**b. Conservation Areas**

We encourage that the local plan process provides a basis for the continued update and management of Conservation Area Appraisals and Management Plans, identifying each conservation area's local identity and distinctiveness. These should identify features that typify and contribute to this special distinctiveness as well as allow for less tangible judgments of character, quality of place and special distinctiveness.

As far as we can tell, there are no up-to-date Conservation Area Appraisals or Management Plans for the Luton Conservation Areas. We recommend a programme to prepare/update the Conservation Area Appraisals and Conservation Area Management Plans. It would be helpful for the plan to include a commitment to begin a programme of preparation/updates of Conservation Area Appraisals and Management Plans.

Historic England's Advice Note 1 provides advice in relation to Conservation Area Designation, Appraisal and Management.

The plan will be more robust where it directs future development to take account of the special and distinctive character of Conservation Areas, emphasising that this is a cumulative result of built form, materials, spaces

and street patterns, uses and relationships to surrounding features such as the surviving historic buildings and street patterns.

We would also welcome provision for any future designation of conservation areas as well as specific provision for the landscape setting of different parts of the area.

**c. Registered Parks and Gardens**

It may be appropriate to specifically identify Registered Parks and Gardens as protected by any such policy. The policy should anticipate and protect any future designations.

**d. Scheduled Monuments**

The Plan should include a policy for scheduled monuments as well as other non-designated archaeology (see below).

**e. Other Archaeology**

We recommend specific provision for the protection and enhancement of archaeology as well as emphasis that sites of archaeological importance can occur everywhere. We encourage clear guidance on expectations for archaeological recording and the submission of records with an appropriate public record (e.g.: Historic Environment Records) for archaeological remains that are not to be retained in situ.

Where suggested sites are located in areas of known archaeological potential, weight should be given to this as a consideration in site selection and the comparison with alternate locations. We encourage close liaison with your archaeological adviser Archaeologist at site allocation stage.

Policies should make provision for non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets (footnote 75 of the NPPF).

**f. Non designated heritage assets**

Robust provision for non-designated heritage assets will increase the soundness of your forthcoming plan. The plan should also include a policy framework for applications which affect non-designated heritage assets.

We would recommend that as a minimum a local authority has established criteria for identifying non-designated heritage assets, and ideally has a local list of assets linked to planning policies in their Local Plan.

We welcome your Local List of Buildings of Architectural or historic interest.

In national policy terms, ‘non-designated heritage assets’ (including those on a local list) are recognised as having a degree of significance meriting consideration in planning decisions. Paragraph 216 of the National Planning Policy Framework states that decisions on applications affecting such assets will require a balanced judgment that has regard to the significance of the asset and any harm or loss: Any local plan policy for locally important heritage assets will need to be in line with the policy set out in the NPPF at paragraph 216. Further advice in relation to Local Lists can be found in our advice note on Local Lists [HE Advice Note 7 – Local Heritage Listing](#)

#### **g. Heritage at Risk**

There are currently 3 entries on the national Heritage at Risk Register in Luton (3 conservation areas). The National Heritage at Risk Register can be found and searched here by local authority:

[www.historicengland.org.uk/advice/heritage-at-risk](http://www.historicengland.org.uk/advice/heritage-at-risk)

We also recommend the creation and management of a local Heritage at Risk register for Grade II listed buildings. Historic England has published guidance pertaining to Local Listing which you may find helpful: [HE Advice Note 7 – Local Heritage Listing](#)

We recommend including a policy in your Local Plan to address Heritage at Risk. This can include positive local solutions for addressing all heritage at risk, whether nationally or locally identified.

#### **v. How should the Local Plan build on the work of heritage strategies and projects in Luton?**

Historic England welcomes the work that Luton has been undertaking in relation to heritage. The Heritage Strategy ‘Curating Luton’, adopted in 2021, signals Luton’s commitment to heritage and recognition of the role that heritage can have in place making.

Historic England is keen to continue to work closely with Luton on heritage related matters including heritage regeneration projects.

The Local Plan should provide a robust policy framework for heritage.



In addition to more general heritage policies, the Plan should include policies to specifically tackle heritage at risk and seek opportunities for site specific heritage led regeneration. Our [Heritage Led Regeneration Toolkit and case studies](#) provides helpful advice in this regard.

**vi. How can we allow for appropriate, residential, retail use and other commercial development to take place including in our town centre whilst conserving the historic environment? (for example in relation to shop fronts)**

Site allocations should include be selected and informed by heritage impact assessments where appropriate.

Any heritage mitigation/enhancement measures required should be written into policy criteria.

**Historic Shop Fronts**

High streets and retail in general are under considerable pressure at the present time. The Local Plan should seek opportunities to support High Streets and enhance the historic environment of these areas. The retention of original/historic or significant shop fronts elements is often integral to the character of these buildings and that of the wider street scene.

The Local Plan should highlight the importance of retaining or restoring historic shop front features. This is both in terms of the positive contribution historic shop fronts make to the character of an area, but also the economic benefit of providing traditional and bespoke shopping units to shop owners.

A good example of how historic shop fronts can positively contribute to an area both aesthetically and economically is where Derby City Council teamed up with English Heritage (now Historic England) to help restore an area of Victorian and Edwardian shops, the Strand. The restoration of a number of shops within the area has meant that a previously underused section of the city provides bespoke shopping, now sees a much larger footfall and is considered to be a national success. The council have also seen a ripple effect of surrounding properties being restored.



Similarly, more recent [High Street Heritage Action Zones](#) throughout the country have seen similar benefits. Further advice in relation to Historic Town Centres and High Streets is provided [here](#).

**vii. How can we ensure that proposals for development in a Conservation Area or affecting the setting of a Conservation Area conserve or enhance its special interest, character, appearance and setting?**

See response above. It is also important to have a policy framework in place within the Local Plan as well as up-to-date Conservation Area Appraisals and Management Plans to help shape development within Conservation Areas.

**viii. What factors should we consider informing policies for additions or alterations to, or change of use of, a Listed Building or for development within the curtilage of, or affecting the setting of, a Listed Building?**

Policies should be consistent with NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Further advice in relation to policy wording for site allocations and asset types is provided on page 28 of this response.

**ix. What information should developers be required to consider and submit with any planning applications including to assess impacts?**

The requirements will vary depending on the nature and scale of the proposal and also the heritage interest on site or nearby.

Depending on the nature of the application and the heritage sensitivity of the site and surroundings, the application may need to be accompanied by some of the following:

- Design and Access Statement
- Heritage Statement (including Statement of Significance)
- Heritage Impact Assessment
- Archaeological Assessment (desk based or in some cases field evaluation assessment))
- Landscape and Visual Impact Assessment
- Visualisations



- Structural survey (carried out by a conservation accredited surveyor/engineer) where it is claimed that extensive demolition, dismantling, rebuilding is necessary
- Appropriate marketing information to support a proposed development, for example, where enabling development is being proposed

Early pre-app engagement with Historic England and/or heritage experts at the local authority is encouraged.

We recommend that you may find it helpful to review Local Validation checklists for other authorities.

**46. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

**Placemaking and design**

**47. How can we improve the public realm and the design of buildings in Luton and where should this be focussed?**

**Public Realm**

For public realm improvements we would refer you to the [Streets for All](#) publications. These documents provide updated practical advice for anyone involved in planning and implementing highways and other public realm works in sensitive historic locations. It sets out means to improve public spaces without harming their valued character, including specific recommendations for works to surfaces, street furniture, new equipment, traffic management infrastructure and environmental improvements.

We would also refer you to our regionally specific advice in [Streets for All East of England](#). The advice draws on the experience of Historic England's planning teams in the development of highways and public realm schemes. Case studies show where highways works and other public realm schemes have successfully integrated with and enhanced areas of historic or architectural sensitivity.

**Design Issues:** We highlight chapter 12 of the NPPF, the publication Building Better Building Beautiful Commission report, the National Model Design Guide and National Model Design Code which may help shape your policy in

this area. Further advice, specifically in relation to design and the historic environment, may be found [here](#) on our website.

The Local Plan will need to give consideration to the historic environment within the design policies of the local plan which should seek to draw on opportunities offered by the historic environment and reflect local character and distinctiveness. This should not stymie contemporary development but should require an appreciation of the significance and character of the historic environment in producing a high standard of design.

Contextual, character driven planning is really key to the success of new developments. We consider that the staged approach to understanding character, from the very high-level landscape and geological characteristics down to local architectural details and materials, is a helpful and logical approach, and will help applicants understand the qualities and local characteristics of the area of their development sites.

In general, the place specific analysis provides a good introduction to the character of each place, but this should of course be supplemented by more detailed analysis in the Design and Access Statement for any development, using evidence such as Conservation Area Character Appraisals where they are available. Where they are not available, we consider that their production and adoption should be a priority to provide a more robust evidence base for this document and for design development in the town centre more generally.

#### **48. Do you think that we should encourage tall buildings in Luton and where should these be located?**

Historic England recognises the need for gentle densification in our towns and cities to make best use of available land. However, where there are opportunities for densification, this must be managed carefully in a way that seeks to conserve and enhance the historic environment. We refer you to our publication, '**Increasing residential density in historic environments**' which can be found [here](#). This study explores the factors that can contribute to successfully delivering developments which increase residential density in historic environments. It uses a combination of literature review and case studies to provide a series of recommendations to support decision making.

That said, we do not agree that tall buildings should be specifically encouraged.



However, given the growth pressures that will be experienced by Luton over the coming years, you may consider addressing the matter of Tall buildings and the skyline in a DM policy. See our advice note 4 on [Tall Buildings](#) which provides further advice in relation to tall buildings and local plan policy.

Any policy should indicate what considerations are needed for taller buildings, where buildings may or may not be appropriate etc. and in particular consider the impact on the historic environment.

If you are proposing the development of a tall buildings policy in the plan, then we recommend that you commission a tall buildings study to inform the policy. We would be happy to advise further regarding the detail of such a study.

This might be a separate policy or form part of the general design policies.

**49. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

**Connectivity and transport**

**50. How do you think we can improve bus services and provide for sustainable modes of transport?**

No comment

**51. How do you think we can encourage more walking and cycling in Luton?**

No comment

**52. Do you have any views about parking in Luton?**

No comment

**53. What transport infrastructure should be provided or improved and where?**

We continue to have some concerns about the safeguarding of land for the East Luton Circular Road. This is due to the level of potential harm to designated heritage assets, particularly to the scheduled monument at Stopsley Common, and the lack of clear and convincing justification for such harm.

**54. Are there any Issues or Options you think we have not considered in this Chapter?**

No comment

### **Sustainable infrastructure and funding**

**55. What infrastructure is required in Luton and how should this be provided for?**

**56. Are there any Issues or Options you think we have not considered in this Chapter?**

### **Development Management Policies**

**57. Do you have any views about our existing policies and what local development management policies we need?**

See earlier responses in relation to heritage policies

### **Appendix 2 Evidence for the Local Plan**

**58. Is there any other evidence or information we should be collecting to inform the Local Plan? Do you have any suggestions on the scope of the evidence outlined and what it should include?**

#### **A plan based on sound and robust, up to date, proportionate evidence**

We also recommend that the historic environment evidence base should also be updated. Any evidence base should be proportionate. However, with a local plan we would expect to see a comprehensive and robust evidence base for the historic environment.

Sources include:

- **National Heritage List for England.** [www.historicengland.org.uk/the-list/](http://www.historicengland.org.uk/the-list/)
- **Heritage Gateway.** [www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)
- **Historic Environment Record.**
- **National and local heritage at risk registers.** [www.historicengland.org.uk/advice/heritage-at-risk](http://www.historicengland.org.uk/advice/heritage-at-risk)
- **Non-designated or locally listed heritage assets** (buildings, monuments, parks and gardens, areas)
- **Conservation area appraisals and management plans**
- **Historic characterisation assessments** e.g. the **Extensive Urban Surveys and Historic Landscape Characterisation** Programme or more local documents. [www.archaeologydataservice.ac.uk/archives/view/EUS/](http://www.archaeologydataservice.ac.uk/archives/view/EUS/)
- **Environmental capacity studies for historic towns and cities or for historic areas** e.g. the Craven Conservation Areas Assessment Project. [www.cravenc.gov.uk/CHttpHandler.ashx?id=11207&p=0](http://www.cravenc.gov.uk/CHttpHandler.ashx?id=11207&p=0)



- **Detailed historic characterisation work assessing impact of specific proposals.**
- **Heritage Impact Assessments** for site allocations looking into significance and setting – see further advice on Heritage Impact Assessments below
- **Visual impact assessments**
- **Archaeological assessment**
- **Landscape Character Assessment**
- **Tall Buildings and Skyline study**

**Topic papers** - We advocate the preparation of a Historic Environment topic paper in which you can catalogue the evidence you have gathered and to show how that has translated into the policy choices you have made. Do this from the start, as a working document, that you add to throughout the plan preparation process, not just before EiP. This should form part of the evidence base for your Plan.

### **Site Assessment Process**

#### **Site Allocations and the historic environment**

Whilst Historic England does not advocate particular sites, we can provide advice on how to take account of the historic environment as you evaluate submissions and sites brought forward from elsewhere.

#### **Site Allocations**

Historic England advocates a wide definition of the historic environment which includes not only those areas and buildings with statutory designated protection but also those which are locally valued and important, as well as the landscape and townscape components of the historic environment.

The importance and extent of below ground archaeology is often unknown, although information in the Historic Environment Record (HER) will indicate areas of known interest, or high potential where further assessment is required before decisions or allocations are made. Conservation and archaeology staff from your Council should be consulted on matters relating to archaeology, landscape/townscape and the historic environment generally.

#### **Assessing sites – Heritage Impact Assessment**

In order to help refine which growth allocations to take forward, we would suggest that a Heritage Impact Assessment is undertaken of each of these sites. We would refer you to our Advice Note 3 '[The Historic Environment and Site Allocations in Local Plans](#)'.

All potential sites will need to be appraised against potential historic environment impacts. It is imperative to have this robust evidence base in place to ensure the soundness of the Plan. We recommend that the appraisal approach should avoid merely limiting assessment of impact on a heritage asset to its distance from, or intervisibility with, a potential site.

Site allocations which include a heritage asset (for example a site within a Conservation Area) may offer opportunities for enhancement and tackling heritage at risk, while conversely, an allocation at a considerable distance away from a heritage asset may cause harm to its significance, rendering the site unsuitable. Cumulative effects of site options on the historic environment should be considered too.

Our advice note 3 on [site allocations in local plans](#) sets out a suggested approach to assessing sites and their impact on heritage assets (also known as **Heritage Impact Assessment**). The methodology on page 5 sets out a 5-step approach, including understanding what contribution a site, in its current form, makes to the significance of the heritage asset/s, and identifying what impact the allocation might have on significance. This could be applied to the assessment and selecting of sites within a plan.

In essence, it is important that you:

- a) Identify any heritage assets that may be affected by the potential site allocation.
- b) Understand what contribution the site makes to the significance of the asset
- c) Identify what impact the allocation might have on that significance
- d) Consider maximising enhancements and avoiding harm
- e) Determine whether the proposed allocation is appropriate in light of the NPPFs tests of soundness

The HIAs should assess the suitability of each area for development and the impact on the historic environment. Should the HIA conclude that development in the area could be acceptable and the site be allocated, the findings of the HIA should inform the Local Plan policy including development criteria and a strategy diagram which expresses the development criteria in diagrammatic form. HIAs should be proportionate.

In assessing sites, it is important to identify those sites which are inappropriate for development and also to assess the potential capacity of the site in the light of any historic environment (and other) factors. This should be

more than a distance-based criteria, but rather a more holistic process which seeks to understand their significance and value including setting. Whilst a useful starting point, a focus on distance or visibility alone as a gauge is not appropriate.

### **Which sites require HIA?**

Ideally all sites should have an HIA, albeit proportionate to the site and heritage sensitivities.

For existing allocations being carried forward into this Local Plan, the HIA is less about the principle of development (that has already been established through previous plan allocation) and more about exploring capacity, height, density and any heritage mitigation and enhancement opportunities so that these can then be included in the updated policy wording.

For new allocations, the HIA will be a more holistic view and consider both the principle of development as well as the other matters identified above.

### **Historic Environment Policy Wording for site allocations**

If a site is allocated, we would expect to see reference in the policy and supporting text to the need to conserve and seek opportunities to enhance the on-site or nearby heritage assets and their setting, the need for high quality design and any other factors relevant to the historic environment and the site in question. Site allocations which include a heritage asset (for example a site within a Conservation Area) may offer opportunities for enhancement and tackling heritage at risk.

Paragraph 16 of the National Planning Framework requires Local Plans to 'contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals'. Planning Practice Guidance states, 'Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development' (PPG Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019). Protection and enhancement of the historic environment is part of the environment objective of the planning system (Paragraph 8 of the NPPF) and Local Plans should set out a positive strategy in this respect (Paragraph 203).

To that end we make the following suggestions for consideration when drafting site allocation policies.



- a) The policy and supporting text should refer to the designated assets **and** their settings both on site and nearby. By using the word 'including' this avoids the risk of missing any assets off the list.
- b) The policy should use the appropriate wording from the list below depending on the type of asset e.g. conservation area or listed building or combination of heritage assets
- c) The policy and supporting text should refer to specific appropriate mitigation measures e.g. landscaping or careful design or maintaining key views or buffer/set back/breathing space etc.
- d) The NPPF is very clear on the importance of setting of all assets – further advice about settings is given in our advice note and also in the PPG. However, settings are not protected in and of themselves. It is the harm to significance that may be caused by development within the setting of an asset which is key. Try to work this into the policy or at least supporting text.
- e) The NPPF uses the words '**conserve and enhance**' and '**sustain and enhance**'.
- f) PPG explains in more detail what is meant by conservation and enhancement of the historic environment. Here the wording is '**conserved and where appropriate enhanced**'.
- g) The NPPF is newer than the legislation.
- h) Local Plans need to be consistent with the policies in the Framework
- i) It can be helpful to refer to an HIA in the policy wording.
- j) Concept diagrams can also be useful to include in the plan to illustrate key site considerations/recommendations.

Where a site has the potential to affect a heritage asset, we would expect to see the following typical wording within the policy:

**combination of heritage assets** - 'Development should conserve/sustain or where appropriate enhance the significance of heritage assets (noting that significance may be harmed by development within the setting of an asset).'

This is based on the wording in the NPPF and Planning Practice Guidance Paragraph: 002 Reference ID: 18a-002-20190723 Revision date: 23 07 2019

**listed building** 'Development should preserve the significance of the listed building (noting that significance may be harmed by development within the setting of an asset).'

This is based on the wording in Part 1, Chapter 1, paragraph 1 (3) (b) of the Planning (Listed Buildings and Conservation Areas) Act 1990.



**conservation area** 'Development should preserve, or where opportunities arise, enhance the character or appearance of the Conservation Area and its setting'.

This is based on the wording in Part 2, paragraph 69 (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 206 of the NPPF.

Note that if you refer to character ...appearance, use the word '**or**' not 'and'

**registered park and garden** - 'Development should conserve or enhance the significance of the registered park and garden assets (noting that significance may be harmed by development within the setting of an asset).'

**scheduled monument** 'Development should conserve or enhance the significance of the scheduled monument (noting that significance may be harmed by development within the setting of an asset).'

Or instead of the words in brackets you could add the following sentence

'This includes any contribution made to its significance by its setting.'

### **Closing Comments**

In preparation of the forthcoming Local Plan we encourage you to draw on the knowledge of local conservation officers, the local authority archaeologist and local heritage groups.

Please note that absence of a comment on a question or document in this letter does not mean that Historic England is content that the proposal or document forms part of a positive strategy for the conservation and enjoyment of the historic environment or is devoid of historic environment issues.

Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment. We hope that the above comments of assistance.

As discussed at our recent DtC meeting, we would be happy to discuss Heritage Impact Assessments with you once you have had chance to review our comments. We look forward to hearing from you.



Historic England

We hope that the above comments are of assistance. If you would like any clarification or would like to discuss the above please do not hesitate to contact me.

Yours sincerely

Debbie Mack  
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