

# Response Form

## Sustainability Appraisal / Strategic Environmental Assessment scoping report

### **What is the purpose of this consultation?**

We are producing a new Local Plan for Luton. As part of that process, we have commissioned a Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) Scoping Report. We are seeking your views on this document. This is part of a wider Issues and Options consultation for the new Local Plan which can be viewed at <https://www.luton.gov.uk/newlocalplan>

### **What is the SA / SEA Scoping Report?**

The role of the SA / SEA is to promote sustainable development by assessing the likely social, economic and environmental effects of a local plan and consider those effects against reasonable alternatives. The Scoping Report provides context for, and determines the scope of, the SA for the new Local Plan and sets out the framework for understanding the later stages of the SA.

The scoping stage of the SA involves:

- Reviewing other plans, policies and programmes
- Considering the current state of the environment, as well as social and economic factors in the plan area (the borough of Luton)
- Identifying any key environmental, social and economic issues which may be affected by the new local plan
- Setting out the “SA framework”, which comprises specific sustainability objectives against which the likely significant effects of the Local Plan can be assessed.

### **How can I comment on the SA / SEA Scoping Report?**

The consultation is open from 12 December 2024 to 7 February 2025 at 5pm.

To complete an electronic version of this response form, please visit our planning policy consultation portal at <https://luton.objective.co.uk/kse/>. This is our preferred method of receiving comments.

Alternatively, if you cannot use the Objective portal, you can download and provide a completed scanned response form which should be emailed to [localplan@luton.gov.uk](mailto:localplan@luton.gov.uk). Or send your printed hard copy response in an envelope to:

**Freepost Luton Borough Council**  
**Planning Consultation**

You can also drop the form off at the Council Offices at the town hall marked for the attention of the Planning Policy Team, 2nd Floor, Luton Town Hall, George Street, Luton, LU1 2BQ.

Please email us at the address above, or leave a message for us on 01582 548528, if you would like to ask for a paper copy of this response form to be sent to you.

Before sending your response, it is important that you review and agree to the Privacy Notice (shown at the end of this document) by answering “yes” to the mandatory question in the “Your Details” form (otherwise we cannot process your responses or legally hold your name and address on our database). You must ensure that the “Your Details” form is completed along with the rest of the response form so we know who is responding and that you have reviewed and agreed to the Privacy Notice.

You can also, optionally, choose to be kept updated as work on the new Local Plan for Luton progresses by being added to our consultation database.

### **How we will use your information**

Your information will be processed and handled in accordance with the council's [Privacy Notice](#) and Planning Service specific [Privacy Notice](#).

All comments submitted, via the online portal or otherwise, will be publicly available.

Information provided, including the names / organisation of those making submissions, will also be made publicly available. Submissions cannot be made and will not be accepted anonymously. Personal information such as addresses, phone numbers and email addresses will not be made publicly available in accordance with the Privacy Notice (see below). You are expected to review and agree to the Privacy Notice in order to submit a response.

# Response Form - SA / SEA Scoping Report

## Your Details

Your Name (Required)	Matt Thomson
Your Organisation (Optional)	Chilterns Conservation Board
Your Address (Required)	<p>██████████</p> <p>██████████████████</p> <p>██████████</p> <p>██████████████████</p>
Your Phone Number (Optional)	██████████
Your Email Address (Required)	██████████████████████████████
Would you like to be added to our planning policy database, to be notified of future consultations? (Required)	Yes / No
Please review our <b>Privacy Notice</b> and confirm that you agree to it in order for us to process and publish your responses and hold your contact details privately which won't be published (Required).	Yes / No

**We are aiming to receive responses from a wide range of people, and would be grateful if you would provide the following information – all questions are optional (and answers will be held in strict confidence):**

	Please tick if prefer not to say?
Age:	██████████████████████████████
Date of birth:	██████████████████████████████
What is your gender?:	██████████████████████████████
Is the gender you identify with the same as your gender registered at birth?	██████████████████████████████
What is your ethnicity?:	██████████████████████████████

Do you consider you have a disability (please specify)?:	[REDACTED]
What is your sexual orientation?:	[REDACTED]
	Please tick if prefer not to say?
What is your religion or belief?:	[REDACTED]
Are you currently pregnant or on maternity or parental leave?:	[REDACTED]
Are you married or in a civil partnership?:	[REDACTED]

**Questions**

1. Considering the role of the Luton Local Plan to help meet and manage Luton’s needs, is the scope of the SA / SEA appropriate as set out? (Optional)

The CCB is pleased to see the references to the Chilterns National Landscape (AONB) throughout the SEA. Please note and consider the following:

1. We recognise and support SA Objective 3, but would prefer this to be worded as “Maintain and enhance the character and quality of the landscape including the natural beauty of the Chilterns National Landscape” (see also p.111).
2. The “appraisal question” here might better (i.e. more clearly/explicitly) be worded as “Will it help to further the purpose of conserving and enhancing the natural beauty of the Chilterns National Landscape?” This more specific wording may be of benefit to the SEA in demonstrating how the Councils local plan fulfils the strengthened duty under s.85 of the CROW Act 2000 (as amended by the LUR Act 2023) – which we note is referred to positively in the final bulleted para on p.108 (see also point 6 below).
3. Para 3.100: We would recommend describing the Chilterns Beechwoods SAC as “a collection of sites dispersed across” Beds, Herts, Berks, Bucks and Oxon. We also wonder whether reference should be made specifically to the part of the Chilterns Beechwoods at Ashridge, around which a 12.6km zone of influence has been defined, which we understand affects some land within Luton Borough (if this point is incorrect, this may be disregarded).
4. Para 3.122: We note that reference 116 is to the Chilterns AONB Management Plan 2019-2024, which was extended to 2025 by the Secretary of State for Defra. The Management Plan is currently under review, and a new Plan covering the period 2025-2030 is anticipated to be approved in March 2025. This will include updated information (no radical changes are expected) which may require updates to the SEA document and/or the local plan itself.
5. We also consider that the same para might benefit from a reference to the ongoing Chilterns AONB boundary review, which could lead to additional areas being designated as AONB/National Landscape during the local plan period – more information about the proposed new areas for designation is anticipated to be published (for statutory consultation) during Spring/Summer 2025.
6. We acknowledge and support the reference to the enhanced duty under s.85 of the CROW Act 2000 (as “the new requirement”) made in the final bulleted para on p.108. The CCB is keen to work constructively with the Council on meeting this new duty.

2. Are there any additional plans, policies or programmes that are relevant to the SA/ SEA that should be included? (Optional)

Yes.

We noted above the forthcoming approval of an updated Chilterns AONB Management Plan, which will cover the period 2025-2030 – we also gratefully acknowledge the contribution made to that Plan in terms of constructive comments made on the recent consultation by Luton Borough Council’s local plan team.

We also noted above the Chilterns AONB boundary review programme, being undertaken by Natural England, on which a statutory consultation is anticipated during 2025.

We would also draw the Council’s attention to:

1. A ‘Nature Recovery Plan’ for the Chilterns National Landscape, which is currently in preparation. This non-statutory plan is intended to supplement the Management Plan and support the co-ordination of nature recovery activities in individual authorities’ LNRs across administrative boundaries within the Chilterns National Landscape.
2. A requirement for protected landscapes in England to produce a ‘Climate Adaptation Management Plan’ by the Summer of 2027 (which may be incorporated into the AONB Management Plan).
3. The government’s Protected Landscapes Targets and Outcomes Framework (PLTOF), which is the set of 10 key targets that PLs’ performance is going to be assessed against in future. More details of the implications of the PLTOFs for the Chilterns National Landscape will be set out in the revised Management Plan and the Nature Recovery Plan (see above).

3. Is the baseline information provided robust and comprehensive? (Optional)

We have no further comments on this matter at this point.

4. Does the baseline information provide a suitable baseline for the SA / SEA of the new Local Plan? (Optional)

We have no further comments on this matter at this point.

5. Are there any additional key sustainability issues relevant to the new Local Plan that should be included? (Optional)

We have no further comments on this matter at this point.

6. Is the SA/ SEA framework (in Chapter 5) appropriate? (Optional)

We have no further comments on this matter at this point.

7. Does the SA/ SEA framework (in Chapter 5) include a suitable set of SA objectives for assessing the effects of the options for the new Local Plan as well as reasonable alternatives? (Optional)

We have no further comments on this matter at this point.

8. Is there anything that you think we have missed from the scoping report? (Optional)

We have no further comments on this matter at this point.

9. Do you have any specific comments to make in relation to the contents of the SA / SEA scoping report? (Optional)

We have no further comments on this matter at this point.

10. If you have commented above (question 9), please state what paragraph, table or figure your comments relate to (Optional)

n/a

## PRIVACY NOTICE

We are committed to protecting your privacy when you use our services. This privacy notice explains how we use your information you and how we protect your privacy.

A planning service specific privacy notice is also included below and explains what we do with your data within the planning service, where it is different to the main policy below. We'll also provide information about who we may share your information with and why.

If you have any concerns or questions about how we look after your personal information, please contact us at [dataprotection@luton.gov.uk](mailto:dataprotection@luton.gov.uk).

**\*Please note:** the above email address is for data protection queries and subject access requests only.

### Data controller

Luton Council  
Luton Council, Town Hall, George Street, Luton, LU1 2BQ

### Data protection officer

Donna McLeod  
Luton Council, Town Hall, George Street, Luton, LU1 2BQ

## Planning Service Privacy Notice

We're committed to protecting your privacy when you use our services. We have a data protection officer who makes sure we respect your rights and follow the law.

If you have any concerns or questions about how we look after your personal information, please contact us at [dataprotection@luton.gov.uk](mailto:dataprotection@luton.gov.uk).

As the planning department for Luton Council, we deal with:

- planning policy
- planning applications (including minerals and waste, listed buildings, trees and high hedges)
- planning enforcement and appeals

## Personal data

Personal data we will hold, include:

- name
- address
- email address
- telephone number
- land ownership/ interest details
- signatures

- special category data (such as health conditions, disabilities, bank statements, tenancy agreements etc.)

We receive application information either directly from the application or via a planning agent on their behalf. Information is provided to us via:

- the Planning Portal
- email
- paper copy
- online form
- direct secure access to our document management system
- consultation portal

We also receive comments, representations, allegations, requests and questions via our online planning register planning consultation portal, email, letter and online forms and payments via the planning portal online payment portal, our own online payment portal, via BACS and cheques. The planning service will also be using a drone to improve our information gathering in the Borough to aid our Planning Enforcement investigations, our assessment of planning applications, our monitoring of developments, existing uses and the survey of sites for the potential for site designation for planning policy purposes. The planning department your personal data to:

- make decisions and provide advice on planning applications
- make planning policies
- work with neighbouring authorities on strategic policies
- respond to allegations of unlawful development
- monitor development
- enter legal agreements, serve notices and promote the best use of land

## **Lawful basis**

### **Personal data**

Article 6 (c) - processing is necessary for the compliance with a legal obligation to which the controller is subject

Article 6(e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

### **Special category data**

Article 9(g) – reasons of substantial public interest (with a basis in law). Condition met under paragraph 6 of Schedule 1 of Data Protection Act 2018 – “statutory etc. and government purposes”.

### **Supporting information**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires that public consultation be carried out as part of the decision-making process for planning applications.

The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the procedure for the adoption of a local plan, which too requires various stages of consultation.

To allow us to make decisions, we must be provided with relevant personal data. In a small number of circumstances individuals will provide us with “special category data” in support of their application (e.g. evidence of medical history). Processing of personal data is necessary to allow us to evaluate the impact of any development or policies in the Local Plan when undertaking its planning functions. For example, the address of a representor’s property may be relevant in this context. We are unable to consider the harm or otherwise from a scheme to the representor's property or amenities where the representation is anonymised and the location of the property is not disclosed.

We are obliged under the regulations to make some information available on our planning register. This is a permanent record of our planning decisions that form part of the planning history of a site, along with other facts that form part of the “land search”.

Your contact details and comment are recorded on our secure planning system. If you have requested to be entirely anonymised, only your comment will be recorded. If you have submitted an anonymous comment, we will not be able to inform you of any committee and/or appeal details.

Information on Planning Enforcement cases will be reviewed case by case to see what can be disclosed to the public. Any data or information that may be used in future formal litigation will be retained and not disclosed under legal privilege.

Any personal and private information obtained by drone use will only be used internally and not shared publicly or externally unless consented by the individual.

Please see the [Planning Advisory Service’s Planning and GDPR guide](#) for more information.

### **Who we share your information with:**

- other teams and services within Luton Council where law permits, or it is necessary to do so
- the Planning Inspectorate
- planning committees
- external consultees (e.g. fire service, water companies, the police, the environment agency, natural England, historic England, active travel England etc.)

### **Why we share your information**

We are obliged to consult within the council, with external agencies and with residents depending on the nature of your application.

We will make details of planning applications available online so that people can contribute their comments, this will include the applicant/agent’s name and address.

We apply redactions to personal contact details e.g. telephone numbers, email addresses and signatures from public view. However, we will continue to hold the unredacted version on our planning system and this can be viewed by planning staff when necessary.

**Please note:** agent’s details are not normally classed as personal data.

We also redact special category data e.g. supporting statements that include information concerning your health and any information deemed confidential e.g. bank statements, tenancy agreements etc.

We will sometimes need to share the information we have with other teams within the council, to receive comments related to the decision-making process.

If you are submitting supporting information which you would like to be treated confidentially or wish to be specifically withheld from the public register, please label this appropriately. You can do this by contacting [developmentcontrol@luton.gov.uk](mailto:developmentcontrol@luton.gov.uk).

## **Planning Enforcement**

We will keep completely confidential any details received about a planning enforcement complaint, including the details of the person making the complaint.

Further details regarding this is provided in the Council's adopted  [Planning Enforcement Charter](#).

We will update the complainant on process with an enforcement complaint (as per the Planning Enforcement Charter).

## **Any automated decision making or profiling**

None

## **Transfer of data to another country**

No information within planning is transferred to another country. None of the systems we use are hosted abroad.

The majority of personal information is stored on systems in the UK. But there are some occasions where your information may leave the UK either in order to get to another organisation or if it's stored in a system outside of the EU.

We have additional protections on your information if it leaves the UK ranging from secure ways of transferring data to ensuring we have a robust contract in place with any third party who may transfer it out of the EU.

If we need to send your information to an 'unsafe' location we'll always seek advice from the Information Commissioner first.

## **Retention ('how long we keep your information for')**

The data will be kept in accordance with our retention schedule. We only keep information for as long as it is needed. This will be based on either a legal requirement (where a law says we have to keep information for a specific period of time) or accepted business practice.

## **Exercising your rights**

You have the right to ask us to amend or delete your data as well transfer or limit its use.

Each request will be considered individually. Where we are required to keep your data by law, we may be unable to action your request. In all circumstances we will explain our decision making in writing to you.

Please see our main privacy statement using the green button below if you want more information on how:

- we keep your data safe
- to request a change to the records we hold
- to make a complaint