creating a better place
for people and wildlife

Environment Agency

Chris Thom
Luton Borough Council
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Luton
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Date: 14 February 2025

Dear Chris,

RE: Luton Local Plan – Issues and Options

Thank you for consulting us on the Luton Local Plan, Issues and Options consultation. We are always extremely pleased to be invited to comment and collaborate on the early stages of the development of Local Plans.

As part of the consultation, we have reviewed the following documents:

- **Community Involvement Paper** – Issues and Options, Regulation 18, for Luton Local Plan Review, dated December 2024.
- **Duty to Cooperate** and Consultation Background Paper, for Luton Local Plan Review, dated December 2024
- **Sustainability Appraisal** and Strategic Assessment Scoping Report, for Luton Local Plan Review, prepared by LUC, Final Report, dated July 2024.

Overall, we were pleased to see a good initial investigation into the Issues and Options that should be considered within the new Local Plan. Our internal technical teams have reviewed the documents that were included in the consultation. We have highlighted general comments below and have provided two appendices with suggestions for ease of reference.

Biodiversity

Biodiversity Net Gain (BNG)

Local Plan requirements
We encourage Luton Borough Council to engage with other local authorities who have adopted requirements higher than 10% for BNG. We would support the aspiration of going above 10% where this is justified based on evidence, and it has been viability tested.

An example of recent ambitious local plan targets is Guildford's Local Plan with a requirement of 20% - this was supported by Surrey Nature Partnership's recommendation for 20% BNG and viability tested. More information available here: Guildford Borough Council's submitted documents webpage.

In the case of Luton's local plan, a good starting point for exploring evidence could be the Bedfordshire Local Nature Partnership and the Local Nature Recovery Strategy (LNRS).

Off-site BNG Mechanism
Generally, we would like to see off site river and wetland restoration carried out within the same WFD waterbody as the development in question, so far as is practicable. The Statutory Biodiversity Metric User Guide does state that created and enhanced habitats should be, where practical and reasonable, **local to any impact and deliver strategically important outcomes for nature conservation**. Regardless of whether the River Lee valley does become adopted as an opportunity area for biodiversity within the LNRS, the WFD objectives and identified actions to improve the River Lee corridor do remain.

While we are likely to support setting up a habitat bank within Luton (where justified by evidence), it is beyond our remit to suggest / advocate for one mechanism over the other. However, we are happy to assist the LPA with making a decision on this.

Buffer Zone
Within Biodiversity Net Gain (BNG), many development proposals in their first iterations do not consider the biodiversity units of the watercourse as well as the terrestrial units. If a development's red line boundary is within 10m of the top of bank of a watercourse, watercourse units must also achieve a 10% increase in biodiversity. It may be worth highlighting this, and *adding strong wording* on the need for development proposals to consider the natural environment from the earliest possible stages of an idea, and integrate this into the overall concept (from location, to timings and opportunities for improving the natural environment).

We would also like to see specific reference to the River Basin Management Plan (RBMP), prepared under the Water Framework Directive (WFD) in future policies within the Local Plan. RBMPs set the legally binding locally specific environmental objectives that underpin water regulation (such as permitting) and planning activities, and we expect to see policy in line with these plans.

Multi-Functional Green Spaces
Question 3 on page 50 of the Community Involvement Paper (CIP), asks whether the use of multi-functional uses of green spaces be encouraged. Creating multi-functional landscapes will increase climate resilience for the future, especially in urban areas such as Luton. Sustainable Urban Drainage Systems (SuDs) scheme can reduce flooding, improve water quality, create better habitats for wildlife and produce better, more beautiful places for people. Habitat created as part of SuDs may be able to be counted towards any BNG totals subject to BNG planning requirements see: What you can count towards a development's biodiversity net gain - GOV.UK.

Diversifying the habitats available in green spaces can also mitigate against climate change mitigation, adaptation, and resilience measures. For example, ponds, reed beds, woodlands and enhanced riparian habitats, 100% native, locally sourced

wildflower rather than amenity grassland, can absorb carbon and help mitigate the effects of climate change by slowing floodwater and cooling the air. These measures have the potential to help us meet net zero carbon targets.

Restoration and Creation of Habitat Areas
We support paragraph 5.182 on Page 53 of the CIP highlighting the Lea Catchment Partnership as a source of stakeholder collaboration, and for identifying opportunities for restoring river habitats as part of the planning process. By operating in a partnership, the LPA together with local groups, wildlife trusts, local boroughs and the EA can continue to identify specific restoration opportunities which may be incorporated in the planning process for achieving onsite or offsite BNG.

Offering the following options for restoring and enhancing river habitats, as stated above, may include the following:

- Restoring rivers and floodplains or corridors to a more natural state;
- Removing barriers to fish movement;
- Promoting efficient and sustainable use of water resources in developments;
- Promoting the use of Sustainable Drainage Systems (SuDS);
- De-culverting watercourses;
- Managing pollution from wastewater

River Lea Policy
We support the suggestion of an independent policy for the River Lea as detailed within Question 2 on page 48 of the CIP. The policy should aim to highlight how the quality of our water environment and the protection and enhancement of species and habitats are intrinsically linked. Not only could this policy raise additional awareness of a sometimes-overlooked habitat, but would help embed the river Lea into planning policy and allow any development proposals to consider this natural feature from the outset. This is even more important when considering Biodiversity Net Gain (BNG) and the requirements for an increase in watercourse units for developments within 10m, which will require consideration of the river Lea from the very initial stages of a development concept.

Improving and enhancing green and blue infrastructure can be achieved via reducing habitat fragmentation and increasing linkages between areas of wildlife rich habitat. **Buffer zones of at least 10m** between the top-of-bank of a watercourse should be kept free of any hardstanding materials and, where possible, enhanced. This is to improve water quality via reducing runoff, increase habitat availability for foraging and commuting aquatic species, and provide protection for native species. While this is not always possible in an area such as Luton, development proposals will not be accepted through planning or permitting stage if they further encroach on the watercourse by way of incorporating any hardstanding materials.

Proposed developments may modify water bodies by activities such as encroachment, and result in a failure to meet the objectives of a River Basin Management Plan (RBMP). Other modifications include altering channels or their banks, proposing structures that break river continuity or alter flow, or indirectly, by

altering hydrological and or hydromorphic regimes or by introducing surface run-off and sources of pollution.

A dedicated river Lea policy could suggest the following improvements as part of developments, in order to support the aims of the RBMP.

- Restoring rivers and floodplains or corridors to a more natural state;
- Removing barriers to fish movement;
- Promoting efficient and sustainable use of water resources in developments;
- Promoting the use of Sustainable Drainage Systems (SuDS);
- De-culverting watercourses;
- Managing pollution from wastewater.

Where possible, de-culverting should be considered by all developers operating on a site near a culvert where there is potential to daylight a river as part of the development proposal. Building directly adjacent to, or on top of a culvert may prevent future restoration works involving de-culverting and will not be accepted through planning, as de-culverting must always remain a future option. Daylighting a river and removing artificial structures/banks is vital for improving water quality, habitat availability, and connecting blue and green spaces. De-culverting supports WFD goals to improve the ecological status of a given watercourse, and any proposals which involve de-culverting will result in a significantly uplift in biodiversity units under Biodiversity Net Gain (BNG).

Flood Risk

General Comments

We are pleased to see acknowledgement that the main cause of flooding within Luton is surface water related, and that this will be addressed in future Climate Change studies that you conduct as part of the Local Plan. We note that your Strategic Flood Risk Assessment for the borough has not been updated since February 2013, and we are pleased to see plans within the CIP to renew that document. New modelling has been conducted of the River Lea which has renewed modelling. This may or may not have changed the current Flood Zones within Luton. This modelling will need to be taken into account during the development of any new flood strategy document you wish to prepare. More information can be found at New national flood and coastal erosion risk information - GOV.UK.

Flood Risk Plans, Policies and Programs (PPP)

We would like to see the inclusion of the following Flood Risk policies included within your Plans, Policies and Programs list within your Sustainability Appraisal (SA):

- National Flood and Coastal Erosion Risk Management Strategy for England - GOV.UK The strategy sets out a vision of a nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100.

- River basin management plans: updated 2022 - GOV.UK which describe the challenges that threaten the water environment and how these challenges can be managed. The aim of the river basin management plans is to enhance nature and the natural water assets that are the foundation of everyone's wealth, health and wellbeing, and the things people value, including culture and wildlife. Rivers, lakes, canals, estuaries, coasts and groundwater, and the essential services they provide, are worth billions of pounds to the economy. All parts of society benefit from clean and plentiful water.
- Flood risk management plans 2021 to 2027 - GOV.UK Flood risk management plans (FRMPs) set out how organisations, stakeholders and communities will work together to manage flood risk in England.
- Drainage and wastewater management plans: guiding principles for the water industry - GOV.UK These are policies produced by the water industry around strategic and wastewater plans to maintain, improve, and extend robust and resilient drainage and wastewater systems.

Surface Water Management
We are pleased to see the SA identifying that surface water is the primary source of flooding within Luton as a whole, however we would like to see more information about surface flooding within the Flood Risk chapter of the SA.

We strongly encourage the production of a surface water management plan. A surface water management can not only reduce and manage flooding, but can highlight opportunities to reduce the volume of contaminated urban run-off entering watercourses, to minimise the volumes of surface water entering the sewer network, and to increase the possibility of rainwater reuse. More information on surface water management plans can be found here: Surface water management plan technical guidance - GOV.UK (www.gov.uk)

Climate Change & Flood Risk
We are pleased to see the commissioning of a Climate Change Study to develop new policies, which aligns with Paragraph 158 of the National Planning Policy Framework (NPPF) that states that: 'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.' Climate Change is expected to increase annual rainfall and exacerbate flooding events. Commissioning a study on how Luton will be impacted by climate change not only allows for future-proofing in the developments and plans of Luton, but also helps to improve the lives of residents within Luton, ensuring that their environment is safe and prepared for the varying impacts of Climate Change.

We are pleased that within the chapter 'Adapting to Climate Change' within the CIP has included plans to updated Luton's Flood Risk Management Strategy (FRMS) being revised, as we note that has not been updated since 2015. We are extremely please to see this being put into action. For accurate strategic planning up to date modelling information should be used wherever possible.

Within Section 5 of the CIP, paragraph 5.155 which details opportunities for the new Local Plan, the following bullet point "Adapting to flood risk and promoting sustainable modes of transport and active travel." should be separated. We would like to see this set out as:

- Adapting to flood risk and safeguarding communities
- Promoting the use of sustainable modes of Transport and Active Travel

Flood risk is an extremely important effect of climate change and therefore should be always considered separately, although transport is affected by increased flood risk, we would like to see these points separated within this section.

De-Culverting the River Lea
We support the de-culverting in appropriate areas within Luton Town Centre and support the de-culverting proposals as a whole. Although the enitrety of the River Lea within London cannot be de-culverted, we are particularly pleased to see that the Luton Town Centre Masterplan has identified new areas that can be opened up to expose the river, which can not only be beneficial towards reducing surface water issues, but also encourage biodiversity within the Town Centre. We would like to see special attention given to the future design of these areas as they may be prone to flooding. Using Sustainable Urban Drainage Systems (SuDS) can help promote biodiversity whilst also reducing surface water drainage issues in times of heavy rainfall or floods. Detailed information on SuDS can be found at Update to the SuDS Manual - GOV.UK.

Sequential and exception tests
We would like to remind the LPA regarding sequential and exception test requirements as set out in the NPPF and PPG for any site allocations within flood risk areas.

Conducted these tests early on in the site screening process can help avoid delays and challenges down the line.

Water Efficiency

The Water Framework Directive
We are pleased to see mention of the Water Framework Directive and regulation 33 in the SA document, including the legal responsibility the council has to ensure that there is *no deterioration* in the ecological status of any WFD water body or of its associated elements. These responsibilities are reinforced by the London Plan Policy SI 5 D1 (page 356).

The WFD waterbodies in Luton are as follows:

Water body name	Water body ID	Water body type	Overall ecological status or groundwater equivalent
Lee (from Luton to Luton Hoo Lakes)	GB106038033391	River	Poor
Mid-Chilterns Chalk	GB40601G601200	Groundwater	Poor
Upper Lee Chalk	GB40601G602900	Groundwater	Poor
Upper Bedford Ouse Chalk	GB40601G603000	Groundwater	Poor

Current Waterbody Status' within Luton

Under the Addressing and adapting to climate change section of the CIP (page 46), an option has been raised to contain stronger wording in the new Local Plan, "*so that development must provide for the satisfactory disposal of surface water to deliver water quality and improvements to receiving water courses and aquifers*". We encourage this stronger wording, especially in the context of WFD, as well as to highlight the importance of utilising relevant SuDS methods to manage surface water appropriately and in a sustainable manner.

We are pleased to see continued mention of surface water flooding as a significant issue, but we would like to see more discussion around the use of sustainable drainage systems to ensure that the local waterbody is not contaminated by surface water. In the Lee (from Luton to Luton Hoo Lakes) water body, fish and invertebrates are unable to achieve 'good' ecological status due to surface water runoff derived from impermeable urban landscapes (e.g. roads, pavements, roofs, etc). Ecological statuses of water courses are affected by the water entering a water course from its wider catchment (e.g. via surface water run-off) and new development runs the risk of deteriorating watercourses further.

We would expect to see within the Local plan policies that not only aim to protect the water body, but also look to enhance them. This is a legal responsibility under the Water Framework Directive. Information on objectives for each water body can be found from the Catchment Data Explorer, and information on achieving objectives can also be requested from here.

Sustainable Urban Drainage Systems (SuDS)
We are pleased to see mention that development should be required to slow the flow

of surface water through the use of SuDS such as permeable materials and water conservation Page 43 of the CIP. SuDS can directly prevent urban surface runoff from reaching local watercourses. Critically, they can also reduce/slow the volumes entering the sewer system, preventing sewage infrastructure from becoming overwhelmed. SuDS typically also deploy natural filtration (green roofs, soakaways, tree pits, etc), meaning that nutrients and pollutants harmful to the water environment are retained by plants and soils.

Guidance on the installation of SuDS systems can be found in the CIRIA SuDS manual. London-specific guidance is also found within the London Sustainable Drainage Action Plan.

The efficiency of SuDS can only be guaranteed if they are properly managed and maintained. It is therefore vital that any installed SuDS system has a demonstrated management plan.

Water Resources in Luton

Affinity Water, who supply water to Luton, operate in an area of 'serious' water stress. Serious water stress areas are those where the current or future demand for household water is, or is likely to be, a high proportion of the effective rainfall available to meet that demand. The scale of the water resources challenge faced in the south east of England is demonstrated in the National Framework for Water Resources

56% of Affinity Water users are using more than 150 litres per head per day, with 22% using in excess of 300 litres per head per day. Given the current and future strains on regional water resources, it is imperative that per capita water use in Luton is at its most efficient. Improvements to water efficiency represent 22% of total water demand reductions by 2035 planned by Water Resources South East.

Improving water efficiency

We support the slowing of surface run-off through permeable materials, water conservation and sustainable drainage systems as suggested in the fourth option on Page 44 of the CIP.

We are also pleased to see on page 46 of the CIP, point 5.136, that water efficiency methods such as rainwater harvesting are mentioned, and we encourage including greater promotion of this in the new Local Plan. Rainwater harvesting systems have been calculated as being able to provide 18-87% of a building's non-potable water demand, as well as decreasing the volume of surface run-off by 75%.

Page 30 of the SA states that "the new Local Plan presents an opportunity to consider incorporating targets for water efficiency and the level of water consumption and grey water recycling in any new development." Grey water recycling has the potential to significantly increase water efficiency, and we are pleased to see and are extremely supportive of such initiatives.

Water Efficiency in Residential Developments

We support the need to conserve water as a natural resource in the CIP, where it is

stated under 5.131, page 45 that: “The South East of England is an area of serious water stress…This means there will be future pressures on public water supply due to population growth and climate change causing drier conditions”.

Policy LLP36, in the current Luton Local Plan (adopted 2017) states a water efficiency target set to 110 litres per day. We hope to see this target lowered within the new Local Plan. We would encourage the new Local Plan to require new residential buildings to have a maximum water consumption of 105 liters per day, and ideally lower if this is deemed achievable.

Water Efficiency in Commercial Developments
We would like to see policy in the new Local Plan insisting that commercial and/or major developments achieve a least BREEAM rating of ‘excellent’ in the water efficiency category WAT 01. This rating can be achieved without paying attention to water efficiency measures (an ‘excellent’ rating is given to an *overall* building sustainability score of 70-84%). Ideally we would like to see the new Local Plan set a target for ‘Outstanding’ in the WAT 01 BREEAM. This is particularly valuable in an area of high water stress.

Water Efficiency in Retrofitted Developments
We would like to see the new Local Plan to include policy lines that obligate any refurbishments and/or changes of use of existing building stock include retrofitting to improve water efficiency. The second option mentioned on page 42 of the CIP, under the Addressing and adapting to climate change section, asks how the challenges of retrofitting existing building stock should be addressed, for which there are BREEAM Technical Standards documents to support the retrofitting of commercial and residential buildings. This will also help to increase efficiency in new developments and retrofits to promote sustainable and resilient water supply as detailed in 5.133 from the Environmental Improvement Plan (2023) in the CIP.

By mandating that the above developments meet these water efficiency targets, the new Local Plan should increase water efficiency significantly within the borough, aligning with National Policy.

Groundwater and Land

General Comments
From a Groundwater perspective we are pleased to see a comprehensive response to groundwater and potential contamination within the SA and Strategic Environmental Assessment Scoping Report (2024). We are pleased to see the EA Approach to Groundwater Protection appropriately referenced, discussion on EPA 1990 Part 2A and plans to update your Brownfield Land Register within the documentation. However, we would like to see more discussion and investigation into drainage and water quality at this stage. Please see our comments below.

Brownfield Land Register
Page 83, 3.90 of the SA gives specific reference to the preparation of a Brownfield Land Register. We are particularly pleased to see such an initiative and wish to be consulted when the process for updating the register begins. While we are pleased to see the inclusion of this paragraph, we would recommend moving this paragraph and into a more appropriate section of the document, as it seems out of place among discussion about soils and agriculture.

Drainage Systems
We note that the supporting document has limited discussion about drainage systems with regard to water quality, and discussion is mostly from a flood risk perspective. While this is important, from a groundwater protection point of view we'd expect consideration to be made for the appropriateness of infiltration drainage at certain sites. We assess the risk of infiltration drainage to groundwater quality at sites affected by (or potentially affected by) contamination on a site-by-site basis, and can object to developments within an Inner Source Protection Zone (SPZ1) that propose infiltration drainage without a supporting risk assessment that proves an unacceptable risk is not being posed; this is in line with position statement G13 in the Environment Agency's approach to groundwater protection.

Deep Borehole Soakaways
The nature of the geology within the borough of Luton gives rise to the potential for deep borehole soakaways to be proposed in new developments. The Environment Agency opposes such systems under normal circumstances and will only agree to their use if the guidance in position statement G9 of the Environment Agency's approach to groundwater protection is adhered to, meaning the mitigating circumstances apply and the appropriate supporting information is presented with any application for such systems; Environmental Permitting Regulation (EPR) implications also apply. Deep infiltration systems that bypass the shallower geology – where attenuation of contaminants can happen – and input drainage directly into the Principal aquifer could have adverse effects on the groundwater quality beneath the Borough. We will object to such systems unless supported by appropriate hydrogeological risk assessment, demonstrating that the pollution prevention infrastructure that should be installed in conjunction with the soakaways will not result in an unacceptable risk to groundwater.

We consider the inclusion of information regarding these concerns imperative within the Local Plan, and ultimately include a stance that discourages the use of infiltration drainage at sites affected (or potentially affected) by contamination and also discourages the use of deep infiltration systems in general.

Waste

Waste Management
We support the suggestion on page 10, paragraph 3.14 within the CIP on the joint approach to waste planning between multiple Local Authorities, as this can mean waste is efficiently managed in appropriate areas. We would support policies that

recommend that new site allocations steer development away sensitive receptors, such as housing and communities. We would also recommend any higher risk waste sites proposed to be steered away from Source Protection Zones.

Environmental Permitting
We would like to reiterate that if any future waste sites are to be proposed within the new Local Plan for Luton, which includes landfills, waste transfer stations, HWRC's etc., we would like to reiterate following the required processes involved in the application for a permit under the Environmental Permitting (England and Wales) Regulations 2016. Guidance on applying for an Environmental Permit can be found here: Environmental Permits,

Waste Hierarchy
A key principle in the sustainable management of waste is the waste hierarchy so we are pleased to see waste hierarchy with reference to the National planning policy for waste within the consultation. The waste hierarchy is enshrined in law and sets out options for managing waste sustainable. It places in rank order waste management options according to what is best for the environment, for example by giving priority to preventing waste in the first place, then giving priority to preparing it for re-use, then recycling, then recovery, and finally disposal. Movement of waste up the waste hierarchy is not just the responsibility of waste planning authorities: all local planning authorities, to the extent appropriate to their responsibilities, play a role. Please see (Waste Planning Practice Guidance (para 8) for more information.

Waste & the circular economy
We are pleased to see suggestion of promoting circular economy approaches on Page 40 - 5.103 of the CIP. Improved management of materials and waste, including through the circular economy approach, is key to being resource efficient and reducing impacts to the environment. This could also help reduce carbon dioxide emissions, along with the promotion of developments following the waste hierarchy to minimise waste and pollution and reduce the impact of waste on climate change. Adequate separation of waste, recycling and food waste will also contribute towards minimising impacts on climate change. We would also be supportive of policies and plans that address climate change impacts in relation to waste. Policies that mitigate and adapt to climate change whilst minimalising waste are highly encouraged, in line with the Environmental Improvement Plan.

Air Quality

We are pleased to see particular importance given air quality within Luton which benefits the environment and residents, in particularly children who are at adverse risk from poor air quality. We support policies aimed at improved efficiency and compliance by regulated facilities and decreased emissions from non-regulated facilities. Climate change is contributing to air pollution by changing atmospheric chemistry, increasing the risk of wildfires, and driving increasing emissions of ammonia from agriculture and natural sources. Improved efficiency of regulated industry will decrease emissions of pollutants, as well as GHG emissions, in particular carbon dioxide from combustion.

We support the ambitions of the Clean Air Strategy (2019) and are working with stakeholders on implementing its key proposals. The EIP 2023 sets out the actions the Government are taking to build on the Clean Air Strategy and make further improvement for our health and wellbeing. Through our regulatory role, we are reducing emissions from industrial activities and improving air quality. Our Local Authority Unit is working on guidance to support the improvement of regulatory performance by Local Authority-regulated smaller industries, including their emissions to atmosphere.

Policies requiring the use of efficient, low emission and up-to-date plant for non-regulated units (and enforcement of Local Authority-regulated industry) will support both improved air quality and reduced GHG emissions. We recommend policies that:

- encourage the application of energy efficiency measures and latest technology for non-regulated developments. For example, stand-by generators or gas engines for commercial units or district heating for housing developments.

- highlight the statutory requirements, under the Environmental Permitting Regulations (EA and Local Authority regulated sites), to apply Best Available Techniques for all industrial activities; and the need for operators to respect permit conditions, including the yearly reporting of emissions.

Final comments
Thank you for contacting us regarding the Issues and Options for the New Luton Local Plan. Our comments are based on our available records and the information submitted to us. We hope the above comments are useful and welcome continued engagement in the preparation of your local plan.

Should you have any queries regarding this response, please contact me.

Lauren Clayton-Spencer
Planning Advisor

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Direct Dial: [redacted]

Appendix Table 1

Community Involvement Paper

Title	Page Number	Paragraph	Comment	EA Technical Team
Luton Town Centre	33	5.69	Should include the improvement of habitat and biodiversity within the reasons for daylighting sections of the channel	Biodiversity
Luton Town Centre	33	5.69	Could mention about integrating water and flood risk management from the outset within the town, to highlight its importance.	Flood Risk
Town Centre and Retail	42	5.115	Suggest separating 'Adapting to flood risk' from 'sustainable transport…' of bullet point, *'Adapting to flood risk and promoting sustainable modes of transport and active travel.'* Flood risk is an important aspect of adapting to climate change and should be highlighted as such.	Flood Risk
Town Centre and Retail	42	Option 2	there are BREEAM Technical Standards documents to support the retrofitting of commercial and residential buildings. It would be suggested to follow this guidance.	Water Resources
Addressing and Adapting to Climate Change	43	5.122	Appears to be inconsistent with para 5.134 within the Water Quality and Water Efficiency section, relating to legislation on SuDS.	Flood Risk
Addressing and Adapting to Climate Change	44	Option 4	We affirm that developments should be required to slow the flow of surface water through the use of SuDS such as permeable materials and water conservation.	Water Resources
Addressing and Adapting to Climate Change	44	Option 5	Separation of surface water and foul drainage is certainly expected on any new development (alongside the use of SuDS for surface water drainage where appropriate), instead of connecting surface water to sewers	Water Resources
Addressing and Adapting to Climate Change	45	5.131	Due to the increased demand for water, new developments should aim for a water consumption reate of at least 105 litres per day.	Water Resources
Addressing and Adapting to Climate Change	46	Option 3	We encourage this stronger wording, especially in the context of WFD, as well as to highlight the importance of utilising relevant SuDS methods to manage surface water appropriately and in a sustainable manner.	Water Resources
Addressing and Adapting to Climate Change	46	Question 34	We strongly encourage LBC to produce a surface water management plan. A surface water management can highlight opportunities to reduce the volume of contaminated urban run-off entering watercourses, to minimise the volumes of surface water entering the sewer network, and to increase the possibility of rainwater reuse.	Water Resources
Protecting and Enhancing the Natural Environment	48	5.144	Add Blue Infrastrcutre	Flood Risk
Protecting and Enhancing the Natural Environment	48	Option 2	General comment that flood risk can be integrated more within this section.	Biodiversity
Protecting and Enhancing the Natural Environment	49	5.150	Mentions the benefits of green spaces for surface water flooding, fails to mention the benefits for fluvial flooding.	Flood Risk
Protecting and Enhancing the Natural Environment	49	5.153	Opportunity here to include Nature Based Solutions for improving environments and facilitating flood risk management for areas where its utilised.	Flood Risk
Biodiversity	50	Question 3	Creating multi-functional landscapes will increase climate resilience for the future, especially in urban areas such as Luton. Sustainable Urban Drainage Systems (SuDs) scheme can reduce flooding, improve water quality, create better habitats for wildlife and produce better, more beautiful places for people. Habitat created as part of SuDs may be able to be counted towards any BNG totals subject to BNG planning requirements see: What you can count towards a development's biodiversity net gain - GOV.UK	Biodiversity

Appendix Table 1
Community Involvement Paper (continued)

Biodiversity	52	5.182	We support highlighting the Lea Catchment Partnership as a source of stakeholder collaboration, and for identifying opportunities for restoring river habitats as part of the planning process. By operating in a partnership, the LPA together with local groups, wildlife trusts, local boroughs and the EA can continue to identify specific restoration opportunities which may be incorporated in the planning process for achieving onsite or offsite BNG.	Biodiversity

Appendix Table 2
Sustainability Appraisal Comments

Title	Page Number	Paragraph	Comment	EA Technical Team
Relevant Plans and programmes	30	2.28	Grey water recycling has the potential to significantly increase water efficiency, which we are very supportive of.	Water Resources
Relevant Plans and programmes	30	2.28	Pleased to see the NPPF's requirement to set strategic policies which include making "sufficient provision infrastructure for water supply and wastewater".	Water Resources
Water	76	3.69	Pleased to see Sourse Protection Zoness mentioned in here. If Affinity Water permit, it may be worth the Local Plan including a discussion about the strategic significance of the public supply abstractions in the Borough.	Groundwater & Land
Water	77	3.71	'The River Lea has been categorised…' – this should specify that it has been categorised under WFD. The key outcome from river restoration should be the environmental benefits, with educational and health benefits as a secondary outcome. The wording currently does not show this.	Biodiversity
Flood Risk	79	3.77	Should include "-Luton is identified as a Flood Risk Area (the "Luton and Dunstable Surface Water Flood Risk Area") within the Flood Risk Management Plans"	Flood Risk
Flood Risk	79	3.78	Good to see surface water as identified the primary source of flooding, however there is general need to include more reference to surface water floodings within the flood risk chapter.	Flood Risk
Soils	83	3.9	We request to be consulted on the Brownfield Land Register when this begins to be updated. We also recommend moving this into a more appropriate section as it seems a bit out of place among discussion about soils and agriculture.	Groundwater & Land
Contaminated Land	84	All	A differentiation has been made between "contaminated land" and "land affected by contamination" which is reassuring and suggests there is a good grasp of EPA 1990 Part 2A. The discussion about a site in Guildford Street being designated Contaminated Land under Part 2A then subsequently undesignated is true and we retain records regarding this; this should be included in the updated Brownfield Land Register if not already included.	Groundwater & Land
SA Objective 2	110	Appraisal Questions	Add 'will it conserve both blue and green spaces?'	Biodiversity

Appendix Table 3
Sustainability Appraisal Comments(continued)

SA Objective 3	111		Add 'will it help to raise the profile of geographically rare chalk streams	Biodiversity
SA Objective 4	112	Appraisal Questions	Add will it protect and raise awareness of existing green spaces?' and alter 'will it improve existing green spaces' **to** 'will it improve and diversify current	Biodiversity
Appendix A	154	A.96	We appreciate the inclusion of the Environment Agency's approach to groundwater protection as a policy. We will use the position statements within this when consulted on planning and permitting applications within the Borough.	Groundwater & Land
Appendix A	155	A.97	We are pleased to see mention of the Water Framework Directive and regulation 33 in the Sustainability Appraisal document, including the legal responsibility the council has to ensure that there is no deterioration in the ecological status of any WFD water body or of its associated elements.	Biodiversity