

Luton Local Plan Review

Duty to Cooperate and Consultation Background paper (December 2024)

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Introduction

Purpose of this paper

1.1 The purpose of this paper is to identify the ‘strategic matters’ that we believe at this stage a new Luton local plan will need to address which are likely to fall under the duty to cooperate. This paper also aims to identify bodies which whom cooperation will be necessary and describes consultation that has taken place to date.

1.2 This document is one of the first steps in meeting the duty to cooperate in Luton’s local plan process. This process is ongoing up until the point of submission of the plan and potentially beyond.

1.3 This document will be updated and reviewed as the new local plan progresses, as discussions advance, as evidence is produced, and if new issues emerge.

1.4 As preparation of the plan progresses additional matters may be identified and added to those set out in this document. It may become apparent that some of the potential topics identified are no longer strategic matters to be addressed under the Duty to Cooperate, including through the collection of evidence base for the new local plan. The strategic matters currently identified as relevant to the bodies set out within this document may also change.

1.5 Changes to the plan-making system are currently intended to be brought forward through secondary legislation following the Royal Assent of the Levelling Up and Regeneration Act in 2023. The stages of local plan production and consultation referred to in this paper reflect the current system of plan-making. Changes may be made to the way we cooperate and engage with the bodies and stakeholders outlined in this paper following the implementation of plan-making reform.

Consultation arrangements

1.6 As a duty to cooperate authority or other relevant body we welcome your views on this background paper. Comments will be used to inform the approach we take to meeting the duty to cooperate throughout the production of our new local plan.

1.7 Table 1 lists all duty to cooperate bodies that we have identified and that we will seek to involve in discussions on various strategic matters. In commenting on this document, it would be helpful to answer the following questions in your responses:

- 1. Do you agree that the correct strategic matters have been identified?**
- 2. Should any additional strategic matters be added to the list?**
- 3. Do you agree that the council has identified the correct relevant authorities and bodies to cooperate with on each strategic matter?**
- 4. Do you agree with the proposed methods of engagement for your organisation?**
- 5. Do you have any suggestions for how the council could encourage or improve cooperation on strategic matters?**

1.8 The consultation period will run concurrently with the consultation on the Luton local plan issues paper for the period of **12 December 2024 until 7 February 2025 at 5pm.**

1.9 To complete an electronic version of our comment 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. Or send your printed hard copy response in an envelope to:

Freepost Luton Borough Council

Planning Consultation

1.10 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.

1.11 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.

1.12 Before sending your response, it is important that you review and agree to the Privacy Notice. 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.

1.13 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.

Strategic Context

Luton Borough

1.14 Luton is located in the east of England, 35 miles from central London. It has a population of 231,000 people. Nearby settlements include Milton Keynes, Bedford, Leighton Buzzard and Dunstable. The urban area of Luton comes up to its administrative boundary, with surrounding authorities including North Hertfordshire and Central Bedfordshire. There are areas of Green Belt within its boundary and beyond. Surrounding Luton is mainly open countryside containing smaller settlements and the Chilterns area of outstanding natural beauty. The river Lea runs through the town.

1.15 It is an important strategic location, situated between London, Oxford and Cambridge with excellent connectivity to the wider region. The town has three railway stations providing frequent services to London. Luton airport is an international airport located immediately to the south east of the town. The Luton DART (Direct Air-Rail Transit) opened in 2023 and transfers passengers from Luton Airport Parkway station to the terminal. The airport has submitted proposals to the government to increase passenger numbers to 32 million per year.

1.16 The M1 motorway runs to the west of the town providing an important link to London, the midlands and the north. There are several bus routes, including a guided bus way, providing links from areas of Luton to the town centre. It has a busy town centre, with a range of shops, services, leisure opportunities and public space. Across the town are a range of parks, green open spaces and recreation facilities.

1.17 Luton is home to Luton and Dunstable University Hospital, providing core services to 500,000 people in the region. The University of Bedfordshire provides for higher education and offers a range of courses alongside a number of local schools and colleges, many of which are rated as 'outstanding' or 'good'.

1.18 There is a mix of housing stock from Victorian terraced housing through to newer homes and flats, including some high-rise development. Despite some losses over the last few years, traditional industries remain in the town and new employment development is coming forward, providing new employment opportunities. The town has been the number one location for new job creation in the last 12 years.

1.19 Exciting new developments are in the pipeline. 'The Stage' will provide new homes, multi-purpose performance and community facilities, a food court and commercial space, and there are plans for a new football ground for Luton Town football club. The wider council also has a series of strategies, projects and initiatives in place or in the pipeline which will help deliver the 2040 Vision for Luton.

1.20 Luton is modern, diverse town with a vibrant mix of culture, skills and languages. It has the third youngest population in the country with 22% of residents below the age of 15. There is a growing arts, culture and heritage offer with events that celebrate our diverse range of cultures and support greater wellbeing.

1.21 Luton however faces some significant issues and challenges, many of which we aim to set out and consult on in our issues and options document, and which are highlighted in our 2040 Vision and other strategies. The population of Luton often has worse health outcomes than the national average and there is a lack of skills in some sectors. Some people are living in poor quality housing, housing needs are not always being met and in places our urban, natural and historic environment requires protection and improvement.

1.22 Luton is built up to its boundaries, new infrastructure is required and achieving high quality developments can be challenging in the face of difficult financial conditions. Planned development outside of Luton's boundary will also have impacts that need to be carefully considered.

Duty to Co-operate Requirements

Legal requirements

1.23 The duty to cooperate was introduced in the Localism Act 2011 and is set out in section 33A of the Planning and Compulsory Purchase Act 2004 (PCPA). It places a legal duty on local planning authorities, county councils and prescribed bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters¹.

1.24 Strategic matters are defined in the PCPA 2004 as “sustainable development or the use of the land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas”.

¹ <https://www.gov.uk/guidance/plan-making>

1.25 Strategic matters also include sustainable development or use of land in a two-tier area if development or use is a county matter e.g. transport, education, and minerals and waste planning, or has or would have a significant impact on a county matter.

1.26 Prescribed bodies that are subject to the duty to cooperate are outlined in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

1.27 All parties should approach the duty in a proportionate way and tailor cooperation according to where they can maximise the effectiveness of plans.

National Planning Policy Framework (2023)

1.28 The NPPF (2023) sets out the importance of joint working and co-operation between local authorities and other bodies on cross boundary matters and matters of shared interest. It states:

Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. (Par 24)

Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers). (Par 25)

Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere. (Par 26)

In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency. (Par 27)

1.29 Strategic policies are required to make sufficient provision for:

- a) *Housing (including affordable housing), employment, retail, leisure and other commercial development.*
- b) *Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) *Community facilities (such as health, education and cultural infrastructure); and*
- d) *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 (par 20).*

Levelling Up and Regeneration Act (2023)

1.30 The Levelling Up and Regeneration Act (LURA) gained Royal Assent in October 2023 and sets out a framework for the reform of the planning system. The LURA will eventually remove the requirement for authorities to meet the Duty to Cooperate, however, secondary legislation is required to bring this into effect.

1.31 The Duty currently therefore remains a legal requirement under the current local plans system and will continue to apply to the production of a new Luton local plan until such time as it is revoked.

1.32 It should also be noted that the stages of local plan production referred to in this paper reflect the current system of plan-making, including the Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Planning) (England) Regulations 2012. Should any changes to the plan-making system come forward while we progress our new local plan, the stages and processes referred to in this document may change in order to reflect new legislative requirements.

Proposed changes to the National Planning Policy Framework (2024)

1.33 Consultation on a revised NPPF took place between 30 July 2024 and 24 September 2024. The revised NPPF as proposed aims to support the wider objectives of the new government, and will strengthen requirements around strategic planning. Proposed additions include the following paragraphs:

Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered and key spatial issues, including meeting housing needs, delivering strategic infrastructure, and building economic and climate resilience, are addressed. (par 24)

Once the matters which require collaboration have been identified, strategic policy-making authorities should make sure that their plan policies are consistent with those of other bodies where a strategic relationship exists on these matters, and with the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that:

a) a consistent approach is taken to planning the delivery of major infrastructure, such as major transport services/projects, utilities, waste, minerals, environmental improvement and resilience, and strategic health, education and social infrastructure (such as hospitals, universities, major schools, major sports facilities and criminal justice accommodation);

b) unmet development needs from neighbouring areas are accommodated in accordance with paragraph 11b; and

c) any allocation or designation which cuts across the boundary of plan areas, or has significant implications for neighbouring areas, is appropriately managed by all relevant authorities. (par 27)

Plans come forward at different times, and there may be a degree of uncertainty about the future direction of relevant development plans or plans of infrastructure providers. In such circumstances strategic policy-making authorities and Inspectors will need to come to an informed decision on the

basis of available information, rather than waiting for a full set of evidence from other authorities. (par 28).

1.34 The government's consultation on the proposed reforms to the NPPF (other changes to the planning system) explains that the "maintaining effective cooperation" section of the NPPF has been proposed to be amended to ensure the right engagement is occurring on the sharing of unmet housing need and other strategic issues where plans are being progressed. The consultation explains that the duty to cooperate requirement has been strengthened, while proposing to introduce effective new mechanisms for cross-boundary strategic planning, including short-term measures which will strengthen cross-boundary cooperation, ahead of introducing formal strategic planning mechanisms through new legislation. It is the government's intention to move to a model of universal strategic planning covering functional economic areas within the next five years².

Other relevant guidance

1.35 Further guidance is available in [National Planning Practice Guidance \(PPG\)](#) in relation to the application of the duty to cooperate. This includes:

- How plan-making bodies are expected to cooperate;
- Explanation on what a statement of common ground is and expected to contain;
- How the duty to cooperate is different from the statement of common ground;
- How the duty to cooperate will be considered at local plan examination;
- How two or more strategic policy-making authorities can cooperate on local plan preparation to satisfy the duty to cooperate

1.36 The Planning Inspectorate's [Procedure Guide for Local Plan Examinations](#) also provides guidance for planning inspectors on assessing whether the duty to cooperate has been fulfilled during local plan examinations.

Duty to cooperate bodies

1.37 The duty to cooperate bodies are set out in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and comprise:

Neighbouring authorities that share administrative boundaries with Luton

- Central Bedfordshire District Council
- North Hertfordshire District Council
- Hertfordshire County Council

Other nearby neighbouring authorities that do not share an administrative boundary with Luton

- Dacorum Borough Council

² <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

- St Albans City and District Council
- Buckinghamshire Council
- Stevenage Borough Council
- Bedford Borough Council
- Milton Keynes City Council

Prescribed bodies

- Natural England
- Historic Buildings and Monuments Commission for England (Historic England)
- Environment Agency
- Mayor of London
- Civil Aviation Authority
- Homes and Communities Agency (Homes England)
- Clinical Commissioning Groups (Integrated Care Boards such as the Bedford, Luton and Milton Keynes Integrated Care Board)
- National Health Service Commissioning Board (NHS England)
- Office of the Rail Regulator (Office of Rail and Road)
- Highways Agency (National Highways)
- Transport for London
- Highways Authorities (Hertfordshire County Council, Central Bedfordshire Council)

1.38 Duty to co-operate bodies that are specified in the regulations but which are not considered to be applicable to the Luton Context are:

- Integrated Transport Authorities
- The Marine Management Organisation

1.39 In addition to the planning authorities and prescribed bodies listed above we are required to proactively engage with other partnerships as part of the preparation of the local plan. This includes:

- The Bedfordshire Local Nature Partnership.

1.40 Local Enterprise Partnerships (LEPs) were previously considered a prescribed body; however, these have now been abolished. For Luton, the relevant LEP was the South East Midlands Local Enterprise Partnership (SEMLEP). Although no longer operational, this background paper still contains some references to SEMLEP as some of the work produced by the partnership may remain relevant to the production of the new local plan.

Strategic Matters

1.41 We have identified the following potential strategic matters relevant to a new local plan for Luton.

Homes needed

1.42 The current Local Plan set out how housing needs identified in the 2018 Strategic Housing Market Assessment (SHMA) could be accommodated in Luton, however Luton could not meet all

of its needs within its boundaries. Local Plans for North Hertfordshire and Central Bedfordshire seek to meet this unmet need through the identification of sites in their authority areas.

1.43 The east of Luton site in North Hertfordshire and sites in Central Bedfordshire have yet to come forward. We continue to work with our neighbours, including to try to ensure development proposals are well connected to Luton and the necessary infrastructure is in place, and developers of the east of Luton site are developing a masterplan which adds detail to the Local Plan policy.

1.44 The NPPF requires us to establish our housing needs. It requires us to calculate this using the government's standard method, with some exceptions. We will be producing evidence to establish our housing needs including examining the type and mix of new homes needed. We may need to ask neighbouring authorities to help meet our housing needs. We will need to involve neighbouring authorities in discussions around the approach to any cross-boundary implications, should they arise.

Gypsy and Traveller needs

1.45 In Luton the most up to date assessment of need is the Luton Gypsy and Traveller Accommodation Assessment (GTAA) (2015). The current local plan identifies a need for:

- A transit site of 10 pitches.
- 5 pitches over the first 5 years
- 14 pitches over the remaining 15 years.
- No need for travelling showpeople pitches.

1.46 A new GTAA for Luton has been commissioned and its production has involved consultation with all surrounding local planning authorities. It will provide up to date information and consider current government policy, and this updated information will be used to inform the needs of the travelling community in a new local plan. We will need to involve neighbouring authorities in discussions around the approach to any cross-boundary implications, should they arise.

Employment needs

1.47 Luton's local economy is well located, less than 30 minutes from London by train and with excellent transport links to London, the midlands and the north. Historically, Luton has been reliant on manufacturing and this is reflected in its higher share of manufacturing jobs compared to its neighbours. Over time its employment base has undergone some changes and manufacturing has declined with the loss of some important industries, however it remains an important sector.

1.48 The service sector has expanded and become more significant in providing jobs in retail, health and education. Transport, aviation related services, and distribution also play an important part in Luton's economy, with the logistics and construction sector growing steadily in the last 10 years.

1.49 Luton previously fell under the South East Midlands Local Enterprise Partnership (SEMLEP) area, however, LEPs have now been abolished.

1.50 The council is producing a new Economic Growth Strategy which will inform the new local plan. Going forward, we will also commission a Housing and Economic Needs Assessment. This study will provide detailed information on demand across the sectors. Luton's reach as a location to work extends beyond its borders into neighbouring authorities, therefore cooperation will be required with a wide range of neighbouring local authorities and other bodies. We will need to involve neighbouring authorities in discussions around the approach to any cross-boundary implications, should they arise.

Provision of retail and leisure

1.51 Luton has a network of Town, District and Neighbourhood centres which form the heart of local communities. Luton's current Local Plan defines Luton as a regional shopping centre which also faces competition from other regional competitors such as Milton Keynes and Watford.

1.52 At the time of the current Local Plan's adoption, it was found that most of the existing District and Neighbourhood Centres were serving their local communities well and complemented the Town Centre. It also identified their potential to accommodate more community uses as well as the potential for the establishment of an additional new Neighbourhood Centre at Chaul End Lane or Dallow Road.

1.53 Co-operation with neighbouring authorities is important as current and future populations will likely not shop exclusively in their own areas but may travel to others. We will need to involve neighbouring authorities in discussions around the approach to any cross-boundary implications, should they arise. The council is currently commissioning consultants to undertake a borough-wide Retail and Town Centre Study to inform the preparation of the new Luton local plan.

Green Belt

1.54 While Luton is a predominantly urban borough, 3% of the town's total land area is green belt, spread over 6 areas. As well as serving the functions of the green belt as set out in the NPPF, Luton's green belt also provides for other beneficial uses such as amenity and outdoor recreation. There are competing priorities for land use within Luton and we have reviewed our green belt boundaries in the past. A 2014 [Stage 1 Green Belt study](#) found that the existing green belt areas in Luton made substantial contributions to meeting green belt purposes as defined in the NPPF.

1.55 We will carry out evidence base work to review our green belt boundaries taking into account any changes to the approach of supporting release of green belt land (including grey belt) as defined within the NPPF. To do this we will co-operate with our neighbouring authorities, particularly Central Bedfordshire and North Hertfordshire District Council, as well as relevant bodies such as Historic England and Natural England.

Mitigating the impact of development on Chiltern Beechwoods SAC

1.56 Evidence produced by [Footprint Ecology in support of the Dacorum Local Plan](#) looked at recreational pressures on the Chilterns Beechwoods Special Area of Conservation (SAC) at

Ashridge Estate and Tring Woodlands, which are located in Dacorum. The western portion of Luton was identified as falling within a 12.6km “zone of influence” for the Ashridge Commons and Woods, although residents of Luton made up less than 2% of visits to the SAC.

1.57 However, for larger developments that fall within the zone of influence and result in a net increase of more than 100 dwellings, further consultation with Natural England is recommended to determine the recreational impacts and any requirement for mitigation measures. This could involve contributions towards a Strategic Access Management and Monitoring strategy, as well as provision of Suitable Alternative Natural Greenspace. Cooperation will therefore be required with Natural England on this matter.

Conservation and enhancement of the natural and historic environment, including landscape and visual impact

1.58 Alongside Historic England's schedule of statutory protected designations (listed buildings, ancient monuments, Conservation Areas and Registered Parks and Gardens), the council maintains a Local List of non-designated heritage assets. Luton has five Conservation areas and over 100 designated heritage assets, which includes listed buildings and other monuments. Three of Luton's conservation areas are considered to be at risk by Historic England.

1.59 To the south of the town is also a nationally significant asset - Luton Hoo estate, House and garden (Grade I Registered Park and Garden). Heritage matters, including visual impact in relation to the design / scale of development (including tall buildings and the skyline) will need careful consideration in the Local Plan and Historic England will have a key role to play. Cooperation will also be required with neighbouring authorities.

1.60 Luton lies within the northern end of the Chilterns National Landscape. It is recognised for its globally rare chalk streams, wildflower-rich chalk grassland, and prehistoric settlements. The boundary of the National Landscape (Chilterns AONB) is currently being reviewed by Natural England. Luton benefits from a number of ecological sites and the adopted local plan lists 25 county wildlife sites and 14 district wildlife sites. We also have two SSSIs - sites of national importance - within our boundary.

1.61 We have commissioned consultants to carry out a review of our wildlife sites and will be carrying out a piece of work to understand landscape and visual impact inform the preparation of a new local plan.

1.62 Natural England and the Bedfordshire Local Nature Partnership will be key to inputting and assessing policies and proposals that may have an impact on the natural environment.

Green and Blue Infrastructure

1.63 Luton is a significantly built-up borough but benefits from a variety of parks and green spaces. Some parts of the town are lacking in terms of access to green spaces, and some green spaces are fragmented and are dispersed throughout the borough. The River Lea flows through the town, but a lot of it is culverted.

1.64 Because green and blue infrastructure is so closely connected to other areas of planning it is likely that other policies in a new local plan (for example, biodiversity, or open space provision)

will impact on green infrastructure provision. Green infrastructure requirements and references are therefore likely to be woven throughout a new local plan.

1.65 In making a new local plan we will look at having a more up to date understanding of our open space needs and we will also produce a green and blue infrastructure study. As green and blue infrastructure cuts across local authority boundaries, this is likely to involve cooperation with a number of bodies, including Natural England, Historic England, and our neighbouring authorities (including North Hertfordshire District Council and Central Bedfordshire Council) who likely have their own green and blue infrastructure strategies.

Flood risk

1.67 There are many sources of flood risk in Luton, however, the biggest risk in Luton is surface water flooding. The River Lea flows through the town but extensively culverted, and culverts can increase the risk of river flooding through blockages and structural failure. The Houghton Brook, Cat Brook, Riddy Brook and Lewsey Brook are also potential sources of flood risk, along with rising groundwater, overwhelmed sewers and drainage systems, and artificial sources of flooding such as the Sundon Reservoir.

1.68 Luton shares a unique geography with Central Bedfordshire. It is located both upstream and downstream of Central Bedfordshire, with tributaries of the River Lea originating in the Houghton Regis area and the Lea then entering Central Bedfordshire south of Luton.

1.69 As parts of the borough are at risk of flooding careful attention will need to be paid to this when drafting policies and proposals of the Local Plan. The Environment Agency will be a key duty to cooperate body. We are in the process of commissioning an updated SFRA Level 1 and will also commission a new Water Cycle Study.

1.70 The Lead Local Flood Authority (Luton Council), Thames Water and Anglian Water, although not duty to cooperate bodies, will have important roles to play. Cooperation will be required with neighbouring authorities.

Climate change mitigation and adaptation

1.71 At the beginning of 2020, the council declared a climate emergency and set out its ambitions to be a net zero town by 2040. Climate change will likely result in milder, wetter winters and increased summer rainfall intensity. There are many sources of flood risk in Luton, however, the biggest risk in Luton is surface water flooding. The River Lea (from Luton to Luton Hoo Lakes) is also currently of poor ecological status.

1.72 The South East of England is an area of serious water stress, and the total amount of rain falling in any year is expected to decrease slightly in the next 100 years. This means there will be future pressures on public water supply due to population growth and climate change causing drier conditions.

1.73 We will be commissioning a Climate Change Study to evidence and help us develop policies in our new local plan. Managing flood risk will be a key element of our climate change mitigation plans, involving the Environment Agency, Natural England and Historic England. Carbon reduction and associated emissions, heating and cooling, and air quality issues will also play a part in preparing the borough for changes associated with climate change.

Provision of utilities infrastructure (including telecommunications, wastewater capacity, water supply and energy)

1.74 There is likely to be increasing demand on the network from larger uses of energy, such as data centres, and to cater for the increase in electric vehicles. However there are opportunities for changing the way energy is produced through green methods and from those wanting to supply the network. Increased development will also likely increase demand on other utilities infrastructure such as water supply and sewerage.

1.75 A range of Duty to Co-operate bodies including neighbouring authorities, Environment Agency and National Highways will need to be involved in framing the policies and proposals of the Local Plan in this regard, including discussing approach to any cross-boundary implications, should they arise. In addition, other bodies (outside of the duty to co-operate) including Affinity Water, Thames Water, Anglian Water and energy and telecommunications providers will need to be involved.

Education, including primary and secondary school provision

1.76 Pupil forecasts indicate there will be a significant shortfall in capacity in the next five years, both in the mainstream and special school sector. This mainly applies to Farley / South, High Town, Dallow, and Crawley, and mainly applies to primary school capacity. There is a need to expand secondary school places too but older children are generally able to travel further to school.

1.77 The council has a legal duty to ensure that there are sufficient school places for its population and we will cooperate with our neighbouring authorities on this matter, including discussing the approach to any cross-boundary implications, should they arise. Bodies such as National Highways may also need to be involved.

Provision of health infrastructure and local facilities

1.78 At local level Luton's Public Health Team has responsibility for public health and so will be important in helping frame the policies in the new Local Plan. The Bedford Luton and Milton Keynes Integrated Care Board (ICB) and NHS England will also have important roles to play, in addition to discussions with neighbouring authorities on approach to any cross-boundary implications, should they arise. National Highways may also need to be involved.

Provision of security, community and cultural infrastructure and other local facilities (including burial capacity)

1.79 As the population grows and ages (e.g. through natural change and net migration flows), there will be further need over the plan period to provide additional capacity to accommodate burials and cremations. However, capacity for burials and cremations in existing facilities has largely been used up. We will cooperate with our neighbouring authorities on this matter.

1.80 Neighbouring authorities may want to be involved in helping to frame the policies and proposals of the Local Plan in relation to security, community and cultural infrastructure and other local facilities, including discussions on the approach to any cross-boundary implications, should they arise. In addition National Highways may need to be involved. Other bodies outside of the duty to co-operate including Bedfordshire Police may also want to be involved.

Provision of infrastructure for transport

1.81 The NPPF requires planning policies to be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned (paragraph 110). Thus, strategic transport infrastructure requires cross boundary co-operation.

1.82 There are three train stations in Luton. Luton railway station currently has poor access to platforms for mobility impaired passengers. Network Rail started work at the station in September 2023 as part of a programme of improvements and upgrades to improve accessibility, which could also be implemented at Legrave station.

1.83 Luton attracts a significant proportion of its workers from outside its boundaries. 80% of employees at the airport for example come from within Bedfordshire, Hertfordshire and Buckinghamshire. Whilst network connectivity is generally good in and around Luton, congestion is experienced in key parts of the network. Sections of the ring road that surround the town centre and other radial routes constrain pedestrian and cycle access into the town centre.

1.84 There are key highway corridors in Luton which connect to strategic sites identified in the current Local Plan. A new strategic road to create a northern Luton bypass running from the A6 road to junction 11a of the M1, connecting with the A5 to M1 Link road is proposed but has yet to come forward.

1.85 Luton Council, as a unitary authority, is the highways authority with responsibility for producing the Local Transport Plan. Neighbouring authorities (including Central Bedfordshire and Hertfordshire County Council) also have an important role to play in these matters, and discussions may need to include approach to any cross-boundary implications, should they arise. National Highways is responsible for the strategic road network including the M1, therefore close co-operation with them is key, as well as the Office of Rail and Road. Although not a duty to cooperate body, close working with Network Rail will also be required.

Luton Airport and other airport / airspace impacts

1.86 Luton airport is major transport hub within Luton providing for millions of international trips each year and it will continue to play a significant role in the future planning of the town. The Local Plan will need to consider its infrastructure requirements, opportunities and potential impacts going forward.

1.87 A number of authorities will have a role to play in this matter, including neighbouring authorities, neighbouring highways authorities, Historic England, the Civil Aviation Authority, Office of Rail and Road, Mayor of London and Transport for London.

Waste and recycling facilities

1.88 Neighbouring authorities including Central Bedfordshire Council (as the relevant Minerals and Waste authority) may want to be involved in helping to frame the policies and proposals of the Local Plan in this field, in addition to the Environment Agency.

Minerals

1.89 Neighbouring authorities including Central Bedfordshire Council (as the relevant Minerals and Waste planning authority) may want to be involved in helping to frame the policies and proposals of the Local Plan in this field, in addition to the Environment Agency.

Table 1: Summary of strategic issues and relevant duty to cooperate bodies

	Summary	Central Bedfordshire Council	North Hertfordshire District	Dacorum Borough Council	St Albans City and District Council	Buckinghamshire Council	Stevenage Borough Council	Bedford Borough Council	Milton Keynes City Council	Hertfordshire County Council	Natural England	Historic England	Environment Agency	Mayor of London	Civil Aviation Authority	Homes England	Bedford Luton Milton Keynes ICB	NHS England	Office of Rail and Road	National Highways	Transport for London	Local Nature Partnership
Housing Needs	Approach to accommodating any of Luton's unmet housing needs that may be identified	✓	✓	✓	✓	✓	✓	✓	✓					✓		✓						
Gypsy and Traveller Needs	Approach to accommodating any unmet gypsy, traveller and traveling showpeople needs that may be identified	✓	✓	✓	✓	✓				✓						✓						

	Summary	Central Bedfordshire Council	North Hertfordshire District	Dacorum Borough Council	St Albans City and District Council	Buckinghamshire Council	Stevenage Borough Council	Bedford Borough Council	Milton Keynes City Council	Hertfordshire County Council	Natural England	Historic England	Environment Agency	Mayor of London	Civil Aviation Authority	Homes England	Bedford Luton Milton Keynes ICB	NHS England	Office of Rail and Road	National Highways	Transport for London	Local Nature Partnership
Employment needs	Approach to accommodating any unmet employment needs that may be identified	✓	✓	✓	✓	✓	✓	✓	✓					✓								
Provision of retail and leisure	Approach to meeting any unmet retail/leisure needs	✓	✓	✓	✓		✓	✓	✓													
Green Belt	Approach to potential Green Belt land review and release	✓	✓	✓	✓	✓						✓		✓								✓
Mitigating the impact of development on Chiltern Beechwoods SAC	Luton is currently located within the 12.6km zone of influence where mitigation may be required	✓		✓	✓	✓					✓											✓

	Summary	Central Bedfordshire Council	North Hertfordshire District	Dacorum Borough Council	St Albans City and District Council	Buckinghamshire Council	Stevenage Borough Council	Bedford Borough Council	Milton Keynes City Council	Hertfordshire County Council	Natural England	Historic England	Environment Agency	Mayor of London	Civil Aviation Authority	Homes England	Bedford Luton Milton Keynes ICB	NHS England	Office of Rail and Road	National Highways	Transport for London	Local Nature Partnership
Conservation and enhancement of the natural and historic environment including landscape and visual impact	Approach to conservation and enhancement of the natural / historic environment and landscape (including Chilterns National Landscape)	✓	✓	✓	✓					✓	✓	✓										✓
Green and blue infrastructure	Approach to green and blue infrastructure provision	✓	✓	✓	✓					✓	✓	✓	✓									✓
Flood risk	Approach to managing flood risk	✓	✓	✓	✓					✓	✓		✓									✓
Climate change mitigation and adaptation	Whole Plan approach to mitigating and adapting to climate change									✓	✓	✓	✓									✓

	Summary	Central Bedfordshire Council	North Hertfordshire District	Dacorum Borough Council	St Albans City and District Council	Buckinghamshire Council	Stevenage Borough Council	Bedford Borough Council	Milton Keynes City Council	Hertfordshire County Council	Natural England	Historic England	Environment Agency	Mayor of London	Civil Aviation Authority	Homes England	Bedford Luton Milton Keynes ICB	NHS England	Office of Rail and Road	National Highways	Transport for London	Local Nature Partnership
Provision of utilities infrastructure (including telecoms, wastewater capacity, water supply, energy)	Approach to accommodating any utilities infrastructure needs including needs arising from new development	✓	✓	✓	✓						✓		✓							✓		
Education, including primary and secondary school provision	Approach to accommodating any unmet education needs including needs arising from new development	✓	✓							✓										✓		
Provision of health infrastructure and local facilities	Approach to accommodating any health infrastructure and local facilities needs including needs arising from new development	✓	✓								✓						✓	✓		✓		

	Summary	Central Bedfordshire Council	North Hertfordshire District	Dacorum Borough Council	St Albans City and District Council	Buckinghamshire Council	Stevenage Borough Council	Bedford Borough Council	Milton Keynes City Council	Hertfordshire County Council	Natural England	Historic England	Environment Agency	Mayor of London	Civil Aviation Authority	Homes England	Bedford Luton Milton Keynes ICB	NHS England	Office of Rail and Road	National Highways	Transport for London	Local Nature Partnership
Provision of security, community and cultural infrastructure and other local facilities (including burial capacity)	Approach to Accommodating any security / community / cultural infrastructure (including burial capacity) needs including needs arising from new development	✓	✓							✓	✓									✓		
Provision of infrastructure for transport	Consideration of potential impacts of any growth on the highway network and other transport provision	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓					✓	✓		
Luton Airport and other airport / airspace impacts	Cross-boundary impacts including air quality, noise, access/transport impacts	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		✓	✓	✓	✓

	Summary	Central Bedfordshire Council	North Hertfordshire District	Dacorum Borough Council	St Albans City and District Council	Buckinghamshire Council	Stevenage Borough Council	Bedford Borough Council	Milton Keynes City Council	Hertfordshire County Council	Natural England	Historic England	Environment Agency	Mayor of London	Civil Aviation Authority	Homes England	Bedford Luton Milton Keynes ICB	NHS England	Office of Rail and Road	National Highways	Transport for London	Local Nature Partnership
Waste and recycling facilities	Consideration of needs and impacts on facilities/ future facilities including linked those to development	✓						✓		✓	✓		✓									
Minerals	Potential existing and future mineral extraction requirements	✓						✓		✓	✓		✓									✓

Consultation so far outside of the duty to cooperate

Internal engagement

1.90 In preparing the Issues Paper for a new local plan the planning policy team carried out a number of meetings and workshops with Members and other officers within the council.

1.91 Meetings took place to understand local issues relevant to the local plan between April and August 2024 with the following teams:

- Housing Strategy;
- Housing Needs;
- Development Management;
- Social Justice;
- Neighbourhood Operations ;
- Policy, Strategy and Partnerships Luton 2040;
- Bereavement Services;
- Environmental Protection;
- Operational Compliance and Support / Licencing;
- Property and Infrastructure;
- Public Health;
- Business Development;
- Economic Growth and Skills;
- Heritage;
- Private Sector Housing;
- Adult Social Care;
- Landscape and Ecology;
- Parks;
- Climate Change;
- Lead Local Flood Authority;
- Transport;
- Emergency Planning; and
- Business Intelligence.

1.92 The meetings covered following work areas:

- General vision and plan objectives;
- Burial capacity;
- Air quality, noise, light pollution, contaminated land and hazardous substances and establishments;
- Airport;
- Retail and town centres, hotels, leisure;
- Private rented sector housing;
- School places and education;
- Older persons housing, specialist housing and rough sleeping;
- Landscape and visual impact, design and the historic environment (including archaeology);
- Employment land and economic development;
- Housing sites, land availability, housing market capacity and barriers to delivery;

- Infrastructure delivery, electronic communications and transport mobility / strategic transport assessment;
- Housing needs, housing strategy, affordable housing, self and custom-build housing, student housing, housing trajectory and housing viability;
- Flood risk, climate change, land stability, local green spaces, green and blue infrastructure, biodiversity, geodiversity and ecosystems;
- Defence and security needs and council-owned land; and
- Open space, sport and recreation, health and wellbeing, deprivation, facilities and services.

1.93 The planning policy team will continue to work closely with the relevant teams within the council as the local plan progresses.

Other engagement

1.94 The planning policy team have attended the following meetings to discuss progress on the local plan and to understand any relevant issues and options:

- The Luton Developers' Forum;
- Meeting with Luton Rising to discuss airport matters;
- Taking part in the Luton a Marmot Town: Health and the Built Environment Virtual Workshop;
- Attendance of the Active Environments Subgroup, of which Sport England are an attendee;
- Meeting with UK Power Networks to discuss net zero
- Attendance of a Green Infrastructure Framework workshop in 2023 with Natural England and various relevant council teams.

Mechanisms for co-operation

Regular partnership meetings

1.95 We are actively involved in a number of joint partnership and cross-boundary relationships. These have helped to shape early stages of the plan and will continue to inform the preparation of the new local plan. Many of these are formalised, with a terms of reference, and a variety of topics can be discussed.

1.96 These existing meetings can be a mechanism for facilitating duty to cooperate discussions and enable us to have regular contact with a range of duty to cooperate and other relevant bodies to the strategic process.

1.97 It is likely that several of these partnerships will actively follow the progress of the local plan, with local plan updates a standing agenda item at meetings and dedicating agenda time to discussing emerging work.

1.98 Relevant partnership meetings that are relevant to the local plan are detailed in Table 2 below. As the local plan progresses this list will be updated to include more detail on specific conversations related to the preparation of the local plan.

Table 2: Regular partnership meetings

Group / Meeting	Role	Relevant Strategic Matters
ADEPT Planning working group	Build / maintain effective partnership working with government, shape ADEPT's position on strategic planning issues, amongst others.	<ul style="list-style-type: none"> • Planning for housing delivery • Planning for employment needs • Climate change • Other strategic planning issues
ADEPT Sustainable Growth Board	Provides a platform for leadership and soundings on strategic matters across strategic planning, economic development and regeneration, housing and planning, levelling up, devolution.	<ul style="list-style-type: none"> • Planning for housing delivery • Planning for employment needs • Other strategic planning issues
SEMLEP Planners Forum (now defunct)	To help economic growth thrive across the South East Midlands by working to build a strong economy, tackling barriers to sustainable growth and supporting job creation.	<ul style="list-style-type: none"> • Planning for employment needs
East of England Planning Officers Group	To coordinate technical and policy work relevant to councils in the East of England on strategic economic, planning and infrastructure challenges.	<ul style="list-style-type: none"> • A range of strategic planning matters, including employment, infrastructure and housing
RCFF Sustainable Development (planning leads) subgroup	The East of England Regional Climate Change Forum is responsible for providing regional-level support for local authorities in achieving their net zero and other climate change targets.	<ul style="list-style-type: none"> • Climate Change
England's Economic Heartland Strategic Transport Leadership Board	Work toward strategic infrastructure issues (and solutions) that extend beyond any one single transport authority area.	<ul style="list-style-type: none"> • Planning for transport
Ox-Cam Pan - Regional Partnership	A partnership that aims to secure a future in which its communities prosper from the very best in environmentally sustainable ways of living and working.	<ul style="list-style-type: none"> • Planning for economic growth and other strategic matters
Chilterns National Landscape Conservation Board	To seek to further the purpose of conserving and enhancing the natural beauty of the Chilterns National Landscape, and the purpose of increasing the understanding and enjoyment by the public of the special qualities of the Chilterns National Landscape.	<ul style="list-style-type: none"> • Conservation and enhancement of the natural and historic environment including landscape • Green and Blue Infrastructure

Group / Meeting	Role	Relevant Strategic Matters
Bedfordshire Local Nature Partnership Board	Brings together a wide range of partners from the public, private and third sectors actively engaged in protecting and enhancing Bedfordshire's natural environment.	<ul style="list-style-type: none"> • Conservation and enhancement of the natural and historic environment including landscape • Green and Blue Infrastructure
Health Equity Town Subgroup	The subgroup will contribute to keeping oversight and strategic delivery of housing and health actions linking to the recommendations in the Marmot report and beyond.	<ul style="list-style-type: none"> • Planning for housing, health needs and wellbeing
Health Inequality Board	The Board is responsible for ensuring the implementation and monitoring of strategic actions relating to reducing inequalities in health by focusing on the wider social determinants of health, and system working to address the causes of health equity.	<ul style="list-style-type: none"> • Health needs and wellbeing
Town Centre Partnership Board	Addressing perceptions of safety in the town, increasing access to green spaces, improving accessibility, promoting health equalities, developing an events and arts programme, regeneration and development to promote economic diversity and investment in the town centre	<ul style="list-style-type: none"> • Health needs and wellbeing • green and blue infrastructure and natural / historic environment, • employment and other strategic matters

Joint working on strategies and infrastructure planning

1.99 Some of the partnerships and groups detailed above may produce joint strategies or studies are part of their work consistent with the requirements of the duty to cooperate. Some of these strategies would have direct relevance to the local plan and several of the partnerships have / will jointly commission studies or evidence base work which will influence the policies of the local plan.

1.100 Table 3 below shows jointly produced studies / strategies that relate to the local plan. In future iterations of this document the table will be updated to include new strategies and evidence base documents which are relevant to the local plan.

Table 3: Joint working on strategies and infrastructure planning

Project / document	Produced by / involved	Role / purpose
Opportunity East: How the East of England will drive national productivity through innovation (July 2024)	East of England LGA	Explains the economic contribution and national role of the East of England, including its nationally important assets and challenges and opportunities being faced.
East of England Recovery, Renewal and Growth (July 2021)	East of England LGA	Focuses on economic recovery and renewal after the covid 19 pandemic.
East of England Economic Prospectus (July 2021)	East of England LGA	Sets out the characteristics and assets of the East of England and a case for greater investment to support inclusive, sustainable growth for the area's communities.
OxCam Local Natural Capital Plan (LNCP) (2023)	OxCam LNCP and Environment Agency	Deliver the Oxford to Cambridge environment principles and is the first step to ensure a natural capital baseline and framework is provided to help monitor environmental change and de-risk growth
Economic Recovery Strategy (June 2021)	SEMLEP	Brings together the actions that SEMLEP and its local partners have taken, are taking and will take in future to help the South East Midlands to recover from the impacts of the covid 19 pandemic and to grow and prosper in the long term.
Active Travel Strategy: The Ambition (phase one - March 2022)	England's Economic Heartland	The first phase in developing a full active travel strategy for the region. Describes the high-level ambition for active travel in the area.
Active Travel Strategy (part 2): The Opportunity (July 2023)	England's Economic Heartland	Identifies cross-boundary opportunities to improve active travel. Defines in detail what the region should be aiming towards in terms of achieving excellence in active travel.
Transport Strategy: Connecting People, Transforming Journeys (February 2021)	England's Economic Heartland	Sets the policy framework, supporting by an initial investment pipeline, that will deliver EEH's ambitions guided by four principles.

Communication at formal stages of local plan production

1.101 The duty to cooperate bodies (as well as other relevant organisations and the wider public) will be invited to submit representations to inform the preparation of the new local plan. This will be carried out in accordance with our Statement of Community Involvement and the Town and Country Planning (Local Planning) (England) Regulations 2012, which describe “general” and “specific” consultation bodies that authorities are required to consult with during the production of a local plan. Consultation methods will be adapted to suit each stage of the local plan’s production.

1.102 The format and methods used will be detailed in a Consultation Statement, produced after each stage of consultation. The Consultation Statement will summaries responses that have been received.

1.103 Table 4 summarises the additional specific communications about the local plan with external stakeholders at each formal stage of preparation. In future iterations of this document, this table will be updated to include details of communication with duty to cooperate bodies at formal stages of the local plan’s production.

Table 4: Local plan communications with external stakeholders at formal stages

Stage	Date	Communication	Partner organisation contacted / invited
Sustainability Appraisal Scoping Report consultation	Scheduled for Nov 2024 – Jan 2025	Notification of consultation	Environment Agency Historic England Natural England
Issues and Options (Regulation 18)	Scheduled for Nov 2024 – Jan 2025	Notification of consultation	Duty to cooperate bodies Specific consultation bodies General consultation bodies Additional organisations / bodies
Duty to Cooperate Background Paper	Scheduled for Nov 2024 – Jan 2025	Document circulated for consultation	Duty to cooperate bodies Additional local planning authorities
Options and Draft Plan (Regulation 18)	Scheduled for Mar 2026 – Apr 2026	Notification of consultation	Duty to cooperate bodies Specific consultation bodies General consultation bodies Additional organisations / bodies
Duty to Cooperate Statement	Scheduled for Mar 2026 – Apr 2026	Document circulated for consultation	Duty to cooperate bodies Additional local planning authorities
Consultation on Proposed Submission Plan (Regulation 19)	Scheduled for Jun 2027 – Jul 2027	Notification of consultation	Duty to cooperate bodies Specific consultation bodies General consultation bodies Additional organisations / bodies

Local plan engagement with external stakeholders

1.104 As the local plan progresses there will be a significant degree of contact and communication between the council and a number of the duty to cooperate bodies. This contact could comprise meetings, workshops, telephone conversations, email exchange and some may be on a more informal basis to inform the drafting of a new local plan's policies and proposals.

1.105 These communications will be recorded as part of the preparation of the local plan and to demonstrate that we have met the duty to cooperate.

1.106 The preparation of the local plan is in its early stages. Joint working and engagement around evidence base work has been taking place with our neighbouring authorities, including around gypsies and travellers, the green belt, and other evidence base work. Engagement has been taking place with North Hertfordshire District Council regarding the East of Luton site.

1.107 A workshop and meetings have taken place with Natural England on green and blue infrastructure and natural environment matters, with Historic England on historic environment and conservation matters, and communications with the Environment Agency on Flood Risk matters.

1.108 We will continue to cooperate and engage with the other duty to cooperate bodies listed earlier on in this paper.

1.109 It should be noted that engagement will also be undertaken with non-prescribed bodies, including bodies that fall under the "specific" consultation bodies outlined in the Town and County Planning (Local Planning) (England) Regulations 2012 (as amended). This includes but is not limited to:

- Anglian Water;
- Affinity Water;
- Thames Water;
- UK Power Networks;
- National Grid;
- Network Rail.

1.110 "General" consultation bodies will also be consulted with as outlined in our Statement of Community Involvement.

Next Steps

1.111 The duty to cooperate will be ongoing up until the point of submission. The table below shows different actions that will be undertaken at different stages in the local plan process to demonstrate that the duty to cooperate has been met.

1.112 The table below has been produced on the assumption that the duty to cooperate will remain a requirement in legislation as the Luton local plan progresses. The Levelling-up and Regeneration Act 2023 will revoke the duty to cooperate in relation to the reformed plan making system.

1.113 The table below may be revised should the relevant reforms to the planning system take place whilst the new local plan is being produced - for example, to better reflect new / different stages of plan making, or due to the introduction of formal strategic planning mechanisms through new regulations (as described in the government's consultation on the proposed reforms to the NPPF and other changes to the planning system)³³.

Actions	Issues and Options Stage (Regulation 18) – current stage	Draft Plan consultation stage (Regulation 18)	Proposed Submission Plan consultation stage (Regulation 19)	Submission
Engagement with duty to cooperate bodies				
Discussion around sites				
Discussion around strategic matters				
Maintenance of record of meetings and activity log				
Drafting of Statement of Common Ground(s)				
Revision of Statement of Common Ground(s)				
Agreement of Statement of Common Ground(s)				

³³ <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>