

PRO FORMA

Luton Borough Council 'Call for Sites' 2024

What is the purpose of this consultation?

Luton Borough Council is preparing a new Local Plan and is therefore, issuing a 'Call for sites' (12 December 2024 – 7 February 2025) inviting landowners, developers and community groups to promote available land and property which can be used for the future development needs of the town.

In particular, we are interested in land and property opportunities that could help to meet needs for the following uses:-

- Housing
- Affordable Housing
- Custom And Self-Build Housing
- Gypsy and Traveller and Traveller Showpeople (G&T) pitches and plots
- Employment including Commercial, Service, Industrial Land
- Brownfield Land (to be included on the Brownfield Land Register (BLR))
- Tourism, Culture and Leisure
- Biodiversity Net Gain (BNG)
- Nature Recovery (Local Nature Recovery Strategy)
- Renewable Energy (solar, wind, biomass, combined heat and other innovative solutions e.g. geothermal, pumped water and gravity storage)
- Green and Blue Infrastructure (e.g. greenspace and water bodies)

Please fill in the pro forma below as best as you can. It can be used for new sites and/or to update existing sites you may have already submitted for inclusion in the council's land supply, captured in the Strategic Housing Land Availability Assessment (SHLAA).

What is the Luton Call for Sites Pro Forma?

The Call for sites Pro forma is a survey form with a structured series of questions about site ownership, existing and proposed uses, suitability, deliverability (including timescales) and constraints which will allow us to assess any sites potential to be put forward for meeting Luton's future development needs through the new Local Plan.

How can I comment on the Luton Call for Sites Pro Forma?

It is important that you read the separate **Guidance Notes** (found with this pro forma on the luton.gov.uk/newlocalplan web page) before completing your site pro forma. You must also review and agree to the **Privacy Notice** (see the end of this pro forma), by ensuring that it is ticked in the **Your Contact Details*** section further below, to be included with your pro forma return.

You can choose to be kept updated as work on the new Local Plan for Luton progresses.

***Note:** we can only process your site pro forma and legally hold your contact details with name, address if you have agreed to the mandatory question regarding the **Privacy Notice**.

Our preference is for submissions to be made using our online Objective portal survey: luton.objective.co.uk/kse.

Alternatively, if you cannot use the Objective portal, you can download and provide a completed scanned pro forma 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

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.

Printed forms are available at the Town Hall, libraries and other places, see details online at: www.luton.gov.uk/newlocalplan. You can also email us at localplan@luton.gov.uk or call 01582 548528 and we can email or post response forms to you.

A separate form should be completed for each site.

Completed forms must be submitted to the Council together with an Ordnance Survey map identifying the site boundaries in red (and if available, any land ownership edged in blue) at an appropriate scale (e.g. 1:2,500).

Any further detailed information you may wish to supply via email relating to the site and/or potential development proposals would aid the Council in its analysis of your site.

How we will use your information

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

Except for personal information* and any questions ticked as confidential by you on the survey form, all site information submitted via the online portal or otherwise, after processing may be published in preparing our Strategic Housing Land Availability Assessment (SHLAA).

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

YOUR CONTACT DETAILS

Name(Required):	Catherine Mason
Company/Organisation (Optional):	
Address (Required):	
Postcode (Required):	
Telephone (Optional):	
Email (Required):	

Would you like to be notified of future updates on planning policy matters , including a new Local Plan for Luton? Please tick if you wish to be added to our database (Optional).

Yes ☐

Please review the **Privacy Notice** and tick that you agree to it in order for us to publish your site information and legally hold your contact/personal details privately which won't be published (Required).

Yes ☐

CHARACTERISTICS

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

	Please tick if prefer not to say?
Age:	☐
Date of birth:	
What is your gender?:	☐
Is the gender you identify with the same as your gender registered at birth?	☐
What is your ethnicity?:	☐
Do you consider you have a disability (please specify)?:	☐
What is your sexual orientation?:	☐
What is your religion or belief?:	☐
Are you currently pregnant or on maternity or parental leave?:	☐
Are you married or in a civil partnership?:	☐

STATUS

TABLE 1: STATUS – please tick all that apply (Required)	
Owner of (all or part of) the site	☐
Planning Consultant	☒
Land Agent	☐
Developer	☐
Community Group	☐
Registered Social Housing Provider	☐
Local Resident	☐
Other (please specify)	☐

If other, please specify (Required if applicable)
If acting on behalf of Landowner / developer, please provide client name and address details (Required if applicable)
Acting on behalf of Freeholder Opec Prime Development Limited (Part of Comer Homes Group)

DECLARATION

TABLE 2: DECLARATION (Required): I (or my client)...

Is sole owner of the site	☒	Owens part of the site	☐
Do not own (or hold any legal interest in) the site	☐	Developer owner	☐
Planning consultant	☒	Developer speculative	☐
Developer with an option	☐	Local resident	☐
Registered social landlord	☐	Amenity/community group	☐

Other?- please specify (Required if applicable):
If you are not the owner, or own only part of the site, do you know who owns the site or the remainder of it – please provide details (Required if applicable)?:

TABLE 3: Does the owner (or other owners) support your proposals for the site (Optional)?
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Yes ☒

No ☐

Don't Know ☐

SITE DETAILS

Site Address / location (Required):

13-31 Dunstable Road

Site Postcode (Required): LU1 2BG

UPRN (Optional):

OS Grid reference (Optional):

Whole Site area Ha (hectares) (Required): 0.29 HA

Developable Site Area Ha (hectares) (Required): 0.29 HA

Previously Develop Land (PDL) (Optional):

PDL 0.29 HA

PDL Vacant or occupied – describe uses % on site and % of occupancy? (Optional):
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Vacant

Greenfield Land? (Optional):

Mix PDL/Greenfield? (Optional):

Existing trees or other landscape features (Optional):
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Please attach a location plan ideally using an Ordnance Survey base, or sketch sufficient to clearly identify the land, showing site boundaries and any existing or proposed access to the site (if known) (Required).

PLANNING HISTORY

Planning History (Optional)
Is there any planning history associated with the site? Various Planning History for Residential Redevelopment of the site for up to 12 storeys including 17/02130/FUL - 183 Units; 16/01499/FUL - 214 Units; and 07/00831/FUL-124 Units
Has pre-application meeting been undertaken or scheduled, if so, when ? Current Planning Application submitted (24/00847/FUL) - Due to be considered at Planning Committee on 19.02.2025
In either case - please provide details.

CONFIDENTIALITY

TABLE 4: Confidentiality If applicable - please select/tick if Pre-Application information can be made public? (Required).

Yes	☐
No	☐

AVAILABILITY

TABLE 5: Availability - Do you know of any ownership or legal constraints which may affect the development of the site? (Please select all that apply) (Optional)

Ransom strips	☐
Tenancies	☐
Leasehold	☐
Covenants	☐
None	☐
Must land off-site be acquired to develop the site?	☐
Are there any current uses which need to be relocated?	☐
Is the site owned by a developer or is the owner willing to sell?	☐
Other	☐

For any of the reasons selected above, please provide further details where available (particularly if other is selected):

Please provide details of how the above constraints can be overcome (continue on a separate sheet if necessary).

Housing Delivery Trajectory

If you consider that the site could become available for development within the next 5 years, please provide an accurate trajectory clearly stating the expected number of houses to be delivered before **31st March** for each of the following periods (Required if applicable):

TABLE 6: Year 1- 5	Year	Units
1	2024-2025	
2	2025-2026	
3	2026-2027	50-100
4	2027-2028	50-100
5	2028-2029	50-100

If your trajectory extends beyond 5 years to years 6-10 If you consider the site is developable include estimated dwellings for each year or zero where applicable (Required if applicable).

TABLE 7: Year 6- 10	Year	Units
6	2029-2030	
7	2030-2031	
8	2032-2033	
9	2033-2034	
10	2034-2035	

If your trajectory extends beyond 5 years to years 11-15 Enter dwelling numbers in each year or zero as applicable (Required if applicable).

TABLE 8: Year 11- 15	Year	Units
11	2035-2036	
12	2036-2037	
13	2037-2038	
14	2038-2039	
15	2039-2040	

Or in the longer term please provide trajectory period and the reasons for delivery at this timescale - please provide a trajectory or zero where applicable and the reasons for delivery at this timescale further below (Required if applicable).

TABLE 9: Year	Year	Units
16	2040-2041	
17	2041-2042	
18	2042-2043	
19	2043-2044	
20	2044-2045	

Reasons for Housing trajectory timescales (Required):

Planning permission anticipated 2025 and following discharge of conditions and mobilisation construction expected to commence 2026

TABL10: Housing development proposed uses (please tick/select all that apply) (Required if applicable)

Housing (C3 use)	☒	Housing C3 Extra Care/Sheltered?	☐
Residential institutions (C2 use)	☐	Plots for custom/self-build	☐
Older people	☐	Student accommodation	☐
Community – Led or Cohousing	☐	Gypsy and Travellers or Showpeople	☐
Exception site	☐	Solely Build for Rent	☐
Homeless - supported housing	☐	Temporary accommodation	☐

Potential capacity (number of units/density) where known

Net dwellings is gains minus losses of any existing on site. Net Area Ha generally refers to a specific land area devoted to residential purposes while gross density refers to other non-residential land uses including parks and streets. Specify all numbers and types of housing that apply, separately below under 'Number of units by tenure/dwelling types/mix (Optional)'.

Units Gross	291
Area Ha. Gross	
Gross dwellings/Ha.	
Units Net	291
Area Ha. Net	
Net dwellings/Ha.	291

Number of units by tenure/dwelling types/mix C3 Housing	
C3 Market Homes (Optional)	
Flats	291
Dwellings	
Beds spaces	
C3 Extra Care/sheltered (Optional)	
Flats	
Dwellings	
Bed spaces	
Affordable Intermediate Sale (Optional)	
Flats	
Dwellings	
Bed spaces	
Affordable Intermediate Shared Ownership (Optional))	
Flats	
Dwellings	
Bed spaces	
Affordable Intermediate rent (Optional))	
Flats	
Dwellings	
Bed spaces	
Social rent - a type of low-cost rental housing with rent levels based on a formula set by the government (Optional)	
Flats	
Dwellings	
Bed spaces	
Custom/self-build rent (Optional)	
Flats	
Dwellings	
Bed spaces	
First home (Optional)	
Flats	
Dwellings	
Bed spaces	
C2 Nursing home/institutional care (Optional)	
Establishments	
Bed spaces	

Gypsy & Travellers and Traveller Showpeople	
Gypsy & Traveller (Optional)	
Number of Pitches	
Number of Sites	
Site area Ha.	
Traveller Showpeople (Optional)	
Number of Plots	
Number of Yards	
Site/Yard area Ha.	

Tourism, Culture or Leisure	
Specify Type/ Description (including if mixed use) (Optional).	
Proposed use(s)	
Greenfield (Ha/Sqm)	
PDL Ha/Sqm)	
Mix Use (Ha/Sqm)	

Biodiversity Net Gain	
On-site proposed for Biodiversity Net Gain (Optional)	
Site Area Ha./Sqm	See application for details (24/00847FUL)
% Existing grassland	
% Existing hedgerow or treeline	
% Existing Watercourse (rivers and streams)	
% Created grassland	
% Created Hedgerow or treeline	
% Created Watercourses (rivers and streams)	
Off-site proposed for Biodiversity Net Gain (Optional)	
Site Area Ha./Sqm	
% Existing grassland	
% Existing hedgerow or treeline	
% Existing Watercourse (rivers and streams)	
% Created grassland	
% Created Hedgerow or treeline	
% Created Watercourses (rivers and streams)	

Wildlife site for nature recovery?	
Site proposed to contribute towards local nature recovery, including strategic and cross boundary (Optional).	
Local wildlife site opportunity	
Strategic wildlife site opportunity	
If yes to either of the above - please provide sites area (Optional)	
Proposed site area Ha.	
Site intended as a Habitat Bank?	
Yes	☐
No	☐

TABLE 11: EMPLOYMENT & SERVICES			
Class E Commercial Business & Services (a) – (g)			
Class E (a) [Previously A1 Retail]	☐	Class E (b) [Previously A2 Food and drink; A3 Restaurants and Cafes]	☐
Class E (c) [Previously A2 Financial and Professional Services]			
E (c) (i) financial services	☐	E (c) (ii) professional services (other than health or medical services)	☐
E (c) (iii) services appropriate to provide in a	☐	Class E (d) Indoor sport & recreation	☐

commercial, business or service locality			
Class E (e) Medical Services	☐	Class (g) i) Office	☐
Class (g) ii) Research & Development	☐	Class (g) ii) Industrial process (suitable in a residential area)	☐
Class (f) Creche, Day Centre, Nursery	☐		

Employment & Commercial Services - please provide gross figures and if available, net figures (i.e. gross gains minus losses)	
Class E (a) [Previously A1 Retail].	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (b) [Previously A2 Food & Drink; A3 Restaurants & Cafes].	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (c) (i) Financial Services.	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (c) (ii) Professional Services (other than health or medical).	

Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (c) (ii) Professional Services (other than health or medical).	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
E (c) (iii) Services appropriate to provide in a commercial, business or service locality.	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (d) Indoor Sport & Recreation.	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (e) Medical Services.	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (g) (i) Office.	

Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (g) (ii) Research & Development.	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	

Class E (g) (iii) Industrial Processes (suitable within a residential area).	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	
Class E (f) Creche, Day Centre, Nursery.	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	

Employment Industrial & Warehousing B2 to B8 (Optional)			
B2 (General Industrial) please tick if applicable (Required)	☐	B8 (Storage and Distribution) please tick if applicable (Required)	☐
B2 Giga Factory	☐	B8 Data Centre	☐

B2 (General Industrial) - please provide gross figures and if available, net figures (i.e. gross gains minus losses)

Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	

B8 (Storage and Distribution- please provide gross figures and if available, net figures (i.e. gross gains minus losses)

Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	

Leisure and other service C1, D1 to D2

C1 (Hotels).	☐	D1 (Non-residential Institutions)*see below	☐
D2 (Assembly and Leisure)**see below	☐		

C1 (Hotels).

Proposed Land Gross Ha (Required)	
Proposed Land Net Ha (Optional)	
Number of Bedrooms (Optional)	

D1 (Non-residential Institutions)* e.g. including health centres, clinics, day nurseries/ creches, training or education centres (including schools), art galleries, museums, libraries, halls, churches/ places of worship etc.

Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	

D2 (Assembly and Leisure)** e.g. a concert hall, a bingo hall or casino, a dance hall, a swimming bath, skating rink, gymnasium or area for other indoor or outdoor sports or recreation.	
Proposed Land Gross Ha (Required)	
Proposed Floorspace Gross Sqm (Required)	
Proposed Land Net Ha (Optional)	
Proposed Floorspace Net Sqm (Optional)	

Mixed Use			
Mixed use?	☐		
Please specify area (Required) and % split of for each proposed use (Please estimate if unknown) (Optional)			
Proposed Gross land area Ha. and % split			
Propose Net floorspace sqm and % split			
Proposed Gross land area Ha. and % split			
Propose Net floorspace sqm and % split			

SUITABILITY

TABLE 12: Suitability - Please identify if any part of the site is a (please select all that apply):			
Special Protection Area	☐	Special Area of Conservation	☐
Ramsar Site	☐	Site of Special Scientific Interest	☐
County Wildlife site	☐	District Wildlife Site	☐
Ancient Woodland	☐	Historic Parks and Gardens	☐
Scheduled Ancient Monument	☐	Local Green Space	☐
Public Open space	☐	Flood Zone 1	☐
Flood Zone 2	☐	Flood Zone 3a	☐
Flood Zone 3b	☐	Other sources of flooding?	☐

TABLE 13: Constraints - To the best of your knowledge, are there any constraints which may prevent or constrain development? (Optional)	Yes	No
Access issues (limitations or problems relating to site access via the road/transport network)	☐	☒
Contamination / Pollution (unsuitable ground conditions, previous hazardous uses)	☐	☒
Flood risk (liability of site to flooding)	☐	☒
Future predicted risk of flooding (taking account of Environment Agency's climate change flood allowances) from rivers, rainfall, surface water and ground water.	☐	☒
Heritage assets (listed building, conservation area, archaeological sites)	☐	☒
Nature conservation (protected species, wildlife sites, nature reserves)	☐	☒
Physical constraints (topography, ground conditions, trees, other)	☐	☒
Utilities infrastructure (electric, gas, water, telecommunications)	☐	☒
Other e.g. abnormalities (please specify)	☐	☒
Please State Mitigation Required (additional notes about site suitability issues) (Optional): See application for details (24/00847/FUL)		

Continued....

ACHIEVABILITY

TABLE 14: Achievability - Please tick all that apply (Optional).		
Is the site currently being marketed?	Yes: ☐	No: ☐
Is the total site freehold owned by a developer?	Yes: ☒	No: ☐
Is the site in multiple freehold ownership?	Yes: ☐	No: ☐
Is the site subject to a lease? If so the duration of the lease?:	Yes: ☐	No: ☐
Are there any current uses which need to be relocated	Yes: ☐	No: ☒
Is the site dependent on other land assembly?	Yes: ☐	No: ☒
Is the site under options to a developer?	Yes: ☐	No: ☐
Site development mix/density not achievable	Yes: ☐	No: ☐
Site need subdivision/phasing?	Yes: ☐	No: ☐
Forward funding finance/infrastructure required?	Yes: ☐	No: ☐

TABLE 15: When could the site be developed? If unknown please put a best estimate (Required).	
Within 5 years	☒
Within 6-11 years	☐
Within 11-15 years	☐
Beyond 15 years	☐

Once work has commenced, how many years do you think it would take to complete the site? From start date to finish date (please put in an estimate if unsure) (Optional):-	
Start	2026
Finish	2028/29 (Approximate - will depend on Various factors)
Are there any viability issues which could affect the development? (Optional)	
Yes	☐
No	☒
Don't Know	☐
If answered yes above, please give details) (Optional)	
See viability assessment submitted with Application (24/00847/FUL)	

Continued...

TABLE 16: If any constraints / factors have been identified, are they likely to affect the achievability / timing of the development? (Optional)

None	☒
Contamination	☐
Demolition	☐
Flood Mitigation	☐
Topography or Ground Condition	☐
Infrastructure	☐
Policy requirements e.g. affordable housing	☐
Rights of Way, easements etc	☐
Market Sales capacity	☐
Disposal/sale of other developed land portfolio	☐
Other	☐

If other (please specify) (Optional):

DELIVERABILITY

Key Stage/activity - where possible, please set out your estimated timescales financial Year and Month for each key stage/activity (where relevant) below:

e.g. Year= 2024/25 Month = 03 (March)

Stage or activity	Year	Month
Pre-application discussion		
Submission of planning application (outline)		
Determination of planning application		
Submission of planning application (full/detailed	2024	July
Determination of planning application	2025	
S106 signed/permission issued		
Landowner/housebuilder (land sale/purchase)		
Housebuilder procurement process		
Discharge of pre-commencement conditions	2025	
Commencement of construction	2026 (Approx)	
Completion of first dwelling		
Completion of last dwelling		

Deliverability - Stage or Activity dates above known or estimated? (Required)

Known	☐
Estimated	☒
Don't Know	☐

Estimated rate of development: This may be from estimated delivery of developers / previous history of developer's track record or any history of barriers / non delivery or labour-force supply.

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Continued...

Evidence of progress of development: Has there been any prior surveys carried out on site e.g. ecological, transport, flooding statements or any agreements that will help improve deliverability? Please tick all that apply (Required)

Yes	☒
No	☐
Don't Know	☐
Pre application meeting	☐
S.106 Heads of Terms agreed?	☐
S.106 date for Signing?	☐
Signed S.106 Agreement?	☐
Commencement date condition applied/willing to apply to consent?	☐
Signed Planning Performance Agreement or Delivery Agreement between developer and authority or willing to do so?	☐

Please provide details in support of any of above evidence and include comment on intentions even if answered no evidence of progress or don't know (Required)

See application reference 24/00847/FUL

ADDITIONAL COMMENTS

If necessary, please continue on a separate sheet and attach to this form (Optional).

See attached Covering Letter

In identifying a site, are you also giving permission for an officer of the council to access the site in order to carry out a site visit (please tick/select below)?

Yes	☒
No	☐
Don't Know at this time	☐

Thank you for your time. We will be in touch if we require any further information.

PRIVACY NOTICE

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

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

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

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

Data controller

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

Data protection officer

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

Planning Service Privacy Notice

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

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

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

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

Personal data

Personal data we will hold, include:

- name
- address
- email address
- telephone number

- land ownership/ interest details
- signatures
- special category data (such as health conditions, disabilities, bank statements, tenancy agreements etc.)

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

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

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

The planning department your personal data to:

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

Lawful basis

Personal data

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

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

Special category data

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

Supporting information

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

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

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

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

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

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

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

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

Who we share your information with:

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

Why we share your information

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

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

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

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

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

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

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

Planning Enforcement

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

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

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

Any automated decision making or profiling

None

Transfer of data to another country

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

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

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

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

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

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

Exercising your rights

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

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

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

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