Appendix B:
Planning Policy Framework Implementation and Review

This document can be made available in other formats. If you require a copy in large print, on table on tape or in a language other than English, please tel. 01582 547331

The Team

Building Design Partnership are leading the team and are providing urban design and urban planning input to the study.

MVA are responsible for providing advice on traffic, transport, parking and movement.

Strategic Planning Advice in conjunction with CB Richard Ellis are responsible for providing advice on economics and land use.

Appendix B: Planning Policy Framework

B.1 Planning Context

Planning policy is established by the Government at a national level, and is then implemented through regional and local policies. This section provides a summary of the key policy themes which affect the SPD for High Town. The Planning and Compulsory Purchase Act 2004 sets out the legal basis for the way the planning system operates, and emphasises community involvement and sustainability. Planning Policy Guidance Notes (PPGs) are being replaced over time by Planning Policy Statements (PPSs). This document has been produced in line with the new government guidelines as a Supplementary Planning Document to form part of the Local Development Framework for Luton & South Bedforshire.

B.2 National Policy

Sustainable Communities

The Government's Sustainable Communities Plan promotes sustainable economic growth in key areas of the country, including Luton as part of the Milton Keynes and South Midlands Growth Area. It also promotes the following in local communities:

- Vibrant local economies;
- A healthy local environment;
- A high quality public realm;
- Convenient and accessible public transport;
- Appropriate density and mix of land uses;
- Flexible buildings and urban layout to meet future needs;
- Diverse culture with access to decision-making processes;
- A sense of place with connections to other centres.

Housing

PPS3 (Housing) seeks to provide affordable, well designed and located housing in communities where people want to live. The policy advocates the grounding of local housing policy on evidence based housing needs; including demand and supply analysis. The PPS focuses on the delivery of sustainable housing developments of a high design quality, through a variety of tenures (market and affordable), of a sufficient quantity (including a variety and mix of dwelling types and sizes to allow choice), in a suitable location promoting the effective and efficient use of land, including previously developed land. PPS3 requires the proposed mix of housing in development applications to address and reflect the tenure, size and price requirements identified in evidence based studies, and to contribute to the creation of mixed communities having regard to the existing mix of housing in the locality. PPS 3: -

Since 1 April 2007, PPS 3 may be used by Local Planning Authorities as a "material consideration" in the determination of planning applications for residential development.

Planning and Commercial Developments

PPG4 seeks to ensure that development balances the locational needs of businesses with wider objectives, particularly in trip generation and the promotion of sustainable transportation methods and minimising environmental impacts. This policy seeks development on previously used land which returns it to productive uses. PPG4 advocates an inherently flexible approach to account for changes in demands and trends in employment land use, and pays particularly attention to the infrastructure needs of business uses. Local policies should provide choice, flexibility and competition for business uses with good infrastructure, which ultimately stimulates economic activity. PPG4 also calls for the promotion of small and medium sized firms recognising their role in continued sustainable economic development**.**

Planning and Design

PPS1 (Delivering Sustainable Development) emphasises the need to integrate the delivery of environmental, economic and social objectives. Regional and local authorities are tasked with addressing climate change for example through reducing the need to travel by private car. Planning should promote high quality inclusive design which improves the character of an area including breaking down barrier to access. Community involvement is seen as an essential element in developing the vision for local areas.

Urban Design Guidance

A range of best practice guidance is has been produced which promotes best practice in the design of streets, space and routes including:

- By Design (DETR & CABE, 2000);
- Urban Design Compendium (EP, 2000);
- Safer Places: The planning system and crime prevention (ODPM, 2004).

Integrating Land Use and Transport

PPG13 seeks to create more sustainable transport choices and promotes accessibility to shopping, recreational, employment and residential uses by walking, cycling, public transport and modes other than the private car.

The historic environment and development

In particular PPG15 sets out policies for the protection of historic buildings, highlighting how new development should be sensitive to listed buildings and buildings of high quality and how development or building alterations should preserve or enhance the character of conservation areas.

Planning for open space, sport and recreation

PPG17 promotes the retention of local leisure and open space facilities. Development is discouraged especially on wooded areas and links between open unless a significant benefit to the local community can be demonstrated.

B.3 Regional Policy

RPG9 (Regional Planning Guidance for the South East) identified the Luton/Dunstable/Houghton Regis area as a Priority Area for Economic Regeneration, where there is a need for tailored regeneration strategies backed up by appropriate resources to address existing problems and maximise their contribution to the social and economic well-being of the region. RPG9 states that Bedfordshire should provide a total of at least 2,430 additional housing units per year.

RSS14 (Regional Spatial Strategy of the East of England). Identifies Luton within the East of England Region. The East of England Plan is currently in the process of being adopted and will set out the regional strategy for planning and development in the East of England to the year 2021. It includes the entire counties of Cambridgeshire, Essex, Norfolk, Hertfordshire, Bedfordshire and Suffolk and provides a long-term strategy for the sustainable development of the region addressing economic development, housing, the environment, transport, waste management, culture, sport and recreation, mineral extraction and more.

Strategic Issue: Land

Strategic Issue: Transport

A major feature of RSS is that it identifies the significant investments that will be needed in social, environmental, economic and transport facilities ('infrastructure') if it is to achieve its desired results. That investment will come from a variety of sources, including central and local government funding and private developer funding.
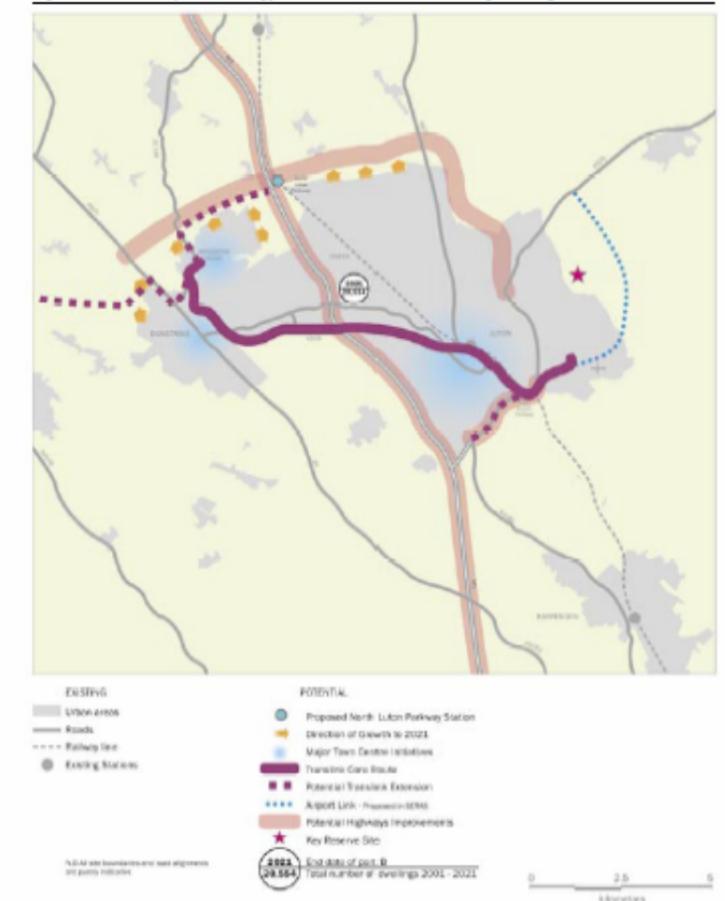
Milton Keynes and South Midlands Sub Regional Strategy

The MK-SM SRS, adopted in March 2005, established Luton, Dunstable, Houghton Regis and Leighton Linslade as a new growth area (ie LDHR-LL GA). The preferred option proposes an expansion of Luton towards the north west and the south east, in combination with the implementation of Luton Dunstable Busway (Translink) and town centre regeneration. It is envisaged that this strategic approach will attract new businesses and residents wanting to locate in a sustainable settlement that has a highly sophisticated infrastructure with efficient connections to the remainder of the subregion and central London.

Due to the lack of development opportunities within Luton Borough, a significant proportion of growth will need to be met outside the area. There is a need therefore to sustainably accommodate housing demand - including affordable housing and community infrastructure - within the Borough. The key priorities for the strategy are:

- Providing a range of office space in the town centre, particularly high value knowledge-base industries;

- Maintaining and supporting the manufacturing base;

- Redevelopment of the Thameslink and bus stations;

- Implementation of Translink.

- Incorporates development necessary to fund that which is required by this policy;

- Will enhance the character, appearance and function of the area.

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Sub-Regional Context
High Town is strategically placed to take advantages of regional growth opportunities.

B.4 Local Policy

Under the new planning system set up under the Planning and Compulsory Purchase Act 2004, County Structure Plans and Local Plans are no longer to be prepared. They are being replaced by Regional Spatial Strategies and Local Development Frameworks.

For Bedfordshire, Luton and South Bedfordshire this will include draft RSS14 The East of England Plan and the adopted MK-SM SRS (which will eventually form part of RSS 14) and at the local level, an emerging Joint Local Development Framework to deliver the LDHR-LL GA outlined above.

However, the RSS14 East of England Plan will not replace in full the structural policies when published in its final form by the Secretary of State but some of them will be "saved". Currently, until the RSS14 has been adopted the policies of the Structure Plan 2011 and Local Plans will remain as the official planning policy for Bedfordshire and Luton together with the adopted MK-SM SRS.

Luton Community Plan 2002 - 2012

The Community Plan sets out six key themes that Luton Borough Council will promote:

- A dynamic and creative town
- Learning, skills and employment
- Sustainable communities with access to services
- Crime reduction
- Health and social care
- Quality of the environment

Luton Local Plan 2001-2011

The Borough of Luton Local Plan was adopted in March 2006. Together with the accompanying Proposals Map is the statutory local plan for Luton and set the land use strategy for the Borough. It sets the pattern and character of future development in the town and provides the basis that the Council will use for the determination of planning applications. The Local Plan identifies seven 'action areas'

where comprehensive treatment by redevelopment of improvement is required, among them the central area of High Town. The area needs a comprehensive long-term vision of its future to solve the current decline of its industrial sites, almost derelict or underused, to enhance the High Town Road Shopping Area, (also identified as a Conservation Area) and to address social problems such as deprivation and crime.

Policy HT1 specifically relates to High Town and states that development will be permitted if it:

- Meets the identified requirements of local residents with regard to housing, employment, retail, community and recreational facilities;
- Serves effectively as a centre for the community;
- Incorporates other uses necessary to meet local need;
- Incorporates development necessary to fund that which is required by this policy;
- Will enhance the character, appearance and function of the area.

Housing Context

Luton faces high levels of demand for social rented housing, increasing levels of homelessness, a severe shortage and high cost of suitable building land, high levels of private sector disrepair and pressures to maintain the properties of the Borough Council's own tenants. Employment 'windfall' sites have been the main source of housing land in recent years.

Due to these needs, the existing housing stock is a valuable resource that should be maintained and, where possible, enhanced. Hence Policy H1 states that in most cases planning permission for the loss of residential accommodation or land will be refused.

Housing Requirement

The current adopted Structure Plan 2011 gives Luton a target of 6,200 additional dwellings to be provided between 1991 and 2011, phased between two periods: 5,200 (1991-2006) and 1,000 (2006-2011).

Housing Density

Policy H3 states that in the central area or areas with good

accessibility by public transport, a density of 50 units per hectare or above should be achieved.

Affordable Housing

Policy H5 requires that 50% of new units in all developments of 15 dwellings and above, or 0.5 ha and above are for affordable housing unless on-site provision is not feasible.

Employment

Policy EM4 states that planning permission will be granted for Use Classes B1 to B8 if it will not have an unacceptable effect upon the amenity of neighbouring uses.

Example of high quality housing

B.5 Local Strategies

Luton, Dunstable & Houghton Regis Local Transport Plan 2006- 2011(LTP2)

This is the second Local Transport Plan (LTP2) prepared jointly by Luton Borough, Bedfordshire County and South Bedfordshire District Councils.

The three towns are part of the wider Luton Dunstable Houghton Regis and Leighton Linslade Growth Area, one of six growth areas within the Milton Keynes/South Midlands (MK/SM) sub-region. The emphasis of the LTP2 is therefore to continue to deliver existing commitments and consolidate the current position by continuing to implement safety and other integrated transport solutions over the life of this Plan (2006 - 2011), whilst actively engaging in and planning for the longer term levels of residential and employment growth set out in the sub-regional strategy. A Joint Committee has been set up to ensure that the planning and transportation requirements to meet the increasing demands imposed by growth area status are considered in an integrated way.

The LTP2 places priority for spending on sustainable transport. The transport hierarchy remains in the same order as in LTP1, with public transport, walking and cycling as the first three priorities. The plan seeks to ensure that integration takes place: between different transport modes; between transport and the environment; between transport and land-use planning; and between transport planning and wider policy areas.

The LTP2 objectives provide clear direction for the 2006-2011 period. They are to:

- Improve the safety of the traveling public, especially children and those in vulnerable and disadvantaged groups;

- Reduce dependency on the private car;

- Increase the choice of transport available to all;

- Make services (health, education, employment, leisure and shopping) more accessible so that people have a real choice about when and how they reach them;

- Sustain a thriving local economy whilst minimising the impact of transport on the environment;

- Improve the efficiency of the transport network;

- Manage congestion levels and accommodate future growth, through the short term provision of effective alternatives to the private car and by the controlled management of demand in the longer term; and

- Improve the use of the existing transport network through effective management and maintenance.

The transport strategies listed below have been, and are being, produced as part of the Local Transport Plan.

Luton Cycling Strategy 2006

Is one of a series of modal strategies which together will develop the integrated approach to transport set out in the Local Transport Plan (LTP) for Luton, Dunstable and Houghton Regis. It also provides supplementary guidance on implementing the Luton Local Plan 2001-2011, which requires new development and highway schemes to take account of the needs of cyclists and promote cycling. The council seeks to encourage cycling through:

- High quality strategic cycle route network of both on- and off-road routes with priority given to routes to work, school and shopping, and for leisure purposes.

- Integrate cycling into traffic and transport schemes to improve safety and give greater priority in terms of access and journey time over other traffic.

- Secure cycle parking, accessible, conveniently sited in well lit locations and, where possible, sheltered.

- Programmes of cycle-friendly employer initiatives, training programmes for both children and adults to promote safer cycling, particularly aiming to increase the proportion of children cycling to school.

- In addition to targets to meet nationally-set indicators, the strategy includes supplementary targets to measure progress in increasing cycling in Luton by 2011.

Luton Walking Strategy 2003.

The walking strategy contains 21 policies which deal with increasing the understanding of the importance of walking, improving the pedestrian environment generally and in specific locations, ensuring that new developments facilitate walking, and monitoring of walking activity. The document is currently under review.

High Town Road Conservation Area

Natural elements within High Town

Luton Bus Strategy 2007

The strategy reaffirms the Transport Plan's general aims of securing the maximum benefits for integration, local environment quality, social inclusion and the local economy in Luton. It also reaffirms the priority which the Plan gives to public transport improvements. It sets out policies/ actions to make travel by bus easier, more attractive and more reliable to use. The document is currently under review.

Supplementary Planning Guidance; Designing for Sustainability: A Guide to Good Practice

This SPG was adopted in January 2003 and sets down a number of considerations that all new development must address, including:

- Location;

- Site Layout;

- Building Design;

- Energy Efficiency.

Supplementary Planning Guidance; Designing for Community Safety

The SPG aims to achieve a more sustainable future for Luton and an "urban renaissance". The purpose of the document is to suggest approaches and set out requirements for ensuring that due regard is paid to the community safety in Luton within the context of a quality environment. In particular, it deals with action which can be taken within the physical environment concerned with the reduction of crime, anti-social behaviour and the fear of crime. The general principles focus on:

- Adopting an integrated approach on new development's design, planning and layout;

- Improving Legibility and Identity;

- Enhancing Environmental Quality and Sense of Ownership;

- Considering the impact that the layout and building detail have on the community safety;

- Setting high standards of maintenance of public areas with clear identified responsibility and resources;

- Giving proper consideration to public lighting.

Bedfordshire and Luton Land and Property Study (July 2003)

This study found that Luton town centre could be a key economic driver for office uses if its environment and that of surrounding areas is improved. The study recommended that the loss of employment land should be resisted, and in particular that the stock of inner urban employment land should be maintained to meet local needs and foster indigenous growth.

High Town Road Conservation Area - A Vision 1995 (Consultation Draft)

A vision for the future of the High Town Road Conservation Area was produced in 1995. It highlights a number of problems that affect the area and puts forward four main elements which need to be addressed to ensure that the integrity of the area is maintained and improved into the future:

- Conservation Enhancement

- Shopping Enhancement

- Wider Regeneration

- Community Partnership

It is argued that action under each of these categories will have a wider beneficial impact for the area and that if fully integrated even wider benefits will be achieved.

Living Streets—The High Town Promenade (2005)

This study aimed to establish how the quality of the street environment could be improved in and around High Town with the overall aim of encouraging more people to walk within, to and through the area. A number of key issues and recommendations are highlighted including the installation of an additional crossing point on High Town Road near the York Street junction and the upgrading of lighting around St Matthew's School and High Town Road.

Nature Conservation Strategy for Luton

A nature conservation strategy for Luton was established in 1992 to assist action being taken to improve nature conservation within the Borough. The strategy deals with a wide range of topics such as species protection, development criteria and access. The strategy contains 15 key policies and a strategy map identifying key sites. An action plan was also prepared to co-ordinate implementation.

High Town Neighbourhood Renewal Plan 2005-2008

The NRP feeds into Luton's Community Plan - the overall plan for Luton agreed by the Luton Forum, a strategic partnership of all the key public, business, voluntary and community sector organisations operating in Luton.

The NRP is a vision for improving life in High Town, promoted by the Neighbourhood Partnership Forum (NP) which is the umbrella forum for the neighbourhood where local organisations, businesses, agencies and individuals can come together, enabling the people who live or work in High Town to make their own decisions about the future of the neighbourhood. The plan is based on local peoples' hopes and concerns. It puts forward priorities for action that have been agreed at NP meetings and gives the NP a way of checking on progress on key issues. It aims to influence the way funding is spent, and how services are designed and delivered in the neighbourhood.

The aims of the Renewal Plan are:

- A dynamic, creative town;

- Crime reduction;

- Improved health and social care;

- A quality environment and sustainable communities;

- Improved learning skills and employment;
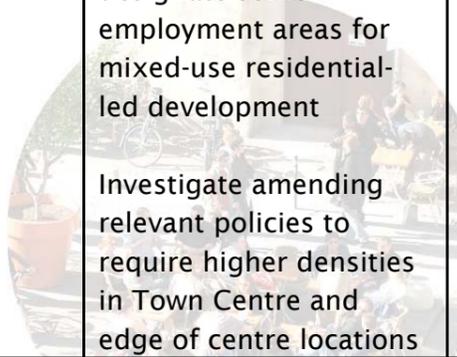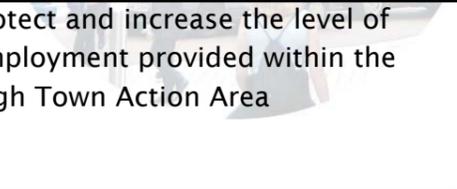
Implementation and Review

C Implementation and Review...

C.1 Delivery Summary

The following tables provide a summary of how the identified Key Projects and other related developments could be facilitated in order to promote the realisation of the Masterplan and its Key Projects.

C.2 Key Projects:

Key Objective	Key Projects / Goals	Outline Specification	Delivery Timescale	Next Steps	Possible Delivery Partners
'Heart of High Town'	High Town Road / Midland Road Gateway	Public art feature Shared surfaces Pedestrian priority junctions	Medium		Luton Borough Council (LBC) Private Sector
	The 'Living Bridge' between the Town Centre and High Town Road / Midland Road Gateway	Widen northern section of rail bridge Provide small retail units on new sections of bridge	Long	Use the both High Town Road Conservation Area Action Plan and Luton Town Centre Development Framework to promote this concept with Network Rail and through rail station	Network Rail Local Transport Plan LBC Private Sector
	Public Space at High Town Road/ Havelock Road junction	Utilise south east corner of St Matthews School site	Medium	Discuss possibility with school and LEA	Local Education Authority LBC
'Historic High Town'	Preservation of historic fabric and extension of protective Local Authority planning powers	Identification of buildings worthy of local listing Investigation of possible extension to High Town Road Conservation Area Reinstatement of historic street grid where feasible	Medium	Carry out a Conservation Area Appraisal of High Town Road Conservation Area Continue providing grants to improve shop fronts on High Town	LBC Building Landowners

Key Objective	Key Projects / Goals	Outline Specification	Delivery Timescale	Next Steps	Potential Delivery Partners
Housing	Promote new residential development and conversions of redundant employment sites Promote densities of more than 50 dwellings per hectare	Promote conversions of former factory/warehouse units to flats in area between High Town Road and Hitchin Road	Medium	Investigate possibility for Local Development Framework and Key Proposals Map to re-designate some employment areas for mixed-use residential-led development Investigate amending relevant policies to require higher densities in Town Centre and edge of centre locations	LBC Private Sector Landowners
Mix of Uses	Protect and increase the level of employment provided within the High Town Action Area	New residential development to include active ground floor uses and frontages Retain and improve current mix of uses	Medium	Continued application of Local Plan Policy	LBC Private Sector Landowners
Resolve Conflicting Uses	Prioritise vacant and under-used employment sites for residential use Promote neighbourly employment uses close to residential uses	Promote conversions of former factory/warehouse units to mixed use residential on employment sites between Taylor Street and High Town Road and Hitchin Road	Medium	Investigate possibility for Local Development Framework and Key Proposals Map to re-designate some employment areas for mixed-use residential-led development	LBC

Key Objective	Key Projects / Goals	Outline Specification	Delivery Timescale	Next Steps	Potential Delivery Partners
'Green High Town'	Creation of new public space at junction of York Street and Taylor Street to link community facilities and provide green links	Physical improvements to Duke Street Planting to create a green link	Long	Commission feasibility study to produce outline design and costing	LBC
	Planting to Havelock Road, York Street and Taylor Street	Utilisation of corner of St Matthews School grounds to create a new public space and green link	Long	Commission feasibility study to produce outline design and costing	LBC
Movement	Pedestrian improvements to Midland Road/Bedford Road junction	Raised crossings/dropped kerbs Traffic light phasing Speed reduction signage Improved surfacing	Short	Commission feasibility study to produce outline design and costing	Local Transport Plan LBC
	Pedestrian improvements to Midland Road/Hitchin Road junction	Raised crossings/dropped kerbs Traffic light phasing Speed reduction signage Improved surfacing	Short	Commission feasibility study to produce outline design and costing	Local Transport Plan LBC
'Safe High Town'	Improved lighting to Havelock Road	High lumen lighting to improve security	Short	Commission feasibility study to produce outline design and costing	LBC
	Improved lighting within employment area: Burr Street, Duke Street, Brunswick Street, Taylor Street, Back Street, York Street, Concorde Street and Charles Street	High lumen lighting to improve security	Short	Commission feasibility study to produce outline design and costing	LBC
	Improved lighting to Midland Road/Bedford Road junction	High lumen lighting to improve security	Short	Commission feasibility study to produce outline design and costing	LBC
	Improved lighting to Midland Road/Hitchin Road junction	High lumen lighting to improve security	Short	Commission feasibility study to produce outline design and costing	LBC
	Improved lighting	High lumen lighting to improve security	Short	Open discussions with relevant housing association	LBC Housing Corporation/Housing Association
	Improved maintenance of landscaping and public realm	Increase regularity of waste collection and clearing of litter from public areas	Short	Commission feasibility study to produce outline design and costing	LBC

C.3 Potential Delivery Mechanisms

There are a number of implementation mechanisms and initiatives which are likely to be of assistance in bringing forward development proposals that form part of the SPD for High Town:

- Land Pooling and Land Swaps
- Compulsory Purchase Orders
- Planning Gain
- Development Briefs

C.3.1 Land Pooling and Land Swaps

One of the issues which can frustrate the implementation of development / regeneration projects is the inability to reconcile the aspirations of individual landowners, which can in certain circumstances lead to a requirement for the use of compulsory purchase powers. The use of CPO does, however, have attendant costs (e.g. in terms of holding the relevant inquiry, the requirement for evidence from expert witnesses, legal advice etc.) and risks (e.g. the delay in receiving the decision, and possibility that an Order will not be confirmed, or will not be confirmed in full etc.). In addition, in general terms it is usually perceived as being more desirable to secure the willing participation of individual landowners. In this context, there is a potential requirement for the use of more innovative or imaginative property deals or structures, in order to facilitate such agreement.

Land swaps can be used where an exchange of property interests can enable two or more parties to realise their aspirations. Potentially, a land swap may need to be accompanied by some form of top up payment, e.g. if the relative size or value of the land to be exchanged would result in an inequitable arrangement. The potential to undertake land swap deals in relation to the relocations of existing businesses, will become clearer as schemes are worked up in detail.

For such a mechanism to work, there needs to be a clear understanding and agreement of the potential values which could be generated by commercial (or other) development on the parties' respective ownerships, in order to ensure that there is parity in the transaction (a process of balancing which may necessitate a top up payment).

An alternative mechanism which could apply in this situation is land pooling. If there is an SPD in place, then landowners in particular will have a clear understanding of the sort of uses which may need to be accommodated within their ownership, regardless of their ideal aspirations to secure maximum value from their site. The adoption of an SPD (potentially with a supporting Planning or Development Brief (see below) will define an acceptable land use mix for the site, and will emphasise the way in which the landowner's aspirations will need to be tempered with those of other stakeholders, including LBC.

In such a situation, there is the potential for private landowners, or other owners, to acknowledge the benefits of working in partnership with others in order to achieve an acceptable compromise i.e. in terms of meeting the requirements of the SPD etc, and to achieve an acceptable return from their assets. Land pooling is where the parties agree to pool their assets (via some form of joint venture or partnership structure or via a looser arrangement) with the parties extracting value from the commercial elements of any resultant development in accordance with a pre-determined formula e.g. based upon the respective current day value of the assets to be pooled.

For example, in order to achieve an extension of Taylor Road, the Council may be able to use its existing land interests (see Fig 8) in the area to facilitate the extension, or secure necessary private land interests in (part) exchange for its land interests. In addition, the Council may be able to acquire vacant land/buildings (see Fig 7) to facilitate development/ improvement, or relocate businesses from areas required for development/improvement.

C.3.2 Compulsory Purchase Orders (CPOs)

A common hurdle to overcome in implementing town centre schemes is land assembly. Such locations are often subject to a high number of freehold and lesser ownership interests. Amalgamating these interests can result in significant time delays in bringing forward schemes. However, from CPO powers granted through various Acts, the Council has statutory tools to facilitate land assembly.

There are, however, some disadvantages associated with Compulsory Purchase. It is often a slow process, particularly if a Public Inquiry is required in order to deal with objections. CPOs can also be a costly process, although in most cases we would expect that the developer would indemnify the Council against the costs arising. Importantly, Compulsory Purchase provides more certainty to the land assembly process, especially where the more traditional private treaty negotiation process does not yield the appropriate land assembly in a timely fashion.

C.3.3 Planning Obligations

Planning obligations / Section 106 agreements, are used to offset the negative impacts of a development which cannot be directly addressed through changes to the scheme itself. This may include (but is not limited to) affordable housing, contributions to the provision of education facilities, open space, landscape improvements, children's play, or infrastructure projects. Typically, this is undertaken via the mechanism of Section 106 or Section 278 agreements (for highways work).

A Supplementary Planning Document on Planning Obligations will be adopted in the near future. The document will be an appropriate framework for assessing what planning obligations will be required from new developments. The charges are derived from the overall cost of provision and, where appropriate, maintenance of facilities. The level of contributions will, in some instance, be based on standard charges, increased in accordance with the scale of the development.

The Planning Obligations SPD will provide advice on making contributions to the following services and facilities:

- Affordable Housing
- Transport Facilities
- Open space and play facilities
- Education
- Libraries
- Museums
- Economic development
- Public Art

The guidance will normally apply to all developments in Luton, comprising a net addition of 1 dwelling or more and to all commercial floorspace comprising a net addition of more than 100 m[2.]

C.4.4 Development Briefs

Once adopted, this SPD will provide a broad framework for the planning and implementation of new development in the area.

Within this broad framework, and once specific sites have been identified or allocated for development, it may well be appropriate for the Council to prepare more detailed Development Briefs. Such briefs can offer more detailed guidance on issues such as:

- Preferred solutions to site access/egress;

- Requirements in terms of matters of detailed design;

- Infrastructure requirements;

- Disposition of uses across the site.

Such briefs can also be important in ensuring that development occurs in an appropriate fashion, in keeping with the aspirations of the Council. In particular, they can provide clear guidance on matters such as:

- Acceptable design themes;

- The need for high quality enhancement of the public realm, potentially using a common palette of materials or features across a number of sites;

- The requirement for specific works of environmental enhancement or mitigation;

- Specific requirements, in terms of contributions to the delivery of improved access.

As well as identifying the aspirations of the local planning authority, such Briefs can also help to provide certainty to landowners and developers. They can also provide guidance on likely S.106/S.278 requirements, and so on.

A Development Brief can also be used as a mechanism for stimulating developer interest, potentially via a development competition. Such competitions can have the capacity to stimulate added interest, and can encourage developers to raise their aspirations beyond their normal commercial requirements, particularly where

there is involvement from other public sector/statutory bodies on high profile sites, thereby creating greater market and local confidence to significant development proposals.

As in C.3.1, the Council can utilise its own assets to facilitate parts of the SPD. For example, the Council may be able to promote development in the Bedford Road block through a Development Brief, where it currently owns the vacant recreation centre and hall. The proposed development area in such a brief may include properties/land interests outside the Council's ownership, and invite developers to formulate a scheme in accordance with the Council's objectives. The viability of including properties outside the Council's ownership, such as in the indicative development shown in Fig 30 (Key Project 4), would therefore be tested by the market and allow a detailed scheme to evolve through a developer selection process.

C.4 Potential Funding Sources

Further to the analysis of the key delivery mechanisms, summarised below are some sources of funding which may be available in order to assist the implementation of the SPD proposals for High Town.

C.4.1 Private Sector Funding

A number of the sites and proposals will invariably rely for their implementation upon the resources of the private sector, in particular where development is commercially driven and likely to prove economically viable. The receipts from these land disposals (i.e. those in the Council's ownership) could be earmarked by the Council for reinvestment/cross-fund other projects within High Town, for example, provision of affordable housing, improving the public realm or the creation of community facilities.

However, if planning gain items – i.e. via Section 106 Section/278 agreements – are loaded upon individual developments, to too great an extent, then either the developments could become unviable, or they will require

greater levels of enabling development to ensure certainty of delivery, and affect the desired mix of uses. Clearly a balance between viable and non-viable proposals will need to be agreed. As SPDs and Development Briefs are worked up/reviewed, the potential role for the public sector in terms of funding will become clearer.

The public sector can help to facilitate/deliver private sector proposals which appear to stand alone (i.e. in their ability to be largely self funded/commercially viable), by assisting in the identification of appropriate relocation opportunities for existing occupiers, so that proposals can be brought forward at an early stage on particular sites.

C.4.2 Public Sector Funded Proposals

There may be elements of the proposed SPD for High Town which are likely to require public sector funding, in terms of both site specific proposals (eg. development of community facilities) and potential contributions to more broadly-based initiatives, such as the provision of improved access or movement of traffic/pedestrians. In addition, there may be an opportunity for regeneration agencies to gap fund or acquire land to facilitate development. The Government Office for the East of England (GO-East), EEDA (East England Development Agency) the Housing Corporation and English Partnerships may all have a role to play in assisting with the implementation of the SPD for High Town.

Where the public sector (eg. LBC, EEDA or EP) participates in direct development, or secures the ownership of sites which are subsequently transferred to commercial development partners, there will be an opportunity to generate capital and/or revenue receipts, which can be reinvested in other elements within High Town.

However it is likely that the total level of public sector funding available will be finite, and there may be a need to identify alternative sources of funding.

C.4.3 Alternative Sources of Funding

In addition to the private sector led developments, and the public sector led initiatives which we have referred to above, there may be a range of other elements that may also require funding which will be identified as further proposals are worked up in detail.

It may be possible to secure financial contributions to these other initiatives via the usual planning gain process of Section 106/Section 278 agreements with the individual landowners/developers who will implement development on particular sites.

It will be appropriate to explore the opportunities which may exist to supplement the funding of these and other proposals. For example, the department for Communities and Local Government (CLG –former ODPM) has a number of different funding pools available which would need to be monitored and explored further in the future.

As more detailed proposals are brought forward within the proposed SPD, including individual sites or initiatives, it will be necessary to give further consideration to the suitability of all the funding sources we have noted above and for the Council to prioritise these and identify other potential funding sources, which may include new funding programmes which do not exist at the present time.

The chances of securing such funding are likely to be maximised if it can be demonstrated that individual proposals create – or contribute to – the delivery of significant sustainable regeneration benefits, delivering a range of outputs such as redevelopment/remediation of brownfield land, new employment and housing opportunities, diversification of the local economy, environmental improvements and so on.