

# Planning and Transportation

**LUTON LOCAL PLAN (2011-31)**

**Green Belt Background Paper**

**April 2016**

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**Planning and Transportation**  
**Department of Environment and Regeneration**



## 1. INTRODUCTION

### **Purpose of a Background Paper:**

- 1.1. Background Papers are an important source of information helping to outline and explain how policies in the Submission version of the Luton Local Plan (2011-2031) have been prepared.
- 1.2. Preparation of the plan has taken place over several years. One of the main roles of a background paper is to set out the approach taken to developing policies and the response to various overlapping factors that have been relevant to the process, such as:
  - Recognising that evidence prepared at different times or focusing on different objectives, issues and specialist areas should be considered ‘in the round’. Studies are often prepared concurrently, but at other times further consideration helps to explain the interaction between different findings.
  - Government policy including that set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) which might have changed whilst the plan was being prepared. Recent changes to rights for Permitted Development (such as ‘office-to-residential’) are one such example.
  - Changes in the local and national economy influencing potential demand for different development types, such as changes in house prices or designation of the Luton Airport Enterprise Zone.
  - Looking across all the evidence and consultation responses to inform overall views on:
    - The most appropriate balance between policy topics and of land uses for the plan;
    - Where relevant, the most appropriate targets for specific development types or outcomes; and
    - The most appropriate sites and strategic locations to meet different requirements.
  - Specific national policy requirements such as the preparation of a Strategic Housing Market Assessment and an objective assessment of housing and employment needs which does not have regard to potential constraints such as a lack of sites or the presence of Green Belt designations;
  - Taking account of how evidence and emerging proposals relate to plan-making activities in nearby authorities as part of the Duty to Co-operate. This helps to understand the relationship between different land uses and the ability to provide for different needs such as employment, retail and housing.
  - Taking account of more recent evidence since relevant studies were first completed or alternate sources of evidence that might suggest different answers or preferable options
  - The relationship with infrastructure provision, including the existing position, programme for future work and sources of available and required funding.
- 1.3. When tackling these factors ‘in the round’ it is not always appropriate or possible to translate recommendations from one particular study or Local Plan stakeholder directly into policy.
- 1.4. The Council has prepared a series of Background Papers. The Overall Approach Background Paper sets out the context to the plan’s preparation as a whole. This is then supplemented by

a series of topic based Background Papers and a separate Duty to Co-operate Statement. The aim of each Background Paper is to demonstrate the 'direction of travel' for each topic and how this provides the most appropriate strategy for the future development and growth of Luton. The intention is to signpost rather than to duplicate the detailed technical evidence which is already available in the evidence base.

- 1.5. The Background Papers have a common structure identifying (Section 2) the topic(s) covered, (Section 3) the main issues addressed in the main body of the report, (Section 4) a listing of that part of the evidence base especially relevant the topic(s) (Section 5) the main body of the report addressing the issues, and (Section 6) concluding remarks.

## **2. THE TOPIC FOR THIS BACKGROUND PAPER – GREEN BELT**

- 2.1 As set out in the National Planning Policy Framework (NPPF) the Government attaches great importance to the Green Belt designation. The fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. This background paper explains how the Green Belt policy in the Submission Luton Local Plan (2011-2031) has been prepared.

### **The Green Belt In Luton**

- 2.2 Luton is a densely populated town surrounded by Green Belt and with significant designations of Chilterns Area of Outstanding Natural Beauty to the southwest and north / northeast of the Borough with small areas of the AONB designation in the north of the Borough. Luton's Green Belt accounts for 3% of its total land area, comprising of approximately 136.02 (ha). The Luton/Dunstable/Houghton Regis conurbation is encircled by the southern Bedfordshire Green Belt on all sides apart from to the east and south-east of Luton where the North Hertfordshire Green Belt completes the ring (an extension of the Metropolitan Green Belt).
- 2.3 The detailed Green Belt boundaries in Luton have remained materially unaltered since initial approval in Local Plans. The current detailed boundary is defined within the Luton Local Plan 2006. Geographically, Luton has grown to a point where almost the whole of the land within the borough boundary has been developed.
- 2.4 The construction of the M1 motorway in 1959 has encouraged expansion to the west of the town, to the point where it has all but merged with Dunstable. The designation of the Chilterns AONB which lies to the north east and south west of the town has also helped to control the growth of the town, in addition to Green Belt policies. The study has been restricted to Luton Borough, which has meant that the focus has been on a relatively small number of residual areas of Green Belt land which have remained undeveloped within the borough boundary. Strategically it is the adjoining authorities of Central Bedfordshire and North Hertfordshire District, which control all of the Green Belt abutting the borough.

2.5 The Green Belt Study provides a brief history of the Luton Green Belt and this is not repeated here (see Paragraphs 2.1 – 2.6 of the study).

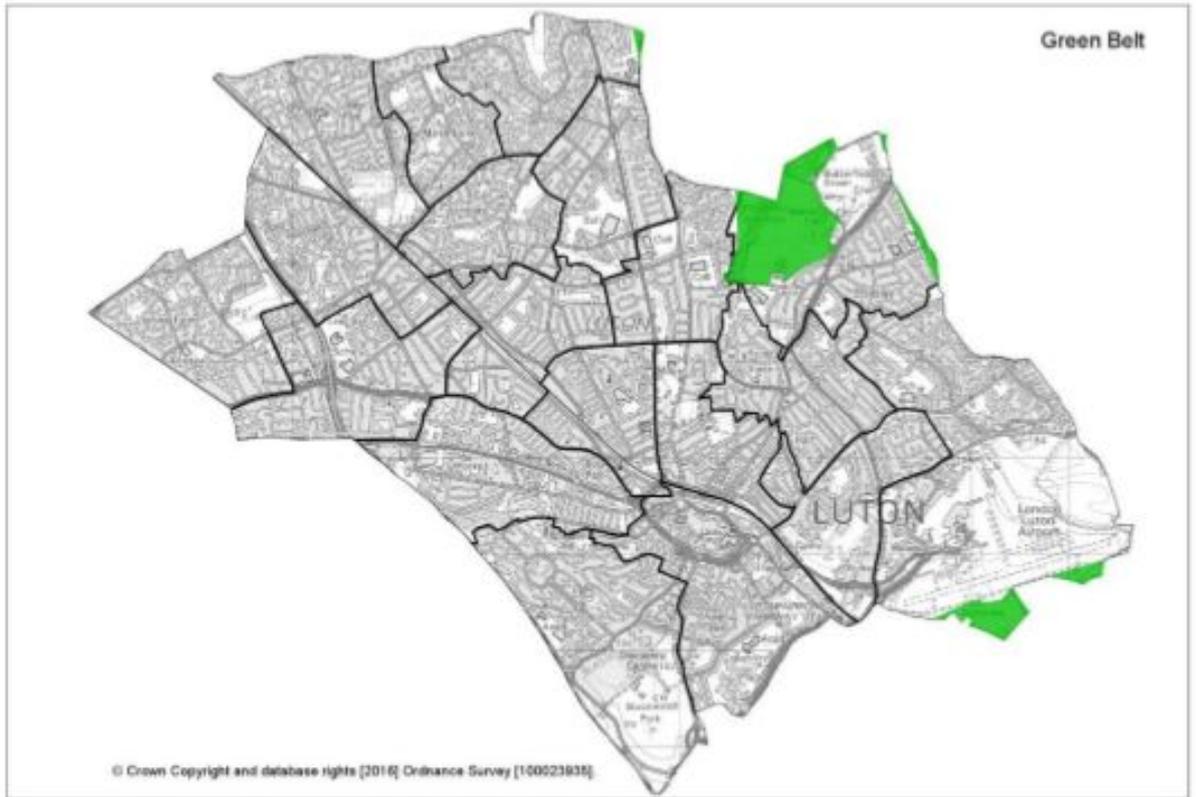


Figure 1: Luton's Green Belt

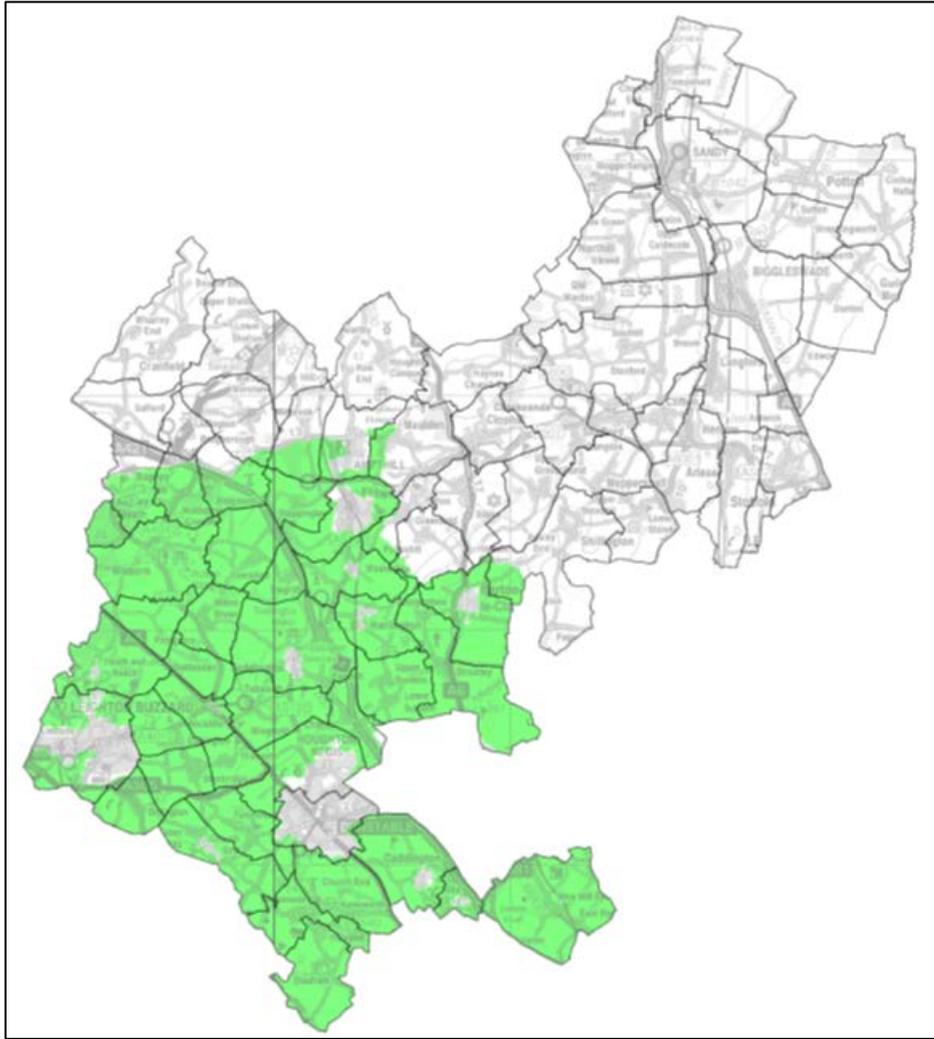


Figure 2. Central Bedfordshire Green Belt

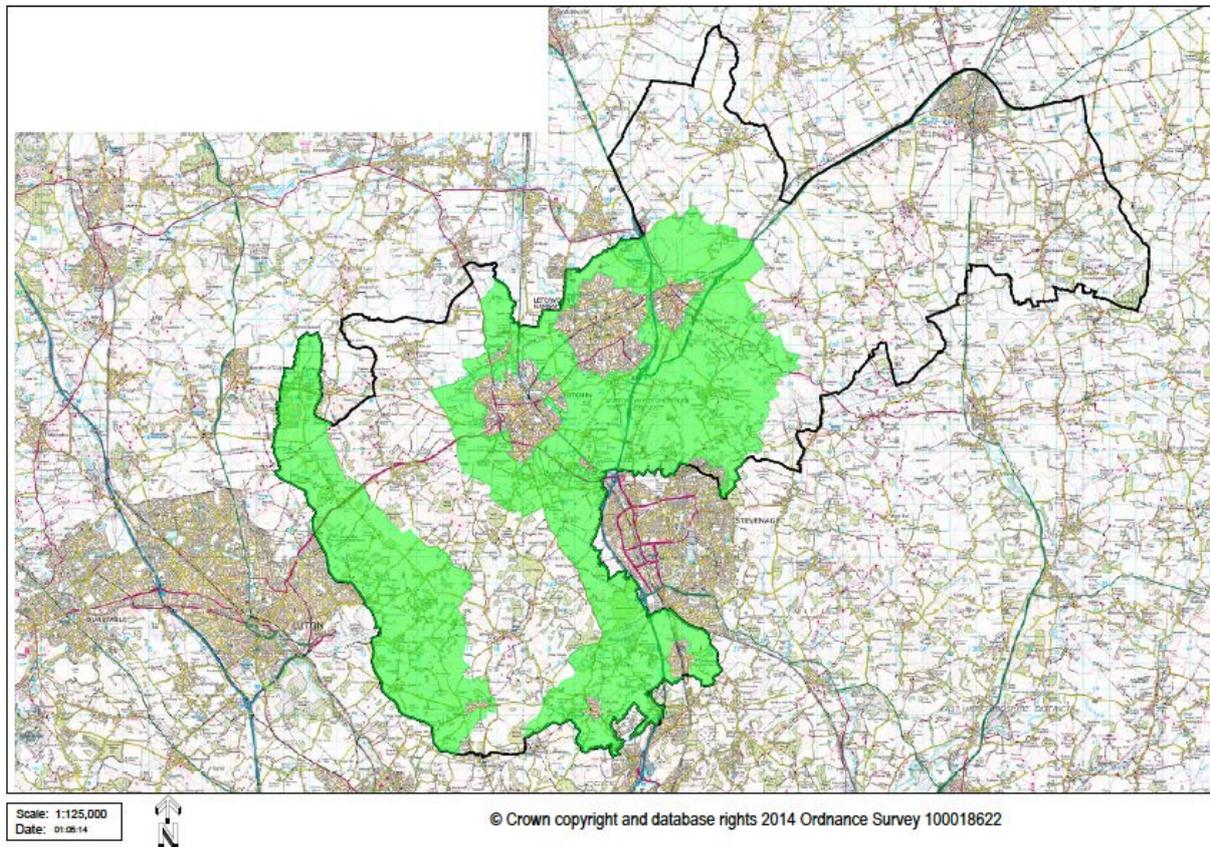


Figure 3: North Hertfordshire Green Belt

### 3. THE MAIN ISSUES FOR THIS BACKGROUND PAPER

3.1 The following critical issues affecting the Green Belt in Luton are addressed in the Section 5 of this background paper:

- National policy requirements to protect the Green Belt
- Pressures in Luton to identify additional land supply for housing up to 2031
- Luton Green Belt Study
- Exceptional Circumstances
- Duty to Co-operate and Joint Green Belt Study for Central Bedfordshire and Luton Borough

### 4. KEY EVIDENCE STUDIES INFORMING THIS BACKGROUND PAPER

4.1 Below provides a summary of the key evidence base documents which support Luton Borough Council's planning policy approach for the Green Belt.

#### National Policy and Legislation

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

#### **Green Belt Studies in Luton**

- Central Bedfordshire and Luton Green Belt Study, Commissioned, March 2016
- STR 012 - Luton Green Belt Study - September 2014 - David Hares Landscape Architecture
- STR 011 -Green Belt Review, Critical Friend Assessment, POSE, November 2013

## **5 MAIN BODY**

### **National policy requirements to protect the Green Belt**

- 5.1 National Planning Policy Framework (NPPF) in paragraph 80 sets out that the Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas, to prevent neighbouring towns merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns and to assist in urban regeneration. NPPF para 83 outlines that local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans. Once established, Green Belt boundaries should only be altered in exceptional circumstances. Luton Borough Council in the Submission Local Plan protects the Green Belt.
- 5.2 The Submission Local Plan, 2011 – 2031 sets out the planning policy position on the Green Belt. It outlines the strategic objective to utilise Luton’s economic, social and environmental resources efficiently and sustainably within the limited physical land capacity of the borough whilst ensuring the permanence of the Green Belt. There were 13 representations at the Pre-Submission Consultation 26 October to 7 December 2015. These were considered when preparing the submission plan in regards to the Green Belt in Luton. The planning policy approach in the Submission Luton Local Plan is set out below.

#### ***Policy LP 4 Green Belt***

*A. Within the areas defined as Green Belt on the policies map planning permission will not be granted for inappropriate development:*

*Warden Hill, Stopsley Common, Oaket Wood, Putteridge Dane, Street Someries*

*B. Inappropriate development is by definition, harmful to the Green Belt. Only in very special circumstances will inappropriate development be permitted and in all instances development must preserve the openness of the Green Belt and reinforce the purpose of the Green Belt.*

*Exceptions to inappropriate development are:*

*i. agriculture and forestry; or ii. appropriate facilities for outdoor sport and outdoor recreation, for cemeteries, which preserve the openness of the green belt and which do not conflict with the purpose of including land in it; or*

*iii. limited extension, alteration or replacement of an existing building where it does not disproportionately exceed the scale of the original building; or iv. safeguarded local transport infrastructure required in a Green Belt location.*

### **Population growth and pressures for housing in Luton**

- 5.3 Population growth and pressures for housing place pressure on Luton's land supply. This makes it extremely important that the Submission Luton Local Plan Green Belt policy is based on an up-to-date evidence base to warrant its continued protection. The details of population growth and pressure on land in the Borough are evidenced extensively in the Housing Background Paper, SHMA and the Local Plan and are not repeated here.

### **Luton Green Belt Study**

- 5.4 LBC prepared an initial draft Green Belt Study in 2013 and consulted its neighbouring authorities on the draft study for review and input. Central Bedfordshire and North Hertfordshire provided input to the draft. In order to ensure that the approach of the Green Belt Study was appropriate, fit for purpose and in conformity, LBC instructed Planning Officers Society (POS) to provide a critical friend review of the draft study along with comments from the neighbouring authorities (see STR 011). This critical friend assessment was undertaken in November 2013.
- 5.5 There were a number of points raised by the critical friend assessment which led LBC to instruct independent consultants (David Hares Landscape Architects) to build on the initial work and address the potential issues raised by POS and undertake / finalise the Green Belt Study for Luton Borough.
- 5.6 Luton commissioned David Hares Landscape Architecture to undertake a thorough review of Green Belt land (GBS, 2014) in the Borough to provide a robust evidence base for the Luton Local Plan 2011 – 2031. The study focussed on whether the Green Belt land within the borough continues to meet the Green Belt purposes defined in the NPPF for Green Belts. A total of six existing Green Belt areas were considered, as well other areas of open land within the borough boundary in order to determine if there were other potential areas of the Borough for new Green Belt designations. Sites were surveyed and analysed in relation to the defined purposes of Green Belt as set out in the NPPF, using a structured analysis system which assessed the level of contribution which sites made to each of those purposes. This process guided recommendations on the suitability of land for inclusion within the Luton Green Belt in the future.
- 5.7 The results of the study were that all six existing Green Belt areas (a total of 136 HA) were found to still meet Green Belt purposes. The sites are: Site 1 Warden Hill, Site 2 Stopsley, Site 3 Oaket Wood, Site 4 Putteridge, Site 5 Dane Street and Site 6 Sommeries. A summary of the GBS, 2014 findings are set out below.

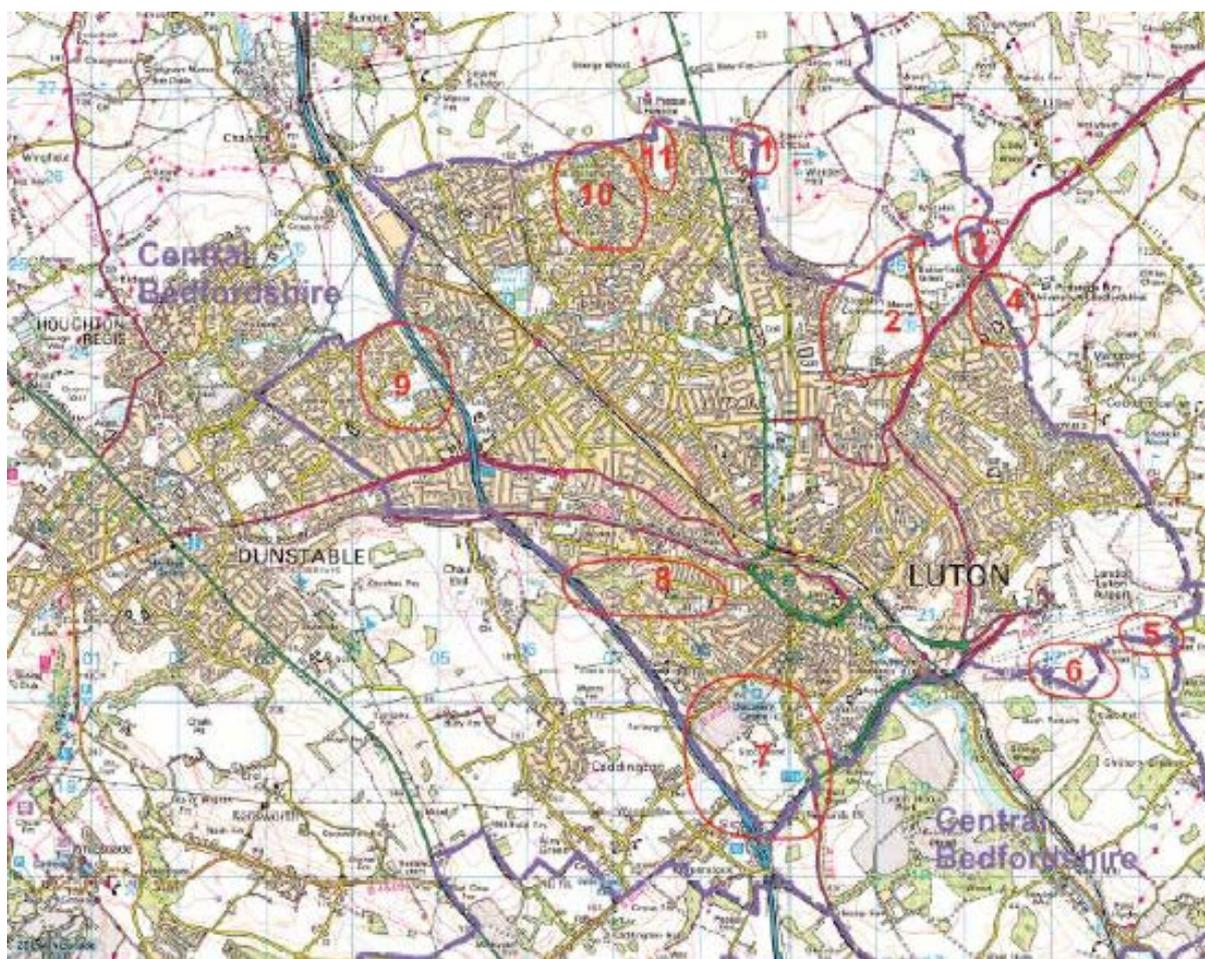


Figure 4: Green Belt Study Sites Assessed

- 5.8 **Site 1. Warden Hill:** This area is within the Chilterns AONB, and is partially covered by Green Belt. The site provides access to and setting for the Galley and Warden Hills SSSI and Scheduled Monument (SM) and is a county wildlife site (CWS). This area includes a section of land which has been reserved for the potential construction of the Luton East Circular Road (North), a link road, which is neither currently proposed nor allocated funding. The GBS, 2014 set out that the urban edge of Luton at this location is well defined with good quality transition from urban to countryside. The Green Belt boundary currently runs north south along the line of the proposed road. The recommendation for this site is that it makes a medium to high contribution to Green Belt purposes and therefore meets the criteria for designation as Green Belt.
- 5.9 **Site 2 Stopsley Common:** The western part of the site at Bradgers Hill and Oosey Hill covered in chalk grassland and scrub woodland are designated County Wildlife Sites, the boundaries of which have recently been extended to include additional areas; on the scarp; on the plateau of the common and on the slopes in the Bushmead area (Natural England are currently considering designation of an area of this habitat as an SSSI). The wood in the recreational area and associated meadows to the north east are now a District Wildlife Site but Upshot Wood on the boundary did not meet the criteria and no longer has biodiversity designation. There are also strip lynchets at Bradgers Hill (currently being considered by English Heritage for Scheduled Ancient Monument designation). Two large areas of the site are part of the Chilterns AONB although the majority of the area does not have other landscape or environmental designations. As the area makes a medium contribution to Green Belt purposes it meets the

criteria for designation and should remain designated as Green Belt. However a more detailed study and analysis of land to the west of Butterfield Green road including Land Unit 2D is recommended in the Stage2 Green Belt study.

- 5.10 **Site 3 Oaket Wood:** This site consists of a small piece of established woodland located on the north east corner of Luton Borough. Oaket Wood straddles the borough boundary and was once part of larger woodland. In Luton there is now only a small remnant area of 0.8 ha bordering the Butterfield Business Park in the west and arable land to the north in Central Bedfordshire District and to the east in North Hertfordshire District. Land immediately adjacent to the western edge of the wood is currently being developed for business development and is temporarily covered with soil heaps and informal parking. The wood contains mature trees and ancient woodland indicators and in part is classified as a County Wildlife Site. The whole wood is situated in the Green Belt and is bordered on the eastern side by the Chilterns AONB. As the site makes a medium contribution to Green Belt purposes and meets the criteria for designation, there are no proposed revisions to the boundary.
- 5.11 **Site 4 Putteridge** This site consists of a narrow strip of woodland located between the Luton Borough boundary, Putteridge School and Recreation Centre, Selsey Drive and residential properties on Edgewood Drive, Wren Close and Jaywood. The belt of woodland extends southwards along the borough boundary tapering into a tree belt and hedgerow bordered by the Putteridge Bury Estate brick wall running alongside Selsey Drive. To the north-east of the site in North Hertfordshire District is Putteridge Bury, a Grade II listed building situated in a Registered Park and Garden of historic interest. The woodland belt as well as being Green Belt is classified as part of the historic parkland of Putteridge Bury. The northern end of the site is designated as a District Wildlife Site. The whole site is currently designated as Green Belt and Registered as Historic Park and Garden, similar to the adjoining land in North Hertfordshire District. Immediately to the south of the Green Belt at this location is the Wandon End Park County Wildlife Site, a narrow but imposing strip of hedgerow & woodland adjoining the borough boundary. The GBS, 2014 sets out the area of Green Belt at Putteridge contributes to protecting against unrestricted sprawl, assisting in the safeguarding of the countryside from encroachment preserving the setting of the grade II listed Putteridge Bury House and the registered historic park. The conclusion to the assessment of this site was that it makes a medium contribution to Green Belt purposes and should remain as Green Belt as it meets all the criteria for Green Belt purposes and has a strong and permanent boundary.
- 5.12 **Site 5 Dane Street:** This site consists of a small roughly rectangular shaped area of land abutting Luton airport and the southern boundary of the borough. The whole area is designated Green Belt and is shown as Area of Great Landscape Value (AGLV) in the Luton Local Plan. Part of the site is shown within the Luton Airport Action Area although it is located outside the airport fence. The whole area is currently designated as Green Belt and Area of Great Landscape Value similar to adjoining land in the neighbouring districts of Central Bedfordshire and North Hertfordshire. The GBS, 2014 sets out that this site makes a medium contribution to Green Belt purposes and meets the criteria for designation as Green Belt. It is open and contiguous with a much larger area of rural Green Belt land in adjoining local authorities. Both units of land within Luton Borough fit well with the neighbouring parcels of Green Belt land. The recommendation in the GBS, 2014 was that the Green Belt boundary for this site remains unchanged in this area, and no revision is required.

- 5.13 **Site 6 Sommeries:** This site is a roughly square shaped area of land abutting Luton Airport and the southern boundary of the borough. The whole area is designated Green Belt and is shown as Area of Great Landscape Value (AGLV) in the Luton Local Plan. Sommeries Castle Scheduled Ancient Monument lies immediately to the west of the site. However, it is separated by the arable field leading to Sommeries farm. The whole area is currently designated as Green Belt and Area of Great Landscape Value similar to adjoining land in the neighbouring district of Central Bedfordshire. The site is adjacent to the Luton Airport Action area identified in the Luton Local Plan. Green Belt Assessment. The site is open and contiguous with a much larger area of rural Green Belt land in adjoining local authorities. This small area of Green Belt, together with the adjoining Green Belt land performs the purpose of checking urban sprawl and assisting in safeguarding the countryside from encroachment. The recommendation for the site is that it makes a medium contribution to Green Belt purposes, that it meets the criteria for designation as Green Belt and that there should be no proposed revisions to the Green Belt boundary.
- 5.14 The GBS, 2014 identified that the six above Green Belt Areas should continue to be protected in the Luton Local Plan 2011 to 2031. A key recommendation of the Luton Green Belt Study was that a joint Stage 2 study be prepared with Luton's neighbouring authorities so that the Green Belt can be considered strategically across administrative boundaries and take account of growth options on the edge of Luton once / as these are known.

### **Exceptional Circumstances**

- 5.15 The NPPF states that Green Belt boundaries should only be altered in 'exceptional circumstances', through the preparation or review of the Local Plan. As part of any review, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period (Para 83).
- 5.16 The NPPF requires that a Local Plan Review should be satisfied that the Green Belt boundaries will not need to be altered at the end of the development plan period and that the boundaries are clear using readily recognisable physical features that are permanent. In reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development, and the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary (Para 84) in order to meet longer term development needs of the Borough stretching beyond the plan period (Para 85).
- 5.17 Current Green Belt policy and guidance has not materially changed since PPG2 was first published in the 1980's. The exceptional circumstances as set out in Para 83 of the NPPF exist in Luton and require a review of the Green Belt areas as part of the evidence of the Luton Local Plan. This Stage 1 study assessed if Green Belt areas currently meet Green Belt purposes set out in the NPPF. The Luton and Central Bedfordshire SHMA (2015) figures demonstrate the high housing need issue in Luton which is even more acute now than at the time of the Milton

Keynes South Midlands Sub Regional Strategy (MKSMSRS). The logic employed in the Green Belt review of the MKSMSRS remains equally applicable to the current situation.

### **Duty to Cooperate - Working with neighbouring authorities**

- 5.18 Paragraph 156 of the NPPF sets out the strategic issues where co-operation might be appropriate, and includes a number of cross boundary issues that are closely linked to Green Belt. The Duty to Co-operate Statement of Compliance provides further details on the Duty to Cooperate.
- 5.19 LBC has engaged its neighbouring authorities throughout the preparation of its Green Belt evidence and policy approach in the Local Plan. LBC provided its neighbouring authorities with an initial draft Green Belt Study in 2013 for review and input. Central Bedfordshire and North Hertfordshire provided input to the draft.
- 5.20 Neighbouring authorities (Central Bedfordshire, North Hertfordshire, Dacorum and Aylesbury Vale) were invited to a 13<sup>th</sup> March 2014 Green Belt workshop where LBC and the consultants provided a detailed overview of the initial findings of the study, providing opportunities for feedback at the workshop and comments / input following the workshop. The neighbouring authorities provided updates on their Green Belt Studies. LBC explained the need and importance of doing a joint Green Belt study which covered the Luton Housing Market Area and there was an agreement to share Green Belt study methodologies, liaise on emerging findings and consider doing a joint cross-boundary Green Belt study. However, LBC's neighbouring authorities did not reciprocate LBC's cooperation on the preparation of their studies.
- 5.21 Luton's Green Belt Study was prepared before the development options for Central Bedfordshire and North Hertfordshire have been tested through a Local Plan examination; and these neighbouring Local Plans still have not been fully tested at Examination. Therefore, it has not been possible, to date, to consider how the Green Belt functions across administrative boundaries in light of development options on Luton's boundary being untested.
- 5.22 Following the withdrawal of the Central Bedfordshire Development Strategy, Central Bedfordshire became more receptive to preparing a joint Green Belt Study to help inform the preparation of their new Local Plan. There were numerous discussions and exchanges of letters between LBC and Central Bedfordshire as well as North Hertfordshire and Dacorum regarding the preparation of brief for the joint Green Belt Study from the summer of 2015 leading up agreement of a brief on 24<sup>th</sup> February 2016 (see Appendix B) for a Green Belt Study which consists of a Stage 1 and Stage 2 Study for Central Bedfordshire and a Stage 2 Study for Luton. Green Belt assessments in the study will ensure cross boundary consistency and cross boundary planning purposes. North Hertfordshire and Aylesbury Vale were invited to take part in the study. They declined but have opted to be on a 'reference group' who will be kept up to date and have input into the study and its emerging findings. The reference group includes:

- Bedford Borough Council
- Milton Keynes Borough Council
- Stevenage Borough Council
- St Albans City and District Council
- North Hertfordshire District Council
- Aylesbury Vale District Council
- Dacorum Borough Council

5.23 The joint Green Belt Study has been commissioned and the latest timetable for preparing the study is set out below:

- Draft Report – End of June 2016
- Final Report – Mid July 2016

## **6 CONCLUSION**

6.1 The Luton Local Plan 2011 – 2031 is supported by sound evidence on its Green Belt which has involved constructive engagement with LBC’s neighbouring authorities. The policy approach in the Local Plan places continued protection for the Green Belt in line with the purposes set out in the NPPF. The Luton Green Belt Study 2014 found that all six of the existing Green Belt areas were found to still meet Green Belt purposes.

6.2 LBC recognises the competing land pressures as a result of population growth especially for housing and a key recommendation of the Green Belt Study is the need for Stage 2 cross-boundary study which considers the Green Belt in light of potential and permitted development proposals on the edge of Luton. LBC has stressed (and requested a joint study) for numerous years the importance of preparing a joint Green Belt Study with its neighbouring authorities however it has only been possible to commission a joint study recently given that Central Bedfordshire has now agreed to undertake such a joint study. North Hertfordshire and Aylesbury Vale have declined to take a full part in the study however both have agreed to be on a ‘reference group’ so will have the ability to input into the study as necessary.

6.3 The Joint Green Belt Study will be important to informing the Luton Housing Market Area Growth Options Study which has also been commissioned as a joint study between Luton, Central Bedfordshire, North Hertfordshire and Aylesbury Vale.

## Appendix A – Note of Green Belt Workshop

Luton Greenbelt Study-Meeting at Luton Town Hall 13<sup>th</sup> March 2014

Attending

Kevin Owen and Troy Hayes	Luton BC
Simon Andrews and Andrew Marsh	Central Bedfordshire DI
Richard Kelly and Helen Leach (Part)	North Hertfordshire DC
David Broadley	Aylesbury Vale DC
Lynnette Leeson& David Hares	David Hares Landscape Architecture

Apologies received from Laura Wood & John Chapman of Dacorum BC

Purpose of meeting: Co-operation regarding the definition & revision of the Luton Green Belt, and briefing on the current Luton Stage 1 Green Belt Review.

**Kevin Owen Luton Borough;** explained the background to the Green Belt Study, a preliminary report was issued in July 2013, circulated to neighbours, comments received, a review by the Planning Officer's Society (POS) undertaken. David Hares Landscape Consultants were briefed to revisit the preliminary report, taking account of comments made by other local authorities and the POS. The current position on the Luton Local Plan is that a draft was published for committee on 13<sup>th</sup> January. This is now in the public domain but requires further work on housing figures, now awaiting the SHMA report. An amended plan is unlikely to be sent out for consultation until June.

**David Hares** gave a PowerPoint presentation on the Green Belt Study. He described how the Green Belt review methodology had been developed to suit the Luton situation where the town had been built out to the Borough boundary and the remaining small pieces of Green Belt were residual areas adjoining the neighbouring authorities (Central Beds and North Herts). Explanation was given on how the Green Belt purposes in the NPPF were interpreted and the criteria chosen for analysis in the methodology. A survey pro-forma had been developed which focussed on the 5 NPPF purposes, and how these were not exclusive. Particular purposes had been identified for assessment both in the field and in an analysis sheet, and the levels of contribution towards the GB purposes had been classified as high medium and low. Interim findings for 6 sites showed they generally met Green Belt purposes. Other open sites, not previously designated as GB, were considered which were separated from neighbouring Green Belt areas by existing allocations and or the motorway. These sites although meeting some GB purposes, did not meet all the necessary criteria, and were unable to provide longer term contributions to the Green Belt.

**Lynnette Leeson** sought an update on Green Belt reviews being undertaken by neighbouring authorities:

**David Broadley Aylesbury Vale:** Currently preparing new Vale of Aylesbury Local Plan, to a period till 2031. AVDC are generally able to meet their needs outside greenbelt areas unless they expand settlements such as Wendover which is within Green Belt. They would need to review GB this year as they are working to have a new plan available in the next 2 years.

**Richard Kelly North Hertfordshire;** will need to review their timetable for their local Plan as they are unsure of how much of Luton's housing needs will be unmet and will need to be accommodated by adjoining local authorities. They are currently doing an internal Green Belt review, considering more strategic areas as they have a larger expanse of Green Belt. There is concern regarding consistency across boundaries

and in the scale of interpretation of Green Belt purposes. (notably purpose 4 setting of historic towns should it include historic assets as well?). The N Herts GBR will be finished shortly then be subject to internal review. (NB Luton GB Review will include local purpose re historic assets.)

**Andrew Marsh Central Bedfordshire**; previously prepared a Technical Paper on the Green Belt and have recently updated it to assess areas being considered for withdrawal from GB. The work continued on from that undertaken for the regional plan now defunct and the draft Joint Core Strategy now withdrawn. The work was undertaken in 2 parts, justifying exceptional circumstances for removal of Green Belt designation, and considering areas against GB purposes. The work did not specifically look at strategic GB issues, but considered specific sites based on the work of the joint technical unit set up as part of the Joint Core Strategy. Planned changes to the GB were proposed in the pre submission draft (published 7 years ago) and included removal of GB land to west of M1 expanding Houghton Regis, and between B5120 and A6.

**Dacorum (via email)** A joint strategic Green Belt Review is being undertaken by Dacorum, St. Albans and Welwyn Hatfield. A Stage 1 Report on Green Belt Purposes Assessment was completed in November 2013 looking at strategic boundaries based on areas meeting national defined purposes. A Stage 2 report is now underway looking at all potential locations for housing based on a detailed investigation of land contributing least to Green Belt purposes identified in the stage 1 report.

Discussion on Possible Development proposals on Luton's boundary.

**Central Bedfordshire** An application to extensively develop current Green Belt designated land to the north of Houghton Regis and Luton has been referred to the Secretary of State who has recently declined to call it in. A judicial review is possible. The new GB boundary to be included in the draft plan would be defined by a northern link road, (which would be half developer funded.) The proposed road link to the A6 was not currently in the Highways roads programme, but the Western road was (2017). Central Beds did not expect the north eastern Luton link (A505 to A6) to be built in the future.

There was also awareness of a possible proposal coming forward from the Crown Estates for the Whitehill Farm area to be developed for housing( north of site 2) , but this would only be on the long list.

North Hertfordshire

The expansion of the proposed employment area next to Luton Airport into North Herts was not being actively pursued currently. However work was being considered on the provision of housing in the nearby villages of Tea Green and Cockernhoe where SLAA sites had been identified. Applications were likely to be received for housing development in this area before the Local Plan is completed.

Discussion on Future Cooperation

After discussion it was agreed to try and ensure consistency by sharing methodologies and preliminary study results. An additional local Luton purpose would be added to the analysis matrix to identify the importance of historic assets in addition to purpose 4 referring to the setting of historic towns

In principle it was accepted that there needed to be consistency in Green Belt reviews across all local authority boundaries. Compatibility of methodology used in Green Belt reviews is important. In the light of guidance in the NPPF, strategic cooperation is needed in defining any new long term boundaries for the Green Belt.

It was agreed that the draft Stage 1 Luton Green Belt Study would be circulated for comments during the week commencing 24<sup>th</sup> March. Any existing studies, internal notes and technical papers on Green Belt issues would also be circulated. Discussion on the need for a stage 2 joint strategic Green Belt review would be continued after the details of the SHMA report and housing figures are known in April 2014 (anticipated).

**Appendix B – Agreed Brief for Central Bedfordshire and Luton Green Belt Study**

# Central Bedfordshire and Luton Green Belt Study – Consultants Brief

## **PURPOSE OF THE STUDY**

1. Central Bedfordshire and Luton Borough Councils wish to appoint appropriate consultants to carry out a stage 1 and stage 2 review of the Green Belt boundaries in Central Bedfordshire and a Stage 2 Green Belt Review (consistent with that for Central Bedfordshire) for Luton Borough local authority area.
2. The study should also have regard to the methodologies of existing Green Belt reviews in Aylesbury Vale and North Hertfordshire (although these are subject to stage 1 finalisation in Aylesbury Vale and Stage 1 and stage 2 critical review in North Hertfordshire), to ensure consistency across the wider HMA.
3. The primary purpose of the study will be to assess all Green Belt land within the Central Bedfordshire and Luton Borough Council administrative areas. This will comprise a Stage 1 study for Central Bedfordshire which will review and assess Green Belt in Central Bedfordshire based on the five purposes of Green Belt contained in the National Planning Policy Framework (NPPF) to identify any land which may only be making a limited or moderate contribution to Green Belt function, and a Stage 2 study for both Central Bedfordshire and Luton Borough Councils which will identify whether there are any parcels of land that could be released from the Green Belt in the interests of achieving sustainable development.
4. The study will not identify land for development – it will be for the respective local planning authority in their Local Plan to consider amendments to Green Belt boundaries and allocate any of that land for development.
5. The conclusions of this study will form part of the evidence base for the Councils' to inform the assessment of spatial options to assist in identifying sustainable locations for growth.

## **MOTIVATIONS FOR THE STUDY – CONTEXT**

6. The concept for the South Bedfordshire Green Belt was first introduced in 1944, and a sketch of its proposed coverage was produced in 1960. However, whilst Green Belt policies were applied throughout the area from 1960, the Green Belt itself did not become statutory until the adoption of the Bedfordshire County Structure Plan in 1980.
7. Figure 1 shows the extent of Green Belt in Central Bedfordshire, whilst figure 2 shows the extent of Green Belt in Luton. Note that figures 1 and 2 are indicative only; GIS data showing the exact boundaries for existing settlements and the Green Belt will be provided to the successful consultant at the beginning of the study. When it was established the main purpose of the South Bedfordshire Green Belt was to contain the outward growth of Luton, Dunstable, Houghton Regis, Leighton Linlade, Ampthill and Flitwick, and to prevent the coalescence of settlements within that area. The justification for the Green Belt at that time was the extreme pressures for the expansion of settlements in that area, and that without restraints, these pressures could lead to rapid outward growth of the main urban

areas and therefore to the expansion and coalescence of settlements. At present around 40% of Central Bedfordshire is designated as Green Belt, a total of around 28,214ha. In Luton Green Belt accounts for 3% of the total land area, a total of around 136.02ha .

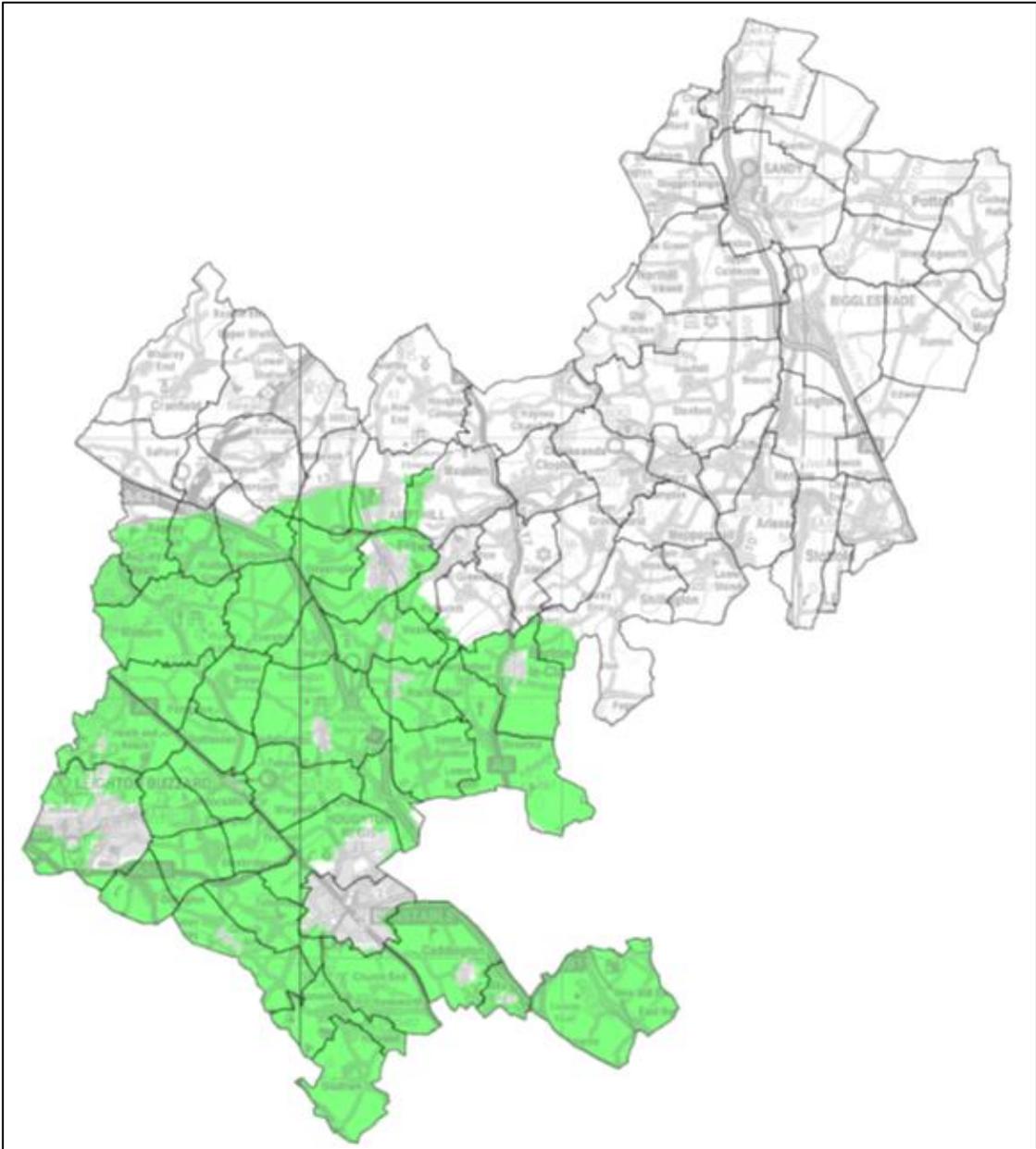
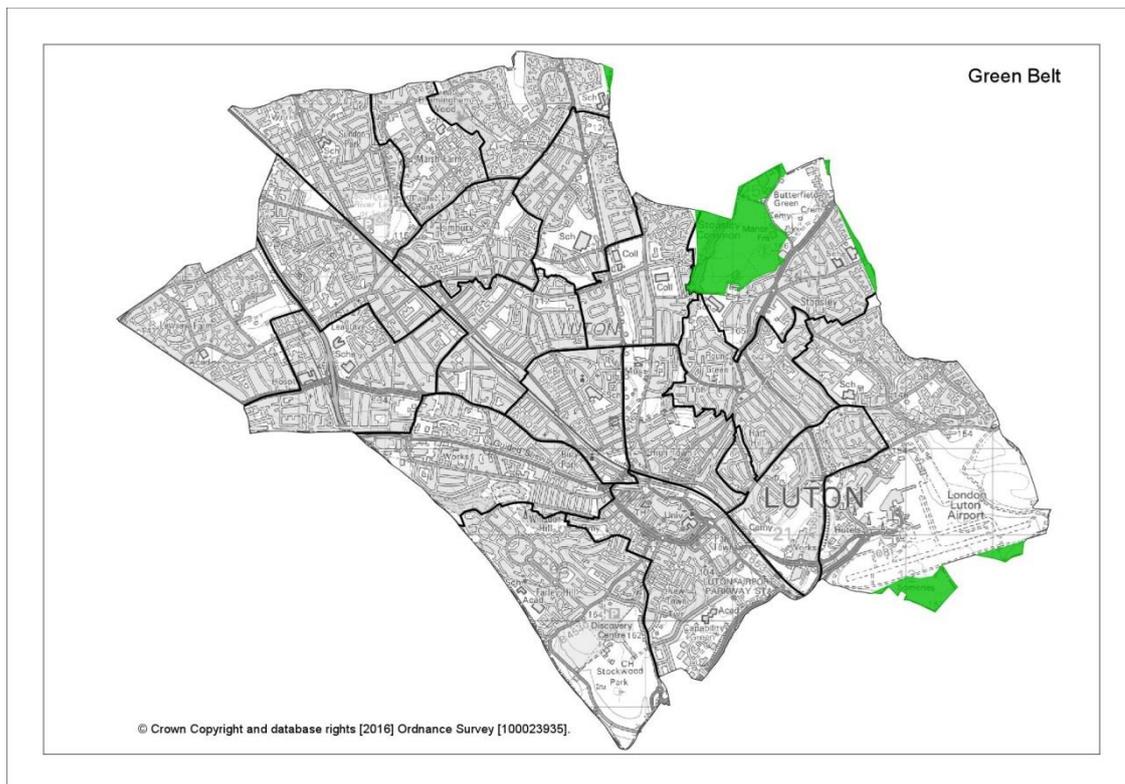


Figure 1. Central Bedfordshire Green Belt



**Figure 2. Luton Borough Green Belt**

8. The Green Belt continues to play an important role in shaping the pattern of development in the south of Central Bedfordshire. Nevertheless, when previously looked at through the regional and sub-regional planning process, the conclusion reached was that reviewing the Green Belt boundaries in order to accommodate and achieve sustainable urban regeneration and the growth agenda at that time, development was unavoidable. With the demise of regional and sub regional planning it is appropriate to reconsider this position in the light of national and local evidence via the Strategic Housing Market Assessment and identification of an Objectively Assessed Housing Need (OAHN).
  
9. As discussed, the majority of housing needs identified within Central Bedfordshire arise from the southern part of Central Bedfordshire and Luton’s unmet housing needs. In order to improve the balance of new housing provision, and to avoid the negative consequences of meeting housing need away from where it is arising (increased commuting, traffic-related air pollution, social isolation etc.) it is essential that new homes are provided in southern Central Bedfordshire.
  
10. The scale of housing need for the Luton Housing Market Area is identified in the Strategic Housing Market Assessment (2015) for Luton and the Central Bedfordshire (including parts of Aylesbury Vale and North Hertfordshire) which sets out the Objectively Assessed Housing Need (OAHN) from 2011 to 2031 as follows:-
  - 29,500 Central Bedfordshire
  - 13,400 Luton HMA excluding Luton administrative area
  - 17,800 Luton Borough Council
  - 31,200 wider Luton Housing Market Area

11. Recent plan preparation (Central Bedfordshire Development Strategy now withdrawn) resulted in proposals for three major (mixed-use) urban extensions within the southern Central Bedfordshire Green Belt: North of Houghton Regis; North of Luton; East of Leighton Linlade, with an additional smaller allocation at Chaul End, Caddington. 7,881 dwellings have already been permitted on these sites.
12. The Government recognises the importance of the Green Belt in the NPPF, stipulating that Green Belt boundaries can only be changed in exceptional circumstances. The Council is also mindful of the need to provide for the housing, employment and other needs of the area and of the implications of this if we do not make this provision. Overall, both Luton and Central Bedfordshire Councils are satisfied that there are exceptional circumstances that require the Green Belt to be reviewed to provide for the development needs of the wider HMA and respective Plan areas affected. Having established exceptional circumstances, it is then necessary to consider whether and where any land is not performing its purpose for inclusion within the Green Belt against the NPPF. This is the primary purpose of the Stage 1 Green Belt Study. The study will also need to undertake the stage 2 consideration about potential harm to the Green Belt should any development be proposed before it is fed into the Growth Options study to inform any options work.
13. In addition, a number of settlements within the Green Belt, particularly in the south of the Plan area are inset from the Green Belt, whilst others are washed over by the Green Belt and have defined infill boundaries wherein some very limited development may be acceptable. The existing boundaries and the 'washed-over' settlements have not been reviewed for a number of years. The successful consultant will therefore be required to check the consistency between the approaches taken by the legacy authorities, taking into account the guidance contained within the NPPF, and changes which have occurred on the ground since these were last reviewed.

### **OBJECTIVES OF THE STUDY**

14. The objectives of the study are:
  - To carry out an independent Green Belt assessment for the Central Bedfordshire and Luton Borough administrative areas as described in this brief above. This includes consideration of North Hertfordshire and Aylesbury Vale Green Belt methodologies, which have been undertaken separately by those authorities (although these are subject to stage 1 finalisation in Aylesbury Vale and Stage 1 and stage 2 critical review in North Hertfordshire), to ensure that there is consistency in approach as far as possible.
  - To draw on best practice in Green Belt assessments, in order to establish a robust methodology for assessing Green Belt against the five purposes of the Green Belt established in national planning policy;
  - To have regard to the Stage 1 Green Belt Studies for Luton, North Herts and Aylesbury Vale and ensure consistency between this study and these Stage 1 studies;
  - To identify and delineate logical and justified parcels of Green Belt land for assessment, review each parcel against the five purposes, evaluate and score the

individual land parcels and present clear, comprehensive and fully justified conclusions on the performance of each land parcel;

- To identify and justify if any parcels of land could be removed from the Green Belt without causing demonstrable harm;
- To confirm the status of Green Belt settlements (i.e. washed over and inset) to ensure consistency between the approaches taken by the respective authorities. If inconsistencies are identified clear advice should be provided with respect the status of these settlements;
- To consider whether any additional land fulfils the five Green Belt purposes and whether there are exceptional circumstances which could justify the identification of new Green Belt

### **SCOPE OF THE STUDY**

15. The key objectives of the study are set out in para 14 above. To successfully complete these tasks the consultant will need to work in accordance with the NPPF and the wider context of Planning Policy Guidance (PPG). As there is no standard or established methodology for carrying out a Green Belt assessment, the methodology and subsequent Green Belt assessment should draw on good practice and lessons learnt from recent assessments carried out elsewhere in the country. The approach should draw on any other relevant advice (case law etc.) and must be tailored to the unique circumstances of Central Bedfordshire and Luton.
16. In responding to this brief consultants should explain and justify how the Green Belt assessment will approach the definition of parcels of land for assessment. This should include a view on parcel sizes and how recognisable boundary features would be used to delineate these. It is anticipated that parcel size will be smaller where these are adjacent to settlements to enable a fine grained assessment of these areas, with larger parcels in the open countryside. With respect to Green Belt settlements (both 'washed over' and inset) it is particularly important that the methodology is designed to ensure a consistent approach across the study area. The quotation should include an outline of the methodology that the consultant proposes to use.
17. Having established the methodology to be employed, the successful consultant will be expected to demonstrate how each parcel of land will be assessed against the five Green Belt purposes (i.e. stage 1 in Central Bedfordshire) , and to justify the proposed approach. There should be an indication of the assessment criteria and of any ranking system that would be used to judge the performance against the Green Belt purposes and identifying parcels which are not performing a Green Belt purpose, or are performing moderately. This should include whether any consideration would be given to the relative importance of the Green Belt given local circumstance in different parts of the Plan area. Stage 2 assessments will relate to stage 1 outputs in Central Bedfordshire together with Luton's stage 1 outputs together with any Green Belt assessment for cross boundary consistency and cross boundary planning purposes.

18. It is anticipated that the results of the assessment will comprise both a written assessment of each land parcel, but with an emphasis on the cartographical representation of this information (e.g. through colour coding of land parcels etc.).
19. In addition to existing Green Belt land, consultants will be required to consider whether any land not currently within the Central Bedfordshire Green Belt fulfils Green Belt purposes and whether there are exceptional circumstances for including new land within the Green Belt. Any such proposals should be consistent with the NPPF and include precisely defined boundaries.
20. Given the likely level of unmet housing need arising from Luton and from within the wider Luton HMA over the plan period a key issue for the study will be the Green Belt relationship across the HMA (which also includes parts of North Hertfordshire and Aylesbury Vale). Luton Borough Council has already completed a stage 1 Green Belt Study of Green Belt land within Luton Borough (Luton Stage 1 Green Belt Study, September 2014). A total of 6 existing Green Belt areas were considered, as well as 5 other areas of open land within the borough boundary. Sites were surveyed and analysed in relation to the 5 defined purposes of Green Belt, using a structured analysis system which assessed the level of contribution which sites made to each of those purposes. An overall score was then determined based on these separate levels of contribution. This process guided recommendations on the suitability of land for inclusion within the Green Belt. In responding to this brief consultants should explain how they will have regard to the findings of the Luton Stage 1 Green Belt Study.
21. Consultants will need to explain how they have had regard to the methodologies of the studies under finalisation or review in Aylesbury Vale and North Hertfordshire to ensure that they are consistent with those employed by this study. On appointment the successful consultant will be expected to share the draft methodology with stakeholders, to include the seven neighbouring local authorities to seek input from participants. The neighbouring authorities that should be included as the wider reference group are:
  - Bedford Borough Council
  - Milton Keynes Borough Council
  - Stevenage Borough Council
  - St Albans City and District Council
  - North Hertfordshire District Council
  - Aylesbury Vale District Council
  - Dacorum Borough Council
22. The consultants will need to accommodate an inception meeting with the project steering group (the commissioning Councils) and a further stakeholder workshop with the wider reference group. The formal written quotation should explain how the consultant will engage with these authorities and should include a stakeholder workshop.

## **PROPOSED TIMETABLE**

23. In responding to this brief, consultants should confirm their ability to meet the following timetable. The project proposal should include a project plan that demonstrates how the timetable will be delivered, with deadlines for any inputs (of data or approvals) required from the Councils. This is an important and significant piece of work for the relevant authorities, and will feed into other key evidence informing plan making in the respective authorities, and therefore the timetable is challenging. If it is considered that the timetable cannot be met, clear reasons should be provided along with a proposed completion date.

- Issue of brief: Monday 29<sup>th</sup> February 2016
- Tenders to be returned by Monday 14<sup>th</sup> March 2016
- Interviews (if necessary) Week Beginning 14<sup>th</sup> March 2016
- Appointment: Week Beginning 21<sup>st</sup> March 2016
- Interim Report delivered to CBC & LBC by 27th May 2016
- Final Report delivered to CBC & LBC by: 30th June 2016

## **REPORTING REQUIREMENTS**

24. A Final Report delivering the required outputs described in this brief, subject to any modifications agreed. The appointed consultants should identify how they propose to present the final study. Likewise, all mapping produced for the study should be provided to the Council in a format that is compatible with use in other interactive media.

25. A free standing executive summary report that communicates the key messages arising from the study to the non-technical reader.

26. The outputs should be provided in electronic form in Word 2010 and PDF and all GIS shape files in a compatible format for Cadcorp and five bound hard colour copies.

27. The reports and other specified outputs must be produced in a clear accessible style that is free of jargon (i.e. plain English). Consultants are required to put in place version control arrangements for the production of documents, and the status of all documents issued to the Councils must be made clear.

## **CONFLICT OF INTEREST**

28. Tenderers must confirm in their proposals that there would be no conflict or perceived conflict of interest in relation to their servicing this contract.

## **INTELLECTUAL PROPERTY AND CONFIDENTIALITY CONDITIONS**

29. The final report will be available in the public domain, with dissemination managed by the commissioning authorities (i.e. Central Bedfordshire and Luton which will be referred to throughout this document as “the Councils”). Ownership and title to all data collected for the study (with the exception of data supplied by the Consultant or any third party) and the study reports and other outputs will rest with Central Bedfordshire Council and Luton Borough Council.

30. The Councils will acknowledge the Consultant's work when reporting on and using the research outputs in their own publications.
31. The Consultant shall not make use of the research outputs without the express consent of the Councils.
32. The Consultant shall comply with the Data Protection Act 1998 and shall indemnify the commissioning authority in respect of the use, disclosure or transfer of personal data by the Consultant, its employees and any permitted agents or sub-contracts involved in the Contract. The Consultant shall adhere to all relevant policies and procedures of Central Bedfordshire Council, including those relating to data protection, confidentiality, non-disclosure, equalities and health and safety.

### **TENDERING REQUIREMENTS**

33. Those tendering should submit a concise written proposal for delivering the tasks and outputs described in this Brief. This must include:
  - a) The proposed methodology that will be used to meet these requirements;
  - b) A detailed project plan setting out tasks and timetables (individual elements as well as overall) for the successful completion of the project. This should include all meetings and workshops as well as presentations on initial draft findings and the final draft report;
  - c) Any additional work that the consultant considers should be included, or may need to be included as part of this study. These should be costed separately.
  - d) Any identifiable risks that may inhibit the ability to deliver the project to an appropriate quality and timescale
  - e) A fixed price tender that includes the full costs of the project including consultancy time, fieldwork costs and the costs of travel, subsistence and any other anticipated expenses;
  - f) Name of the person who will be the lead contact for the project, and a Project Director who is accountable for the project on behalf of the Consultant;
  - g) Names and CVs of all staff working on each element of the project, their daily rates, the number of consultancy days allocated to each component of the project for each staff member and estimated expenses/other costs;
  - h) Details of the qualifications and relevant experience of staff members proposed for the project, with a web-link to, or an electronic copy of reports from recent similar projects;
  - i) A quotation for the daily rate at which any additional consultancy support would be provided if requested by the commissioning agencies (including to defend the research at public examination / planning inquiries)
  - j) Contact details (including phone/email) for two referees for similar projects
  - k) Confirmation that the consultant has public indemnity, public liability and employers' liability insurance to the following values:
    - Professional Indemnity Insurance of at least £2 million
    - Public Liability Insurance of at least £5 million
    - Employers Liability Insurance of at least £10 million.

34. The Councils welcomes collaboration and partnership bids for the project, though a single accountable lead body should be identified. It should be clearly identified within any submission if it is proposed that elements of this study would be undertaken by other specialist consultants. Submissions should clearly set out why other consultancies would be used and who will be carrying out each part of the study.
35. The selected Consultant will be responsible for any public indemnity, public liability and employer's liability insurance costs.
36. Submissions should be made to Andrew Marsh, Acting Senior Planning Officer, by 17.00 on 11<sup>th</sup> March 2016. These should be submitted:
  - By e-mail to: [andrew.marsh@centralbedfordshire.gov.uk](mailto:andrew.marsh@centralbedfordshire.gov.uk)  
The e-mail header for submissions must read: "Green Belt Assessment"
  - By post / hand delivery: Two hard copies (bound and full colour) should be submitted to the following address:

Andrew Marsh  
Senior Planning Officer  
Central Bedfordshire Council  
Development Planning & Housing Strategy  
Priory House  
Monks Walk  
Chicksands  
Shefford  
Bedfordshire  
SG17 5TQ

37. Should tendering organisations consider that any part of the brief requires clarification and that this affects their submission, then questions must be made by e-mail by 17:00 on 4<sup>th</sup> March 2015 to Andrew Marsh. Emails should be headed "Central Bedfordshire Green Belt Assessment".

### **APPOINTMENT AND PAYMENT ARRANGEMENTS**

38. The commissioning authority is under no obligation to select the lowest priced bid or any proposal. If an appointment is made the appointed consultant will, in the opinion of the commissioning agencies, offer best value for the study.
39. The staging of payments will be as follows:
  - Initial payment following Inception meeting: 20% of project fee
  - Sign off by the Councils of Draft Report: 30% of project fee
  - Sign off by the Council's of Final Report and handover of all other required outputs and attendance of stakeholder meeting with Neighbouring Authorities (??): 30% of project fee
  - Please note the remaining 20% of the overall project fee will be paid upon completion of the study. However, the Council's reserve the right to withhold this

final payment if the agreed deadline is not met without due reason and prior agreement with the Council's.

40. The Consultant will be required to accept Central Bedfordshire Council's standard Terms and Conditions prior to commencement of the work.
41. The Consultant will be required to deliver the project to meet the deadlines set out in the agreed timetable at the Inception Meeting. Time will be of the essence. Therefore an appropriate timetable which delivers the required outcomes of the study in a timely and achievable manner should be included as part of the submission.
42. The required service shall be provided as specified in this Brief, or as otherwise agreed between the Consultant and the Councils. If the Consultant should fail to complete the whole of the service within the prescribed time or of any extension to the timetable granted in writing by the Councils, the Councils may cancel the Order.

**LOCAL AUTHORITY SIGNATURES**

**Central Bedfordshire Council**

Jason Longhurst

\_\_\_\_\_  
(Print Name)



\_\_\_\_\_  
(Signature)

Director of Regeneration & Business

\_\_\_\_\_  
(Position)

24/02/2016

\_\_\_\_\_  
(Date)

Councillor Sue Clark

\_\_\_\_\_  
(Print Name)



\_\_\_\_\_  
(Signature)

Deputy Executive for Regeneration

\_\_\_\_\_  
(Position)

24/02/2016

\_\_\_\_\_  
(Date)

**Luton Borough Council**

Cllr Paul Castleman

\_\_\_\_\_  
(Print Name)



\_\_\_\_\_  
(Signature)

Planning Portfolio Holder

\_\_\_\_\_  
(Position)

24/02/16

\_\_\_\_\_  
(Date)

Laura Church

\_\_\_\_\_  
(Print Name)



\_\_\_\_\_  
(Signature)

Director Environment & Regeneration

\_\_\_\_\_  
(Position)

24/02/16

\_\_\_\_\_  
(Date)

