

Planning and Transportation

Luton Local Development Scheme

24th January 2017

Preface

This Local Development Scheme (LDS) was first adopted by the Joint Planning Committee for Luton and southern Central Bedfordshire on 3rd February 2012.

That Joint Planning Committee wound up on 31st March 2012 and planning powers were repatriated to Luton.

In March 2013 the LDS was updated to address Luton's development plan program within its administrative area and to account for the need to finalise evidence collection and engagement with neighbouring authorities under the duty to cooperate.

The LDS programme has undergone further subsequent updates in December 2013 and November 2015 as the local plan making timetable has progressed.

This current update in December 2016 reflects progress of the Local Plan through (and beyond) the Examination hearings and, in particular, updating the position in relation to the Gypsy & Traveller Local Plan Part 2 .

Local Development Scheme: A New Local Plan for Luton

1. The Localism Act was enacted on 15th November 2011 and new plan making regulations were published on 6th April 2012 to simplify plan-making processes. The requirement to produce a local development scheme (LDS), which sets-out the plan-making timetable and scope of plan coverage, is essentially unaltered from previous legislation.
3. The LDS is the starting point for the community and other stakeholders to find out what development planning documents will be prepared by the Council for its area and the timescale for their preparation. The LDS also identifies resources and includes a risk assessment for plan-making activities. New regulations require an Authority Monitoring Report (AMR) to monitor the progress of plan making against the timetable in this document. The local authority can determine how to publicise and represent progress, such as through on-line timetables.
4. This LDS is focused mainly on the timetable for the preparation of a Local Plan for Luton. Minerals and waste planning is subject to its own LDS. The scope of the Local Plan also includes coverage of relevant minerals and waste policies from the Minerals and Waste Local Plan (2005) that have not been replaced by the Minerals & Waste Local Plan: Strategic Sites and Policies (MWLP:SSP, adopted in January 2014). The MWLP:SSP covers Luton, Central Bedfordshire and Bedford Borough.
5. The preparation of a Community Infrastructure Levy (CIL) Charging Schedule requires a preparation process that includes formal examination. However, Luton Borough Council does not currently intend to adopt a CIL charging schedule. Therefore, CIL is not included within this LDS but is currently under review pending outcomes from an update to the evidence base currently in progress.
6. An interim Statement of Community Involvement (SCI) for Luton was prepared and adopted by the Joint Planning Committee for Luton and southern Central Bedfordshire on the 3rd February 2012. However, following the withdrawal of the joint Core Strategy, Luton Borough Council's Executive (16th April 2012) approved a revised SCI specifically for preparing Luton's own development plan, and in order to address Local Plan making regulations published in April 2012 and the new planning regime arising from the Localism Act 2011, including provision for Neighbourhood Plans and further government development planning guidance set out within the National Planning Policy Framework.

Luton Local Plan 2011 - 2031

6. The new Local Plan for Luton will cover the whole of the Council's administrative area. It will guide the spatial distribution of development including housing and employment, retail and leisure between 2011 and 2031. It will also set out provision for community infrastructure, alongside development management policies for the natural and historic environment.
7. The Executive Committee of 21st September 2015 approved a revised plan preparation timetable to reflect the Regulation 19 publication of the Local Plan in 2015. This was completed October – December 2015 and on 22nd March 2016 Full Council approved the Local Plan for submission to the Secretary of State and the plan was subsequently submitted on the 22nd of April 2016 - one month behind schedule.
8. The examination and public hearings timetable is as follows:-
 - Stage 1 - Duty to Cooperate July 2016 – Inspector's letter (29th July 2016) on preliminary findings following the Duty to Cooperate hearings in July 2016 found that LBC has met the Duty to Cooperate. Stage 1 completed.
 - Stage 2 Strategic Matters – Public Hearings in September 2016 – Stage 2 completed
 - Stage 3 Remaining Matters – Public Hearings in December 2016 and January 2017
 - Inspector's report – April 2017
 - Adoption¹ – July 2017
9. The evidence base has been published to support the local plan however, a number of joint or cross boundary studies are being prepared because of the need to coordinate and liaise with neighbouring authorities on their plan making and cross boundary planning issues, under the Duty to Cooperate.
10. A revised Gantt chart setting out the remaining timetable for the Local Plan is presented in figure 1.

Luton Gypsy & Traveller Local Plan Part 2 2011 - 2031

11. A separate Gypsy and Traveller (G&T) Development Plan Document (i.e. a Local Plan Part 2) is under preparation. This follows the Executive's decision on 21st September 2015 to prepare a separate

¹ Subject to a 6 week period of legal challenge and assuming that the Inspector does not reopen the examination.

Local Development Scheme: A Local Plan for Luton

plan because of changes to national policy (Planning Policy for Traveller Sites 2015) including the definition of Gypsies and Travellers. However, Luton's evidence base requires that this plan only needs to set out pitches for 'temporary stopping places' for G&T housing and caravan purposes i.e. the evidence does not identify any need for permanent G&T pitch provision or for a transit site for this purpose although the matter should be kept under review. The Local Plan Part 2 will follow the plan making regulations stages which includes public consultation. Following updating the Gypsy & Traveller Site Identification Study 2015 in 2017 this will enable progression to Regulation 18 draft Gypsy & Traveller Local Plan part 2 consultation.

12. A Gantt chart setting out an updated 24-month timetable for the Gypsy & Traveller Part 2 Local Plan is presented in figure 2.

Risks

19. Budget provision has been made to progress these local plans in the 2015/16 and 2016/17 financial years. The local Plan 2011 – 2031 is currently undergoing examination and progress to adoption is subject to soundness and other legal requirements being satisfactorily achieved.
20. The Duty to Co-operate with neighbouring authorities is a key component of plan-making. Any issues regarding co-operation are likely to have a significant impact on timings and need to be resolved at the earliest possible stage.

Figure 1 – LDS Gantt Chart: Local Plan 2011 - 2031

| Year | 2015 | | | | | 2016 | | | | | | | | | | | | 2017 | | | | | | | | | | | | | | | |
|----------------|------|---|---|---|----------|------|---|---|---|---|----------|---|---|----------|---|---|---|------|---|---|---|---|----|---|---|---|---|---|---|---|---|--|--|
| Months | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | | |
| LBC Local Plan | | | | | Reg 19 * | | | | | | S Reg 22 | | | E Reg 24 | | | | | | | | | IR | | | | A | | | | | | |

Development Plan Documents

- Evidence preparation
- Draft Local Plan Consultation
- Process consultation responses
- Consultation on Pre-submission Local Plan
[# Note: Gypsy & Traveller provision subject to separate Local Plan Part 2]
- Process representations
- Submission
- Examination
- Inspectors report
- Adoption

**Local Plan
2012 Regs***



* Regulatory stages from the Town and Country Planning (Local Planning) (England) Regulations 2012

Figure 2 – LDS Gantt Chart: Gypsy & Traveller Local Plan Part 2 2011 – 2031

| Year | 2016 | | | | | | | | | | | | 2017 | | | | | | | | | | | | 2018 | | | | | | | | | | | |
|----------------|------|---|---|---|---|---|---|---|--------|---|---|---|------|----------|---|---|---|---|---|----------|---|---|---|----------|------|---|---|----|---|--|--|---|--|--|--|--|
| Months | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | | | | | | | |
| LBC Local Plan | | | | | | | | | Reg 18 | | | | | Reg 19 * | | | | | | S Reg 22 | | | | E Reg 24 | | | | IR | | | | A | | | | |

Development Plan Documents

- Evidence preparation
- Draft G&T Local Plan Part 2 Consultation
- Process consultation responses
- Consultation Pre-submission G&TT Part 2 Local Plan

- Process representations
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