

## Luton Town Centre Design Guide Supplementary Planning Document

### Consultation Statement (June / July 2023)

This consultation statement has been prepared in accordance with Regulations 12 and 13 of the Town and Country Planning (Local Development) (England) Regulations 2012 and the Council's Statement of Community Involvement.

#### **What was consulted on?**

This consultation statement relates to the Luton Town Centre Design Guide Supplementary Planning Document (SPD).

#### **What is the purpose of the SPD?**

The purpose of the SPD is to provide practical direction in the design of residential development and related uses within Luton Town Centre and the surrounding area. The SPD provides design guidance to supplement policies within the adopted Luton Local Plan.

Local Plan Policy LLP3 (Luton Town Centre Strategy) sets out the preferred policy approach for Luton Town Centre, and commits to the Council updating the Luton Town Centre Development Framework and / or producing individual development briefs to provide further site specific guidance. Paragraph 9.11 of the Local Plan adds that further consideration will be given to the need and appropriateness of producing a Supplementary Planning Document (SPD) for the design of new development.

Stakeholders have consistently emphasised the need to set a higher bar for development in the town centre, and this SPD clearly outlines what is expected of every development in the town centre, providing a clear sense of Luton's priorities for the built environment, with the aim being to deliver quality homes in the town centre, set within a safe and attractive public realm, offering ample outdoor amenities for residents to make it a great place to live and be proud of.

The SPD does not introduce new policies, but supports a number of policies in the Local Plan, in particular providing guidance on how to meet the policy requirements of the following key policies:

- Policy LLP25 – High Quality Design
- Policy LLP3 – Luton Town Centre Strategy
- Policy LLP15 – Housing Provision

In addition to the above, the SPD provides further guidance on how to meet the following policies for sites in the town centre:

- Policy LLP16 – Affordable Housing
- Policy LLP27 – Open Space and Natural Greenspace
- Policy LLP28 – Biodiversity and Nature Conservation
- Policy LLP30 – Historic Environment
- Policy LLP31 – Sustainable Transport Strategy
- Policy LLP32 – Parking
- Policy LLP36 – Flood Risk
- Policy LLP37 – Climate Change, Carbon and Waste Reduction and Sustainable Energy
- Policy LLP38 – Pollution and Contamination

### **What is the area of coverage?**

The SPD covers the town centre as defined on the Town Centre Inset Map and in Policy LLP3 of the Luton Local Plan, plus an additional area to the north east of the railway line. The SPD also covers an area surrounding the town centre. The majority of the area the SPD applies to falls within Central ward. Small elements of the SPD area also fall within High Town, Round Green, Vauxhall, South, Farley, Dallow, and Beech Hill wards.

### **What consultation took place?**

The following consultation took place in drafting the SPD:

- A workshop with council officers in November 2021;
- A workshop with Members in March 2022;
- A workshop with stakeholders on 7 July 2022;
- Internal consultation took place from 24<sup>th</sup> October – 11<sup>th</sup> November 2022 with the following: Climate Change / Strategy and Sustainability, Highway Development and Sustainable Travel, Regeneration / Design and Delivery, Landscape and Ecology / Parks Operations, Green Space Management, Parks and Grounds Maintenance / Green Space Management, Housing Quality and Enforcement, Housing Strategy and Development, Health, Building Control, Transport Planning, Luton 2040, Environmental Protection, and Development Management;
- Consultation on a Strategic Environmental Assessment Screening for the SPD with Historic England, Natural England and the Environment Agency. An invitation for comments on the draft Screening Assessment was sent to these three bodies on 22<sup>nd</sup> November 2022, asking for any responses to be returned to the council within 5 weeks.

## **What steps did the council take to publicise the SPD for formal consultation?**

Formal public consultation took place for a period of 6 weeks, from 2pm on Friday 17<sup>th</sup> February 2023 until 5pm on Friday 31<sup>st</sup> March 2023. The consultation was publicised as follows:

- Email notifications were sent out from the council's planning policy consultation database (Keystone Objective) on Friday 17<sup>th</sup> February 2023 at 2pm to consultees and agents;
- Additional notifications were sent out on Monday 20<sup>th</sup> February 2023 to additional consultees and agents;
- Postal letters were sent to consultees and agents on Friday 17<sup>th</sup> February 2023 where email addresses were unavailable, or where consultees / agents had chosen to be notified via post;
- Email reminders were sent out at 9am on Monday 13<sup>th</sup> March 2023 to consultees / agents on the consultation database;
- The council's website was updated to include the SPD on Wednesday 15<sup>th</sup> February 2023, in addition to information on how to submit representations;
- All Luton councillors were notified via email on the morning of 17<sup>th</sup> February 2023 that consultation would be commencing later that day;
- A notice was placed on one of the notice boards outside Luton Town Hall in the morning of the 17<sup>th</sup> February 2023;
- Two hard copies of the SPD and copies of the consultation statement were made available at desk 14 ("on deposit") in the Luton Town Hall Reception on the 17<sup>th</sup> February 2023;
- A hard copy of the SPD and the consultation statement was made available at the following libraries on Friday 17<sup>th</sup> February 2023: Luton Central; Marsh Farm; Lewsey; Leagrave; and Stopsley;
- A notice was placed in the local press on 22<sup>nd</sup> February 2023;
- Email notifications were sent to attendees of the stakeholder workshop that had taken place in July 2022;
- The consultation was advertised on Yammer for council staff on Friday 10<sup>th</sup> March 2023, within the Luton Council, Inclusive Economy, Climate Change and Strategy Groups; and
- The consultation was advertised in the Social Justice Team's community newsletter on 27<sup>th</sup> March 2023.

Appendix 2 shows the persons the council consulted when preparing the SPD.

## **Responses and proposed changes to the SPD**

The council received 28 responses from 22 individuals / organisations / developers. Once broken down further by consultee / comment, these responses form a total of 78 comments on separate parts of the SPD. A number of statutory consultees

responded, including the Environment Agency, Historic England, and Natural England. Some organisations / individuals gave more than one response due to the way that the consultation software is set up.

The responses were all received via email or through the planning policy team's consultation portal. One response was received via both email and the consultation portal. No responses were received via letter / post.

The majority of responses were supportive of the SPD. A number of responders said that they did not have any comments to make, including National Highways and the Theatres Trust.

The majority of the comments received relate to section 2 (Block Guidelines), in particular around urban greening. Some changes are proposed to this section; these are mainly minor additions / clarifications.

In terms of other changes proposed to the SPD, the most substantive changes relate to references to building heights, and to the removal of specific reference to locations potentially suitable for taller buildings. As the SPD follows on from the publication of the Town Centre Masterplan, some guidelines / key figures had been replicated from it. However, in response to consultation comments from Historic England and to reflect a recent appeal decision at Lea Halls, these references have been removed. It is proposed instead to consider preparing relevant evidence base study documents for a new Local Plan that assess the scope for taller buildings and their possible locations (and that provide a definition of a tall building).

Appendix 1 sets out the recommended changes to the SPD. Some suggestions or concerns raised in the responses cannot be addressed via the SPD due to them being outside its scope, or due to them introducing new policy, which cannot be achieved through an SPD – for example, the concept of 15-minute neighbourhoods. A number of responses expressed concern regarding impacts on parking and access to the town centre, issues that are also outside the scope of the SPD.

On the council's consultation portal, we asked whether the design principles in the SPD should also apply to the wider borough. Of the 10 responders who gave their response through the portal, six gave a "yes" or "no" response. Of these, three said yes, and three said no. Based on the low number of responses to this question, it is not possible to say whether there is sufficient support for the design principles to apply to the whole borough.

### **Adoption date**

The council adopted the SPD on 24<sup>th</sup> July 2023 and subsequently issued the relevant notifications.

## **Appendix 1: Summary of representations, responses and proposed changes**

### **Proposed modifications to the Luton Town Centre Design Guide SPD**

Formatting note: ~~Strikethrough~~ for text deletions, underline for text insertions.

Ref.	Name / Organisation	Section / Page / Para / Figure	Summary of Representation	Officer Response and Proposed Change
1.01	Individual 1	The whole document	<p>The town centre must be made more inclusive for the elderly and disabled. Currently it is very difficult for anyone who cannot walk or cycle to get to the town centre. Isn't this discrimination illegal? At minimum, buses must be allowed to get much closer to the town centre shops on the level, e.g. by allowing them to travel one way along George Street, or by re-introducing the bus station which was once in front of the Library. Ideally to help the elderly and disabled, all pedestrianisation should be scrapped and cars allowed back into George Street. The loss of walking and cycling space would be more than outweighed by making the street feel safer with more people around.</p>	<p>No change.</p> <p>Comments noted.</p> <p>We agree that the town centre should be inclusive and accessible. However, the SPD is primarily focussed on residential design (including some guidance on how the public realm, such as public amenity space, relates to buildings).</p> <p>Where within the scope of the SPD, its guidance does aim to ensure that residential developments are inclusive, accessible, and feel safe. Active travel is encouraged throughout (e.g. in the parking and cycle standards, encouraging cross-block pathways, and providing connected green spaces), and active travel is supported by the National Planning Policy Framework (NPPF) and the adopted local plan. The SPD should be consistent with the NPPF and builds on the adopted local plan policies. It cannot introduce new policy.</p> <p>The SPD does not aim to prevent cars from accessing the town centre but does reflect the parking standards which are outlined within the Local Plan.</p>

1.02	Rail Future	The whole document	As a champion of rail use, we support the recommendations in "A front door for Luton" and concur that the railway station is an important arrival point for those coming to Luton.	No change. Support noted.
1.03	Education (Luton Borough Council)	The whole document	Education would like to be kept updated, as any significant changes could have impacts on schooling provision in central (and south) planning areas. Though education is not mentioned in this document, education infrastructure should still be accounted for and we welcome discussions with you.	No change. Comment noted.  As an SPD is not a development plan document and cannot allocate sites or uses, education infrastructure is not included within the scope of this design-focused SPD. We will ensure that we work with the education team in future in relation to planning policy documents (such as a new local plan) which may have implications for school place provision.

1.04	Public Health (Luton Borough Council)	The whole document	Public Health supports the SPD. The guide should be more explicitly about design components that will make the town more accessible and welcoming to people of all ages, abilities and backgrounds, helping to promote social inclusion / improve overall health and wellbeing / achieve the Luton 2040 vision.	No change.  Support noted.  Although the SPD is focussed on design within the town centre, it is primarily concerned with residential and residential-led developments (and related uses - such as commercial or community activities on ground floors, with residential above) within the town centre, rather than a design strategy for the town centre as a whole. We consider that design components that will make the town more accessible / welcoming have been addressed throughout the SPD within the context of the design of residential development specifically.
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1.05	Development Enabling (Luton Borough Council)	The whole document	<p>Support the SPD due to its alignment with the 2040 vision, ensuring town centre developments are built with sustainability in mind, and ensuring we meet our net zero target by 2040.</p> <p>Need to ensure new developments include plenty of green open spaces without impacting local wildlife. We support encouraging biodiversity by planting large trees and green walls.</p> <p>We are pleased that there is greater emphasis being placed on design, especially the view from the train station - this will give a positive impression of the town centre.</p>	<p>No change.</p> <p>Support noted.</p>
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1.06	GTC UK	The whole document	Some of the proposed works may fall within the vicinity of GTC assets. Once you have confirmed that your proposed works will have an impact on our network, please submit your C2/C3 diversion request to us.	<p>No change.</p> <p>Comments noted.</p> <p>However, the SPD does not propose any specific developments - rather, it provides design guidance for residential, and residential-led developments within the town centre and surrounding street blocks. Individual applicants / proposals within the town centre and its surrounding streets may need to follow the instructions provided by GTC UK.</p>
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1.07	National Highways	The whole document	<p>The key themes of interest for National Highways include the importance of sustainability in promoting new schemes and housing design, maximising the effectiveness of sustainability strategies by applying them early in the development process, the importance of reducing the amount of car parking spaces and integrating sustainable modes of travel better within the town centres by promoting cycle parking, and how developments should provide high-quality cycle parking which is at least in accordance with best practice guidance.</p> <p>National Highways supports the promotion of sustainable modes of travel within new developments. We support the promotion of the user hierarchy and the importance of prioritising sustainable modes of travel at the very top and reducing the reliance on motor traffic with the key to permeability being achieved through new developments in a way to minimise the need to travel and encouraging sustainable modes of travel that are easily accessible.</p> <p>Furthermore, National Highways supports the promotion of mixed-use developments and developments close to existing facilities, as reducing the impact</p>	<p>No change.</p> <p>Comments noted.</p>
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			<p>of new developments in the vicinity of the Strategic Road Network (SRN) to have a significant impact on the local SRN network by reducing the potential trip generation.</p> <p>We consider that this document is not expected to have any significant impacts on the operation of the SRN in the area and we have no further comments to provide.</p>	
1.08	The Coal Authority	The whole document	No comments on the SPD.	<p>No change.</p> <p>Comment noted.</p>

1.09	Central Bedfordshire Council	The whole document	Overall, we are supportive of the document. It is considered to be comprehensive, and will help deliver high quality housing in the town centre and make it a great place to live. We are particularly supportive of the sustainability sections in response to the climate emergency.	No change. Support noted.
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1.10	Historic England	The whole document	<p>Historic England's recent Historic Places Panel visit to Luton explored a variety of issues including design, proposals in the town centre and connectivity between the station, Power Court and town centre.</p> <p>We welcome the production of this SPD and consider it a comprehensive document. We support the key principles of high-quality design and addressing climate change.</p> <p>We hope it supports the delivery of the Town Centre Masterplan and Levelling-Up Fund projects in Luton.</p>	<p>No change.</p> <p>Support noted.</p>
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1.11	Historic England	The whole document	We recommend that reference be added to Power Court in the Design Guide, given it is such a large strategic site in the middle of the design guide area.	<p>No change.</p> <p>Comment noted.</p> <p>It is not agreed that specific reference to Power Court should be added. The Town Centre Design Guide is an SPD that elaborates on adopted Local Plan policies. It also supports the approved Luton Town Centre Masterplan's vision, key moves and delivery strategy. The Masterplan makes extensive area- and site-specific references throughout, including to Power Court - as does the adopted Local Plan. The Design Guide is complementary to the Masterplan Framework, in that it does not provide site-specific masterplanning and strategy-related advice; instead, it is intended to assist developers in promoting and providing high-quality housing and residential-led projects on appropriate sites throughout the town centre. The guide already states that it will help:</p> <ul style="list-style-type: none"> <li>• Applicants to prepare successful planning applications for new build housing schemes and minimise the risk of planning refusal</li> <li>• Officers to assess incoming proposals and expedite the decision-making process</li> <li>• Community groups and residents with interests in the town centre, good design and the preservation of local character to participate in the planning process for town centre proposals</li> </ul>
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1.12	Natural England	The whole document	<p>The emphasis on sustainable travel is welcomed, as is the desire to provide more accessible greenspace and walkable neighbourhoods. The "15 minute neighbourhood" is being encouraged as part of the new green infrastructure standards and seeks to ensure everyone has access to good quality natural green space within 15 minutes' walking distance of their home. The SPD could include a commitment aligned with this target.</p>	<p>No change.</p> <p>Comment noted.</p> <p>We note the support on providing access to greenspace, walkable neighbourhoods and sustainable travel. In relation to 15-minute neighbourhoods, given the SPD is focussed on Luton town centre and its immediately surrounding street blocks (which in total is a relatively geographically confined area) and it focusses on design, we consider that the concept of the 15-minute neighbourhood would be more appropriately explored in the preparation of a new local plan, looking at the whole borough, potentially as part of a new spatial development strategy.</p> <p>Notwithstanding this response, a reference to Natural England's Green Infrastructure Standards has been added to the SPD under reference 4.12.</p>
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1.13	Savills (on behalf of Comer Homes Group)	The whole document	<p>This representation provides general comments on the SPD and specific comments in relation to the site at 13-31 Dunstable Road. The site represents under-utilised brownfield land, is suitable for residential intensification and should be identified as a location suitable for a taller building within the SPD. This part of Luton town centre is characterised by a mix of large commercial uses as well as more recent mixed-use developments. The town centre is in the process of being intensified and transformed, as demonstrated by the developments detailed in Appendix 1 of our response.</p>	<p>No change.</p> <p>Comments noted.</p> <p>General comments in relation to the SPD are addressed in responses 6.03, 6.05, and 6.11. In relation to the specific comments regarding 13-31 Dunstable Road, these are noted. However, the SPD consultation process has to be differentiated from/ is entirely separate to any Call for Sites, and sites cannot be allocated or a development typology specified, within an SPD. We anticipate that a Call for Sites would be likely to take place as part of preparing the evidence base for a new local plan.</p> <p>The matter of identifying this site as potentially suitable for a taller building in the SPD is addressed specifically in response 4.25.</p>
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1.14	Individual 2	The whole document	<p>The town centre is totally rundown, George Street needs a total revamp. There are too many empty shops. The cinema in the George street has been shut for years. The main street does not have much to offer.</p> <p>People go straight into the Mall car park and into the Mall and don't venture outside. There is no cycle parking and no easy way to the George Street as all the side blocked off to traffic. The centre is constrained by the ring road.</p>	<p>No change.</p> <p>Comments noted.</p> <p>The SPD is primarily focussed on design, particularly residential and residential-led development design. A new local plan will have to consider the local economy and include relevant policies. In relation to cycle parking, the SPD does refer to cycle parking provision requirements in residential developments; however, cycle parking in public areas is outside of the scope of this document and better addressed elsewhere (such as within the Luton Walking and Cycling Infrastructure Plan).</p> <p>We do intend, however, that raising the design quality bar in relation to residential and residential-led development (as this SPD seeks to achieve) will have a positive effect on the town centre's vitality and viability, helping to enable further improvements that may then in turn reduce the number of vacant units.</p>
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1.15	WSP on behalf of 2020 Developments (Luton) Ltd	The whole document	<p>Power Court is a major redevelopment opportunity, being in a prominent location, well-connected etc. However it has deliverability issues - the River Lea is culverted, with contamination risks, and a substation needing to be relocated.</p> <p>Only when 2020 Developments (Luton) Ltd (on behalf of Luton Town Football Club) acquired the site did viable proposals come forward as the sole purpose of the business is to deliver a new stadium for the club. The stadium will operate 365 days a year and will have associated commercial uses, together with residential, major public realm enhancements, and de-culverting of the River Lea. They now have two consents for the site.</p> <p>The SPD will be an important document used to assess the power court development.</p>	<p>No change.</p> <p>Comments noted.</p> <p>The Council agrees that Power Court is a major redevelopment opportunity. It is also a strategic site allocation in the Local Plan.</p>
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1.16	WSP on behalf of 2020 Developments (Luton) Ltd	The whole document	<p>Language used in the Introduction is overly restrictive, stipulating that all proposals must adhere to the guidance. The design policies are also overly restrictive and inflexible. This conflicts with the SPD's objective of meeting housing needs because schemes may not be viable when fully aligning with the SPD. Flexibility is fundamental as each site has its own viability constraints and it is not practical to require schemes to meet every requirement in this SPD.</p> <p>The prescriptive wording should be removed and instead embed flexibility.</p>	<p>Change proposed.</p> <p>Comments noted.</p> <p>The intention of the SPD is to provide clear guidance on the design standards that are expected within the town centre and surrounding street blocks, in order to meet the objectives outlined within the vision. We are aware that viability can be a concern, and that sites can have their own circumstances that can restrict how they can be developed. However, increasing design aspirations in the town centre by raising the bar should have a positive impact on viability in the longer term, as it will result in attractive and more desirable places for people to live. We understand that there may be circumstances where variations in approach may be required, and this is acknowledged on page 4.</p> <p>We propose a minor wording change on page 4 to clarify that these design guidelines are the starting point/ aspiration, and that variations (for example, if something is not feasible due to site constraints, or viability issues) need to be justified.</p> <p>Amend text on page 4:</p> <p><u>"All proposals must adhere to the guidance. The starting point for proposals should be to seek to achieve consistency with the guidance in this SPD. Any variations in approach must be backed</u></p>
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				up with <u>should be justified, and supported by clear analysis to illustrate how the particular objective/ <u>guidance</u> will still be met or exceeded.</u> "
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2.01	Public Health (Luton Borough Council)	1. Sustainability	<p>We welcome efforts to mitigate and adapt to climate change, bringing significant health opportunities. Other design components would benefit the wellbeing of residents:</p> <ul style="list-style-type: none"> <li>- Natural ventilation as heat waves become more frequent</li> <li>- Use of trees, shade, other green/ blue infrastructure to provide cooling. Consideration to be given to the placing of street furniture to allow best use of shade</li> <li>- Use of sustainable drainage systems to reduce risk of flooding</li> <li>- Maximise opportunities for active travel / physical exercise</li> <li>- Consideration to be given to provision of drinking water in the urban environment</li> </ul>	<p>Change proposed.</p> <p>Support noted.</p> <p>Our detailed responses are that:</p> <ul style="list-style-type: none"> <li>- Ventilation is referred to in 1.7.4, although it is acknowledged that this is only relevant to dual aspect homes (which are encouraged but may not be feasible in all circumstances).</li> <li>- Provision of urban greening is expected, as explored in 2.3 and 2.3.1. We propose to add a reference within section 2.4 to street furniture being located for making the best use of shade.</li> <li>- SuDS should be used in line with section 2.3 in the SPD, and are also a policy requirement in the Local Plan, the development plan document (DPD) that applications will be assessed against for determination.</li> <li>- With regard to encouraging active travel and increased physical exercise, the SPD is not able to introduce new policy and is mainly focussed on the town centre. A specific policy on encouraging active travel to increase physical exercise would be addressed/ introduced through a new local plan / local plan review process. However, active travel is encouraged throughout the SPD (e.g. in the parking and cycle standards, encouraging cross-block pathways, and providing connected green spaces). It is worth noting that from June 2023, Active Travel England will be a statutory consultee on major planning applications and will</li> </ul>
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				<p>give comments from an active travel perspective.</p> <p>- With regard to consideration to be given to provision of drinking water in the urban environment, the SPD is generally focussed on residential/ residential-led developments in the town centre and surrounding street blocks, rather than the development of the public realm specifically, although there is some consideration of the relationship between these developments and the public realm. This matter would be better addressed via a public realm strategy, rather than through this SPD; the council will consider this response further in that context.</p> <p>Proposed addition to section 2.4:</p> <p>1. "Consider the provision of supporting landscape, public art, street furniture and play space. Public realm should be child-friendly and increase opportunities for play and informal recreation for everyone. <u>Consideration should be given to street furniture being located for making the best use of shade.</u>"</p>
2.02	Historic England	Introduction Page 4	We welcome the commitment to up-cycle (reuse and adapt) existing buildings as well as the desire to re-stitch the town centre together.	<p>No change.</p> <p>Support noted.</p>

2.03	Environment Agency	Introduction Vision Page 4	<p>The EA welcomes the aim of improving physical connections in the town centre and would like this to specifically include improving connections between areas of biodiversity interest, to increase climate resilience and work towards the improvement / establishment of blue and green corridors.</p> <p>The EA strongly supports the opening up of the River Lea upon redevelopment opportunities. Its opening up will bring multifunctional benefits in managing multiple climate impacts and sequestering carbon, ensuring spaces for key natural assets, help maintain resilient water resource and improve biodiversity resilience. Its opening up is supported by the "Resilient and Adaptive Communities (making Luton and Dunstable resilient to climate change)" project. This is also supported by the Luton Lea Catchment Partnership.</p>	<p>No change.</p> <p>Support noted in relation to improving physical connections in the town centre, and to opening up the River Lea.</p> <p>We note the suggestion to include improving connections between areas of biodiversity interest; however, the points in the vision repeat/ reflect the Town Centre Masterplan. We consider that an objective to improve connections between areas of biodiversity interest would be better addressed via a revised or new local plan, based on an up-to-date evidence base.</p>
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2.04	Individual 2	<p>Introduction</p> <p>Vision</p>	<p>It is never easy to reuse old buildings as they can contain asbestos, lead piping and other contaminants. It can also be hard to make them DDA-compliant and adaptations cannot be easily installed. It is easier on time and money to demolish and rebuild in the style of the original building. The Ritz Cinema (Gordon Street) is an example of this.</p>	<p>No change.</p> <p>Comment noted.</p> <p>We agree that it can be difficult to re-use old buildings. However, there is a climate emergency, and the demolition of existing buildings raises embodied carbon concerns and entails the use of energy to deconstruct the building, and remove, process and dispose of any materials. In addition, the town centre has many designated heritage assets (including Grades I and II listed buildings, and conservation areas); legislation and national planning policy afford them all a high level of protection, requiring harm or loss of such assets to be exceptional or wholly exceptional. For this reason, the SPD encourages the re-use of existing buildings, it is recognised that there may be situations where re-use is not possible or not economically desirable. All applications will be considered on a case-by-case basis, complying with legislation, in accordance with the development plan and taking into consideration all other material factors, including section 1.8 of the SPD.</p>
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2.05	Natural England	Introduction Vision	Natural England supports the approach of the SPD and its environmental protection objectives. We welcome the inclusion of sustainable and urban greening whilst in keeping with Luton Town Centre's character and cultural heritage.	No change. Support noted.
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2.06	Historic England	Introduction  Page 6	<p>Are there plans to prepare design codes for other areas of the town, e.g. High Town and Bury Park? If not, we strongly encourage the inclusion of High Town within this Design Guide as it is one of three central conservation areas and is on the Heritage at Risk Register alongside the Town Centre and Plaiters Lea.</p>	<p>No change.</p> <p>Query and comment noted.</p> <p>No reference to the preparation of a design code for the town centre and its wider application area is made in the SPD. The council is aware of the Levelling Up and Regeneration Bill (Schedule 7, 15F 'Design code for whole area') and its proposed development plan design requirements. Once enacted, its legal requirements will be fulfilled – potentially either as a separate design Code DPD (a 'supplementary plan'), or as an integral part of a local plan review, or new local plan. The design requirements may be for part or all of Luton, and / or for 'development of a particular description'.</p> <p>This SPD is not a design code. It is a design guide for the 'town centre' and a wider 'design guide application area' that includes 'a ring of outer blocks that are part of the town centre's immediate setting'. Both are delineated on the SPD's 'plan of the town centre' (p6). For consistency and to enable convenient cross-referencing, the 'town centre' boundary in the draft SPD is the same as the 'core study area' of the Town Centre Masterplan (Figure 1.1); the 'design guide application area' is the same as the 'wider zone of interest and analysis' in the same masterplan.</p>
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2.07	Historic England	Introduction Page 7	We welcome reference to the National Design Guide and National Model Design Code.	No change. Support noted.

2.08	Historic England	Introduction  Page 9	We recommend that context analysis drawings should also reference the historic environment, including designated and non-designated heritage assets etc. A Heritage Statement will also be required for some applications.	<p>Changes proposed.</p> <p>Comment noted regarding context analysis drawings.</p> <p>With regard to a Heritage Statement being required for some applications, the council has recently updated its Planning Application Requirements (2023) list, available on the council's website. This list specifies when a Heritage Statement might be required (in addition to other supporting information, such as Design and Access Statements and Planning Statements). We propose to add a specific reference to the Planning Application Requirements on this page of the SPD, rather than simply specifically Heritage Statements.</p> <p>Extra point and reference to be added. Add text to page 9 as follows:</p> <p>“Design documentation</p> <p><u>The council has a Planning Application Requirements list which outlines the information that may be required for submission with planning applications. Applicants should check this list prior to submitting a planning application.</u></p> <p>The following drawings and documents are to be provided by applicants to demonstrate compliance with the design guide.....”</p>
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				<p>Add text to the following paragraph on page 9:</p> <p>“Design review panel and final submission:</p> <ul style="list-style-type: none"><li>• Context analysis drawings covering a 400m radius (c.5 minute walk) from the centre of the site including:</li><li>• Land uses</li><li>• Building heights</li><li>• Landscape and public realm</li><li>• Examples of nearby building types and materials</li><li>• <u>Reference to the historic environment, including designated and non-designated heritage assets”</u></li></ul>
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2.09	Historic England	Introduction  Page 11	<p>We welcome the reference to maximising the positive contribution to context. Contextual, character-driven planning is really key to the success of new developments.</p> <p>We consider that the staged approach to understanding character, from the very high-level landscape and geological characteristics down to local architectural details and materials, is a helpful and logical approach, and will help applicants understand the qualities and local characteristics of the area of their development sites. In general, the place-specific analysis provides a good introduction to the character of each place, but this should of course be supplemented by more detailed analysis in the Design and Access Statement for any development, using evidence such as conservation area character appraisals where they are available. Where they are not available, we consider that their production and adoption should be a priority to provide a more robust evidence base for this document and for design development in the town centre more generally.</p> <p>At present this is not fully explored in the SPD. We recommend that some</p>	<p>Change proposed.</p> <p>Support noted.</p> <p>Local Plan policy LLP30 - Historic Environment states that the Council 'will seek to work with stakeholders and the community to establish Conservation Area Appraisals and Management Plans for its Conservation Areas'. Likewise, the Council's Heritage Strategy ('Curating Luton') confirms the proposed delivery of 'conservation area appraisal'.</p> <p>A local plan review is now underway; it is at the preliminary stage of identifying the extent of consistency with the current National Planning Policy Framework (NPPF). This exercise will lead to scoping the review of adopted policy and the necessary, associated evidence base. That evidence base is likely to include conservation area character appraisals that will be prepared by following Historic England's most up-to-date guidance and advice, and to be consistent with relevant NPPF policies that are in place at that time.</p> <p>The draft SPD is therefore to be amended, adding detail on a contextual and staged approach to understanding and analysing character.</p> <p>Add text to 1.2 as follows, after opening paragraph:</p>
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			<p>paragraphs are added to highlight the importance and process of a contextual approach to designing new development.</p>	<p><u>“A logical, staged and contextual approach should be taken to understanding character, from landscape and geological characteristics at a higher level, to local architectural detailing and materials. This approach will help applicants and their design teams to understand the qualities and characteristics of the local area, and their own development sites. Place-specific analysis provides a good introduction to character; it should then be supplemented by more detailed analysis in the Design and Access Statement submitted with any planning application. This analysis should include reference to the development plan, its evidence base and material considerations such as national policy and guidance, and this guide.”</u></p>
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3.01	Natural England	1. Sustainability	<p>Natural England welcomes the focus on climate change. The SPD should recognise the role of the natural environment in reducing the effects of climate change through mitigation and adaptation and on air pollution, e.g. through green infrastructure and nature-based solutions. These should be acknowledged through the sustainability guidelines of the SPD.</p> <p>NE751 is a useful resource to consider and reference.</p>	<p>Changes proposed.</p> <p>Support for the focus on climate change noted.</p> <p>We agree that the natural environment plays a role in reducing the effects of climate change.</p> <p>Add a paragraph to 1.2: Sustainable Design:</p> <ol style="list-style-type: none"> <li>1. "In addition to environmental sustainability, good housing design should contribute positively to the social and economic vibrancy of existing neighbourhoods, supporting health and wellbeing.</li> <li>2. <u>"Green and blue infrastructure and nature-based solutions can help play a role in aiding climate change adaptation and reduction in urban air pollution, contributing towards sustainable and high quality homes."</u></li> <li>3. Consider sustainable design principles from....."</li> </ol> <p>Add reference to NE751 in the list of Key References for Urban Greening and Public Realm on page 23:</p> <p>- <u>"Natural England Climate Change Adaptation Manual (NE751) 2020"</u></p>
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3.02	Historic England	1. Sustainability	We welcome the focus on sustainability. The adaptive reuse of historic and traditional buildings is not only important from the perspective of reinforcing and enhancing local distinctiveness but contributes to reducing construction-related carbon emissions, owing to the preservation of embodied energy.	No change.  Support noted.
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3.03	Environment Agency	1. Sustainability – Section 1.1	<p>We would like to see this section address improving water efficiency in redevelopment / new development. Luton is in an area of serious water stress. Luton Council has undertaken Water Cycle studies in recent years and these recognise more needs to be done to promote water efficiency, improve the quality of water entering our rivers, and to re-naturalise them where possible.</p>	<p>No change.</p> <p>Comment noted.</p> <p>We agree that as a matter of principle, more needs to be done to improve water efficiency, water quality and re-naturalise rivers. An SPD however cannot introduce new policy. Policy LLP37 of the local plan requires all residential developments to achieve a water efficiency standard of 110 litres per person per day. We consider that this standard could be reviewed / revised in a new local plan / local plan update, including considering whether certain standards could be applied to residential-led, mixed use developments as well (subject to evidence justifying any revised standard).</p>
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3.04	Strategic Flood and Water Manager (Luton Borough Council)	1. Sustainability – Fig 1.4.1	a) is missing before canopies	<p>Change proposed.</p> <p>Part a) refers to excessive wind and downwash – we propose to change wording to make this clearer:</p> <p><u>“Wake and downwash effects of excessive wind (a) can be mitigated by canopies (b), setbacks (c) and podia (d) can mitigate wake and downwash effects of excessive wind (a)”</u></p>
3.05	Historic England	1. Sustainability – Page 17 Section 1.8	<p>We particularly welcome reference to embodied carbon and the importance of retrofitting and re-using historic buildings.</p> <p>We recommend you include a link to our free to download publications including a suite of technical advice and guidance on Retrofit and Energy Efficiency in Historic Buildings &lt;<a href="https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/">https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/</a>&gt;</p>	<p>Change proposed.</p> <p>Support noted.</p> <p>Reference to suggested Historic England source to be included in 'Key references for sustainability'.</p> <p>Reference to be added after 1.10, into list of 'Key references for sustainability':</p> <p><u>“Historic England, Retrofit and Energy Efficiency in Historic Buildings (suite of advice notes, various dates)”</u></p>

4.01	Public Health (Luton Borough Council)	2. Block Guidelines	<p>Public Health support the emphasis on improving the walkability of the town, but it is important to frame walkability in the context of creating better, more inclusive, more walkable streets and spaces that meet everyone's needs- and that are safe, vibrant and enjoyable for people of all ages and abilities. Embedding the Healthy Streets approach will help achieve this.</p> <p>Public Health support the recommendation for meaningful strategies for urban greening. This is particularly important in areas of higher deprivation / poor or unequal access. There is evidence to show multiple benefits arising from access to green space (health, recovery from illness, binding communities / reducing isolation, reduce flood risk etc.). Access to greenspace can help the drive to a fairer society.</p> <p>Guidance for Preventing Suicides in Public Places should be explicit in the body of the text. It is unclear what some of the key references for urban greening and the public realm are, compared to Key references for Sustainability, which are easy to identify and find. Specifically, Healthy Places (2021) / Designing for</p>	<p>Change proposed.</p> <p>General support for the SPD noted / welcomed.</p> <p>We note the reference to the Healthy Streets approach / indicators and the Getting Home Safely report. Healthy Streets indicators and actions in the Getting Home Safely report are addressed throughout the SPD.</p> <p>We agree regarding the importance of green spaces and ensuring greater opportunities for access to them. The SPD provides guidance on urban greening and outdoor amenity space. In addition, reference to Natural England's new Green Infrastructure Framework is being added to the key list of references within the Urban Greening section.</p> <p>The SPD cannot in itself introduce new policy. It is however likely that a green infrastructure strategy / green space study will form part of the up-to-date evidence base of a new / reviewed local plan for Luton, which will look at green (and blue) infrastructure throughout the whole borough and consider provision and access in relation to inequalities, matters alongside others that can then be addressed holistically via new or updated policies.</p> <p>We propose to clarify the reference to "Healthy Places (2021) and to remove the reference to</p>
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			<p>disabilities (2021) / Preventing Suicides in Public Places (2015).</p> <p>The guide should ensure public spaces are inclusive and welcoming where women can travel the first and last mile without adjusting their behaviours.</p> <p>Recommended actions:  <a href="https://www.snclavalin.com/~media/Files/S/SNC-Lavalin/documents/transportation/get-home-safe.pdf">https://www.snclavalin.com/~media/Files/S/SNC-Lavalin/documents/transportation/get-home-safe.pdf</a></p>	<p>“Designing for Disabilities (2021)”, as accessibility in residential developments is covered by building regulations.</p> <p>“<u>Public Health England – Healthy Places guidance (various years) (2021)</u>”</p> <p>“<del>Designing for disabilities (2021)</del>”</p>
4.02	Historic England	2. Block Guidelines – Page 20 Section 2.1	<p>We welcome points 1, 2 and 5. Retention, re-use and repurposing of existing buildings is a sustainable approach and should be prioritised where possible. Alignment with existing or historic street layouts and building lines is important, as is the maintenance of walls with strong historical character.</p>	<p>No change.</p> <p>Support noted.</p>

4.03	Royal Society for the Protection of Birds (RSPB)	2. Block Guidelines	<p>As well as supporting the population of swifts (a red-listed urban bird in Luton), provision of integral swift bricks will help delivery of easy and regular contact with nature for residents. Integral swift bricks are not only used by swifts but other red-listed birds such as house sparrows and house martins.</p> <p>Please see the Site Level Design Code (RTPI) which provides explanation about the importance for the provision of “swift bricks / nesting sites” in urban buildings, including referring to:</p> <ul style="list-style-type: none"> <li>• the NPPF "ensuring public access to nature where appropriate";</li> <li>• The National Model Design Code also refers to integrating habitats (Section N. 3 Biodiversity, page 25);</li> <li>• BS 42021 Biodiversity and the Built Environment also refers to including measures to replace nesting sites; and</li> <li>• Natural England: Wild birds – advice for making planning decisions.</li> </ul> <p>The Environment Agency Chief Scientist’s Group states in The state of the environment: the urban environment</p>	<p>Change proposed: please see representation from Natural England and its associated response under representation 4.12.</p> <p>Comments noted in relation to provision of nesting sites.</p> <p>Local Plan policy LLP28 supports development proposals that add to the net stock of wildlife habitats.</p>
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			<p>(2021) that "... developments designed with space for nature can even increase species diversity and abundance... Some species are considered 'urban specialists', for example, swifts.... Urban specialist birds are a good biodiversity indicator for urban areas..."</p> <p>Provision for "integral swift / universal nest bricks / boxes" within Luton Town Centre (and elsewhere in Luton) would be a really important measure to include in the design guide.</p>	
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4.04	Natural England	2. Block Guidelines – Section 2.1	<p>Discussions around "filling in blocks" and available space implies a reduction in potential connective opportunities for green space.</p> <p>There could be an opportunity for development to include semi-permeable barriers to allow species' movement while maintaining Luton's post-industrial character. We suggest adding the following text: "ensure current ecological networks are not compromised, and future improvements in habitat connectivity are not prejudiced" to sections 2.1 and 2.10.</p> <p>Reference could also be made to addition of green infrastructure within these interiors, e.g. bee lawns or green parking.</p>	<p>Change proposed.</p> <p>Comment noted. Provision of green infrastructure is addressed throughout section 2.3.</p> <p>Add paragraph to section 2.3:</p> <p><u>12. "Ensure current ecological networks are not compromised, and future improvements in habitat connectivity are not prejudiced, particularly in the cases of designing block interiors and filling in urban blocks."</u></p>
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4.05	Natural England	2. Block Guidelines	<p>Block interiors may act as potential barriers to species movement by encircling habitats or preventing further migration opportunities (2.10).</p> <p>There could be an opportunity for development to include semi-permeable barriers to allow species movement while maintaining Luton's post-industrial character.</p>	<p>Change proposed under response 4.04.</p> <p>Comment noted.</p>
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4.06	Individual 2	2. Block Guidelines	<p>We need to have housing in this type of style with wide paths and plenty of trees as this Holland Park London development in the image below (photo included).</p> <p>We need to have aspirational developments like the Park Modern development in London. The development is billed as the most ambitious park-side architecture to date, is mixed-use, and includes a luxury retail boutique, signature restaurant, VIP health club and spa club. If the council is going to lift the image of Luton, it needs such signature buildings / aspirational developments and entice people with money.</p> <p>Proper budgets must be in place to maintain newly installed features in the public realm, otherwise it will look dilapidated / rundown.</p>	<p>No change.</p> <p>Comment noted.</p> <p>With regard to wide paths and street trees, although the wider public realm is outside the scope of this SPD, its guidance promotes good quality landscaping, strong relationships with the public realm, and the planting of trees. We agree that the design of developments should be aspirational, and this SPD aims to achieve high quality design, consistent with the National Design Guide. The town centre has three conservation areas, and the SPD expects design to be contextual and strongly informed by local character. However, the housing market in an area such as the City of Westminster is very different to the Luton market - properties in Luton do not achieve the same sales values as those in central London, and viability can be a huge issue as build costs in Luton are still high, due to proximity to London. While this factor should not be an excuse for design quality to be compromised, it may have an impact on the types of facilities that can be provided within mixed-use residential buildings (i.e. spa clubs, luxury retail).</p> <p>We agree that budgets must be in place to maintain newly installed features; however this is outside the scope of this SPD. For the residential and residential-led developments that this SPD principally applies to, service charges would</p>
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				normally be put in place and properties managed by the landlord or a management company. A landscape scheme, including a management strategy and maintenance plan, would be required for any major applications by Luton's Planning Validation Requirements.
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4.07	Individual 2	2. Block Guidelines	<p>Unfortunately, the River Lea does not have enough water running through. Previous river enhancements have not been maintained and therefore they now weed clogged and the gravel stream effect has been lost.</p> <p>We need to make more of Stockwood Park and other parks.</p>	<p>No change.</p> <p>Comment noted.</p> <p>As the River Lea is a chalk stream, water levels will vary throughout the year. We understand that environmentally sustainable groundwater abstraction is an objective that Affinity Water (the water provider for Luton) is looking to achieve, and this is reflected / discussed in their draft 2024 Water Resources Management Plan. We are currently commencing a review of our local plan, with a view to either updating it or producing a new local plan. While the current local plan requires certain water efficiency standards to be met by residential developments, it is likely that water efficiency measures will need to be re-considered as part of a new local plan and subject to an evidence base, the relevant policy may need to be expanded / redrafted to include reference to non-residential development too.</p> <p>With regard to maintaining naturalisation works that may be carried out to the river Lea, the council's planning validation requirements require landscaping schemes, including maintenance and management plans, to be submitted with major applications. Any development proposals within 8m of the River Lea, and / or proposing the naturalisation or daylighting of the River, will be subject to consultation with Natural England and the Environment Agency, whereby consideration</p>
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				<p>will be given as to whether re-naturalisation is appropriate in those relevant parts of the river.</p> <p>Comments regarding the use of parks are noted but this matter falls outside of the scope of this SPD. A green space strategy / green and blue infrastructure strategy is likely to be produced as part of the evidence base for an updated / new local plan.</p>
4.08	Historic England	2. Block Guidelines – Section 2.2	<p>We welcome reference to the importance of sites directly visible from the train line, and welcome reference to views towards urban blocks beyond including St George’s Bridge, Plaiters Lea Hat District and St Mary’s Church.</p> <p>We recommend that you also specifically highlight the importance of sites / routes linking the station to the town centre.</p>	<p>Change proposed.</p> <p>Comment noted.</p> <p>Add the following text:</p> <p>“Development sites directly visible from the railway line <u>and on routes linking the station to the town centre</u> have a high potential to create positive first impressions of Luton and contribute to a memorable townscape for people arriving by train.”</p>

4.09	Strategic Flood and Water Manager (Luton Borough Council)	2. Block Guidelines – Par 2.3.1	1. Incorporate significant structural tree planting to provide microclimate comfort (shading, noise and wind and rainfall/runoff attenuation) to pedestrians. This strategy is particularly important for approach roads into the town centre.	<p>Change proposed.</p> <p>Comment noted.</p> <p>Amend text to 2.3.1:  “Incorporate significant structural tree planting to provide microclimate comfort (shading, noise and wind) to pedestrians, <u>and rainfall / runoff attenuation</u>. This strategy is....”</p>
4.10	WSP on behalf of 2020 Developments (Luton) Ltd	2. Block Guidelines – Section 2.3	<p>Section 2.3 states that new developments should mitigate and reverse effects including the urban heat island effect and air and noise pollution, with meaningful urban greening strategies.</p> <p>Section 2.3.8 stipulates that developments are to deliver 10% biodiversity net gain. This should be referred to as a target, rather than a prescriptive requirement. Embedding flexibility is critical because viability constraints vary on a site-by-site basis and having to comply with this requirement may hinder the delivery of schemes in some instances. It is not practical to require all housing schemes to meet 10% biodiversity net gain as a minimum.</p>	<p>No change.</p> <p>Comment noted.</p> <p>The requirement for 10% biodiversity net gain within the SPD is a reflection of primary legislation coming into force later this year for major applications / next year for others; the Environment Act 2021 further amends the Town and Country Planning Act 1990, to stipulate a minimum of 10% biodiversity net gain (using the biodiversity metric). Councils may introduce a higher target than 10% e.g. where viability or other circumstances allow; at present, the council does not intend to do so. This is a matter that will be appropriate to be considered as part of the local plan review process, and in evidence base preparation.</p>

4.11	Individual 3	2. Block Guidelines – Section 2.3	<p>There is a petition asking for swift bricks to be compulsory in all new houses. Swift bricks provide nesting sites for these birds, which are increasingly threatened, but the Government says that the requirement for swift bricks is a matter for local authorities. Luton has a reasonable number of breeding swifts, which tend to be in older housing stock, and nesting sites can be lost as refurbishments are made to roofs. Swift colonies are not necessarily in the town centre but provision in the town centre could help address the loss of nesting sites in the town.</p>	<p>Change proposed: see the representations from Natural England and the RSPB, and the proposed changes in response to representation 4.12.</p> <p>Comments in relation to the provision of nesting sites noted.</p> <p>Local Plan policy LLP28 supports development proposals that add to the net stock of wildlife habitats.</p> <p>We note that the Government's response to the petition referred to in the representation refers to the introduction of Local Nature Recovery Strategies, to help local planning authorities plan proactively for nature, including driving more focussed actions to help priority species. This new form of strategy, which is in the very early stages, may or may not refer to swifts. The policies in the council's reviewed / new local plan will need to be based on evidence, and aligned with the Local Nature Recovery Strategy that will be prepared for this area.</p>
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4.12	Natural England	2. Block Guidelines – Section 2.3	<p>Natural England feels that the Green Infrastructure Plan (2015) which forms part of the current Local Plan evidence base is clearly referenced in the SPD, but further green infrastructure opportunities could be incorporated. We direct you to the Green Infrastructure Framework.</p> <p>We suggest the following additions in relation to Green Infrastructure:</p> <ul style="list-style-type: none"> <li>* Retrofitting presents opportunities for green infrastructure design and delivery - this should be acknowledged and encouraged (section 1.8, paragraph 1)</li> <li>* Encourage provision of artificial roosting locations for bats and birds, particularly integrated boxes. Modern methods of construction often lack roosting features typically used by certain species of birds and bats and new plans should reflect this.</li> </ul>	<p>Changes proposed.</p> <p>Comment noted.</p> <p>We anticipate producing an updated Green Infrastructure Strategy / Plan as part of the evidence base for a reviewed / new local plan. The provision of further green infrastructure opportunities in the borough as a whole will be considered, and not just in the town centre. This borough-wide approach may be a more effective means of incorporating and delivering further green infrastructure opportunities via policy making. However, we will add reference to Natural England's Green Infrastructure Framework, which has been published since the current draft version of the SPD was published for consultation.</p> <p>We recognise that opportunities are presented by retrofitting for green infrastructure design and delivery; reference is being added to section 2.3, which focuses on urban greening.</p> <p>We support increasing the net stock of wildlife habitats (as included in Local Plan Policy LLP28) and agree that wording can be included to encourage the provision of artificial roosting locations for bats and birds.</p> <p>Add to key references for urban greening and public realm:</p>
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				<p><u>“Natural England Green Infrastructure Principles (2023)</u>  <u>Natural England Green Infrastructure Standards (2023)</u>  <u>Natural England Green Infrastructure Planning and Design Guide (2023)”</u></p> <p>Add to section 2.3 urban greening:</p> <p><u>8. “Delivery of green infrastructure when retrofitting existing buildings is encouraged</u></p> <p>8. <u>9.</u> Provide multi-level planting strategies that can host a wider range of wildlife and deliver a 10% biodiversity net gain.</p> <p>9. <u>10.</u> Provide connected green spaces, continuous with existing parks and green networks where possible.</p> <p><u>11. Provide artificial roosting locations for bats and birds, particularly integrated boxes (e.g. swift bricks / boxes).”</u></p>
4.13	Natural England	2. Block Guidelines – Par 2.3.4	It is nice to see reference to opening up and developing the Lea River channel for outdoor amenity / creating a riverside walk (section 2.3, paragraph 4).	<p>No change.</p> <p>Support noted.</p>

4.14	Natural England	2. Block Guidelines – Par 2.3.4	<p>It is nice to see reference to opening up and developing the Lea River channel for outdoor amenity/creating a riverside walk (section 2.3, paragraph 4). It would be good to highlight how this can enhance development of the blue infrastructure network and promote biodiversity benefits. We would like to see details of how this links to the wider catchment and beyond the boundary of the town centre, particularly when considering Protected Sites downstream (Dallow Downs and Winsdon Hill SSSI and Cowslip Meadow SSSI).</p>	<p>No change.</p> <p>Support noted for opening up and developing the Lea River channel for outdoor amenity / creating a riverside walk.</p> <p>The adopted Local Plan already refers extensively to the River Lea corridor and improving, protecting and enhancing its biodiversity as one of several 'natural areas' in the town. The Local Plan also promotes the connectivity of the town's green spaces. Adopted Local Plan Policy LLP28 - Biodiversity and Nature Conservation, part C refers to Dallow Downs (that includes Winsdon Hill) and Cowslip Meadow as potential sites for SSSI designation. The Town Centre Design Guide should not include new policy for these sites post-designation. A new Local Plan, or a review of the adopted Local Plan that includes new or revised/ updated policies for these SSSIs - based on proportionate evidence - is the appropriate way forward, for considering / linking with protected sites.</p>
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4.15	Natural England	2. Block Guidelines – Par 2.3.4	<p>We suggest explicit inclusion of best practice drainage and pollution prevention in construction and operational phases of development in section 2 (urban greening) and section 3 (building guidelines) with a focus on development adjacent to the River Lea. Defra recently announced the decision to make Sustainable Urban Drainage systems mandatory by 2024 in a review document of recommendations for the implementation of Schedule 3 to The Flood and Water Management Act 2010. The SPD should directly reference this decision and strongly encourage the use of SUDs where appropriate.</p>	<p>Minor change proposed.</p> <p>Comment noted.</p> <p>Adopted Local Plan policy LLP36 - Flood Risk, Part D sets out very clear criteria that include expecting new developments to incorporate multi-functional sustainable drainage systems. Policy LLP38 - Pollution and Contamination seeks to prevent both pollution and contamination in relation to protecting water resources (that include water courses, water bodies or aquifers). The Town Centre Design Guide cannot include new policy for drainage generally, or sustainable drainage systems specifically. A new Local Plan, or a review of the adopted Local Plan is the appropriate (development plan document) to include new or revised/ updated policies for SuDS, and any updated approach to preventing pollution and watercourse etc. contamination. These new/ revised local plan policies would be based on proportionate evidence and reflect the legislation prevailing at the time of plan preparation.</p> <p>It is however noted and acknowledged that the Flood and Water Management Act 2010 refers throughout to 'sustainable drainage', not to 'sustainable urban drainage'; this error needs to be rectified in the SPD.</p>
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				<p>No change, apart from replacing all references throughout the Guide to 'sustainable urban drainage' with 'sustainable drainage', including the title of the Glossary definition.</p>
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4.16	Strategic Flood and Water Manager (Luton Borough Council)	2. Block Guidelines – Par 2.3.3	Use sustainable drainage systems and porous landscaping for on-site storm water retention and treatment. Design in rainwater harvesting. Reference should be made to Luton Council’s Local Flood Risk Management Strategy (2015) and Luton’s Sustainable Drainage Design and Evaluation Guide (2018).	<p>Change proposed.</p> <p>Comment noted.</p> <p>Generally, key references are included in the "key reference" boxes at the end of various sections, rather than within the body of the text of the SPD. The Sustainable Drainage Design and Evaluation Guide is referred to on the following page (page 23) within the key references box. However, the Flood Risk Management Strategy is not included in this list, so it is proposed to add it.</p> <p>List of Key References (page 23):</p> <p><u>“Luton Local Flood Risk Management Strategy (2015)”</u></p>
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4.17	Natural England	2. Block Guidelines Par 2.3.8	Natural England supports the requirements for a delivery of a minimum of 10% biodiversity net gain, however, we would welcome a more ambitious 20% biodiversity net gain requirement.	<p>No change.</p> <p>Support noted in relation to the requirement for 10% biodiversity net gain that will be coming into force later this year/ next via primary legislation.</p> <p>An evidence-based policy, that would be likely to also refer to taking a site-by-site approach (that may include viability assessment), would be required to pursue a higher percentage requirement therefore this matter would be most appropriately addressed through the evidence base of reviewed / new local plan and resulting policies, rather than through this SPD.</p>
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4.18	Environment Agency	2. Block Guidelines - Par 2.3.3	<p>We welcome the section on urban greening, and encourage the use of multifunctional SuDS, including on smaller-scale developments. We encourage policies which set out the locations where types of SuDS will and will not be appropriate to maximise / minimise benefits / risks.</p> <p>We also encourage maximising opportunities to reduce the impacts of flood risk e.g. by increasing permeable surfacing, reducing run-off, or making space for water.</p>	<p>Change proposed.</p> <p>Comment noted.</p> <p>We intend that the sustainability guidance outlined in this SPD will contribute towards reducing the impact of flood risk. We agree on the importance of encouraging maximising opportunities to reduce the impacts of flood risk; however, the currently adopted Local Plan has a policy (LLP36) specifically regarding flood risk, and new policy cannot be introduced via this SPD. As we currently anticipate either producing a new local plan or updating the current local plan, this policy will be updated to reflect any up-to-date evidence, changes locally or the national planning context prevailing at the time. We would work with the Environment Agency on this updating. Policy LLP36 already expects the council to work with the EA in the management of flood risk and ensure risk of flooding is appropriately mitigated.</p> <p>Amend paragraph 2.3.3:</p> <p>3. Use <u>multifunctional</u> sustainable urban drainage systems.....</p>
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4.19	Environment Agency	2. Block Guidelines – Par 2.3.4	<p>2.3.4 - We welcome the opening up of the River Lea and strongly support opening up the current culverted sections. We are supportive of riverside improvements which achieve multiple benefits.</p> <p>We would like to see support for improvement along the river corridor for any development within 8 metres of the River Lea. This land is particularly valuable for wildlife and it is essential this is protected and improved, where possible. This is supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Two recent projects in the town are Power Court and the former Silver Street car park.</p>	<p>No change.</p> <p>Support regarding opening up the River Lea noted and welcomed.</p> <p>We note the request for support for improvement along the river corridor for any development within 8 metres of the River Lea. However, this degree of specificity would be better addressed through a new local plan / updated local plan, and with reference to a Local Nature Recovery Strategy (as applicable) and evidence base assessments. We anticipate working closely with the Environment Agency when formulating revised/ new policies for Luton. We note that proposals for development within 8m of the River Lea will be subject to consultation / discussions with the Environment Agency in any event.</p>
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4.20	Environment Agency	2. Block Guidelines – Par 2.3.7	2.3.7 - we encourage tree planting, green walls and roofs. These provide multi-functional benefits including carbon sequestration, reducing exposure to poor air quality, wellbeing and biodiversity gains, flood resilience, and shading and cooling of buildings.	<p>No change.</p> <p>Support noted regarding tree planting and green roofs.</p> <p>The SPD encourages significant structural tree planting and requires urban greening interventions, such as green roofs, to maximise their contribution. The SPD does not actively encourage the use of green walls due to concerns over viability; however where these are incorporated as part of a proposal, we would assess them on a case-by-case basis.</p>
4.21	Environment Agency	2. Block Guidelines – Par 2.3.8	Planting strategies – we support this policy.	<p>No change.</p> <p>Support noted.</p>

4.22	Environment Agency	2. Block Guidelines – Par 2.3.9	We support 2.3.9 - connected green spaces.	No change. Support noted.
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4.23	Historic England	2. Block Guidelines – Page 23 Section 2.4	<p>We welcome a commitment to the public realm and the list of key references. We would recommend any design principles for new or upgraded streets should have regard to the Manual for Streets (1/2 and their forthcoming successor document), the government's design guidance on active travel infrastructure (LTN 1/20) and Historic England's Streets for All document. We recommend these be added to the list of key references on page 23.</p>	<p>Change proposed.</p> <p>Comment noted.</p> <p>We propose to add reference to the Historic England Streets for All document. We note the suggestions to add the Manual for Streets and LTN 1/20 to the list of references; however, while the SPD does refer to the design of the public realm, it is mainly focussed on the design of residential / residential-led developments, including their relationships with the public realm. The development of new streets and active travel infrastructure (other than cycle parking, which may be incorporated within residential - and other - developments) falls outside of the scope of the SPD.</p> <p>Add reference to list of references on page 23:</p> <p><u>“Historic England - Streets for All (2018)”</u></p>
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4.24	Historic England	2. Block Guidelines – Page 25 Figure 2.5.4	<p>We are concerned that the SPD is effectively being used to allocate land for tall buildings without sufficient evidence. We are not aware of evidence to justify figure 2.5.4. To develop tall buildings policy with this level of detail we would expect to see evidence including views analysis, characterisation studies, analysis of topography, a definition of taller buildings, recommended upper limits and how applications would be tested and policy applied.</p> <p>We consider this figure to be making policy, which is not appropriate in an SPD (PPG reference: Paragraph: 008 Reference ID: 61-008-20190315 Revision date: 15 03 2019). The most appropriate context for policy development in relation to building heights is within a local plan, justified by evidence. This is made clear in the Guidance Notes for the National Model Design Code (para 117). Please also refer to our <a href="#">advice note</a> in relation to tall buildings.</p> <p>A tall buildings policy based on appropriate evidence can ideally be brought forward through a Local Plan Review. However if you are minded to include detailed location specific guidance / advice on heights in this SPD,</p>	<p>Changes proposed.</p> <p>Concerns regarding figure 2.5.4 noted.</p> <p>The figure is taken directly from the Luton Town Centre Masterplan, which was subject to significant consultation. It is however acknowledged that in a recent appeal decision (for Lea Halls, appeal reference APP/B0230/W/22/3294931), the Inspector noted that the Masterplan is not a development plan document. We have therefore concluded that the most appropriate way forward would be to consider a tall building definition / policy / location-specific guidance within a new local plan or updated local plan, consistent with national policy and guidance, and formulated from a local evidence base.</p> <p>Proposed change: deletion of figure 2.5.4 from the SPD, including its supporting text. Also delete figure 2.5.5 and its supporting text (other relevant images are included elsewhere in the SPD).</p>
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		<p>it must be based on robust proportionate evidence, otherwise we strongly recommend its deletion from the SPD.</p> <p>Moreover, zones / areas may be more appropriate than the current points identified. It might be helpful to consider criteria / principles for taller buildings, which may be a more preferable approach in the absence of a detailed evidence base.</p> <p>Even if the figure is supported by evidence we have concerns about some of the locations identified. Several of the potential locations for tall buildings overlap with areas identified as being sensitive to building height, which appears counter-intuitive, owing to the potential for harm, unjustified. We are most concerned about the identification of a location very close to St Mary's Church and recommend its deletion.</p>	
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4.25	Savills (on behalf of Comer Homes Group)	2. Block Guidelines – Section 2.5	<p>Section 2.5 identifies that tall buildings may be appropriate in specified locations including along the A505. Figure 2.5.4 identifies a number of locations potentially suitable for taller buildings, and areas potentially more sensitive to building heights, with mid-rise (4-8 storeys) staged to be the preference for new developments in the town centre more generally. Figure 2.5.4 is a repeat of figure 1.20 of the Luton Town Centre Masterplan.</p> <p>Since the Masterplan was produced a number of taller buildings have been consented or are awaiting determination. Figure 2.5.4 therefore does not adequately reflect the existing and emerging character of the town centre. Other sites within the town centre boundary, including at the junction of the A505, should be considered as potential locations for taller buildings. Such sites can make a positive contribution towards the delivery of housing.</p> <p>The SPD should also make clear that the boundaries within figure 2.5.4 are broad or indicative locations, rather than definitive boundaries and that proposals for tall buildings will be assessed on a case by case basis having regard to</p>	<p>No change proposed, other than those changes identified under representations 4.24 and 5.03.</p> <p>Comments noted.</p> <p>The council agrees that proposals for tall buildings should be assessed on their merits with reference to Local Plan policy LLP25, and on a case-by-case basis having regard to townscape and visual impact analysis and other material considerations. The council also agrees that since the publication of the Luton Town Centre Masterplan, there have been a number of planning permissions/ resolutions to grant permission, and applications awaiting determination.</p> <p>Comments are noted regarding the building heights referred to in the SPD. However, following consideration that has also been given to comments by Historic England and the recent appeal decision at Lea Halls, the council is proposing to remove this figure 2.5.4 from the SPD.</p> <p>It is intended that as part of preparing an up-to-date evidence base (including, but not limited to views' analysis, characterisation studies, and analysis of topography), for a reviewed / new Local Plan policy, the council would seek to formulate a robust definition of taller buildings and consider where they may be appropriate.</p>
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			<p>townscape and visual impact analysis, and the criteria in policy LLP25.</p> <p>The site at Dunstable Road represents a unique opportunity to have a high quality tall building on the axis with a variety of approaches to the city. It can be identified that the junction acts as an important marker point into the city. The site's planning history includes the granting of a number of permissions, including heights of up to 12 storeys. The principle of a tall building on this site has already been established. Figure 2.5.4 should be updated to identify this site as a potential location for a tall building.</p> <p>We propose a number of changes are made to 2.5.</p>	<p>We note the comments in relation to the site at Dunstable Road, its planning history and sites within the surrounding area. However, the SPD is not a site-specific document.</p> <p>With reference to 13-31 Dunstable Road, it should be noted that because the site lies within the setting of a Grade II listed building, proposing its development – whether via policy or in a planning application – specifically for a tall building / tall buildings requires detailed assessment in relation to the designated heritage asset's significance and the potential effects of such development. That assessment would be outside the scope of this SPD.</p>
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4.26	WSP on behalf of 2020 Developments (Luton) Ltd	2. Block Guidelines – Page 25 and page 34	<p>Page 25 of the SPD specifies building heights that are appropriate across the town centre, stating that generally, between 4 and 8 storeys is the preference for new development. The figure identifies areas suitable for taller buildings. The Power Court site has been identified as being suitable for tall buildings, within both the eastern and western portions of the site. This accords with permission ref. 20/01587/OUTEIA proposing building heights up to 55m.</p> <p>Confusingly, section 3.4 of the SPD stipulates that the prevailing height of 'taller buildings' should be 10 storeys. Paragraph 2 goes on to state that there will be some limited opportunities to exceed this, however it would improve clarity / avoid ambiguity if the Power Court development was specifically referenced as being an appropriate location to exceed these thresholds.</p>	<p>No change proposed, other than those identified under representations 4.24 and 5.03.</p> <p>Comments noted.</p> <p>The council agrees that proposals for tall buildings should be assessed on their merits with reference to Local Plan policy LLP25, and on a case-by-case basis having regard to townscape and visual impact analysis and other material considerations. The council also agrees that since the publication of the Luton Town Centre Masterplan, there have been a number of planning permissions/ resolutions to grant permission, and applications awaiting determination.</p> <p>Comments are noted regarding the building heights referred to in the SPD. However, following consideration that has also been given to comments by Historic England and the recent appeal decision at Lea Halls, the council is proposing to remove figure 2.5.4 from the SPD. It is intended that as part of preparing an up-to-date evidence base (including, but not limited to views' analysis, characterisation studies, and analysis of topography), for a reviewed / new Local Plan policy, the council would seek to formulate a robust definition of taller buildings and consider where they may be appropriate.</p>
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4.27	Historic England	2. Block Guidelines – Page 26 Section 2.6	<p>We broadly welcome the reference to urban grain in this section. We recommend the inclusion of an additional bullet point to highlight the importance of analysing and reinforcing the historic grain of the area in new development.</p>	<p>Change proposed.</p> <p>Support noted.</p> <p>Additional bullet point to be added, to highlight the importance of analysing and reinforcing the historic grain of the area in new development.</p> <p>Add new first bullet point:</p> <p><u>“The historic grain of the area should first be analysed and then reinforced in proposals for new development”</u></p>
4.28	WSP on behalf of 2020 Developments (Luton) Ltd	2. Block Guidelines – Section 2.6	<p>Section 2.6 details numeric controls that proposals should implement. Paras 1 and 2 provide specific requirements to be implemented, however variations are said to be acceptable if agreed with the Council.</p> <p>It should also be made clear that variations to these prescriptions will be permitted where visual analysis shows an acceptable outcome. This embedded flexibility will be important to encourage housing schemes to come forward as it may not be feasible to implement all specified design features in every proposal.</p>	<p>No change.</p> <p>Comments noted.</p> <p>However, flexibility is already embedded in the text. Both paragraphs within Section 2.6 that include “numeric controls” clearly state that the guidance contained within them <i>should</i> be followed, and that there is scope for variations that should be ‘as agreed’ with the council.</p> <p>Additionally, changes have been made under reference 1.16 to embed further flexibility within the SPD as a whole.</p>

4.29	Historic England	2. Block Guidelines – Page 32 – Section 2.12	We broadly welcome the principle to increase permeability and walkability. We recommend the inclusion of an additional point to recommend the re-instatement of historic street patterns / linkages through new development. New routes could helpfully reintroduce old routes that had been lost to previous development schemes.	<p>Change proposed.</p> <p>Comment noted.</p> <p>Add new paragraph:</p> <p><u>2."Consider the re-instatement of historic street patterns / linkages through new developments."</u></p>
5.01	Public Health (Luton Borough Council)	3. Building Guidelines	Staircases should be designed and positioned to encourage people to use them. They should be clearly signposted and attractive to use. For example, they should be well-lit (lots of natural light) and well-decorated.	<p>Change proposed.</p> <p>Comment noted.</p> <p>The concept of staircases being clearly signposted, attractive to use and well-lit / decorated is noted and endorsed. Additional text is proposed to be added to para 3.1.7 to encourage provision of natural light (although this may not be possible in all cases). The decoration of internal areas is not a material planning consideration.</p> <p>Proposed change: "Staircases should be designed and located to encourage people to use them. They should be clearly signposted, well-lit (<u>preferably with natural light</u>), and attractive to use."</p>

5.02	Historic England	3. Building Guidelines – Page 36 Section 3.2	We welcome the encouragement for buildings to be responsive to site and context. Bullet point 1 notes the importance of consideration of character of neighbouring buildings which is welcomed.	No change. Support noted.
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5.03	Historic England	3. Building Guidelines Pages 39-43 Section 3.4	<p>The SPD states that most development will be mid-rise (4-8 storeys) allowing for some uplift from existing densities while respecting the character of the town. Recognition is made of the sensitivities of Conservation Areas and proximity to listed buildings in relation to height which is welcomed. However, the SPD states that where such sensitivities are absent the prevailing height should still be below 10 storeys, but then says that there will be limited opportunities to exceed this height where an exceptional case can be proved.</p> <p>We are concerned that these are quite detailed height proposals and we have not seen evidence to justify these heights. We are concerned some of the proposed heights may be too high, out of character with the townscape, and not justified. We recommend that reference to specific heights is deleted. There are also inconsistencies that need to be clarified - if most development is mid-rise (4-8 storeys) how can the prevailing height still be below 10 storeys? Would it be more appropriate to say 8 or 9 storeys and under?</p> <p>Both this section and the tall building section discussed above should adopt a</p>	<p>Change proposed.</p> <p>Concerns regarding detailed height proposals noted.</p> <p>In view of this representation and other stakeholders' submissions, we agree that an appropriate way forward would be to consider including a taller buildings' definition, a tall buildings' policy /location-specific policies and guidance within a new or updated local plan, based on proportionate evidence reflecting / relating to density, character, context, heritage assets and townscape.</p> <p>Section 3.4 to be revised:</p> <p>Preferred building types The shape and size of urban blocks, as well as their location within the structure of the town can provide indications for the suitability of particular building types.</p> <ol style="list-style-type: none"> <li>1. New developments should be <u>respectful and of human scale, respecting the character of the town and site sensitivities such as conservation areas and the setting of listed buildings.</u> <del>Most development will be mid-rise (4 to 8 storeys) allowing for some uplift from existing densities whilst respecting the character of the town.</del></li> <li>2. <del>Where site sensitivities such as Conservation Areas and proximity to listed</del></li> </ol>
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			more considered approach with considerations of location / height based on a proportionately detailed evidence base including characterisation and townscape and visual impact assessment.	<p><del>buildings are absent, the prevailing height of schemes must still be below 10 storeys. Although there will be some limited opportunities to exceed this where an exceptional case can be proved. Such exceptions would need to make a clear case for height relating to the contribution of the building, exceptional design quality and sensitive consideration of existing townscape and assets.</del></p> <p>3. 2. A mix of housing types including flats and houses is strongly encouraged on sites and across the town centre.</p> <p>[...]</p>
5.04	WSP on behalf of 2020 Developments (Luton) Ltd	3. Building Guidelines – page 42	The SPD refers to building types, specifically ‘tower elements’ and stipulates that the maximum permissible height for this typology is 12 storeys. This differs to the maximum height allowance as per section 3.4. The Power Court scheme has approval for heights of up to 55m (or 18 storeys) that therefore should be referenced as an exception to the guidance. This would ensure clarity for future planning applications.	<p>Change proposed.</p> <p>Comment noted.</p> <p>This inconsistency is noted. We are proposing modifications to Section 3.4 (see reference 5.03) which include the removal of references to maximum height.</p> <p>A change is proposed to page 42 to remove reference to ‘6-12-storeys high’:</p> <p>Tower Elements:</p> <ul style="list-style-type: none"> <li>• <del>Are 6-12 storeys high (including ground floor)</del></li> </ul>

5.05	Historic England	3. Building Guidelines – Page 44 Section 3.5	We welcome bullet point 2 relating to local vernacular and choice of materials. We welcome reference to Luton brick.	No change. Support noted.
6.01	Individual 2	4. Amenities	We must not totally exclude vehicles from the town centre as then you will deter visitors or push developments to the edge of town.	No change. Comment noted.  However, the SPD does not aim to exclude vehicles from the town centre, and as a supplementary planning document, does not have any basis for doing so.

6.02	Individual 4	4. Amenities	<p>You are destroying our town with more and more flats. We need family homes. The flat developments next to a heritage area in High Town aren't suitable or in keeping, don't do this to other areas of our town.</p>	<p>No change.</p> <p>Comment noted.</p> <p>The council agrees that family homes are needed. This is reflected in Local Plan policy LLP15 (Housing), which requires provision to reflect identified need. As part of the evidence base for a revised / new local plan, an up-to-date needs assessment will be considered. Family homes need not specifically be houses, and the SPD notes that a mix of housing types is encouraged. Para. 4.1.6 requires the provision of family homes to be well-considered, using typologies which support family life.</p>
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6.03	Savills (on behalf of Comer Homes Group)	4. Amenities – Section 4.1	4.1 of the SPD states that provision of homes should be steered by local needs with an emphasis on family and affordable homes. This is informed by LLP15 in the local plan, which was prepared in accordance with the 2015 SHMA. A more recent 2018 SHMA identified a need of 1 and 2 bedroom flats comprising 25% of the total housing needs (a 15% increase from the 10% requirement in the 2015 SHMA). The sustainable location of the town centre (in close proximity to key transport nodes) means it is considered appropriate for high density development and the provision of 1 / 2 bedroom homes to meet the needs for smaller unit sizes. The SPD should not over-emphasise the importance of larger family homes and should make clear the need for a range of dwelling sizes within the town centre.	<p>No change.</p> <p>Comment noted.</p> <p>The 2018 SHMA represents the most up-to-date evidence of housing need in Luton. Although there may have been an increase in need for 1 and 2-bedroom flats between 2015 and 2018, it cannot be assumed that the rate of increase referred to has continued. Reference to any over- or under-delivery will be included in our upcoming Authority Monitoring Report, due to be published this summer. While we agree in principle that the town centre may be more suitable for higher-density development due to its sustainable location (see local plan policies LLP3 and LLP15), we disagree that "higher-density" equates to smaller dwellings, and consider that family-sized homes can also be included within higher density developments – in such circumstances, flats may be more suitable than other lower density housing types, such as houses, but still contribute towards meeting Luton's needs for family-sized homes.</p> <p>The preference for family homes that is referred to is a reflection of the most up-to-date SHMA (consistent with Local Plan policy LLP15) and we consider that the SPD is clear that a range of dwelling sizes, in terms of number of bedrooms, is needed, as reflected in paragraph 4.1.2 ("Homes should appeal to a broad market, including young families, the elderly, and</p>
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				<p>multigenerational households").</p> <p>Planning applications will always be considered on a case-by-case basis in accordance with the Local Plan, unless material considerations such as this SPD indicate otherwise.</p>
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6.04	WSP on behalf of 2020 Developments (Luton) Ltd	4. Amenities – Section 4.1	<p>Section 4.1 states that internal layouts of housing schemes should be informed by Nationally Described Space Standards, and that additional space to support flexibility i.e. home working space should also be sought.</p> <p>The Power Court scheme will seek to comply with and where possible exceed the Nationally Described Space Standards, with an aspiration to create a holistic community amongst the high quality mixed-use development. For the Power Court scheme, the residential components will seek to comply, and where possible, exceed the NDSS floorspace requirements. There is also a wider aspiration to create a holistic community amongst the high-quality mixed-use development.</p> <p>The additional floorspace objective, which goes beyond the national standards, is a target only. If this is rigidly enforced, it may hinder the feasibility of future housing schemes and result in less supply being delivered.</p> <p>Paragraph 4 should be amended to highlight this excess flexible space will only be sought where practical / viable.</p>	<p>No change.</p> <p>Comments noted.</p> <p>It is acknowledged that the Power Court scheme ‘will seek to comply with, and where possible exceed the Nationally Described Space Standards’.</p> <p>Central Government’s drive towards achieving high quality development, including internal living spaces, is explained in the NPPF, with more detail in national planning practice guidance, in the National Design Guide. Para. 130 of the NPPF states that planning decisions should create places with a high standard of amenity. The National Design Guide (2021) explains that well-designed homes provide a good standard of quality of internal space, including room sizes, and that the quality of internal space needs careful consideration in higher density developments (para. 126). Both the NPPF and the National Design Guide are capable of being material planning considerations in the determination of planning applications.</p> <p>We consider that the wording of the SPD is flexible enough, such that the feasibility of future residential and residential-led schemes will not be impacted. The SPD does not stipulate that proposals must deliver more floorspace than the Nationally Described Space Standards, rather, it encourages floorspace that supports flexibility. As</p>
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				<p>it is, the wording is consistent with national policy guidance in encouraging the provision of sufficient, good quality internal space, while recognising that these standards <i>should</i> be informed by the Nationally Described Space Standards.</p> <p>Applications will always be considered on a case-by-case basis and determined in accordance with the adopted Local Plan, unless material considerations such as the NPPF, the National Design Guide and this SPD (once finalised) indicate otherwise.</p>
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6.05	Savills (on behalf of Comer Homes Group)	4. Amenities – Section 4.2	<p>Section 4.2: Amenity Space Section 4.2 of the Draft SPD states that new residential developments should provide public outdoor amenity spaces proportionate to the size of development and encourages developers to provide more than the 5sqm minimum.</p> <p>Within the local plan, Policy LLP25 and Appendix 6 provide the external amenity space standards (requiring at least 5sqm of private amenity space for 1/2 bed flats / maisonettes and an extra 1sqm for each additional occupant, but allows for the fact that private outdoor space may not be achievable in some cases, and in these cases should be provided in the form of communal amenity space. The SPD should be amended to reflect this approach and should include these caveats noting that not all developments are capable of providing policy compliant private amenity provision for all units.</p> <p>Alternative text is proposed by Savills as follows:</p> <p>3. Provide sufficient private outdoor amenity spaces in housing units targeted towards families. Applicants are strongly encouraged to provide <del>more than</del> the 5sqm minimum.</p>	<p>No change.</p> <p>Comments noted.</p> <p>It is not the role of the SPD to repeat policies and standards in the adopted local plan - for this reason, the SPD cross-refers to relevant local plan policies, and other key references.</p> <p>Similar to the SPD, the Local Plan encourages a minimum of 5sqm of private amenity space for flats (and more for houses). We consider that the amenity space dimensions outlined in the SPD reflect the minimum expectations for developments that are outlined in Appendix 6 of the Local Plan. Applications are always assessed on a case-by-case basis and it would be up to the applicant to demonstrate in their proposal how they have met the requirements of the SPD, and if not, justify how their proposal still provides sufficient amenity space for future occupiers, while also taking into account other material considerations such as the National Design Guide (which also emphasises the importance of amenity space).</p>
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			4. Where private outdoor space is not achievable due to plot size or character this should be provided in the form of communal amenity space, grassed or hard surfaced with some landscaping.	
6.06	Highways Development Control (Luton Borough Council)	4. Amenities – Section 4.3	Possible comment to add: Balconies should not project over the public highway	Change proposed. Comment noted. Add to section 4.3: <u>6.2 “Balconies should not project over the public highway”</u>

6.07	Natural England	4. Amenities – Section 4.6	We suggest the inclusion of the following within the SPD: specific reference to lighting guidance for bats in addition to safe exterior lighting (Section 2.9)	<p>Changes proposed.</p> <p>Comment noted.</p> <p>Add paragraph to section 4.6 as follows:</p> <p><u>4. “Applicants should refer to specific lighting guidance for bats when designing lighting schemes.”</u></p> <p>Add to key references for amenities (page 46):</p> <ul style="list-style-type: none"> <li>• <u>“Bat Conservation Trust – Bats and artificial lighting guidance note (2018)”</u></li> </ul>
6.08	Theatres Trust	4. Amenities – Section 4.7	Support inclusion of acoustic guidance.	<p>No change.</p> <p>Support noted.</p>

6.09	Environmental Protection (Luton Borough Council)	4. Amenities – Par 4.7.4	<p>The referencing of LLP38 - Pollution and Contamination is welcomed, as is the advice in the section on Acoustics (page 50) that “Developments along the A505 should pay particular attention to noise mitigation”. This is important as several discrete areas of the A505 are identified by Defra as being “noise important”.</p> <p>However, it is noted that equivalent advice has not been given in relation to air quality measures. This would be useful, as - in addition to being a noise important area - the A505 Stuart Street has also been declared an Air Quality Management Area due to elevated annual mean NO2 levels.</p>	<p>Change proposed.</p> <p>Comments noted.</p> <p>Design measures that will result in improvements to air quality are dispersed throughout the SPD.</p> <p>We acknowledge that air quality is an issue in Luton, in particular within the Air Quality Management Areas. The adopted local plan does not include policies specifically for air quality, although policy LLP38 (Pollution and Contamination) requires developments not to have any significantly adverse impacts in terms of air quality. An updated / new local plan will need to take into account changes to national planning legislation and policy (including the Environment Act 2021 and Environment Improvement Plans), and any other evidence base studies and assessments. As such, it is likely that an updated / new local plan will provide an additional policy context, over and above that of the current local plan in terms of air quality. In the interim, this SPD cannot introduce new policy in itself.</p> <p>Road traffic is identified as being the main source of pollution in Luton; transport provision and / or strategies for the public realm are outside the scope of this SPD. In addition, the Local Plan is the development plan document that outlines parking standards within the borough.</p> <p>However, design features that can result in</p>
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				<p>improvements to air quality are addressed throughout the SPD. The National Design Guide (2021), which is a material planning consideration, refers to ways that developments can improve air quality through promoting sustainable modes of transport to reduce car usage and dependency, and encouraging tree planting and other planting to improve air quality and climate change mitigation. Reflecting this guidance, it is considered that design features that can result in improvements to air quality are encouraged throughout the SPD. Specific references include:</p> <ul style="list-style-type: none"><li>- 1.4.8 - Air movement: consider massing options which encourage the effective dispersion of pollutants</li><li>- 2.3 - Urban greening: incorporate significant structural tree planting, maximise urban greening and connected green spaces</li><li>- Promoting measures to encourage sustainable modes of transport such as walking and cycling by encouraging provision of safe and humane streets (2.9), mixed uses (2.11), and expecting zero or light car parking provision due to the town centre's accessible location (4.8).</li></ul> <p>The NPPF also requires planning decisions to ensure that any new developments in Air Quality Management Areas or Clean Air Zones to be consistent with the local air quality management plan.</p>
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				<p>We propose adding reference to this need for consistency:</p> <p><u>1.4.8 - Proposals within the A505 Air Quality Management Area should be consistent with any local air quality action plans.</u></p>
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6.10	Individual 4	4. Amenities – Section 4.8	<p>The concept that no parking should be provided is frankly ludicrous. We have a huge issue with parking in Luton and by saying that it shouldn't be included has a detrimental impact on street scene and imagery, and residents who already live there as our streets are already full of cars. Therefore not including any means you merely push the issue further on to residents.</p> <p>We don't have an accessible town centre due to the cost of public transport, and the times that it runs to and from.</p> <p>Alternative text is proposed: sufficient car parking provision is expected for each construction. Where parking is required, careful consideration can make a significant contribution to a better townscape and no impact on current residents.</p>	<p>No change.</p> <p>Comment noted.</p> <p>The SPD does not introduce additional restrictions on car parking and cannot introduce new parking standards.</p> <p>The National Planning Policy Framework allows for locally-set parking standards and requires policies to take into account issues such as the accessibility of proposed developments and the availability of, and opportunities for public transport. Policy LLP32 - Parking of the adopted Luton Local Plan states that proposals for reducing on-street parking in and around the town centre, and for car-free development, may be supported in areas of high public transport accessibility, subject to conditions. For this reason, given the high level of accessibility of the town centre, section 4.8 of the SPD expects zero or light car parking provision, in accordance with the Local Plan, and aims to improve the existing situation by encouraging better integration of car parking within residential developments.</p> <p>Parking standards may be reviewed in future as part of the preparation of a review of the adopted Local Plan for Luton.</p> <p>Regarding public transport, the cost and hours of operation are outside the scope of the planning system.</p>
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6.11	Savills (on behalf of Comer Homes Group)	4. Amenities – Section 4.8	Section 4.8 of the Draft SPD states that given the high accessibility of the town centre, zero or light car parking provision is expected. Noting the highly sustainable nature of the site at 13-31 Dunstable Road, and the town centre more broadly, this recommendation within the SPD is supported in order to promote sustainable travel measures and indeed a car-free lifestyle for people living within the town centre and who are within walking distance of a range of public transport facilities and services.	No change. Support noted.

6.12	Highways Development Control (Luton Borough Council)	4. Amenities – Section 4.9	<p>There is a concern with fire risk and charging rechargeable batteries. It would be good to know Fire Service advice on this matter.</p> <p>Consider an extra point: for developments with lower or no car parking provision, then levels of secure covered cycle parking well in excess of the minimum requirements of the Luton Local Plan are expected as part of a planning submission.</p>	<p>Change proposed.</p> <p>Comments noted.</p> <p>Advice has been received from the Fire Service, therefore clarifications will be added regarding charging rechargeable batteries. Extra point to be added regarding cycle parking expectations.</p> <p>Add clarification to paragraph 4.9.8:</p> <p>8. “Electric bike charging provision should be accommodated within <u>dedicated</u> communal cycle parking storage <u>areas that meet fire resistance requirements. These should ideally open into fresh air, and not impact on means of escape.</u>”</p> <p>Add new paragraph:</p> <p><u>“4.9.10 Where little or no car parking is being provided, developments are expected to provide cycle parking that exceeds minimum standards.”</u></p>
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6.13	Historic England	4. Amenities – Page 52 Section 4.9	Reference should be made to the need for all cycle infrastructure to be designed in line with the government's Local Transport Note 1/20.	<p>No change.</p> <p>Comment noted.</p> <p>We propose to add reference to Historic England's 'Streets for All - Advice for Highway and Public Realm Works in Historic Places' elsewhere in the Design Guide. We note the suggestion to refer to LTN 1/20, re. the design of cycle infrastructure. However, while the SPD does refer to the design of the public realm, it is mainly focussed on the design of residential and residential-led developments, including their relationships with the public realm. The development of new streets and active travel infrastructure (other than the cycle parking that may be incorporated within buildings or their curtilages) falls outside of the scope of the SPD.</p>
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7.01	Historic England	Glossary	Include definition of Conservation Area	<p>Change proposed.</p> <p>Comment noted.</p> <p>Glossary to be amended, with addition of definition of 'conservation area', sourced from legislation and Historic England advice:</p> <p><u>Local planning authorities are obliged to designate as conservation areas any parts of their own area that are of special architectural or historic interest, the character or appearance of which it is desirable to preserve, or enhance. In conservation areas, there are extra planning controls and considerations in place to protect the historic and architectural elements which make that place special.</u></p>
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## Appendix 2:

- Residents
- Business groups
- Local businesses
- Disabled persons groups
- Racial, ethnic or national groups
- Religious groups
- Other voluntary bodies / community groups / charities
- Environmental groups
- Single interest local groups
- Local Planning Authorities (including county councils and waste authorities)
- Parish Councils
- Local Policing Bodies
- The Coal Authority
- Environment Agency
- Historic England
- The Marine Management Organisation
- Natural England
- Network Rail
- National Highways / SOS for Transport / Highways Authorities
- Electronic Communications Act Code companies (e.g. telecommunications companies)
- NHS (including Integrated Care Services)
- Electricity Act licenced companies
- Gas Act licenced companies
- Sewerage and Water companies (Affinity Water and Thames Water)
- Homes and Communities Agency / Homes England
- The Mayor of London and Transport for London
- Planning consultants
- Developers (including local registered providers of affordable housing)
- Luton Council councillors
- Various teams / departments within Luton Council
- SEMLEP and Herts LEP
- England's Economic Heartland
- Skills Funding Agency
- Luton Hotel Forum
- University of Bedfordshire
- Local schools / Education
- London Luton Airport Operations
- London Luton Airport Ltd
- Civil Aviation Authority
- Luton Town Football Club
- The English Football League
- Luton Culture Trust
- Active Luton
- Local Rail Groups, bus and rail service providers
- Fire and rescue services
- House Builders Federation
- Building Research Establishment
- CABE
- The Theatres Trust
- Office of Rail and Road
- Sport England
- Central Government Departments and Offices
- Forestry Commission
- Centre for Ecology and Hydrology
- British Waterways, Canal Owners, Navigation Authorities
- National Playing Fields Association
- HM Prison Service
- Equality and Human Rights Commission
- British Geological Survey



