

Planning and Transportation

Appendix B: Minutes of Duty to Cooperate Meetings / Events

April 2016

8th February 2013 – Meeting between Luton BC and EDF Energy

On the whole EDF suggested there were no 'show stoppers' in Luton for the amount of growth planned. The only concerns they suggested will be at Napier Park and some capacity issues around Power Ct.

The following bullets summarise the main points from the meeting we had with Jim Whitely from EDF.

- Power Court will require 3,500-3,750 mva (mega volt amperes) to support the required load. The transformers will need replacing to be able to carry the new load requirements.
- Napier Park will require a new sub station on site to meet the load demands. This will need to be paid for by the developer.
- Century park/Airport expansion – There could be some capacity issues associated with the load requirements so may need to be re-routed to sub station located at A6 (Luton North).
- There could be some issues over the load requirements at St Mary's which Power Court will rely on. Extra capacity will need to be sought from Luton North.
- Further intensification in the town centre or Capability Green will not require a dramatic load requirement
- Butterfield Green operates on a separate network and have plenty of capacity for further expansion.

We have agreed to send EDF plans of our strategic sites such as Napier Pk and some development figures so they can estimate what additional load requirements there would be and provide an associated cost.

We will request a map identifying all electricity infrastructure for the borough and their catchments i.e. substations and switched etc

AGENDA

Local Plans Meeting

Date	2 October 2013
Time	10:30 am
Location	Environment & Regeneration Training Room, Luton Town Hall, LU1 2BQ. (Report to Planning Reception on 2 nd Floor upon arrival)

Attendees

John Champman (Dacorum Borough Council)
Kevin Owen (Luton BC)

Troy Hayes (Luton BC)

1. Welcome, Introductions

As above.

2. Update on Local Plan Timetables

- KO outlined the Luton LP timetable – no longer submitting this autumn - introduced as Luton have introduced a consultation stage for a Draft Local Plan as a result of PINS advice; take to Exec 18th November possibly Dec; overall timetable for adoption Feb March 2015
- TH clarified Pre submission consultation April 2014; Submission summer and Examination autumn 2014.
- JC outlined that Dacorum recently adopted LP on the understanding there will be a quick review as required by the Inspectors report (because not yet identified objective need; RSS figure in SHMA didn't survive Herts CC and St Alban's HC challenge; although, Inspector considered planned build rate was close to objective need so allowed plan subject to early review)
- However, Dacorum anticipating several High court challenges to Plan based on several Green Belt site proposals.
- Priorities are completion of a Site allocations Plan; DM police Plan and East Hemel action Plan. In addition need to do a Green Belt review with St Alban's and Welwyn Hatfield (Stage 1 examining 5 purposes of GB: SKM consultants). Yet to consider stage 2.
- Current SHMA 2010 (ORS) – involves 6 Districts; will update next year to include Objective need; not yet determined if just Dacorum or with other LAs.

- However, see their strategic key relationships to be St Albans; Central Beds; AVDC. In particular, potential land East of Hemel in St Albans potential 5,000 dwellings and employment uses on Crown Estate land although capacity constraints regards M1 and Junction 8.

3. Duty to Cooperate and NPPF 'Strategic Priorities'

Housing issues

- East of Hemel 5,000 dwellings potential close to (Mayland Business Park and sliver of land adjacent to M1) in west St Albans; transport access M1 and Junction 8 capacity
- Dacorum have responded to both CBC; and AVDC that their development plan housing proposals appear on the low side but so far not able to articulate any unmet need issues till SHMA completed.
- AVDC and S. Bucks conjoined inquiry over 2 strategic housing proposals in GB and AONB (3.5k and 1.5k dwellings). AVDC contingency to do a quick review if S. Bucks can't agree to meet objective needs.
- Dacorum prefer AVDC to address objective needs directly – however, these proposals do not relate well to Dacorum development needs or strategy.
- Markyate (as discussed at previous meeting DtC meeting in April 2013) is a small scale market town (3-4k pop) in the GB and AONB with few facilities, insufficient schools - so do not feel significant or appropriate development opportunities arise there.

Employment Issues

- Maylands Business Park north East Hemel; attracts workers from Luton; some of existing; B1 but may be B8 as office market subdued by London office market) employment redevelop for housing: Junction 8 and M1 capacity issues;

Other cross boundary matters in NPPF

- Retail – no significant proposals – serves Hemel tight catchment
- No significant leisure.

Transport

- Junction 10a - potential issue regards Luton Airport expansion (noise and transport although recognise business benefits); land south of J 10a; Mayland business Park and potential 5,000 dwellings east of Hemel; Junction 8 and M1 capacity issues

Green Belt

- commented on Luton's draft study – not as detailed as Dacorum approach but recognise real constraints of the few GB locations in Luton – as not realistic development options

In summary Officers from both authorities considered the following to be of cross-boundary significance:

- Housing needs / requirements and location
- Luton Airport Expansion / Century Park Development including in relation to employment matters
- M1 Capacity and potential developments at Jct 8a and 10a

4. Progress to date on SHMA Refresh

- KO outlined SHMA refresh – potential 19,000 to 32,000 HH growth over plan period; using ONS Census 2011 and CLG interim Headship figures on Pop group model; ORS validated – meeting Thursday with CBC core steering group to agree technical input to the forecasts; then will arrange wider steering group to discuss approach.
- Notes of previous inception also to be circulated KO
- JC to keep a watching brief and will comment on the draft SHMA and attend meetings when necessary

5. Update on other Evidence

- Notes of previous DtC meeting – KO to cause Luton's notes and circulate
- Dacorum's notes of previous DtC meeting to be circulated JC

6. AOB

DUTY TO CO-OPERATE RECORD

Local Plans Meeting

Date	17 October 2013
Time	10:30 am
Location	Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF

Confirmed Attendees

Lyndsey Beveridge (Aylesbury Vale DC)
David Broadley (Aylesbury Vale DC)
Clare Manders (Aylesbury Vale DC)

Kevin Owen (Luton BC)
Troy Hayes (Luton BC)

Note of Meeting

1. Welcome, Introductions

All set out what their background/position/roles are.

2. Update on Local Plan Timetables

Luton

The timetable for Luton BC's emerging Local Plan has slipped as a further Reg 18 consultation stage is considered by the Council to be required to inform the options for the plan. Therefore the Council are preparing an additional 'draft plan' consultation to be carried out in January-March 2014. The initial draft of this will go to LBC members at the end of October. There are 8 proposed strategic allocations in the draft plan. The onward timetable for the new Local Plan is likely to be Submission by late summer 2014.

Luton are undecided on whether to pursue CIL as the Borough has unique viability issues and a high demand for affordable housing in the borough.

The Council has been working on housing capacity and reviewing constraints to identifying further capacity. There has been a green belt review and AVDC and other authorities provided comments. There are a possible 8,000 housing units that could be built on all sites but from deducting constrained sites this leaves a likely 6,000 units that could be built to 2031. This is well short of the latest housing need figure from CLG/2011 Census of 19-32,000 homes to 2031. The new SHLAA would be published with the draft plan in January 2014.

Aylesbury Vale

The Vale of Aylesbury Plan (VAP) Strategy DPD will go to a Pre Hearing Meeting on 25 October and Hearing Sessions will be held as follows:-

- 10 December - Duty to Co-operate
- 12 & 13 December - Overall provision of Housing and Jobs
- 18 & 19 February 2014 –The Spatial Strategy for growth and the delivery of infrastructure
- 20 February – The supply and delivery of housing land
- 21 February – Enabling economic growth
- 25 February – Town and Local Centres, Local Housing Need, Gypsies, Travellers and Travelling Showpeople; Affordable Housing
- 26 February – Environmental and heritage assets including green infrastructure; other policies ; Monitoring and Close of Hearing Sessions

The consultation on Reg 18 for the VAP Delivery Policies DPD (the development management policies) closed on 10 October. This plan is due to be taken forward to a further in a consultation in Spring 2014 although the full scope of the DPD including whether it should include Allocations too will be decided before then.

The Vale has 10 neighbourhood plans in various stages of preparation. The most advanced are Winslow, allocating 440 homes, who have reached Pre Submission; and Buckingham, due to allocate 620 homes and should be on Pre Submission consultation by December.

3. Duty to Cooperate and NPPF ‘Strategic Priorities

Officers from both Councils agreed the key Duty to Co-operate issues between Luton and Aylesbury Vale were:-

- **Housing markets.** Recognising both authorities were in a shared housing market area also covering Central Bedfordshire, Milton Keynes and Bedford borough. This is recognised in the SHMA for the VAP by GL Hearn and the current SHMA for the Luton Housing Market Area and is likely to continue to be the case in the updated study for Luton and Central Bedfordshire. It was recognised Central Bedfordshire may also look eastwards to Stevenage and to North Hertfordshire and other parts of Hertfordshire. The issue is also determining Luton’s Objectively Assessed Housing Need and the potential for neighbouring authorities (including in the HMA) to contribute to meeting Luton’s unmet housing needs.
- **Employment linkages.** There is some, though limited, evidence of commuting between the Council areas but nonetheless differences in house prices may make it attractive to live in Luton and look for work in the Vale/MK/Central Bedfordshire. So there are recognised employment linkages
- **SEMLEP.** Both authorities are in this and Luton have made two bids for funding of projects in their area. SEMLEP will be a major allocator of funding for significant infrastructure projects in the SEMLEP area.
- The **M1 and A505** – important strategic road links for people in both authorities. New unction 10a of the M1 (to relieve congestion to Luton/Airport) to be in operation by 2015.
- **East West Rail** – links onto this Oxford-Aylesbury-Winslow-Bletchley-MK-Bedford route from the London Midland route through Luton connecting at Bedford. Unlike the rest of the EWR route, there is no existing track east of Bedford to take the route towards East Anglia.

- **Strategic Rail Freight.** There are various proposals to increase this on the west coast mainline/London Midland route and in proximity to the M1 corridor. Potential impact on relieving harmful road based freight traffic through both Council areas and on the M1.
- **Luton Airport.** In Luton Borough and the nearest international airport to the Vale. The expansion of the airport and the impact on wider transport movement and emissions/pollution/noise on flight paths including across the Vale. There is a current planning application into Luton BC for the airport's expansion.
- **The Chilterns AONB** – due to proximity of the AONB boundary to Luton's boundary.

4. Progress to date on Luton and Central Beds SHMA Refresh

The latest CLG/2011 Census projections indicate Luton needs to provide 19-32,000 homes to 2031. LBC have a meeting with CLG to discuss the figures that seem 'oddly high'.

There is a SHMA Steering Group consisting of a 'core group' of Luton and Central Bedfordshire officers working on the SHMA and an 'advisory group' consisting of 7 Councils in the same Housing Market Area including AVDC.

An Interim draft report is the next stage for the SHMA – AVDC await confirmation of date when this consultation will be received.

5. Update on CIL

Work carried out by Luton BC has been paused waiting to see what the SHMA review of housing need vs. likely capacity means for delivering affordable housing in the emerging plan.

AVDC preliminary draft charging schedule to go to full public consultation by Christmas.

6. AOB

Both authorities agree to engage regularly on the above Duty to Co-operate issues (and any new issues) and have meetings where needed.

From: Owen, Kevin
Sent: 22 October 2013 16:34
To: 'Richard Kelly'
Subject: NHDC - 'duty to cooperate' telephone call 22 Oct 2013

Richard,

Apologies for the mix up - but in the end - probably more sustainable and a good use of technology! - the phone!

Here is my sketchy outline of the conversation - please suggest amendments or clarifications:-

LBC draft LP Timetable and evidence

- LBC to undertake a Draft Local Plan consultation [and revised LDS] - to Executive on 13th January 2014 with a view to consultation Jan to March, which impacts on the timetable; Draft will include Development Strategy, housing numbers and allocations, employment and DM policies; supported by SHLAA and SHMA, viability and transport modelling
- LBC confirmed SHMA refresh - Luton's housing numbers - technical issues with the CLG headship rates which need to be resolved. Meeting with CBC and CLG on 11th November to work a way forwards to completing a SHMA - anticipate the scale of objective need between the previously projections 19,000 to 30,000 may be around 20,000 to 25,000 households
- LBC confirmed SHLAA evidence being finalised - at an informal member meetings on 31st Oct and the capacity figure is unlikely to be materially different from previous 'dte' discussions with NHDC and that there is still likely to be a step change in need necessitating seeking assistance from NHDC
- Airport - LBC confirmed that a report is being drafted on response to the airport application so a decision may be imminent

NHDC Pre submission Timetable and evidence

- NHDC still on course to undertake Pre submission consultation in January - goes to Cabinet on 28th Jan 2014; relying on their own SHMA but are exploring with CBC and Stevenage clarification of outputs based on the A1 (M) housing market area
- NHDC Cabinet are yet to deliberate or conclude on East of Luton e.g. Bickiln and Wandon End if delayed after Feb 2014 - applicants may appeal non determination
- NHDC Cabinet on the 28th Jan to consider the shape of the plan strategy e.g. Housing Options 2 (Crown Estates sites) or whether some other strategy will meet some of Luton's requirements - not necessarily on the edge of Luton (e.g. adjacent to Stevenage) Cabinet.

- NHDC acknowledge receipt of the Luton Executive response to Housing Option 2 consultation - as amended by Luton's O&S board.
- NHDC have modelled the traffic impacts of their plan allocations and strategy across the district and evidence points to J8 A1(M) being the limiting factor - however, there do not appear to be any finding streams which could address this and so considering lobbying government on this
- Airport - NHDC are examining links with Stevenage and traffic implications rather than noise implications

There were no issues we identified regarding other 'cross boundary 'dte' matters. Both authorities will keep in contact regarding progress and emergent issues.

Rgs

Kevin

Kevin Owen

Team Leader (Local Plans)

Planning & Transportation

Department of Environment & Regeneration

Luton Borough Council

Tel:01582 547087

AGENDA

Local Plans Meeting

Date	7 November 2013
Time	2 pm
Location	Luton Town Hall, The Brunel Room

Confirmed Attendees

Simon Andrews (Central Bedfordshire)

Kevin Owen (Luton BC)

Nicola Dilley (Central Bedfordshire)

Troy Hayes (Luton BC)

- 1. Update on Local Plan Timetables**
- 2. Duty to Cooperate and NPPF 'Strategic Priorities'**
- 3. Progress to date on SHMA Refresh**
- 4. Update on other Evidence**
- 5. AOB**

Luton Greenbelt Study-Meeting at Luton Town Hall 13th March 2014

Attending

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

Apologies received from Laura Wood & John Chapman of Dacorum BC

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

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

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

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

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

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

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

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

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

Discussion on Possible Development proposals on Luton's boundary.

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

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

North Hertfordshire

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

Discussion on Future Cooperation

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

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

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

Comments on Draft SHMA for 8th April 2014 Steering Group Meeting (Central Beds, North Herts, Dacorum, Bedford, Aylesbury Vale, Milton Keynes, Stevenage)

Central Beds

Jonathan

Thanks for your work so far, we are making progress and getting nearer the try line!

Below are my comments, split roughly into Category A and B. Many of them have already been picked up by others.

Category A comments:

- Terminology – we need to be clear on our definitions of Housing Market Areas. I don't think its helpful to use the "Luton HMA" terminology when we actually mean Luton and Central Bedfordshire. I understand the point being made about "best fit" and that we have to use LA boundaries because the information isn't available at a lower level. However, for clarity's sake I think we ought to use a different set of words – perhaps "study area"? Let's keep the "Luton HMA" for the green blob on figure 3.
- 18,000 + 25,500 doesn't = 41,000. The 18,000 for Luton (810 per year) is a mid-point between the figures derived using rates (15,000) and those using fixed migration movements (17,300). The mid-point logic is set out in paragraph 4.28. Paraphrasing, it seems to be that Luton has limited capacity, therefore some of Luton's growth will happen outside of Luton, therefore Luton's rate of out-migration won't increase, therefore there are more people in Luton. This seems to be a circular argument. In this section I think the household projection should be either 15,000 or 17,300, depending on rates or fixed. Taking the mid-point of 810 is causing us problems later on when we try to put the two figures together because we don't take a similar mid-point for CB. The conclusion for the study area is that rates are appropriate, not fixed. This means that the two relevant projections (in figure 53) are 24,600 for CB and 15,000 for Luton, a total of 39,600. These then need to be converted to dwellings – roughly 25,500 for CB, 15,500 for Luton and 41,000 total. You then need to consider whether to factor in an affordability adjustment for Luton. If you do, I don't know what it should be but I don't think it justifies an increase to 18,000 (a 16% increase for Luton).
- "Unattributable Population Change" in Central Beds – this is an important issue. We are saying that the ONS/CLG projections are wrong so I think we'll need to do more to explain our approach in the text. I also think we ought to include a scenario that doesn't account for UPC. This would presumably much closer to the 2008 or 2011-based CLG projections. I think we're right in our approach but I'd appreciate more space devoted to explaining why.
- Para 5.24 compares the 5-year 2011-HRR (1,320 p.a.) with the 2011-interim CLG projections (1,400 p.a.). However, table 46 suggests the 2011-interim figures are

1,590 p.a. not 1,400. This means there's not the same level of consistency between the ORS projections and the ONS/CLG. We'll need to explain why this is, and presumably its because ONS/CLG don't account for UPC, whereas ORS do. If we've included a non-UPC scenario as suggested above then presumably this would explain the difference.

Category B comments:

- We need to explain and justify our non-use of 5-year trends. I agree with the choice but if ONS use 5-year trends as standard then we need to say more to explain why we don't (para 5.25).
- Para 5.26 refers to the general recognition that the 2008-rates were artificially high. Is this actually the case? I'd like a bit more background and context for this statement. I think the ORS adjusted rates are better but let's explain why.
- On the terminology point above, para 2.40 tries to explain what the study relates to but doesn't do it very well. This would be a good place to properly explain the geography involved.
- Para 5.6 – refer here to the fact that ONS/CLG don't take account of UPC in their projections, which means that the 2012-SNPP is likely to be higher for Central Beds, but probably wrong.
- Para 5.13 – the 5-year trend doesn't include UPC for the most recent year (2011/12). Its probably worth mentioning that here.
- Para 5.16 and 5.17 – something odd is happening here.
- Figure 5 – something odd is happening in this table. I'm pretty sure Central Beds accounts for more than 13% of the land area of the Luton HMA. Could you double check the figures.
- Para 2.32 repeats part of para 2.29
- The chapter summary on page 64 includes the wrong figures. It should be 24,600 in the second bullet and 26,400 in the third.

Simon Andrews

Strategic Planning and Housing Manager

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North Herts

Dear all

A couple of bits from me too:

Under Category A the fundamental issue is to get clarity between when we're talking about "Luton HMA = Luton + Central Beds" versus "Luton HMA = the green blob". As discussed at the meeting, some form of apportionment to the different blobby versions of the HMA may be informative. How this is presented may have a bearing on how those of us with marginal bits of the green blob (us, Aylesbury Vale and Dacorum) are able to engage with the document.

Under Category B I think the conclusions could be presented in a more accessible format – the document might well benefit from an executive summary too. We need something relatively snappy and simple that we can take our members (and later the public) through that clearly tells the story and reaches logical conclusions as to what the objectively assessed need is. We know others will challenge the approaches taken so we need to be able to clearly explain them – and that includes when Jonathan isn't on hand to take us through it.

I also think we need the conclusions to clearly identify how much of the objectively assessed need figure is there as a consequence of the 'responding to market signals' element. To me, this is the aspect which feels most arbitrary (and I don't think there's much precedent from elsewhere on this subject yet) and so it would be good to clearly show in the conclusions the size of the effect it has had on the final figures.

Thanks

Richard Kelly

Principal Strategic Planning Officer

01462 474847

richard.kelly@north-herts.gov.uk

North Hertfordshire District Council

Council Offices, Gernon Road, Letchworth, Hertfordshire, SG6 3JF

Dacorum

Dear All,

We support the points made below by Richard and Nigel.

In addition, we would like to raise a couple of relatively minor 'Category B' points, as set out below:

- Paragraph 2.33: Should refer to Luton and Central Bedfordshire, rather than Greater Norwich.
- Paragraph 6.30 and Table 57: There is a discrepancy here. Paragraph 6.30 states that the number of jobs increased by 3,000 in Luton and 10,000 in Central Beds between 2001 and 2011. However, Table 57 shows an increase of 10,000 in Luton and 3,000 in Central Beds.

Regards

John

John Chapman
Strategic Planning and Regeneration Officer
Dacorum Borough Council
Tel: 01442 228566

Bedford

All,

Here are the Bedford Borough comments

My key concerns at this stage are:

1. The issue of how the un attributable change is adjusted for (or not). All of the CBC scenarios appear to make the adjustment. Have any scenarios been produced which illustrate a non adjusted scenario? Do ORS think that such a scenario would be similar to the forthcoming 2012 SNPP outputs?
2. The rationale for how the fig 53 data relates to the conclusion that the need for Luton is 18,000 and CBC is 23,000. I had expected that paragraphs 6.14 – 6.16 would look different in this version.
3. The logic of making an adjustment for affordability in Luton but not for the market area as a whole.
4. Vacancy. I would like to see this articulated separately.
5. Homes / jobs balance. Whilst I appreciate that this might not be a matter strictly for the SHMA the balance between the 41,000 homes and 45,000 jobs to be planned for is an issue for the plan.

Minor concerns

1. As drafted the SHMA does not include assessment of affordability and other elements of the SHMA required by the NPPF. Is it the intention that these will be undertaken by ORS at a later date?
2. It would be helpful if the SHMA could include evidence about migration from London.

Carolyn

Aylesbury Vale

Dear Kevin & Chris

Here are our initial comments, focussed on the headline issues only as requested ('category A' comments).

We also agree with the comments already submitted last week by North Herts and Stevenage, and Central Beds and Bedford this morning too, so have sought not to duplicate those.

Ultimately its for Luton/Central Beds, as commissioners of the work, to be confident of the detail in the assumptions and justifications in the study as the ones who will be defending it at Examination or inquiries, and its not for us to say if the study or figures in it are right or wrong as we're certainly not technical experts on this (and don't claim to be so!), but we hope our comments are helpful as a 'critical friend' and in light of our recent experiences at examination and inquiries/appeals.

Regards
Lyndsey

Initial comments on draft Luton and Central Beds SHMA (as circulated 02.04.2014)

(comments on key issues only, with comments on detail to follow)

- Need clarity on how the 'Luton HMA' area relates to local authority boundaries. Will help inform discussions about apportionment within the HMA, and also later discussions (post-the SHMA) about accommodating unmet need. Also clearer justification about why the CURDS definition of the HMA is rejected (particularly as there has been no new information since the CURDS study).

- Where assumptions are made (eg about the % of self containment applied), it would be helpful to see for comparison purposes, what the results would be from applying different assumptions. Eg if a higher or lower % self-containment was used, how would the maps of the HMA area alter. Or if a different migration rate (rather than the mid-point) was used, how would that affect things. There needs to be greater justification for why 65% is an appropriate amount to define 'good' self containment. Has this been tested in other SHMAs, are there examples in Inspector decisions that PINs are accepting this?

- Acknowledge that the findings could be significantly altered by publication of ONS data later in 2014 - Travel to Work data, and updated household projections. Can't predetermine but could point to which sections of the analysis *might* be particularly

affected, and what the *implications* might be. Eg how ONS deal with the 'unattributable' migration figures *might* result in need figures going up because Would like to see clearer explanation about how the unattributable is being dealt with, spell out why it is appropriate in Luton instance to spread it across the in/out migration.

- If not accepting the latest ONS data (2011-based data in this case) then need strong justification, because guidance sets out that it should be the starting point so objectors/appellants likely to be referring back to it a lot. As above, would be useful to see how it would affect the HMA *if* we did go with it.
- How is data/outcomes of other area's SHMAs taken into account in the study, particularly for Central Beds area where there are a number of overlapping HMAs. This is important part of Duty to Cooperate eg the emerging Milton Keynes SHMA, and Aylesbury Vale SHMA, and how the boundaries identified in this document compare to the boundaries of those documents. Acknowledge this study is not in isolation.
- Missing sections on affordable housing? Housing mix? Specialist housing? Housing delivery? Some of these are referred to in passing in the report, but it would be helpful to have specific sections to show they have been fully considered.
- Seems to be significant focus on just the Luton Borough area, with very limited consideration of Central Beds. Some sections do not mention Central Beds at all eg the concluding section (section 8) only has 1 paragraph with the heading 'Central Beds'. Would be helpful to have each section broken down into Luton Borough, Central Beds District, then Luton HMA area, to clarify how the findings apply to each authority. The report reads as if it is very much focused on Luton, rather than the HMA as a whole.
- Market Signals section still seems quite light touch for making the decision to use the higher migration trend scenario. This is not in line with NPPF/NPPG emphasis on market/economic factors. Also need further explanation about why only one economic scenario used (EEFM). Economic forecasting is notoriously varied, so including a second scenario would help sensitivity test and show the figures are robust. Challenges from developer-prepared SHMAs are likely to use other scenarios so it would be helpful to have some indication of how the figures might vary, and help officers explain why EEFM is the most appropriate in this instance. Also not clear how the EEFM is incorporated/taken forward as a potential option for the OAN.

Milton Keynes

In addition to all the other comments sent I raise the issue of the employment growth assumptions. With the corrections mentioned by Kevin Owen, there remains a need to justify the significant increase in jobs forecast compared with previous growth rates. It looks like a growth of 2,250 jobs p.a. compared with past rates over the last 10 years of 1,300 jobs p.a.

The amount of people working outside Luton must be made as clearly as possible so that neighbouring authorities can plan accordingly. It will help if we can reach a common understanding of how each local economy is likely to grow, rather than being aspirational.

Milton Keynes has strong pressures to try and provide more housing to meet its growing economy and those pressures are likely to increase. It is important to note that without a guarantee that the tariff can continue for any additional growth beyond that planned for in the Core Strategy, there could be a limit on a further round of growth post 2026.

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Stevenage

All,

Thanks to Chris / Kevin for hosting this morning and to Jonathon for steering us through the draft report.

While it is still relatively fresh in the memory, a quick consideration of my 'Category A' and 'Category B' items as per Chris' request at the meeting – copied in to all. Many of the points were picked up to a greater or lesser extent in discussion but still useful to put them down for the record.

'Category A' – concerns affecting outcomes / Duty to Co-operate meetings

- Explaining the relationship between 'best fit' housing market area (using whole authorities) and 'disaggregated' housing market areas shown in Fig. 3
 - Include relevant figures in report / presentations and choose appropriate terminology to avoid confusion between the two interpretations of "the Luton HMA"
 - Clarity from CBC (especially) & LBC as to which approach they envisage using going forwards as the two have very different implications in terms of Duty to Co-operate discussions

- Clear explanation of where the responsibilities of the SHMA as an evidence study stop and what is for authorities to subsequently resolve / agree (for example):
 - Use of economic forecasts as a sensitivity test for demographic housing nos (SHMA) vs
 - Developing balanced planning strategies in terms of jobs and homes ~ individually and / or cumulatively (LPAs)

'Category B' – Technical queries to be addressed in final SHMA report

- Further explanation of the two-tier approach in the CURDs research and how the upper tier areas (especially for London) constrained the identification of the areas identified in Fig. 14. *The research is hosted at <http://www.ncl.ac.uk/curds/research/defining/NHPAU.htm> if anyone wants to delve in (?!?)*

- Extent of in-migration from London and comparison of in-migration in longer-term trend data used vs. 5-year trend ~ do ORS' figures already incorporate a degree of the 'headroom' the GLA is seeking?

- Highlight any potential issues that may arise from (comparisons with) forthcoming ONS 2012-based projections and explain why the figures in this report are 'best' (also 'Category A'?)

- More explanation and discussion of 'best fit HMA' vs disaggregated HMA figures as per Cat A point above.
 - Simple pro-rata of CBC figures into Luton / MK / Bedford / Stevenage HMAs (including caveats and / or alternate interpretations ~ e.g. pro-rated by population / age structure / households / dwellings stock ~ if these produce materially different answers)
 - Highlight the 'transitional' nature of settlements towards periphery of identified HMAs ~ e.g. A507 corridor
 - Recognition that the HMA boundaries in the report are a recommendation and (potentially) one solution of many
 - Decisions on the 'apportionment' of areas / calculation of HMA-level housing requirements are ultimately for authorities to agree through the Duty to Co-operate, especially where different consultants have been used, or different conclusions reached
 - Why the 'best fit HMA' may / may not be an appropriate approach for Luton & Central Beds
 - Many data sets only available at district level – a pragmatic response vs.
 - This approach more likely to 'wash' for Wycombe / Bath & North East Somerset as these areas accounted for the significant majority of their HMA whilst, by contrast, 60% of CBC (by population) lies outside Luton HMA (*my understanding from Jonathan's comments at the meeting. Happy to be corrected*)
 - Does this have any implications for the recommendations, and the need to respond to market signals?
 - Does data for the 'disaggregated' Luton HMA (insofar as it might be available) point towards an uplift or not?
 - What about the rest of CBC and / or the (parts of) other HMAs within? Can this be measured?
 - The objectively assessed need for CBC is presented as the 'balance' when Luton's requirements (including the uplift in response to market signals) are deducted from the overall

requirement in the 'best fit HMA' of 41,000? Is this still the right conclusion if needs are 'disaggregated' into multiple HMAs?

- The report concludes up to 23,000 dwellings in CBC (Ch.6) when an 'isolated' reading of the demographic projections (Ch.5) is for 24,600 to 26,400 households (*as verbally amended at meeting*)
- Consider if the above raise any new implications in terms of NPPF / Duty to Co-operate (Ch.7)

Nigel Smith
Principal Planning Officer
Planning Policy
Stevenage Borough Council

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Agreed Meeting Notes (Agreed at 21st May Duty to Cooperate Meeting)

Luton and Central Bedfordshire SHMA Portfolio Holders and Officers Meeting

17th April 2014 Luton Central Library

Attendees:

Luton Borough Council: Cllr Sian Timoney, Chris Pagdin (Chair), Jackie Barnell, Kevin Owen, Troy Hayes

Central Bedfordshire: Cllr Nigel Young, Trevor Saunders, Simon Andrews

North Hertfordshire District Council: Cllr Tom Brindley, Cllr David Levett, Louise Symes

Bedford Borough Council: Leader Dave Hodgson, Paul Rowland

Aylesbury Vale District Council: Cllr Carole Paternoster, Andy Kirkham

Dacorum Borough Council: Cllr Andrew Williams, James Doe

Stevenage Borough Council: Cllr John Gardner, Richard Crutchley

Milton Keynes Council: Cllr David Hopkins, Bob Wilson

St Albans City and District Council: Cllr Julian Daly, Chris Briggs

Department of Communities and Local Government: Mide Beaumont

Opinion Research Services (ORS) Consultants: Jonathan Lee, David Harrison

Introductions and Purpose of Meeting

1. Introductions around the table. As Chair of the meeting Chris Pagdin (CP) explained that the meeting was about the plan making process as set out in the National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG) in terms of determining the objectively assessed housing need. CP explained the Luton & Central Bedfordshire Strategic Housing Market Assessment (SHMA) Refresh Steering Group process to date explaining that it has been a technically complicated process and that ORS have been commissioned to undertake the population work for Luton BC and Central Beds. CP introduced the format for the meeting including the three presentations:
 - ORS presentation on the Luton & Central Bedfordshire SHMA Refresh to date
 - Luton BC presentation on development capacity in Luton
 - Central Beds presentation on Duty to Cooperate (DtC) and how Luton's unmet housing needs might be portioned to neighbouring authorities
2. CP explained that during recent visits from PINS, they had remarked how the scale and complexities of Luton's unmet housing need were in a different league to other areas in the country and that the situation was one of 'unchartered waters' and that there is no tried and tested approach for the area's situation.

3. CP explained that the meeting is about information sharing and setting out progress made to date. The next meeting is on the 8th May, with 2nd and 7th May provided as alternatives to meet individually if anyone is unable to make the 8th May.

Mide Beaumont (MB) (DCLG)

4. Mide Beaumont (MB) (DCLG) presented on the Duty to Cooperate and the test of soundness of the NPPF. MB confirmed that the area is faced with big challenges and that this meeting is a good opportunity for DCLG to understand how the process is going and to update Planning Minister Nick Boles.
5. MB explained that the PPG was recently published and includes a section on Duty to Cooperate and encouraged all to review.
6. MB explained that there have been numerous PINS reports regarding the Duty to Cooperate with many getting through EiP and others not. MB expressed that it is important to understand why the plans are or are not progressing through Examination in Public (EiP).
7. The Duty to Cooperate is not a duty to agree but it is a hurdle that requires strong evidence with shared responsibility for addressing objectively assessed needs.
8. Nick Boles expects that 'no stone is left unturned' in seeking to meet objectively assessed housing needs. All authorities have an obligation to consider very carefully what they can do and will need evidence to support their approach, i.e. it's a high hurdle.
9. Slides from the Planning Advisory Service Training Course were provided setting out the Duty to Cooperate legal requirement and the test of soundness (NPPF Para 182). MB explained that the DtC legislation is for strategic planning policy and that cooperation needs to take place early and on an ongoing basis so that discussions actually shape the strategy and that the dialogue is kept open throughout the process. A key issue for many of the failed plans is that cooperation happens too late in the process – an example was that the pre - submission stage is certainly considered too late for genuine cooperation. The cooperation needs to be genuine and not just meetings and / or discussions. The outcome of cooperation needs to be effective planning on strategic cross boundary matters. Memorandums of Understanding (MOUs) are only meaningful if they are signed by Members – some LPAs have submitted unsigned MOUs during EiPs.
10. MB described a hypothetical scenario whereby an authority bringing forward a local plan that cannot get the cooperation of others. It was explained that the authority will need to ensure that it has done everything it can to bring forward its planning strategy i.e. looking at all options within its own area and ensuring that it has approached all possible external partners. If, despite its efforts it cannot gain the cooperation of other authorities it should submit its plan. PINS would then look at this evidence and take a view as to whether it is in line with the NPPF and PPG. If the Inspector does not see the cooperation in the evidence then the EiP will not continue further. It was explained that this is a worst case scenario and that DCLG would expect engagement from the outset of plan-making. It was explained that the output of the DtC is effective policies and that LPAs can work together formally or informally. The example of the Black Country LPAs was provided whereby plans were aligned and the LPAs shared policies in their plans and it was examined by a team of Inspectors.

MOUs are a good vehicle if plans are at different stages. DtC is also about joint evidence such as this SHMA and the process around it.

11. In terms of the tests of soundness in the NPPF, MB explained that this is not new as it was introduced in the 2004 Act so all should be familiar with the tests. The soundness test is effective joint working on cross boundary strategic priorities which would include planning for housing.
12. There was a Q&A session with MB that followed:
 - Question: How far does the DtC boundary extend?
 - Answer: No black and white answer. Question is - what are you trying to address? For housing you should work with your HMA partners in the first instance. In terms of London, LPAs do need to have discussions with the GLA and the GLA re happy to share their data.
 - Bedford: this group is just about manageable. For GLA it is much more difficult. All our plans could be affected by GLA. Discussion about Bedford Letter. There is a response being coordinated by metropolitan authorities.
13. CP explained that it is not just about one authority taking another authority's growth. PINS view is that it just needs to be reasonable but this is a judgement and a risk. There will be a discussion about general principles and everyone will have an opportunity to speak at the end of the meeting

Jonathan Lee (ORS) Presentation on Luton and Central Beds Needs / SHMA Jonathan Lee (ORS)

14. Jonathan Lee (JL) presented the approach to date on the SHMA starting with the context of the NPPF and PPG requirements explaining that household projections need to be robust and consistent; there is no one right answer for projections; they are not the final answer; they are projections not housing targets. CLG projections are the starting point and if an LPA deviates from the CLG projections then reasons for doing so need to be well explained. JL explained that ORS has been working and sharing information with all LPA officers in the Steering Group as the SHMA has been prepared.
15. The key messages from JL's presentation are set out below:
16. Govt Policy
 - NPPF: Should prepare a SHMA for full housing needs where HMAs cross administrative boundaries -Para 159 NPPF.
 - PPG para 008 sets out that needs are to be assessed by functional area not administrative boundaries.
 - DETR April 2000 confirms above.
17. Recent migration trends
 - Clear that the key flows are north from London and then further north.
 - Relationships exist beyond administrative boundary.

18. Net commuting low from Luton and Central Beds

- Travel to work is typically south going towards London.
- London is important.
- HMAs exist at different levels. It could be argued that Luton and greater South East is part of the London HMA but we need to look more locally.
- Many people commuting from south to work in Luton and also from the north (south Northamptonshire / Cambridge).
- No more recent data regarding the Luton HMA. Travel to Work (TTW) published sometime later this year from Census. ORS think the previous HMA boundary to be Luton and Central Beds is essentially sound mainly Luton HMA.

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19. Luton HMA Stats

¾ of the population in Luton Housing Market Area meets definition of the HMA.

- CURDS / NHPAU HMAs relates well to ORS work.
- Area defined is appropriate to consider needs for Luton HMA.

20. Establishing a best fit for the SHMA

- PINS decisions indicate that 'best fit' exercises needed to determine which LPAs should work together.
- Central Beds and Luton need to work together.
- Only 1% of Luton HMA population in Dacorum and AVDC.

21. Demographic Projections

- Developing scenarios and understanding the implications. Luton's data (particularly 2001 Census) is difficult, for example 1 in 7 people did not complete a census form in 2001. The data on international migration for Luton says different things, there are inconsistencies on the GP register. However the 2011 data has improved and there is less 'disagreement' about the data now. ORS has undertaken a substantial amount of work to understand the population for Luton and this has been explained at every stage of preparing the SHMA with the Steering Group.
- ORS has looked at migration trends (high, medium, low), future migration patterns (fixed rate, variable rate) and headship rates (CLG rates examined).
- The 20 year migration is what has been decided on which indicates 17,800 dwellings (based on fixed rate) for Luton BC. The combined figure for Luton and Central Beds is also based on the 20 year migration (midpoint) which is 41,000 dwellings and 39,600 population. When taken together the dwelling need is 15,400 dwellings for Luton BC and 25,600 dwellings for Central Beds. 13,700 of the Central Beds figure is Luton's need.
- In terms of distribution across Central Beds, based on existing population percentages of the district, the following dwelling distribution would result:
 - 27,700 dwellings Central Beds
 - 7,000 dwellings Stevenage
 - 1,600 dwellings Bedford
 - 4,600 dwellings Milton Keynes

22. In terms of employment 41,000 dwellings should yield just less than 40,000 (39,600) jobs with an annual rate of 2,000 jobs. The EEFM says 36,600 – 42,200 jobs. ONS shows 13,000

jobs created over past ten years (1,300 per annum). There is a possible justification for a small housing increase to ensure enough homes to fill the jobs.

23. JL explained the NPPF requirement (para 020) to consider Market Signals when determining objectively assessed housing need. The market signals are: land prices / house prices; rents and affordability; rate of development; and overcrowding.
24. The market signals for Luton indicate:
 - House prices are at national average
 - Rents are less than national average
 - Affordability (unaffordability) is 12% higher than the national average
 - Overcrowding is 77% higher than the national average
 - Rate of development is 5% lower than national average.
25. It was explained that comparator areas to Luton were Slough, Coventry and Peterborough. Central Beds is the least overcrowded in the sub region and Luton as a town has severe overcrowding when considered on its own however this is greatly reduced if combined with the wider Luton Housing Market Area.
26. A question was raised about what is defined as overcrowding. JL explained that it is where occupancy is minus 1 or greater and there are specific ONS rules for determining overcrowding. It is an objective measure published by ONS.
27. A question was raised about choice and whether ethnicity plays a part in overcrowding. JL explained that ethnicity needs to be considered. There was a short debate regarding the role that choice plays in creating overcrowding.
28. In terms of affordability, it has not improved in the last five years for Luton and it is a problem for the borough.
29. The conclusion by ORS is that market signals suggest there is pressure in Luton. PPG para 020 says that any one of the indicators set out above should prompt an increase in housing based on market signals. JL explained that there is no formulaic response to this but that PPG requires an upward projection. Objectors will say we need to provide much more to take account of market signals. We need to consider marginal differences and there is no mathematical way of doing this.
30. JL considers that an 8% increase would be appropriate and reasonable which would result in an increase from 15,400 to 17,800 dwellings for Luton and an increase from 41,000 to 43,000 for the Luton HMA to take account of surplus workforce and market signals. This would result in a figure that is higher than demographic projections. This is evidence based and appropriate.
31. A question was raised about the rate at which the market is building out sites can be accounted for in market signals. JL explained that it is a relevant point however that it is not what the PPG says and that there are also arguments regarding backlog and LPAs not allocating sufficient sites in the past. The supply side is different to the demand.

32. North Herts considered that the numbers and location were sound but raised a question about house size and tenure and considered it to be difficult to make decisions without it. ORS explained that this will be undertaken and a draft circulated shortly.
33. Central Beds questioned whether the projections take account of the full economic cycle. ORS explained that yes it takes a long term view and the view is consistent in the data. ORS has argued at other EiPs.
34. Aylesbury Vale asked who would agree the objectively assessed housing need. CP explained that the draft SHMA will be circulated and all will have the opportunity to comment and ORS will consider the responses. Luton BC and Central Beds will need to determine what the appropriate figure is.

Kevin Owen (Luton Borough Council) Presentation on Luton's Development Capacity

35. KO set out the key messages about how Luton BC has determined the capacity of Luton which is as follows:
 - Capacity is physically constrained – competing uses such as jobs, open spaces, schools.
 - Viability: low values, abnormal costs industrial contamination.
 - Luton's key employment sectors need flagship sites – secure skilled workers many from outside.
 - Pragmatic phased releases employment secure lower skilled needs – but not all employment sites. LEP supports this approach.
36. KO gave an overview of Luton's evidence base setting out studies already published, other studies and internal work and we will circulate the draft SHLAA today.
37. Slides showing the housing capacity of the borough, showing Napier Park, Power Court, High Town and other proposed allocations containing housing.

Capacity for housing in Luton over plan period 2011 – 2031 was presented:

- 841 completions
- Extant permissions on small sites: 150
- Other sites in the housing trajectory: 4,384
- Additional sites being allocated by the plan (suitable but not available): 618

Total: 5,993 dwellings

38. The vast majority of housing supply sites are on previously developed land and are promoted for mixed-use development:
 - Napier Park: 625 houses
 - High Town: 589 houses (masterplan being prepared)
 - Town Centre regeneration (1,772 houses) quite a bit of commercial property
 - Power Court: 600 dwellings but viability / abnormal costs issues
39. Viability and Services
 - 3 Dragons study concluded that an increase in density doesn't necessarily mean more viability.
 - Flatted development results in poor viability.
 - Town Centre study indicated only ½ of offices currently viable for conversion.

- CIL is not currently considered viable Luton as competes for AH funding pot.
- There are significant school capacity issues for Luton to cope with existing and planned growth. LPAs have less control due to the free school model.

40. Employment

- 18,000 jobs represents an achievable and modest jobs target compared to other scenarios looked at in forecasting model (EEFM). However, J10a is needed to meet a projected shortfall in office provision and Century Park is critical industrial supply - so existing employment land should be protected for the intermediate to long term
-
- KO summarised key messages from Luton's Employment Land Review (ELR):
 - o Luton's competitive advantage for high quality jobs.
 - o Advanced manufacturing and engineering sectors (high quality business parks, proximity to strategic road network, skilled and experienced staff, infrastructure improvements).
 - o Sectors with strong potential with good start-up facilities and appropriate sites for growth (eg Butterfield Hitech Instruments and MTL) ICT and Creative Sector.

41. Green Space

- The existing green space in Luton is currently working very hard for the borough.
- Stopsley was provided as an example which serves a number of uses including a sports provision and a county wildlife site.

42. A series of maps were presented showing uses in the borough, proposed strategic allocations and proposed housing allocations demonstrating the borough's lack of development site capacity.

43. Summary

- Capacity – reconcile competing needs – balanced communities
- Development economics
- Make most of economic needs

44. A Q & A session followed KO's presentation:

- Central Beds question to Milton Keynes – do you think Luton's capacity is appropriate. MK considers it to be reasonable but questioned the employment assumptions for Central Beds.
- CP explained that Power Court is owned by British Land who are well capitalised but they are not bringing forward at the moment – demonstrating the viability challenges in the borough.
- Stevenage requested a more detailed explanation of the overall reduction of employment land in Luton. St Albans also requested clarification of the percentage of employment land lost explaining that St Albans has lost a good deal of employment land. Bedford also requested that an estimate of the employment land to be lost over the plan period be provided.
- CP explained that it is a complex picture as airport jobs are created without land; ELR said you need keep Butterfield as an employment allocation and with Napier Park and Century Park and Jct 10a you could just about deliver 18,000 jobs.

- KO explained that the ELR showed that Luton has lost 20% of employment land in recent years.
- NHDC asked clarification on whether Butterfield is employment Land?
- CP responded by explaining that it is currently used as Incubator, high quality manufacturing and research space for MTL Instruments and other firms. The remaining allocation at Butterfield is the only remaining high quality employment site in the borough and SEMLEP supports the retention of it for the economic development of Luton and the wider area. It was explained that many of Luton's high quality jobs go to those living outside borough.
- CP stressed the importance of retaining Luton's employment land and noted that Luton is bidding for SEMLEP funding for Century Park access.
- Central Beds suggested the potential opportunity for employment land to be provided in neighbouring authorities to help free up housing land in Luton.
- CP explained that the approach is to meet the 18,000 jobs and retain / enhance sectors that are quite unique to Luton. CP explained that the types of jobs that are in Luton may not necessarily decant to other areas.
- North Herts requested clarification on whether the Century Park proposals include land in North Herts.
- CP confirmed that North Herts land is not included in the proposed strategic allocation at Century Park and that the site will be needed towards end of the Luton local plan period.
- St Albans asked clarification on whether the ELR considered cross boundary issues and if it considered expanding Century Park.
- CP confirmed that the study did look more widely than Luton.
- North Herts asked whether there was any additional capacity on airport site.
- CP explained that there is a business park connected to airport, and if the airport started to expand further then this business park could be intensified.
- Central Beds explained that the key message from Luton is that you will not squeeze much housing out of employment land.
- **Action:** Luton BC to provide an estimate of the amount employment land lost in the past and anticipated loss of employment land in Luton.

Simon Andrews (Central Bedfordshire) – Presentation on Duty to Cooperate & Meeting Luton's Unmet Housing Need

45. SA presented on topic of Duty to Cooperate and potential ways of meeting Luton's unmet housing need. The key messages from the presentation are set out below.
- Central Beds timetable is for May Executive (27 May 2014) to consider pre submission plan with June / July consultation
 - Country's growing population
 - Whose housing need is it?
 - Housing needs from across the area
 - Need for a coherent strategy
 - Set out the DTC requirements on unmet housing needs
 - Unless plan is meeting objectively assessed need it is not sound
 - Regional Planning vs Duty to Cooperate
 - o Revocation of RSS
 - o Replacement by DtC

- From compulsion to cooperation
- Bottom up – local responsibility

46. What's happening elsewhere

- Sets out numerous examples of other LPA plans where plans have failed
- Conclusion
 - There is an unmet need and it needs to be worked on jointly
- Central Beds Position
- Set out update on population
- Joint SHMA
- Revised Pre Submission to May committee

47. Why does Central Beds need to press ahead?

- Government pressure
- Housing need in short term
- Major green belt proposals
- Government funding
- Speculative planning applications

48. Potential Search Sequence

- Meet need at source
- Meet it elsewhere in HMA
- Meet it in wider area
- Don't meet need and explain why not 'reasonable' or 'sustainable' to do so. (bar is set very high for this – 'no stone unturned')

49. Growth Strategies

- Geographic proximity (10 mile radius example)
- Transport Corridors (north-south access, A505)
- Historic growth patterns (structure plan, MKSM strategy) history of growth from south to north of Luton's housing needs
- Migration flows
- Housing Market Areas
- But it is not just about housing. Homes and jobs need to be linked. Need a similar cross-boundary discussion about: job targets, employment sites (new and existing) and commuting patterns

50. Where should housing growth go?

- 1st priority – Luton
- 2nd priority – Central Beds
- 3rd priority – North Herts
- 4th priority – Bedford
- 5th priority – Dacorum
- 6th priority – AVDC
- 7th priority - St Albans

51. SA provided a breakdown of what this could mean in terms of distribution of housing:

- Central Beds planning for 28,000 and think there's scope for additional 1,500.
- North Herts: 3,000

- Bedford: 2,000
- AVDC, Dacourm, St Albans: 500 each.

52. SA suggested that there is a need to agree what Luton's Objectively Assessed Housing Needs and Capacity are as a group. SA suggested that Central Beds considers Luton to have an additional 1,000 dwelling capacity in the Borough to the 6,000 stated capacity.

A Q & A and General Principles session followed the presentation

53. General Principles Discussion

- North Herts explained that where people can afford to live, where they want to live and whether jobs are available are all key issues that need to be considered.
- Stevenage explained that sustainability is key in terms of social and environmental issues not just economic. People need to have fulfilling lives and housing needs to be within Housing Market Area as a general principle. Capacity should be tested in the whole HMA not just within Luton.
- North Herts explained that all the North Herts land in the Luton Housing Market Area is in green belt and that an Inspector cannot tell an authority to change green belt. Raised the question of: if there is development in another LPA area that has been provided to meet Luton's needs, what Luton will do to fund infrastructure and affordable housing? North Herts argued that the costs of housing due to infrastructure requirements could make them unaffordable.
- Bedford considered that before HMA housing can be supported that DtC has to address infrastructure issues and infrastructure should be dealt with at the SEMLEP level including rail. Unless there is infrastructure then development should be prevented from going forward.
- CP explained that the viability of affordable housing is very low in Luton and that the viability evidence is showing that CIL is not currently viable.
- Aylesbury Vale is now looking at their HMA / origins and destinations information and consider there to be poor travel links with Luton. However they may be more able to take some of Central Beds as it relates better to Aylesbury Vale rather than Luton.
- Central Beds explained that urban extensions do not necessarily deliver affordable housing due to infrastructure requirements and that there has to be a mix of sites as in many cases the smaller sites are more viable.
- Central Beds have 7,500 homes granted in the green belt with 2,000 near Luton and 1,500 more to come. 1,500 homes are consented at Houghton Regis with an additional 250 to follow. An application for 3,000 homes at North Luton are expected soon. Central Beds are already planning for Luton's needs –half of their need is for Luton.
- St Albans raised questions about migration flows and whether it is showing a net outward migration? And questioned if the need is coming from London and if there is overcrowding and the population is shrinking as people are leaving urban areas then what happens?
- ORS explained that Luton is a net importer of international migration balanced with net losses of internal migrants but then has more births than deaths.
- CP explained that Luton is being outbid from London boroughs for affordable housing and there is evidence that it is increasing. CP explained the HMO situation for Luton which is very densely populated around Luton town centre.

- ORS explained that Luton gains population from London, as do many areas. London gains population internationally. The key issue is that migration movements are well established trends and the PPG is clear that these trends need to be taken account of and that it is difficult to justify otherwise. More people are arriving than leaving internationally. More are arriving from London than are going to London. Taking all things into consideration there is a net gain of about 2,500 – 3,000 population in Luton.
- Jonathan provided migration flows data to the group and it was explained that the data is all informed by historic trends and it was explained that growth is essentially driven by natural growth.
- Action: ORS to provide slides to explain the migration flows.
- Action: CP to distribute the draft SHMA version with Stage 2 of the SHMA.

A 'Round the Table' discussion was held with an opportunity for each local authority to provide further comments

54. The messages from this session are as follows:

- Stevenage Borough Council
 - o need to understand where Central Beds is with their strategy and where they are planning for development. Equally important to understand for both housing and employment and balance with Luton. As it stands, the housing required in Herts is around 100k (based on ONS) much of it is outside of the Luton HMA. The London decanting effect is already impacting on Herts. housing targets.
- Bedford Borough Council
 - o Ideal way is for everyone to march forward together. Luton and Central Beds want their plans submitted soon. Others are further behind and Luton and Central Beds may be in a position to go ahead and may not necessarily be able to bring others with them.
 - o Need to understand what sustainability implications of strategic options / scenarios e.g. impending commuting information may help inform also are there more viable alternative strategies, but not sure what mechanism there is to do this. More of an issue for other LPAs rather than Luton. Even with Central Beds developing green belt development will be very slow to deliver and very little affordable housing will be provided. By local authorities saying they can take the housing numbers does not mean they can build it out.
- AVDC:
 - o Need to understand what need is Central Beds and what need is for Luton and need to understand London's needs and effect on the area.
 - o Seven LPAs look to AVDC for their unmet needs.
 - o There is a fear that even if agreement between LPAs to take housing numbers that a contingency figure be added for other LPAs as following different plan timetables and to allow due process via debate at full council
 - o Response from Central Beds is that they will be delivering well beyond what they have done historically so could not provide a contingency
- CBC

- Provided Wixams example that only 90 houses have been built out per year and that is a major development.
- Central Beds development is ramping up now.
- Central Beds will submit its plan first and it is essential that they are cooperating. PINS are trashing plans we are all in danger of speculative developments. Nick Boles said the only way to prevent this is to have a sound plan. This is the stage to say that we have all cooperated. Nick Boles said don't relax if you have a plan – a plan review may be required.
- Already informal understanding. Should consider joint MOU between all of the LPAs.
- Dacorum
 - Only Flamstead and Markyate are included in the Luton HMA however there is not adequate infrastructure.
 - Job creation is high for Luton. Dacorum's assumption is 1.5 job per house whereas Luton is 3 jobs for 1 house.
 - Dacorum is facing net in migration with no unmet demand. Need for correlation between size of housing area and migration and identified housing targets.
- St Albans
 - St Alban's and Harpenden relate well to rail commuting and Luton railway station also makes commuting to London easy. Why isn't development around High Town viable?
 - CP explained that land values and industrial legacy is the reason so far and that the Council is about to launch masterplan study and try to raise funding for it. Decent quality scheme near station would help encourage confidence in market. Numbers in plan assume this will happen.
- MK
 - Didn't appear in SA's 'league table' for Luton's housing.
 - Agree that MOU is required and this is supported.
 - Adopted Core Strategy for MK and then review afterwards. MK will review housing numbers. 28,000 houses to 2026 in current plan.
 - MK can only expand east or west and expansion goes to AVDC and Central Beds. So consideration must be given to cause and effect of what is happening in the sub-region.
 - The more that Central Beds takes from Luton there will be a ripple effect.
 - Preparing a joint SHMA and continuing joint dialogue is a sound way forward.
 - South East Strategic Leaders have responded to London Plan saying that London boroughs should be reviewing their Green Belts.
- NHDC
 - All of the North Herts land in the Housing Market Area is in green belt.
 - Infrastructure has to be looked at by SEMLEP and Herts LEP.
 - Do you have to meet all the need in the plan period and how can be rolled forward?

- Migration trends – it should not be assumed that EU immigration will continue due to changes. Concerns raised at possible inconsistencies in projections.
- Deliverability – even if numbers are agreed it does not mean the developers will deliver.
- In seeking to move things forward, need to be conscious that if the LPAs cannot get their plan through their own Councils then it will not even make it to EiP.
-
- Luton
 - Positive meeting and a thank you to all those attending.
 - Grateful that SA has presented that it is not just Luton’s need / problem.
 - Migration figures cancel each other out but it’s actually down to natural growth.
 - To get an extra 1,000 dwellings Luton would need to lose at least two of its remaining employment allocations.

Actions and Next Meeting

55. The group agreed the following actions and date of the next meeting (8th May). CP offered the 2nd and 7th May as alternative dates for local authorities that cannot meet on the 8th May.

Agreed Actions

- Officers and Portfolio Holders to discuss and come back to CP with ideas for discussion for 8th May meeting
- ORS to send round facts and figures about migration flows
- ORS / Luton BC / Central Beds to circulate draft updated SHMA including Stage 2 (affordability section)
- Luton BC to circulate note on employment land.

17th April Luton and Central Bedfordshire SHMA Portfolio Holders and Officers Meeting

Record of Changes to Meeting Notes

Comment	Changes Made
North Herts	
In terms of the draft SHMA we remain uneasy about the adjustment for 'market signals' which does seem arbitrary, but recognise that there is no sensible guidance as to how this should be done.	No changes made. There has been no alternative methodology suggested by the steering group.
The title of the notes need to be clear that this was a meeting of Portfolio Holders and refers to the Joint Luton & Central Beds SHMA.	Have changed to Luton and Central Bedfordshire SHMA Portfolio Holders and Officers Meeting.
At para 8 – <i>"If an LPA is unable to meet its own objectively assessed housing needs then the <u>obligation</u> is on all surrounding LPAs to help"</i> - we question using the word 'obligation' as this suggests that surrounding LPA's must take unmet need which is not necessarily the case.	See changes made in response to Mide Beaumont's comments below.
At Para 37 - the first sentence is incomplete.	Sentence completed by saying "and other proposed allocations containing housing"
At para 51 - suggest the word 'would' be changed to 'could' given that this slide was seeking to stimulate discussion.	Change accepted.
At para 53 - last sentence - <i>"North Herts argued that the costs of housing due to infrastructure requirements <u>will</u> make them unaffordable"</i> - please amend 'will' to 'could'	Change accepted.
At para 54 - last bullet point under North Herts please amend to read: <i>"In seeking to move things forward, need to be conscious that if the LPAs cannot get their plan through their own Councils then it will not even make it to EIP."</i>	Change accepted
DCLG	
Para 8 - I think you mean 'no stone is <u>left</u> unturned'. As it is not a duty to agree the second sentence is not correct. All authorities have an obligation to consider very carefully what they can do and will need evidence to support their approach, i.e. it's a high hurdle.	Changes accepted

<p>Para 9 - penultimate sentence – should say something along the lines of ‘The outcome of cooperation needs to be effective planning on strategic cross boundary matters’.</p>	<p>Change accepted</p>
<p>Para 10 – I think the first sentence has got a bit confused. The scenario I was describing was an authority bringing forward a local plan that cannot get the cooperation of others. That authority will need to ensure that it has done everything it can to bring forward it’s planning strategy, i.e. looking at all options within its own area and ensuring that it has approached all possible external partners. If, despite its efforts it cannot gain the cooperation of other authorities it should submit its plan.</p>	<p>Change accepted</p>
<p>Para 11 – to clarify - the soundness test is effective joint working on cross boundary strategic priorities which would include planning for housing.</p>	<p>Change accepted</p>

Meeting Notes

Luton Borough Council & Greater London Authority

Duty to Cooperate Meeting

Date	23 April 2014
Time	2:00 pm
Location	GLA, City Hall, London SE1 2AA

Attendees

John Lett (GLA)

Richard Linton (GLA)

Darren Richards (GLA)

Chris Pagdin (Luton BC)

Troy Hayes (Luton BC)

Introductions and General Update

1. Round the table introductions and Luton BC (LBC) that as the Mayor of London is a Duty to Cooperate organisation that it was important that LBC and GLA meet to discuss strategic cross boundary issues. LBC explained that it had recently submitted representations to the Further Alterations London Plan (FALP) subject to agreement by its Executive on the 28th April. There was a short discussion about recent PINS reports on Local Plan examinations in public and the format of recent EiPs with more legal representation being permitted by PINS than was previously the case.
2. Chris Pagdin (CP) gave an overview of the issues facing Luton explaining that the CLG / ONS projections for Luton indicate that up to 32,000 new homes are required in Luton up to 2031 which is much higher than the housing assessed for the previous SHMA which projected 11,000 homes over the same period. Luton Borough has severe capacity constraints as the vast majority of its development land is on former industrial sites and Borough is built up to its boundary. In addition, there are development viability issues to contend with which have meant that affordable housing has not been delivered by the market for many years. The SHLAA shows that only 6,000 dwellings can be met in the Borough over the plan period, which is still ambitious. Given the jump in housing projections figures and the lack of housing land capacity LBC is refreshing its SHMA jointly with Central Bedfordshire. As there will be unmet housing needs arising from Luton, LBC has set up a SHMA steering group of nine local authorities (including LBC and Central Beds) consisting of:

- Aylesbury Vale DC
- Milton Keynes Council
- North Hertfordshire DC
- Stevenage BC
- Bedford BC
- Dacorum BC

- St Albans City and DC

3. John Lett (JL) provided an update on the London Plan explaining the approach taken and the timetable for taking the alterations to EiP and adoption. JL explained that the GLA has undertaken its SHMA and SHLAA and found that 270,000 dwellings are in the pipeline however monitoring evidence shows that only 25,000 are being delivered which means that London is planning for growth but the developers are not always delivering. Part of the explanation for this is that 45% of London's development capacity are sites that are not owned / promoted by builders. London is lucky to get 50 dwellings per annum on these development sites. On this basis London cannot meet its needs. The census shows that 50k to 80k dwellings were delivered per annum. The FALP proposes 75k per annum over the longer term and 100k per annum to 2021.
4. The Mayor's Infrastructure Plan can look to 2050 whereas the London Plan only looks ahead 15-20 years.
5. The GLA is beginning the Duty to Cooperate (DtC) now and the DtC for the preparation of the London Plan will begin in earnest in 2016-17. It was explained by the GLA that the GLA has a duty to consult adjacent authorities and a duty to inform those more peripheral in regards to the London Plan.
6. Troy Hayes (TH) queried whether the GLA has undertaken viability work to substantiate increased densities in selected areas in the FALP including Intensification Areas. The GLA explained that it is undertaking viability work and it will be published shortly.
7. There was a discussion regarding London's demographic and migration data and CP requested that any relevant data held by the GLA be provided to Luton so it can consider it in the SHMA / objectively assessed housing needs. It was explained by JL that the GLA's demographer is currently preparing a South East of England 'variation' which considers 2008 – 2011 projections. JL explained that the 2008 data should be the basis for other local authorities taking account of migration out of London. JL explained that if London and the surrounding local authorities are all using the same 2008 data which assumes migration out of London then there should not be issues of data mismatch. JL explained that migration to the South East from London is picking up in gross terms and that the London Plan and the Mayor's Infrastructure Plan scenarios assume this.
8. JL explained that the Mayor's Infrastructure Plan is considering a number of strategic development scenarios and a 'Further Outline Plan' will be released for consultation in June 2014. The scenarios sketches out strategic approaches to growth mainly focusing on rail but also considers energy issues as this is a key problem for London. The outline plan considers three strategic scenarios 1) super hub approach 2) micro hubs 3) looking outside London for growth. Included in the scenarios are increasing development capacities in the following areas with terminal capacities being a key issue:

- a. HS2 (Euston)
 - b. HS2 Kent Coast
 - c. Crossrail 3
 - d. Metropolitan to Amersham
 - e. Luton and Bedford Growth Corridor
 - f. Kent Railway Lines
 - g. Coast to Coast Railway Lines
 - h. London Bridge, Finchurch Street and Liverpool Street
 - i. Essex including Ongar railway loop (although terminal capacity is very difficult)
9. CP requested an explanation for the GLA not undertaking a strategic green belt review to help meet its likely housing shortfall. JL explained that it is still open for London Boroughs to undertake green belt reviews for their own areas and that this could indeed help meet the 7k per annum shortfall of the London Plan.
10. There was a discussion on employment matters with JL explaining that London has surplus office space and that £28 / square foot is the key to delivery of office space. JL explained that there is a need to look more closely at the housing potential of employment space in London and explained the issues facing London in terms of PD conversions from employment to housing.
11. JL explained that London needs 2 or 3 intermodal rail freight terminals outside London and asked if Luton had such capacity. CP explained that Luton does not have capacity for this.
12. There was a discussion about Luton's role in a potential east-west railway line and it was agreed that this was more of a TfL matter. It was agreed that LBC would write a letter to the GLA and it would be forwarded on to the TfL for consideration and further discussion. It was also agreed that TfL would be the appropriate organisation for LBC to discuss matters relating to London Luton Airport.
13. CP explained that LBC is likely to consult on its Regulation 18 draft Local Plan in the summer. JL explained that due to limited resources of the London Plan team, that LBC is unlikely to receive a response that goes any further than the 'Bedford Letter'.

DRAFT Meeting Notes

SHMA Steering Group Meeting – 8th May 2014 Luton Central Library

Attendees:

Luton Borough Council: Chris Pagdin (CP) (Chair), Kevin Owen (KO), Troy Hayes, Eddie Holmes

Central Bedfordshire: Richard Fox, Simon Andrews, John Stokes

North Hertfordshire District Council: Louise Symes, Richard Kelly

Bedford Borough Council: Paul Roland, Carolyn Barnes

Aylesbury Vale District Council: David Broadley, Clare Manders

Dacorum Borough Council: John Chapman

Stevenage Borough Council: Richard Crutchley

Milton Keynes Council: Bob Wilson

St Albans City and District Council: Manpreet Kanda

ORS Consultants: Jonathan Lee (JL)

1. Introductions around the table. CP explained that the purpose of the meeting was to 1) discuss and agree changes to the SHMA based on the steering group's previous comments and 2) discuss the new section on affordable housing and housing mix and 3) agree an agenda and papers for the Duty to Cooperate meeting with Members on the 21st May.
2. JL went through changes that have been made to the draft SHMA since the previous draft was issued. He explained that:
 - Chapters 1, 2 and 3 are largely the same as previously.
 - There is now a single chapter (Chapter 4) on demographic projections separately for Luton and Central Beds and then brings both together.
 - Chapter 5 then looks at translating population to housing, market signals, jobs, and objectively assessed housing need.
 - Terminology adjustments are now made to Luton and Central Beds and combined as a Housing Market Area as requested in comments from the Steering Group.
 - A new chapter on housing mix and affordability has been added.
 - The final chapter on DtC may need to be developed further.
 - ORS have sought to take on board as many of the comments as possible. Some of the comments were rhetorical and did not necessarily require changes. Most changes have been addressed through restructuring the report.
 - One outstanding area is unattributable change in Central Beds – ORS will add a narrative on this.
 - ORS feels the study represents a proportional evidence base.

3. The group went through the 'Category A' comments (those which are critical and require urgent attention) table from Steering Group members:
- It was agreed that terminology issues had been addressed in terms of Luton HMA and administrative boundaries. JL explained that more text has been provided in regards to the area outside of the Luton HMA.
 - JL explained that the SHMA is a Luton HMA focused study and however that Central Beds will still need to work with its other HMA neighbours under the DtC.
 - Point raised by NHDC regarding map on page 64 not showing quantum of housing for the Hemel Hempstead and St Albans HMAs. ORS to add this (probably zero requirement).
 - Para 5.2 sets out vacancy rates addressing Bedford BC query. Discussion about vacancy rates in Luton and Central Beds. ORS explained that the adjustment for market signals is more important in terms of housing numbers than vacancy. Question from BBC about POPGROUP and vacancy rates. JL explained that POPGROUP is a household model not a dwellings model.
 - There was a discussion about unattributable population change. JL explained that the mid-year estimate after Census missed some in-migrants and an adjustment was made as an unattributable change. JL explained that census data is more reliable than mid-year estimates and that is what has been used. This is not set out in the report but it will be added however it does not figure in the overall housing figures. JL explained that this is an area that has been challenged at EiP (BaNES) and the outcome was that migrants have to be counted and cannot be ignored. Subnational projections are not taking account of unattributable change.
 - Bedford BC asked whether an alternative run has been looked at in respect of unattributable change however JL said that it is more important to explain why mid-year estimates should not be used. Bedford BC asked about new mid-year estimates being published later in May 2014. JL explained that PPG says you have to use the latest data however LPAs do not have to stop what they are doing. JL clarified that the unattributable change issue is a Central Beds issue. AVDC expressed that they would like to see wording / justification before agreeing.
 - Central Beds expressed that market signals issues that had raised as comments on the draft SHMA had been addressed by latest version of report.
 - Milton Keynes explained jobs and homes balance issue that they had raised as comments to the SHMA and considered that the SHMA will only go so far in terms of jobs and further work and discussions will need to be had to address this point.
 - Bedford BC asked whether housing has been adjusted to take account of jobs numbers. JL explained that yes it had in the increase from 41,000 – 43,300 homes and that the trends are lower than job forecasts. ORS are concluding that the SHMA is broadly in line / supports 18,000 jobs in both Central Beds and Luton. Central Beds asked that it be added to the SHMA that EEFM run is from 2012.
 - Bedford BC asked about EEFM runs and whether Luton will be running forecasts based on 2013. KO explained that the first base run was 2012 which was a bespoke run for Luton. The 2013 figures appear suspect as it almost halves Luton's jobs as it may be based on the recent recession. KO explained that the re run of the EEFM is going to be undertaken soon and it would probably be based on 2014. CP explained that the consultants who undertook the ELR for Luton have been invited to present at the next DtC meeting.

- Bedford BC asked whether Luton are planning for 18,000 jobs. CP confirmed this.
 - Bedford BC asked what jobs Central Beds are planning for.
 - AVDC requested JL explain where in the SHMA market signals are addressed. JL explained that Chapter 5 sets this out.
 - NHDC asked whether the market signals adjustment is 'additional housing'. JL explained that 5% is a significant increase and there is no prescribed way of adjusting housing requirements to take account of market signals.
 - Dacorum asked how a 2,300 dwelling increase was arrived at. JL explained that it takes account of market signals (which includes an element of past underperformance) and jobs.
 - AVDC question regarding SHMA work outside the study area. JL explained that it is part of a wider picture in the DtC section. JL explained that not everyone has an up to date SHMA and this would present difficulties - it is a DtC issue.
 - NHDC asked if the divvying up of housing between areas could be explained. JL explained that is already explained in section 5.
4. CP offered an opportunity for the group to raise any issues relating to their previous comments in 'Category B' (less urgent issues that will need addressing in the final report).
- AVDC explained that their consultants (GL Hearn) use the CURDS approach for housing market areas and wanted to understand why CURDS is not being used for this SHMA. JL explained that SHMAs do not need to be undertaken at the CURDS level. JL explained that a smaller geographic area is what is needed and that there is a degree of subjectivity. JL explained that ORS approach is to get to the lowest level of the HMA which is the methodology that has been utilised for this study.
 - AVDC asked about travel to work data and asked how it should be considered in the SHMA. JL explained that there is no publication date published yet and that it is one of the final outputs from the census data – publication is some way off. JL thinks it is unlikely to change the boundaries much and would be very surprised that high level conclusions are going to change.

DtC Members Meeting - 21st May 2014

5. CP asked what the group would like to discuss / have as agenda items for the DtC meeting on the 21st May explaining that any papers need to go out by COP Friday (16 May) next week to allow enough time for all to review.
6. AVDC suggested a joint response to the 'Bedford Letter'. CP explained that Luton had responded to the FALP. Bedford BC explained that a joint letter is currently being drafted Paul Donovan (Herts CC) on behalf of a number of the local authorities. It was agreed that Members do not need to consider this on the 21st May.
7. Central Beds explained that they have had a stab at drafting an MOU and would like to make progress on this. CP explained that a heads of terms should be tabled at the meeting on the 21st May. Central Beds agreed to circulate a draft MOU which will then be attached with the DtC meeting papers on the 16th May. CP explained that Luton BC requires ample time to review ahead of meeting on the 21st May.

8. Central Beds explained the draft MOU will contain the following:
 - Luton's OHN - 17,800
 - Luton's urban capacity – 6,000
 - CBC OHN - 25,600
 - CBC are planning for around 30,000 (surplus of 5,000)
 - Remaining unmet need is 6,000 which could be met through options
 - Increase Luton's capacity (task group to scrutinise)
 - Provision in N Herts, Bedford, Dacorum etc. More specific the better.

9. CP asked for comments from the Steering Group on this:
 - Dacorum and St Albans thought the capacity of the HMA should be looked at first.
 - Bedford BC thought that jobs and infrastructure are a key consideration. MOU needs to include these issues and it is not just about housing. CP explained that he has met with SEMLEP and Hertfordshire LEP. PR explained issue regarding LPAs with Green Belt and those without.
 - Central Beds think that it is better to have an MOU setting out the steps that need to be taken to meet the unmet housing needs rather than nothing at all.
 - CP explained that at the last DtC meeting sustainable development and meeting needs close to where the needs are were both key issues for Members.
 - There was a further discussion about where the unmet housing needs are delivered which led to PR asking for clarification on agreement about strategic allocations in Central Beds and whether these will be for Luton or Central Beds needs. This matter has not been resolved as confirmed by CP and RF.
 - PR raised issue about other LPAs wanting to submit their plans for EiP after Central Beds and wanted to ensure that the LPAs involved in this group will be involved with the preparation of other plans in the area.
 - Central Beds asked what NHDC were prepared to commit to. RK explained that he would need to discuss with this members first. RK suggested that Central Beds needs to look at the option to increase housing supply in its area if it is asking Luton to increase its own housing supply.
 - There was a discussion about how to officers can continue to engage going forward and bring members in at key stages.
 - CP raised the issue about Green Belt explaining that Luton is preparing a Stage 1 Green Belt Review and has involved those LPAs in the HMA and that Luton has highlighted this as issue with other LPAs requesting a joint Stage 2 Green Belt Review with neighbouring authorities.
 - Dacorum explained that PINS found fault with their Green Belt Review and think that Central Beds will face issues if they have not updated their methodology. Central Beds confirmed that it has updated its Green Belt Review.

Agreed Actions

10. The Steering Group agreed the following actions:

As soon as possible:

- Central Beds to put together MOU draft and circulate to Luton in the first instance.
- ORS to draft a 5 page summary of the SHMA for the Members DtC meeting 21st May.

- ORS to make /document any outstanding changes needed to the SHMA including:
 - Additional narrative on unattributable change in Central Beds including explanation of difference between mid-year estimate and census data;
 - Add quantum of housing for the Hemel Hempstead and St Albans HMAs; and
 - Explain that the EEFM run is from 2012.

By COP Tuesday (13th May):

- Steering Group to provide any further comments on the draft SHMA to Kevin Owen.
- Steering Group to provide any comments on the draft minutes of the 16th April DtC meeting and draft minutes of 8th May Steering Group meeting to Kevin Owen.
- Steering Group to advise on agenda items for the 21st May DtC Meeting.

Luton BC (CP) to circulate the following by COP 16th May to Members and Officers from the Steering Group Authorities:

- Meeting Agenda
- Draft Minutes of 16th April DtC Meeting
- Draft Central Beds MOU
- 5 page summary of SHMA with questions and answers also attached including any logged unaddressed comments.
- Draft SHMA

Duty to Co-operate Meeting – Luton and Central Bedfordshire Councils

Attendees:-

Chris Pagdin, Kevin Owen (LBC)

Richard fox, Simon Andrews, Connie – Frost – Bryant (CBC)

Notes of Meeting:-

Scope of Meeting

CP recapped the basis for the meeting to focus on the technical and evidence work and that a separate process would need to pick up political engagement and matters relating to the MoU particularly as the JR process was underway.

On the latter point, RF explained that CBC's Jason Longhurst (Director of a new directorate of Regeneration and Business) had (a month ago), written to Colin Chick Director of Environmental and Regeneration seeking to renew discussions on the outstanding MoU process. SA asked whether there were any ideas how to restart higher level engagement.

Action: CP had not seen JL's letter and so would take this back to CC and others

[Note: The meeting discussion covered both the agenda and CP's email questions and so comments below have been allocated to appropriate agenda headings].

CBC Development Strategy Evidence review

CP explained that LBCs representations covered may inconsistencies in CBC's evidence base e.g. Green Belt Study, SHLAA and Sustainability Appraisal (SApp)

RF then proceeded to address Luton's concerns in order to demystify the Pre submission Strategy (PsS) in terms of the housing distribution including in terms of Housing Market Area (HMA) and contribution towards' Luton's unmet need.

RF clarified that because of inconsistencies between the SHLAA/GB studies that the SApp was the definitive document to use on site allocations.

Both LBC and CBC considered that the September 2014 MYE were unlikely to undermine the SHMA 2014 based on the advice of ORS. However, there was considerable challenge from the development sector – so a risk.

CBC were defending a housing appeal on Tuesday 30th for a site at Henlow for 90 dwgs – this would be a critical test bed for the SHMA 2014/ORS methodology and failure would raise significant issues for respective plan preparation.

Housing Issues and Scope for further work

To address LBC's housing supply concerns SA clarified that:-

- SHMA 2014 identifies CBC's overall need amounted to 25,600 but CBC allocate 31,000 in the overall plan so that the oversupply of 5,000 is the contribution towards LBC's unmet need;
- However, within the overall 'green area' of the Luton CBC HMA there is a shortfall – this needs to be picked up by the other DtC authorities
- However, CBC are making over provision in CBC outside of the 'green area' HMA e.g. the Wixhams
- CBC cannot precisely locate where Luton's 5,000 resides because owner occupiers will be subject to market forces (migration flows etc)
- Ref to the CBC Background Paper table 10.2
- RF explained that concerns about the PsP housing shortfall and under delivery i.e. the lack of plan contingencies raised in LBC's representations, would effectively be dealt with via CBC's Allocations Plan. This would cover intermediate scale housing sites 50- 100 dwgs– RF said that CBC has more potential sites coming forward than they need and a 'call for sites' was to take place at the end of 2014
- AS queried Luton's reasoning for only allocating 5,700 provision when there was 6,000 dwg capacity in the SHLAA. CP explained that this was following SHLAA practice guidance. KO explained that it provided the margin to manage under delivery within capacity. SA queried whether this approach was technically correct referring to the need for specifically managing under delivery over the first 5 years

Action: SA to liaise with Troy Hayes (LBC) to clarify the exact housing provision by HMA and undersupply

Employment Issues and Scope for further work

CP introduced discussion on CBC's outstanding concerns on LBC's employment strategy and delivery:-

- Century park had secured a £20m SEMLEP LGF allocation which would help to resolve access to the airport – LLAOL considering options for alternatives route to safeguarded Local Plan route.
- LBC will do more work on it's Employment Land Review study (ELR) and needs to consider the Functional Economic Area (FEMA)
- Luton had publish the ELR in March 2013 and engaged DtC authorities on Luton's employment strategy at the joint member workshops in May 2014 but had not had any opportunity to review CBC's employment strategy and CBC's 'unilateral' undertaking to help with Luton employment provision
- In response to CBC's employment (18,000 jobs) housing (6,000 dwgs) imbalance criticism, CP explained that it should be judged on the wider strategic context of serving a functional conurbation and not the arbitrary administrative boundaries
- RF considered therefore, that the urban extension should help although CP queried whether there should be less employment provision there
- Further work on each authority's employment sectors was discussed. LBC was looking to identify 'footloose sectors' e.g. B8 distribution warehousing and those specific to the area e.g. aerospace and skilled engineering. CBC were also reviewing niche sectors although CBC would remain attractive to B8 investment
- SA said that CBC had commission a joint FEMA study (NLP consultants) with NHDC, Stevenage and MK and considered that a similar evidence study was needed for LBC/CBC. CP agreed to consider this point further

Action: share and coordinate on respective employment sector work including the briefs for the FEMA work and consider whether a joint FEMA study be commissioned.

Green Belt Review

SA outlined the GB methodology – that while stage 2 (sites assessment) had preceded stage 1 (strategic review of GB) that the final GB study was now technically complete and had been published with PsP.

- CP observed that LBC had not been engaged in the methodology – but had only seen the evidence when it was published with the plan and so had not had an chance to comment on the approach
- LBC had however, engaged on its stage 1 Green Belt work with neighbouring DtC authorities and had also stated the need for a stage 2 GB study to address the cross boundary issues – which should have been done jointly – this situation made it difficult for Luton to proceed
- RF considered that the GB review had been done to address needs arising in Luton and to prevent leap frogging the Green Belt to the north and unsustainable commuting.

- SA acknowledged that full engagement had not been necessarily been undertaken GB or other studies but that an Inspector would have to weigh up whether this was a significant failure of the DtC
- SA queried whether the MoU reference group work could proceed on the technical work and include the GB review? CP pointed to the deliberate exclusion of the GB from the MoU by Cllr N. Young. Any position on the MoU was not
- KO considered that at least existing evidence could be collated and referred to the SHLAA/HMA collation that had been circulated by Jake Kelley

Luton Urban Capacity Review

CP covered CBC's criticisms of Luton's urban capacity – i.e. concerns that higher densities are achievable and more suitable SHLAA sites can be allocated for housing. CP acknowledged that it was clear from the LP responses that there was an expectation that Luton must make progress on delivering its housing sites if other authorities were to relax Green Belt for Luton's needs.

- LBC's SHLAA unallocated employment sites deemed 'suitable' for housing is consistent with the need to ensure that the moderate and poorer estates which were still nevertheless, well occupied, are retained keeping firms and jobs within the area – a policy criteria approach was in the draft plan to see such sites come forward in future when available
- LBC are also looking at the role of viability and higher densities – Luton's development market was different from elsewhere with higher costs and lower values making sites marginal and that no market led affordable housing had been delivered over the last 3 years. Evidence showed CIL to be unviable at present. Dwelling houses tend to be more viable than flatted schemes.
- LBC will be drawing together x3 case studies to sensitivity test the viability/density evidence – Joint Venture – High Town Master Planning – Napier Park
- CP also cautioned that increased housing also escalates the current under capacity for schools.
- Reallocating housing sites for education would also impact on housing supply.
- RF suggested that capacity in urban extensions should be considered? CP said that the need was in the south in and around the town centre – and this was where options were being looked at just to meet the current shortfall against Luton's 6,000 dwg capacity
- SA said that Stevenage was experiencing and recovering development market and expectations on viability of flatted development – is it the same in Luton?

- CP pointed to the Peter Brett town centre offices study and that the yield from this 9600 units) may need to be revisited but reminded of the Luton constraints as this work assumed no affordable housing and mixed use was not viable
- CP also pointed to the 'pro active' High Town Master planning work which may increase housing yields – however, Napier Park was not likely to change (600 units)
- Power court had abnormal costs £6m before development (e.g. River Lee crosses the site) but inner ring road and access nearly complete so may assist BL.
- CP explained that the retail element of Power Court was now subject to a need to refresh the WYG Retails study which was out of step with the SHLAA 2014 refresh. This may reduce retail floorspace need which was modest anyway
- CFB asked about the recent Newlands Road planning permissions. CP explained that Newlands Road had to be approved without affordable housing – mindful of Inspectors Appeal decision – affordable housing not viable (costs of the Gas Pipeline running though site)

Buttefield

RF and SA raised the prospect of mixed use housing development with on a 25 ha site (400 dwgs) in the Green Belt but (outside of the AONB) north of and adjacent to the Buttefield Technology Park:-

- CBC looking at this via the Site Allocations Plan. and that it would only work sensibly if access via Buttefield and other Crown Land west of Cemetery and other Green belt releases in Luton (part of Stopsley Common come forward
- Requires a Primary School and overall 800 dwgs could be achieved with employment
- CP confirmed that there were potential (employer) occupiers of the remaining Butterfield Technology Park and sensitive negotiations were in hand. A new Trust to replace the Easter Group was in hand involving Crown Estates and others.
- Crown Estates had also come to Luton re land west of Butterfield.
- SA asked about the East of Luton and NHDC proposal for 2,000 dwgs
- CP went through the issues regarding transport and access via Eaton Green and Crawly green Roads to Vauxhall Way and the same school capacity issues with NHDC expecting a contribution from Luton's secondary schools. However, these issues were being looked at in terms of getting transport evidence and education involvement though DtC meetings

Action: CP to take back the matter of potential development at Buttefield

Timescales for Development Strategy and local Plan

CP queried when will CBC submit their Plan and implications arising from the JR? RF said this was to be the 24th of October and that the programme would continue. Rf considered that the JR was about the north Houghton Regis planning permission and not the PsP development strategy and so any outcome would not impact on the timetable.

In response to CP asking what other evidence CBc are preparing SA outlined:-

- Further CLG HH projections in November. CP and RF agreed that this may require a further paper from ORS for both authorities to deal with the implications
- Employment FEMA study (NLP)
- RF explained that a first round of consultation on Viability Study had taken place and the Viability work and CIL refresh were progressing – draft outputs may be available prior to or just after submission.
- RF also considered that that the Indications are from this work are that urban extensions are not viable (significant infrastructure costs) whereas ‘pepper-potting’ development in smaller settlements is more viable.

CP outlined the evidence streams Luton were progressing;-

- FEMA – and would consider whether this should be joint work
- Urban Capacity – SHLAA and densities, viability (as outlined above)
- Education/schools review – e.g. need for secondary school even to deliver the 6,000 dwgs

Action: CBC Viability Study outputs to be circulated to LBC when available and both authorities to consider joint paper on the CLG HH projections in November

Agreed Actions:-

1. Action: CP had not seen JL’s letter and so would take this back to CC and others and raise the matter of the MoU and reference group – whether an independent Chair could coordinate the authorities on this outstanding work (e.g. PAS)

2. Action: SA to liaise with Troy Hayes (LBC) to clarify the exact housing provision by HMA and undersupply

3. Action: share and coordinate on respective employment sector work including the briefs for the FEMA work and consider whether a joint FEMA study be commissioned.

4. Action: CP to take back the matter of potential development at Buttefield

5. Action: CBC Viability Study outputs to be circulated to LBC when available and both authorities to consider joint paper on the CLG HH projections in November.

Notes from meeting with the Environment Agency

Date: 09/10/2014
Time: 14:00
Venue: Town hall, Luton
Attendees: LBC – Jake Kelley
EA – Kai Mitchell and colleague

The meeting was held to understand concerns on the draft local plan that were additional to those stated in their formal representation.

Some of the site-specific policies performed well in terms of addressing the requirements of the water framework directive (WFD). For example, LP9 (Power Court) considers de-culverting, SuDS and contamination of water resources. Conversely, other site-specific policies such as LP11 (Creative Quarter) lack enough attention to water resources and could do with the same level of consideration. There is also the need for equivalent policy direction to be provided to cover windfall and other development that may occur outside of specific policy areas (i.e. a general policy that addresses the requirements of the WFD).

Good policy coverage of the issues noted in the WFD are required to ensure that appropriate on-site mitigation is provided or, where on-site mitigation is not practicable, for the receipt of contributions to fund alternative solutions. There is little/ no coverage of this concern in higher-level policies (e.g. NPPF/ NPPG), which means that local-level policies are essential.

A draft revision of the Thames river basin management plan is due to be published for consultation on 10th October. This should contain action plans that can inform the local plan and the IDP.

It is noted that the 8m buffer zone standard (from river bank to development) is predominantly required for access to the river by maintenance vehicles. This buffer can be applied variably and reflects site-specific characteristics. For example, if there is already good river access (e.g. from the other bank), the buffer might be decreased, while a large building with significant shading may require a larger buffer to ensure adequate light reaches the riparian environment.

There is the concern that the sewerage network does not have enough capacity to service the growth in homes and jobs and that addressing this concern is a complex matter. For example, recent development proposals to the east of Luton suggested that sewage would be held in large tanks so that its discharge into the sewers could be managed to avoid overload. The EA objected to that approach due to concerns over contamination from the storage of sewage. On the other hand, the EA wants surface water from the airport to drain directly into the sewers as it is contaminated, yet they recognise that such an approach would increase load on those sewers.

There is no general policy within the draft plan that addresses the full range of water resource concerns.

While water efficiency measures are promoted through the Code for Sustainable Homes and BREEAM, there is no certainty that developers will implement those measures. This is because the codes are based on a points scoring system and developers can implement other sustainability measures to generate enough points without having to deliver water efficiency methods.

The EA considered that our evidence justifies a residential standard of no more than 105 litres per person per day, while non-residential development should meet BREEAM 'excellent' standards on water consumption.

The water cycle strategy is currently being updated (aiming for completion by end October) and its recommendations should inform the local plan. A draft strategy is due for circulation on 10th October.

It was noted that utilities companies had not responded to the local plan consultation, though it is possible that they had commented on the plans of neighbouring authorities who were planning for far more development.

The information overleaf was provided on the state of the river.

River Lee through Luton

Lee Catchment

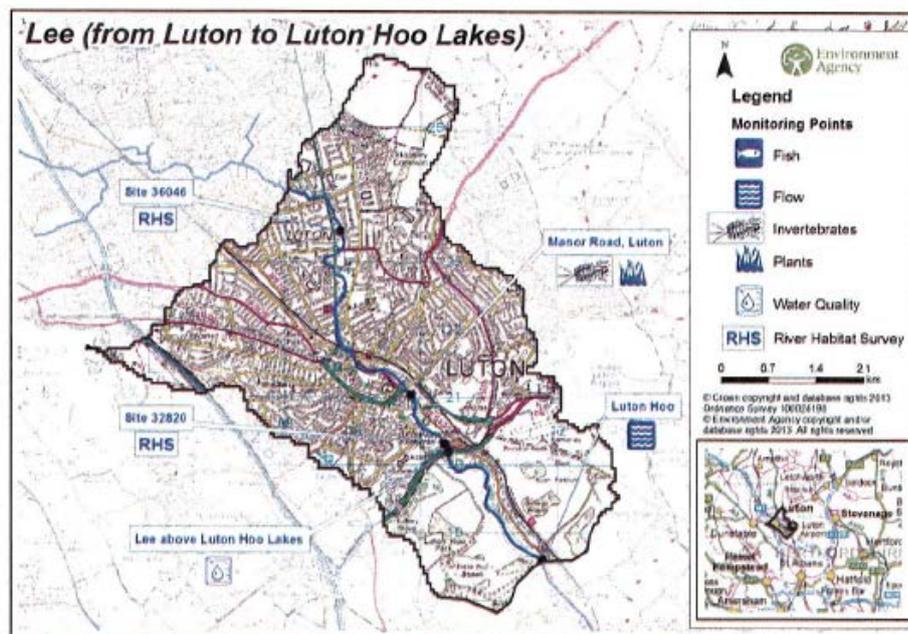
May 2013

The River Lee flows through Luton's urban parklands, including Wardown Park, before entering a culvert under the city centre. After this the river continues through South Luton before entering Luton Hoo Lake.

Environmental status

Our monitoring shows that the river has an unhealthy population of aquatic insects (invertebrates). We also found ammonia levels are too high and dissolved oxygen levels are too low to support healthy ecology in the river. These environmental issues mean that the river fails to meet Good Ecological Potential under the Water Framework Directive and is rated as Bad.

Ecological Status	Reported in 2009 River Basin Management Plan	Based on current best evidence
Achieving Good Ecological Potential?	No	No
Ecological Potential	Poor	Bad



Waterbody Name: Lee (from Luton to Luton Hoo Lakes) **Waterbody ID:** GB106038033391
Catchment Coordinator: Rob Rees **E-mail:** rob.rees@environment-agency.gov.uk

Issues affecting the Lee through Luton

Sewer overflows

There are a number of sewer overflows through Luton town centre. They release ammonia into the river and reduce dissolved oxygen making the water unsuitable for many types of fish and insects to live in.

Low Flows

Groundwater abstraction in Luton is reducing the amount of water in the river. This impacts on aquatic insect populations during dryer periods. This can also impact water quality as there is less water to dilute pollutants.

Sediment

Sediment is impacting aquatic insects by covering their habitat with silt. We believe the most likely source of sediment is urban runoff. Sediment stored in Wardown Park Lakes may also be an issue.

Alien invasive species

Japanese Knotweed & Himalayan Balsam are plants that invade and dominate large sections of the river bank preventing native plants from growing.

Heavily Modified Water body

The River Lee through Luton is classified as a Heavily Modified Waterbody. This is because the catchment is heavily urbanised and has a number of flood protection structures. We have identified 18 mitigation measures that would improve river habitat and make the water body more natural. 14 of these measures need to be implemented to achieve good ecological potential, for example removal of hard bank reinforcement and installing fish passes. Four mitigation measures are currently in place, these relate to channel maintenance and invasive species control.

Ecological status	Invertebrates	Fish	Macrophytes (plants)	Phytobenthos (microscopic plants)	Ammonia	Dissolved oxygen	Phosphate	Other polluting chemicals	Flow	Mitigation Measures
2009	Bad	Bad	Bad	Bad	Poor	Bad	Good	Not assessed	Poor	Not assessed
2010	Bad	Bad	Bad	Bad	Poor	Bad	Good	Not assessed	Poor	Not assessed
2011	Bad	Bad	Bad	Bad	Poor	Bad	Good	Not assessed	Poor	Not assessed
2012	Bad	Bad	Bad	Bad	Poor	Bad	Good	Not assessed	Poor	Not assessed

Key
High
Good
Moderate
Poor
Bad
Not assessed

For more information on the Water Framework Directive or the terms used in this document please ask for our accompanying explanation and glossary.

customer service line
03708 506 506

incident hotline
0800 80 70 60

floodline
0845 988 1188

www.environment-agency.gov.uk

Notes of Luton BC and North Herts DC Local Plans Meeting

Date	17 October 2014
Time	10:00 am
Location	Luton Borough Council Town Hall (2 nd Floor Meeting Room)

Attendees

Richard Kelly (North Herts)
Chris Carter (North Herts)

Kevin Owen (Luton BC)
Troy Hayes (Luton BC)

1. Update on Local Plan Timetables

- KO provided an update that LBC's 12th Jan 2015 Executive will consider Officers recommendations in response to representations to its Draft Local Plan consultation held over the summer (2014). LBC hopes to publish its Pre Submission Draft for representations in March 2015 however this is not yet a firm date.
- RK updated that NHDC's Full Council will consider a Preferred Options (Reg 18) for consultation to take place from 18th December 2014 – 30th January 2015. It is likely to show an OAHN of 12,100 dwellings for the District and that it will meet 2,100 dwellings of Luton's unmet needs. It is likely to show an allocation at the East of Luton consisting of three strategic parcels: EL1 - Bloor Homes), EL2–and EL3 (Crown Estates). RK explained that areas of the parcels located further from Luton do not work very well due to landscape sensitivity (ridge / woods). RK explained that the Preferred Options plan is likely to say that East of Luton is for Luton's unmet housing needs. The policy will require a masterplan be prepared before an application will be granted. The preferred policy is for 40% affordable housing.

2. Update on Evidence

- **North Herts SHMA**
RK explained that NHDC is updating its 2013 SHMA with Stevenage including consideration of market signals. Stevenage would like the update by January 2015 however the consultants are stretched so this may be optimistic. NHDC require the update by September 2015.
- **Luton and Central Beds SHMA Refresh**
KO provided an update on the SHMA explaining that LBC are seeking an update to incorporate a section on the newly released Travel to Work Census data. NHDC explained that they would like to review the PAS guidance on this.
- **SHLAA**
KO explained that LBC is updating its SHLAA and fine tuning its capacity assumptions. A key result of the Draft Local Plan consultation was that respondents considered that Luton potentially had more housing capacity and that more employment land could be released for housing.

3. Luton HMA Trajectory

- TH tabled the Luton Housing Market Area housing trajectory which was circulated previously showing the housing supply for the Luton HMA according to CBC, NHDC, AVDC and DBC. The trajectory shows:
 - o 5,978 dwellings in LBC
 - o 10,956 dwellings in CBC
 - o 2,152 dwellings in NHDC
 - o 34 dwellings in AVDC
 - o 150 dwellings in DBC.

- TH explained that this only amounts to 19,270 dwellings which is still 10,800 less than the need of the HMA as established in the SHMA. Therefore there is still a significant shortfall in the Luton HMA and that LBC is seeking confirmation from the LPAs in the HMA as to what their contribution is to the Luton HMA and Luton's unmet housing needs. TH also explained that there is a substantial amount of Luton's unmet housing need - CBC has agreed to accept 5,400 dwellings and if NHDC were to accept 2,100 of Luton's unmet needs this would bring the total to 7,500 dwellings leaving 4,500 dwellings still unmet. NHDC explained that 52 of the dwellings in the Luton HMA are considered NHDC's needs and that the remainder are for Luton's unmet housing needs. TH requested that NHDC provide LBC with its GIS files of its sites being proposed in the Preferred Options.

4. Employment Land / FEMA

- RK explained that NHDC is preparing a Functional Economic Market Area (FEMA) study with Central Beds and Stevenage. –
- KO explained that this is something that LBC also needed to prepare and be involved with as there are clearly links between Luton and the surrounding area. Luton is preparing a brief with CBC to consider the FEMA.
- Luton will circulate the brief to NHDC and other surrounding authorities for input. NHDC confirmed that they would like to have a 'watching brief' on this study.

5. Green Belt Review / Studies

- Luton: TH provided an update on the Luton Green Belt Review. Stage 1 is being updated to take account of representations received to the Draft Local Plan including NHDC's representations. TH explained that LBC is minded to make NHDC's suggested changes to the Green Belt Review methodology. LBC will update the Green Belt Review Stage 1 and will circulate the final study to NHDC and neighbouring authorities.
- TH explained that Luton has drafted a brief for the Stage 2 Green Belt Review and that Luton will circulate to NHDC and the other neighbouring authorities in the Luton HMA for review. Luton would like to commission the study jointly as Stage 2 considers cross-boundary Green Belt matters and ideally the Stage 2 study would be commissioned / funded and prepared jointly.
- North Herts: RK explained that NHDC has prepared a Stage 1 and Stage 2 Green Belt Review which will be published on 15th November 2014. NHDC can only accommodate around 3,000 or 4,000 dwellings without Green Belt release. Housing need is the

'exceptional circumstances' which justifies a Green Belt review – Preferred Options will decide this.

6. Retail

- KO explained that Luton's retail evidence is out of kilter with the SHMA therefore LBC is updating its retail evidence so that they are aligned.

7. Viability

- LBC is preparing further viability evidence which looks specifically at densities.
- NHDC's Preferred Options plan will be accompanied by a whole plan viability study prepared by Dixon and Searle. The same consultants will prepare CIL evidence in due course. CC explained that the IDP is dated 2013 and that this will need to be updated after the Preferred Options consultation – the IDP includes development East of Luton.

8. Transport

- KO explained that Luton has prepared Saturn Model and Luton is asking AECOM to advise on mitigating measures. Keith Dove (LBC) and AECOM are to complete this work before Christmas.
- RK explained that NHDC used AECOM (Herts branch) to prepare its transport modelling which is not yet finalised - it will be ready at the beginning of November. KO asked if NHDC is building in LBC and CBC AECOM work into their own model. RK explained that it is testing background growth plus what transport infrastructure is required with new growth. RK explained that the modelling has not indicated a need for an Eastern Bypass east of Luton.
- KO said that Luton will speak to AECOM and request that strategic infrastructure is considered in the round. KO explained that NHDC should not overall growth of Luton in its modelling.

Duty to Cooperate (DtC) Meeting at St Albans District Council
Friday 13th March at 2pm

Purpose

Tracy Harvey and Julian Daly (Planning portfolio holder and leader of the Council) have invited Luton's Head of planning and Executive member for Planning to a duty to cooperate meeting to discuss the progression of St Albans City and District Council's Strategic Local Plan and wider spatial planning issues and interaction with our neighbours and surrounding districts.

Background

- St Alban's consultation on their Strategic Local Plan (SLP) November 2014
- LBC's written letter response dated 19/11/14
- Unmet need within Luton and Luton's HMA – impact on neighbouring LAs and beyond - in meeting Luton's and their own needs
- St Albans should engage on their plan making and DtC with neighbours with this in mind
- SLP proposes 4,000 dwellings (2,500 within the plan period) via Green Belt releases for regeneration east of Hemel Hempstead (north and south allocations) which lies on the West Coast Mainline and M1 connectivity to Luton via M1 J10a and to deliver the North East Relief Road
- SLP proposes 498 dwellings north east Harpenden on the MML rail corridor and access to Luton via A1081

Issues

- LLAOL growth studies indicate limited capacity on the A1081 and B653 toward Harpenden
- SLP proposals will therefore need a Transport Assessment
- SLP evidence work should Acknowledge Luton's sub regional economic role - aviation and related engineering – forthcoming Functional Economic Market Assessment work – SLP already recognises such airport economic benefits (jobs)
- Significant growth allocations east of Hemel –Hempstead – impact on M1 and M1 J10a
- Greater London plan – London – Luton - Bedford is a 'Strategic Coordination Corridor' and with above issues, including unmet housing need and airport growth – we need to understand the cross boundary transport (investment) implications of cumulative growth and SLP development proposals
- Welcome DtC dialogue on such issues.

**Luton & Central Bedfordshire HMA/SHMA Steering Group
Minute 20th April 2015**

Attendees:

**Chris Pagdin; Chair (LBC)
Kevin Owen (LBC)
Paul Barton (LBC)
Eddie Holmes (LBC)
Richard Fox (CBC)
Andrew Marsh (CBC)
Jonathan Lee (ORS)
Carolyn Barnes (BBC);
Richard Kelly (NHDC)
Bob Wilson (MKDC)
Louise Symes (NHDC)
Nigel Smith (Stevenage BC)
Peter Williams (AVDC)
Manpreet Kanda (St Albans DC)**

Agenda

1. Apologies Introductions/Apologies

- John Chapman (DBC)

Local Authority Round- Up

- LBC Pre-submission in Autumn 2015; refreshing some elements of the evidence base to address representations on the draft Local Plan (e.g. Retail need and Employment Land Supply; take Pre sub plan to Executive 24th August.
- BBC to undertake a further consultation as part of the issues and options stage in autumn 2015
- MKDC Plan MK and Visioning next 50 yrs workshops recently – Site allocations plan delay political clearance; CMK Neighbourhood Plan uncertainty over vote in May.
- AVDC Reg 18 consultation and call for sites; draft HEDNA (including work on Chilterns and Bucks HEDNA) awaiting work on CLG data implications; Issues and Options October/Nov 2015 and adoption 2016.
- Stevenage progressing evidence work SHMA in view of CLG 2012 figures uplifting HH growth by potentially 40%; Draft plan consultation in June/July.
- St Albans – Draft Strategic Plan consultation in the Spring, representation being reported to Council; updating SHMA evidence to account for CLG 2012 figures

- NHDC Pre submission draft towards end of 2015; updating SHMA evidence re CLG figures
- CBC process awaiting legal challenges

2. ORS - Paper/presentation on SHMA Update 2015 (Jonathan Lee)

- LBC had now agreed the age/gender profile of migrants with ORS and these had been applied to the LBC and CBC projections including assumptions on vacancy rates, and concealed HH (effect is less out migrants as more children/fewer HH)
- A 10 yr long term migration trend applied as it is more defensible than 20 yr used in previous SHMA
- A large unattributable change adjustment was necessary for CBC (7,000 people) in the MYE
- The 10 yr projections increase across the study area but are consequently marginally lower than CLG rates across the plan period taking account of all of the above assumptions and adjustments
- However, broadly there is a need for a step increase in housing provision across the plan area to meet demand +41,400 HH SHMA 2015 compared to +41,000 HH SHMA 2014 (10yr mig)
- Housing Mix (Affordable/market) also has also yet to be determined and ORS are currently updating the model to closer align with national guidance (based on examination evidence) and which will increase the requirement as an uplift will be necessary for market signals adjustment (taking into account delivery/local targets)
- C2 residential institutions accommodation – discussion of approaches in respective SHLAAs and issue of HH v's bed spaces - preference was to keep the technical output of the C2 calculation for future reference but not to include in the OAHN
- ORS suggested that the Eastleigh Examination (Inspector letter Simon Emerton) was instructive on the need to market signals adjustment – 10% used
- There is no case for reducing Luton's OAHN based on market signals uplift (in the previous SHMA 2014) because Luton sustains the highest need across the HMA
- However, CBC's figure needs an uplift adjustment as this was not made in the previous SHMA 2014
- ORS cannot see any case for less than 10% adjustment for the areas combined
- key factors for CBC are the 10 yr migration trend and revised 2010 births/deaths and natural increase influencing their need
- S.78 appeal ORS reported interim position for CBC as +29,400 HH

- There is a case that concealed HH adjustments could moderate the CBC figure
- ORS consider that CBC and LBC will also need to factor in labour supply balance for meeting the current employment targets which will lead to significant uplift as they currently stand

6. AoB

- N/A

Date of next meeting: moved from 11th May 2015 at LBC Central Library 11 am to 13:00 pm

**HMA/SHMA Steering Group Meeting
Friday 11th May 2015
Luton Central Library Room 1/2
13:00 to 15:00 pm**

- 1. Introductions/Apologies**

- 2. Minutes of previous meeting**

- 3. SHMA Update 2015 – ORS presentation of outputs**

- 4. Bedford OAN Report - ORS summary of findings**
http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/planning_policy_its_purpose/monitoring.aspx

- 5. HMA Refresh 2015 – ORS update**

- 6. Next Steps**

- 7. AoB**

**Luton & Central Bedfordshire HMA/SHMA Steering Group
Minute 16th June 2015**

Attendees:

Kevin Owen - Acting Chair (LBC)
Troy Hayes (LBC)
Paul Barton (LBC)
Lynsey Hillman-Gamble (CBC)
Carolyn Barnes (BBC)
Sam Dix (MKDC)
Richard Kelly (NHDC)
Nigel Smith (SBC)
Peter Williams (AVDC)
Chris Butcher (EHDC)
Andrew Turner (WHDC)
Jonathan Lee (ORS)
Trevor Baker (ORS)

Agenda

1. Introductions/Apologies

- John Chapman (DBC)
- Bob Wilson (MKDC)
- John Williamson (South Cambs)
- Andrew Marsh (CBC)
- Richard Fox (CBC)

2. Preliminary Areas – Data Study (ORS - Jonathan Lee)

- Followed rules based approach to MSOA geography revision using 2011 Census TTWA and reviewing the 2008 HMA Study outputs
- However, a degree of pragmatism is needed because not all geographies necessarily agree – there are overlaps
- This HMA review combines and updates 3 factors – house prices; migration; travel to work
- There was a need to discount the over dominant Greater London effect to determine sensible boundaries
- Following an iterative rules based approach from self-containment of seed points and then clustering, several scenarios were run from 70% up to

- 72% - the higher the % self-containment threshold (people living and working in the area TTWA) - the bigger the geographies and so 72% seemed a logical point to stop
- At MSOA and 72% there were some significant changes to the HMAs (as attached map)

3. Key comments Arising

- LBC asked whether the changes to the HMA boundaries were due to changes in methodology or arising from the Census data?
- ORS considered that this was due to the 2011 TTWA data and other factors outlined above – however, the geographies were very susceptible to small changes in the self-containment scenarios due to the low population levels of some rural areas with low bases
- Scenario sensitivity issues were raised regarding:-
 - Harpenden – Luton vs. St Albans
 - Leighton Buzzard – Luton vs. Milton Keynes
 - Luton – N. Herts
 - Sandy / Biggleswade – Bedford vs. Stevenage
 - Welwyn Garden City – Stevenage vs. St Albans
- Suggested that some of these may have arisen from
 - order in which ‘seed points’ were amalgamated – e.g. Sandy / Biggleswade assigned to Bedford before Stevenage grouped with Hitchin / Letchworth;
 - Use of MSOA as opposed to finer LSOA and COA data (e.g. Luton peripheries in North Herts)
- More justification was sought for the 70% and 72% scenarios
- and relationship to Broad Rental Market Areas

4. Timetable & Next Steps

- LBC advised that it would be critical for the covering report to explain the reasons for the changes from the 2008 HMA geography set to the 2015 set – and the degree of change attributed to the 2011 data as opposed to methodology
- Agreed that ORS would review the comments and produce 3x further geographies:-
 - HMA MSOA based only on “core” seeds (so smaller areas that were originally considered as seeds are “deseeded”)
 - HMA COA based on “core” seeds
 - HMA best fit
- There may be a need to explore a hybrid approach for some areas and set these out in the final study

Action

- ORS will circulate the slides following the meeting

- ORS will circulate revised slides with the 3 x geographies week beginning 22nd June
- Output study will be disseminated by 3rd of July – provisional date of the next meeting should it be needed

5. Luton/CB SHMA 2015 significance and outstanding outputs

- ORS confirmed that this work would not materially affect the Luton/CB SHMA 2015 Study outputs

Action

- ORS to circulate the revised Draft SHMA by 3rd July – clarifying the OAHN methodology with respect to the overcrowding and concealed HH and the policy response being the 10% uplift across the Luton/CBC i.e. above the OAHN
- ORS to circulate the SHMA Housing Mix appendices at the same time.

6. AOB

- N/A

Date of next meeting: moved from 3rd July (Provisional) 2015 at LBC Central time and venue TBC [Note this was via a telecon on the Friday afternoon 3rd July]

Notes of Meeting between North Hertfordshire District Council and Luton Borough Council

Luton Town Hall 27 July 2015 2.00pm

Present: Chris Pagdin (LBC), Troy Hayes (LBC), Simon Ellis (NHDC), Chris Carter (NHDC).

SE and CC started by giving an update on the status of both the 'live' Bloor Homes application to the east of Luton, and the Crown Estate proposals that have been submitted for scoping/screening. It was noted that NHDC has been working with both parties to try and seek solutions to technical issues with the main outstanding issue from a NHDC perspective being education.

CP then gave an outline of the secondary school situation in Luton Borough and the pressure that exists for places now and is projected to continue in future. It was noted that one option may be for Luton to provide places for pupils from this development on a cost per pupil (which has not yet been determined) and subject to the phasing of the development.

SE then outlined that the situation may in fact have moved on from this with an on-site solution being a possibility. CP expressed the view that LBC may be interested in adding additional forms to any new school in Hertfordshire, on the edge of the Borough, that may help LBC meet some of their needs.

CP then gave an outline of the situation with regard to transport, and principally highways, impacts that the development may have. It was noted that the sites would access Luton by Crawley Green Road, Eaton Green Road and Vauxhall Way, in the main. Luton has lots of transport data and evidence to show that these roads are already at almost "full" capacity.

CP expressed the view that LBC would be consistent in their response to these applications, as they have been in responses to the NHDC plan making process, to the effect that these sites are not sustainable in highways terms without the delivery of some kind of eastern by-pass, and that this may require a larger scheme of approximately 5,000 homes.

Discussion then moved on to the proposed growth options study.

TH explained that the draft brief had been written collectively by officers from Luton and Central Bedfordshire Councils. So far no market testing had taken place and no specific set of consultants was envisaged for the work.

CC explained that NHDC would like to be a member of the steering group rather than the commissioning group.

CC raised the question as to whether the two stage approach might mean that a decision is being taken before the study that it is most sustainable to meet the needs in the Housing Market Area (HMA) rather than beyond it. Does an appraisal of all options need to take place before work on locations can happen.

CC commented that NHDC was concerned about how long this work may take to conclude, particularly if stage two of the process is required. NHDC acknowledged however that to proceed

with submission of the Local Plan for examination, without this piece of work taking place, would be high risk to the Council.

Concern was raised by all parties regarding the commitment of Central Bedfordshire Council to the growth study at this stage. This was on the basis of that Council's continued pursuit of judicial review proceedings regarding their development strategy.

CC then gave an update on the general local plan picture in North Hertfordshire. That the Council is now analysing the 18,000 pages of representations that have been received and digesting what further work needs to be undertaken as a result.

TH set out that LBC expects to take a pre-submission plan through their Executive on 24 August with consultation taking place between September and November 2015. A submission version of the plan is then expected in January.

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Luton Borough Council and Central Bedfordshire Council Update meeting

Note of meeting: 1000, 25 September 2015

Location: Priory House, Chicksands

Present:

Central Bedfordshire Council (CBC):

Adrian Davie, Development Infrastructure Group Manager (AD)

Richard Fox, Head of Development Planning and Housing Strategy (RF)

Sue Frost (SF) Local Planning & Housing Manager

Luton Borough Council (LBC):

David Carter, Strategic Planning Manager (DC)

Laura Church, Head of Service Business & Consumer Services (LC)

Troy Hayes, Principal Planner (TH)

Kevin Owen, Local Plans Team Leader (KO)

Chris Pagdin, Service Director Planning & Transportation (CP)

1. CBC update

AD explained the current position in relation to the High Court. He identified two potential outcomes (1) that CBC be allowed to continue with their local plan and in anticipation of this CBC were checking what the implications for additional work might be and, (2) gearing up for the actions that might need to be taken in the event the plan falls. The outcome of the application for leave to appeal was expected over the next month.

2. LBC Local Plan and Evidence Base Update

KO summarised the current position on the Luton Local Plan. The Executive on 21 September had agreed to a Pre-Submission version of the plan that would go out to consultation from October to December 2015. It was anticipated that Full Council would consider the Submission version on 22 March 2016 with the Examination hearings taking place in June/July.

CP noted a couple of changes that had emerged including a decision following on from Scrutiny that specific sites for Gypsies and Travellers would be considered separately leaving a criteria-based policy in the plan. He confirmed that significant progress would be made developing the approach including consultation and analysis of sites and this would take account of the fluid national position on definitions. CP also explained how there would be a 'one-hit' approach to the plan following the resolution of outstanding matters regarding the strategic allocation at Century Park. This would help save both time and money.

In relation the urban capacity CP summarised the scope of technical work that had been carried out highlighting the fragile position on viability in Luton's housing market. Nevertheless he confirmed that housing capacity within Luton had risen by 1,000 dwellings. Affordable housing provision remained the top priority but this was constrained in some sources of housing such as office

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conversions and viability limited what was achievable on other sites. CP also stressed how school capacity was a major issue affecting Luton and the effect this would have on the potential for further housing. SF raised the potential to expand the existing school at Luton South but CP explained how this was not feasible since it was affected by the airport flight path and safety zone. CP also referred to congestion issues affecting the town. CP highlighted how all the evidence would be made available so that any outstanding concerns could be tested at the public examination. As things stand he considered that Luton's capacity had been stretched as far as reasonably practicable and achievable given viability constraints.

RF welcomed the increase in Luton's housing capacity and there was a further discussion on the need to address education and transport infrastructure issues arising from growth within and on the edge of Luton. The improvements to M1 J10A had significantly helped address issues affecting key employment opportunities and that modelling work had identified benefits of other planned improvements such as the A6-M1 link.

3. Duty to Co-operate and Growth Options Study

RF explained that from CBC's perspective the discussion on the proposed study needed to be caveated to cope with potential different outcomes at the High Court. It was recognised that additional options should be considered and that the intent was to be both constructive and helpful. CP suggested that the study would be required, regardless of the High Court issue and it was important for the two authorities to work together to strengthen the position of both authorities in taking forward their development plans.

Following a discussion looking at the different High Court outcomes an agreed line emerged. The key components of this were as follows:

- a) There was a shared view that the Growth Options Study should proceed with early finalisation of the brief, appointment of consultants and completion of the Study. The preparation work should proceed in advance of any decisions relating to the High Court.
- b) To meet CBC's concerns over the Green Belt and SA implications across the whole of their administrative area (covering parts of four HMAs) that a two-section study would be commissioned (i.e. Section 1 covering the Luton HMA with Section 2 covering those areas outside the Luton HMA within Central Bedfordshire). The methodology for both sections would be the same.
- c) CBC agreed to look at the changes to the brief to cover point b). Timescale: two weeks i.e. by 9 October 2015.
- d) Once the brief had been agreed by both authorities it would be shared with the other related authorities in parallel with the commissioning process. This was possible since earlier comments from these other authorities would already have been reflected in the final brief and no further changes would be required at that stage.
- e) The study would be commissioned by the two authorities recognising that governance arrangements for Section 1 (the Luton HMA) would be different to Section 2 (the remainder of Central Bedfordshire) which would be CBC's responsibility. If the partner authorities

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wished to become full partners to the study then they could do so dependent on an appropriate contribution to the cost.

- f) LBC offered to procure the study drawing on the HCA Framework List.
- g) On governance for Section 1 it was proposed that a core Steering Group should comprise senior officers and members (two per authority). Meetings would be chaired by a senior officer. Chairmanship and meeting location would alternate. Progress would be on the basis of consensus with no voting. Governance for Section 2 would be a matter for CBC.
- h) A wider contact group including the other areas part covered by the Study would be established with meetings being programmed to immediately follow on from the core steering group meetings.
- i) The cost of the project was likely to be up to £100K, well below the OJEU threshold. Bidders would be expected to identify the separate costings of Section 1 and 2 of the study.
- j) Overall Study timescale. Target completion by end of April 2015.

4. Evidence Studies

The discussion had covered most items. Both authorities updated on the current position on FEMA studies.

5. AOB

RF gave a short update on the position re CIL in Central Bedfordshire with the current programme looking to produce a submission version by the end of the year.

CP suggested that early feedback on the outcome of the meeting should be made to senior Members so there were briefed in the event of contact with their counterparts.

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Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with Central Bedfordshire Council

1530, Wednesday 11 November 2015 at CBC Offices

Note of meeting

Present:

Sally Chapman (SC) – Central Bedfordshire Council
Andrew Davie (AD) – Central Bedfordshire Council
Sian Farrier (SF) – Central Bedfordshire Council
Rachel Geddes (RG) – Central Bedfordshire Council
Troy Hayes (TH) – Luton Borough Council
David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC as a series of bi-lateral meeting with neighbouring authorities to take place during the consultation period of the Pre-submission version of the Luton Local Plan. It was recognised that the meeting could also function as part of the DtC in relation to the Central Bedfordshire Local Plan. DC indicated that he would prepare a draft note of the meeting which he would share, for agreement, with CBC.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 TH explained the position on the current consultation and summarised the key timeline leading to submission planned for end of March 2016 leading to an Examination in June/ July.

1.2 TH summarised the key difference to the LLP since the earlier consultation draft highlighting:

- The level of housing provision had increased by c1,000 dwellings to 6,700 dwellings 2011-31 referring to additional capacity brought forward through redevelopment of the Britannia Estate for mixed use including housing and at Newlands and through office conversion to residential.
- The overall strategy remained much the same with housing capacity being capped/ constrained and ongoing viability concerns. There was a shortage of land within the borough compared to the scale of development requirements.
- The scarcity of land also impacted on LBC's ability to provide supporting infrastructure such as new schools. The increase in demand within the next five years could be accommodated but there were still concerns in the longer run, especially to the south of the town.
- Retail growth had now been updated to reflect the latest SHMA, picking up comments raised in earlier representations. The objective was to strengthen the role of Luton as the regional shopping centre clawing back loss of trade in both comparison and convenience retail. There was still some concern about the potential impact of retail growth North of Houghton Regis.
- The London Luton Airport strategic allocation had been amended to integrate Century Park.
- Outside of the strategic allocations the plan had included additional housing at Britannia Park and the plan would enable further change of use from employment but in a carefully managed way. Employment sites had been categorised 'A' or 'B' as part of the plan.

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1.3 AD asked if the Enterprise Zone at London Luton Airport was a proposal in the plan. TH explained this was not the case since it had been developed working with SEMLEP. The EZ did not lead to additional site allocations. DC agreed to send a scanned copy of the EZ leaflet (appended to these minutes). AD also asked about the timing of the employment land update. This is available as part of the LLP Evidence Base online. TH indicated this work was undertaken by Nathaniel Lichfield & Partners and was completed in October 2015.

2. Update on the Central Bedfordshire Local Plan.

2.1 AD explained the current position following the recent withdrawal of the Development Strategy. CBC were now resetting the process and relaunching their Local Plan including the approach they would be taking to the Duty to Co-operate. The Government's 2017 deadline for having local plans in place meant they would be facing a challenging timetable. A range of technical studies would be updated such as the FEMA and the Sustainability Appraisal. Previously there had been a call for sites restricted only to sites with a capacity of 500+ dwellings. A new call would be undertaken in the New Year without that restriction and the work would also include a Green Belt review. AD stressed they would be seeking Member engagement with LBC as part of this process, probably early in 2016.

2.2 DC explained that Councillor Castleman was the new Portfolio Holder in LBC and following the officer-only meetings it was hoped that Member meetings could also be arranged. There appeared to be scope for a meeting to cover both local plans. DC explained that in all the meetings held so far there was a general feeling that in relation to the DtC, 'a new leaf had to be turned', and the concentration of effort on securing progress on all plans. AD suggested that the way the planning system was set up did not make this very easy but it was agreed that a degree of compromise could enable an acceptable way forward to be found to overcome difficulties. DC indicated that in relation to the LLP we recognised could include the need to review the plan.

2.3 It was noted that the end-date of the LLP was 2013 and that CBC would now work towards an end-date of 2036. It was noted that CBC would be updating their LDS in due course.

2.4 In relation to G&T SC indicated that the Government response on the Maldon Local Plan was important in helping CBC shape their future approach.

3. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

(a) Overall approach in the respective local plans.

3.1 DC opened the discussion by referring to some of the difficult challenges facing Luton in approaching its Local Plan:

- Rising population with young age profile, fuelled by in-migration and rising birth rates.
- Key economic assets – town centre as sub-regional centre, LLA and strong manufacturing base: potential for significant growth to benefit Luton residents and adjoining areas alike.
- Luton's growth, however, is constrained. The urban edge, Green Belt and local authority boundary largely the same limiting capacity for growth.
- Viability of development and affordability are big issues as is the scarcity of land for supporting infrastructure to accommodate population growth such as schools particularly in the south of the town where intensification, density and commitments is highest.

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AD asked why Luton's population had a young age profile leading to rapid growth. DC indicated the growth was at least part explained by in-migration into the town through LLAP and by the likely different birth rates amongst the varied make-up of the town's population.

(b) Estimation of housing requirements within Luton and the wider Luton Housing Market Area.

The following points introduced the discussion:

- This item focussed on the needs side of the equation. We now have the benefit of up-to-date SHMA and Housing Market Area Studies.
- It is important not to confuse Luton's needs with those of the wider housing market area. The needs within the latter are shared between all the authorities affected. This is complicated since this falls over several LA areas, mainly CBC but also including part of NHDC and AVDC's area.
- Reference to the difference between functional and 'best fit' HMAs and then the reality 'on the ground'
- The housing requirement in the Luton HMA is 17,800 dwellings. Some might argue it could be significantly higher under different assumptions.
- Subject to the factors we already identified under 'challenges' earlier and demonstration of viability we are keen to accommodate as much housing within the Borough as we reasonably can without undermining environmental quality and undermining the quality of life.

(c) The level and distribution of housing provision and the approach to dealing with Luton's unmet housing needs, including affordable housing.

- Housing capacity within Luton is informed by our SHLAA. As each iteration has been produced our understanding of potential capacity has improved.
 - We have increased the level of housing provision by c1,000 dwellings to reflect the most recent understanding.
 - We will be updating the SHLAA in the run up to our Examination. This may lead to some additional capacity, such as further office to residential conversions.
 - This has scope to reduce the level of the housing shortfall in Luton but only by a limited amount and will similarly be constrained by lack of capacity of education provision and other infrastructure particularly in and around the town centre and the south of Luton.
 - The housing shortfall currently stands at c11,000 dwellings.
 - While the quantum of housing need is a major issue in many ways it is affordability which can be seen as the greater issue.
 - This means that we are looking for appropriate levels of affordable housing in the housing 'overspill' and the means for at least a proportion of this to be accessed directly from those in need within Luton. This is an important challenge.
 - In meeting the housing shortfall we know of existing or emerging proposals that can make a significant contribution:
 - Houghton Regis – c5,000 dwellings (not forgetting the reserve beyond the plan period which could take the proposals up to 7150 dwellings)
 - N of Luton – potentially c2,000 dwellings (as above, with AD noting that following withdrawal of the CBC Development Strategy the the status of the N of Luton proposals had also been removed.)
 - N Herts – potentially c 2,000 dwellings
- BUT – some of that capacity would be needed for Central Beds own needs. Infrastructure provision as well as affordability remain significant issues.

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- The proposed Growth Study – already mentioned – remains our preferred way to bottom this out including engagement between the LPAs concerned. Green Belt is inextricably linked to this.

The discussion relating to both (a) and (b) focussed on consideration of Green Belt and the Growth Study. It was confirmed that LBC recognised the study would re-examine urban capacity and the consideration of Green Belt options would also embrace the small amount of Green Belt within Luton's area. If the outcome of the study led to implications for the LLP then DC indicated this could be dealt with by way of a review of the plan. If LBC did not proceed with the current plan there would be a risk that we would fail to meet the Government's 2017 deadline for local plan completion.

In terms of the Growth Study brief, reference was made to the earlier meeting held on 25 September 2015 which referred to the urgency of the study and the outcome where CBC were to provide an update of the brief. AD acknowledged the delay due to the consideration of the withdrawal of the Development Strategy and agreed to crack-on with the work on updating the brief. It was recognised that the implication of the delay was that the completion of the study envisaged for the end of April 2016 would not now be achievable.

DC noted the interest in the Growth Study of the other local authorities and the need to involve them in taking forward the study. This had, for example, been raised in a meeting the previous week with Bedford Borough Council.

In terms of the distribution of Luton's unmet need DC stressed that it was not for LBC to define this working alone. There was a need for the work and agreement to involve all the relevant parties. DC stressed that LBC remained fully committed to full and active participation in this important study and the process required to agree a resultant strategy. There were number of ways in which any shortfall could be dealt with including options such as a dispersed growth, growth at nodes along transport corridors or further development on the urban edge such as west of Luton.

(d) Functional economic relationships and the level and distribution of employment land provision.

- LBC's approach towards the economy and employment is central to the plan and as our contribution to the wider SEMLEP Strategic Economic Plan. Luton has historically played an important role as an employment centre over a wider hinterland, a role we expect will continue.
- We anticipate provision of c18,000 net new jobs (of which c8,000 will be Class B) over the plan period. Strategic allocations at Stockwood Park, LLA (including Century Park), Butterfield, Power Court, Napier Park, High Town and the Creative Quarter will be the key to much of this growth.
- Essentially all these proposals either carry forward allocations from the existing local plan or are previously developed sites/areas in need of renewal and investment.
- Role and influence of LLA specifically needs to be highlighted given growth of to 18 mppa within the plan period. Proposals for designation of an Enterprise Zone highlight the significance attached to this.
- Outside of the strategic allocations we have carried out an assessment of all existing employment areas to ensure that key employment land is protected from alternative uses is afforded where it is justified whereas the poorest performing land has been allocated for redevelopment and marginal land is husbanded for improvement until alternative suitable and affordable space is built out and market criteria are satisfied.

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- Work on updating the FEMA is now underway and all adjoining authorities were consulted on the brief for this work. LBC and CBC consultants had been asked to liaise to ensure consistency in the work as it was taken forward.

(e) The hierarchy of centres and the level and distribution of retail provision.

DC opened the discussion by explaining the local plan provides strong support to Luton town centre and allows for significant strengthening of its retail role as a regional centre. The forecast demand for convenience and comparison goods is based on the SHMA 2015 population figures and assumes that Luton must increase its market share in both cases to address leaked trade and competition to other major regional centres and significant developments.

(f) Appropriate provision made for public and private transport including Park & Ride and commuting patterns.

DC made the following introductory remarks:

- Maybe self-explanatory but we are concerned about the potential impacts of more traffic being directed through radial routes into the town. Traffic modelling shows that growth requires significant mitigation within the town. This explains why our 'asks' on major urban extensions emphasise the importance of completing strategic orbital linkages.
- Clearly we are keen to encourage greater use of public and other means of sustainable transport so we would hope the Growth Options Study could take this into account and examine, for instance, the scope for growth close to rail stations with local passenger services to accommodate growth that might not be possible closer-in with urban extensions to the Luton conurbation.
- Significant additional modelling work is underway to understand these matters.

(g) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure.

DC noted how this item is trying to ensure that our various plans are consistent across boundary such as transport networks, water infrastructure designations etc.

It was agreed that there were no specific issues at this stage.

(h) Green Belt matters.

DC reiterated the points made earlier in the meeting:

- There is very little designated Green Belt in Luton's area. The potential for it to be developed has been assessed against the national purposes of the Green Belt and none is proposed for development.
- If the Growth Study looked at Green Belt options across the sub-region and came to a different conclusion then we have to take that into account in a review of the plan. We think this is unlikely to be the case.

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(i) Minerals and waste.

The separate Joint Minerals & Waste Local Plan for Luton and Central Bedfordshire was noted. Neither District know of no particular issues outside of this.

(j) Water resources including flooding.

It was noted that LBC have prepared a Water Cycle Study and Strategic Flood Risk Assessment and are not aware of 'show stopper' issues likely to be of cross boundary significance although some capacity investment will be needed particularly in regard north of Luton.

CBC had no specific cross boundary matters raise under this topic.

(k) Air quality matters.

For completeness, LBC are not aware of anything specific. The M1 is an obvious corridor of air pollution and LLA too. The latter might be raised from a noise perspective.

There were no specific cross boundary issues noted.

(l) Gypsies & Travellers.

TH had already explained LBC's approach to the Part 2 Local Plan to deal with G&T matters but progress was dependant on clarity from Government/ Courts. It was agreed there were no cross boundary implications between the two authorities on this matter.

(m) Any other matters that might reasonably identified under the Duty to Co-operate.

No further matters were identified.

4. Scope for Statement of Common Ground/ Memorandum of Understanding in the light of the earlier discussion.

There was general agreement that Member level discussions could be very useful and potentially lead to some form of Memorandum of Understanding or Statement of Common Ground.

5. Next steps.

DC would produce a draft note which he would send over for agreement.

Once CBC had responded to the LLP we would then get in touch to see if a further officer meeting might be needed as a precursor to a Member-level meeting (which could cover both local plans).

The meeting ending at c1640.

Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with Aylesbury Vale District Council

1000, Wednesday 11 November 2015 at AVDC Offices

Note of meeting

Present:

Andy Kirkham (AK) – Aylesbury Vale District Council
Peter Williams (PW) – Aylesbury Vale District Council
Kevin Owen (KO) – Luton Borough Council
David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC as a series of bi-lateral meeting with neighbouring authorities to take place during the consultation period of the Pre-submission version of the Luton Local Plan. It was recognised that the meeting would also function as part of the DtC in relation to the Vale of Aylesbury Local Plan.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 DC explained the position on the current consultation and summarised the key timeline leading to submission planned for end of March 2016 leading to an Examination in June/ July.

1.2 KO summarised the key difference to the LLP since the earlier consultation draft highlighting:

- The level of housing provision had increased by c1,000 dwellings to 6,700 dwellings 2011-31.
- The overall strategy remained much the same with housing capacity being capped/ constrained and ongoing viability concerns. There was a shortage of land within the borough compared to the scale of development requirements.
- The scarcity of land also impacted on LBC's ability to provide supporting infrastructure such as new schools. The increase in demand within the next five years could be accommodated but there were still concerns in the longer run, especially to the south of the town.
- Retail growth had now been updated to reflect the latest SHMA, picking up comments raised in earlier representations. The objective was to strengthen the role of Luton as the regional shopping centre clawing back loss of trade in both comparison and convenience retail. There was still some concern about the potential impact of retail growth North of Houghton Regis.
- The London Luton Airport strategic allocation had been amended to integrate Century Park.
- Outside of the strategic allocations the plan had included additional housing at Britannia Estate employment area and the plan would enable further change of use from employment but in a carefully managed way. Employment sites had been categorised 'A' or 'B' as part of the plan.

1.3 AK asked about the extent that potential capacity from employment sites had been reflected in the supply. KO indicated that the process would be monitored through the SHLAA going forward, effectively treating further capacity from that treated as windfalls. It was recognised that this was a cautious but realistic approach in the context of viability concerns and the fact that the sites that might be brought forward are currently occupied providing much needed employment.

2. Update on the Vale of Aylesbury Local Plan.

2.1 AK and PW summarised the position of the Vale of Aylesbury Local Plan. This was currently out for consultation on Issues and Options. This had been informed by completion of the Housing and Economic Need Assessment (HEDNA) and a call for sites which had brought forward suggestions with a potential capacity of 60-70K dwellings although it was considered that c26K of these might be suitable.

The HEDNA indicated a need for 21K dwellings to meet the need of AVDC but this was supplemented by undefined additional needs. Allowance of 10K capacity was being built in in relation to this.

In order to achieve 31K dwellings over the plan period it was considered that further capacity from two of the following three sources would be required; a new settlement, intensification of development on the edge of Milton Keynes.

In relation to employment an additional 22 hectares of land was needed adding to the 77 hectares already allocated.

Housing delivery would be an issue with a suggestion that the delivery of 400 dwellings per annum seemed an upper limit within a new settlement. Overall 1550 dwellings per annum would be required which compares with delivery of 1400 dwellings per annum in recent years. This represented a considerable challenge.

Infrastructure issues included matters raised by HS2 and proposals for new east-east road and rail links which could clearly have implications for the location of growth.

It was explained that the plan would have a plan period of 2013-33. It was intended to publish a draft plan in the Spring of 2016 with submission in late 2016 and an Examination in early 2017.

On Neighbourhood Planning some 25/26 plans were in the pipeline with seven already completed.

In response to a question it was indicated that affordable housing at 22% was envisaged although some uncertainty had come into play in the light of recent government announcements.

3. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

(a) Overall approach in the respective local plans.

DC opened the discussion by referring to some of the difficult challenges facing Luton in approaching its Local Plan:

- Rising population with young age profile, fuelled by in-migration and rising birth rates.
- Key economic assets – town centre as sub-regional centre, LLA and strong manufacturing base: potential for significant growth to benefit Luton residents and adjoining areas alike.
- Luton's growth, however, is constrained. The urban edge, Green Belt and local authority boundary largely the same limiting capacity for growth.
- Viability of development and affordability are big issues as is the scarcity of land for supporting infrastructure to accommodate population growth such as schools particularly in the south of the town where intensification, density and commitments is highest.

Points raised during the discussion focussed on viability still being an issue. Especially on brownfield sites and abnormals that tend to remain on former employment land. The need for appropriate supporting infrastructure was also an important issue since without this traffic conditions through the town centre would be intolerable.

On affordable housing KO explained how a 20% target was identified. While this was below earlier estimates it had been pitched at an achievable level. The record of delivery on S106 schemes was poor with no affordable contributions over the previous 4 years and new affordable housing having been provided only on 100% schemes on council-owned sites.

(b) Estimation of housing requirements within Luton and the wider Luton Housing Market Area.

The following points introduced the discussion:

- This item focussed on the needs side of the equation. We now have the benefit of up-to-date SHMA and Housing Market Area Studies.
- It is important not to confuse Luton's needs with those of the wider housing market area. The needs within the latter are shared between all the authorities affected. This is complicated since this falls over several LA areas, including part of AVDC's area.
- Reference to the difference between functional and 'best fit' HMAs and then the reality 'on the ground'
- The housing requirement in the Luton HMA is 17,800 dwellings. Some might argue it could be significantly higher under different assumptions.
- Subject to the factors we already identified under 'challenges' earlier and demonstration of viability we are keen to accommodate as much housing within the Borough as we reasonably can without undermining environmental quality and undermining the quality of life.

The discussion centred on the housing shortfall, the opportunities already identified, especially those in Central Bedfordshire and the Growth Options Study. The uncertainty on the position in Central Bedfordshire (CBC) was also noted (e.g. the status of the north Luton Framework Plan was predicated on the Development Strategy) although the Council meeting on 19 November should help to provide more clarity. The SHMA 2015 also shows an increased OAHN for the wider Luton HMA (i.e. up from 30,000 to 31,100).

There was agreement on the importance of the Growth Options Study, noting that CBC had circulated a draft brief for comment and that there needed to be an increase in the tempo of this work (this is discussed further below).

(c) The level and distribution of housing provision and the approach to dealing with Luton's unmet housing needs, including affordable housing.

- Housing capacity within Luton is informed by our SHLAA. As each iteration has been produced our understanding of potential capacity has improved (through; allocating Britannia Estate; intensification at Newlands Road; B1 to resi; smaller windfall)
- We have increased the level of housing provision by c1,000 dwellings to reflect the most recent understanding.
- We will be updating the SHLAA in the run up to our Examination. This may lead to some additional capacity, such as further office to residential conversions.

- This has scope to reduce the level of the housing shortfall in Luton but only by a limited amount and will similarly be constrained by lack of capacity of education provision and other infrastructure particularly in and around the town centre and the south of Luton.
- The housing shortfall currently stands at c11,000 dwellings.
- While the quantum of housing need is a major issue in many ways it is affordability which can be seen as the greater issue.
- This means that we are looking for appropriate levels of affordable housing in the housing 'overspill' and the means for at least a proportion of this to be accessed directly from those in need within Luton. This is an important challenge.
- In meeting the housing shortfall we know of existing or emerging proposals that can make a significant contribution:
Houghton Regis – c5,000 dwellings (not forgetting the reserve beyond the plan period)
N of Luton – potentially c2,000 dwellings (as above)
N Herts – potentially c 2,000 dwellings
BUT – some of that needed for Central Beds own needs and infrastructure provision as well as affordability remain significant issues.
- The proposed Growth Study – already mentioned – remains our preferred way to bottom this out. Green Belt is inextricably linked to this.
- In the meantime we feel that progressing the Luton Local Plan to adoption will provide a degree of certainty that has been missing from these discussions over the past couple of years.

The points discussed under this item included the uncertainties surrounding brownfield land and the potential impact of windfalls. PW also mentioned the additional uncertainty and potential impact of further relaxation of planning powers potentially opening up demolition and rebuild not just change of use.

The discussion then returned to consideration of Green Belt and the Growth Study. It was confirmed that LBC recognised the study would re-examine urban capacity and the consideration of Green Belt options would also embrace the small amount of Green Belt within Luton's area. In responding to a suggestion this could be a risk to the LLP by the Study KO emphasised that any issues picked up could be dealt with by way of a review of the plan. Recent events had shown that we could not guarantee successful completion of the study and that if we did not proceed with the plan then all of the evidence base would need to be repeated and there would be a risk that we would fail to meet the Government's 2017 deadline for local plan completion. KO also referred to the repeated attempts made to secure progress on this matter. Due to the administrative geography Luton does not depend on the completion of the Growth Study to proceed to adoption.

In terms of the Growth Study brief AVDC were concerned that this had previously referred to assessment of sites. This was not acceptable since this was clearly the responsibility of each Local Plan. It was agreed that LBC would re-examine the wording of the brief in relation to this and ensure that the work was carried out at a high level with the outcome based on strategic alternatives to help determine the distribution of the housing shortfall. This would then provide the basis for the relevant local plan to determine site allocations.

It was agreed that both authorities would encourage early progress on this matter in their discussions with CBC with the work proceeding on an inclusive basis. Actions agreed were for AVDC to raise this matter with CBC. LBC were continuing to raise this in discussions including a DtC meeting the following week. KO again emphasised that LBC is happy for the study to question urban capacity within Luton.

(d) Functional economic relationships and the level and distribution of employment land provision.

- LBC's approach towards the economy and employment is central to the plan and as our contribution to the wider SEMLEP Strategic Economic Plan. Luton has historically played an important role as an employment centre over a wider hinterland, a role we expect will continue.
- We anticipate provision of c18,000 net new jobs (of which c8,000 will be Class B) over the plan period. Strategic allocations at Stockwood Park, LLA (including Century Park), Butterfield, Power Court, Napier Park, High Town and the Creative Quarter will be the key to much of this growth.
- Essentially all these proposals either carry forward allocations from the existing local plan or are previously developed sites/areas in need of renewal and investment.
- Role and influence of LLA specifically needs to be highlighted given growth of 18 mppa within the plan period. Proposals for designation of an Enterprise Zone highlight the significance attached to this.
- Outside of the strategic allocations we have carried out an assessment of all existing employment areas to ensure that key employment land is protected from alternative uses where it is justified whereas the poorest performing land has been allocated for redevelopment and marginal land is husbanded for improvement until alternative suitable and affordable space is built out and market criteria are satisfied for release in the longer term.
- Work on updating the FEMA is now underway and all adjoining authorities were consulted on the brief for this work.

KO explained the background to employment growth in more depth including NLP's work on the FEMA which had proceeded to inception stage with the draft report back anticipated in February. AK highlighted the importance and 'skew' of the airport.

KO indicated that approach to employment is summarised by the Executive report on the Local Plan on 21 September 2015. The strategy has not changed, being based on the EEFM 2012 which underpins the 18K job growth figure. More recent estimates from Oxford are regarded as unrealistically low showing the depths of recession but are improving rapidly in 2014 and by extrapolation with the recovery this suggests the jobs target will be matched in future successive forecasts. The latest NOMIS BRES data shows strong employment growth.

(e) The hierarchy of centres and the level and distribution of retail provision.

DC opened the discussion by explaining the local plan provides strong support to Luton town centre and allows for significant strengthening of its retail role as a regional centre. The forecast demand for convenience and comparison goods is based on the SHMA 2015 population figures and assumes that Luton must increase its market share in both cases to address leaked trade and competition to other major regional centres and significant developments.

AK noted a similar approach towards retail in AVDC and in the absence of new sub-regional scale proposals in either local authority area there were no significant issues.

(f) Appropriate provision made for public and private transport including Park & Ride and commuting patterns.

DC made the following introductory remarks:

- Maybe self-explanatory but we are concerned about the potential impacts of more traffic being directed through radial routes into the town. Traffic modelling shows that growth requires significant mitigation within the town. This explains why our 'asks' on major urban extensions emphasise the importance of completing strategic orbital linkages.
- Clearly we are keen to encourage greater use of public and other means of sustainable transport so we would hope the Growth Options Study could take this into account and examine, for instance, the scope for growth close to rail stations with local passenger services to accommodate growth that might not be possible closer-in with urban extensions to the Luton conurbation.
- Significant additional modelling work is underway to understand these matters.

AK suggested that as a two tier authority it was important for LBC to discuss transportation matters with Buckinghamshire County Council. KO noted the strong commuting relationship between the two Districts (shown in the HMA study) with flows to Luton although the quality of links was fairly poor.

(g) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure.

DC noted how this item is trying to ensure that our various plans are consistent across boundary such as transport networks, water infrastructure designations etc.

It was agreed that in the absence of a common boundary there were no specific issues.

(h) Green Belt matters.

DC reiterated the points made earlier in the meeting:

- There is very little designated Green Belt in Luton's area. The potential for it to be developed has been assessed and none is proposed for development.
- If the Growth Study looked at Green Belt options across the sub-region and came to a different conclusion then we have to take that into account in a review of the plan. We think this is unlikely to be the case.

(i) Minerals and waste.

The separate Joint Minerals & Waste Local Plan for Luton and Central Bedfordshire was noted. Neither District know of any particular issues outside of this.

(j) Water resources including flooding.

It was noted that LBC have prepared a Water Cycle Study and Strategic Flood Risk Assessment and are not aware of 'show stopper' issues likely to be of cross boundary significance although some capacity investment will be needed particularly in regard north of Luton.

AVDC had no specific cross boundary matters raise under this topic.

(k) Air quality matters.

For completeness, LBC are not aware of anything specific. The M1 is an obvious corridor of air pollution and LLA too. The latter might be raised from a noise perspective.

There were no specific cross boundary issues but JK noted that the AQMAs within AVDC could have an impact on the location of growth and this was being investigated.

(l) Gypsies & Travellers.

KO explained LBC's approach to the Part 2 Local Plan to deal with G&T matters but progress was dependant on clarity from Government/ Courts. It was agreed there were cross boundary implications between the two authorities on this matter.

The potential risks were noted as was the position on the Moldon Local Plan in the light of Government announcements.

(m) Any other matters that might reasonably identified under the Duty to Co-operate.

Two matters were mentioned.

The position on CIL within Luton would be kept under review.

KO suggested that LBC should hold a similar meeting with Milton Keynes given the position of CBC in relation to both HMAs. DC to pursue this. KO noted he would be attending the regular meeting of Planning Officers within SEMLEP on 13 November 2015. PW noted a confusing situation of two seemingly separate areas of work looking at the future of Milton Keynes.

4. Scope for Statement of Common Ground/ Memorandum of Understanding in the light of the earlier discussion.

There was general agreement that Member level discussions could be very useful and potentially lead to some form of Memorandum of Understanding or Statement of Common Ground.

AK suggested it would be preferable if this could be a three-way agreement with CBC. DC agreed this would be a good way forward if it could be achieved but felt we should not rule out a bi-lateral agreement if this proved not to be possible.

It was agreed that DC would discuss this proposition with CBC when they met next week.

5. Next steps.

DC would produce a draft note which he would send to JK/PW for agreement.

After AVDC had responded to the LLP we would then get in touch to see if a further officer meeting might be needed as a precursor to a Member-level meeting.

The meeting ending at c12 noon.

Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with Dacorum District Council

1400, Wednesday 11 November 2015 in the Telford Room at Luton Town Hall

Note of meeting

Present:

Laura Wood (LW) – Dacorum District Council
John Chapman (JC) – Dacorum District Council
Kevin Owen (KO) – Luton Borough Council
Troy Hayes (TH) – Luton Borough Council
David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC as a series of bi-lateral meeting with neighbouring authorities to take place during the consultation period of the Pre-submission version of the Luton Local Plan. It was recognised that the meeting would also function as part of the DtC in relation to the Dacorum Local Plan.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 KO summarised the key difference to the LLP since the earlier consultation draft highlighting:

- The level of housing provision had increased by c1,000 dwellings to 6,700 dwellings 2011-31.
- The overall strategy remained much the same with housing capacity being capped/ constrained and ongoing viability concerns. There was a shortage of land within the borough compared to the scale of development requirements.
- The scarcity of land also impacted on LBC's ability to provide supporting infrastructure such as new schools. The increase in demand within the next five years could be accommodated but there were still concerns in the longer run, especially to the south of the town.
- Retail growth had now been updated to reflect the latest SHMA, picking up comments raised in earlier representations. The objective was to strengthen the role of Luton as the regional shopping centre clawing back loss of trade in both comparison and convenience retail. There was still some concern about the potential impact of retail growth North of Houghton Regis.
- The London Luton Airport strategic allocation had been amended to integrate Century Park.
- Outside of the strategic allocations the plan had included additional housing at Britannia Park and the plan would enable further change of use from employment but in a carefully managed way. Employment sites had been categorised 'A' or 'B' as part of the plan.
- The Council's decision to prepare a separate Part 2 plan dealing with Gypsies and Travellers was also outlined.

1.2 Reference was also made to the key timeline leading to submission planned for end of March 2016 leading to an Examination in June/ July.

1.3 LW noted that issues regarding Gypsies and Travellers had come up in relation to the Dacorum Site Allocations Document. The approach would be to stick to the numbers set out in the Core Strategy and then to look again at these during the plan review. There would be three sites with a

minimum of 17 pitches (7+5+5). The sites would be privately owned and attached to the major strategic site allocations.

1.4 JC summarised Dacorum's comments made on the previous version of the LLP. These concerned the level of the shortfall for housing growth and how this could be best dealt with and the overall level of employment growth when the figures for Luton and Central Beds are combined. They were keen to hear about the further work on housing capacity and progress/possibility of strategic allocations East and West of Luton. Given the scale of housing growth was there some scope for the reallocation of employment land within Central Beds for housing? JC also asked if there was potential to include an allowance for windfalls in Luton. In relation to Luton Airport Dacorum's main concerns focussed on night flights and also issues arising from flightpaths.

2. Update on development planning in Dacorum

2.1 LW explained the current position in relation to the adopted Core Strategy and its review.

2.2 The Core Strategy was adopted and the focus of work was on progressing the Site Allocations Document (SAD). A pre-submission consultation was held in late 2014 followed by consultation on focussed changes in August 2015. The outcome would be reported to Cabinet in December 2015 with a view to making minor changes. There would be no changes to the targets established by the Core Strategy. The intention was to submit the SAD following the Council meeting in February 2016 with an Examination likely around May.

2.3 In addition there was an update of the LDS which would cover the early review of key elements of the Core Strategy, including the level of housing provision and Green Belt. Technical studies to inform the review were underway with anticipation for completion by the end of 2015 including an Economic Study (by Regeneris), SHMA (GL Hearn), SHLAA and a Stage 2 Green Belt Study. The intention – subject to resource availability – was to produce an Issues and Options Report for consultation following the SAD Examination. The review would have an end-date of 2036 and would pull together everything into a single document.

3. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

(a) Overall approach in the respective local plans.

DC opened the discussion by referring to some of the difficult challenges facing Luton in approaching its Local Plan:

- Rising population with young age profile, fuelled by in-migration and rising birth rates.
- Key economic assets – town centre as sub-regional centre, LLA and strong manufacturing base: potential for significant growth to benefit Luton residents and adjoining areas alike.
- Luton's growth, however, is constrained. The urban edge, Green Belt and local authority boundary largely the same limiting capacity for growth.
- Viability of development and affordability are big issues as is the scarcity of land for supporting infrastructure to accommodate population growth such as schools particularly in the south of the town where intensification, density and commitments is highest.

LW commented how the issues facing Luton mirror those facing Watford.

(b) Estimation of housing requirements within Luton and the wider Luton Housing Market Area.

The following points introduced the discussion:

- This item focussed on the needs side of the equation. We now have the benefit of up-to-date SHMA and Housing Market Area Studies.
- It is important not to confuse Luton's needs with those of the wider housing market area. The needs within the latter are shared between all the authorities affected. This is complicated since this falls over several LA areas.
- Reference to the difference between functional and 'best fit' HMAs and then the reality 'on the ground'. While Dacorum does not directly adjoin Luton parts of Dacorum are closer to the town centre than many parts of Luton's administrative area.
- The housing requirement in the Luton HMA is 17,800 dwellings. Some might argue it could be significantly higher under different assumptions.
- Subject to the factors we already identified under 'challenges' earlier and demonstration of viability we are keen to accommodate as much housing within the Borough as we reasonably can without undermining environmental quality and undermining the quality of life.

KO indicated that the SHMA update (joint with Central Beds) had now been signed off and was available on the website as was the Housing Market Area Study. Under the 'best fit' definition and under some key indicators there was a relationship between Luton and Dacorum although this was clearly much less important than that with Central Bedfordshire in particular. LW indicated she would place the HNA report onto the SW Herts authorities meeting noting that she would let Jonathan Lee at ORC know that comments may be late to allow for this meeting to take place.

LW indicated that the part of Dacorum located under the functional definition of Luton's HMA was not really suitable for major development and under the 'best fit' definition would be considered as part of the SW Herts HMA.

TH reminded the meeting that HMAs are largely based on the current situation and it is important to recognise the scope for policy change to challenge this. Given the proximity of Luton Airport there is a strong chance that workers will look for aspirational housing close-by.

JC noted that there might be scope for additional growth to the West of Luton.

TH summarised the position on viability issues and there was scope for the situation to improve should values increase over time. Most types of housing was viable although high rise flatted schemes were unlikely to become so for the next five years. LW recognised the issues on viability noting the relatively low affordable housing target as an indication of this. Luton's position on CIL would be kept under review.

(c) The level and distribution of housing provision and the approach to dealing with Luton's unmet housing needs, including affordable housing.

- Housing capacity within Luton is informed by our SHLAA. As each iteration has been produced our understanding of potential capacity has improved.
- We have increased the level of housing provision by c1,000 dwellings to reflect the most recent understanding.
- We will be updating the SHLAA in the run up to our Examination. This may lead to some additional capacity, such as further office to residential conversions.

- This has scope to reduce the level of the housing shortfall in Luton but only by a limited amount and will similarly be constrained by lack of capacity of education provision and other infrastructure particularly in and around the town centre and the south of Luton.
- The housing shortfall currently stands at c11,000 dwellings.
- While the quantum of housing need is a major issue in many ways it is affordability which can be seen as the greater issue.
- This means that we are looking for appropriate levels of affordable housing in the housing 'overspill' and the means for at least a proportion of this to be accessed directly from those in need within Luton. This is an important challenge.
- In meeting the housing shortfall we know of existing or emerging proposals that can make a significant contribution:
Houghton Regis – c5,000 dwellings (not forgetting the reserve beyond the plan period)
N of Luton – potentially c2,000 dwellings (as above)
N Herts – potentially c 2,000 dwellings
BUT – some of that needed for Central Beds own needs and infrastructure provision as well as affordability remain significant issues.
- The proposed Growth Study – already mentioned – remains our preferred way to bottom this out. Green Belt is inextricably linked to this.
- In the meantime we feel that progressing the Luton Local Plan to adoption will provide a degree of certainty that has been missing from these discussions over the past couple of years.

Discussion concentrated on the proposed Growth Options Study. The brief had been circulated for comment by CBC in July. LBC officers had met with CBC in September to push the project forward and at the meeting CBC had agreed to send any last changes to the brief through to LBC within two weeks. This had not happened. LBC would raise the position on this at the forthcoming DtC meeting with CBC. JC noted that the Growth Study work was the key part of the draft MOU around 18 months ago and given the increase in housing proposed in Central Beds in the last SHMA update reinforces the importance of this work.

JC raised windfalls and whether a target should be assumed in Luton's supply. TH indicated that since the SHLAA considered sites down to a capacity of 5 units there was unlikely to be significant capacity emerging on smaller sites. There was also a need to consider the risks in relation to the housing supply. LW noted that, in effect, the windfalls acted as a contingency. TH confirmed that the detail would be set out in the background papers to be published alongside submission of the plan.

(d) Functional economic relationships and the level and distribution of employment land provision.

- LBC's approach towards the economy and employment is central to the plan and as our contribution to the wider SEMLEP Strategic Economic Plan. Luton has historically played an important role as an employment centre over a wider hinterland, a role we expect will continue.
- We anticipate provision of c18,000 net new jobs (of which c8,000 will be Class B) over the plan period. Strategic allocations at Stockwood Park, LLA (including Century Park), Butterfield, Power Court, Napier Park, High Town and the Creative Quarter will be the key to much of this growth.
- Essentially all these proposals either carry forward allocations from the existing local plan or are previously developed sites/areas in need of renewal and investment.

- Role and influence of LLA specifically needs to be highlighted given growth of to 18 mppa within the plan period. Proposals for designation of an Enterprise Zone highlight the significance attached to this.
- Outside of the strategic allocations we have carried out an assessment of all existing employment areas to ensure that key employment land is protected from alternative uses is afforded where it is justified whereas the poorest performing land has been allocated for redevelopment and marginal land is husbanded for improvement until alternative suitable and affordable space is built out and market criteria are satisfied.
- Work on updating the FEMA is now underway and all adjoining authorities were consulted on the brief for this work.

KO explained the managed approach towards the reuse of employment sites – including NLP’s Red-Green-Amber assessment and the need to ensure that a range of affordable business accommodation remains. TH noted a recent assessment by Lambert Smith Hampton identifying a lot of interest for B2. KO then outlined the approach to the FEMA which had proceeded to inception stage with the draft report back anticipated in February 2016 and the use of the 2012 EEFM outputs which from LBC’s perspective remained appropriate and robust.

In commenting on the perceived imbalance between housing and employment KO stressed it was important to look at the Luton conurbation as a whole and not just LBC’s administrative area. JC suggested that CBC employment allocations appeared too high and KO indicated that LBC had objected on this basis.

(e) The hierarchy of centres and the level and distribution of retail provision.

DC opened the discussion by explaining the local plan provides strong support to Luton town centre and allows for significant strengthening of its retail role as a regional centre. The forecast demand for convenience and comparison goods is based on the SHMA 2015 population figures and assumes that Luton must increase its market share in both cases to address leaked trade and competition to other major regional centres and significant developments.

No major issues raised although LW noted that there was a need to monitor the position re potential retail development on the edge of Hemel Hempstead.

(f) Appropriate provision made for public and private transport including Park & Ride and commuting patterns.

DC made the following introductory remarks:

- Maybe self-explanatory but we are concerned about the potential impacts of more traffic being directed through radial routes into the town. Traffic modelling shows that growth requires significant mitigation within the town. This explains why our ‘asks’ on major urban extensions emphasise the importance of completing strategic orbital linkages.
- Clearly we are keen to encourage greater use of public and other means of sustainable transport so we would hope the Growth Options Study could take this into account and examine, for instance, the scope for growth close to rail stations with local passenger services to accommodate growth that might not be possible closer-in with urban extensions to the Luton conurbation.
- Significant additional modelling work is underway to understand these matters.

No major issues identified but since Dacorum is in a two-tier area LW suggested LBC should follow this up with Hertfordshire County Council (suggested contacts Paul Donovan and Jon Tiley on the Forward Planning side).

(g) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure.

DC noted how this item is trying to ensure that our various plans are consistent across boundary such as transport networks, water infrastructure designations etc.

It was agreed that in the absence of a common boundary there were no specific issues although LW noted there was a county-wide green infrastructure study.

(h) Green Belt matters.

DC reiterated the points made earlier in the meeting:

- There is very little designated Green Belt in Luton's area. The potential for it to be developed has been assessed and none is proposed for development.
- If the Growth Study looked at Green Belt options across the sub-region and came to a different conclusion then we have to take that into account in a review of the plan. We think this is unlikely to be the case.

LW reiterated that Dacorum would be looking thoroughly at Green Belt as part of their review. SKM had completed the Part 1 Study and Arup had been commissioned in relation to Stage 2. The Stage 2 Study would look systematically at the urban edge to include sites with a capacity of 10 to 20 dwellings.

(i) Minerals and waste.

The separate Joint Minerals & Waste Local Plan for Luton and Central Bedfordshire was noted.

No matters raised.

(j) Water resources including flooding.

It was noted that LBC have prepared a Water Cycle Study and Strategic Flood Risk Assessment and are not aware of 'show stopper' issues likely to be of cross boundary significance although some capacity investment will be needed particularly in regard north of Luton.

There were no specific cross boundary issues although there are significant sewage treatment issues in Herts (Maple Lodge Treatment Works).

(k) Air quality matters.

For completeness, LBC are not aware of anything specific. The M1 is an obvious corridor of air pollution and LLA too. The latter might be raised from a noise perspective.

LW noted the arrangements in place for the airport including the Consultative Committee.

(l) Gypsies & Travellers.

KO explained LBC's approach to the Part 2 Local Plan to deal with G&T matters but progress was dependant on clarity from Government/ Courts. It was agreed there were no cross boundary implications between the two authorities on this matter.

(m) Any other matters that might reasonably identified under the Duty to Co-operate.

No matters raised.

4. Scope for Statement of Common Ground/ Memorandum of Understanding in the light of the earlier discussion.

There was general agreement that Member level discussions jointly or bi-laterally could be very useful and potentially lead to some form of Memorandum of Understanding or Statement of Common Ground. Such an agreement could be drafted on the basis of this agreed note together with any outstanding concerns (if any) identified in representations.

5. Next steps.

DC would produce a draft note which he would send to LW/JC for agreement.

It was agreed that a further meeting be held after Dacorum had examined and responded to the LLP.

The meeting ending at c4pm.

Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with North Hertfordshire District Council

1400, Tuesday 17 November 2015 in the NHDC Offices

Note of meeting

Present:

Louise Symes (LS) – North Hertfordshire District Council
Chris Carter (CC) – North Hertfordshire District Council
Dave Hill (DH) - North Hertfordshire District Council
Jake Kelley (JK) – Luton Borough Council
David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC as a series of bi-lateral meetings with neighbouring authorities to take place during the consultation period of the Pre-submission version of the Luton Local Plan. It was recognised that the meeting would also function as part of the DtC in relation to the North Hertfordshire Local Plan.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 DC summarised the key difference to the LLP since the earlier consultation draft highlighting:

- The level of housing provision had increased by c1,000 dwellings to 6,700 dwellings 2011-31.
- The overall strategy remained much the same with housing capacity being capped/ constrained and ongoing viability concerns. There was a shortage of land within the borough compared to the scale of development requirements.
- The scarcity of land also impacted on LBC's ability to provide supporting infrastructure such as new schools. The increase in demand within the next five years could be accommodated but there were still concerns in the longer run, especially to the south of the town.
- Employment targets remain at 18k
- The London Luton Airport strategic allocation had been amended to integrate Century Park and associated link road across Wigmore Valley Park.
- The Council's decision to prepare a separate Part 2 plan dealing with Gypsies and Travellers was also outlined, based on a revised evidence of need.

1.2 Reference was also made to the key timeline leading to submission planned for end of March 2016 leading to an Examination in June/ July.

1.3 CC noted that the LLP was proceeding in advance of the resolution of the scale and distribution of the housing shortfall which, in some other instances (Derbyshire and Warwickshire), had caused difficulties at the Examination. DC responded by recognising the point but he felt that the circumstances of Luton, with its tight boundary meant that the LLP had gone as far as it reasonably can and it was not for LBC to determine the levels of provision in adjoining areas. The mechanism to achieve that was the Joint Growth Options Study for which LBC had been pressing, and continues to press to be undertaken as a matter of urgency.

1.4 Both authorities recognised the importance of the Growth Options Study and how its early completion was desirable. There was also a recognition that in a situation where all authorities within the HMA have been unable to agree a way forward, which has been the case hitherto, then there needs to be a degree of pragmatism to move things forward, possibly recognising that some matters could then be picked up in a subsequent review. DC pointed out that LBC were aware that the Growth Options Study might re-examine some aspects of the LLP such as housing capacity and Green Belt and it was recognised that the outcome might require a review of the plan.

2. Update on the North Hertfordshire Local Plan

2.1 LS summarised the position on the North Hertfordshire Local Plan. The SHMA had been updated and in a recent report to Cabinet the OAN had been set at 14,400 dwellings (plus 2,100 dwelling East of Luton identified to help meet Luton's housing shortfall). This decision enables NHDC to progress preparation of the technical studies leading to a pre-submission version of the Local Plan.

2.2 LS also referred to the high volume of representations received from recent plan-making consultations. In total c8.5K representations of which c7K were on the main site allocations affecting Green Belt. A revised LDS would be reported to Cabinet in December for approval and then by full Council in February. Work on the Local Plan would proceed with work on the Growth Options Study taking place in parallel.

2.3 JK mentioned that some difficulties arise when the various authorities adopt different timescales. It was noted, however, that given the Government's 2017 deadline for local plans to be adopted it was important that all authorities should work to help get these in-place. In relation to the proposed Growth Options Study it was noted that a brief had been circulated for comment by CBC in July. LBC officers had met with CBC in September to push the project forward and at the meeting CBC had agreed to send any last changes to the brief through to LBC within two weeks. This had not happened. LBC would raise the position on this at the forthcoming DtC meeting with CBC. The need for rapid progress on the Growth Options Study was a shared position.

2.4 CC raised concern that the Growth Options Study might provide different conclusions on where development should be located to that which has evolved through their plan-making process.

2.4 In response to a question by JK it was confirmed that there were no significant DtC issues with the other adjoining authorities. Stevenage and Welwyn are now planning to meet all their needs within their own boundaries, while St. Albans have yet to formally raise any issues.

3. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

(a) Overall approach in the respective local plans.

DC opened the discussion by referring to some of the difficult challenges facing Luton in approaching its Local Plan:

- Rising population with young age profile, fuelled by in-migration and rising birth rates.
- Key economic assets – town centre as sub-regional centre, LLA and strong manufacturing base: potential for significant growth to benefit Luton residents and adjoining areas alike.
- Luton's growth, however, is constrained. The urban edge, Green Belt and local authority boundary largely the same limiting capacity for growth.

- Viability of development and affordability are big issues as is the scarcity of land for supporting infrastructure to accommodate population growth such as schools particularly in the south of the town where intensification, density and commitments is highest.

(b) Estimation of housing requirements within Luton and the wider Luton Housing Market Area.

The following points introduced the discussion:

- This item focussed on the needs side of the equation. We now have the benefit of up-to-date SHMA and Housing Market Area Studies.
- It is important not to confuse Luton's needs with those of the wider housing market area. The needs within the latter are shared between all the authorities affected. This is complicated since this falls over several LA areas.
- Reference to the difference between functional and 'best fit' HMAs and then the reality 'on the ground'.
- The housing requirement in the Luton HMA is 17,800 dwellings. Some might argue it could be significantly higher under different assumptions.
- Subject to the factors we already identified under 'challenges' earlier and demonstration of viability we are keen to accommodate as much housing within the Borough as we reasonably can without undermining environmental quality and undermining the quality of life.

The latest position re: housing needs in Luton and its wider HMA was noted.

LS noted that it has been useful for NHDC to be involved on the SHMA steering group. It was good to hear that LBC had considered all possible options and was looking forward to seeing clear justification/ evidence.

(c) The level and distribution of housing provision and the approach to dealing with Luton's unmet housing needs, including affordable housing.

- Housing capacity within Luton is informed by our SHLAA. As each iteration has been produced our understanding of potential capacity has improved.
- We have increased the level of housing provision by c1,000 dwellings to reflect the most recent understanding.
- We will be updating the SHLAA in the run up to our Examination. This may lead to some additional capacity, such as further office to residential conversions. It may also result in reduced capacity. The next SHLAA will be developed in March 2016, ready to inform the examination of the local plan.
- This has scope to reduce the level of the housing shortfall in Luton but only by a limited amount and will similarly be constrained by lack of capacity of education provision and other infrastructure particularly in and around the town centre and the south of Luton.
- The housing shortfall currently stands at c11,000 dwellings.
- While the quantum of housing need is a major issue in many ways it is affordability which can be seen as the greater issue.
- This means that we are looking for appropriate levels of affordable housing in the housing 'overspill' and the means for at least a proportion of this to be accessed directly from those in need within Luton. This is an important challenge.
- In meeting the housing shortfall we know of existing or emerging proposals that can make a significant contribution:

Houghton Regis – c5,000 dwellings (not forgetting the reserve beyond the plan period)
N of Luton – potentially c2,000 dwellings (as above)
N Herts – potentially c 2,100 dwellings
BUT – some of that needed for Central Beds own needs and infrastructure provision as well as affordability remain significant issues.

- The proposed Growth Study – already mentioned – remains our preferred way to bottom this out. Green Belt is inextricably linked to this.
- In the meantime we feel that progressing the Luton Local Plan to adoption will provide a degree of certainty that has been missing from these discussions over the past couple of years.

Discussion on the proposed Growth Options Study had taken place earlier in the meeting.

The discussion focussed on affordable housing and education requirements. Regarding development east of Luton, CC noted that NHDC are working on the basis that a high percentage of nomination rights will be given to those on Luton's housing waiting list, as the basis of the development is to meet Luton's unmet needs. Understood that Herts CC are now looking at secondary school provision within that development and considering proposals from the developers. Debbie Craig at LBC should be aware of the latest situation on education provision.

DH queried the effect to permitted development rights (office to residential). JK confirmed that, in between 2013 and 2015, LBC had seen prior approval requests amounting to over 500 dwellings. While this increased housing supply, it decreases office supply for which there is a significant need.

CC noted that Bedford may not be the first port of call to support unmet needs from Luton but still had strong links to Luton (even if these were not the strongest).

(d) Functional economic relationships and the level and distribution of employment land provision.

- LBC's approach towards the economy and employment is central to the plan and contributes to the wider SEMLEP Strategic Economic Plan. Luton has historically played an important role as an employment centre over a wider hinterland, a role we expect will continue.
- We anticipate provision of c18,000 net new jobs (of which c8,000 will be Class B) over the plan period. Strategic allocations at Stockwood Park, LLA (including Century Park), Butterfield, Power Court, Napier Park, High Town and the Creative Quarter will be the key to much of this growth.
- Essentially all these proposals either carry forward allocations from the existing local plan or are previously developed sites/areas in need of renewal and investment.
- Role and influence of LLA specifically needs to be highlighted given growth of to 18 mppa within the plan period. Proposals for designation of an Enterprise Zone highlight the significance attached to this.
- Outside of the strategic allocations we have carried out an assessment of all existing employment areas to ensure that key employment land is protected from alternative uses where it is justified whereas the poorest performing land has been allocated for redevelopment and marginal land is husbanded for improvement until alternative suitable and affordable space is built out and market criteria are satisfied.
- Work on updating the FEMA is now underway and all adjoining authorities were consulted on the brief for this work.

In relation to the proposed Enterprise Zone CC asked if there was timescale for a decision on this. DC indicated we would clarify this in the notes of the meeting.

(e) The hierarchy of centres and the level and distribution of retail provision.

DC opened the discussion by explaining the local plan provides strong support to Luton town centre and allows for significant strengthening of its retail role as a regional centre. The forecast demand for convenience and comparison goods is based on the SHMA 2015 population figures and assumes that Luton must increase its market share in both cases to address leaked trade and competition to other major regional centres and significant developments.

DH queried the location of comparison retail. DC and JK confirmed that the Creative Quarter (between the rail station and The Mall) was the focus for increased comparison retail, while Power Court is earmarked for convenience retail in a manner that would complement the rest of the town centre and facilitate linked trips.

(f) Appropriate provision made for public and private transport including Park & Ride and commuting patterns.

DC made the following introductory remarks:

- Maybe self-explanatory but we are concerned about the potential impacts of more traffic being directed through radial routes into the town. Traffic modelling shows that growth requires significant mitigation within the town. This explains why our 'asks' on major urban extensions emphasise the importance of completing strategic orbital linkages.
- Clearly we are keen to encourage greater use of public and other means of sustainable transport so we would hope the Growth Options Study could take this into account and examine, for instance, the scope for growth close to rail stations with local passenger services to accommodate growth that might not be possible closer-in with urban extensions to the Luton conurbation.
- Significant additional modelling work is underway to understand these matters.

There was a discussion about the transport implications of peripheral extensions to the east of Luton on networks in Luton, including pressure on the town centre. NHDC indicated that further modelling work was underway by AECOM to address LBC concerns, which involves and links with Keith Dove.

In relation to the Airport S106 CC asked about the programme of off-site works. JK pointed to the information contained in the Infrastructure Delivery Plan but he would seek further information from Keith Dove.

There was also a question regarding the proposed Park and Ride at Butterfield and how this had emerged and what market it was expected to tap into. Did this include the A505 corridor to Hitchin? LBC will confirm the background to P&R proposals at Butterfield Green.

DC noted intention of LBC to contact Herts CC on strategic transport matters. CC requested that LBC make NHDC aware of any meetings (and their scope) with Herts CC.

(g) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure.

DC noted how this item is trying to ensure that our various plans are consistent across boundary such as transport networks, water infrastructure designations etc.

Reference was made to ongoing consultation in relation to master-planning of the proposed development East of Luton

(h) Green Belt matters.

DC reiterated the points made earlier in the meeting:

- There is very little designated Green Belt in Luton's area. The potential for it to be developed has been assessed and none is proposed for development.
- If the Growth Options Study looked at Green Belt options across the sub-region and came to a different conclusion then we have to take that into account in a review of the plan. We think this is unlikely to be the case.

LS referred to a refresh of the Green Belt review in NHDC. This was an in-house study which dealt mainly with methodological issues and consultation responses. There was not a big change in the approach envisaged.

In response to a query by DC it was indicated that there were many objections to the proposals East of Luton from residents of both North Hertfordshire and Luton.

(i) Minerals and waste.

The separate Joint Minerals & Waste Local Plan for Luton and Central Bedfordshire was noted.

No matters raised.

(j) Water resources including flooding.

It was noted that LBC have prepared a Water Cycle Study and Strategic Flood Risk Assessment and are not aware of 'show stopper' issues likely to be of cross boundary significance although some capacity investment will be needed particularly in regard north of Luton.

LS indicated that Bloor Homes had been working to resolve the Environment Agency's concerns on the proposals East of Luton.

(k) Air quality matters.

For completeness, LBC are not aware of anything specific. The M1 is an obvious corridor of air pollution and LLA too. The latter might be raised from a noise perspective.

It was noted that ongoing liaison arrangements are in-place for the airport including the Consultative Committee.

LS referred to an AQMA affecting part of Hitchin on the A602, which is a concern relating to the general increase in traffic, particularly those travelling from the A1/ Stevenage to Luton and vice-versa. There were no explicit cross boundary matters.

(l) Gypsies & Travellers.

DC explained LBC's approach to the Part 2 Local Plan to deal with G&T matters. Progress was dependant on clarity from Government/ Courts. It was agreed there were no cross boundary implications on this matter.

(m) Any other matters that might reasonably identified under the Duty to Co-operate.

No matters raised.

4. Scope for Statement of Common Ground/ Memorandum of Understanding in the light of the earlier discussion.

There was general agreement that Member level discussions jointly or bi-laterally could be very useful and potentially lead to some form of Memorandum of Understanding or Statement of Common Ground. Such an agreement could be drafted on the basis of this agreed note together with any outstanding concerns (if any) identified in representations.

5. Next steps.

DC would produce a draft note which he would send through for comment/agreement.

It was agreed that a further meeting might be appropriate be held after North Herts DC had examined and responded to the LLP.

The meeting ending at c3.15pm.

Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with St Albans City and District Council

1400, Tuesday 24 November 2015 at St Albans Council Offices

Note of meeting

Present:

Chris Briggs (CB) – St Albans City and District Council

XX (XX) – St Albans City and District Council

Kevin Owen (KO) – Luton Borough Council

David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC as a series of bi-lateral meeting with neighbouring authorities to take place during the consultation period of the Pre-submission version of the Luton Local Plan. It was recognised that the meeting would also function as part of the DtC in relation to the St Albans Local Plan.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 KO summarised the key timeline leading to submission planned for end of March 2016 leading to an Examination in June/ July highlighting the key difference to the LLP since the earlier consultation draft:

- The level of housing provision had increased by c1,000 dwellings to 6,700 dwellings 2011-31.
- The overall strategy remained much the same with housing capacity being capped/ constrained and ongoing viability concerns. There was a shortage of land within the borough compared to the scale of development requirements.
- The scarcity of land also impacted on LBC's ability to provide supporting infrastructure such as new schools. The increase in demand within the next five years could be accommodated but there were still concerns in the longer run, especially to the south of the town.
- Retail growth had now been updated to reflect the latest SHMA, picking up comments raised in earlier representations. The objective was to strengthen the role of Luton as the regional shopping centre clawing back loss of trade in both comparison and convenience retail. There was still some concern about the potential impact of retail growth North of Houghton Regis.
- The London Luton Airport strategic allocation had been amended to integrate Century Park.
- Outside of the strategic allocations the plan had included additional housing at Britannia Park and the plan would enable further change of use from employment but in a carefully managed way. Employment sites had been categorised 'A' or 'B' as part of the plan.

1.3 CB raised several points in relation to the LLP including:

- Welcoming the reference in the plan to the earlier discussions that had taken place under the DtC.
- Noting that the latest SHMA update indicated that St Albans lay outside the Luton Housing Market Area. St Albans were content with that.
- In relation to London Luton Airport there were one or two queries on detailed wording on what constitutes "local" residents when impacts are considered. This was a matter of

concern to Members. He was keen to ensure that sensitive impacts such as noise from overflying and additional traffic generation would be encapsulated by the policy. It was suggested that an alternative form of wording that could cover the point could usefully be included in the response to the current consultation.

- In relation to the strategic allocation at Napier Park and what the suitability for additional housing might be. KO responded by indicating that some housing was included as part of the mix.
- On other employment sites/areas KO explained the managed approach to reuse that was included in the plan (Policy LP14), including the red - amber – green assessment of all sites. A major concern to Luton was that many sites offering budget accommodation were occupied by successful businesses and any reuse must be sensitive to these issues.

2. Update on the St Albans Local Plan.

2.1 CB explained the current position on the St Albans Local Plan (SALP). A Regulation 19 pre-submission version had been agreed by the Planning Policy Committee on 17 November 2015. This would be considered by Cabinet on 2 December 2015 followed by full Council on 2 February 2015. There was cross-party ownership of the emerging plan which would, on adoption, be the first plan for the area since 1991. The plan included proposals for 4,000 new dwellings in Green Belt including 2500 new dwelling (and a 55 ha employment site) to the east of Hemel Hempstead, 1,000 new dwellings to the east of St Albans and 500 dwellings to the north-west of Harpenden. A further 5,000 dwellings would be built on urban sites which would place considerable pressure on land in employment use. The plan also reflected and supported the on-going appeal of the city centre.

2.2 KO asked on the current position on traffic modelling. CB indicated this was indicating no show-stoppers. Further work was underway which would be completed before the plan was submitted in June 2016. In relation to the proposals at Harpenden since these were at the boundary of the District these would need to consider cross-boundary movements. Herts CC would be working to tie things up across boundaries.

3. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

(a) Overall approach in the respective local plans.

DC opened the discussion by referring to some of the difficult challenges facing Luton in approaching its Local Plan:

- Rising population with young age profile, fuelled by in-migration and rising birth rates.
- Key economic assets – town centre as sub-regional centre, LLA and strong manufacturing base: potential for significant growth to benefit Luton residents and adjoining areas alike.
- Luton’s growth, however, is constrained. The urban edge, Green Belt and local authority boundary largely the same limiting capacity for growth.
- Viability of development and affordability are big issues as is the scarcity of land for supporting infrastructure to accommodate population growth such as schools particularly in the south of the town where intensification, density and commitments is highest.

Luton’s position on CIL was noted and how this relates to prioritisation towards affordable housing provision.

(b) Estimation of housing requirements within Luton and the wider Luton Housing Market Area.

The following points introduced the discussion:

- This item focussed on the needs side of the equation. We now have the benefit of up-to-date SHMA and Housing Market Area Studies.
- It is important not to confuse Luton's needs with those of the wider housing market area. The needs within the latter are shared between all the authorities affected. This is complicated since this falls over several LA areas, but does not include any of St Albans territory.
- Reference to the difference between functional and 'best fit' HMAs and then the reality 'on the ground'. The position of parts of Dacorum were noted in this respect.
- The housing requirement in the Luton HMA is 17,800 dwellings. Some might argue it could be significantly higher under different assumptions.
- Subject to the factors we already identified under 'challenges' earlier and demonstration of viability we are keen to accommodate as much housing within the Borough as we reasonably can without undermining environmental quality and undermining the quality of life.

In relation to HMA CB reiterated their view of being content with falling outside the Luton HMA and was generally supportive of the study. There was, however, a specific and serious concern with the HMAs that have emerged from the South West Herts SHMA.

(c) The level and distribution of housing provision and the approach to dealing with Luton's unmet housing needs, including affordable housing.

- Housing capacity within Luton is informed by our SHLAA. As each iteration has been produced our understanding of potential capacity has improved.
- We have increased the level of housing provision by c1,000 dwellings to reflect the most recent understanding.
- We will be updating the SHLAA in the run up to our Examination. This may lead to some additional capacity, such as further office to residential conversions.
- This has scope to reduce the level of the housing shortfall in Luton but only by a limited amount and will similarly be constrained by lack of capacity of education provision and other infrastructure particularly in and around the town centre and the south of Luton.
- The housing shortfall currently stands at c11,000 dwellings.
- While the quantum of housing need is a major issue in many ways it is affordability which can be seen as the greater issue.
- This means that we are looking for appropriate levels of affordable housing in the housing 'overspill' and the means for at least a proportion of this to be accessed directly from those in need within Luton. This is an important challenge.
- In meeting the housing shortfall we know of existing or emerging proposals that can make a significant contribution:
 - Houghton Regis – c5,000 dwellings (not forgetting the reserve beyond the plan period)
 - N of Luton – potentially c2,000 dwellings (as above)
 - N Herts – potentially c 2,000 dwellingsBUT – some of that needed for Central Beds own needs and infrastructure provision as well as affordability remain significant issues.
- The proposed Growth Study – already mentioned – remains our preferred way to bottom this out. Green Belt is inextricably linked to this.

- In the meantime we feel that progressing the Luton Local Plan to adoption will provide a degree of certainty that has been missing from these discussions over the past couple of years.

The discussion focussed the Growth Study. It was confirmed that LBC recognised the study would re-examine urban capacity and the consideration of Green Belt options would also embrace the small amount of Green Belt within Luton's area.

(d) Functional economic relationships and the level and distribution of employment land provision.

- LBC's approach towards the economy and employment is central to the plan and as our contribution to the wider SEMLEP Strategic Economic Plan. Luton has historically played an important role as an employment centre over a wider hinterland, a role we expect will continue.
- We anticipate provision of c18,000 net new jobs (of which c8,000 will be Class B) over the plan period. Strategic allocations at Stockwood Park, LLA (including Century Park), Butterfield, Power Court, Napier Park, High Town and the Creative Quarter will be the key to much of this growth.
- Essentially all these proposals either carry forward allocations from the existing local plan or are previously developed sites/areas in need of renewal and investment.
- Role and influence of LLA specifically needs to be highlighted given growth of to 18 mppa within the plan period. Proposals for designation of an Enterprise Zone highlight the significance attached to this.
- Outside of the strategic allocations we have carried out an assessment of all existing employment areas to ensure that key employment land is protected from alternative uses is afforded where it is justified whereas the poorest performing land has been allocated for redevelopment and marginal land is husbanded for improvement until alternative suitable and affordable space is built out and market criteria are satisfied.
- Work on updating the FEMA is now underway and all adjoining authorities were consulted on the brief for this work.

The discussion initially centred on the submissions for Enterprise Zone status in respect of LLAP and Maylands to the East of Hemel Hempstead. CB made the observation that there was scope for improved liaison between the respective LEPs.

CB also mentioned the FEMA for south west Herts which he felt potentially undermined Luton's position. DC indicated that we would examine this and respond as appropriate.

(e) The hierarchy of centres and the level and distribution of retail provision.

DC opened the discussion by explaining the local plan provides strong support to Luton town centre and allows for significant strengthening of its retail role as a regional centre. The forecast demand for convenience and comparison goods is based on the SHMA 2015 population figures and assumes that Luton must increase its market share in both cases to address leaked trade and competition to other major regional centres and significant developments.

CB noted a similar approach to retail in St Albans.

(f) Appropriate provision made for public and private transport including Park & Ride and commuting patterns.

DC made the following introductory remarks:

- Maybe self-explanatory but we are concerned about the potential impacts of more traffic being directed through radial routes into the town. Traffic modelling shows that growth requires significant mitigation within the town. This explains why our 'asks' on major urban extensions emphasise the importance of completing strategic orbital linkages.
- Clearly we are keen to encourage greater use of public and other means of sustainable transport so we would hope the Growth Options Study could take this into account and examine, for instance, the scope for growth close to rail stations with local passenger services to accommodate growth that might not be possible closer-in with urban extensions to the Luton conurbation.
- Significant additional modelling work is underway to understand these matters.

(g) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure.

DC noted how this item is trying to ensure that our various plans are consistent across boundary such as transport networks, water infrastructure designations etc.

It was agreed that in the absence of a common boundary there were no specific issues.

(h) Green Belt matters.

DC reiterated the points made earlier in the meeting:

- There is very little designated Green Belt in Luton's area. The potential for it to be developed has been assessed and none is proposed for development.
- If the Growth Study looked at Green Belt options across the sub-region and came to a different conclusion then we have to take that into account in a review of the plan. We think this is unlikely to be the case.

(i) Minerals and waste.

The separate Joint Minerals & Waste Local Plan for Luton and Central Bedfordshire was noted. Neither District know of particular issues outside of this.

(j) Water resources including flooding.

It was noted that LBC have prepared a Water Cycle Study and Strategic Flood Risk Assessment and are not aware of 'show stopper' issues likely to be of cross boundary significance although some capacity investment will be needed particularly in regard north of Luton.

CB referred to a joint study covering most of Hertfordshire and Buckinghamshire. This indicated some capacity concerns cross boundary in the medium term. These issues were resolvable.

(k) Air quality matters.

For completeness, LBC are not aware of anything specific. The M1 is an obvious corridor of air pollution and LLA too. The latter might be raised from a noise perspective.

There were no specific cross boundary issues.

(l) Gypsies & Travellers.

KO explained LBC's approach to the Part 2 Local Plan to deal with G&T matters but progress was dependant on clarity from Government/ Courts. It was agreed there were no cross boundary implications between the two authorities on this matter.

(m) Any other matters that might reasonably identified under the Duty to Co-operate.

No further matters were raised.

4. Scope for Statement of Common Ground/ Memorandum of Understanding in the light of the earlier discussion.

There was general agreement that Member level discussions could be very useful and potentially lead to some form of short Memorandum of Understanding or Statement of Common Ground.

CB indicated that would be approaching LBC for a Member-level meeting as part of their forthcoming consultation. It was agreed this meeting could cover both local plans, as appropriate.

5. Next steps.

DC would produce a draft note which he would send to CB/XX for comment and agreement.

After St Albans had responded to the LLP a further officer meeting might be needed as a precursor to the Member-level meeting.

The meeting ending at c15.15pm.

Bedford Borough Council
Luton Borough Council
26 Nov 2015

Present

LBC
David Carter
Kevin Owen

BBC
Paul Rowland
Gill Cowie

Key meeting points

Bedford Borough Council (drafted by BBC)

- Explained background to Local Plan 2032. Previous consultation held in early 2014 – covered issues and options for spatial distribution as well as ideas about level of growth required.
- TTW data and updated population/household data published early 2015 – waited for that so OAN is up to date and robust. LDS updated summer 15 - outlined timetable for the progression of the plan – planned submission mid 2017, adoption 2018.
- Background to MOU – BBC signed and Members understand the Duty to Cooperate issue about Luton’s growth.
- BBC currently consulting on a second Reg 18 paper – sets out revised levels of growth based on up to date OAN and a spatial distribution for comment.
- Duty to Cooperate – main issue is likely to be housing growth. Current consultation briefly mentions the situation with Luton and explains that numbers in BBC plan may need to be higher to take account of Luton HMA’s needs. Questions at consultation sessions about impact of growth from Luton and London –officers have explained that currently no evidence to show that BBC needs to play a part.
- Any evidence base to justify additional growth from Luton HMA in BBC area needs to be robust. BBC would like to be involved in the preparation of the brief for the growth area work – it is important that there is agreement about the way that the work has been carried out.
- In the past BBC were part of the discussions relating to the MOU but engagement about meeting Luton HMA’s need seems to have stopped. Have asked both CBC and Luton to see the emerging brief and be able to comment but so far not available. Is there an update? Bedford would like to be involved in the growth study from the beginning.
- Does the work undertaken since the MOU was signed by BBC mean that the need to increase Bedford’s plan number (above OAN) to take account of Luton HMA’s need has actually gone away?
- Need also to understand why Luton pressing ahead with Local Plan now before growth work completed.

- Have been looking at the Luton pre-submission consultation plan – likely to have comments that will need to be made as objections as no other option at this stage. Would like to work with Luton to resolve the matters raised before the plan is submitted.

Luton Borough Council (drafted by LBC)

- A summary of the Local Plan changes since the summer 2014 consultation draft was outlined which essentially included a revised housing/capacity target increased from 5,700 to 6,700 dwellings (comprising a mixed housing allocation at Britannia Estate, intensification at Newlands Road, B1 prior consents and smaller completions); an extended Luton Airport Strategic allocation with new proposed access to Century Park via Wigmore Valley Park; revised retail demand based on the SHMA 2015 population and increased market share for convenience and comparison shopping; removal of G&T permanent and transit site provision from the local plan (to be part of a separate local plan part 2) but retaining the safeguarding policy and criteria for determining applications
- However, there is still a significant shortfall (11,000) on Luton Borough's OAHN of 17,800 dwellings and indeed there is also a potential shortfall on the OAHN for the wider Luton functional HMA and best fit Central Bedfordshire HMA within the SHMA 2015 which has uplifted the housing figures based on increased needs.
- Not only is there an issue with finding land for housing but there is a significant issue within Luton about school capacity particularly in the central and southern Luton where most of the growth and regeneration is taking place. Schools capacity is not sufficient to support higher levels of growth and there are no sites available for additional schools to be built (beyond the two new sites identified in the pre-submission plan).
- Capacity for housing sites within Luton's admin area has been reviewed through the published evidence base (i.e. the SHLAA and the Employment Land Red Amber Green Assessment)
- Luton feel that by confirming the capacity capped position of the Borough and progressing Luton's plan this will help to resolve the outstanding unmet OAN figure for Luton as the first sequential step - which can then be considered alongside the unmet need for the wider Luton functional HMA – arising in Central Bedfordshire (and smaller areas within North Herts and Aylesbury Vale). This step is necessary to help to progress the Growth Options Study.
- The MoU in 2014 which Luton opted not to sign is no longer extant – the Inspector for the Central Beds plan examination was highly sceptical of the MoU and so under the Duty to Cooperate, Luton has been pursuing a separate Growth Options Study.
- While there may be a risk in progressing the local plan without knowing precisely where and how the Luton and the Luton HMA needs are to be met across several local authority boundaries, Luton has tried consistently under the Duty to Cooperate to progress a Growth Options Study with Central Bedfordshire which is the key authority (and the other authorities subject to the Luton functional HMA) but has so far been unsuccessful, although there was a meeting in September at which there was agreement between Central Bedfordshire and Luton on progressing the study. The continuing delay would be raised with Central Bedfordshire at a meeting the following week. Luton are happy to look again at options for additional capacity in Luton but the current view is that any as yet unidentified sources of supply will be limited. The proposed growth study could be used to do this –

currently the supporting evidence base sets out the process that has been followed in the search for housing sites for the Pre-submission local plan. Sites are contained in the SHLAA and the published NLP RAG assessment looked at the employment land sites.

- The key message is that satisfying the requirements of the Luton HMA is the responsibility of several authorities – not just Luton. The Luton HMA crosses into CBC, NHerts & AVDC. In particular CBC need to look at capacity in and beyond the Luton HMA.
- Growth study – the latest version of the brief is with CBC at present. It was informally circulated by CBC to NHDC, Dacorum and AVDC. Following their comments and uncertainty over whether their own plan would be withdrawn CBC wanted some time to consider the brief before moving forward. The study may be in two separate phases – one for the Luton HMA and one for the rest of CBC. Steering arrangements may be different for each. As referred to above a meeting with CBC is arranged for the next week and we will see whether, following the Development Strategy withdrawal, CBC will be in a position to move the work on.
- Bedford have not been intentionally excluded from seeing the draft growth study brief. Once immediate neighbours have agreed it then BBC will get sight of it.
- Luton's current view is that it is unlikely that BBC will need to accommodate part of Luton HMA's housing need either directly or through the ripple effect. However, this will need to be considered further as CBC prepare their local plan. There is considerable progress in meeting the gap in housing provision and taking account of emerging opportunities the gap is not huge – maybe only 2k and the growth study will look at how this can be accommodated.
- Luton must continue with their plan for the reasons outlined even if the growth area work is not progressed quickly. The view is that Luton BC have taken a realistic view on capacity within their boundary and a revision to this is unlikely to materially reduce the 11k shortfall.
- Plan viability work is complete but not yet posted on the evidence web page pending some sensitivity checks but will be posted on the web site as soon as possible.
- Aim is to submit the Local Plan by the end of March 2016.

Actions

- GC to re-send recent email requesting involvement in process of agreeing the brief for the growth study.
- KO to report back after programmed meeting with CBC (early December).
- KO to forward Viability Study when completed.
- Luton will respond on BBC Reg 18 consultation.
- BBC will respond to LBC pre-submission consultation setting out the issues that are still of concern.
- LBC and BBC will work together to resolve those issues ahead of the submission of the plan.

Notes taken - Luton Local Plan – meeting with SEMLEP

0830, Tuesday 1 December 2015

SEMLEP offices at the Cranfield Innovation Centre

Present:

Hilary Chipping (HC): SEMLEP

David Carter (DC): Luton BC

DC explained his background including working on spatial planning matters with the GBSLEP and the Duty to Co-operate. He had requested the meeting as part of the current consultation on the Luton Local Plan (LLP).

HC explained her background which included the MKSM Growth Area and in doing the background work leading to the establishment of SEMLEP. She was currently the Acting CX and the Head of Infrastructure her substantive post. A new CX was likely to be appointed may/June 2016.

HC explained how she was keen to see the SEMLEP area working together and explained some of the political challenges.

Upon revocation of the RSS there was not an appetite for the LEP to take on a strategic planning role and the challenges faced by the DtC had been underestimated.

There now seemed to be a greater willingness to move forward on strategic planning matters, at least at officer level, and the SEMLEP Planning Officers Group would help achieve this. There was also a discussion on governance and how the SEMLEP Board, with all Leaders present presented the only known current cross-boundary arrangement.

HC felt that Local Plans generally were not seen to be out-of-kilter with the SEP not least since the earlier work under the MKSM had provided a sound basis from 2004/5.

DC summarised the approach and key proposals in the LLP which he felt to be consistent with the SEP and explained. HC highlighted the recent Enterprise Zone designation. HC noted that the SEMLEP area was amongst the fastest growing in the UK and that housing proposals formed a key component of that growth. Both the existing housing stock in Luton as well as new housing were discussed as was the scale of affordable housing need, delivery issues, the private rented sector as well as the implications arising from changes to the definition of affordable housing.

HC indicated that SEMLEP supported the proposals coming forward in local plans but did not respond in detail on individual plans. She indicated that she would be happy to write a letter of support to the approach in the LLP if this became necessary in due course.

HC said that the appointment of support would help assist the work on spatial planning and lead to improved organisation of the Planners Group.

The meeting closed at c1000.

D. Carter, 1 December 2015

DRAFT

Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with Central Bedfordshire Council

1530, Wednesday 11 November 2015 at CBC Offices

Note of meeting

Present:

Sally Chapman (SC) – Central Bedfordshire Council
Andrew Davie (AD) – Central Bedfordshire Council
Sian Farrier (SF) – Central Bedfordshire Council
Rachel Geddes (RG) – Central Bedfordshire Council
Troy Hayes (TH) – Luton Borough Council
David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC as a series of bi-lateral meeting with neighbouring authorities to take place during the consultation period of the Pre-submission version of the Luton Local Plan. It was recognised that the meeting could also function as part of the DtC in relation to the Central Bedfordshire Local Plan. DC indicated that he would prepare a draft note of the meeting which he would share, for agreement, with CBC.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 TH explained the position on the current consultation and summarised the key timeline leading to submission planned for end of March 2016 leading to an Examination in June/ July.

1.2 TH summarised the key difference to the LLP since the earlier consultation draft highlighting:

- The level of housing provision had increased by c1,000 dwellings to 6,700 dwellings 2011-31 referring to additional capacity brought forward through redevelopment of the Britannia Estate for mixed use including housing and at Newlands and through office conversion to residential.
- The overall strategy remained much the same with housing capacity being capped/ constrained and ongoing viability concerns. There was a shortage of land within the borough compared to the scale of development requirements.
- The scarcity of land also impacted on LBC's ability to provide supporting infrastructure such as new schools. The increase in demand within the next five years could be accommodated but there were still concerns in the longer run, especially to the south of the town.
- Retail growth had now been updated to reflect the latest SHMA, picking up comments raised in earlier representations. The objective was to strengthen the role of Luton as the regional shopping centre clawing back loss of trade in both comparison and convenience retail. There was still some concern about the potential impact of retail growth North of Houghton Regis.
- The London Luton Airport strategic allocation had been amended to integrate Century Park.
- Outside of the strategic allocations the plan had included additional housing at Britannia Park and the plan would enable further change of use from employment but in a carefully managed way. Employment sites had been categorised 'A' or 'B' as part of the plan.

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1.3 AD asked if the Enterprise Zone at London Luton Airport was a proposal in the plan. TH explained this was not the case since it had been developed working with SEMLEP. The EZ did not lead to additional site allocations. DC agreed to send a scanned copy of the EZ leaflet (appended to these minutes). AD also asked about the timing of the employment land update. This is available as part of the LLP Evidence Base online. TH indicated this work was undertaken by Nathaniel Lichfield & Partners and was completed in October 2015.

2. Update on the Central Bedfordshire Local Plan.

2.1 AD explained the current position following the recent withdrawal of the Development Strategy. CBC were now resetting the process and relaunching their Local Plan including the approach they would be taking to the Duty to Co-operate. The Government's 2017 deadline for having local plans in place meant they would be facing a challenging timetable. A range of technical studies would be updated such as the FEMA and the Sustainability Appraisal. Previously there had been a call for sites restricted only to sites with a capacity of 500+ dwellings. A new call would be undertaken in the New Year without that restriction and the work would also include a Green Belt review. AD stressed they would be seeking Member engagement with LBC as part of this process, probably early in 2016.

2.2 DC explained that Councillor Castleman was the new Portfolio Holder in LBC and following the officer-only meetings it was hoped that Member meetings could also be arranged. There appeared to be scope for a meeting to cover both local plans. DC explained that in all the meetings held so far there was a general feeling that in relation to the DtC, 'a new leaf had to be turned', and the concentration of effort on securing progress on all plans. AD suggested that the way the planning system was set up did not make this very easy but it was agreed that a degree of compromise could enable an acceptable way forward to be found to overcome difficulties. DC indicated that in relation to the LLP we recognised could include the need to review the plan.

2.3 It was noted that the end-date of the LLP was 2013 and that CBC would now work towards an end-date of 2036. It was noted that CBC would be updating their LDS in due course.

2.4 In relation to G&T SC indicated that the Government response on the Maldon Local Plan was important in helping CBC shape their future approach.

3. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

(a) Overall approach in the respective local plans.

3.1 DC opened the discussion by referring to some of the difficult challenges facing Luton in approaching its Local Plan:

- Rising population with young age profile, fuelled by in-migration and rising birth rates.
- Key economic assets – town centre as sub-regional centre, LLA and strong manufacturing base: potential for significant growth to benefit Luton residents and adjoining areas alike.
- Luton's growth, however, is constrained. The urban edge, Green Belt and local authority boundary largely the same limiting capacity for growth.
- Viability of development and affordability are big issues as is the scarcity of land for supporting infrastructure to accommodate population growth such as schools particularly in the south of the town where intensification, density and commitments is highest.

DRAFT

AD asked why Luton's population had a young age profile leading to rapid growth. DC indicated the growth was at least part explained by in-migration into the town through LLAP and by the likely different birth rates amongst the varied make-up of the town's population.

(b) Estimation of housing requirements within Luton and the wider Luton Housing Market Area.

The following points introduced the discussion:

- This item focussed on the needs side of the equation. We now have the benefit of up-to-date SHMA and Housing Market Area Studies.
- It is important not to confuse Luton's needs with those of the wider housing market area. The needs within the latter are shared between all the authorities affected. This is complicated since this falls over several LA areas, mainly CBC but also including part of NHDC and AVDC's area.
- Reference to the difference between functional and 'best fit' HMAs and then the reality 'on the ground'
- The housing requirement in the Luton HMA is 17,800 dwellings. Some might argue it could be significantly higher under different assumptions.
- Subject to the factors we already identified under 'challenges' earlier and demonstration of viability we are keen to accommodate as much housing within the Borough as we reasonably can without undermining environmental quality and undermining the quality of life.

(c) The level and distribution of housing provision and the approach to dealing with Luton's unmet housing needs, including affordable housing.

- Housing capacity within Luton is informed by our SHLAA. As each iteration has been produced our understanding of potential capacity has improved.
- We have increased the level of housing provision by c1,000 dwellings to reflect the most recent understanding.
- We will be updating the SHLAA in the run up to our Examination. This may lead to some additional capacity, such as further office to residential conversions.
- This has scope to reduce the level of the housing shortfall in Luton but only by a limited amount and will similarly be constrained by lack of capacity of education provision and other infrastructure particularly in and around the town centre and the south of Luton.
- The housing shortfall currently stands at c11,000 dwellings.
- While the quantum of housing need is a major issue in many ways it is affordability which can be seen as the greater issue.
- This means that we are looking for appropriate levels of affordable housing in the housing 'overspill' and the means for at least a proportion of this to be accessed directly from those in need within Luton. This is an important challenge.
- In meeting the housing shortfall we know of existing or emerging proposals that can make a significant contribution:
 - Houghton Regis – c5,000 dwellings (not forgetting the reserve beyond the plan period which could take the proposals up to 7150 dwellings)
 - N of Luton – potentially c2,000 dwellings (as above, with AD noting that following withdrawal of the CBC Development Strategy the the status of the N of Luton proposals had also been removed.)
 - N Herts – potentially c 2,000 dwellings
 - BUT – some of that capacity would be needed for Central Beds own needs. Infrastructure provision as well as affordability remain significant issues.

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- The proposed Growth Study – already mentioned – remains our preferred way to bottom this out including engagement between the LPAs concerned. Green Belt is inextricably linked to this.

The discussion relating to both (a) and (b) focussed on consideration of Green Belt and the Growth Study. It was confirmed that LBC recognised the study would re-examine urban capacity and the consideration of Green Belt options would also embrace the small amount of Green Belt within Luton's area. If the outcome of the study led to implications for the LLP then DC indicated this could be dealt with by way of a review of the plan. If LBC did not proceed with the current plan there would be a risk that we would fail to meet the Government's 2017 deadline for local plan completion.

In terms of the Growth Study brief, reference was made to the earlier meeting held on 25 September 2015 which referred to the urgency of the study and the outcome where CBC were to provide an update of the brief. AD acknowledged the delay due to the consideration of the withdrawal of the Development Strategy and agreed to crack-on with the work on updating the brief. It was recognised that the implication of the delay was that the completion of the study envisaged for the end of April 2016 would not now be achievable.

DC noted the interest in the Growth Study of the other local authorities and the need to involve them in taking forward the study. This had, for example, been raised in a meeting the previous week with Bedford Borough Council.

In terms of the distribution of Luton's unmet need DC stressed that it was not for LBC to define this working alone. There was a need for the work and agreement to involve all the relevant parties. DC stressed that LBC remained fully committed to full and active participation in this important study and the process required to agree a resultant strategy. There were number of ways in which any shortfall could be dealt with including options such as a dispersed growth, growth at nodes along transport corridors or further development on the urban edge such as west of Luton.

(d) Functional economic relationships and the level and distribution of employment land provision.

- LBC's approach towards the economy and employment is central to the plan and as our contribution to the wider SEMLEP Strategic Economic Plan. Luton has historically played an important role as an employment centre over a wider hinterland, a role we expect will continue.
- We anticipate provision of c18,000 net new jobs (of which c8,000 will be Class B) over the plan period. Strategic allocations at Stockwood Park, LLA (including Century Park), Butterfield, Power Court, Napier Park, High Town and the Creative Quarter will be the key to much of this growth.
- Essentially all these proposals either carry forward allocations from the existing local plan or are previously developed sites/areas in need of renewal and investment.
- Role and influence of LLA specifically needs to be highlighted given growth of to 18 mppa within the plan period. Proposals for designation of an Enterprise Zone highlight the significance attached to this.
- Outside of the strategic allocations we have carried out an assessment of all existing employment areas to ensure that key employment land is protected from alternative uses is afforded where it is justified whereas the poorest performing land has been allocated for redevelopment and marginal land is husbanded for improvement until alternative suitable and affordable space is built out and market criteria are satisfied.

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- Work on updating the FEMA is now underway and all adjoining authorities were consulted on the brief for this work. LBC and CBC consultants had been asked to liaise to ensure consistency in the work as it was taken forward.

(e) The hierarchy of centres and the level and distribution of retail provision.

DC opened the discussion by explaining the local plan provides strong support to Luton town centre and allows for significant strengthening of its retail role as a regional centre. The forecast demand for convenience and comparison goods is based on the SHMA 2015 population figures and assumes that Luton must increase its market share in both cases to address leaked trade and competition to other major regional centres and significant developments.

(f) Appropriate provision made for public and private transport including Park & Ride and commuting patterns.

DC made the following introductory remarks:

- Maybe self-explanatory but we are concerned about the potential impacts of more traffic being directed through radial routes into the town. Traffic modelling shows that growth requires significant mitigation within the town. This explains why our 'asks' on major urban extensions emphasise the importance of completing strategic orbital linkages.
- Clearly we are keen to encourage greater use of public and other means of sustainable transport so we would hope the Growth Options Study could take this into account and examine, for instance, the scope for growth close to rail stations with local passenger services to accommodate growth that might not be possible closer-in with urban extensions to the Luton conurbation.
- Significant additional modelling work is underway to understand these matters.

(g) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure.

DC noted how this item is trying to ensure that our various plans are consistent across boundary such as transport networks, water infrastructure designations etc.

It was agreed that there were no specific issues at this stage.

(h) Green Belt matters.

DC reiterated the points made earlier in the meeting:

- There is very little designated Green Belt in Luton's area. The potential for it to be developed has been assessed against the national purposes of the Green Belt and none is proposed for development.
- If the Growth Study looked at Green Belt options across the sub-region and came to a different conclusion then we have to take that into account in a review of the plan. We think this is unlikely to be the case.

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(i) Minerals and waste.

The separate Joint Minerals & Waste Local Plan for Luton and Central Bedfordshire was noted. Neither District know of no particular issues outside of this.

(j) Water resources including flooding.

It was noted that LBC have prepared a Water Cycle Study and Strategic Flood Risk Assessment and are not aware of 'show stopper' issues likely to be of cross boundary significance although some capacity investment will be needed particularly in regard north of Luton.

CBC had no specific cross boundary matters raise under this topic.

(k) Air quality matters.

For completeness, LBC are not aware of anything specific. The M1 is an obvious corridor of air pollution and LLA too. The latter might be raised from a noise perspective.

There were no specific cross boundary issues noted.

(l) Gypsies & Travellers.

TH had already explained LBC's approach to the Part 2 Local Plan to deal with G&T matters but progress was dependant on clarity from Government/ Courts. It was agreed there were no cross boundary implications between the two authorities on this matter.

(m) Any other matters that might reasonably identified under the Duty to Co-operate.

No further matters were identified.

4. Scope for Statement of Common Ground/ Memorandum of Understanding in the light of the earlier discussion.

There was general agreement that Member level discussions could be very useful and potentially lead to some form of Memorandum of Understanding or Statement of Common Ground.

5. Next steps.

DC would produce a draft note which he would send over for agreement.

Once CBC had responded to the LLP we would then get in touch to see if a further officer meeting might be needed as a precursor to a Member-level meeting (which could cover both local plans).

The meeting ending at c1640.

Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with Hertfordshire County Council

1400, Thursday 3 December 2015 at LBC Offices

Note of meeting

Present:

Manjinder Sehmi (MS) – Hertfordshire County Council
Roger Flowerday (RF) – Hertfordshire County Council
Keith Dove (KD) – Luton Borough Council
Kevin Owen (KO) – Luton Borough Council
David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC to take place during the consultation period of the Pre-submission version of the Luton Local Plan. He recognised that the agenda listing under the DtC was lengthy and that for the purposes of this meeting the discussion would likely focus on the matters of particular concern to the County Council. DC also indicated that he had advised North Herts DC of the meeting but they were unable to be represented due to other commitments.

RF explained his role providing support in relation to Local Plans across the county, ensuring they knit together. He also referred to the long term transport visioning process (up to 2050). MS was more closely involved in the technical side.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 KO explained the position on the current consultation and summarised the key timeline leading to submission planned for end of March 2016 leading to an Examination in June/ July. He also summarised the key difference to the LLP since the earlier consultation draft highlighting:

- The level of housing provision had increased by c1,000 dwellings to 6,700 dwellings 2011-31.
- The overall strategy remained much the same with housing capacity being capped/ constrained and ongoing viability concerns. There was a shortage of land within the borough compared to the scale of development requirements.
- The scarcity of land also impacted on LBC's ability to provide supporting infrastructure such as new schools. The increase in demand within the next five years could be accommodated but there were still concerns in the longer run, especially to the south of the town.
- Retail growth had now been updated to reflect the latest SHMA, picking up comments raised in earlier representations. The objective was to strengthen the role of Luton as the regional shopping centre clawing back loss of trade in both comparison and convenience retail. There was still some concern about the potential impact of retail growth North of Houghton Regis.
- The London Luton Airport strategic allocation had been amended to integrate Century Park.
- Outside of the strategic allocations the plan had included additional housing at Britannia Estate employment area and the plan would enable further change of use from employment but in a carefully managed way. Employment sites had been categorised 'A' or 'B' as part of the plan.

been categorised 'A' or 'B' as part of the plan.

1.3 DC then explained the background to the scale of growth, Luton's limited capacity and proposals for the Joint Growth Options Study to take forward proposals.

2. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

There was a lengthy discussion under this item covering the following matters:

- KD explained the background studies into the transport implication of proposals for growth.
- Proposals for a new East West Rail link including various corridor options for a link between the Midland Main Line and the East Coast Mainline.
- HE proposals for a strategic route from Oxford to Cambridge.
- Further updates to technical studies to underpin the LLP were to be commissioned and this work would be available in advance of the public examination.
- Concerns that growth on the edge of Luton could have adverse impacts in the town, especially on the New Bedford Road corridor and Stockingstone Road.
- The fact that proposals for full east-west highway links as far as the A505 do not exist and, in the absence of such proposals, appropriate mitigation within Luton needs to be put forward.
- Potential impacts on the AONB/ SSSI.
- Whether a link to the A505 could impact on congestion in Hitchin.
- HCC considered that Hitchin was already a constrained part of the network, online improvements have previously been identified for the A505 & A602 through Hitchin but these would be expensive and offer only minor capacity improvements, highlighting the potential need for a more strategic solution.
- An inner improvement corridor is protected by the LLP but there would be a strong preference for the outer link.
- Concerns on the possible impact on roads in N Herts arising from the Vauxhall Way/ LLAP/ Napier Park employment corridor.
- AECOM were common consultants advising across the sub-region. This could ensure joined up assessment. It was noted that a current CBC procurement exercise could change this position.
- KD confirmed the 2014 work had looked at links from the M1 to A6 but had not looked at a link to the A505.
- The proposals to develop Century Park were entirely met from within Luton.
- The scale of the proposed growth East of Luton at 2,100 dwellings would be insufficient to fund an A505 link. Herts CC were of the view the scale of development could be accommodated without a strategic link from the development sites to the A505, although some concern was expressed about local rural roads and traffic issues.
- It was confirmed that LBC supported growth in principle at this location subject to development supporting an appropriate scale of infrastructure (including education and a link road connection to the A505 to remove congestion in the eastern corridor of Luton and to the town centre and also ways to resolve congestion at Hitchin). The aggregate impact of growth may be significant around the town.
- RF referred to difficulties in securing longer E-W linkages which required 'ladder-type' connections.
- There were three main conclusions. (1) HCC would need to be integral to the Growth Options Study, (2) the need for co-ordination with North Herts DC and (3) that NHDC would be utilising Herts CC Framework contract to underpin their modelling work.

In relation to the cross boundary education implications that appropriate discussions were already taking place between the two authorities¹¹⁹

In relation to the cross boundary education implications that appropriate discussions were already taking place between the two authorities.

There were no other known issues covered by the checklist of matters included on the agenda sheet.

3. Next steps.

Further modelling work would be undertaken prior to the public examination into the LLP.

KD did not expect changes in flows onto roads within Herts CC area to be significant. KD would seek to supply details from the existing modelling when the contact at AECOM had returned from leave. In the interim this would enable Herts CC to undertake some sensitivity testing when comparing to the output from their COMET model runs.

KO indicated there would be continuing dialogue with NHDC on the proposals E of Luton. RF indicated that Herts CC would continue to provide technical support to AECOM.

DC thanked colleagues from Herts CC for coming to the meeting and it was agreed there should be continuing liaison.

DC would produce a draft note which he would send to RF for agreement.

Duty to Cooperate Meeting Luton Borough Council and Stevenage Borough Council

Friday 18th December 2015 11:00 am Stevenage Borough Council offices

Luton BC

- Kevin Owen

Stevenage BC

- Richard Javes

Purpose

The purpose for the meeting was for both Luton and Stevenage to discuss respective plan making with regard to the duty to cooperate and Strategic cross boundary matters and any agreed outcomes from that discussion.

Local Plan Updates

LBC

- KO explained that Cllr Paul Castleman is the current planning portfolio holder;
- There are no significant changes to the Pre-submission local plan development strategy compared to the draft local plan consulted on in summer 2014;
- However, a further +1,000 extra capacity is identified (i.e. plan target increased from 5,700 to 6,700) arising from allocating Britannia Estate; intensification at Newlands Road; B1 office to residential ; smaller developments;
- There is a new proposed access from airport estate to Century Park via Wigmore Valley Park which is now included within the airport strategic allocation;
- A separate Gypsy & Traveller local plan is to be prepared so that the Pre-submission local plan only retains safeguarding of existing G&T sites and criteria for determining applications whereas the permanent and transit pitch target provision is removed and is to be refreshed in the light of the government' new G&T definition and any necessary provision incorporated into the separate G&T local plan;
- Refreshed retail demand figures based on SHMA 2015 and need for increased market share for convenience and comparison to claw back leaked trade.

SBC

- RJ explained Cllr John Gardiner is Stevenage's portfolio holder for planning;
- Stevenage meeting its own housing needs period 2011-31; within CBC- NHerts - Stevenage HMA but do not need assistance as no unmet housing need; 500 dwellings u/c; 500 committed; 3,000 dwellings within town centre; 3 x urban extensions;
- Had PINS informal advisory meeting;
- Facing similar urban capacity and low viability issues to Luton (sustains the lowest market housing prices in the area); trying to address affordable housing via % contribution;

- Had undertaking Green Belt review and SHLAA evidence and also part of the joint SHMA/HMA studies with the Luton and CBC and a joint FEMA with CBC, N. Herts and Stevenage.

Cross Boundary Strategic Priorities

The two authorities do not share boundaries being separated by North Herts District. However, there are some common strategic matters:-

- Housing OAHN and DtC – Luton is ‘capacity capped’ and submitting its plan will help to resolve the level of unmet need from the administrative area of 11,000 dwellings which will help with plan progression and is seeking to address this with help from LAs via a Growth Options Study focussed within the Luton HMA as a priority which may impact on Stevenage’s neighbours and any outcome (given the lead time in preparing the Growth Option Study) would be accommodated with an early review of the local plan should this be required.
- However, Stevenage ‘consuming its own smoke’ up to 2031 as regards housing and urban extensions which include modest proposals west of Stevenage within their boundary
- However, as North Herts OAHN has increased, there may be a case beyond Stevenage’s plan process to undertake the next review to consider the potential for allocations west of Stevenage that North Herts may revisit within their area; including adjacent to the north of Stevenage urban extension and adjacent to the north east of Stevenage urban extension (need for schools /housing)
- E Herts are also looking at potential growth to the east of Stevenage in the Green Belt
- Affordable housing is being sought at 20% to 30% respectively for urban infill sites and urban extensions.
- Employment – Stevenage are seeking help from its neighbours with meeting employment shortfall in land requirements (A1 corridor CBC/NHerts/Stevenage FEMA) – Welwyn Hatfield, North Herts and CBC had offered land.
- Luton delivering sub regional economic role within its land portfolio but has released land to help meet housing need and is also husbanding further land for future needs provided policy criteria are met on building out new supply and retaining firms within Luton.
- Infrastructure and Transport - E-W rail options may change and so accommodation may need to be made in respective plan making for the most up to date position on corridors
- Stevenage considered that any call for urban extensions south of Hitchin to secure an A505 – A1 bypass may clash with west of Stevenage A1 (M) connectivity.
- Stevenage recognise the sub regional role of London Luton Airport but consider that any scope for further expansion would have to be clearly justified and supported with evidence because of concerns over noise.
- Any future cross boundary affordable housing contributions in the next plan review may have to consider an approach based on ‘residual nomination rights’ to overcome best value barriers.
- No other infrastructure issues e.g. water/waste.

- Retail – Stevenage concentrating on regenerating the town centre retail . leisure living and office offer though changes of use and conversions and has no issues with Luton’s approach to increasing market share for convenience and comparisons shopping as there is no direct competition between the centres because of the lack of east-west connectivity.
- CIL - Stevenage consider that now viability supports introduction of CIL and are aiming to issue a draft charging schedule in spring 2016. Stevenage were currently operating a resident discount scheme in charging for use of community facilities.

Outcome

- LBC to draft and circulate note of meeting for agreement.
- Stevenage welcome a portfolio holder meeting with Luton with a view to progressing an MoU or Statemented Common Ground in relation to the Strategic Priorities and Growth Options Study.

Duty to Cooperate Meeting Luton Borough Council and Bedford Borough Council

Monday 22nd December 2015 10:00 am Bedford Borough Council offices

Luton BC

- Kevin Owen
- David Carter

Bedford BC

- Gill Cowie
- Carolyn Barnes

Local Plan Consultation Responses

This meeting was convened by officers from the two authorities in order to further clarify respective representations made on each authority's local plan consultations (i.e. Luton's 6 weeks Pre-submission consultation ending 7th December 2015 and Bedford Borough's 6 weeks regulation 18 notification stage 'Bedford Plan 2023' ending 14th December 2015) and process of member engagement under the Duty to Cooperate with a view to preparing a Statement of Common Ground between the two authorities.

BBC Representations to Bedford Borough Local Plan consultation

- Bedford Borough officers reviewed their responses to Luton's Pre submission plan which are broadly supportive but seeks clarification on several key areas including; how development sites have been selected and the process for determining urban capacity and potential contribution from employment land (e.g. Government policy changes and future role of Luton's RAG assessed category 2 sites); the role of windfall; how any increased potential from the proposed Growth Options Study would be accommodated in the plan (e.g. new allocations) which rigidly states a target figure of 6,700; how the balance of homes and jobs is to be addressed with 18,000 jobs in Luton and implication of CBC's jobs target of 27,000 jobs as set out in the SHMA which CBC are now reviewing (FEMA work commissioned and being reviewed) including commissioning an interim new SHMA for their new plan period?
- Luton officers clarified that the capacity of Luton has been rigorously assessed and set out in the key evidence base- including the SHLAA, Employment Land Review, recent RAG employment land assessment and viability work together with the Sustainability Appraisal of sites/options – however, there was still a 'story to tell' to help interpolate the process and background papers were being prepared (e.g. on the approach to employment land and category 2 sites) and further monitoring including AMR and SHLAA would inform windfall (e.g. the SHLAA considers sites of 5 units and above and 5 yr supply) and the capacity position in the spring 2016
- CBC's FEMA work is now delayed pending new plan period preparation and Luton's FEMA work initial stakeholder workshop anticipated in early February 2016 and so any initial outputs of significance at this stage is doubtful and LBC agree with BBC that the GoS will have to address any emergent issues of significance as this work progresses for CBC and LBC
- Bedford Borough officers note LBC's plan states that Luton's unmet need is to be addressed via the Duty to Cooperate and while BBC understand the context for accommodating Luton's and the HMA's unmet housing need is significantly beyond the frame¹²⁴ of additional urban capacity in Luton, which therefore, requires a strategic response. BBC had not been engaged in or seen any draft of the proposed Growth Options Study (GoS) which clearly

significantly beyond the frame of additional urban capacity in Luton, which therefore, requires a strategic response. BBC had not been engaged in or seen any draft of the proposed Growth Options Study (GoS) which clearly involves a political process under the Duty to Cooperate which would help to resolve this unmet need.

- Luton has, since the autumn of 2014, been trying under the Duty to Cooperate to agree with Central Bedfordshire the terms of a proposed joint GoS (a legacy of the failed MoU process of May 2014) which would look at scope to accommodate any unmet needs (including HMA capacity and Green Belt reviews) with the other LAs within the wider HMA to inform respective plan reviews but this 14 month process had failed hitherto, pending outcome of legal challenges and CBC had only recently withdrawn their plan to start a new plan process
- Luton officers went on to clarify that the timescale of the work (e.g. agreeing and consulting on a brief, commissioning, reporting and approving under the DtC) was now clearly protracted and that with the government's focus on plans being in place in early 2017 that Luton must continue with its plan and is prepared to accommodate any outcome of the GoS via an early local plan review. In trying to kick start the GoS process again with CBC and HMA authorities, Luton agree with BBC that this work needs to progress with clear timescales and outputs that meet respective plan timescales and that there is no reason why the other LAs adjacent but outside the HMA should not be consulted on a draft GoS before proceeding and LBC would pursue this with CBC as a priority

LBC Representations to Bedford Borough Local Plan consultation

- Luton's portfolio holder letter response was recapped and clarified which broadly is supportive of BBCs plan approach to meeting its own objective housing and employment needs based on balancing jobs and homes and a spatial strategy of distributing growth according to an urban regeneration focus on Bedford town then on a network of other village and local service areas and reviewing scope for housing on brownfield/surplus employment land
- Luton also welcomed in principle Bedford Borough's proposed contingency based approach with respect to making provision to accommodate any unmet needs arising from Luton and the Luton Housing Market Area (HMA).
- Luton's priority is to see any unmet needs generated from within Luton's administrative area to be met as close to Luton and the conurbation as possible and within the wider Luton HMA not in Bedford Borough or other Districts beyond the HMA.
- BBC confirmed that they were broadly happy with LBCs response and will actively consider drafting wording to reflect LBC's suggested text for inclusion within their plan via their political approval processes
- LBC agreed that wording in LBC Pre-submission plan can similarly be looked at as a minor mod to clarify that there is no expectation or call for BBC to meet any of Luton's unmet objectively assessed needs.

Agreed Outcomes

- LBC and CBC would prepare a draft Statement of Common Ground/MoU to be subject to their approval processes – LBC to initiate draft for circulation early in the new year
- The Statement of Common Ground/MoU will set out common understanding on respective local plan approaches and refer to the intent of wording for inclusion in respective plans which clarifies the Duty to Cooperate and sequential role of the GoS - which will prioritise meeting unmet needs within

on respective local plan approaches and refer to the intent of wording for inclusion in respective plans which clarifies the Duty to Cooperate and sequential role of the GoS - which will prioritise meeting unmet needs within the Luton HMA and for GoS outputs to be addressed, if required, by subsequent plan reviews. LBC to pursue with CBC progress in the GoS brief to agreement with the HMA authorities including as necessary those authorities adjacent to the HMA and include references to Green Belt and FEMA jobs balance implications.

Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with Buckinghamshire County Council

1000, Thursday 7 January 2016 at Café Nero, Aylesbury town centre

Note of meeting

Present:

Stephen Walford (SW) – Buckinghamshire County Council

Keith Dove (KD) – Luton Borough Council

David Carter (DC) – Luton Borough Council

Introduction

DC explained that the meeting had been requested by LBC as part of a series of meetings with neighbouring authorities on the Pre-submission version of the Luton Local Plan. He recognised that the agenda listing under the DtC was lengthy and that for the purposes of this meeting the discussion would likely focus on the matters of particular concern to the County Council. It was important to note, however, that the range of issues covered by the DtC was much wider than housing which tends to be the focus of most discussions.

SW explained his role providing support in relation to Local Plans across the county.

1. Update on the Luton Local Plan 2011 to 2031.

1.1 DC explained the position on the LLP and highlighted the tightly drawn administrative boundary. Since the meeting was taking place following the consultation period SW would be aware of the content of the plan. The most significant issue concerned Luton's housing shortfall and how this should be dealt with.

1.2 DC noted that Bucks CC has submitted two representations which covered the growth study and the treatment of Green Belt. He also explained how LBC's approach to dealing with the issues raised was beginning to look towards the preparation of Statements of Common Ground which could commit authorities (including LBC) to carry out the necessary Growth Options Study to address Luton's housing shortfall and also to commit each authority to a review of their local plan should the outcome of the Growth Study require this.

2. The Duty to Co-operate, checklist of cross boundary matters covered (sourced from the NPPF), discussion focussed on the perspective of both LPAs:

Most of the discussion fell under this item.

KD raised the E-W Oxford to Cambridge Expressway and asked if Bucks CC had a view on the route from J13 M1 to Oxford, noting that the route of the section from J13 to Cambridge seems pretty fixed. SW indicated that Bucks CC had no views about any specific route at this stage but the authority were supportive of the infrastructure upgrade. There was no decision on whether the route should be entirely new or based on the upgrading of existing roads. In any event the construction was 5-10 years away so the current pressures for growth needed to be catered for irrespective of it. SW acknowledged the importance of early local plan preparation and the potential for local plan reviews in the event that the decision on the routing of the Expressway.

In relation to the proposed Growth Options Study DC explained that work to produce the brief was underway and LBC's view was that this should seek to accommodate housing needs arising within the Luton HMA within the HMA and failing that then within those parts of constituent Districts falling outside the HMA before any consideration of decanting growth further afield. SW supported this sequential approach of addressing the issue, and how differing levels of growth for each part of the HMA could vary under different scenarios. So, for example, additional growth in urban extensions would not have implications for growth levels within AVDC's area whereas other options might have an impact.

DC said he expected the Growth Options Study would therefore also address the issues of Green Belt (GB) of the wider area. SW noted that Bucks CC and the four Districts had recently commissioned a GB review; draft report on the Phase 1 of that review was expected in late January 2016.

Bucks CC's representations on the LLP were considered as part of this discussion with DC expressing the view that the concerns could and should be able to be effectively addressed through the growth options work and subsequent local plan review. It was recognised that in order for AVDC to agree to accommodate a portion of the growth it would be necessary for the technical work to back this up.

It was agreed that both Council's would work (also with AVDC) to provide practicable solutions that would enable progress to be made on local plans.

The checklist of matters covered by the DtC was then discussed to identify any outstanding matters.

KD noted that there were no suitable sites for P&R within Luton and SW explained that Bucks CC would be commissioning work on a new Transport Strategy and undertook to consult LBC on this at the appropriate point(s).

SW mentioned one item not covered in the list – relating to difficulties in securing appropriate connections to the electricity grid. Significant growth was tending to place a high cost on such connections which, in turn, affected the ability for developments to provide other supporting infrastructure.

No other issues were identified at this time.

3. Next steps.

There was agreement to work together to resolve any outstanding matters and to this end DC agreed to draft a potential Statement of Common Ground.

It was felt that Member involvement could be beneficial but that this could usefully be handled by inviting the Bucks CC representative to any meeting between LBC and AVDC Members.

DC would produce a draft note which he would send to SW for agreement, and in due course a draft Statement of Common Ground.

The meeting closed at c1100.

LBC Offices Town Hall

Attendees:

Sue Frost (CBC)

Lynsey Hillman-Gamble (CBC)

Kevin Owen (LBC)

Troy Hayes (LBC)

Actions Underlined

1. Update on Plan Making, Evidence Base and CBC Representations

CBC

- Central Bedfordshire are scoping evidence and the Duty to Cooperate process to support preparing their new plan – O&SB are considering a paper mapping out proposed member leads for each of the x 4 Housing Market Areas coordinated by Cllr Young
- Cllr Sue Clerk (north Central Beds) will have the portfolio for the Luton Housing Market Area
- Wider DtC liaison arrangements will also have to be scoped for the 9 other LAs which border CBC
- Internal CBC visioning workshops proposed next week
- CBC also preparing a Strategic Framework for the Duty to Cooperate for each HMA - this will consider best practice, context and Governance as well as key policy topic areas – these can evolve over time and be kept up to date as DtC evidence. CBC to circulate a draft to LBC.

LBC

- Reviewing representations on the plan and will consider these before submitting the plan
- The timetable for submission is end of March
- Note CBC have submitted substantial representations objecting to Luton's local plan
- Wish to explore the objections with CBC with a view to any scope to resolving those objections before submission – CBC agreed a specific meeting should be set up
- Housing and capacity evidence – Luton will provide update monitoring data for Submission regarding any increased capacity arising from changes to PD rights (B1 resi conversions) and housing monitoring data

2. Growth Options Study – Timetable and Process Issues

- Both authorities recognise the need to secure political governance for the Growth Option Study (GOS) and Green Belt (GB) work as well as project governance through setting up a joint steering group
- CBC and LBC agreed that they would brief portfolio holders with a view to convening a meeting on establishing suitable Governance arrangements
- At the same time CBC would continue with refining the GOS in order to speed up the commission to help set up the steering group
- Agreed that the steering group would involve a core (commissioners) group and wider stakeholder group
- The GOS brief will need to be circulated to the Luton HMA LAs and after agreed, the neighbouring LAs outside of the Luton HMA authorities would also need to have the opportunity to comment on the the draft brief
- After this process there would need to be member and Director sign up to the terms of the GOS brief
- The timetable of the tasks and outputs from the GOS is challenging and although the indicative schedule suggested outcomes at the end of 2016 – CBC wanted to test earlier outputs and wanted to look at some of the consultation tasks which might be removed and covered by local plan process – the brief should more clearly require the consultants to test and refine the tasks and milestones

3. Growth Options Study – Scope and Terms

- CBC have prepared a draft brief for a separate Green Belt (GB) Review Study and invite LBC to be part of the commission
- CBC consider GB study is a necessary separate commission as it will cover whole of CBC including the Luton HMA
- NHerts and AVDC have been approached but had undertaken their own GB studies and would be prepared to see their studies reviewed and so only wish to be on the steering group but not part of the commission and the brief reflects that
- CBC's current thinking on the GB study methodology is for a one stage GB study rather than a two-staged approach whereby the Stage 1 assesses the GB strategically against the NPPF purposes and the Stage 2 identifies weaker parcels but and considers harm to GB
- The GB study would need to feed into the Growth Options Study work
- There was discussion over the steering group arrangements for the GB study – and the common desire that this should be coordinated by the GOS steering group because of resource constraints
- CBC would circulate the draft GB brief to LBC this afternoon
- On discussion, CBC would go back to N Herts and AVDC to clarify whether they wish to be part of the commission given its significance for the GOS cross boundary options work
- There was discussion of the overall sustainability criteria and whether the NPPF would be sufficient guidance or whether the steering group/consultants would need to temper high level criteria for cross boundary consistency with each 'sovereign' SA

- CBC would look at the wording again to try to resolve
- CBC just commissioned Sustainability Appraisal with an inception meeting at the end of January
- Cost of GOS assumed to be around £100k. It was assumed that the cost would be 50k/50k each for LBC and CBC however NHDC and AVDC will be asked if they would like to contribute to the preparation of the study
- CBC have external commissioning framework provider to expedite commissioning

4. Growth Options Study – Detailed Comments

- LBC clarified the sequential approach to the study with respect to within the HMA boundary; and then within the administrative areas of the HMA affected LAs before looking to other LAs if the need arose
- CBC raised the matter of the site assessment methodology and the desirability of retaining the paragraph referring to the appropriateness of CBC's existing site assessment criteria – LBC thought that the consultants and other LAs may want to sense check this for consistency (e.g. site size cut off, deliverability, windfall, call for sites etc). CBC would look at the wording of this again to try to resolve
- CBC raised the matter of the review of Luton's urban capacity which had been amended in the text to clarify that the review of development capacity is across the HMA.
- LBC consider that given the significant slippage in progressing the GOS brief in 2015 coupled with the indicative GOS timetable (which is very challenging), and that the Luton local plan is near to submission (based on up to date capacity evidence), the opportunity for a specific capacity study for Luton is no longer tenable given the Government's imposed timetable and key investment objectives for the town.
- LBC and CBC agreed that respective portfolio holders should aim to meet to discuss Luton's development capacity the week beginning 25th of January

5. Outcomes/Actions

- To set up a joint meeting to explore CBC outstanding objections with a view to resolving issues and establishing a statement of common ground/ MoU on any remaining areas of agreement and disagreement
- A meeting of respective portfolio holders should be set up week beginning 25th January with a view to mapping out governance options for signing up to the GOS work and study outputs
- Circulate a revised GOS brief to N Herts and AVDC and after agreed, circulate the GOS brief the neighbouring LAs outside of the Luton HMA for consultation
- After this process, a revised agreed GOS brief to be signed by a respective member and Director
- CBC would circulate the separate draft GB brief to LBC this afternoon
- CBC to check with N Herts and AVDC whether they wish to be part of the GB study

- CBC would look at the GOS brief wording again to try to resolve approach to sustainability criteria and site assessment criteria
- LBC and CBC to check with respective portfolio holders scope for statement of common ground/MoU

**Luton Local Plan – Pre Submission Version – Duty to Co-operate meeting with Highways
England/AECOM**

Monday 18th January 2016 at AECOM's office, St Alban's

Note of meeting

Present:

Rio d'Souza (RdS) – Highways England
John Alderman (JA) – AECOM
Liz Judson (LJ) – AECOM
Keith Dove (KD) – Luton Borough Council
Kevin Owen (KO) – Luton Borough Council

Introduction

KO outlined the timetable for the Pre-submission local plan progressing to Full Council on 22nd March and submission soon after that meeting. It was anticipated that Examination of the Plan would take place in June/July.

No agenda had been prepared but it was agreed the meeting should cover:-

- a) AECOM's observations and clarifications about the Luton SATURN model runs and
- b) HE's representations on the local plan.

KD outlined the history of the SATURN model 2013 runs based on:-

- Development and infrastructure scenarios from 2011 to 2016 and 2031 am/pm peak. Three Scenarios were considered; 1) Luton commitments, 2) Luton commitments and plan allocations, and 3) Luton commitment and plan allocations plus duty to cooperate cross boundary growth
- Outputs from the model runs led to further pinch-point work on road links and junction which go over capacity (OC) on the local network in 2014
- Engineering solutions worked up and now reflected in the local plan
- The model does include some junctions/roads on the Strategic Road Network (SRN) in the Luton Dunstable area e.g. M1, A5, and A5-M1 link including Jct 11a, but also includes the SRN in the wider area
- Now looking to do further modelling runs – spec with AECOM to include one intermediate year of 2021. Expect this to be completed by end of March

a). AECOM observations and clarifications of the Luton SATURN model runs.

JA outlined key areas that needed clarification from the Luton SATURN model outputs. –

- JA said need to understand the impact on the SRN – M1 and A5
- KD replied that 2013 runs show OC ratios am/pm peak for each scenario which show impacts on local network but also issues from M1 within 85% to 100% OC
- JA asked how confident are we in the model and could further detailed junction modelling take place? E.g. M1 x 4 lane improvements and A5-M1 link?

- KD considered that any update of the model would not materialise until end of 2016 but that the model shows a reasonable picture of impacts on the fringes of Luton for the purposes of the local plan and cumulative impact – J10a grade separation (designed on 18 mppa by 2026) has been included and M1 x 4 lane.
- LJ asked how the 2016 actual flows compare with those predicted from their experience ~M1 southbound isn't an issue but M1 northbound south of J10a does show increased congestion?
- RdS monitoring shows queueing on the slip road which require to be assessed. However, what may be more critical in future is the M1 J11a and A5-M1 link – programme was for a 20 month contract so may be completed in late 2017.
- KD observed that flows and congestion appear to fit with that predicted e.g. Hatters Way and New Bedford Road (A6) are under stress and we have comparisons on M1 am/pm peak shows 75% OC northbound but 75%-85% northbound. Predicted situation assumes A5-M1 link and Jct 11a in place by 20so may need a 2016 run without but also intend to model the interim 2021 year.
- JA said they need to understand the impact of developments and mitigation on SRN trip lengths and junctions in order to advise HE on:-
 - Mitigation needed or not and options e.g. demand management?
 - Sources of funding – HE Forward investment Plan or DfT
 - LAs funding
 - Developer funding
- KD replied that development phasing has been updated and the model shows the cumulative impacts – and includes developments outside of Luton e.g. North Houghton Regis planning permission, north of Luton and east of Luton Borough Council
- KO said DtC development sites on the edge of Luton assume worst case scenario – north of Luton (3,200 dwellings) and also 5,000 dwellings east of Luton however, north of Luton now uncertain (CBC plan withdrawn and restarting plan making process) and east of Luton is currently only proposed at 2,100 dwelling in North Herts Draft Local Plan although Luton's position is that any growth will need to deliver sufficient infrastructure. In addition the policy LP31 approach is for developers to meet costs of their development impacts and if there are no cumulative 'show stoppers' including on the SRN, then the plan has done enough to progress to submission with the understanding of further work to resolve specific development related issues
- JA suggested that can't rely on the OC figures but need to see the actual numbers KD to provide the detailed model runs for 2031 now to AECOM which will have all of the necessary planning and infrastructure assumptions.
- AECOM to endeavour to analyse these outputs and provide advice to HE in March in order for HE to make a further response prior to local plan submission
- KD to consider further comparator 2016 run that excludes A5-M1 link and Jct 11a

b). HE's representations on the local plan.

- KO recapped HE outstanding representations on Pre-submission plan reflect those on the previous draft plan and that HE and LBC met had met in April 2015 to try to resolve these – i.e. growth housing/employment imbalance; need for detailed modelling of development impacts.
- RD acknowledged this and considered that the 2021 interim year modelling would help to resolve impacts of developments

- LJ also explained that their cover letter (email 1st of December to KD) and technical report on behalf of HE provides further acknowledgment of the functional conurbation context of accommodating Luton's growth housing/employment balance and also the positive approach to policy LP31 with regard to Transport Assessments/ Statements and Travel Plans and which tempers HE representations. With Luton not having CIL in place the s.278 regime may be more effective in securing developer contributions for necessary mitigation.

Outputs/Action.

- KD to provide the detailed model runs for 2031 to AECOM asap, which will have all of the necessary planning and infrastructure assumptions.
- AECOM to endeavour to analyse these outputs and provide advice to HE in March in order for HE to make a further response prior to local plan submission
- KD to consider further comparator 2016 run should excludes A5-M1 link

Meeting between Natural England (NE) and Luton Borough Council (LBC)

Date: 20th January 2016

Venue: Luton Borough Council

Attendees: Lyn Collins (LC), Team Leader (NE)
Ross Holdgate (RH), Planning Advisor (NE)
Sarah Fraser (SF), Senior Advisor (NE)
David Carter (DC), Strategic Planning Manager (LBC)
Jake Kelley (JK), Planning Officer (LBC)

Subject: Natural England's representations on the pre-submission Luton Local Plan 2011-2031

Discussion:

NE explained that their main concern is the safeguarded route for the east Luton circular road. Those concerns specifically relate to impact on the Galley and Warden Hills SSSI, Stopsley Common and Chilterns area of outstanding natural beauty. More detail is required on the justification, alternatives and impacts for this proposal.

DC provided the broad context surrounding this proposal: that the town could not accommodate all of its needs (particularly housing). This results in the need for neighbouring land to support significant levels of development and associated infrastructure including roads. DC confirmed that there are specific concerns about congestion on the A6 in Luton that will be intensified should development north of Luton (in Central Beds) come forward with a new link from the M1 to the A6.

JK confirmed that road proposals had been in existence for many years and that the route indicated was only one option for the delivery of a strategic route to address congestion caused by east-west traffic movements. The aim of the policy was therefore to protect options and keep potential routes free from other forms of development.

DC explained that Luton and Central Bedfordshire intend to produce a growth options study that will focus on development needs, capacity and the options available to address those needs. That study will consider in more detail any required infrastructure such as roads and the environmental impacts of any options identified. The study was proposed about 18 months ago but had been shelved while Central Bedfordshire pursued their plan-making agenda. Since the withdrawal of their plan from examination, the brief for the study has been under development but has yet to be finalised.

LBC confirmed that they are pursuing their plan-making programme in advance of the growth options study as they are confident that they are doing all they can within their own boundaries.

The study may result in additional land being recommended for development (potentially including land around Stopsley Common), in which case such recommendations would be considered in a subsequent review of the local plan.

SF noted that the way the plan was worded made it look as if the road proposals were a certainty. No information had been provided to the contrary. RH noted that it would be beneficial to include additional text with caveats to clarify matters. For example, such text could explain that the land is safeguarded to support options for a certain road scheme but that the final route will need to show that it is of less harm than any other options. SF suggested that the proposals might be able to be moved out of the transport policy into another section of the plan that dealt with requirements to safeguard land.

NE suggested that they propose major modifications for discussion at the plan's examination. JK suggested that it might be better to try to amend the plan prior to submission to avoid the need for further debate at examination. NE supported this general approach, pending their own resources to suggest the changes.

DC confirmed that the next milestones are to take a report to Full Council on 22nd March and seek approval to submit the plan for examination soon after (possibly end of March). To meet these timings, proposed modifications should be sent through to LBC in the next couple of weeks. If this was not possible or the plan could not be modified to NE's satisfaction, both parties were willing to develop a statement of common ground that might result in major modifications post-examination and further public consultation.

RH notes that Historic England may have similar concerns to them (the route has potential impacts on heritage assets at Drays Ditches and Bradgers Hill). He will make contact with HE to see if NE's proposals can also address any concerns from HE.

Regarding assessment of the plan's effects, NE noted that the sustainability appraisal (SA) looks at the whole of policy LP31 (sustainable transport strategy) and does not highlight the impact that specific parts of the policy will have (especially on nationally designated assets). Due to this, the SA considers the policy to have a neutral impact even though NE considers the specific road proposal to have significant negative environmental impacts. JK confirmed that the SA is undertaken by a neutral party and that LBC try not to influence this work.

Actions:

NE (RH) to propose specific modifications to the plan to address concerns. These should be sent to LBC (DC) no later than 03rd February.

LBC (JK) to highlight NE concerns on the SA with Urban Edge, requesting that the SA draws attention to individual aspects of policies that might have significant impacts in their own right.

Further actions may be required depending on the outcome of the specific amendments that will be proposed by NE.

Luton Borough Council – Developers and Registered Providers Workshop

Luton Central Library, 3rd Floor Conference Room

Meeting Note and Summary of Delegates' Questions and Responses

Presentation 1: Local Plan Update (Kevin Owen)

Summary:

There were no questions during the presentation itself, which focused on the overall approach in the Pre-Submission Plan. Attention was drawn to the very 'active' pattern of land use across the town, meaning that when viewing the policies map there are very limited areas not warranting some form of Local Plan designation or protection. Green spaces tend to be multi-functional and in active use and many unidentified areas also comprise important assets such as school playing fields.

Attention was drawn to the town's sub-regional employment role and that the jobs target derived from the East of England Forecasting Model (2013) is modest in this context and would require delivery of all major strategic allocations.

The map of housing land supply sites shown demonstrates a concentration of locations around the town centre and south of the town, presenting disproportionate demands on infrastructure and service capacity in different locations (e.g. school places). Significant loss of employment land is recognised as having contributed to the range and supply of sites over the last 10 years, but demand and occupancy remains high even for poorer quality stock (due to occupiers' requirements). Further managed release will therefore only be supported where circumstances are right.

Delegate Questions and Comments:

1. One delegate [Mr Geoff Gardner] queried the breakdown of housing land commitments and proposed allocations by category and location. This included querying the basis for '1,772 houses' referred to as 'town centre regeneration' (with Policy LP30 Ai also referring to 2,100 dwellings) and whether these were drawn from summing the individual strategic allocations, other allocations (from Appendix 4) or existing permissions.

Officers confirmed that the totals referred to on the slides covered provision within the plan as a whole (not just the strategic allocations) and therefore include extant permissions and other housing allocations (from Appendix 4). Jake Kelly confirmed that full details of the breakdown were available in the SHLAA. This demonstrates where individual SHLAA sites have been combined into totals for strategic allocations (e.g. High Town) and others retained as standalone entries (e.g. locations across the town centre). Appendix 5 provides the Housing Trajectory summarising these outputs.

Mr Gardner commented that this made the existing pipeline of larger commitments harder to identify and meant that the 'additional housing allocations' row contained sites with a wide variety of planning statuses; including those with extant consent.

2. One delegate [Mr Lachlan Robertson] queried whether the capacity assumed took account of the potential for creation of new units from 'Office-to-Residential' Permitted Development Rights?

Officers confirmed that it is necessary to remain realistic about the potential overall supply from this source and the risk of a large allowance and future changes in regulations making supply undeliverable. Officers confirmed that whilst an individual total from this source is not quantified in the Plan, evidence of these sources (including the 'Review of town centre office business re-use study - May 2013 (Peter Brett Associates)) has informed assessments in the latest SHLAA and existing commitments and completions are also recognised.

It was confirmed that future Authority Monitoring Reports and updates to the SHLAA would continue to review these sources (and others such as delivery from small sites) to review consistency in estimates of future supply. An up-to-date AMR will be published shortly, prior to submission of the Plan.

3. Mr Geoff Gardner enquired whether the 'Housing Market Areas in Bedfordshire' study represented a separate report and assessment of need from the SHMA Update (2015)

Officers confirmed that the Housing Market Area study does not provide a revised assessment of need. Its purpose is to review the consistency of the Housing Market Area identified for Luton and Central Bedfordshire with other sources such as the latest data on Travel to Work and 'Broad Rental Market Areas'. Officers confirmed that the findings are broadly consistent with previous studies, but that the 'Luton and Central Bedfordshire' Housing Market now occupies a somewhat larger area extending north into Central Bedfordshire.

Officers noted that the 'Housing Market Partnership' bringing together affected and adjoining authorities remains in place based on the outputs of the work, and that this will form part of the evidence for any Growth Options Study.

4. Mr Geoff Gardner questioned dates for commencement and completion of the Growth Options Study, and whether this would take place prior to Submission of the Luton Local Plan. Mr Gardner considered that if this work is not completed it will represent the same failures that led to the collapse of the emerging Central Bedfordshire Development Strategy.

Kevin Owen confirmed that a Draft Brief for the study has been prepared and is being consulted upon but the timetables for completion may not necessarily align with the Local Plan. The Council considers that establishing the support for the process and the intentions of the Growth Options Study to inform the approach to deliver any unmet needs and any future review of the Luton Local Plan will be sufficient to support the strategy at Submission.

Presentation 2: Local Plan Viability (Troy Hayes)

Summary:

Delegates were informed that the latest evidence on the viability of the Local Plan is provided by the October 2015 study prepared by the Nationwide CIL Service. This has been updated with the latest values and costs for the variety of developments and standards set out through the emerging Local Plan and provides evidence for the delivery and viability of the major strategic sites.

The Council acknowledges that some viability constraints are likely to apply to certain development typologies and at certain times (e.g. flatted developments in years 0-5 of the assessment period).

Officers confirmed that the viability evidence was one part of a range of sources being used to demonstrate that the strategic allocations are appropriate and deliverable for the uses proposed.

Delegate Questions and Comments:

5. Various delegates queried whether the viability study justifies an alternative use for any of the strategic sites, in-particular land at Power Court and the location of the LTFC Stadium at J10A?

The Council confirmed that it considers that the viability study does not identify any fundamental barriers to any of the proposed strategic allocations. Where the study identifies potential issues (primarily limited to the delivery of the LTFC stadium at J10A) this is not in itself considered to demonstrate that an achievable solution for the site cannot be delivered; nor that the full range of evidence supports an alternative to the proposed allocation or that a different location and combination of uses at J10A would be more appropriate. Officers confirmed that representations were now being reviewed in detail and the Council will respond as to whether any modifications are proposed prior to Submission.

Presentation 3: Affordable Housing Viability and Policy Approach (commuted sums) (Kathleen Dunmore, Three Dragons)

Summary:

The presentation highlighted that in Luton, schemes for 10 or fewer units amount for 80% of all sites and 30% of dwellings provided; approximately half of these are flats and approximately half are conversions. The study has been completed to demonstrate that the majority of such sites can contribute a commuted sum in lieu of on-site affordable housing (as per the drafting of Policy LP16). It is also able to say what cash payment would be equivalent to the financial impact of having affordable housing on-site – based on the cost per dwelling comparing the residual value of 100% and 80% delivery of market housing.

The study has taken into account sensitivity tests for build costs and revenue from affordable housing (as 80% of Local Housing Allowance or as a % of revenue approach) and acknowledges higher costs for single unit schemes. The findings identify that on a viability modelling-based approach, single unit schemes essentially never appear viable but payment of a commuted sum for affordable housing would not itself change this balance in the majority of cases.

It was confirmed that an option for full viability appraisal would be in place for any applicant who felt that the standard 'sum per dwelling' was unreasonable. The policy should be subject to regular review. Whilst a small proportion of development may be deterred, the findings demonstrate that

the level of contribution could become accepted as a typical development cost and obligations entered into in-line with other S106 contributions – preferably linked to future completion and sales.

The report concludes that the commuted sum mechanism could raise c. £1m - £1.4m per annum (based on approx. 130 units per year and a mix of flats and houses) but that in reality the total is likely to be lower.

It was confirmed that the model would need updating to take account of any Starter Homes Policy, but that the position on the impacts and operation of this was not yet clear from CLG.

Delegate Questions and Comments:

6. The Council was asked to confirm that there would be an exemption from commuted sums being levied on 100% Affordable Housing Schemes and those with an element of market housing being used to cross-subsidise affordable housing.

The Council confirmed agreement in principle on the basis of ensuring that the Local Plan achieves the net delivery of 20% affordable housing considered achievable within the boundaries of the town. This may require further analysis in terms of what other sources of funding support affordable housing and ensuring that any profits are used to fund affordable housing (and where these are spent e.g. within or outside of Luton).

7. Mr Lachlan Robertson requested more details on how sums would be used e.g. for gap funding, improving marginal viability and the types and locations of housing where sums could be spent.

The Council confirmed that greater detail would be provided in its subsequent housing strategy, including details on whether options to build across Local Authority boundaries or influence nomination agreements are pursued further under the Duty to Cooperate.

8. Some delegates queried whether it would be more appropriate to test and apply the commuted sums approach more widely, as developers can find on-site provision equally impractical on 15-20 unit schemes as very small sites.

Kathleen Dunmore explained that the size of site makes little difference to the comparative cost of providing affordable housing on-site or off-site in an economic sense, but that land availability and spending were the key differences on smaller sites. Kevin Owen confirmed that the Council agreed with this position, and that Policy LP16 was drafted to support off-site provision where justified, but in the context of achieving the wider benefits of on-site provision towards sustainable development where possible.

A series of wider questions were also discussed before the session broke for refreshments:

9. Mr Geoff Gardner returned to the Duty to Cooperate and need to resolve the Growth Options Study format, to help the Council avoid the same failures by Central Bedfordshire Council

David Carter countered this view, identifying Birmingham as an example with significant unmet need and which was able to steer adjoining authorities to commit to further work or Local Plan review as part of set out the framework for a future Growth Options Study following submission and during Examination of its Local Plan, also working closely with the LEP.

Troy Hayes used the example of Oxford as another example, which was using work to define its unmet need as an important basis for future work with adjoining authorities and that there was support for this process. Kevin Owen noted the Council's view is that unmet need does not arise simply from Luton, and the adjoining authorities still needed to do more work to meet their own needs across their parts of the HMA.

Mr Lachlan Robertson agreed that there was some wider benefit to progressing the Luton Local Plan to look at housing and other issues and as having value in its own right.

10. A local surveyor raised a view that sustaining a portfolio and supply of employment land to meet the number of new homes proposed in Luton appeared to be an increasing challenge.

Kevin Owen confirmed that this view was consistent with the evidence base for the Local Plan and reinforced the importance of the economic dimension of the Plan. This includes the need to protect existing lower value and second hand stock for the needs of different occupiers, whilst other initiatives such as the Luton Airport Enterprise Zone would also help to support the economy and provision of jobs.

Luton Housing Market Partnership – Circulation of Draft Terms of Reference:

Draft terms of reference for a potential group were circulated. Following discussion, it was identified that similar groups may already exist to discuss some of the issues across the wider sub-region (e.g. through SEMLEP). Some delegates felt that any Partnership should cover the whole HMA (Mr Geoff Gardner and Mr Lachlan Robertson) and that this would be of greater interest to engaging developer stakeholders and to support input on key issues (e.g. to support research across the wider conurbation). Other delegates felt that this would repeat discussions taking place under the Duty to Cooperate and contribute little to decision-making.

Other delegates (principally Registered Providers) highlighted that the Partnership would be most beneficial if it focused on issues specifically within Luton, particularly as the delivery of affordable housing has contributed over £25m investment in recent years but that there was a need to speed-up and add certainty to decision-making, the operation of policies and to assist in identifying and bringing forward sites. It was noted that some, but not all, these issues could be covered by a Development Management Forum.

The Council agreed that it would conduct a further assessment on the other groups already in existence on the different issues affecting different areas. This would consider the best approach or approaches and the key issues where the Housing Market Partnership should focus.

Discussion Session on Key Issues and Opportunities – Delegates’ Comments

1) *What are Luton’s Assets to Delivering Housing and Employment?*

- a. Infrastructure should be seen as an advantage e.g. good local connections and wider transport links to London
- b. The authority has a good understanding of sites across a very small and relatively easy-to-understand area. The majority can be considered developable and are backed by good local knowledge
- c. The ‘Guided Busway’ reinforces links with Dunstable and Houghton Regis in terms of raising the profile of the town and capacity across the conurbation
- d. Diversity of the area – this helps to broaden the skills base and provides variety in the approaches to development
- e. The relative affordability of housing remains good, albeit in an improving market which is helping to improve values
- f. Luton has good links focused near the town centre (e.g. train station and London Luton Airport) which reinforces its sub-regional role.

2) *What are Luton’s Barriers to Housing Delivery?*

- a. A number of delegates recognise that there is a lack of capacity generating an unmet need for housing
- b. Conflict in land uses exists due to the role of the town and its ability to provide sufficient jobs for existing and future populations – some feel that housing would like to take over
- c. There are significant financial barriers to delivering affordable housing, which is primarily a national problem. The impact of Starter Homes is uncertain but may be welcomed in Luton.
- d. The Local Plan may make things worse in terms of affordable housing viability and policy targets – commuted sums of c.£10,000 will not cover the c.£35,000 needed to replace grant funding and policy may conflict with real life circumstances
- e. Unlikely to deliver ‘specialist accommodation’ needing over £80,000 Recycled Capital Grant Fund (“RCGF”) per unit.
- f. Boards of larger Registered Social Landlords query the asset value of Luton for investment – it may be necessary to provide cross-subsidy support for RSLs or allow spending of commuted sums outside the administrative area. Greater clarity will be needed on pooling and spending arrangements.

3) *How Can Barriers to Housing Delivery be Removed?*

- a. Flexible approach required to spending and collecting commuted sums: for example allow cross-subsidy of part-private RSL sites to support viability and remove affordable housing and other obligations from such sites.
- b. Various delegates support open-book pre-app viability discussions. This should encourage greater certainty in decision-making e.g. when Committee will accept reduced contributions or the arrangements for bringing forward RSL sites in order to speed-up and improve overall delivery.

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Luton Local Plan – Duty to Co-operate meeting with North Hertfordshire District Council

1500, Tuesday 26 January 2016 at NHDC offices

Action Points

Present:

Louise Symes – North Hertfordshire District Council
Nigel Smith - North Hertfordshire District Council
A N Other - North Hertfordshire District Council
Kevin Owen – Luton Borough Council
David Carter – Luton Borough Council

1. Introductions

2. Update on the Luton Local Plan 2011 to 2031.

KO updated on key points. The Regulation 19 consultation finished on 07 December and officers were now going through all the representations with a view to identifying minor modifications. These would be reported initially to the Local Plan Working Party on 9 February leading up to Council on 22 March where it was intended to seek approval for submission of the plan. Key issues emerging include the Duty to Co-operate and Luton's urban capacity.

There was a discussion on the proposed Growth Options Study, developing the brief and likely timescale for this. It was recognised this presented a considerable challenge to the progression of local plans as it was unlikely that the results would be available in time to enable the necessary work and consultation on local plans to enable submission of plans in-line with the Government's deadline. DC suggested that the most realistic approach was to progress with local plans in parallel with the Growth Options Study and build into local plans a commitment of all the relevant authorities to participate in the joint technical work and subsequently, if this proved necessary, for the review or partial review of local plans. LS noted that at this time NHDC did not anticipate any commitment to a local plan review although they may be prepared to see acknowledgment of the need to accommodate the work of the Growth Options Study outputs in the statement of common ground and as process becomes clearer for this to be updated as necessary..

In relation to urban capacity LBC indicated what they were proposing to do in relation to this. In short it was proposed to undertake a review of the SHLAA to an April 2016 base prior to the examination and to incorporate any consequential review to the level of housing provision through a main modification to the plan. This would enable the latest information to inform the examination on key assumptions and approaches such as the impact of prior approvals, windfalls densities and so on. Luton did not agree that Luton's capacity should be specifically reviewed as part of the Growth Options Study because the delays to the progression of the study and that any adjustment of urban capacity would be the subject of discussion through the examination process.

There was also a discussion on the relationship of the Growth Options Study to SA. It seemed appropriate for the study to look at a hi-level assessment in order to ensure that reasonable alternatives had been taken into account. This would dovetail with individual SAs into local plans.

3. Update on the North Hertfordshire Local Plan.

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NS indicated that the NHDC LDS had been reported to Council the previous week. This would see a Regulation 19 consultation in September/ October 2016. The recent SHMA update with Stevenage had added a further 2,000 dwellings to the requirement. The SHLAA was in the process of update. North Herts had already made provision of 2,100 homes to the east of Luton to address unmet need arising from Luton and were anticipating planning applications to be submitted in the near future for the Crown estate areas of land involved.

4. Scope for Statement of Common Ground/ Memorandum of Understanding.

The possible format and broad scope of a Statement of Common Ground was discussed, including how reference might be made to the Growth Options Study and appropriate safety nets covering sustainable options for any growth arising from the Luton HMA that ultimately had to be met outside the HMA.

5. Next steps.

It was agreed that LBC would initiate a first draft of the SCG.

Luton Local Plan – Duty to Co-operate Meeting with Dacorum District Council

1430, Wednesday 27 January 2016 at Luton Town Hall

Notes

Present:

Councillor Graham Sutton, Portfolio Holder, Dacorum District Council

John Chapman, Dacorum District Council

Councillor Paul Castleman, Portfolio Holder, Luton Borough Council

David Carter, Luton Borough Council

1. Introduction and welcome

DC welcomed everyone to the meeting. This meeting followed an earlier officer meeting held in November and was one of a series LBC were holding with neighbouring authorities under the DtC. In the context of the Government target for completion of local plans and the possibility of significant financial penalties in the event of failure there is now a strong incentive for the authorities in the sub-region to turn over a new leaf and seek to ensure that the necessary joint technical work is carried out and that all authorities work pro-actively to help plans move forward. This aspiration was shared by both Portfolio Holders.

DC hoped that in the context of the discussion on items 2 and 3 it would be possible to agree that officers could start to draft a Statement of Common Ground between the two authorities.

2. Update on the Luton Local Plan 2011 to 2031

DC summarised the current position including the scale of the response to the recent Regulation 19 consultation. In terms of the main issues arising the Duty to Co-operate was clearly one of these with representations from Central Bedfordshire and Aylesbury Vale suggesting non compliance, and also a similar view from both neighbouring Highway Authorities (Bucks CC and Herts CC). The other two issues raised were in relation to Luton Town Football Club's objection to shift their new stadium from J10 to a town centre site at Power Court and, more controversially, to shift the retail development in the opposite direction. The objections did not justify such an approach, especially the retail impact, and therefore LBC were not proposing to amend the plan. The third issue concerned urban capacity in Luton. LBC's position was that it felt its estimate of urban capacity was a reasonable assessment but as the plan moved towards its examination the Council were proposing to update its SHLAA to an April 2016 base. This would ensure that the latest information would be available to allowing testing at the examination and allow all aspects of capacity to be considered in one exercise. It is likely that this exercise will result in some extra capacity in the town which can then be dealt with as a main modification through the examination process. The additional capacity would, however, be modest compared to the overall size of the housing shortfall.

In relation to future process a meeting of the Members Local Plan Working Party would initially consider proposed minor modifications on 9 February leading to Council on 22 March which would consider the submission of the local plan.

3. Update on the Dacorum Local Plan

JC explained the current position on both the Site Allocations Document (SAD) which follows on from the adoption of the Core Strategy in 2013 and the single local plan which would follow on shortly after to meet the Inspectors requirement from 2013 that the plan be subject to early review.

In relation to the SAD submission of the plan is anticipated next Friday with a public examination anticipated in May 2016.

JC handed out an extract of the LDS showing the milestones for the single local plan and explained the work currently underway on a tranche of supporting technical studies. Key issues included the scale of housing provision in South West Hertfordshire including a potential housing shortfall in Watford. The end date of the plan would be 2036 (which compares to 2031 for Luton).

In relation to Dacorum's comments on the Luton Local plan DC noted that a minor change would be proposed which he hoped would clarify the representation made re the housing market area. On the airport the comments about the impacts of the airport in terms of night flights and noise these were recognised and shared by LBC.

4. Scope for a Statement of Common Ground/ Memorandum of Understanding

DC introduced this item introducing a suggested format of a possible agreement which he hoped would prove non-controversial. This allowed for specific areas of agreement and disagreement to be specified.

He then referred to the proposed Joint Luton Housing Market Area Growth Options Study and ran through a possible scope of an agreement for this and how a commitment to the joint work and how this could be taken forward in plans.

JC asked if a multi-lateral agreement might be sought in a similar vain. DC stressed that LBCs view, was that bi-lateral agreements should be sought but that did not remove the scope for a multi-lateral agreement at some point. It was important to stress, however, that a multi-lateral agreement alone was vulnerable to becoming least common denominator.

Following the discussion both Portfolio Holders were content that officers should work to produce a draft SCG. DC would start a first draft this and send this across to JC within the next two weeks.

5. Next Steps

In addition to the work on the SCG both Councillors Castleman and Sutton welcomed the meeting and nature of the discussion and agreed that both authorities should engage on a continuing and positive basis.

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Luton Local Plan – Duty to Co-operate meeting with Aylesbury Vale District Council

1400, Thursday 28 January 2016 at AVDC offices

Action Points

Present:

Peter Williams – Aylesbury Vale District Council
Kevin Owen – Luton Borough Council
David Carter – Luton Borough Council

1. Introductions

2. Update on the Luton Local Plan 2011 to 2031.

KO updated on key points. The Regulation 19 consultation finished on 07 December and officers were now going through all the representations with a view to identifying minor modifications. These would be reported initially to the Local Plan Working Party on 9 February leading up to Council on 22 March where it was intended to seek approval for submission of the plan. Key issues emerging include the Duty to Co-operate and Luton's urban capacity.

Reference was made to the proposed Growth Options Study and discussion deferred until item 4.

In relation to urban capacity LBC indicated what they were proposing on this. In short it was proposed to undertake a review of the SHLAA to an April 2016 base prior to the examination and to incorporate any consequential review to the level of housing provision through a main modification to the plan. This would enable the latest information to inform the examination on key assumptions and approaches such as the impact of prior approvals, windfalls densities and so on.

3. Update on the Aylesbury Vale Local Plan.

PW summarised the latest position highlighting:

- c900 responses had been received to the recent Issues & Options consultation.
- Unmet need arising from S. Bucks now included 3.5K dwellings, as part of c31K total provision.
- This scale of requirement took no account of any need to accommodate any shortfall within Luton – the Growth Options Study was required in order to establish this.
- A Draft local plan programmed for Spring 2016 and therefore the outcome of the GOS required for this. This latter point was discussed further under item 4.
- Submission by the end of 2016 with a view to adopt in 2017.

4. Scope for Statement of Common Ground/ Memorandum of Understanding.

DC tabled a paper showing the possible format and broad scope of a Statement of Common Ground. This was the same as discussed with other adjoining authorities, including how reference might be made to the Growth Options Study. The approach reflected a position that all LPAs in the sub-region

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should be 'turning a new leaf' in their discussions under the DtC and seeking to help each other finalise their plans whilst at the same time ensuring the difficult issues are dealt with effectively.

DC highlighted how the GOS presented a considerable challenge to the progression of local plans as it was unlikely that the results would be available in time to enable the necessary work and consultation on local plans to enable submission of plans in-line with the Government's deadline. DC suggested that the most realistic approach was to progress with local plans in parallel with the Growth Options Study and build into local plans a commitment of all the relevant authorities to participate in the joint technical work and subsequently, if this proved necessary, for the review or partial review of local plans.

PW agreed that the format of the proposed SCG appeared satisfactory and was content that LBC should put forward a first draft for AVDC's consideration.

5. Next steps.

LBC would initiate a first draft of the SCG.

- Regarding Luton's urban capacity – the Growth Options Study (GoS) brief wording would merely reflect our respective positions – that LBC considers its level of unmet need to be 10,800 and evidenced capacity to be 7,000 and that CBC considers that it wants to test this capacity via a separate Urban capacity study (including wider than Luton) however, the GoS itself would not include a capacity study for Luton
- Green Belt study (GB) would not review Luton's Stage 1 GB study but would review the methodology across the HMA for consistency but would only undertake GB stage 2 for Luton – we clarified we had already engaged and refined our Stage 1 for consistency addressing points with the other LAs and had also invited them to undertake stage 2 but they all declined for various reasons at the time in 2013/14
- We discussed the risks of not including AVDC and NHDC in the GoS and hence insisted on the need to invite them to the inception meeting to seek their signing up/governance and this was accepted
- We discussed the risks of not including AVDC and NHDC in the GB Study (when they have not full closed off their GB work) e.g. increased pressure non CBC and Luton's GB and likewise they will therefore, need to attend the inception meeting to confirm their position and this was accepted
- We discussed the MoU and concluded it was dead and discussed the Statement of Common Ground and agreed that we would engage and sign up to in respective SCG documents being produced (KO to circulate template next few days) being used for other DtC meetings and that this would cover where we agreed on evidence and disagreed and any outstanding matters by topic – it would be a live documents and evolve hopefully to narrow any differences by the time we get to Examination – aim to get Luton's SCG in pace by submission
- We discussed the overall timetable and GoS was proposed as outputs by October 2016
- We discussed the GB study and how it integrates with the GoS and the timing implications – needs to be twin tracked – there was uncertainty over the timescale because of consultancy choice/availability (conflicts of interest) scale of GB to be assessed and methodologies etc.

In terms of next steps :-

- We agreed that a further draft of the GoS would be circulated by CBC by Weds and LBC respond by Friday on amended wording
- Agreed the same for turning round the Green Belt Study
- A ToR for governance purposes covering both these studies would be circulated by TH and include how the Governance would operate – rotating chairs, supporting officer group. Tender selection etc.
- PRB would investigate the Procurement picture on the studies in signing up to studies commissioned by CBC under their terms

- An GoS and GB study inception meeting with members and senior officers of LBC, CBC, AVDC and NHDC – CBC would try to set this up either next week or before the 25th by CBC in order to agree the briefs for sign off at the meeting
- Both cllrs P. Castleman and Cllr s. Clark agreed to make themselves available within this timetable

Terms of Reference

Officer Working Group for Luton Housing Market Area Growth Options Study & Green Belt Study

Aims

Aim 1: To ensure key strategic cross-boundary technical evidence is prepared, finalised and disseminated through a clear governance arrangement.

Aim 2: To manage the preparation and publication of a Growth Options Study for the Luton HMA which considers suitable strategic options and recommends a strategy for meeting the needs of the HMA and Luton's unmet housing needs. A second stage study may be required. (Refer to agreed brief for this study).

Aim 3: To manage the preparation and publication a Green Belt Study for the Luton HMA which assesses all of the Green Belt land against the national purposes of the Green Belt and recommend the most appropriate land to be considered by the Growth Options Study for potential removal from the Green Belt. (Refer to agreed brief for this study).

Commissioning Authorities

Luton Borough Council
Central Bedfordshire Council
North Hertfordshire District Council
Aylesbury Vale District Council

Membership

The Officer Working Group will comprise up to two Officers from each of the commissioning authorities.

Chairmanship

The Officer Working Group will be chaired by the local authorities on a rotating basis (by meeting). Administration of the meetings, including recording notes of meetings will be the responsibility of the host authority.

Steering Group

The Officer Working Group is responsible for the day-to-day running of the studies. The Officer Working Group will make key recommendations to the Steering Group.

Role & Objectives

To project manage the Studies including all contractual / commercial matters;

To make recommendations to the Steering Group;

To recommend the appointment of consultants to deliver the Studies;

To coordinate the timely provision of local authority data necessary for the successful completion of the Studies;

To monitor progress on producing the Studies against agreed timeline and milestones;

To challenge as appropriate the assumptions and findings of the appointed consultant to ensure that the Study is as robust as possible;

To manage risks associated with the production of the Study;

To recommend sign-off of Study documents;

To recommend processes to disseminate findings of the Study;

To recommend process to engage with stakeholders relevant to the Study; and

To recommend how the outcomes of the Study can be fed into the wider plan-making process of each authority.

Reference Group

In addition to the commissioning authorities, Officers from the following neighbouring authorities will be invited to sit on a wider Project Reference Group:

- Dacorum Borough Council
- St Albans City and District Council
- Stevenage Borough Council
- Milton Keynes City Council
- Bedford Borough Council
- Hertfordshire County Council
- Buckinghamshire County Council

The Project Reference Group will be constructively engaged at key milestones of the preparation of the studies including their methodologies and draft briefs. Reference Group members will not be involved in the final sign off of the study or involved in matters that are contractual / commercial.



Nathaniel Lichfield
& Partners

Planning. Design. Economics.



Luton Functional Economic Market Area Study

Presentation of Emerging Findings

11th February 2016

FOR INTERNAL USE ONLY

Disclaimer

This presentation is based on initial data analysis and information gathering, in accordance with the specification for the work and for the purposes of preparing a draft report. This analysis contains a number of outstanding matters that may be subject to clarification or confirmation. In addition, all outputs are subject to our internal review procedures and accordingly, we reserve the right to add, delete and/or amend the finding as appropriate. No party may place any reliance whatsoever upon these draft findings.

Agenda

Introduction and Welcome (LBC)	10.00am
Presentation of Emerging Findings (NLP)	10.10am
Refreshment Break	11.00am
Group Discussion	11.10am
Group Discussion Feedback (NLP)	11.40am
Next Steps (NLP)	11.55am
Close	12.00pm

Purpose of Workshop

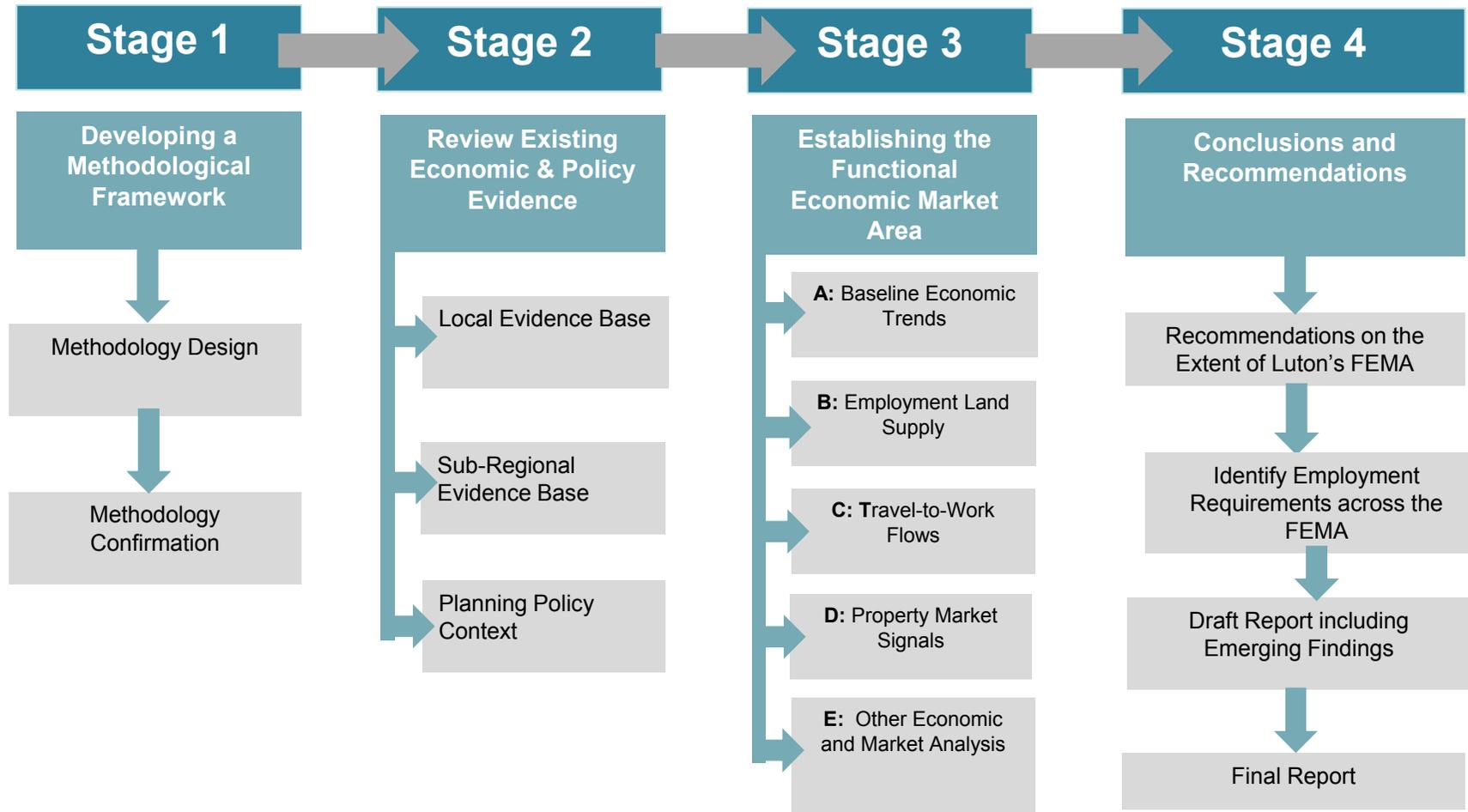
1. Introduce the approach and methodology to the Luton FEMA Study
2. Present the emerging findings
3. Identify job growth forecasts
4. Questions for discussion about the emerging findings
5. Next steps

1. Approach and Methodology

Approach

1. Developing a Methodological Framework
2. Defining Functional Economic Market Area
3. Evidence Review and Updated Forecasts
4. Identify Employment Floorspace Requirements across the FEMA
5. Consideration of Demand/ Supply Balance
6. Conclusions and Recommendations

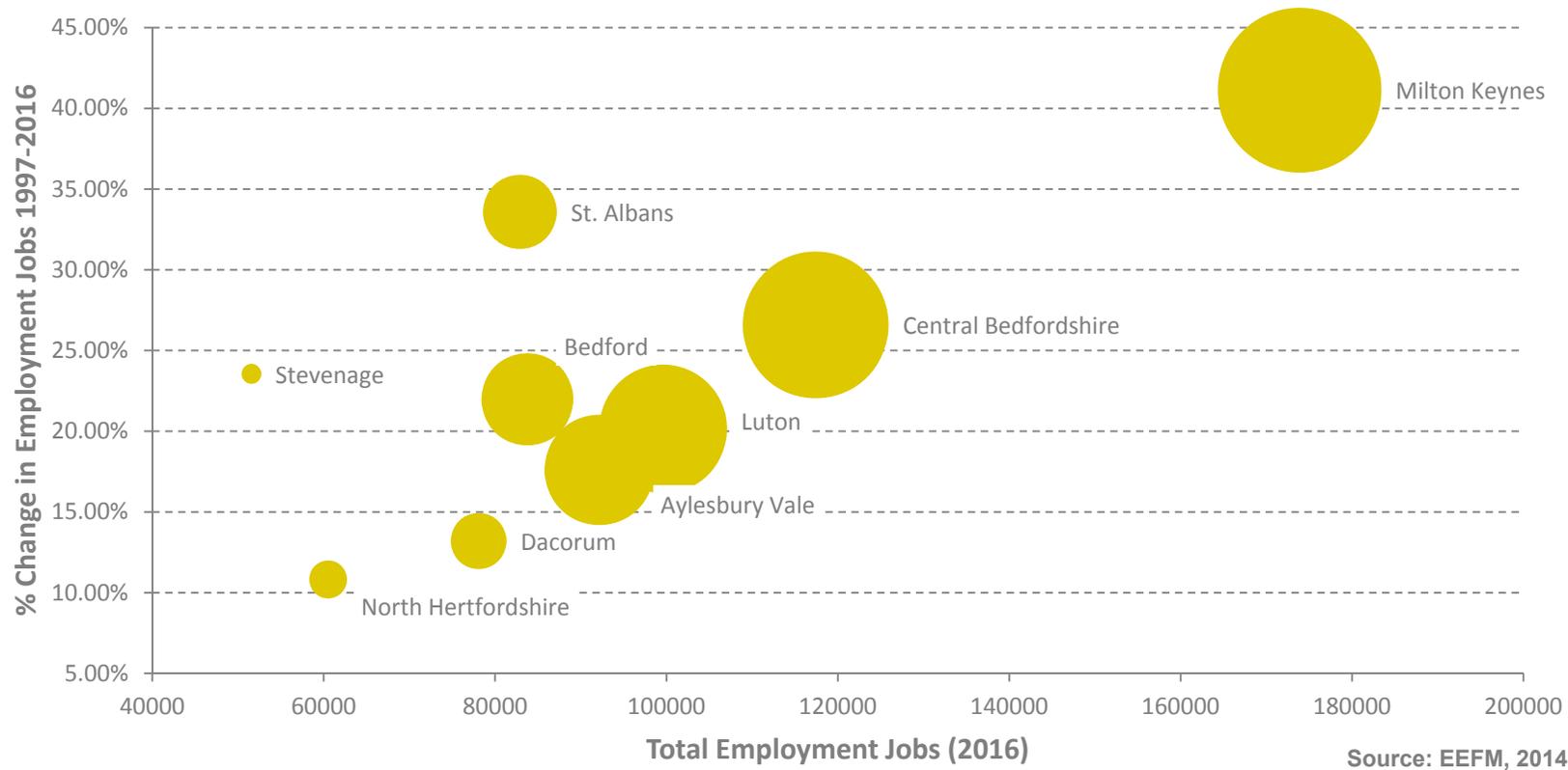
FEMA Methodological Framework



2. Economic Context and Trends

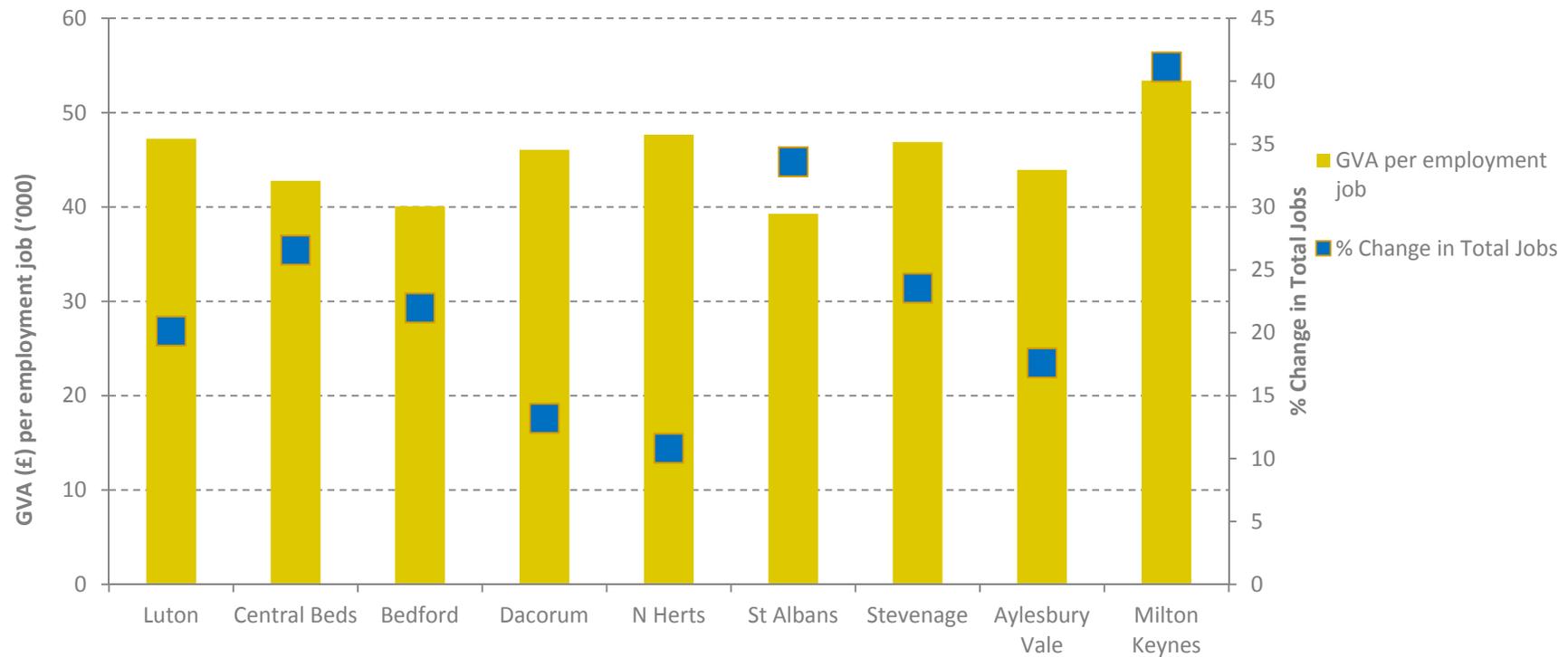
Luton's workforce jobs have grown at a rate of 20% between 1997 and 2016, which is broadly comparable with the 21% average across the neighbouring authorities (excl Milton Keynes)

Total Job growth by Local Authority, 1997-2016



Luton retains a strong GVA per employment job figure compared with neighbouring authorities, at just over £47,000.

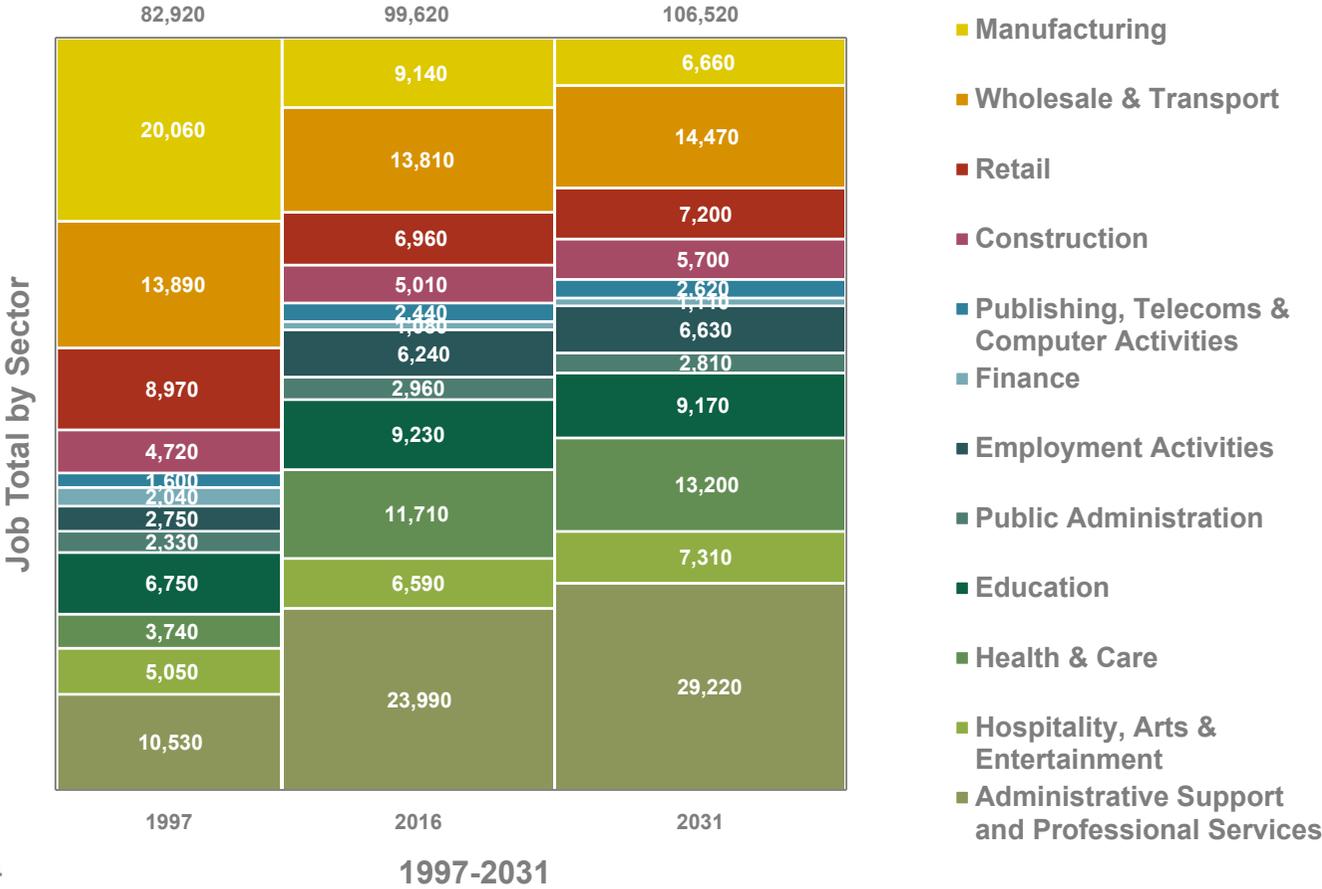
GVA per employment job vs % Change in Total Jobs 1997-2016



Source: EEFM, 2014

Employment data shows the marked decrease in manufacturing and subsequent increase in administrative and professional services.

Current and Projected Job Change by Sector, 1997-2031



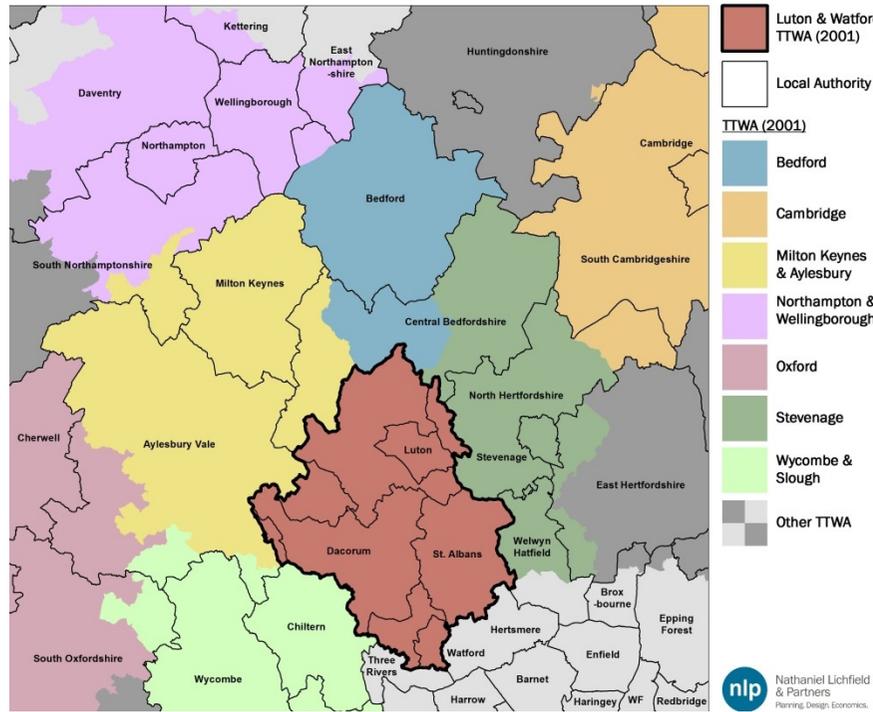
Source: EEFM, 2014

Key points

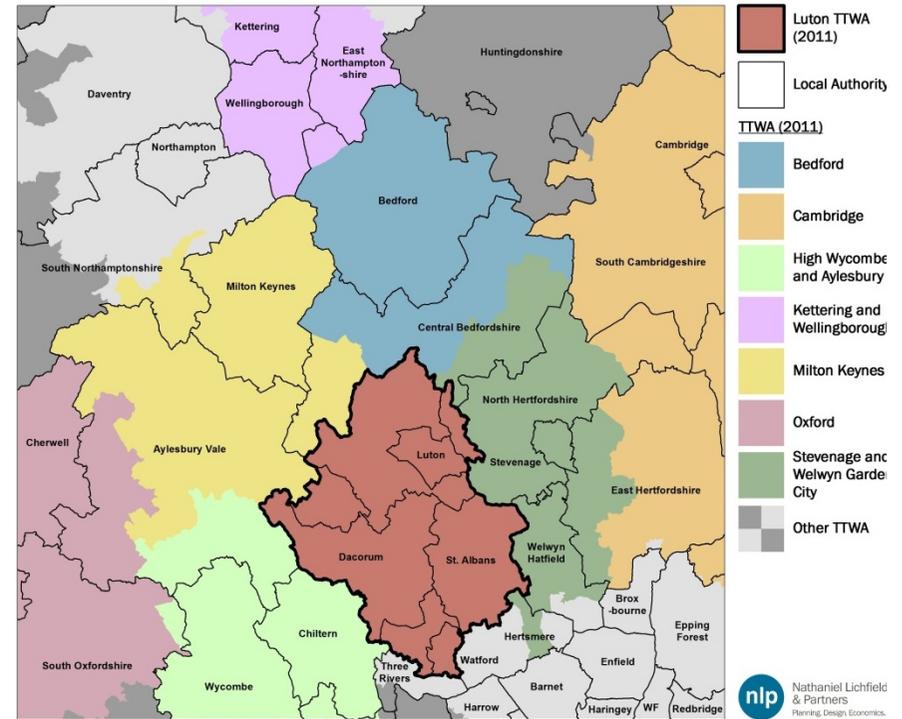
- Luton has seen average levels of job growth over the past two decades
- Luton's local economy has experienced a significant shift in the structure of its economy resulting in a decrease in manufacturing, with simultaneous growth in administrative, support and professional services and the health sector
- Luton out-performs neighbouring authorities in terms of GVA per employment job reflecting the presence of high value activities

3. Labour Market Areas

The extent of the ONS Luton TTWA has remained broadly consistent between 2001 and 2011



ONS, Census 2001



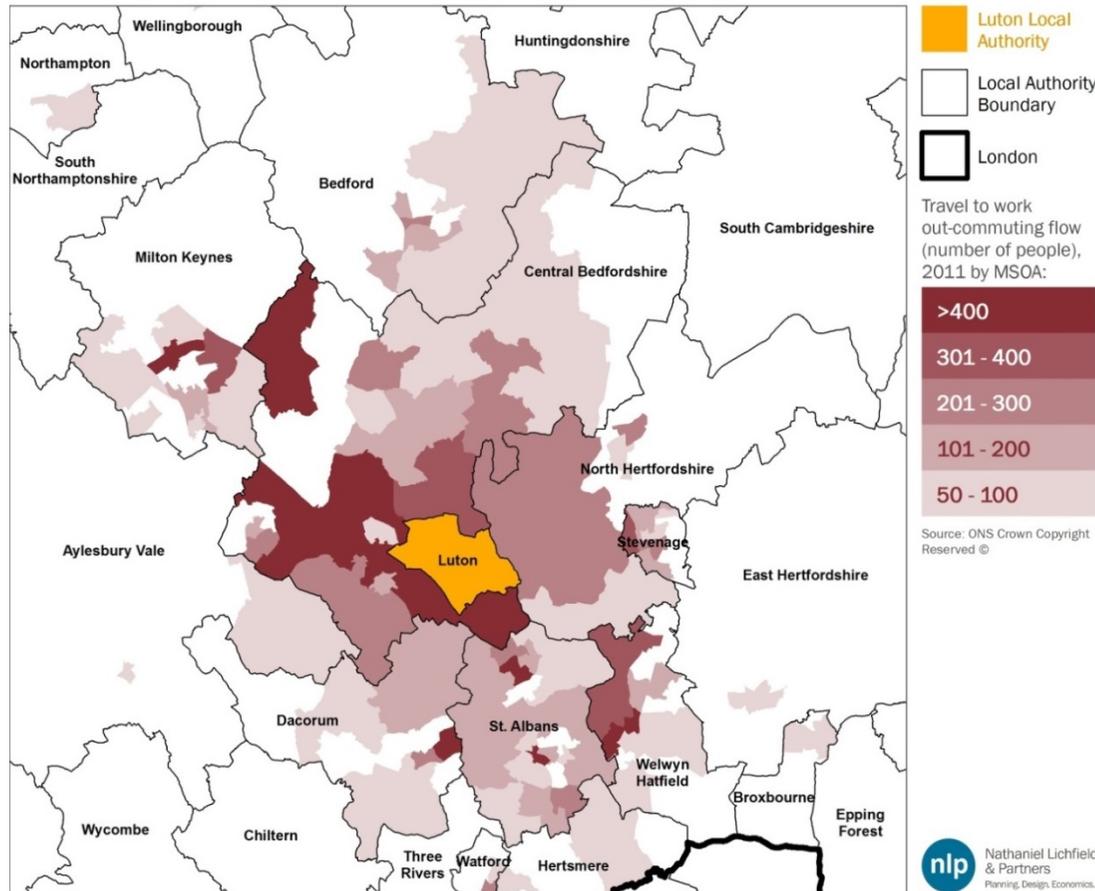
ONS, Census 2011

The TTWA can be refined further using local commuting analysis...

	Luton	Aylesbury Vale	Bedford	Central Bedfordshire	Dacorum	Milton Keynes	North Herts.	St Albans	Stevenage
Total working residents	89,590	91,250	76,270	132,765	73,920	128,240	65,405	71,820	42,935
Total workplace workers	90,495	75,940	75,040	98,965	66,795	144,715	52,920	62,110	45,130
Live and work in the Local Authority	56,095	56,070	53,630	66,430	42,945	100,195	32,560	35,250	24,360
Self-containment rate	63%	61%	70%	50%	58%	78%	50%	49%	57%
Out-commuting workers	33,495	35,180	22,640	66,335	39,905	28,040	32,845	36,570	18,575
Top out-commuting destinations	Central Beds, St Albans, Dacorum, Welwyn Hatfield, Milton Keynes	Milton Keynes, Wycombe, Dacorum, South Oxfordshire, Cherwell	Central Beds, Milton Keynes, Luton, Huntingdons hire, Westminister, City of London	Luton, Milton Keynes, Bedford, North Herts, Westminister, City of London	St Albans, Watford, Westminister, City of London, Three Rivers, Aylesbury Vale	Central Bedfordshire, Aylesbury Vale, Westminister, City of London, Bedford, Northampton	Westminister, City of London, Welwyn Hatfield, Dacorum, Hertsmere, Camden	Westminister, City of London, Welwyn Hatfield, Dacorum, Hertsmere, Camden	North Herts, Welwyn Hatfield, East Herts, Westminister, City of London, St Albans
In-commuting workers	34,400	19,870	21,410	32,535	23,852	44,520	20,360	26,860	20,770
Top in-commuting destinations	Central Beds, St Albans, North Herts, Bedford, Milton Keynes	Milton Keynes, Central Beds, Wycombe, Dacorum, South Oxfordshire	Central Beds, Huntingdons hire, East Northamptonshire, Milton Keynes, Luton	Luton, Bedford, Milton Keynes, North Herts, Aylesbury Vale	Central Beds, Aylesbury Vale, Luton, St Albans, Three Rivers	Central Beds, South Northamptonshire, Aylesbury Vale, Northampton, Bedford	Central Beds, Stevenage, South Cambridge, Luton, East Herts	Dacorum, Luton, Welwyn Hatfield, Central Bedfordshire, Hertsmere	North Herts, Central Beds, East Herts, Welwyn Hatfield, Luton
Net flow of workers	905 (outflow)	15,310 (outflow)	1,230 (outflow)	33,800 (outflow)	16,055 (outflow)	4,070 (inflow)	12,485 (outflow)	9,710 (outflow)	2,195 (inflow)

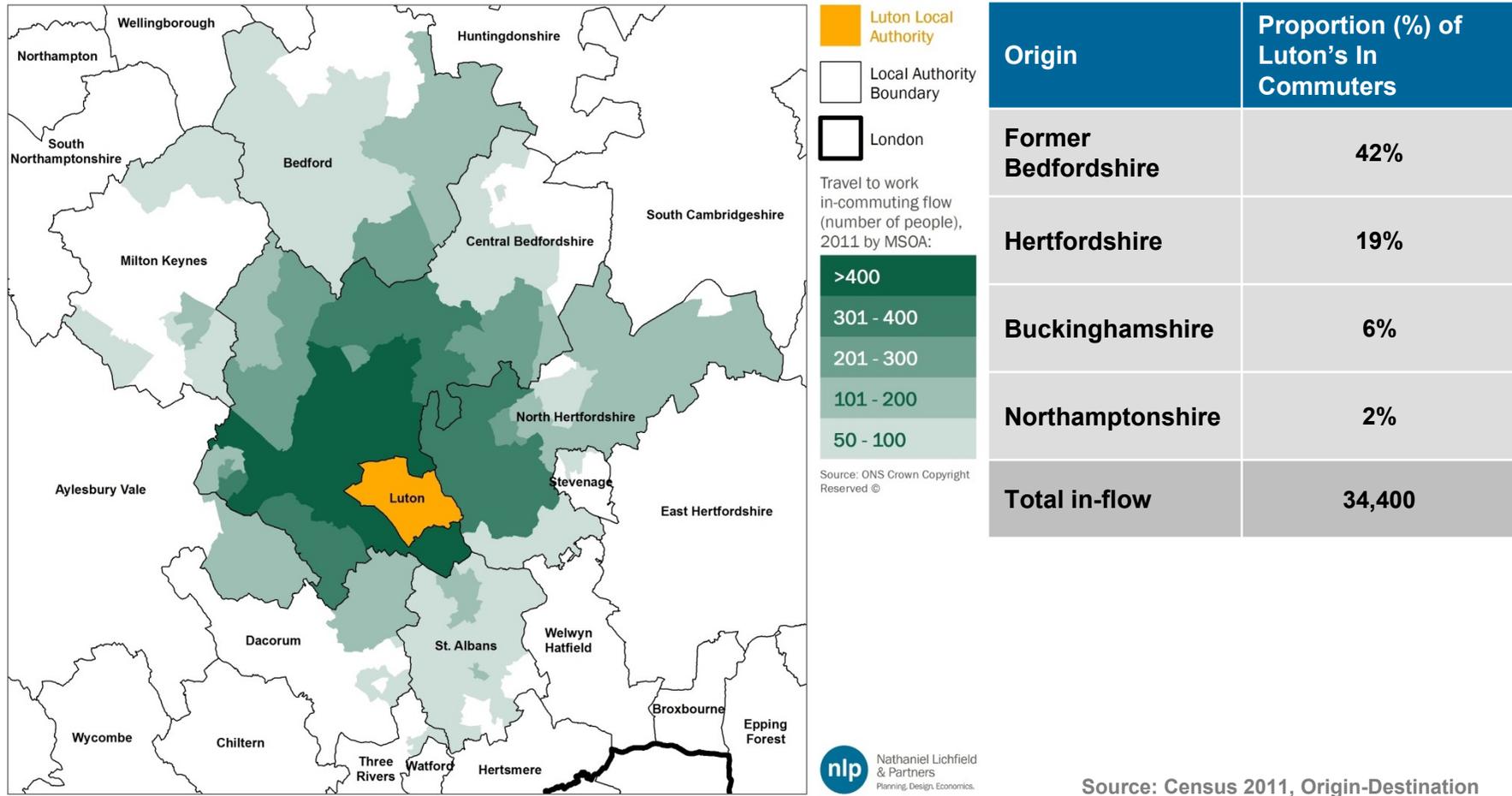
Source: Census 2011, Origin-Destination

The strongest out-commuting flows are to Central Beds and North Herts with some flows to the key centres including Milton Keynes, Welwyn, Stevenage, Hemel and St. Albans.

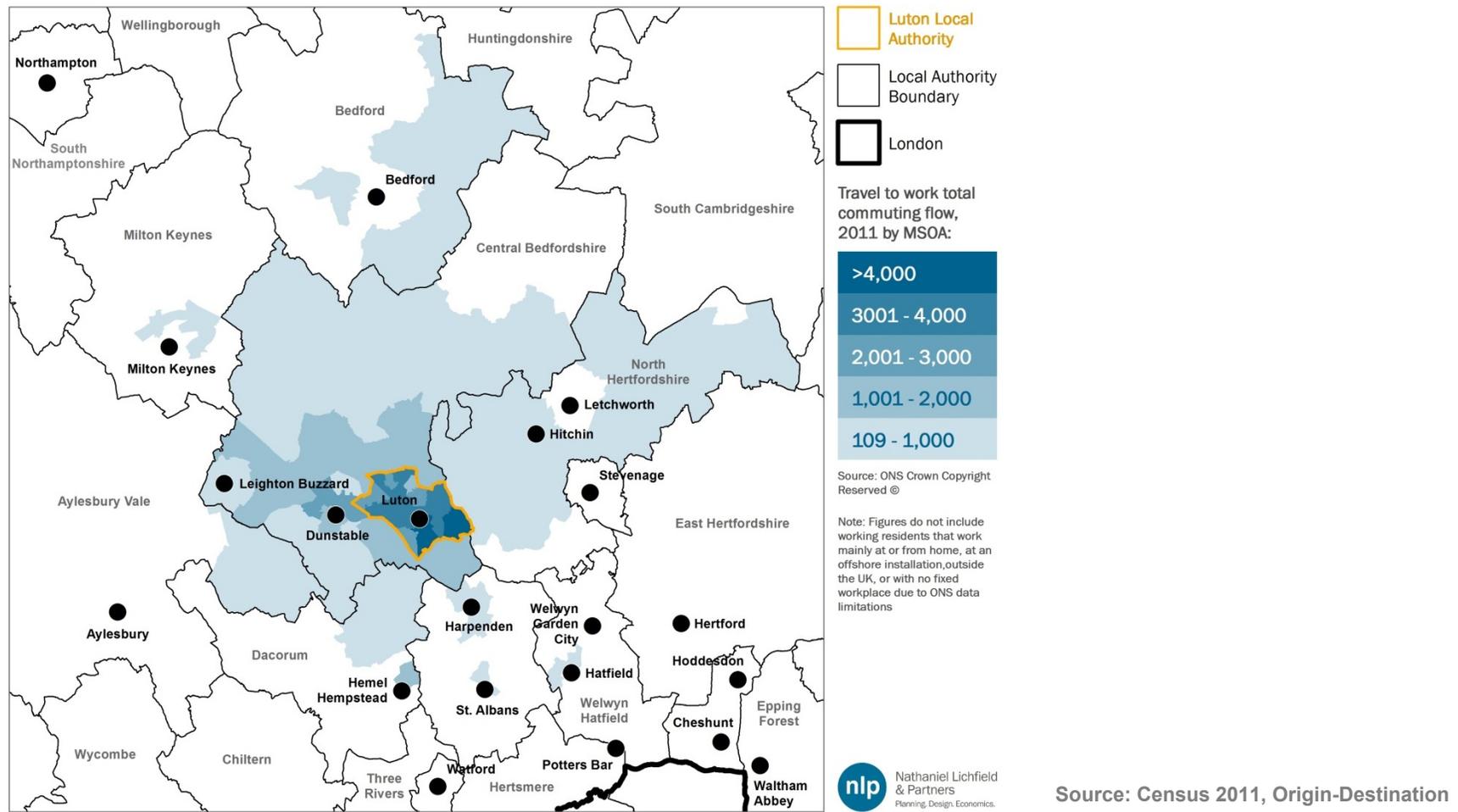


Destination	Proportion (%) of Luton's Out Commuters
Hertfordshire	35%
Former Bedfordshire	29%
Buckinghamshire	8%
Northamptonshire	1%
Total out-flow	33,495

In contrast to the ONS TTWA, in-commuting flows from the south are limited beyond St Albans



This results in a relatively more contained labour market area



Despite having a net out-flow of workers overall, the occupational profile of commuters shows that Luton is a net importer of higher skilled workers...

Occupation	In-commuters	Out-commuters
Higher Professional/ Managerial Occupations	55%	45%
Intermediate/ Small Employers/ Lower Supervisory Occupations	28%	31%
Semi-routine/ Routine Occupations	17%	24%

Source: Census 2001

Key points

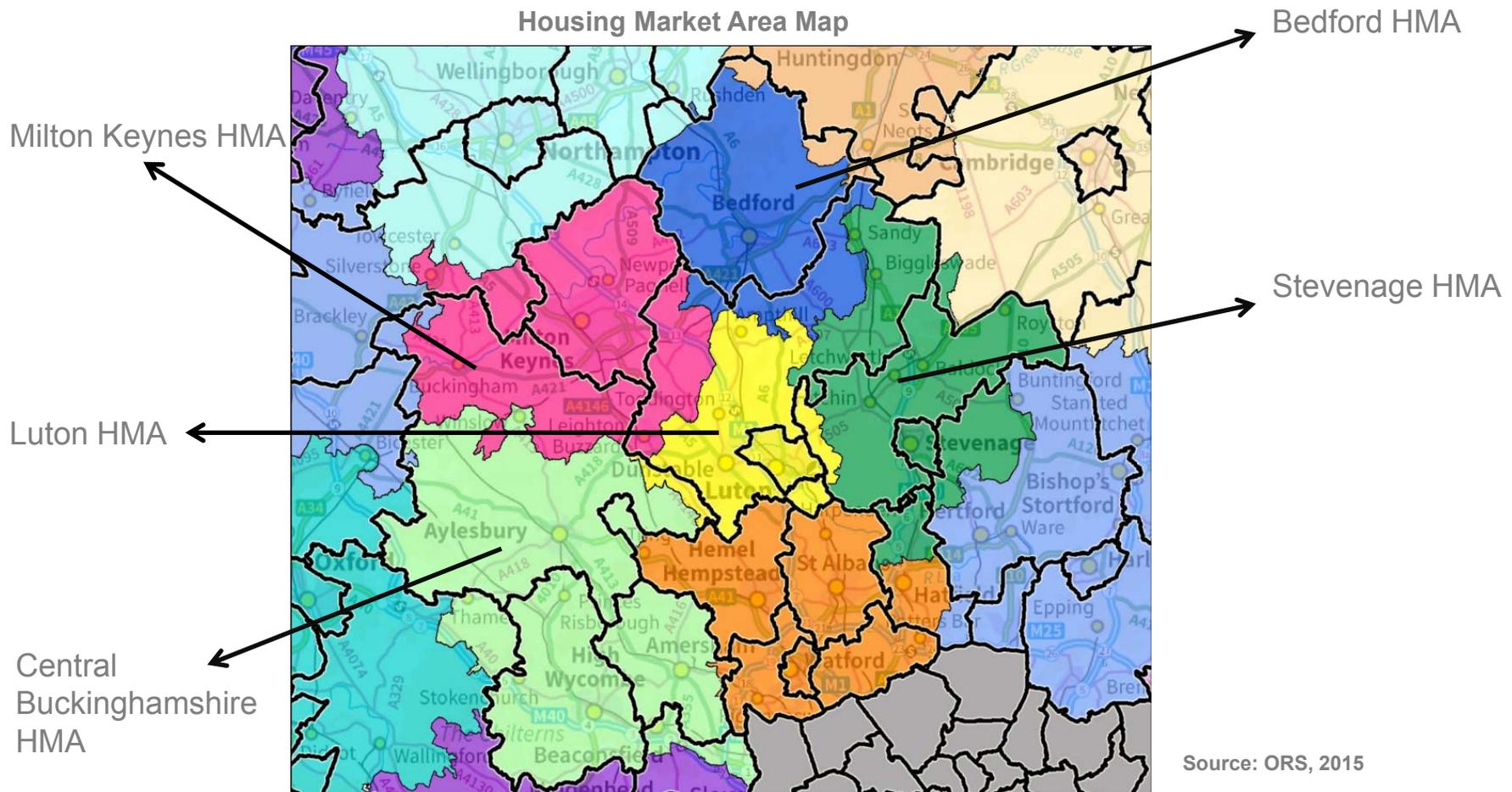
- The spatial extent of the ONS Luton TTWA did not change significantly in the inter-Census period (2001-2011)
- Luton has a self-containment rate of 63%
- Luton's has a relatively localised labour market area, with a strong functional relationship, in commuting terms, with Central Beds, St. Albans and North Herts in particular
- In-commuters tend to originate from areas to the north while out-commuting flows also extend south of Luton
- Luton is a net importer of higher skilled workers that hold top-tier occupations
- Local commuting analysis broadly substantiates the ONS Luton TTWA

4. Housing Market Areas

Recent SHMA position

- HMAs in Bedfordshire and surrounding areas – December 2015
- Luton and Central Bedfordshire – Summer 2015
- Bedford – December 2015
- Stevenage and North Hertfordshire – Summer 2015
- Aylesbury Vale – March 2015
- Milton Keynes – December 2015
- Dacorum – January 2016 (South West Hertfordshire SHMA)
- St. Albans – October 2015

The 'HMA in Bedfordshire and surrounding areas Study' (Nov 2015) confirms the spatial extent of the Luton HMA



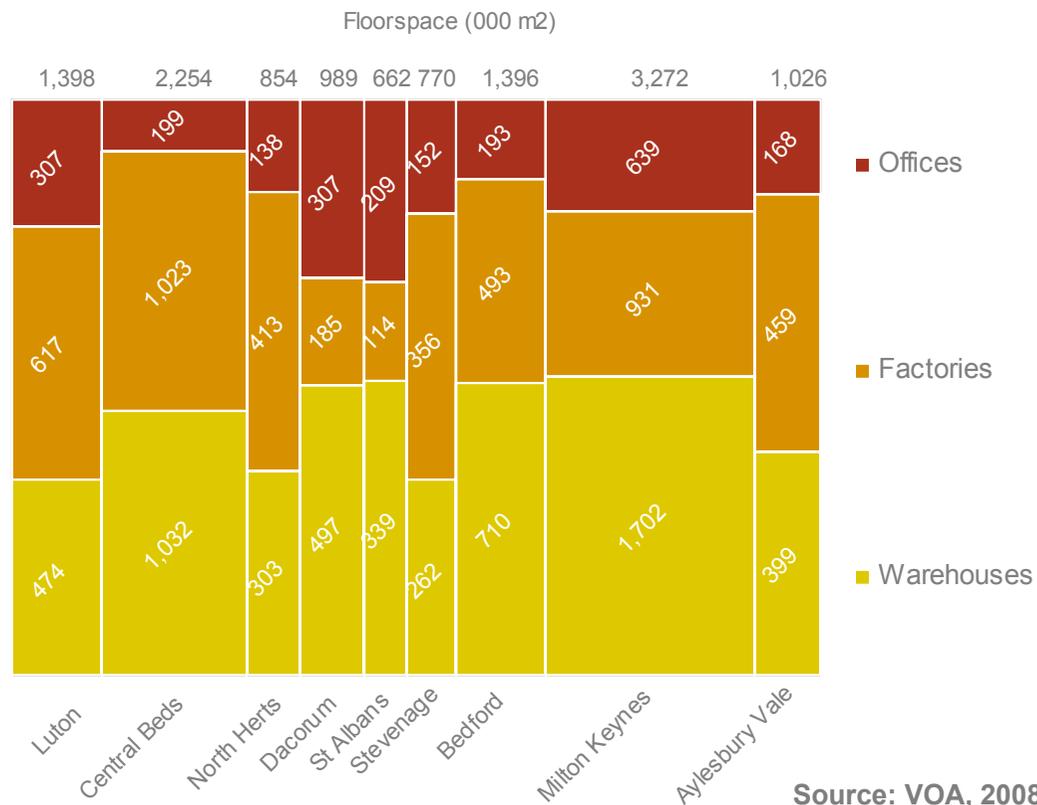
Key Points

- Luton forms one of four main HMAs in Central Bedfordshire which also include Milton Keynes, Bedford and Stevenage HMAs
- Only 13% of the total land within the Luton HMA is located within the local authority boundary. Some 68% of the remaining land in the HMA falls within Central Bedfordshire administrative boundary, and 20% in other local authorities.
- Outside of Luton and Milton Keynes, the local authority boundaries and HMA areas are primarily aligned.

5. Commercial Property Market Areas

Luton has a larger quantum of supply of employment space than most of the nearby authorities with the exception of Milton Keynes and Central Beds

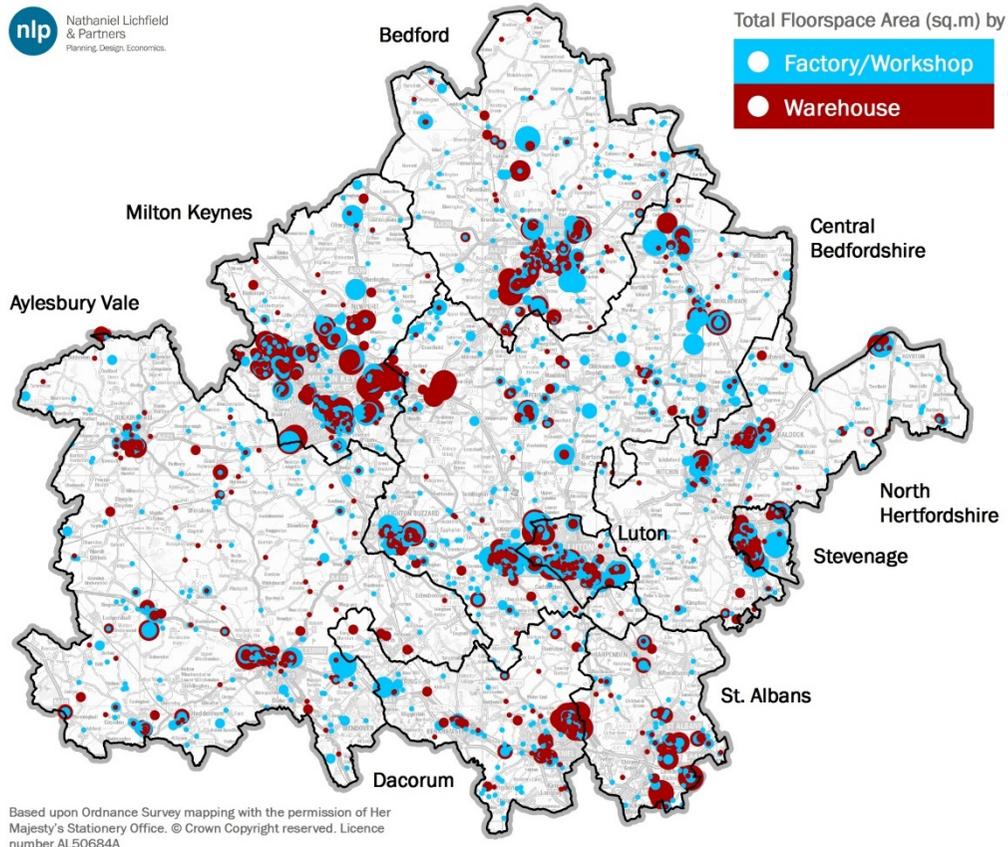
Employment Floorspace in Luton and Neighbouring Authorities



- Luton has 1.4m sq.m of B Class floorspace:
 - 44% factory space
 - 34% is warehousing
 - 22% comprises offices
- Amounts to about 11% of floorspace stock within the area

Source: VOA, 2008

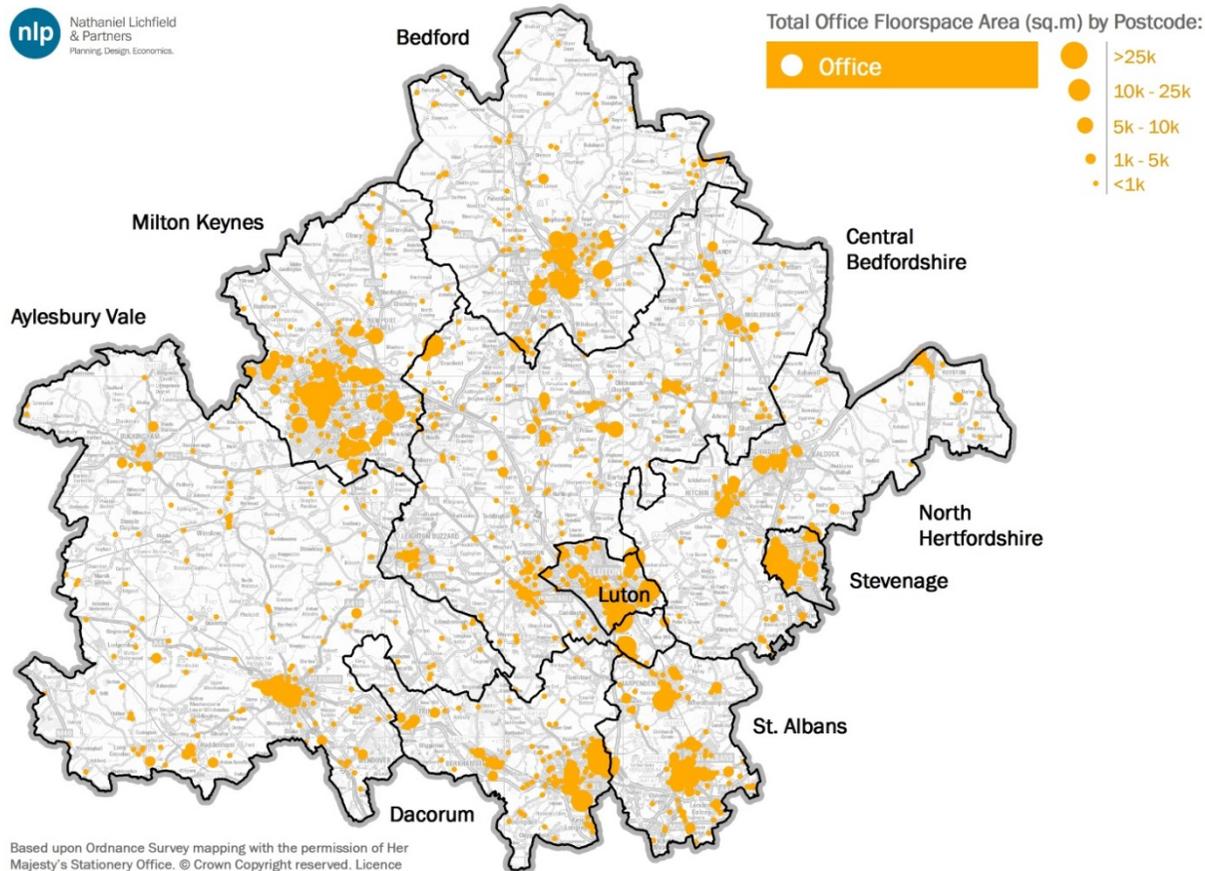
There are clusters of industrial floorspace in Luton, Milton Keynes, Stevenage and Bedford



Source: VOA, 2010

- Luton accounts for 13% of the area's manufacturing space and 8% of warehousing
- Manufacturing space is focused around the key centres
- Warehousing is typically located close to strategic transport networks (M1, A1 corridors)

Office floorspace is clustered within the key centres of Milton Keynes, Luton and Dacorum accounting for the majority of space



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Source: VOA, 2010

- Luton accounts for 13% of the area's office stock
- This is comparable with the quantum of office floorspace in Dacorum
- Milton Keynes is the only local authority in the area with a greater level of office floorspace providing 28% of the area total

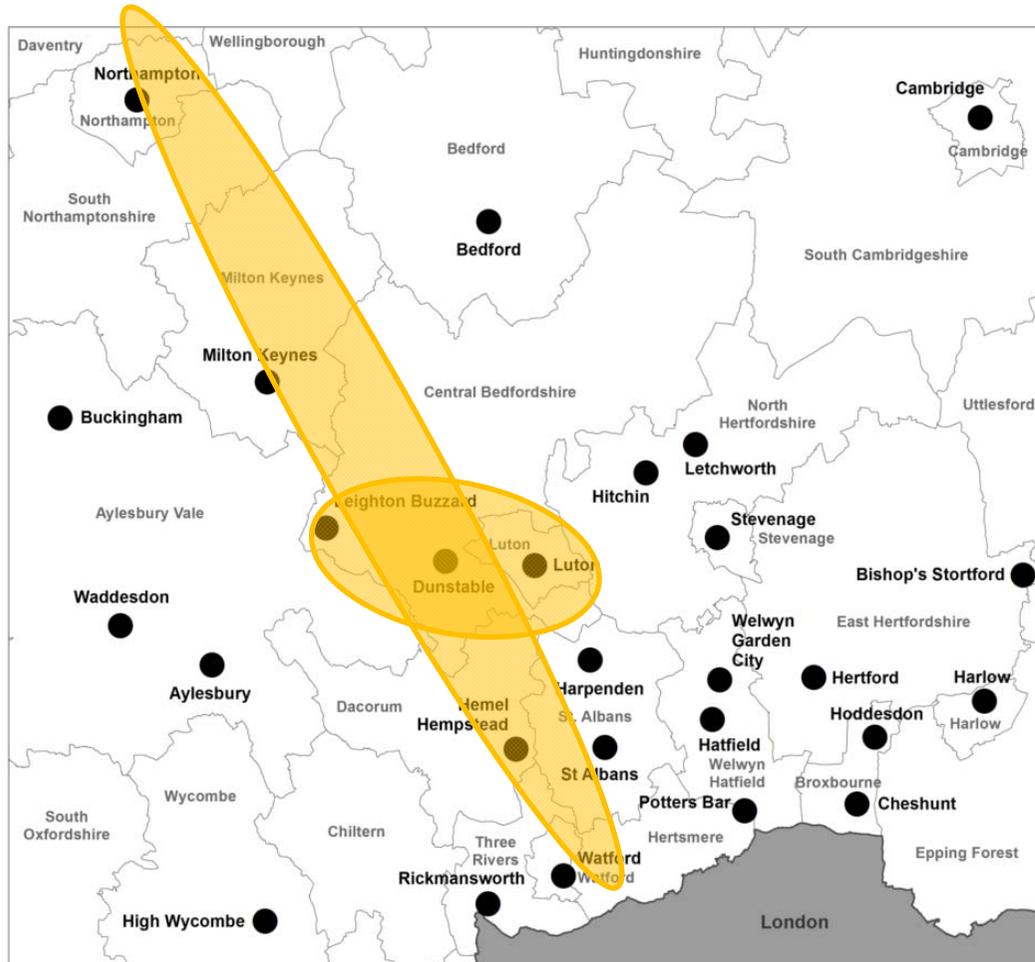
Luton's industrial market has been traditionally strong though limited supply is impacting on take-up levels

- Luton forms a single market with Dunstable and Houghton Regis in industrial property market terms
- Luton has seen good levels of take-up within the industrial and logistics market in recent years in part due to a shortage of availability in locations closer to London
- Luton provides a cost advantage over competing locations along the M1 corridor, though this is partly linked to the quality of the stock available
- Occupier demand is primarily driven by local businesses (seeking move-on space) though there has been an increase in the number of firms coming into the area from other constrained locations
- As a result available supply is at record low levels (c. 6 months of pipeline supply) with particular shortage of small floorplate units (<50,000sq.ft)

Luton is not traditionally regarded as an office location

- There are two distinct office markets in Luton:
 1. The town centre - typified by the older and poorer quality of its office stock which tends to accommodate smaller, lower value and customer facing businesses;
 2. Out of centre - modern and higher quality office parks which provide larger floorplates (e.g Butterfield and Capability Green)
- Access and parking are identified as constraints in town centre
- Office occupiers are typically price sensitive
- Permitted Development Rights have had the effect of removing some obsolete office stock
- Take-up of office space within mixed-use developments has been slow
- The viability of building new office stock is questioned as rental values and therefore margins are tight

Commercial property market evidence indicates that Luton has a relatively localised market, but also operates within the wider M1 corridor

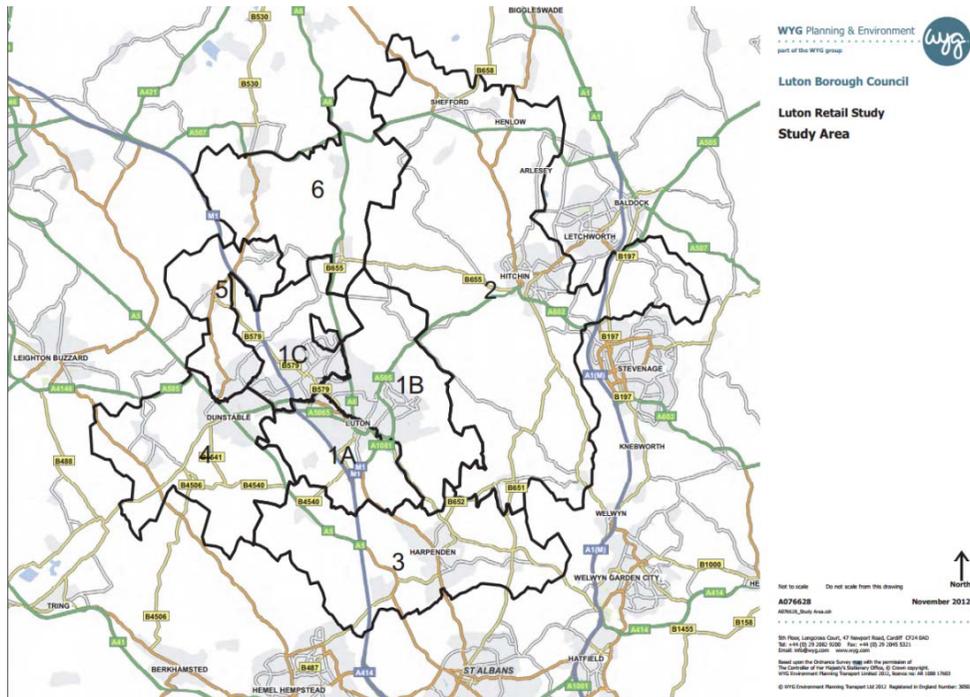


Key points

- Luton has approximately 1.4sq.m of employment floorspace which is a larger stock than most of the neighbouring authorities
- 78% of the Borough's stock comprises industrial space which reflects why Luton is not traditionally regarded as an office location
- Rental values make Luton an attractive industrial location which has resulted in good levels of take-up in recent years
- Occupier demand is driven by indigenous companies and firms relocated from other constrained locations
- There is approximately 6 months of pipeline supply with a particular shortage of smaller units
- Luton has a two tier office market; Permitted Development Rights have removed some obsolete stock but viability remains a barrier

6. Other Functional Economic Market Area Factors

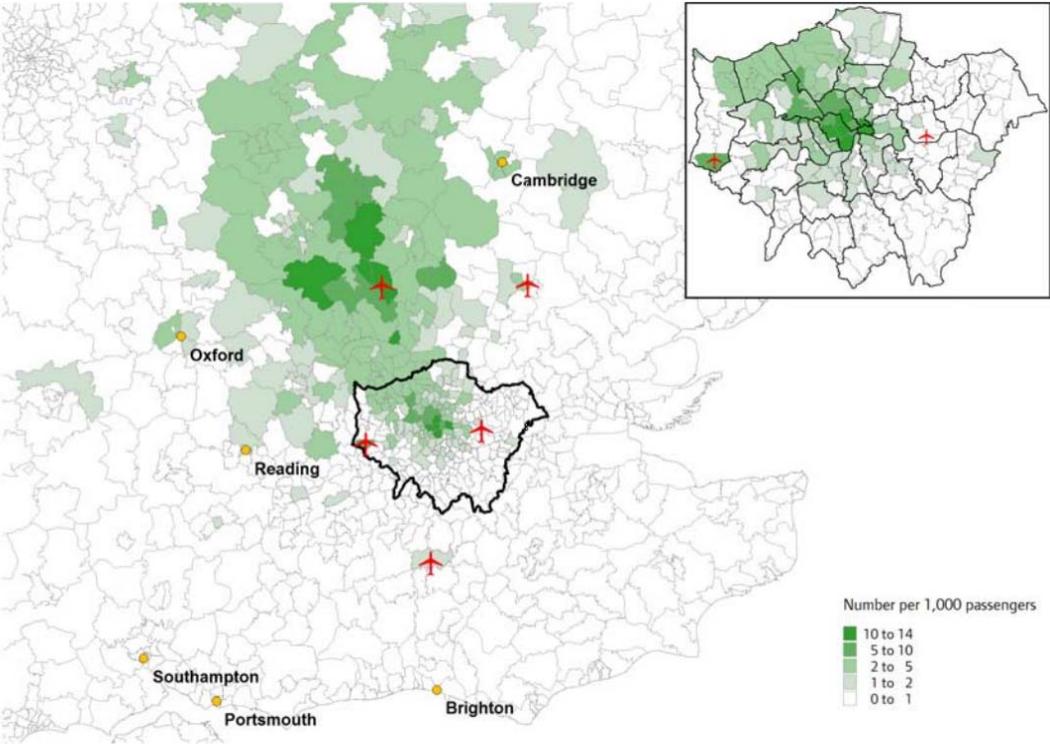
Luton has a relatively localised retail catchment. Despite recording a relatively high retail ranking, Luton struggles to compete with Milton Keynes and Watford



Source: Luton Retail Study, 2015

Retail Centre	Venuescore 2013/14	Venuescore Ranking
Milton Keynes	293	24th
Watford	250	41st
Luton	187	80th
Bedford	161	119th
St. Albans	149	141st
Stevenage	143	149th
Hemel Hempstead	142	151st

The catchment areas show that Luton Airport has a particularly strong draw from North London and neighbouring areas though its catchment also stretches into the Midlands

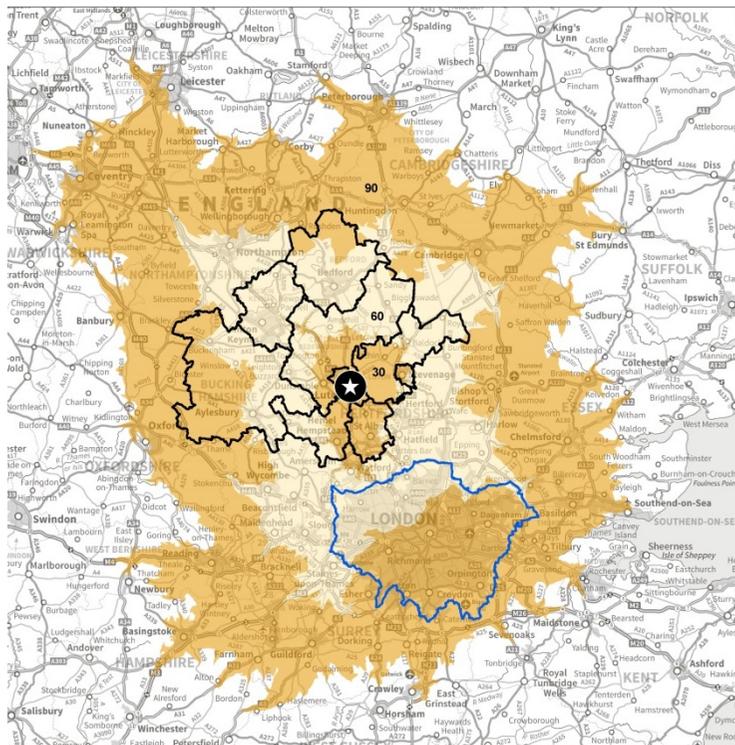


County	2009
Greater London	37.7%
Hertfordshire	12.8%
Bedfordshire	9.5%
Buckinghamshire	7.4%
Northamptonshire	4.2%
Cambridgeshire	3.7%
Oxfordshire	2.8%
Essex	2.2%
Berkshire	2.1%
West Midlands	1.7%
Other counties	16.0%

Source: CAA 2009 Annual Passenger Survey

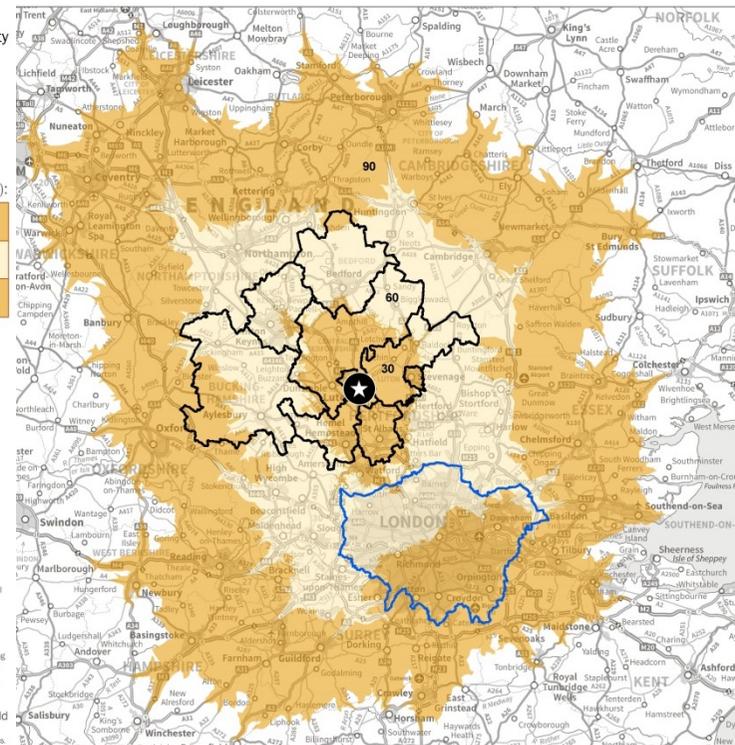
Source: CAA 2006 Annual Passenger Survey

Good strategic road infrastructure results in high levels of drivetime accessibility from Luton.



Study Area Local Authority
 London
 Drivetime Origin: Luton
 Peak Drivetime (30 minute intervals):
 30 minutes
 60 minutes
 90 minutes

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Study Area Local Authority
 London
 Drivetime Origin: Luton
 Off-Peak Drivetime (30 minute intervals):
 30 minutes
 60 minutes
 90 minutes

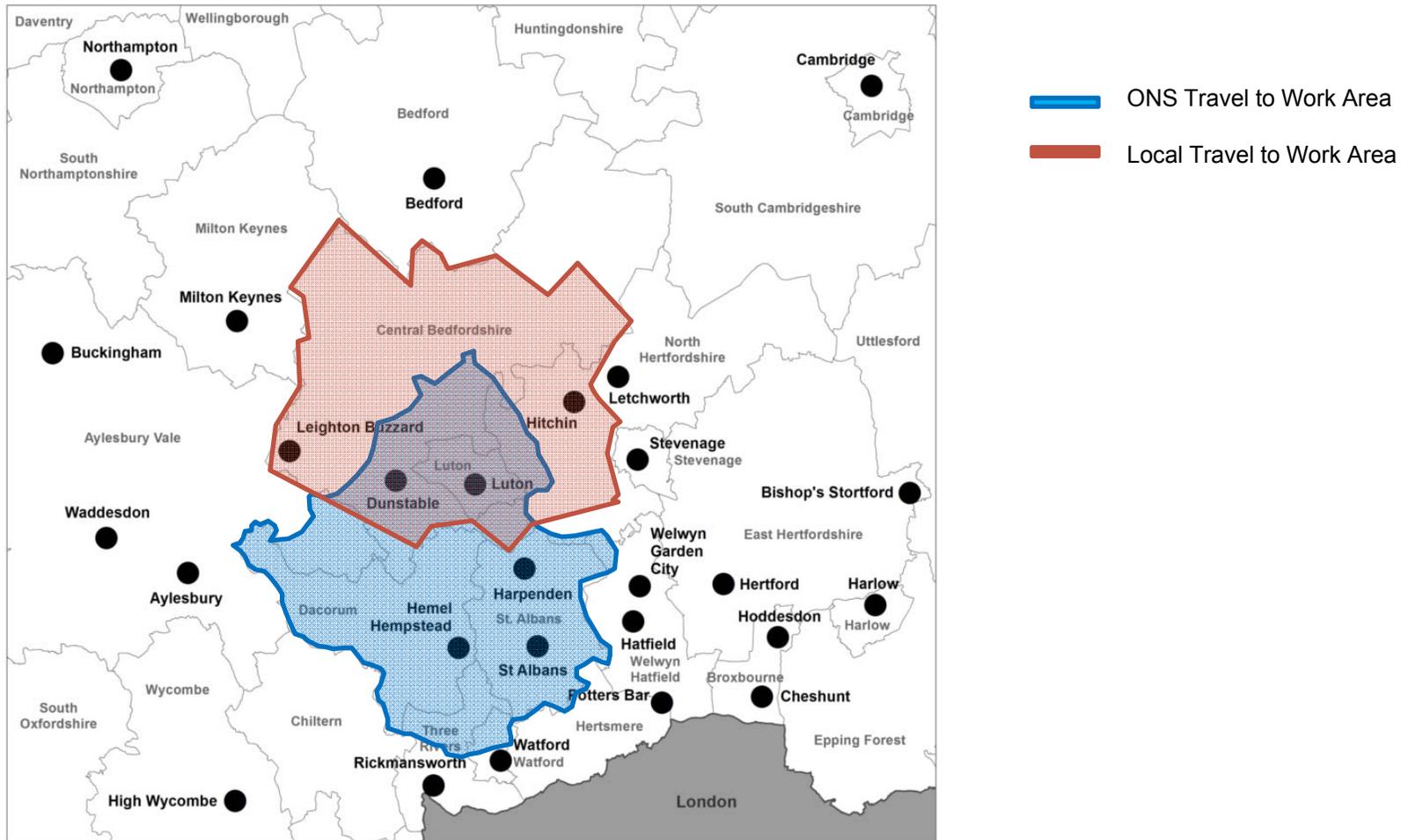
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Key points

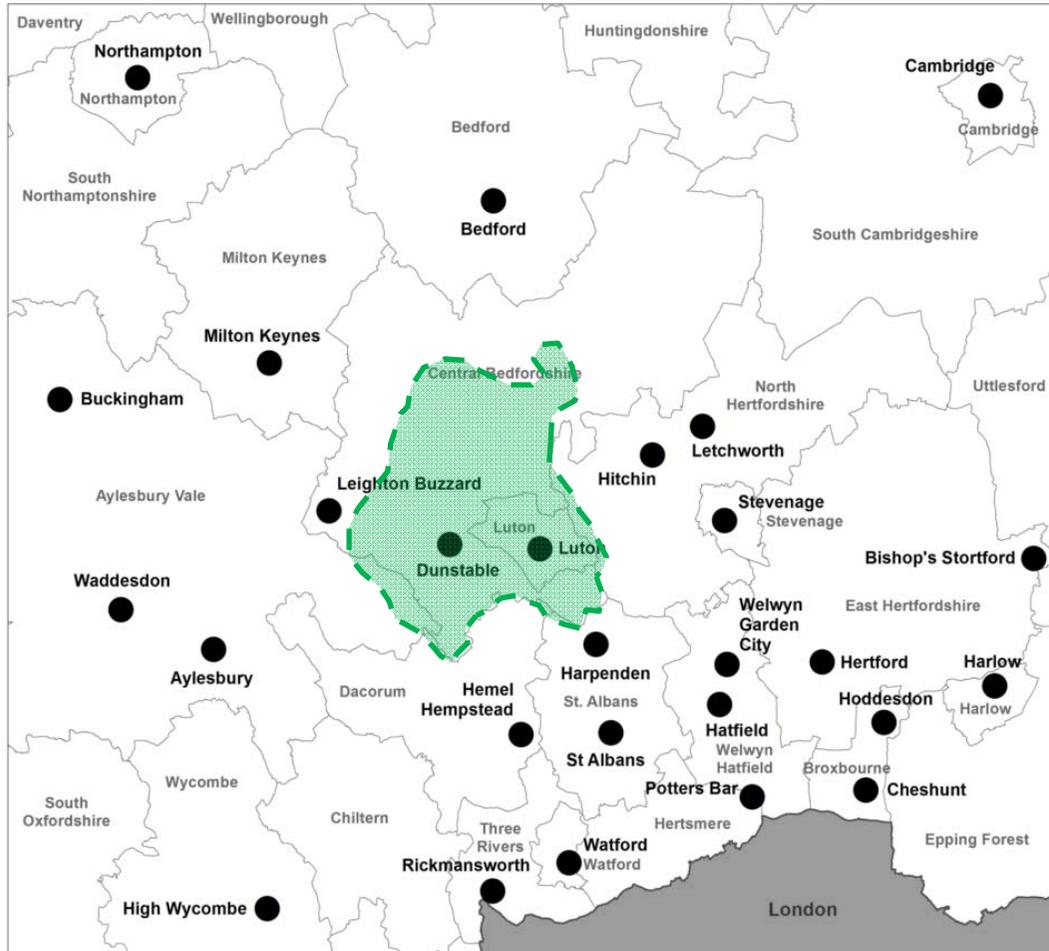
- The Luton retail catchment area is relatively localised reflecting the current scale and mix of retail provision within the town centre, and proximity of competing higher order centres such as Milton Keynes and Watford.
- Luton has good levels of transport accessibility by road, rail and air.
- Luton Airport draws in just over 1/3rd of passengers from the Greater London area, with its catchment area extending as far North as the Midlands.
- Peak and off-peak drivetimes include Greater London and large areas of the South East/south East Midlands
- Transport factors taken in isolation imply a much wider catchment area but unlikely to be practical when weighed against other factors for planning purposes.

7. Synthesis

Labour Market Area

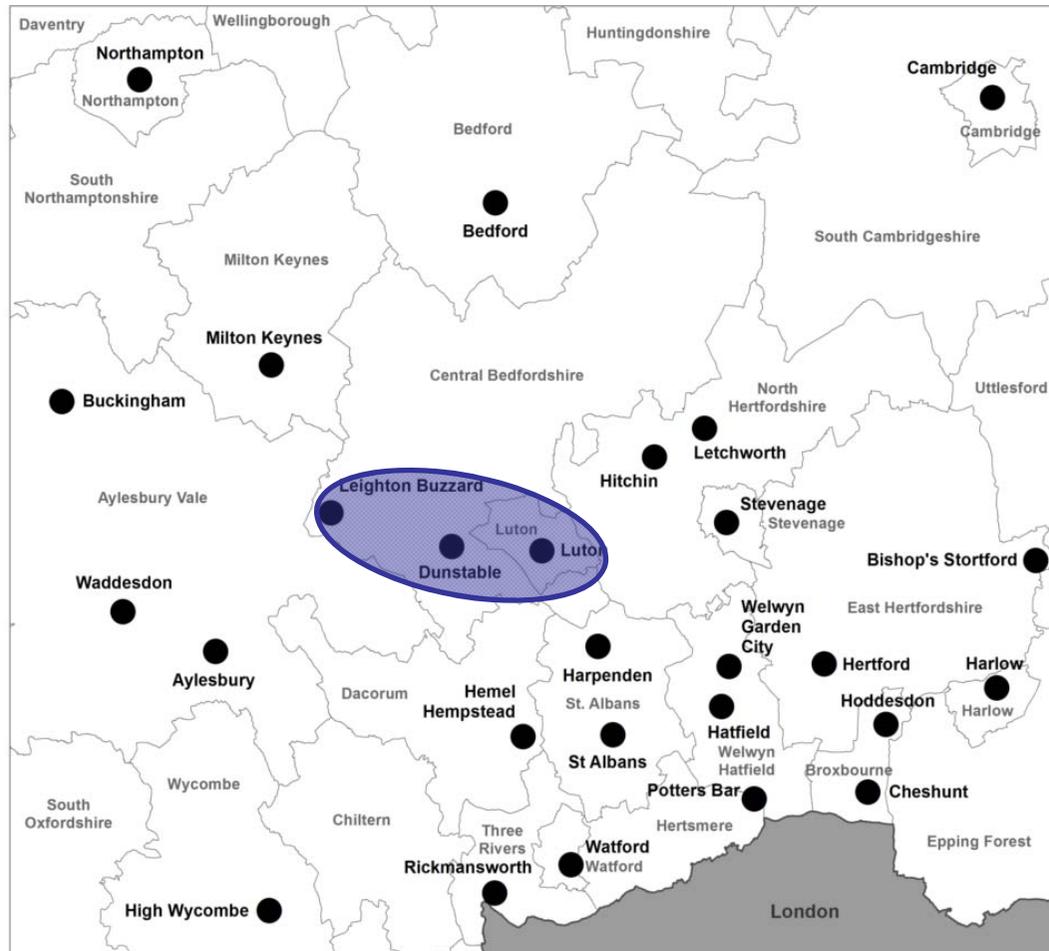


Housing Market Area



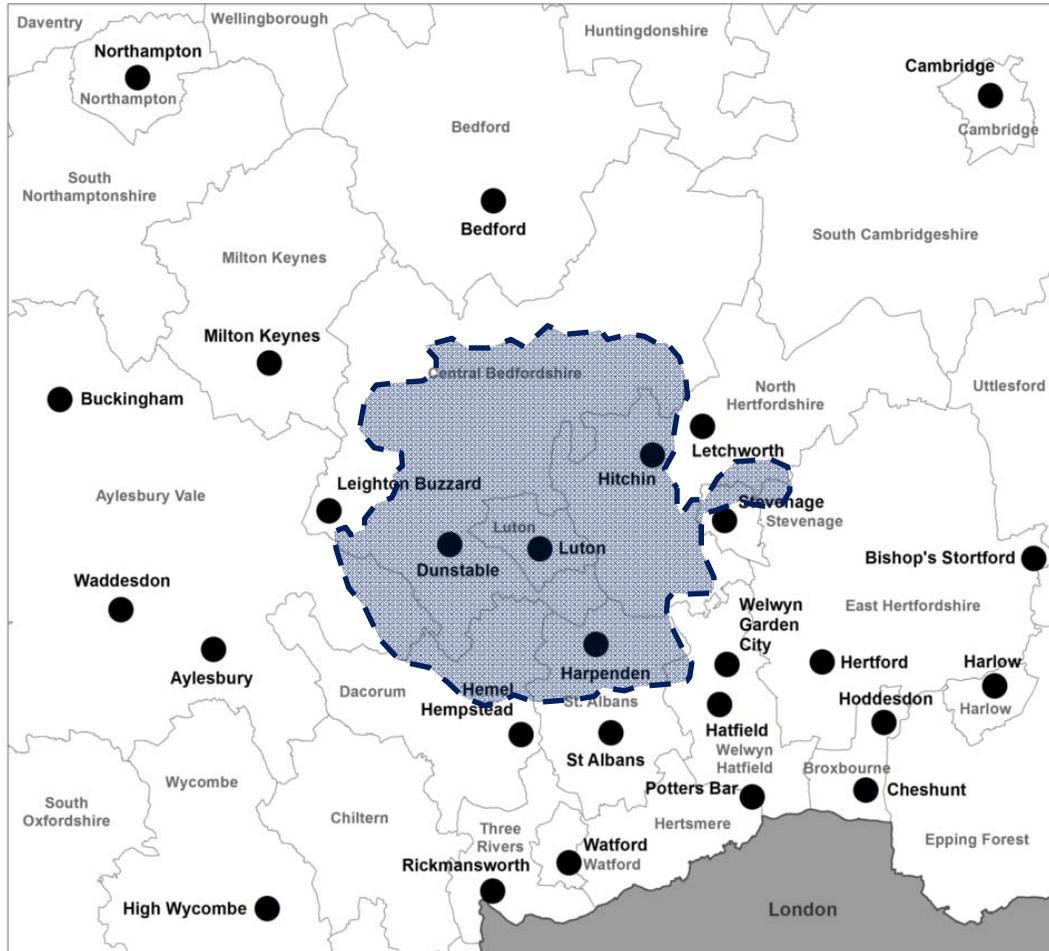
 Housing Market Area

Commercial Property Market Area



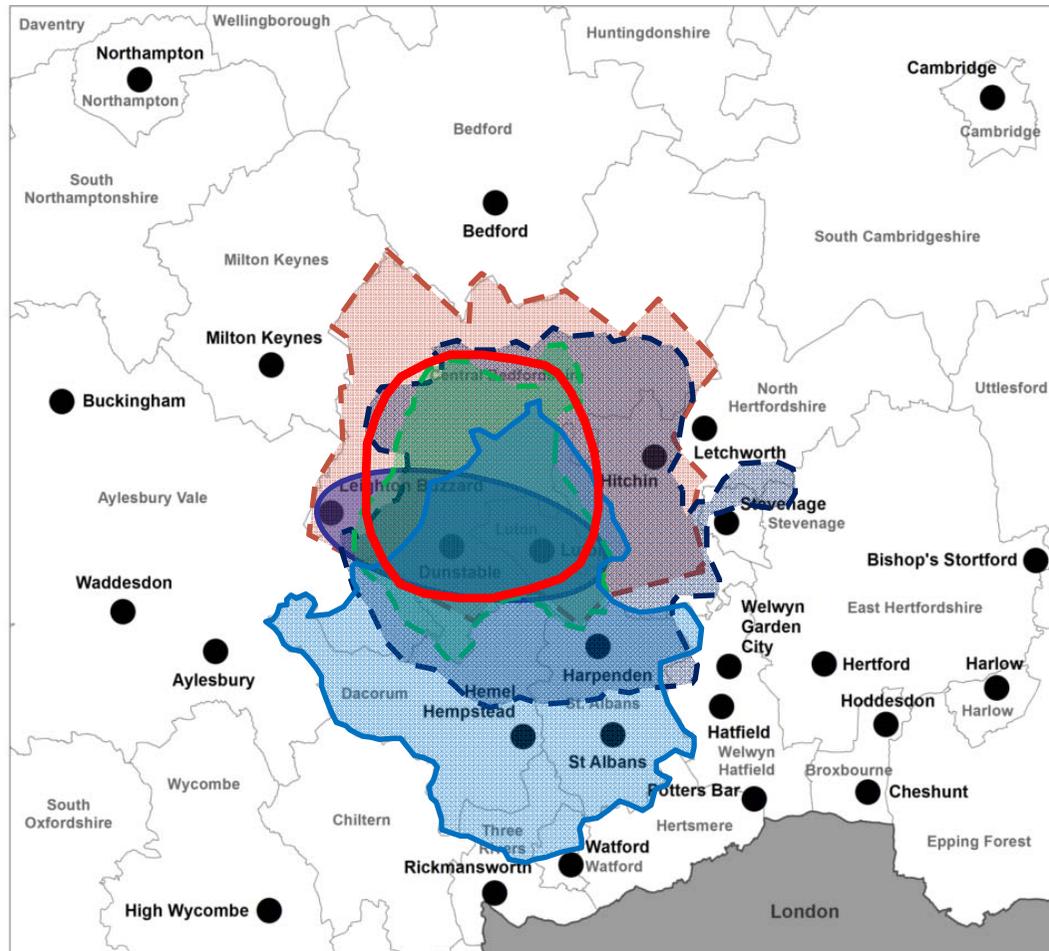
Commercial Property Market Area

Consumer Market Area



Consumer Market Area

Core Functional Economic Market Area



- Housing Market Area
- Consumer Market Area
- Commercial Property Market Area
- ONS Travel to Work Area
- - - Core Local Travel to Work Area
- Core Functional Economic Market Area for Luton

8. Scale of Future Growth

Job growth in Luton is expected to exceed past trends over the Local Plan period to 2031, though a similar trend is expected in Central Bedfordshire

Past-trend and Forecast Job Growth- EEFM 2014

	Luton	Luton's Share	Central Bedfordshire	Central Bedfordshire Share	Total
1991	90,458	49%	92,822	51%	183,280
2011	95,200	48%	104,791	52%	199,991
Change 1991-2011	4,742	28%	11,969	72%	16,711
% Change 1991-2011	5%	~	13%	~	9%
2031	106,522	45%	131,531	55%	238,053
Change 2011-2031	11,322	30%	26,740	70%	38,062
% Change 2011-2031	12%	~	26%	~	19%

Source: EEFM, 2014

- Luton is forecast to record a 12% increase in jobs between 2011 and 2031
- Together with Central Beds job growth is forecast to equate to 19%
- The proportion split of job growth forecast for the two local authorities corresponds with past-trends

Despite recording a decline in recent years, the number of B Class jobs is expected to increase by 15% by 2031

Past-trend and Forecast B Class Job Growth- EEFM 2014

	Luton	Luton's Share	Central Bedfordshire	Central Bedfordshire Share	Total
1991	47,090	50%	47,984	50%	95,074
2011	43,052	47%	48,243	53%	91,295
Change 1991-2011	-4,038	107%	259	-7%	-3,779
% Change 1991-2011	-9%	~	1%	~	-4%
2031	49,499	43%	64,715	57%	114,214
Change 2011-2031	6,447	28%	16,472	72%	22,919
% Change 2011-2031	15%	~	34%	~	25%

Source: EEFM, 2014

- Luton is forecast to record a 15% increase in B Class jobs between 2011 and 2031
- Together with Central Beds. B Class job growth is forecast to equate to 25%
- The proportion split of B Class job growth forecast for the two local authorities significantly surpasses with past-trends

The 2012 EEFM forecasts imply a higher level of forecast job growth, partly due to a lower 2011 base figure

Past-trend and Forecast Job Growth- EEFM 2012

	Luton	Luton's Share	Central Bedfordshire	Central Bedfordshire Share	Total
1991	89,764	49%	93,320	51%	183,084
2011	96,214	46%	111,269	54%	207,483
Change 1991-2011	6,450	26%	17,949	74%	24,399
% Change 1991-2011	7%	~	19%	~	13%
2031	113,825	47%	129,305	53%	243,130
Change 2011-2031	17,610	49%	18,036	51%	35,646
% Change 2011-2031	18%	~	16%	~	17%

Source: EEFM, 2012

- Luton was forecast to record a 18% increase in jobs between 2011 and 2031.
- 2012 forecasts suggest c.1,000 more jobs in base year compared with the 2014 forecasts
- In contrast, forecast job growth in Central Beds was lower(16%).
- Together with Central Beds job growth was forecast to equate to 17% which is slightly lower than 2014 forecasts (19%)

EEFM 2012 recorded a lower number of B Class jobs in 2011 by 2,440 jobs compared with EEFM 2014

Past-trend and Forecast B Class Job Growth- EEFM 2012

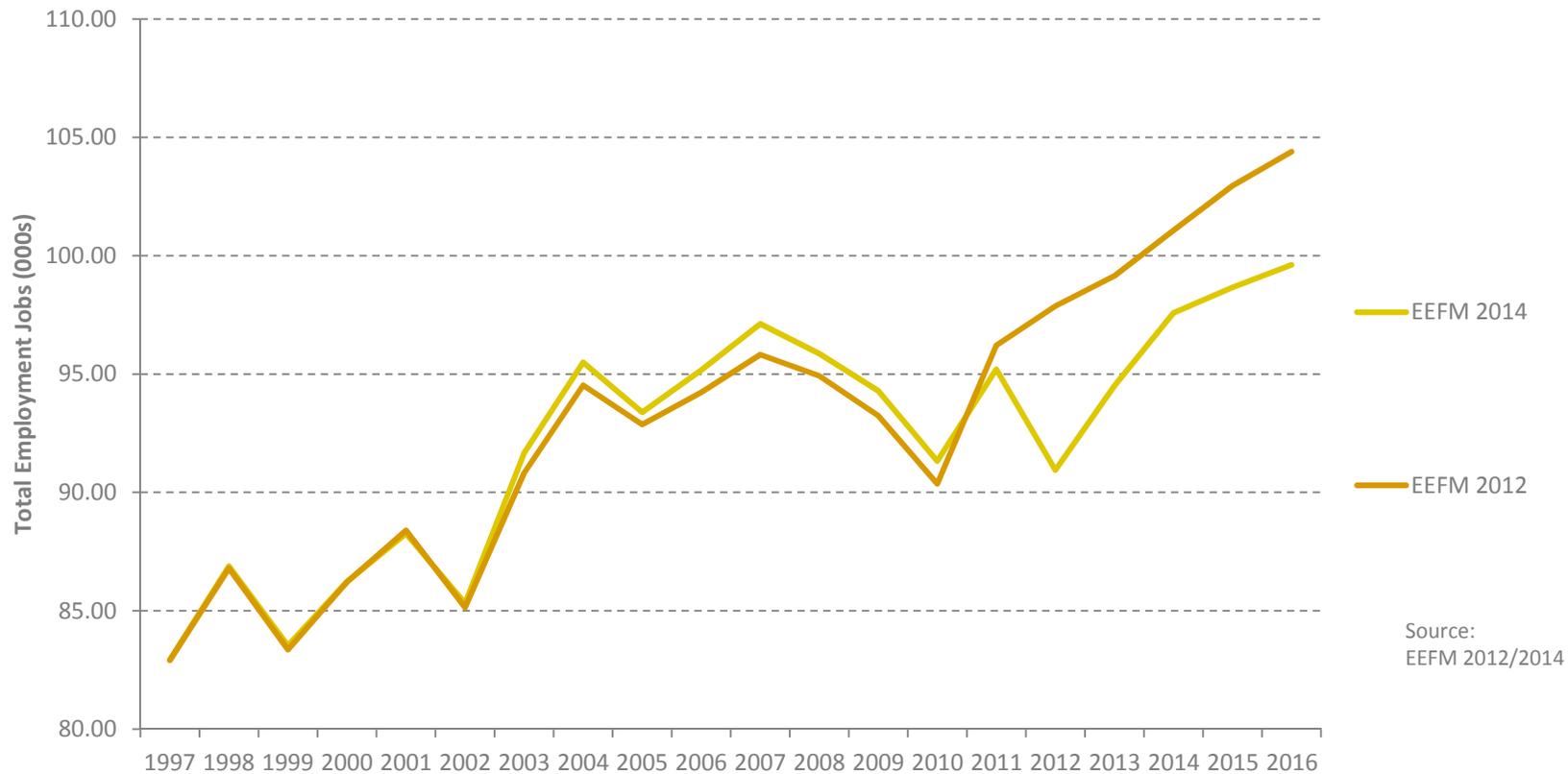
	Luton	Luton's Share	Central Bedfordshire	Central Bedfordshire Share	Total
1991	44,097	48%	47,962	52%	92,059
2011	40,612	46%	46,962	54%	87,574
Change 1991-2011	-3,485	78%	-1,000	22%	-4,485
% Change 1991-2011	-8%	~	-2%	~	-5%
2031	48,202	47%	55,095	53%	103,297
Change 2011-2031	7,591	48%	8,133	52%	15,724
% Change 2011-2031	19%	~	17%	~	15%

Source: EEFM, 2012

- Luton was forecast to record a 19% increase in B Class jobs between 2011 and 2031
- Together with Central Beds. B Class job growth was forecast to equate to 15%
- The proportion split of B Class job growth forecast for the two local authorities more closely aligns with past-trends

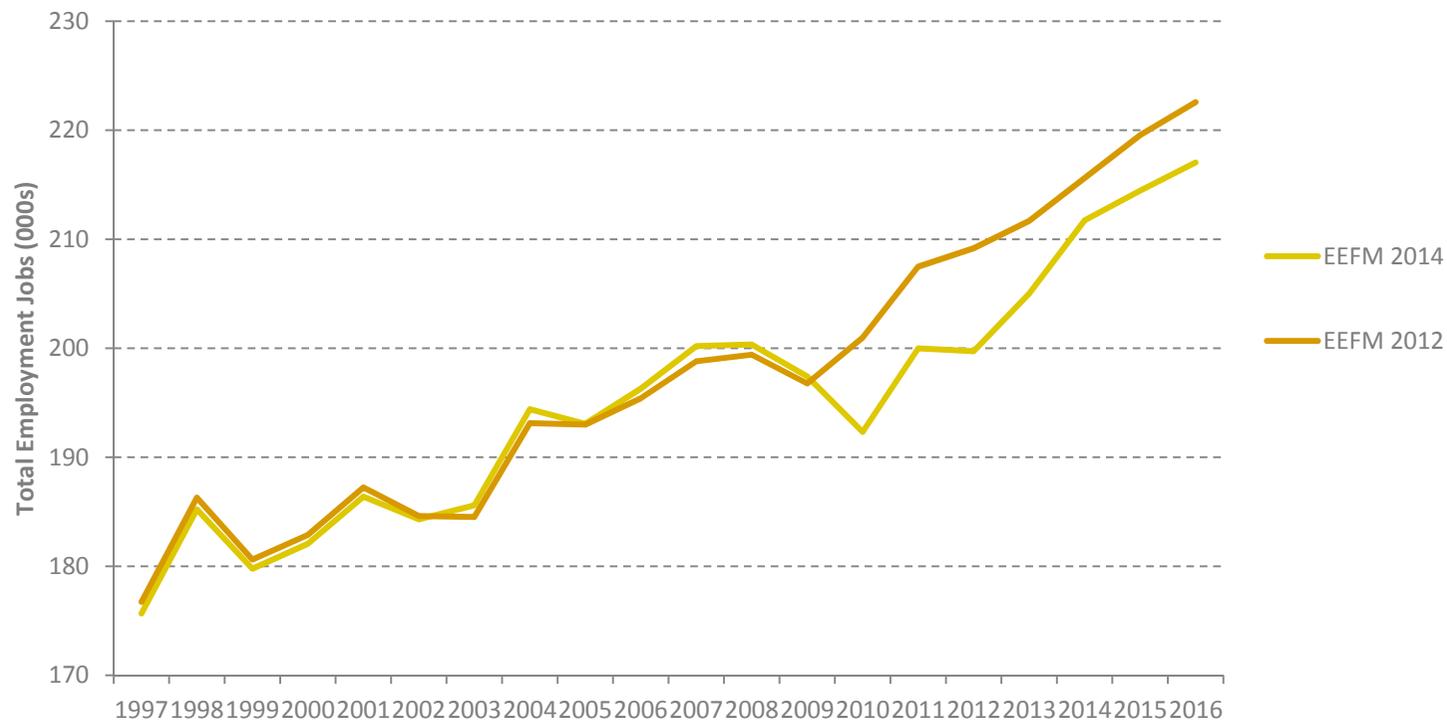
Total job growth for Luton was revised downwards from 2011 onwards by the 2014 EEFM forecasts.

Total Job Growth 1997-2016 in Luton



Overall job growth trends for Luton & Central Beds has been revised downwards by the EEFM 2014

Total Job Growth 1997-2016 in Luton & Central Bedfordshire



9. Questions for Discussion

Questions for Discussion

1. What are Luton's economic strengths, weaknesses, opportunities and threats?
 2. Does the core area identified within the emerging findings reflect a realistic FEMA?
 3. Are there further qualitative considerations that need to be taken into account?
 4. Which forecasts could form the most appropriate basis for planning for future economic needs?
 5. How might future job growth be distributed across the FEMA to best meet economic needs?
 6. What options exist for accommodating future space needs?
-

10. Next Steps

Next steps

- **Define future employment space and land requirements**
- **Consideration of the demand/supply balance**
- **On-going consultation**
- **Submit draft report**



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DRAFT

DUTY TO COOPERATE MEETING

Brief summary bullet points of above meeting (Luton, Central Bedfordshire and AVDC)

17th February at Chicksands 4 pm

Luton HMA Growth Options Study Brief

- NHDC could not attend – availability and concerns about wording in the brief – CBC would continue to chase – we would have to go ahead without or allow for opting in subsequently
- AVDC did attend and were not able to commit to the study at this point but would consider pending amendments to the brief
- AVDC had comments on the brief – preferred locations instead of identification of sites – to be so amended throughout the document

• AVDC is using SHM.
Luton HMA is included within their overall housing figure although they could not advise how much this was – agreed the GoS study would acknowledge and outputs would clarify

- AVDC wished for the para 2 to include reference “subject to other pressures” to reflect potential competing impact from other authorities seeking unmet need within the HMA
- 2nd sentence deleted from the ‘Aims section’ for clarity to consultants on 2nd stage study as opposed to stage 2 of the study
- Para 3 - CBC ref to site assessment will be in context of shaping potential locations not sites
- Para 8 - Reduced NHDC east of Luton contribution – compromise would be to amend figure to around 2,000 dwellings pending further NHDC clarification.
- Para 11 - AVDC ask for up to date position on the Bucks wide HELA and HEDNA to be recorded – AVDC to provide wording.
- Para 13 - delete last sentence for clarity
- Para 14 - AVDC prepared to discuss - CBC confirmed – not commissioned the Urban Capacity study yet – just anticipated in this brief by this time
- Para 15 – take out ‘comprehensively’
- Para 19 – add ref to the Bucks HELA so the consultants can examine it
- Para 26 -delete list above
- Add new bullet list wider ref group – Neighbouring authorities

- Para 30 agreed DC's suggesting wording clarifications
- Add point about interviewing consultants
- Para 49 percent staged fee payment schedule – CBC to reconsider
- LHG to amend the brief as above and liaise with AVDC on their wording
- AVDC to consider £10k contribution towards GoS
- ToR will need subsequent approval no time this meeting - can include stage payments and fee contributions
- SF to pursue NHDC – amended AVDC wording may help get NHDC on board – perhaps use Telecon – LBC offer to be included

Green Belt Brief

- Both AVDC and HNDC do not want to be part of this study as already doing the work and about to publish – ref will be removed from the brief. However, ok with the GB brief reviewing their methodologies
- AVDC doing stage 2 study in-house using HELA methodology – Wycombe and S. Bucks also doing this work – identify the weak land parcel performers then further discounting on delivery etc and will look at suitable SHLAA sites and already considers cross boundary GB.
- However, CBC not been involved
- AVDC are interested to be part of the steering group
- [issues Steering group needs managing as includes GoS and GB functions]
- Discussion of stage 2 and its relationship with the GoS – CBC consider GoS will look at any GB parcels and determine if exceptional circumstances exist via the SA regardless of the stage 1 GB (fitness for purposes test) CBC to review wording to clarify as not clear what stage 2 GB work does and scope size of GB parcels
- Para 5 - retain

Agree the GoS and GB briefs for sign off on Wednesday next week

- CBC to get revised briefs to LBC Friday
- LBC to respond Monday

Central Bedfordshire and Luton Green Belt Study – Consultants Brief

PURPOSE OF THE STUDY

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

MOTIVATIONS FOR THE STUDY – CONTEXT

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

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

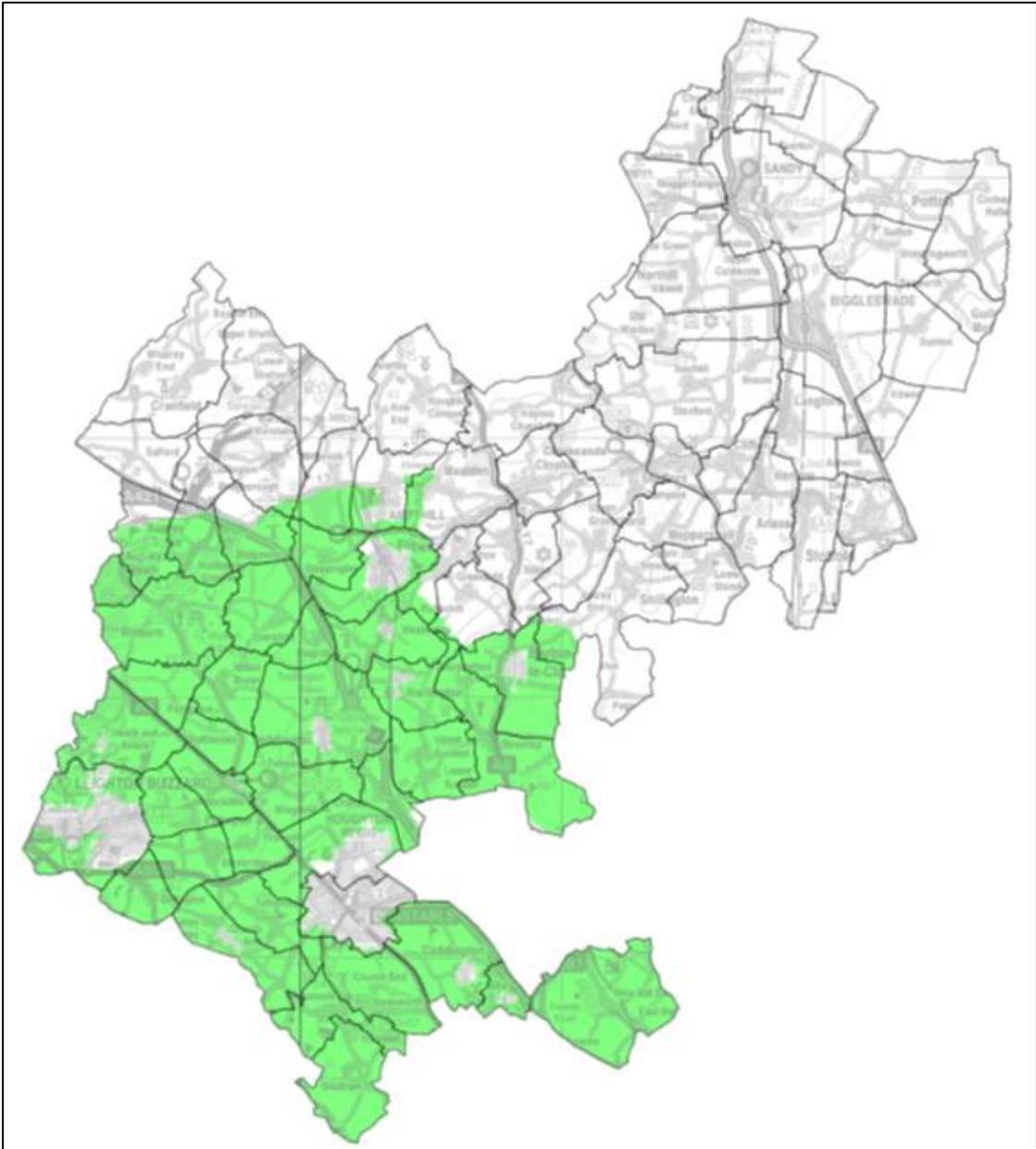


Figure 1. Central Bedfordshire Green Belt

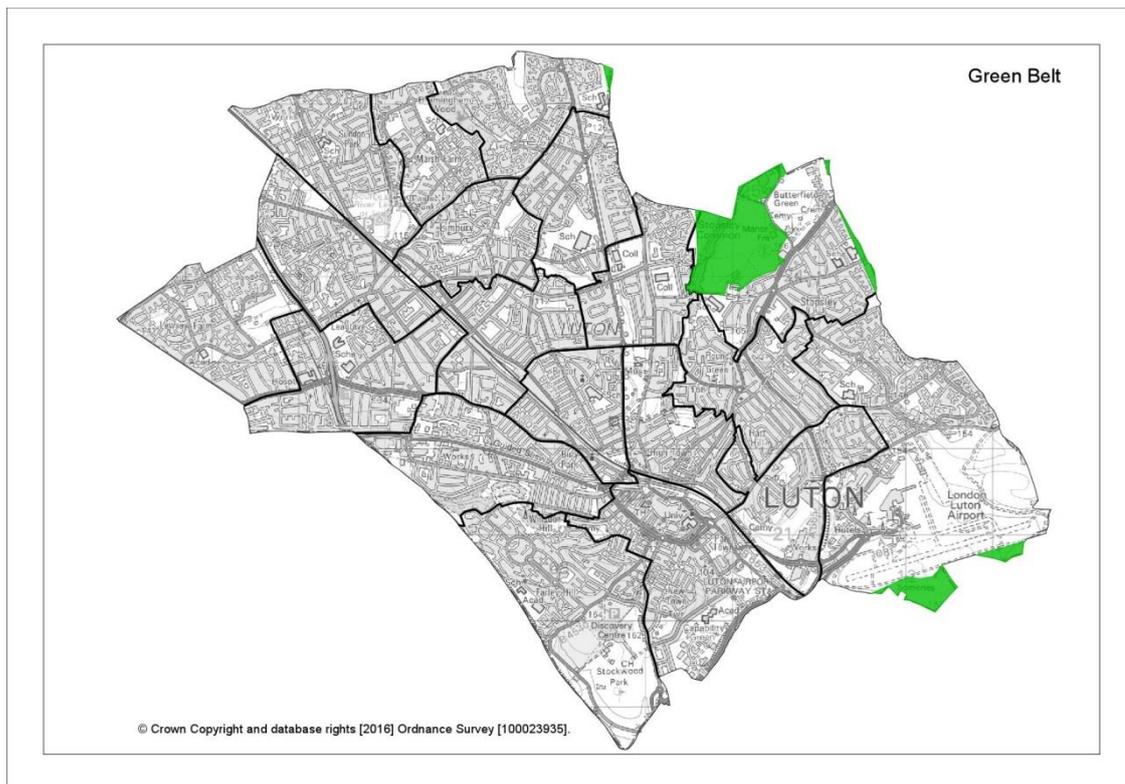


Figure 2. Luton Borough Green Belt

8. The Green Belt continues to play an important role in shaping the pattern of development in the south of Central Bedfordshire. Nevertheless, when previously looked at through the regional and sub-regional planning process, the conclusion reached was that reviewing the Green Belt boundaries in order to accommodate and achieve sustainable urban regeneration and the growth agenda at that time, development was unavoidable. With the demise of regional and sub regional planning it is appropriate to reconsider this position in the light of national and local evidence via the Strategic Housing Market Assessment and identification of an Objectively Assessed Housing Need (OAHN).

9. As discussed, the majority of housing needs identified within Central Bedfordshire arise from the southern part of Central Bedfordshire and Luton's unmet housing needs. In order to improve the balance of new housing provision, and to avoid the negative consequences of meeting housing need away from where it is arising (increased commuting, traffic-related air pollution, social isolation etc.) it is essential that new homes are provided in southern Central Bedfordshire.

10. The scale of housing need for the Luton Housing Market Area is identified in the Strategic Housing Market Assessment (2015) for Luton and the Central Bedfordshire (including parts of Aylesbury Vale and North Hertfordshire) which sets out the Objectively Assessed Housing Need (OAHN) from 2011 to 2031 as follows:-
 - 29,500 Central Bedfordshire
 - 13,400 Luton HMA excluding Luton administrative area
 - 17,800 Luton Borough Council
 - 31,200 wider Luton Housing Market Area

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

OBJECTIVES OF THE STUDY

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

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

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

SCOPE OF THE STUDY

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

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

PROPOSED TIMETABLE

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

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

REPORTING REQUIREMENTS

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

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

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

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

CONFLICT OF INTEREST

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

INTELLECTUAL PROPERTY AND CONFIDENTIALITY CONDITIONS

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

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

TENDERING REQUIREMENTS

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

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

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

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

APPOINTMENT AND PAYMENT ARRANGEMENTS

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

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

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

LOCAL AUTHORITY SIGNATURES

Central Bedfordshire Council

Jason Longhurst

(Print Name)



(Signature)

Director of Regeneration & Business

(Position)

24/02/2016

(Date)

Councillor Sue Clark

(Print Name)



(Signature)

Deputy Executive for Regeneration

(Position)

24/02/2016

(Date)

Luton Borough Council

Cllr Paul Castleman

(Print Name)



(Signature)

Planning Portfolio Holder

(Position)

24/02/16

(Date)

Laura Church

(Print Name)



(Signature)

Director Environment & Regeneration

(Position)

24/02/16

(Date)

LUTON HOUSING MARKET AREA GROWTH OPTIONS STUDY PROJECT BRIEF

AIMS

To prepare and publish a joint Growth Options Study for the Luton HMA which considers and recommends suitable strategic options for meeting the needs of the HMA and Luton's unmet housing needs. A stage 2 study may be required.

COMMISSIONING AUTHORITIES

Central Bedfordshire Council
Luton Borough Council
Aylesbury Vale District Council
North Hertfordshire District Council

INTRODUCTION

1. The NPPF¹ is clear that to boost significantly the supply of housing local planning authorities should ensure their Local Plans meet the full objectively assessed needs for both market and affordable housing in the housing market area. The NPPF² also requires that plans must be positively prepared which includes meeting unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
2. This document sets out the specification for the Luton Housing Market Area Growth Options Study. The purpose of the study is to identify growth locations within the Luton Housing Market Area (the HMA) to meet housing needs as identified within the Luton and Central Bedfordshire SHMA. Central Bedfordshire, Aylesbury Vale and North Hertfordshire Councils are all contributing to the Luton HMA within their own administrative areas where possible. The appointed consultants would need to recognise that all three areas also sit within other HMAs and that there may be other pressures arising within the three areas as a result of this.
3. In the event that the HMA needs (for market and affordable housing) cannot be accommodated within the Luton HMA, a further stage may be required to consider and recommend suitable options for meeting the outstanding HMA shortfall. This would be a 'Stage 2' study which would seek to identify appropriate sustainable options beyond the Luton HMA. The exact scope and nature of a 'Stage 2' study is to be determined. It is envisaged that this would continue to be developed in consultation between the appointed consultants and commissioning authorities as the 'Stage 1' findings emerge.
4. An indication should be provided as to the possible fees associated with undertaking a Stage 2 study should it be required – the brief for this work would be agreed at a later date should it be required.

¹ Paragraph 47

² Paragraph 182

5. The Growth Options Study will need to identify possible combinations of options for delivering the level of growth identified, and will need to consider 'reasonable alternatives' for the apportionment of growth across the HMA (including Luton's unmet housing need). The approach will need to consider, at a high level and across administrative boundaries, the three dimensions to sustainable development as identified within paragraph 7 of the NPPF (criteria to be agreed by the Steering Group)³. This high level assessment will be shaped by and input into full Sustainability Appraisals which will be undertaken independently by the individual authorities in the preparation of their local plans.
6. Given the extent of Green Belt within and adjacent to the HMA, a separate joint Green Belt study will be undertaken by Luton and Central Bedfordshire Councils which will feed in to this Growth Options Study to enable the consideration of all potential sites and growth options against the backdrop of all potential constraints. The Green Belt Study methodology will have regard to the studies relating to the Green Belt within North Hertfordshire and Aylesbury Vale.
7. This study will therefore form part of the evidence base alongside other key pieces of work and evidence studies for the local authorities to determine the most appropriate strategy in the preparation of their respective Local Plans.

BACKGROUND

8. The Luton & Central Bedfordshire SHMA (2015) identifies a housing need of 31,200 for the Luton HMA. The Luton HMA comprises Luton Borough, a large proportion of Central Bedfordshire, and small areas of North Hertfordshire and Aylesbury Vale Districts. This has recently been confirmed through a refresh of the HMAs which looked more closely at the boundaries of the Luton HMA and nearby HMAs.
9. ORS has recently updated the Luton and Central Bedfordshire SHMA (October 2015), which identifies that Luton's objectively assessed housing need is 17,800 homes, for the period 2011-31. However, as Luton Borough Council's estimate of its urban capacity is around 7,000 homes, the Borough is considered to be 'capacity capped'. Luton's unmet housing need for the period 2011-31 is therefore estimated within the pre-submission Luton Local Plan to be 10,800.
10. The SHMA indicates that Central Bedfordshire has an objectively assessed housing need of 29,500 homes of which 13,400 are within the Luton HMA. The total requirement within the Luton HMA between 2011 and 2031 is therefore 31,200 dwellings. In addition, Aylesbury Vale and North Hertfordshire both form small part of the Luton HMA, however, to date there are no specific calculations to identify their contribution to the overall needs of the HMA. Central Bedfordshire has previously indicated that it can meet 5,400 dwellings of Luton's unmet need through its now withdrawn Development Strategy and North Hertfordshire Council has indicated in its emerging plan that it can meet approximately 2,000 dwellings of Luton's unmet need. However, the technical feasibility of these figures are yet to be tested at EiP or agreed by the LPA's.

³ This will enable the sustainability of options to be considered strategically without being hindered or prejudiced by administrative boundaries.

11. Following the withdrawal of the Central Bedfordshire Development Strategy from the Examination process in November 2015, Central Bedfordshire Council have now started work on a new Local Plan. It is likely that the new Local Plan will be for the period 2015 – 2035. Luton’s Local Plan and North Hertfordshire’s Local Plan cover the period of 2011-2031 and Aylesbury Vale’s Local Plan covers the period 2013 – 2033. Therefore the outputs of the study will need to reflect the various Local Plan timescales.

12. The Councils are currently preparing evidence which will help determine the Functional Economic Market Area (FEMA) for the area(s). It will be important for this study to consider this in terms of the interdependencies of jobs and housing targets including possible requirements for further housing uplift to support planned jobs in the area. This evidence is as follows:
 - Luton FEMA Study - Consultants have been appointed and the proposed study methodology and initial work to identify the FEMA area is to be discussed at a workshop in February 2016.
 - Central Bedfordshire FEMA and Employment Land Review – Consultants have been appointed and the study is due to report in March 2016.
 - Stevenage, Eastern Central Bedfordshire and North Hertfordshire FEMA Study (Completed)

13. Local Plan preparations for the relevant local authorities in the HMA are at various stages:
 - Luton Borough Council consulted on its Pre-Submission Local Plan (Regulation 19) in November – December 2015. The plan covers the period up to 2031 and it is anticipated the plan will be submitted at the end of March 2016 leading to adoption in late 2016.
 - Central Bedfordshire Council submitted its Development Strategy to the Secretary of State on 24th October 2014 for Examination. Following the initial hearings, the Inspector issued a letter indicating that his report would conclude that CBC had failed to meet the Duty to Cooperate. CBC subsequently applied for a Judicial Review of the Inspector’s letter but have since withdrawn from the Examination process and halted the Judicial Review proceedings. The Council are now in the early stages of a new Local Plan for Central Bedfordshire.
 - North Hertfordshire District Council consulted on its Local Plan Preferred Options Plan in December 2014 – February 2015. The Council proposes to consult on its pre-submission local plan in September 2016.
 - Aylesbury Vale District Council withdrew its Vale of Aylesbury Plan in February 2014 and is in the early stages of preparing its Vale of Aylesbury Local Plan with an issues and option consultation undertaken in November – December 2015. A Central Bucks HMA and FEMA report has been prepared which has recommended a best fit approach to ensure the HMA fits to Local Plans. A Central Bucks HEDNA was produced but has been replaced by a Buckinghamshire HEDNA report which has been published and an Aylesbury Vale HELAA has been published based on an agreed cross Bucks methodology’.

APPROACH AND KEY STAGES

14. The key stages envisaged for the study are set out below. Consultant's proposals will need to clearly set out the methodology for undertaking these strands of work as well as any other additional / alternative work that they consider would need to be undertaken. If, based on their experience of similar projects, consultants consider an alternative approach is more suitable they should set this out in their proposal. If an alternative approach is suggested we request that the reasons are clearly explained in the proposal. An agreed methodology and project plan for the study will need to be agreed with the Council(s) prior to the commencement of the work. Each stage of the study will be expected to be supported by a collaborative approach whereby the study's methodology and output have had advice and input from the relevant stakeholders. This will include 'Duty to Co-operate' neighbouring local authorities and other bodies, as specified in the Localism Act – see 'Stakeholder Engagement' section below.

REVIEW OF THE EXISTING AND EMERGING HOUSING LAND SUPPLY

15. It is envisaged that consultants will initially review all existing and emerging published local plans, studies and topic papers with respect to land supply within the study area. This will include SHLAA sites, urban capacity studies, viability studies, employment land reviews, land identified through Call for Sites and previous SA site assessments.
16. Central Bedfordshire, Aylesbury Vale and North Hertfordshire Councils wish to test Luton's urban capacity which Luton has already published in support of its plan. Central Bedfordshire Council will commission a separate urban capacity study for the Luton urban area. This will critically assess the urban capacity of Luton and the wider conurbation.

IDENTIFICATION OF POTENTIAL GROWTH OPTIONS

17. The potential options for the distribution of housing growth across the 4 authorities within the HMA have not been jointly assessed. A key part of this stage will therefore be to provide the authorities with options, initially through the identification of broad areas of potential growth and potential sites. This should include options for how the needs of the Housing Market Area and Luton's unmet need could be apportioned between those areas of the 3 local authorities neighboring Luton that fall within the HMA. In carrying out this work the consultants should consider the scope to accommodate further growth under a range of strategic options including the following and combinations of options such as but not limited to:
- Economic and market conditions needed for additional growth within existing urban areas including brownfield and surplus public sector land
 - Development along transport corridors / commuter hubs
 - The scope for a new or expanded settlement or settlements
 - Urban extensions
 - More dispersed growth patterns

18. The consultants should identify any assumptions behind any of the options or sub-options.
19. The appointed consultants will also need to be aware of the significant mixed use urban extensions already permitted within the Central Bedfordshire Green Belt known as Houghton Regis North (1 and 2) and East of Leighton Linlade (located outside the Luton HMA) as well as a potential further allocation known as North of Luton. North Hertfordshire also has a proposed allocation within their emerging Local Plan known as Wandon Park, Wandon Park Extension and Land West of Cockernhoe. These sites in North Hertfordshire have been proposed for allocation in order to contribute towards meeting Luton's unmet need. The growth options study should take account of the full potential of these sites and locations, as well as other strategic options and smaller sites within the HMA.
20. In order to assess potential locations and provide the local authorities with suitable options, it is anticipated that consultants will utilise a suitably robust site assessment criteria which is compatible with existing practice in the commissioning authorities. The assessment criteria should be consistent with the three dimensions of sustainable development as set out in paragraph 7 of the NPPF and will need to be agreed by the Steering Group. The criteria are likely to consider a number of matters including, but not restricted to: infrastructure capacity and requirements, transportation/accessibility, high level viability and deliverability, environmental constraints, flood risk, landscape and national and local designations.
21. Central Bedfordshire Council has produced site assessment criteria in order to assess land submitted through a call for sites process outside of the Luton HMA as part of their local plan making process. The assessment criteria will be made available to the appointed consultants for consideration as part of the Growth Options Study. Should the methodology identified by the consultants differ from CBC's criteria, all options arising from the study within Central Bedfordshire will also be tested against the criteria as part of CBC's Sustainability Appraisal process to ensure the consistency of assessment across Central Bedfordshire as a whole.
22. With regard to site size thresholds, it is suggested that a range of broad areas / sites are considered. The precise site size threshold(s) will need to be agreed by the Steering Group and sites will need to undergo a rigorous site assessment process. The potential capacity that could be released should be apportioned as appropriate into five-year periods.

RECOMMENDATIONS

23. The Growth Options Study should, within the underlying economic context, provide clear conclusions and recommendations with respect to the most suitable options, or combination of options, for accommodating the housing growth arising from the Luton HMA and Luton's unmet housing needs. This key piece of evidence will be used by the Councils' along with other evidence base studies and knowledge of local issues, to inform their respective Local Plans.

STEERING ARRANGEMENTS AND STAKEHOLDER ENGAGEMENT

24. A member/senior officer Steering Group for the study will be supported by the commissioning authorities Officer Working Group that will be responsible for the day-to-day running of the study. These groups will operate and be constituted in accordance with the separate Terms of Reference for each group.
25. Meaningful and constructive engagement of key stakeholders, particularly neighbouring local authorities must be integral to the study, not least to ensure the requirements of the Duty to Cooperate.
26. In addition to the commissioning authorities Officer working Group, a wider Project Reference Group comprising the neighbouring authorities, will be invited to engage at key milestones in according with the Terms of Reference.
27. It will be of critical importance that Members from the commissioning authorities are constructively engaged throughout the preparation of the study. The study Steering/Reference Group will organise one or more Member meetings or seminars for the relevant authorities to share the studies draft conclusions and obtain constructive feedback.
28. In addition to the Steering Group and Reference Group authorities, there are a number of other organisations that the commissioning authorities would wish to see engaged as part of this study. Below is an initial list of organisations, however the commissioning authorities would seek to agree a list with the successful consultants at an Inception Meeting:
 - Neighbouring authorities
 - Highways England
 - Natural England
 - Historic England
 - Homes and Communities Agency
 - Environment Agency
 - Greater London Authority / Transport for London
 - South East Midlands Local Enterprise Partnership (SEMLEP)
 - Bucks Thames Valley Local Enterprise Partnership
 - Hertfordshire Local Enterprise Partnership
 - Bedfordshire Local Nature Partnership
 - Clinical Commissioning Groups
 - Chilterns Conservation Board
 - Town and Parish Councils
29. Consultants will need to clearly set out their approach to engagement as part of this study including the purpose, timing and format of any events proposed and the key outputs from such events. Consultants will be expected to provide full written accounts of all events and meetings.

TIMETABLE

30. Consultants should provide a suitable timeline for completing the study. The proposal should include a detailed project plan that demonstrates how the study will be delivered on time, with indications of key milestones, meeting dates (working group, steering group and wider reference groups) and consultations as well as deadlines for key decisions.
31. A draft study is anticipated from the consultants on 30th September 2016 with a final report expected no later than 31st October 2016. The commissioning authorities reserve the right to withhold up to 20% of the fee proposal if the timetable is not achieved without prior notification and justification by the appointed consultants and approval of the Commissioning Authorities.
32. The Consultant should provide two substantive interim reports so as to aid the process of aligning this Growth Options Study with other work which is being commissioned across the Housing Market Area. Broadly the two interim reports should provide draft advice as follows:
- (i) An outline of the growth options, in spatial terms which deserve further, detailed testing and assessment. The options should consider sufficient growth potential to allow for some of the options being rejected later on viability or sustainability grounds;
 - (ii) A further refinement of the outline growth options above with the addition of key infrastructure and environment dependency issues (including deliverability aspects) which are to be assessed in the final report.
33. It is expected that these interim reports should be available at broadly week 8 and week 16 of the contract and should be included in the timetable and key milestones. The consultant may wish to propose an alternative approach to this interim advice but should set this out and the justification for such an alternative, in their proposal.
34. This is a very important and significant piece of work for the commissioning authorities. It is therefore of paramount importance that the study is completed to the highest of standards and within the timeframe identified. However, Consultants should identify within the project proposal if it is considered that this timetable is not achievable. Clear justification for this should be set out along with proposed alternative timeframes.
35. Should a stage 2 study be required, a full methodology and timetable for this additional work will need to be prepared at the appropriate time which would need to be agreed by the project Reference Group.

Initial Task / Milestone	
Brief advertised and Issued to consultants	Mon 29th February 2016
Deadline for Proposals	Monday 14th March 2016
Interviews (If necessary)	W/B 14th March 2016
Selection of successful consultant and Inception Meeting / Data exchange (including agreement of project plan and methodology)	W/B 21st March 2016

POTENTIAL ADDITIONAL WORK

36. The successful consultants may be required to participate in the Local Plan Examinations in Public for the commissioning authorities. If called upon to do so, it is expected that the consultants will be prepared to defend evidence they have prepared at Examination. An hourly and daily rate should be provided for the provision of such services should it be required by the commissioning authorities.

CONFLICT OF INTEREST

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

REPORTING REQUIREMENTS

38. Two interim reports as detailed in paragraph 31 above.
39. A Final Report delivering the required outputs described in this brief, subject to any modifications agreed.
40. A free standing executive summary report that communicates the key messages arising from the study to the non-technical reader, incorporating key data/summary statistics.
41. The outputs should be provided in electronic form in Word 2010 and PDF and all GIS shape files in a compatible format for Cadcorp and ten bound hard colour copies.
42. The reports and other specified outputs must be produced in a clear accessible style that is free of jargon (i.e. plain English). Consultants are required to put in place version control arrangements for the production of documents, and the status of all documents issued to the Councils must be made clear.
43. All data supplied as part of the contract will be in Microsoft Excel 2007 or Microsoft ACCESS format. The Consultant will agree versions of any software used with the commissioning authorities to ensure compatibility with local authority versions. Spatial data, for example housing market area boundaries, will be supplied in formats to be agreed by the Councils including ESRI Shape files.

INTELLECTUAL PROPERTY AND CONFIDENTIALITY CONDITIONS

44. The final report will be available in the public domain, with dissemination managed by the commissioning authorities. Ownership and title to all data collected for the study (with the exception of data supplied by the Consultant or any third party) and the study reports and other outputs will rest with Central Bedfordshire Council, acting on behalf of the commissioning local authorities.
45. The Councils' will acknowledge the Consultant' work when reporting on and using the research outputs in their own publications.
46. The Consultant shall not make use of the research outputs without the express consent of the Councils.
47. The Consultant shall comply with the Data Protection Act 1998 and shall indemnify the commissioning authorities in respect of the use, disclosure or transfer of personal data by the Consultant, its employees and any permitted agents or sub-contracts involved in the Contract. The Consultant shall adhere to all relevant policies and procedures of Central Bedfordshire Council, including those relating to data protection, confidentiality, non-disclosure, equalities and health and safety.

TENDERING REQUIREMENTS

48. The Consultant should submit a concise written proposal for delivering the tasks and outputs described in this Brief. This must include:
 - Set out the proposed methodology that will be used to meet these requirements;
 - Detailed project plan setting out tasks and timetables for the successful completion of the project;
 - Any identifiable risks that may inhibit the ability to deliver the project to appropriate quality and timescale
 - A fixed price tender that includes the full costs of the project including consultancy time, meetings, fieldwork costs and the costs of travel, subsistence and any other anticipated expenses. An indication should also be provided of fees for a further stage 2 should this be required.
 - Name of the person who will be the lead contact for the project, and a Project Director who is accountable for the project on behalf of the Consultant;
 - Names and CVs of all staff working on the project, their daily rates, the number of consultancy days allocated to each component of the project for each staff member and estimated expenses/other costs;
 - Details of the qualifications and relevant experience of staff members proposed for the project, with a web-link to, or an electronic copy of reports from recent similar projects;
 - A quotation for the daily rate at which any additional consultancy support would be provided if requested by the commissioning agencies (including to defend the research at public examination / planning inquiries)
 - Contact details (including phone/email) for two referees for similar projects

- Confirmation that the consultant has public indemnity, public liability and employers' liability insurance to the following values:
 - Professional Indemnity Insurance of at least £2 million
 - Public Liability Insurance of at least £5 million
 - Employers Liability Insurance of at least £10 million.
49. The selected Consultant will be responsible for any public indemnity, public liability and employer's liability insurance costs.
50. Submissions should be made electronically via the Pro-vide/NEPRO website and hard copies should be posted to Lynsey Hillman-Gamble, Interim Local Planning Manager, Central Bedfordshire Council, and Kevin Owen, Local Plan Team Leader, Luton Borough Council by 17.00 on Monday 14th March 2016.
51. 2 hard copies (bound and full colour) should be submitted to the following addresses

Kevin Owen	Lynsey Hillman-Gamble
Luton Borough Council	Interim Local Planning Manager
Local Plan Team Leader	Central Bedfordshire Council
3rd Floor	Development Planning & Housing Strategy
Town Hall	Priory House
Luton	Monks Walk
LU1 2BQ	Chicksands
	Shefford
	SG17 5TQ

52. Should tendering organisations consider that any part of the brief requires clarification and that this affects their submission, then questions must be put in writing (e-mail accepted) by 17:00 1st March 2016 to Lynsey Hillman-Gamble lynsey.hillman-gamble@centralbedfordshire.gov.uk and Kevin Owen kevin.owen@luton.gov.uk.
53. Emails should be headed "Luton HMA Growth Options Study". As this is a joint commission, all correspondence throughout the period of the contract should be copied to both Lynsey Hillman-Gamble and Kevin Owen who will coordinate appropriate responses on behalf of the commissioning authorities. A second point of contact within each authority will be identified whom the appointed consultants could contact in the absence of the lead officers.

APPOINTMENT AND PAYMENT ARRANGEMENTS

54. The commissioning agencies are under no obligation to select the lowest priced bid or any proposal. If an appointment is made the appointed consultant will, in the opinion of the commissioning authorities, offer best value for the study.

55. The staging of payments will be as follows:
- Inception Meeting : 20% of project fee (CBC)
 - Stage 1 Draft Report, Sign off by Commissioning Authorities 10% of project fee (LBC)
 - Sign off by Commissioning Authorities of Draft Report: 30% of project fee (CBC)
 - Sign off by Councils of Final Report and handover of all other required outputs: 40% of project fee (LBC)
56. The Consultant will be required to deliver the project to meet the deadlines set out in the agreed timetable at the Inception Meeting. The required service shall be provided as specified in this Brief, or as otherwise agreed between the Consultant and the Council. If the Consultant should fail to complete the whole of the service within the prescribed time or of any extension to the timetable granted in writing by the Council, the Council may cancel the Order or impose penalties as detailed within paragraph 28.
57. The Consultants may be required to sign agreements stating that they will not work for any other party with regard to providing similar services either with the Luton Housing Market Area or an adjoining housing market areas without the express consent of the commissioning authorities.

COMMISSIONING AUTHORITY SIGNATURES

Central Bedfordshire Council

Jason Longhurst

Director of Regeneration &
Business

(Print Name)

(Position)



25/02/16

(Signature)

(Date)

Councillor Sue Clark

Deputy Executive for Regeneration

(Print Name)

(Position)



25/02/16

(Signature)

(Date)

Luton Borough Council

Cllr Paul Castleman

Planning Portfolio Holder

(Print Name)

(Position)



24/02/16

(Signature)

(Date)

Laura Church

Director Environment &
Regeneration
(Position)

(Print Name)



24/02/16

(Signature)

(Date)

North Hertfordshire District Council

Cllr David Levett

Strategic Planning & Enterprise
Portfolio Holder

(Print Name)

(Position)



25.02.2016

(Signature)

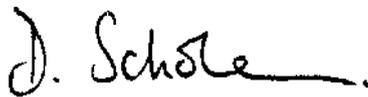
(Date)

David Scholes

Acting as Director for Strategic
Planning, Housing and Enterprise

(Print Name)

(Position)



25.02.2016

(Signature)

(Date)

Aylesbury Vale District Council

Cllr Carole Paternoster

Cabinet Member for Growth
Strategy

(Print Name)

(Position)



25.02.2016

(Signature)

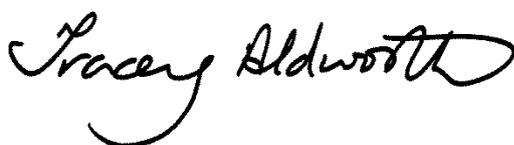
(Date)

Tracey Aldworth

Director

(Print Name)

(Position)



25.02.2016

(Signature)

(Date)