

## **APPENDIX 1A**

### **1.0 INTRODUCTION**

#### **1.1 Background**

This document sets out the public and stakeholder consultation carried out during the preparation of the Planning Obligations Strategy for the area formerly known as South Bedfordshire.

It is intended that the Strategy will be adopted as a Supplementary Planning Document (SPD), which will form part of the Joint Luton and South Bedfordshire Local Development Framework (LDF) and will be used as a material consideration in planning applications.

#### **1.2 The importance of consultation**

The objectives of the SPD are far ranging but above all, the aim is to provide users of the planning service in southern Bedfordshire with greater transparency and certainty of what planning obligations will be sought in conjunction with planning applications for development. Furthermore, the involvement of stakeholders and the wider community is a legal requirement under Regulation 17 of The Town and Country Planning (Local Development) (England) Regulations, 2004, which sets the minimum requirements for community involvement, with which local planning authorities must comply in the preparation of SPDs. PPS12 states that the SPD route must “not be used to avoid policies being subject to public examination”. Thorough consultation throughout the SPD preparation process is therefore essential.

#### **1.3 Structure of this report**

Following this introduction, the report is structured in the following sections:

Section 2 considers the planning context;

Section 3 sets out the consultation that was carried out;

Section 4 summarises the responses received;

Section 5 summarises the responses to the feedback received;

Appendices:

A:- Consultation Timetable

B:- Stakeholder Letter

2:- Representations to the second round of consultation only

### **2.0 PLANNING CONTEXT**

#### **2.1 The Statement of Community Involvement**

The Joint Luton and South Bedfordshire Statement of Community Involvement (SCI) explains the way in which the Joint Planning and Transport Committee (JPTC) will consult and involve people in the preparation of the Joint LDF and individual planning applications. The SCI provides guidance on

the level of consultation required at the pre-production and production stages of SPDs. This project comprises both the 'pre-production' and 'production' stages of the SPD. The consultation detailed in this document meets the SCI requirements on both the pre-production and production stages

## **2.2 Consultation under Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004**

The Town and Country Planning (Local Development) (England) Regulations 2004 requires the JPTC to prepare a Consultation Statement prior to the adoption of a SPD. The Statement should set out:

The names of any persons whom the authority consulted in connection with the preparation of the SPD;

- How these parties were consulted;
- A summary of the main issues raised through consultation; and
- How these issues were addressed by the SPD.

This statement will therefore illustrate how the consultation process meets the requirements of Regulation 17 and its compliance with the Joint SCI.

## **3.0 Consultation Undertaken**

3.1 The initial six week consultation began on Thursday 8<sup>th</sup> January 2009 and ended Thursday 19<sup>th</sup> February 2009 at 5.15pm; this was followed by a second four week round commencing Monday 6<sup>th</sup> April 2009 and ending Monday 4<sup>th</sup> May 2009 at 5.15pm. Both rounds of consultation were advertised through public notice for one week in local newspapers and copies of all relevant documents and a consultation timetable (**appendix A**) were uploaded onto the South Bedfordshire District Council website.

3.2 Copies of the relevant documents were on deposit for inspection at the following venues:

- Dunstable Town Hall
- Dunstable Library
- South Bedfordshire District Council
- Houghton Regis Town Hall
- Houghton Regis Library
- Leighton Buzzard Town Hall
- Citizone Leighton Buzzard
- Toddington Library

3.3 South Bedfordshire District Council Members were informed by letter of the consultation and invited to comment (**appendix B**). Copies of the Planning Obligations Supplementary Planning Document Draft; The Planning Obligations Supplementary Document Draft Background Paper and the Planning Obligations Supplementary Document Draft Strategy were placed in the Members Lounge and Committee Rooms.

3.4 Hard copies of the documents were sent to statutory stakeholders including internal senior management and officers, neighbouring Local Authorities, LSP members, Utility providers and statutory agencies as

listed in the Statement of Community Involvement. Emails were sent to Parish Clerks, Developers, Local Strategic Partnership members and Social Infrastructure partners to invite their comments. To avoid unnecessary printing of the documents stakeholders were encouraged where appropriate to use the website and to submit comments by email. Hard copies were available on request.

3.5 Public information boards were exhibited in the District Office reception area for the duration of the consultation with a proviso that reception would contact officers should anyone require additional information. Public drop in sessions were also advertised for 2<sup>nd</sup> and 11<sup>th</sup> February.

3.6 A presentation to Parish/Town Councils was held on 26<sup>th</sup> January at the South Bedfordshire District Council Offices. Attendees included representatives from Barton Le Clay, Eaton Bray, Eggington, Hockliffe, Kensworth, Studham, Sundon and Toddington. The workshop provided opportunity for participants to discuss the Planning Obligations with the relevant planning officers.

3.7 Social Infrastructure Officers were invited to attend a workshop session on 4<sup>th</sup> February, attendees included representatives from:

- Bedfordshire County Council
- Voluntary and Community Action South Bedfordshire
- Dunstable College
- Leighton – Linslade Town Council
- Local Strategic Partnership
- Bedfordshire Association of Town and Parish Councils
- South Bedfordshire District Council

3.8 During the second round hard copies of amended documents with changes highlighted were sent to statutory stakeholders including all who had made representations during the first round, internal senior managers and officers, neighbouring Local Authorities, LSP members, Utility providers and statutory agencies as for the initial stages of consultation. Emails were sent to Parish Clerks, Developers, LSP and Social Infrastructure partners to invite further comment, as with the first round to avoid unnecessary printing of the documents, stakeholders were encouraged where appropriate to submit comments by email. Hard copies were also available on request.

#### **4.0 Responses Received**

4.1 A total of 35 representations were received in response to both stages of the formal consultation. Respondents included Statutory Stakeholders, Parish/Town Councils, Officers, Voluntary and Community Sector and Developers.

#### **5.0 Responses to the Feedback Received**

5.1 A total of 28 questions were included throughout the document and stakeholders were asked to respond to the questions they felt were most relevant to their organisation.

5.2 Questions 1 – 4: There was a general consensus of support for planning obligations negotiations and consideration for small residential development (less than 10 dwellings) and commercial developments.

5.3 Questions 5 – 8: There was support for contributions toward mainstream education including Early Years and Daycare, Children’s Centres and School Transport

5.4 Question 9: A case by case approach to Sustainable Transport was strongly supported for consideration under planning obligations by stakeholders who responded.

5.5 Question 10: There was a mixed response around the considerations for Health Care Facilities and there were a similar number opting to object to contributions to this as well as support. The objections were based on assumptions that the PCT would be able to fund this type of facility.

5.6 Question 11: It was considered by many to be appropriate to consider a case by case approach to obligations for extracare/enhanced sheltered housing as part of large new development.

5.7 Question 12 – 16: Once again there was little difference between those who objected and those that supported securing planning obligations toward indoor leisure/sports centres (12), recreational open space (13), allotments (14) and general green infrastructure (15); however there was strong support for Rights of Way (16).

5.8 Question 17: Obligations toward the delivery of new or upgrade of existing community and village halls where appropriate was generally supported.

5.9 Question 18: There was strong support for the case by case consideration for planning obligations to deliver youth services.

5.10 Question 19: Stakeholders were equally divided between objection and support for the charging methods considered for delivery and or upgrade of libraries and facilities.

5.11 Question 20: The methods for securing planning obligations for cemeteries and burial ground space were generally supported.

5.12 Question 21: Stakeholders considered that standard charges towards obligations for capital costs to provide ‘Welcome’ information packs for each household as appropriate should not be included in the planning obligations.

5.13 Question 22 – 23: The new standard charge for Waste Management (22) and Emergency Services (23) provision, stakeholders objected to the inclusion of these within the Planning Obligations as most felt that these services were already contributed to by Local Council Tax.

5.14 Question 24 – 26: Standard charges for both Public Realm and Community Safety (24) and Public Art (25) received marginally more objections than support. However, securing obligations for CCTV was well supported.

5.15 Question 27 – 28: There was a low response rate for the question on procedures for securing and delivering planning obligations (27), and thirteen stakeholders submitted further general comments (28).

## Appendix A – Consultation Timetable

The objective is for South Bedfordshire to have a Planning Obligations SPD adopted before April 2009 and in order to achieve this, it is the intention to commence stakeholder consultation on 8<sup>th</sup> January 2009 for a six-week period. During this time the Council will be engaging with members, town and parish councils, developers and the public to ascertain their views.

The consultation will be carried out in accordance with Regulation 25: Town and Country Planning Regulations 2004 and with due regard to the Statement of Community Involvement:

<b>Date and Time</b>	<b>Event</b>	<b>Venue</b>
<b>From Thurs 8<sup>th</sup> Jan 2009</b>	<b>Documents on Deposit</b>  <b>Link to Documents on <a href="http://www.southbeds.gov.uk">www.southbeds.gov.uk</a></b>	<b>Dunstable Town Hall Houghton Regis Town Hall Leighton Buzzard Town Hall The Libraries at Dunstable, Houghton Regis, Leighton Buzzard and Toddington. South Bedfordshire Points of Presence (PoP's) at Bossard House, Leighton Buzzard and at the District Offices, High Street North, Dunstable</b>
<b>Mon 19<sup>th</sup> Jan 2009 7-9pm</b>	<b>Evening presentation, Q&amp;A South Beds Members</b>	<b>South Beds District Council Offices (Councillors only)</b>
<b>Mon 26<sup>th</sup> Jan 2009 7-9pm</b>	<b>Evening presentation, Q&amp;A Parish/Town councillors</b>	<b>South Beds District Council Offices (invite only)</b>
<b>Mon 2<sup>nd</sup> Feb 2009 2-7pm</b>	<b>Public Information Exhibition Drop in Session</b>	<b>South Beds District Council Offices (all welcome)</b>

<b>Wed 4<sup>th</sup> Feb 2009</b>	<b>Workshops for social infrastructure stakeholders</b>	<b>South Beds District Council Offices (invite only)</b>
<b>Wed 11<sup>th</sup> Feb 2009 2-5pm</b>	<b>Public Information Exhibition Drop in Session</b>	<b>South Beds District Council Offices (all welcome)</b>
<b>Wed 11<sup>th</sup> Feb 2009 5-7pm</b>	<b>Developers Event</b>	<b>South Beds District Council Offices (invite only)</b>
<b>Consultation ends Thurs 19<sup>th</sup> Feb 2009 at 5.15pm</b>		

**Websites:** South Bedfordshire District Council Website:  
[www.southbeds.gov.uk](http://www.southbeds.gov.uk)

**For more information on the above events please contact:**  
Helen Mitchell 0845 849319 email: [helen.mitchell@southbeds.gov.uk](mailto:helen.mitchell@southbeds.gov.uk)

**Consultation Responses:** Any responses to the consultation papers can be made either by post or electronically. Please make postal responses addressed to:

Lewis Knight  
South Bedfordshire District Council  
Room 250: Sustainable Neighbourhoods  
The District Offices  
High Street North  
Dunstable  
Bedfordshire  
LU6 1LF

Electronic responses should be addressed to  
[lewis.knight@southbeds.gov.uk](mailto:lewis.knight@southbeds.gov.uk)

## Appendix B – Stakeholder Letter

DATE:

OUR REF:

MS/

YOUR REF:

PLEASE ASK FOR:

Mark Saccoccio

DIRECT DIAL/EXT:

0845 849 6353

EMAIL:

mark.saccoccio@southbeds.gov.uk

Dear Stakeholder

### **Consultation on Draft Planning Obligations Supplementary Plan Document – January 2009**

Please find enclosed a copy of the Draft Planning Obligations Supplementary Plan Document with additional background information. I wish to inform you that the Sustainable Communities service is working toward the production of a Planning Obligations Supplementary Planning Document. A six week consultation period is set to begin on 8th January 2009 and we would welcome any comments you would wish to make by no later than 5.15pm on Thursday 19th February 2009.

#### **Why the need for a planning obligations document?**

The joint Local Development Scheme 2007 identifies within its work programme the requirement to adopt a Planning Obligations SPD for the Growth Area. Until such time, South Bedfordshire remains “exposed” with no Obligations document in place. In the negotiation of major planning applications, the failure to have an Obligations strategy in place means that our ability to secure major social and community infrastructure benefits may be prejudiced. This is recognised by consultants and therefore it is of importance that we redress this at the earliest opportunity. The same need is not experienced by Luton who adopted an obligations document in September 2007.

#### **What are planning obligations?**

- Primarily intended to make acceptable those developments that would otherwise be unacceptable in planning terms;
- They can take the form of:
  - i) Unilateral undertakings made by a developer or
  - ii) Agreements made jointly between local authorities and a developer (s106 legal agreements);
- Range of matters may be covered, though they are not specified in national policy



**What is the strategy trying to achieve?**

- To help deliver sustainable communities;
- To help ensure impacts of new development (including smaller development) are properly mitigated or compensated for;
- To provide a more transparent, streamlined, consistent and practical approach to negotiating obligations;
- To accord with Circular 05/2005, development plan policy and best practice;

If you wish to discuss this document or the content of this notice, please do not hesitate in contacting me on 0845 849 6353 or email [mark.saccoccio@southbeds.gov.uk](mailto:mark.saccoccio@southbeds.gov.uk)

Yours sincerely

A handwritten signature in black ink that reads "Mark Saccoccio". The signature is written in a cursive, slightly slanted style.

Mark Saccoccio

**Team Manager - Planning Policy**

Enc