

Luton and South Bedfordshire Joint Committee
Local Development Framework

Local Development Scheme

October 2010



**Central
Bedfordshire**

LUTON
BOROUGH COUNCIL

Section 1 - Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 (The Act) introduced **Local Development Frameworks (LDFs)** which replace the former system of Structure Plans (produced by County Councils) and Local Plans (produced by District Councils). The LDF comprises a series of documents, which set out spatial policies and proposals for future development within each local planning authority's area.
- 1.2 The Act requires each local planning authority to produce a **Local Development Scheme**, which is essentially a three year work programme for the production of new planning documents. This document is the third revision of the Local Development Scheme for the area.
- 1.3 A Joint Committee was set up for the three former local authorities of South Bedfordshire District Council, Luton Borough Council and Bedfordshire County Council, which had the responsibility for all development planning (except minerals and waste) and transportation planning work as defined in the Act.
- 1.4 On 6th March 2008, the Government approved a two-unitary configuration for Bedfordshire which resulted in the abolition of the three former Councils and the creation of the new Unitary Authority of Central Bedfordshire covering the former South and Mid Bedfordshire District areas.
- 1.5 The Joint Committee will continue to provide forward planning powers up to 1st April 2012 for Luton and the area formerly administered by South Bedfordshire District Council (referred to in this document as Luton and southern Central Bedfordshire).
- 1.6 The Local Development Scheme (LDS) is the starting point for the community and stakeholders to find out which documents the Joint Committee intends to prepare as constituent parts of its Local Development Framework (LDF) and the timescale for their preparation
- 1.7 The previous version of the LDS was brought into effect by the Joint Committee on 23rd October 2009. However, the need to undertake further technical work and the recent change of Government has led to the work programme becoming outdated. This revised version therefore includes an updated work programme.

Section 2 - Luton and southern Central Bedfordshire Context

About the Area

- 2.1 Luton Borough is a very densely built up area of some 4,340 hectares. The Borough's current population is estimated to be about 186,000 people with housing supply totalling approximately 74,000 dwellings and some 90,000 jobs.
- 2.2 The southern Central Bedfordshire area is characterised by a mix of urban and rural areas. Much of the rural area is of high landscape and biodiversity value with extensive tracts of high-grade agricultural land. About a third of the area is within the Chilterns Area of Outstanding Natural Beauty. Outside the main towns and 7 larger villages, the area is covered by the South Bedfordshire Green Belt. All the other rural settlements are 'washed over' by the Green Belt. The area's current population is estimated to be about 114,200 people with housing supply totalling approximately 45,665 dwellings and 49,000 jobs.
- 2.3 The towns of Dunstable and Houghton Regis have coalesced with each other and Luton to form a single large urban area of some 235,180 people. Leighton-Linslade, comprising the two previously separate towns of Leighton Buzzard and Linslade currently has a population of 32,753.

Policy Framework

- 2.4 In July 2010, the newly formed coalition Government announced the immediate revocation of Regional Spatial Strategies. Therefore the East of England Plan and the Milton Keynes South Midlands Sub-Regional Strategy (MKSMSRS) no longer form part of the development plan for Luton and southern Central Bedfordshire.
- 2.5 In the absence of regional planning guidance, local authorities have been advised to form their own housing targets based on local need. The LDF for the Luton and southern Central Bedfordshire area will therefore need to reflect this new localism agenda.
- 2.6 When completed, the LDF will form part of the development plan for the area alongside the Minerals and Waste LDF which is being prepared separately.

Section 3 - Saved Development Plan Policies & Adopted LDDs

Saved Policies

3.1 The 2004 Planning and Compulsory Purchase Act permits 'old style' plans to be saved for three years from commencement of the Act (September 2004) or from its adoption. The legislation allows these plans to be replaced in whole or part by new Local Development Documents (LDDs). If not replaced, they will either be withdrawn or saved. If after 3 years from the date the Act commenced no application has been made to extend the "saved" period they will lapse.

3.2 The relevant plans are individually considered below.

3.3 Luton Local Plan 2001 – 2011 Adopted March 2006

This Plan contains 77 policies. In October 2008, the Secretary of State's approval to extend this 'saved' time period was sought for 61 policies. The saved policies were approved in March 2009 and can be viewed on Luton Borough Council's website at www.luton.gov.uk.

3.4 The South Bedfordshire Local Plan Review (SBLPR) Adopted January 2004

The adopted Local Plan includes 97 policies. In 2007, 55 of these policies were saved with the remaining not saved. The saved policies can be viewed on Central Bedfordshire Council's website at www.centralbedfordshire.gov.uk.

3.5 Minerals & Waste Local Plan Adopted January 2005

The Bedfordshire and Luton Minerals & Waste Local Plan was adopted on 24th January 2005. In 2008, 2 policies were not saved. These saved policies can be viewed on Central Bedfordshire Council's website at www.centralbedfordshire.gov.uk.

3.6 Bedfordshire Structure Plan 2011 Adopted March 1997

Six policies from the Structure Plan have been saved beyond September 2007 and can be viewed on Central Bedfordshire Council's website at www.centralbedfordshire.gov.uk.

Supplementary planning material

3.7 The Joint Committee will seek to 'save' all Supplementary Planning Guidance (SPG) documents, including development briefs, which have been adopted between 1995 and 2005 and remain valid and not been overtaken by events. Development brief SPG documents will remain material to appropriate planning applications until the developments they coordinate are complete.

3.8 The following provides a list of SPG documents, Supplementary Planning Documents (SPD) and other Technical Guidance Notes prepared for the Luton and southern Central Bedfordshire areas. It should be noted that the Technical Guidance Notes remain informal documents (since they have not been through full Supplementary Planning Document Public Consultation and Adoption Procedures), but adopted by the appropriate Committees of the local authorities for development control purposes.

3.9 SPG Documents for the southern Central Bedfordshire area

- Land at RAF Stanbridge, Leighton Buzzard, Guidelines for Residential Development and the Provision of Recreational Facilities – December 1996.
- Shopfront Design Guide, 1999.
- Pratts Pit and Quarry, Development Brief – January 2002.
- Land South of the High Street, Leighton Buzzard, Development Brief – January 2002.
- Land at Carter's Yard and Adjoining Areas, Luton Road, Dunstable, Development Brief – October 2002
- Land at Skimpot Road, Dunstable, Development Brief – August 2003.
- Southern Leighton Buzzard Urban Extension Development Brief July 2006

3.10 Technical Guidance Notes for the southern Central Bedfordshire area

- Chilterns Buildings Design Guide – Adopted for Development Control Purposes February 2000.
- Conservation Areas (Background Information Leaflet) – 2002.
- Planning Design Guide: Design Statements for new Dwellings on Infill Sites – March 2004.
- Planning Design Guide: Shop Signs and other Advertisements – March 2004.
- South Bedfordshire Community Safety Design Guide – July 2005 (adopted September 2005).
- The South Bedfordshire District Council Sustainability Ticklist – A Developers Guide – August 2005.

3.11 Supplementary Planning Documents for the southern Central Bedfordshire area

- Houghton Regis Town Centre Masterplan SPD (2008)
- Planning Obligations Strategy SPD (2009)
- Design in Central Bedfordshire: A Guide for Development SPD (2010)

3.12 Luton Borough Council SPG Documents

- Nature Conservation Strategy (1992)
- Shopfront Design Guide (1993)
- London Luton Airport Development Brief (2001).
- Designing for Sustainability – A Summary of Good Practice (2003).
- Designing for Community Safety in a Quality Environment (2003).

3.13 Luton Borough Council Supplementary Planning Documents

- High Town SPD (2005)
- Planning Obligations SPD (2007)
- High Town East Village Design Codes (2009 – appendix to the 2007 High Town SPD)

Adopted LDDs

3.12 The Statement of Community Involvement (SCI) was adopted in 2007. This document outlines the standards and approach to involving stakeholders and the community in the production of the component parts of the LDF and how the Joint Committee will involve these parties in the determination of planning applications. It is anticipated that a revised SCI will be adopted in early 2011.

3.13 A Planning Obligations SPD for Luton was also adopted in 2007. It gives a clear indication of the facilities and/or monies that the Council will seek to be provided by landowners/developers through legal agreements (under Section 106 of the Town and Country Planning Act 1990) in association with the grant of planning permission for various development proposals. A Planning Obligations SPD covering South Bedfordshire was adopted in 2009.

3.14 The Houghton Regis Masterplan (SPD) was adopted in 2008 and provides a planning framework to secure the comprehensive delivery of the regeneration of Houghton Regis Town Centre including the High Street. It supplements the policies in the South Bedfordshire Local Plan (2004).

- 3.15 The High Town Masterplan (SPD) was adopted in 2007 and sets out the framework for the regeneration of High Town, Luton, including a vision to ensure its success as an economic focus and heart of the community, supported by a high quality environment.

Section 4 - Proposed Development Plan Documents (DPDs)

- 4.1 This version of the LDS focuses solely on the preparation of the Core Strategy. The table below identifies the purpose of the document along with the proposed timetable for its production.
- 4.2 The previous version of the LDS outlined an intention to prepare a Site Allocations DPD, a Development Management Policies DPD and a Gypsy and Traveller DPD. However in light of expected future legislative changes, the Joint Committee is currently considering how to proceed with these issues. It is therefore likely that the LDS will be updated again once the content of the Governments proposed Decentralisation and Localism Bill is known.
- 4.3 Following the Planning Act 2008, it is no longer necessary to include details of proposed Supplementary Planning Documents within a Local Development Scheme.

Table 1 – Core Strategy and Key Diagram DPD

Core Strategy and Key Diagram DPD	
Role and content	To set out the vision, strategic objectives, spatial strategy for the area and the primary policies for achieving the strategic vision. This will entail an assessment of the general land use needs together with identification of Strategic Site Allocations and strategic Green Belt boundary reviews
Status	Development Plan Document
Chain of conformity	General conformity with national planning guidance
Geographic coverage	To cover the administrative areas of Luton Borough Council and the former administrative area of South Bedfordshire District Council.
Timetable and milestones (<i>projected milestones in italics</i>)	
Commencement (including SA Scoping Report)	Completed
Participation in developing DPD Options (Reg 25)	Completed
Formal participation in development of a DPD (Reg 25)	Completed
Consultation on published DPD (Reg 27)	November 2010 – January 2011
Consideration of Representations	January – February 2011
Submission	March 2011
Examination	June/July 2011
Inspectors Report	October 2011

Adoption	December 2011
Arrangement for Production	
Lead Organisation	Work undertaken by Joint Technical Unit, led by the Joint Committee
Management Arrangements	Decisions will be taken by the Joint Committee with full executive powers. Day-to-day management of process by Joint Technical Unit Manager
Resources Required	Staffing from Joint Technical Unit, with officers from Luton Borough and Central Bedfordshire Council, with input as necessary from consultants. Sustainability Appraisal aspect of work to be undertaken by consultants
Stakeholder and Community Involvement	The SCI sets out the standard mechanisms for community involvement. This DPD will be prepared in light of the views of the community and stakeholders.
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report, and will then be the subject of a review if the monitoring highlights such a need. The document will be formally reviewed as necessary following regional plan changes.

Section 5 Resources, Risk and Monitoring

Resources

5.1 The resources available to progress the Joint Committee's work on the projects identified in the LDS are as follows:

1. Management, Co-ordination and Administration arrangements consisting of:
 - General administrative support
 - Formal arrangements for co-operation between planning and transportation managers in the two councils
 - Alternation of all administrative support for formal meetings of the Joint Committee between LBC and CBC

2. A Joint Technical Team consisting of:
 - A Joint Technical Unit Manager
 - CBC's JTU Development Plans team
 - LBC's Local Plans team
 - Secondments and time allocations from LBC and CBC's Engineering and Transport teams

This core joint technical team are co-located and the specific staff numbers and allocation of staff time are expected to vary depending on the type of work being undertaken at any given time.

3. Supporting expertise available within the two partner local authorities comprising the Joint Committee. In particular this includes access to time from specialist teams and staff involved in:
 - Natural environment heritage/ecology and conservation
 - Built environment heritage and conservation
 - Environmental information
 - Environmental health
 - Housing needs/market intelligence and affordable housing provision
 - Economic regeneration
 - Highways engineering
 - Minerals and waste
 - Airports
 - Community involvement and development

4. Supporting consultancy arrangements as required.

5.2 The two Councils are committed to reviewing the resources required to deliver the LDF, based on experience gained. Changes and adjustments to resource allocations will be made through updates of the LDS. Source of funds will be

through the normal local authority budget process, use of 'banked' Planning Delivery Grant and additional project linked government funding.

- 5.3 The programming of this LDS is based on a number of assumptions relating to availability of staff resources, primarily in the relevant planning, research, economic development and transport planning at Luton Borough Council and Central Bedfordshire Council and their anticipated workload. It also anticipates the commitment from corporate staff resources of relevant authorities covering for example, housing, leisure, communications and public relations. However, if either of these changes significantly then it could well have an adverse effect upon the scope for delivery. If, for example, key staff leave and prove difficult to replace, then this reduced manpower capacity will be reflected in performance unless investment is made in temporary agency staff.
- 5.4 These risks and others are discussed below.

Risk Assessment

- 5.5 An analysis has been completed of the principal tasks associated with undertaking the preparation of the LDF. These risks, listed below, have been taken into consideration in devising this LDS and will be closely monitored.
- 5.6 The following key risks and mitigation measures have been identified in relation to this LDS programme.

Table 3 – Key Risks and Mitigation Measures

Key Risks/Owner	Action to Mitigate Risk and Comments	Risk Level
Challenging time-scales for preparing the Core Strategy and Key Diagram DPD	1. Careful project management and regular review 2. If necessary, adjustment of LDS through annual review. Prioritisation of other work Uncertainty factors remain – e.g. the level of representations submitted on documents, time taken in public examination and reporting time, or if new issues arise requiring other documents to be prepared or the diversion of staff. Other factors identified in this assessment may also lead to delay to the timescales. There is no real slack in the timetable.	Medium
Premature planning applications for urban extensions resulting in Staff being redeployed to deal with time-consuming appeals	1. Regular monitoring and review of progress with a view to delivery on schedule 2. If necessary, allocate relevant officer(s) and/or appeals consultants.	High
Too few staff, staff turnover, level of experience of staff and strong reliance on consultants	1. Scope for flexible use of staff from other teams in Planning Divisions of the two authorities is extremely limited. 2. Well-managed use of temporary staff 3. Recruit additional staff Current difficulties in recruiting experienced staff	Medium
Previously developed sites not being redeveloped because of lack of investment in essential infrastructure	Work with the LDV and continue to exert pressure on government, Highways Agency and other bodies to ensure that essential infrastructure is in place and other blockages to development are removed to facilitate delivery . Current market downturn affects all development in the short term but is beyond the influence of the Joint Committee	High
Financial resources	Committed budgetary provision has been made up to 2011 and additional funding has been attracted through various streams.	Medium
Capacity of Planning Inspectorate (PINS) and other agencies to	Provide early warning to PINS and other agencies of timescales and requirements and develop good relationships with agencies through consultation.	Medium

support the LDF		
Ensuring 'Soundness' of the Core Strategy	Through preparing a good evidence base, good dialogue with the community/stakeholders in line with the SCI, regular liaison with Counsel and the DCLG.	Low
Legal Challenge	Through ensuring preparation of 'sound' documents.	Low

5.7 The Joint Committee remains committed to keeping the situation closely monitored and will endeavour to find answers to overcome the risks identified as far as practicable.

Monitoring

5.8 Plan-making bodies must prepare an Annual Monitoring Report (AMR) to assess their implementation of the LDS, and the extent to which plan policies are being achieved. The Joint Committee must submit an AMR for each financial year (April 1st to 31st March) no later than 31st December. Such review will assess progress against targets and milestones in the LDS, with appropriate action being taken in the light of findings. In December 2009, a Joint AMR was submitted which monitored the whole of the Luton and southern Central Bedfordshire area in one document.

5.9 Changes to the LDS will be reported in the AMR with complete revisions to the LDS only made where necessary.

Section 6 - Project Management

- 6.1 In order to ensure that the preparation of the Core Strategy is undertaken in a focussed and coherent manner, a project management approach is being taken to the coordination of the work. To this end a Local Development Scheme (LDS) Project Management Gantt Chart has been drawn up. This is set out in Figure 1.
- 6.2 The Gantt Chart identifies how the Core Strategy will be prepared and when key milestones are expected to be met.
- 6.3 The project management approach, using the LDS Project Management Gantt Chart, will enable the undertaking of clear and accurate monitoring which will inform the Annual Monitoring Report (AMR). This process will feed into the regular review of the LDS and ensure that it continues to be relevant and up-to-date.

Figure 1 – LDS Gantt Chart

	2010												2011											
Month	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Core Strategy DPD												Reg 28		S				E				R		A

Core Strategy and Key Diagram DPD	
Preparing DPD for Publication	
Consultation on Published DPD (Reg 28)	Reg 28
Preparation for Submission of DPD	
Submission (Reg 30)	S
Examination	E
Inspectors Report	R
Adoption	A

Appendix 1 - Glossary

Note - this glossary is not set out in alphabetical order because it is considered more useful to link associated concepts e.g. local development documents arise from local development frameworks.

Local Development Scheme (LDS): sets out the programme for preparing Local Development Documents.

Development Plan: the Regional Spatial Strategy and the Development Plan Documents contained within a Local Development Framework constitute the statutory development plan.

Local Development Framework (LDF): a portfolio of Local Development Documents – it consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports (and may also include Local Development Orders and Simplified Planning Zones).

Local Development Document (LDD): the collective term in the Act for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

Development Plan Documents (DPD): a name given to a range of policy plans including a Core Strategy, Area Action Plans, Site Specific Allocations of Land, Generic Development Control Policies. These are subject to independent examination, and are shown geographically on an adopted Proposals Map (discussed below).

Core Strategy (CS): sets out the long-term spatial vision for the local planning authority area, together with the spatial objectives and strategic policies to deliver that vision. Authorities may illustrate broad locations of future development through a key diagram.

Site Allocations: allocations of sites for specific or mixed uses or developments to be contained in Development Plan Documents. Policies will identify any specific requirements for individual proposals.

Development Management Policies: these constitute a suite of criteria-based policies, which are required to ensure that all development within an area meets the spatial vision and objectives set out in the Core Strategy. They may be included in any Development Plan Document or form a standalone document.

Proposals Map: the adopted proposals map illustrates on a base map at a registered scale all the policies contained in Development Plan Documents, together with any saved policies. It must be revised as each new Development Plan Document is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted proposals map accompany submitted development plan documents in the form of a submission proposals map.

Minerals and Waste Local Development Framework: where counties agree to work with unitary authorities on a joint minerals and waste development document, these proposals must be set out in each local development scheme.

Saved Policies or Plans: existing adopted development plans are saved for three years from the date of commencement of the Act (September 2004). Any policies in old style development plans adopted after commencement of the Act will become saved policies for three years from their adoption of approval.

Supplementary Planning Documents (SPD): provide supplementary information in respect of the policies in Development Plan Documents or a saved policy. They do not form part of the Development Plan and are not subject to independent examination.

Statement of Community Involvement (SCI): sets out the standards, which authorities will achieve with regard to involving local communities in the preparation of Local Development Documents and development control decisions. It is not a Development Plan Document but is subject to independent examination.

Annual Monitoring Report (AMR): A public report to be produced by local authorities to assess their progress on implementation of the LDS and the effectiveness of the LDDs in terms of policy achievement.

Sustainability Appraisal (SA): a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Local Development Documents (except the Statement of Community Involvement).

This process incorporates the requirements of the Strategic Environmental Assessment Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

Planning Policy Statement (PPS): Statements from central government on matters of national planning policy which are being phased in to supersede Planning Policy Guidance Notes (PPGs).

Strategic Environmental Assessment (SEA): Assesses the environmental impacts of the policies and proposals within the LDF.

Examination: a local planning authority must submit a Development Plan Document for independent examination to the Secretary of State, publish a notice and invite representations, to be made within a specified period of at least six weeks in accordance with Regulation 2