

EXTRAORDINARY COUNCIL
15 JANUARY 2025 (from cancelled 9 December 2024 meeting)

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: LAND EAST OF LUTON (EL1, 2 & 3) STRATEGIC MASTERPLAN FRAMEWORK

REPORT OF: NIGEL SMITH, STRATEGIC PLANNING MANAGER

EXECUTIVE MEMBER: CLLR DANIEL ALLEN, LEADER & INTERIM EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

COUNCIL PRIORITIES: THRIVING COMMUNITIES / RESPONSIBLE GROWTH / SUSTAINABILITY

1. EXECUTIVE SUMMARY

This report asks Full Council to approve the Strategic Masterplan Framework for land to the east of Luton. This site is allocated for development in the Council's adopted Local Plan (Sites EL1, 2 & 3, Policy SP19) as a strategic site for approximately 2,100 homes and supporting infrastructure.

The policies of the Local Plan require the preparation of a masterplan for this site. A masterplan has been produced by the landowner and applicant team working with Council officers and advisors. This has followed approved guidance and procedures. The draft masterplan was subject to public consultation and independent design review to inform the final version. The masterplan provides an appropriate framework for the future planning and development of this strategic site.

2. RECOMMENDATIONS

- 2.1. That the Strategic Masterplan Framework for the land East of Luton (Local Plan sites EL1, 2 & 3), attached at Appendix A, is approved and adopted as a material planning consideration for relevant planning decisions relating to the site.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To set an agreed design framework for the delivery of a strategic site within the Council's adopted Local Plan. To accord with policy requirements of the Local Plan.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. The Strategic Masterplan Framework (hereafter 'masterplan') has, in officers' view, been appropriately prepared in accordance with national and local policies, guidance and advice. It has been prepared under the Council's preferred approach; the Local Plan and associated guidance encourage the preparation of masterplans for strategic sites in advance of and separate to any planning applications or decisions. The Council is

currently behind schedule in delivering the homes required by the Local Plan. It is important that the strategic sites progress expediently through the planning system.

- 4.2. The alternative is to not adopt the masterplan. This is not recommended for same reasons as above. There would be planning, financial and reputational risks if Full Council decided not to proceed. These are explored in Section 11 of this report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Preparation of this masterplan has been overseen by the Council's internal, informal Strategic Planning Project Board. This includes cross-party representation from all political groups recognising that the implementation of strategic sites are long-term projects which may span administrations of the Council. The Project Board is chaired by the Executive Member for Planning & Transport. Local ward members have been invited to participate in relevant meetings of the Board.
- 5.2. The draft masterplan was presented to the Project Board at its meeting of 22 January 2024. Offley Parish Council, Luton Borough Council and other stakeholders, including the general public, have been invited to comment on the masterplan through public consultation and focussed meetings.
- 5.3. All Councillors were invited to a briefing and 'Q&A' session on the Local Plan and the general principles of masterplanning and design on 8 July 2024.
- 5.4. In August 2024, Project Board advised upon amendments to the Project Board Terms of Reference. These included recommendations for the future reporting of masterplans to Councillors. The updated Terms of Reference were endorsed by Cabinet in September 2024 and have been followed in preparing and presenting this item. This includes the masterplan summary document prepared by officers and attached at Appendix B, additional Councillor representation on the Board and seeking Board feedback on any views from their wider groups.
- 5.5. The final masterplan was presented to and considered by the Project Board at its meeting of 14 November 2024. The Board agreed the officer recommendation that the masterplan should progress for formal approval via Cabinet and Full Council.
- 5.6. All Councillors were invited to an officer briefing and 'Q&A' session on this masterplan on 14 November 2024, ahead of consideration of this item by committees.
- 5.7. The masterplan was considered at the meeting of Cabinet on 26 November 2024. The referral from Cabinet will be reported to the meeting.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1. The Council's Local Plan (the Plan) was adopted by Full Council in November 2022. It forms part of both the Council's adopted Policy Framework and the statutory Development Plan for the District.

- 7.2. The Plan sets out the Council's strategy for meeting the development needs of North Hertfordshire over the period to 2031. The Plan makes provision for at least 13,000 new homes. This includes 1,950 to address housing needs arising from Luton. A significant proportion of the District's overall housing target are to be delivered on six Strategic Housing Sites – defined as sites of more than 500 homes – around the main towns in and adjoining the District. These are supplemented by a range of Local Housing Allocations which range in size up to approximately 300 homes within and around the District's towns and villages.
- 7.3. The Inspector examining the Local Plan was clear that deciding where and how housing needs should be met was an extremely complex issue. The arguments for, and the potential benefits of, new development were extensively scrutinised and carefully balanced against the inevitable harm that will arise from the release of this land.
- 7.4. All of the Strategic Housing Sites are greenfield locations. They contain agricultural land, leisure routes and Public Rights of Way enjoyed by residents as well as habitats of importance for flora and fauna. However, the examination concluded that the imperative to boost housing supply – in terms of both local evidence of acute housing need and national policy directions – meant these developments should proceed. Key paragraphs from the Inspector's conclusions are shown below for context:

487. Without impinging on the Green Belt, the consequences for sustainable development would be significant. This would involve either building new homes in considerably less sustainable locations – in all probability away from the areas where they are most needed – or not delivering them at all. The former would most likely lead to a significantly greater increase in use of the private car and could lead to the creation of communities that would be relatively isolated, particularly in terms of access to shops and services. The latter would deny many the opportunity to live in their own home close to their family, friends and work, and could stifle the local economy. To my mind, neither proposition would best, or even adequately, serve the achievement of sustainable development, particularly in respect of its economic and social dimensions.

...

492. On the one hand, it is clear to me that the development of most of the housing allocations proposed in this Plan would cause significant or moderate harm to the Green Belt, even with mitigation. That is a highly regrettable outcome and a very important factor. Indeed, I give substantial weight to it.

493. On the other hand, however, the need for housing both in North Hertfordshire and in Luton is acute. The proposed allocations would ensure that those needs are met where they arise in the most sustainable locations that are deliverable/developable. Rejecting these sites would delay meeting the pressing need for housing further, and not impinging on the Green Belt would mean accepting that those needs would not be met where they arise. Both would choke the local housing market. The home-making aspirations of many people, particularly those requiring affordable homes, would be shattered and the local economy would most likely suffer negative consequences. These too are matters of substantial weight.

494. In my judgement, on balance, the latter considerations outweigh the harm that would be caused to the Green Belt. Consequently, I consider that the exceptional circumstances necessary to alter the Green Belt boundaries to facilitate the allocation of the housing sites concerned do exist both in principle and in each individual case. This aspect, therefore, should not stand in the way of their allocation.

[North Hertfordshire Local Plan Inspector's Report, September 2022](#)

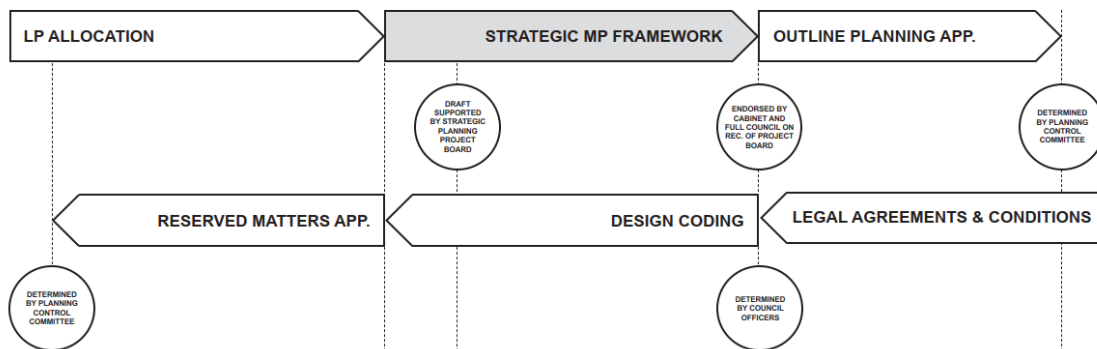
- 7.5. The Strategic Housing Sites are of a greater size and complexity than any developments that have taken place in the District over the last twenty years. They are critical to the overall strategy of the Plan. Their delivery is essential to increase the number of homes being built above historic averages and address the acute need for housing.
- 7.6. Policy SP9 of the Local Plan sets out the Council's approach to Design and Sustainability. This states the Council will require the production of Strategic Masterplans for Strategic Housing Sites and other significant development. Significant development generally comprises development of 100 homes or more.
- 7.7. Policy SP9 also sets out a series of design principles to be followed in masterplans and applications for development meeting these thresholds. It contains documentation requirements and sets out the approaches to approval. The Local Plan encourages the submission of masterplans for agreement before the submission of a planning application. Where applications have already been submitted, the Policy also allows for masterplans to be agreed with the Council prior to their determination.
- 7.8. Masterplans are a recognised 'good practice' tool as set out in the National Planning Policy Framework. Government Planning Practice Guidance explains a masterplan as follows:

What are masterplans?

Masterplans set the vision and implementation strategy for a development. They are distinct from local design guides by focusing on site specific proposals such as the scale and layout of development, mix of uses, transport and green infrastructure. Depending on the level of detail, the masterplan may indicate the intended arrangement of buildings, streets and the public realm. More specific parameters for the site's development may be set out in a [design code](#), which can accompany the overall masterplan.

A range of other plans and technical reports may be needed alongside a masterplan, to provide supporting evidence and set out related proposals, such as a local character study, landscape assessment, transport assessment and proposals for securing biodiversity net gain. An implementation strategy could also be included, especially where development is expected to be brought forward in a number of phases.

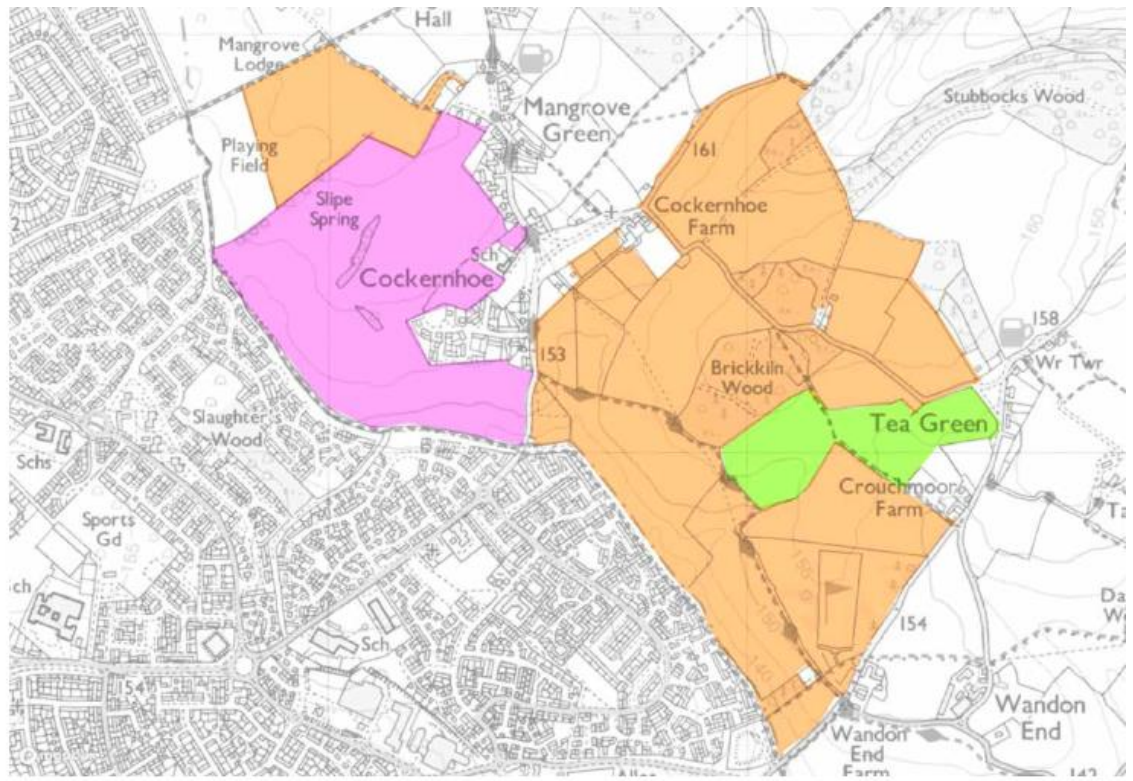
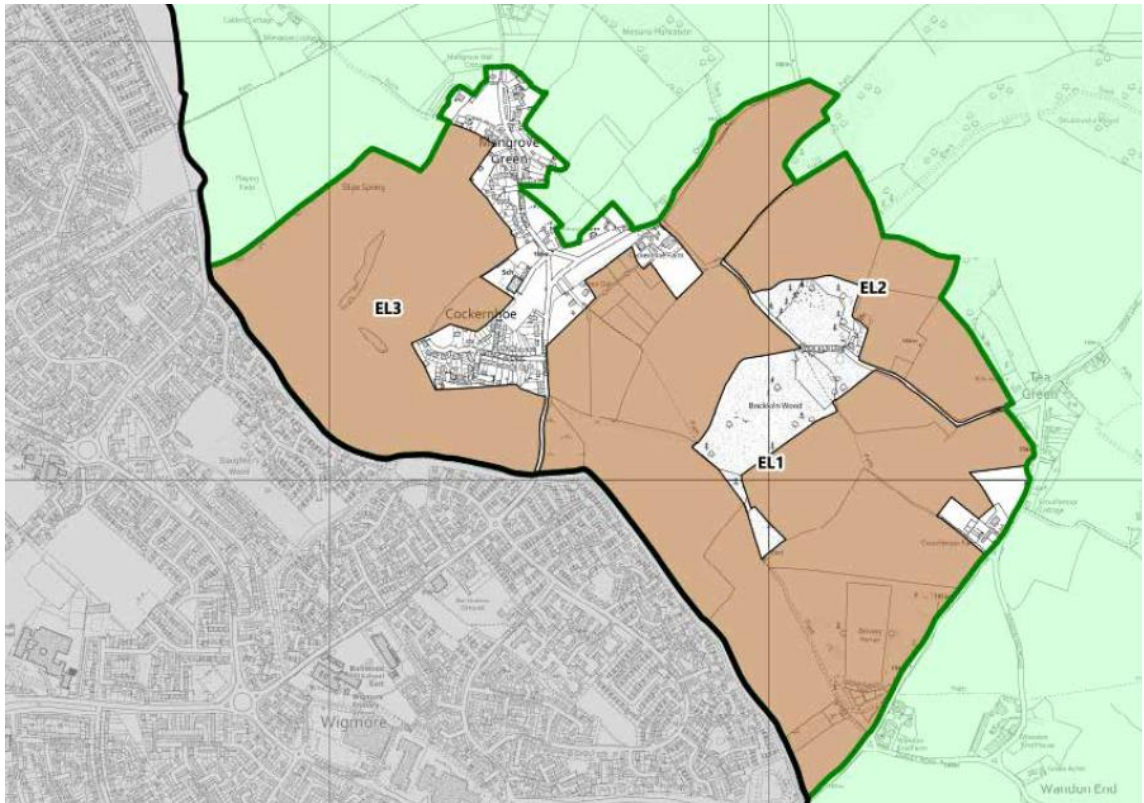
- 7.9. To support the Council’s masterplanning approach, Cabinet agreed in March 2021 to establish an informal, internal Project Board to provide corporate oversight and strategic direction. This is not a formal committee or decision-making body. Through Project Board a range of associated procedural guidance has been produced and subsequently endorsed by Cabinet (see links in Section 18).
- 7.10. These say masterplans produced and approved before the submission of a planning application or prior to the determination of a planning application will follow the final approval process below (subject to a positive outcome at each step):
- Project Board recommendation to Service Director
 - Service Director recommendation to Cabinet
 - Cabinet recommendation to Full Council
 - Adoption by Full Council as a material consideration in the determination of any relevant planning applications
- 7.11. Consideration of the masterplan does not necessitate any further debate upon the general principles of whether the development should take place in the first instance. Neither should it lead to debate on the fact that, at a strategic level, the development will result in some harm to the local area or may lead to more congestion or delay on local roads. These matters have been considered through examination and adoption of the Local Plan. Some adverse impacts are 'priced in' as the cost of ensuring the needs of existing and future residents are appropriately met. Relevant policies in the Local Plan identify site-specific and general measures that should be included to mitigate the impacts of development. These matters will be subject to further technical consideration through detailed assessments at the formal planning stages.
- 7.12. In this context, officers are not asking Councillors to confer any greater or lesser weight to the idea of development on this site than already exists; the masterplan provides a high-level design framework against which any future planning applications for the site can be considered. The level of design detail will increase as proposals move through the planning process.
- 7.13. The masterplan is the second stage in a (broadly) six-step approach to securing the planning, regulation and delivery of a site through a combination of statutory and discretionary measures. This process should be viewed holistically as a means of collectively securing design quality, setting out the vision, community engagement, on-site infrastructure and off-site contributions for the successful planning and delivery of the project.



- 7.14. Formal regulatory approval(s) for the development will be secured through any subsequent planning permission(s). However, the masterplan has been guided by, and considered against, the key requirements of relevant policies in the Local Plan. Similarly, although it is not a formal planning decision in its own right, any concerns or objections to any masterplan should generally be framed against relevant policies and considerations or made on valid planning grounds.

8. RELEVANT CONSIDERATIONS

- 8.1. The East of Luton sites consist of approximately 130 hectares of predominantly agricultural land sited on the westernmost edge of North Herts and immediately to the northeastern edge of adjacent Luton Borough (the Wigmore neighbourhood). The site falls within Offley Parish and extends from the administrative boundary and effectively surrounds the small villages of Cockernhoe, Mangrove Green and Tea Green. Putteridge Bury Registered Park and Garden is situated some 500m to the northwest of the site. Luton airport and adjacent employment area is situated some 3km to the south and Luton Town Centre, including the railway station, is situated approximately 3.5km from the site. Luton Parkway Station is approximately 4.5km from the site.
- 8.2. There is a range of existing services and facilities within the adjoining villages, including Cockernhoe primary school, and a range of amenities within the adjoining Wigmore suburb, including a primary school, church, health centre, supermarket, and local centre and Wigmore Park.
- 8.3. The site, which can be accessed from Luton Road, Darley Road, Stony Lane and Brick Kiln Lane, falls within the wider Breachwood Green Ridge Landscape Character Area which is characterised by a gently rolling plateau and ridge landscape with mainly arable fields with smaller pockets of grazing around settlements and scattered villages.
- 8.4. The site contains and is bordered by areas of established mature woodland, such as Slipe Spring, Bluebell Wood, Stubbocks Wood and Brick Kiln Wood, hedgerows and veteran/remnant trees. The proposed development will mark a new outer limit to the urban area of Luton. An extract of the Local Plan Policies Map is shown below.
- 8.5. The allocation is split between three main land ownerships or interests. To the east of Luton Road and Chalk Hill, Bloor Homes and A T Oliver (ATO Holdings Ltd) control approximately 66% and 9% of the allocation respectively. These ownerships together cover the parts of the allocation identified in the Local Plan as EL1 and EL2. To the west of Luton Road and the south-west of the villages of Mangrove Green and Cockernhoe, the land is owned by The Crown Estate – approximately 25% of the allocation. This is the part of the allocation identified by the Local Plan as EL3.
- 8.6. The site has been the subject of previous planning applications, with the two most recent applications being submitted in 2016 (Bloor Homes, for the majority of the land south of Luton Road, excluding the ATO Holdings land) and in 2017 (The Crown Estate, for land to the north of Luton Road) respectively. These planning applications are still 'live' and in the process of being updated. There are additional live applications for access points from Luton Road and Crawley Green Road. These predate the proposals discussed in the masterplan.



 The Crown Estate

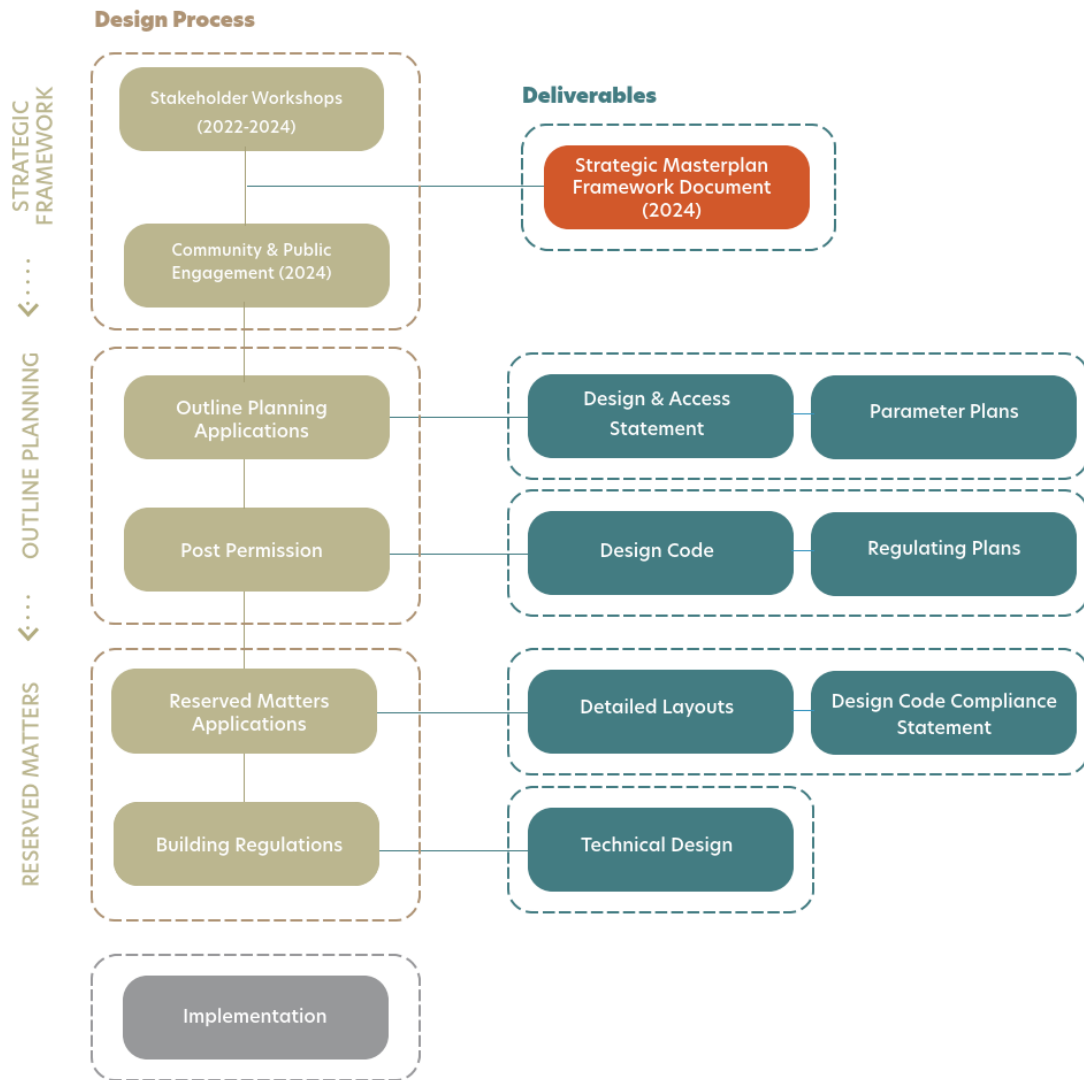
 Bloor

 AT Oliver

- 8.7. The masterplan for East of Luton has been produced by the Crown Estate and Bloor Homes. ATO Holdings have been involved in the workshops and meetings in relation to the masterplan and have input into the masterplan document.
- 8.8. Given the different land ownerships, there are varying potential routes to delivery of this site. It is Bloor Homes' present intention to directly deliver those parts of the site which they control as master developer / housebuilder. Dependent on market conditions, and given the size of their interest, officers consider it is possible they may in future seek to sell discrete parcels of serviced land to other parties. It is common for sites of this scale to have multiple outlets (housebuilders) on site. It is Crown Estate's intention to progress the site to at least outline planning stage before most likely seeking a development partner or disposal. The approach of ATO Holdings is currently unknown. However, as a private landowner, officers consider they would seek to option or sell the site either directly to a housebuilder or through an intermediate land agent or promoter.
- 8.9. In this context it is important that the masterplan sets an appropriate strategic framework to guide and co-ordinate development that might be brought forward and implemented at different times and by different parties. At some stage, it may be necessary for the Council to negotiate the details of the scheme with a developer or developers who are currently not involved in the project.
- 8.10. This has informed the level of detail that officers consider appropriate; the overall aim has to been to establish a unifying set of framework plans and principles. This masterplan does not set out, for example, a detailed street network for the site. The blocks of development on the framework plans are generally drawn at a scale which means they may individually accommodate up to several hundred homes. The masterplan recognises that the formal planning processes allow for further development and refinement of its proposals. This should be borne in mind when considering the masterplan and the level of detail it contains; it is not an 'absolute fix' of the proposals. This is recognised within the masterplan document which shows how the design process will continue and evolve through to implementation in the diagram below.
- 8.11. Production of the masterplan has followed the key stages set out in the Council's approved masterplanning guidance. This has included
- Establishing an officer group with representatives from the District Council and Hertfordshire County Council supported by external capacity and expertise on key issues;
 - Agreement of a masterplan brief for the site setting out key issues
 - Preparation of a multi-disciplinary evidence base on matters such as ecology, landscape, heritage and transport & access to inform proposals
 - Consideration and / or testing of key spatial options for the masterplan including (but not limited to) options for the location and / or alignment of:
 - i. The two primary schools
 - ii. The local centre
 - iii. Access arrangements from Luton Road
 - iv. Play provision
 - v. The bus route(s)
 - Presentation to the Council's Project Board at draft masterplan stage

- Design review, in this case through a panel led by Hyas Associates who have supported the District Council throughout the process;
- Public consultation; and
- Refinement of proposals in response to the steps above to produce the final masterplan.

8.12. There have been some minor amendments to the version of the Masterplan presented to Cabinet. These include minor alterations in response to issues raised at that meeting and the preceding Project Board. These do not materially affect the content of the document, the broad spatial structure of the masterplan or the main issues debated at any of the preceding meetings. A schedule of these changes is attached as Appendix C.



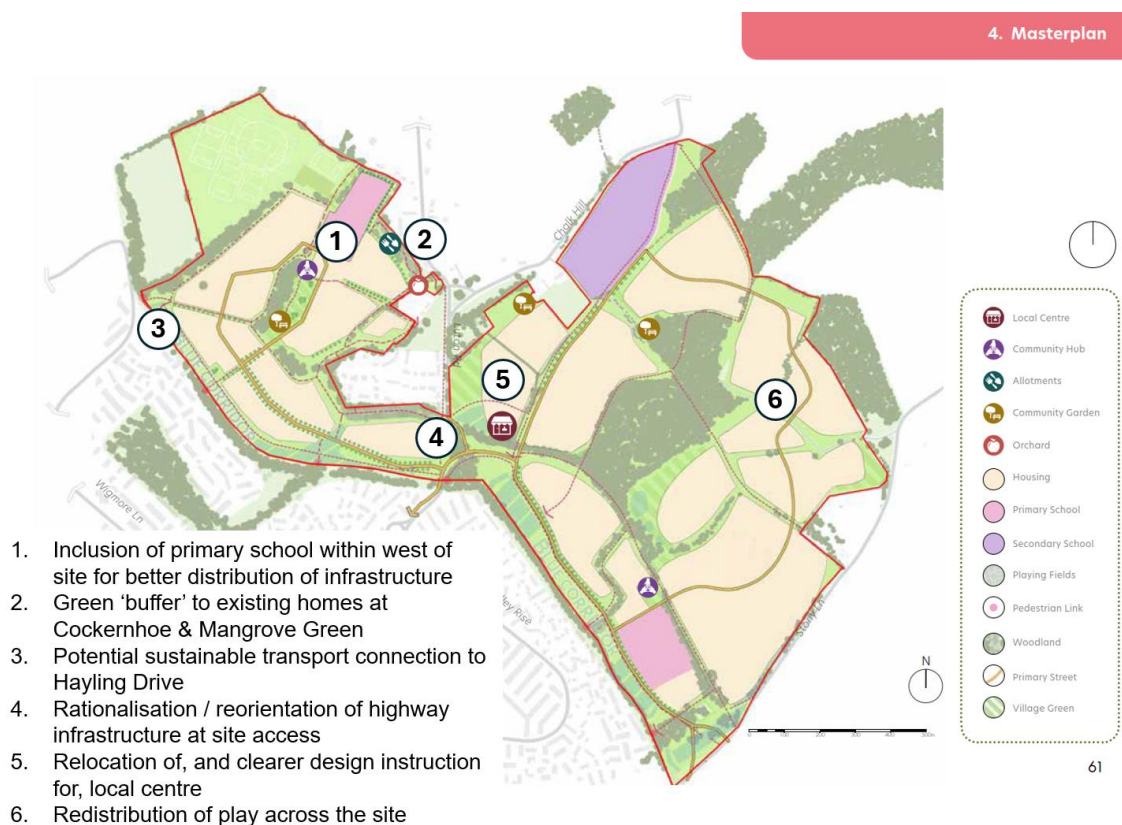
8.13. The landowner team have worked with officers from the District and County Council (and their representatives) under a Planning Performance Agreement (PPA) since September 2021 to develop the masterplan.

8.14. The draft masterplan was presented to the Council Project Board in January 2024. The Project Board endorsed the work undertaken to that date as an appropriate basis for

public consultation recognising that further refinement of the proposals would need to be undertaken.

- 8.15. Emerging material from the masterplan framework was previously subject to formal Design Review in July 2023, using a bespoke panel of experts familiar with the site, led by Hyas Associates.
- 8.16. Public consultation took place in February 2024 and invites were sent to local councillors, stakeholders and residents. Three in-person public events were held, as well as engagement and meetings with key stakeholders such as representatives from North Herts District Council, Luton Borough Council, Herts and Middlesex Wildlife Trust, and Offley Parish Council. This was accompanied by a website (www.eastofluton.co.uk) and an online engagement tool/platform. The website and related information remains open for use.
- 8.17. Two events took place at Cockernhoe Memorial Hall and the third at Hilton Garden Inn, Luton North. The events were attended by 482 people across the three days, including members of the local community, ward councillors, parish councillors, and representatives from local organisations.
- 8.18. During the consultation period there were also approximately 2,800 individual visitors to the website. Further meetings have been held, arranged or offered by both the Council and the landowner team with key stakeholders including Offley Parish Council.
- 8.19. The Council project team provided detailed written feedback on the Consultation Draft Masterplan document in March, followed by further written feedback on a final Draft of the Masterplan in September 2024.
- 8.20. Between these iterations, the landowner team held a public, follow-up event in July 2024. This was a drop-in session in Cockernhoe which provided an update on changes made to the masterplan following the earlier round of consultation.
- 8.21. The proposed final masterplan was presented to the Project Board in November 2024 prior to its formal consideration by Cabinet.
- 8.22. Following Design Review and the public consultation, the developers/landowners and the Council have worked together to further refine the masterplan and address issues raised. Key changes and refinements to the masterplan, a number of which are shown on the plan extract below, include:
 - Local Centre – revised location and design approach
 - Location of Primary Schools
 - Landscape buffers/relationship with Cockernhoe/Mangrove Green – increasing the depth and set back between the proposed edge of development and existing properties; utilisation of the space as part of the green infrastructure framework
 - Access and connectivity – greater clarity on active travel connections, broad nature of key access from Luton Road and hierarchy of routes and streets
 - Potential Design Outcomes – adding further material to provide a clearer idea on 3 dimensional outcomes and qualities of place across the site
 - Identifying how future development might address the standards in the Council's recently adopted Sustainability SPD

- Amending and clarifying the framework plans, particularly those dealing with land uses, heights, access and movement and urban design framework.
- Clarifying the relationship between the masterplan and subsequent design development through the planning application process. This ensures future stages have sufficient space to develop upon the masterplan proposals.



8.23. The masterplan has focussed upon establishing an appropriate spatial framework for the site. This is demonstrated through a clear series of plans setting out proposed approaches to key matters. A summary document highlighting key plans and concepts from the masterplan document has been prepared by officers to aid Councillors' consideration and is attached to this report. The key plans in the masterplan are:

- Land Use (Fig 99, pp.105) – identifying the areas of the site to be used for residential, open space, primary schools, a secondary school and a local centre.
- Movement and Access (Figs 98, pp.101) – A framework plan showing active travel and transport connectivity, and an indicative plan showing a street hierarchy and active travel routes, tertiary and green streets., along with indicative street sections.
- Green and blue infrastructure (Figs 54, 56, 58 and 61 pp.71-81) – identifying a series of key spaces in and around the site with associated open space typologies and precedent images and an illustrative sustainable drainage strategy identifying indicative attenuation features, potential swales or cascades and wetland corridor incorporated into a comprehensive drainage network.
- Ecology & Biodiversity (Fig 60, pp.79) – identifying key assets to be retained and enhanced, including remnant trees, buffer zones around woodland blocks

within and bordering the site and proposed areas for additional woodland and hedgerow planting.

- Urban Design Framework (Fig 80, 81, pp.88-89) – identifying a high-level, site wide urban design framework setting out a structure for landmark buildings, markers, primary frontages and land uses, key vistas, key buildings and anticipated built frontages This forms the basis of a development structure and approach to establishing character areas which will be further developed as more detailed proposals progress.
- Heights and Densities (Fig 94, p.97) – showing indicative building heights across the site ranging from 2 to 3 storeys, with taller buildings located along primary streets and within the core of the development. Generally, lower building heights around sensitive edges.
- Illustrative Strategic Masterplan (Fig 44, p.61) – showing a high-level arrangement of key land uses, development areas, access, open spaces, key infrastructure and movement parameters combined across the site to provide a development framework.
- Illustrative landscape and planting strategy (Fig 54, 55, 56 pp.71-73) – demonstrating how the illustrative masterplan could be integrated into the landscape setting of the site, including woodland enhancement, parkland and buffers/edges.
- Proposed Phasing Strategy (Fig 103, p.119) – splitting the site into four key phases starting with the two key junctions/accesses into the site from Luton Road and Stony Hill Lane, with phases 2a and 2b along the northern and southern edges of the interface with Luton.

8.24. A summary assessment of the masterplan against the requirements of the relevant site-specific policy (Policy SP19) is set out below. Officers have prepared a short masterplan summary document containing an annotated set of key plans. Formal assessment of any schemes' compliance with relevant policies will be through any associated planning application(s).

- **A comprehensive and deliverable Strategic Masterplan for the entire allocation is to be prepared and agreed between the landowner/developer and the Council (where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission)**

The masterplan is being presented to this meeting for consideration

- **A new mixed-use local centre/s to provide for a range of day-to-day local needs including additional neighbourhood-level provision of around 250m2 (net) convenience retail provision and 850m2 of comparison retail and food and beverage floorspace and other necessary social infrastructure;**

There have been significant changes in the retail environment since the Local Plan was prepared, not least during and since the Covid 19 pandemic. The Council's own evidence supporting the Town Centre Strategy which identifies a substantial drop in future retail floorspace requirements compared to the figures underpinning the Local Plan. However, it also recognises that retail provision should continue to be made in strategic developments which do not have ready access to existing facilities. There is no existing village store in Cockernhoe. The

Asda superstore and Wigmore Park District Centre is approximately 1-1.5 miles from the site.

Given this, and the scale of the site – which is 2-2.5 times the size of other masterplan sites considered by the Council to date, there is the necessary critical mass to support a new local centre located at the heart of the development and easily accessible from the main access to the site and from the village of Cockernhoe and new residential areas. The centre will have its own identity and space, and will seek to include a combination of:

The Masterplan identifies that approximately 0.5 ha the site will be developed for the local centre and includes provision for flexible commercial and community floorspace in the central part of the site, shown located close to the Luton Road access and close to the proposed secondary school (annotated extract below).



The masterplan identifies that detailed design and specification for the design of the local centre and related built form will be set at a later stage in the planning process. This is considered appropriate in principle. Whilst detailed proposals for this centre are to be further developed, they could include a range of potential uses such as retail, meeting spaces, childcare facilities, café and, should it prove feasible, a healthcare facility.

The planning system has a responsibility to ensure that sufficient, potential space for health services is made available to meet the needs arising from development either through the physical provision of on-site space or contributions towards the improvement of existing facilities. However, the planning system is not able to

take operational decisions on the delivery of these services, including whether space in new community facilities is ultimately taken up.

Service planning is co-ordinated by the local Integrated Care Board (ICB). ICBs are a statutory NHS organisation responsible for planning health services for the local population. The ICB for this area, and most of North Herts other than around Royston, is the Hertfordshire and West Essex ICB. The site / district / county boundary is also the operational boundary for the ICB with Luton covered by the Bedfordshire, Luton and Milton Keynes ICB. Council officers are in regular engagement with the Hertfordshire and West Essex ICB who have offered to facilitate engagement with their neighbouring Board as proposals progress. Both the previous and current MPs for the area have been supportive of securing a health facility on site.

- **Structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a long-term, defensible Green Belt boundary to the east and mitigate landscape impacts;**

The existing woodlands, hedgerows and remnant trees within and adjoining the site have been identified as valuable assets and fundamental to the character and value of the site. The masterplan seeks to incorporate the valuable natural assets into the overall framework and includes buffers where required in accordance with national guidance and, in line with the Design Review Panel recommendations.

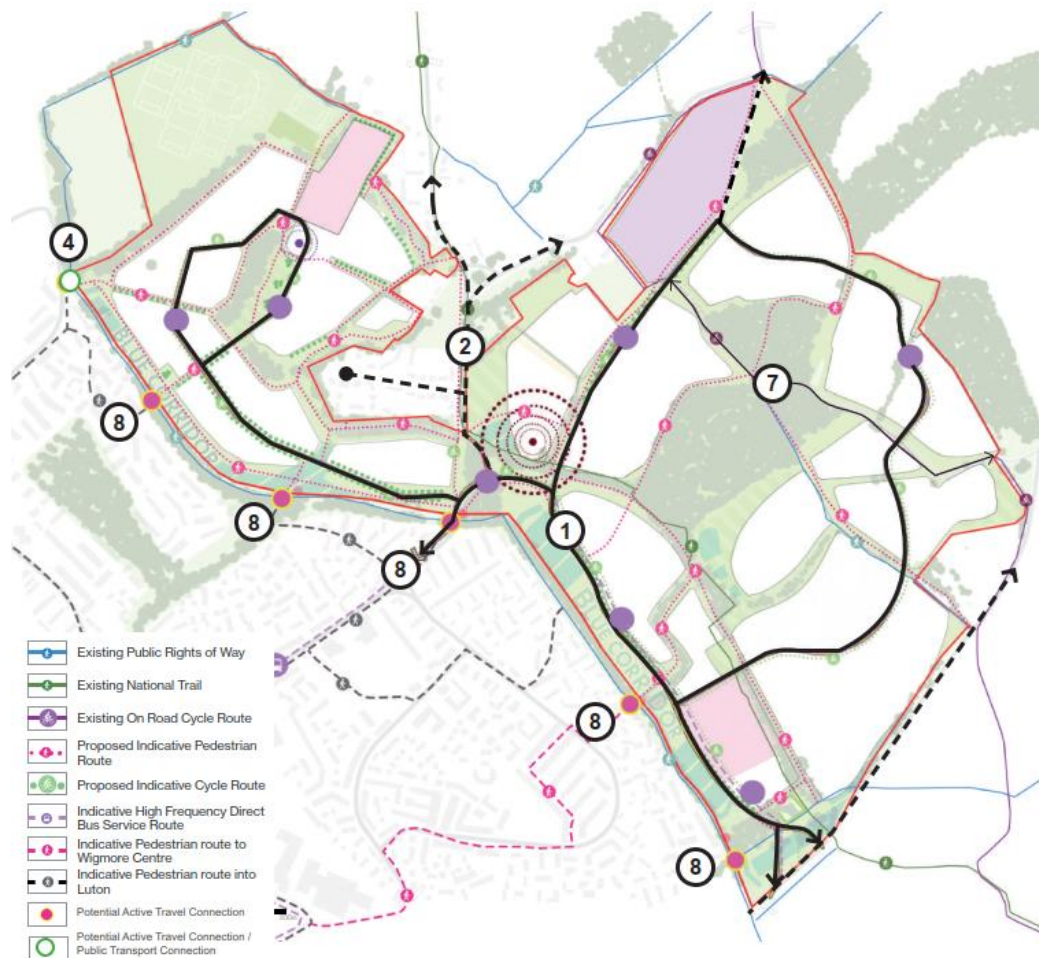
The potential for ecological connectivity through and beyond the site boundary is highlighted. The character assessment has identified the unique nature of existing open spaces and landscape within the locality, and these can be used to inform the provision of new public spaces and greens within the scheme. There will be a need for appropriate long-term management proposals for open space and woodland as the scheme progresses through the planning process.



The framework plan identifies the network of retained and enhanced open spaces and woodland across the whole site. These include retaining existing wood land blocks, hedgerows, trees etc and creating new areas of public open space throughout, including a linear park along the western boundary and providing a dedicated area for sport and recreation to the north.

- **Principal access to be taken from Luton Road and integrated into Luton’s existing highway network via Crawley Green Road with:**
 - i. **provision for sustainable modes of transport;**
 - ii. **comprehensive integration into the existing pedestrian and cycle, public transport and road networks; and**
 - iii. **appropriate transport mitigation measures secured to address impacts on Luton;**

Access and connection points for the development are shown on the Strategic Masterplan (Fig.44), which denotes the primary street into and through the site, and the Active Travel and Public Transport Connectivity Framework (Fig.98) Movement and Access Framework Plan. Some of the key features are detailed in composite form in the summary document (see summary for description of numbered annotations):



Principal multi-modal access is shown from Luton Road, in accordance with the policy. As above, this has been reorientated and redesigned through the masterplan process to emphasise the NW to SE movement. There is provision for an internal bus loop and direct service into Luton with detailed specification and routing to be considered as part of the planning process. The option for a further public transport connection to Hayling Drive has been shown which might facilitate additional or alternate services or routings. The primary street will serve all parts of the site, including the local centre and the secondary school.

There is a site wide network of active travel routes and various points of connectivity to off – site routes and destinations. Existing rights of way have been retained, including Brick Kiln Lane, which will continue to provide local access.

The remaining access points will link to the Rights of Way networks and/or existing footpath routes providing connectivity to existing villages, opportunities for leisure trips into the wider countryside and/or facilities and services in Wigmore and beyond.

Further, detailed mitigations on the wider network will be identified as part of the planning application process and secured through legal obligations.

- **4FE of primary-age and 4FE of secondary-age education provision to ensure the needs arising from this allocation can be met within the site with**

any secondary education solution designed so as not to preclude the potential for future expansion



The location and areas for the new schools are shown on the framework plans meeting the policy requirements. It is proposed to introduce two new primary schools both of 2 forms of entry. One will be located in the northern part of the site, on the Crown Estate land, and one will be located in the southern part of the site controlled by Bloor Homes. This enables more sustainable and walkable neighbourhoods and, within the Bloor site, early delivery. The proposed secondary school, with potential to expand to 6 forms of entry, is located in a more central part of the site, north of the local centre where there is better opportunity for more level land and siting along with associated sports pitches/facilities. The secondary school will be accessed from the new primary route which will run north/south through the site, connecting with the primary east-west route.

Detailed issues regarding siting and design will continue to be considered through the planning application process and in conjunction with Hertfordshire County Council and the education authority.

- **Appropriate mechanism(s) to ensure that all the affordable housing derived from the 1,950 homes for Luton's unmet needs address affordable housing needs from Luton Borough**

This will be addressed through the legal agreement at outline application stage.

- **Built development contained within the Breachwood Ridge and avoiding adverse impacts on the wider landscape of the Lilley Valley or the Chilterns AONB as informed by detailed landscape assessments**

The masterplan achieves this. The secondary school location, which was largely fixed through the Local Plan process, is sited so that the most sensitive and open part of the site on the edge of the valley will consist of playing fields.

Much of the north-eastern boundary of the site is contained by existing woodland blocks, notably Stubbocks Wood beyond the allocation boundary.

Analysis of the wider landscape setting has informed the consideration of potential character areas, a landscape led approach to the siting and nature of development areas, the retention of existing woodland, hedgerows, trees and green infrastructure and the potential to ensure ecological connectivity to off-site assets and the wider landscape setting.

Further updated studies of landscape setting and ecology along with overall environmental impacts will be provided and considered as part of the planning application process and which will enable more detailed assessment of the treatment of key vistas, edges, ecological corridors and biodiversity.

- **Integration of existing public rights of way within and adjoining the site to provide routes to the wider countryside including:**
 - i. **Footpath Offley 001 as a route from south-east Luton to the rural area; and**
 - ii. **Footpaths Offley 039, Offley 002 and Offley 003 as potential north-west to south-east green corridors through the site;**

The Active Travel and Public Transport Connectivity Framework Plan (shown above) identifies that the existing rights of way will be retained and utilised within the site as part of the overall movement framework. There will be a hierarchy of routes, including footpaths and green ways and these routes have helped inform the structure of land uses and layout to ensure that connectivity to valuable off-site assets and destinations is retained and enhanced.

- **Address existing surface water flood risk issues, particularly along the south-western perimeter of the site, through SUDs or other appropriate solution;**

The masterplan includes an illustrative Sustainable Urban Drainage (SUDs) framework plan. This shows how a network of drainage features will respond to the existing topography noting that the underlying ground conditions and levels will facilitate run off towards the lower part of the site along the southwestern boundary with Luton.

The masterplan identifies a linear park along this boundary within which various SUDs features (here and throughout the site) including attenuation basins, bio-swales and rain gardens to ensure there is a site wide approach to dealing sustainable urban drainage. This will be considered in further detail with the Lead Local Flood Authority (LLFA) as part of the detailed planning process.



- **Appropriate mitigation, compensation and / or enhancement of key features of biodiversity as informed by detailed assessments including:**
 - i. the adjoining local wildlife sites at Stubbocks Wood; and**
 - ii. priority deciduous woodland habitat at Brickkiln Wood**

This is best shown on the Proposed Habitats Plan. Planting forms an integral, structuring part of the site layout. Additional planting, or the reinforcement of existing planting is proposed around much of the site perimeters and to enhance existing green infrastructure framework within the site.

It is proposed to create extensive areas of new habitats and enhance existing green infrastructure features within the Site. The majority of existing trees, hedgerows and in particular woodland, including Stubbocks Wood and Brick Kiln Wood will be retained and enhanced to create green corridors. Appropriate buffers will be introduced to existing woodland areas and ecological corridors and valuable habitats will be retained.



- **Sensitive integration of existing settlements and heritage assets, including**
 - minimising the visual impacts of development upon the historic parts of Cockernhoe, including relevant listed buildings;**
 - using the location of the Mangrove Green and Cockernhoe areas of archaeological significance to inform a site-wide green infrastructure strategy; and**
 - retaining an appropriate setting to the adjoining Putteridge Bury;**

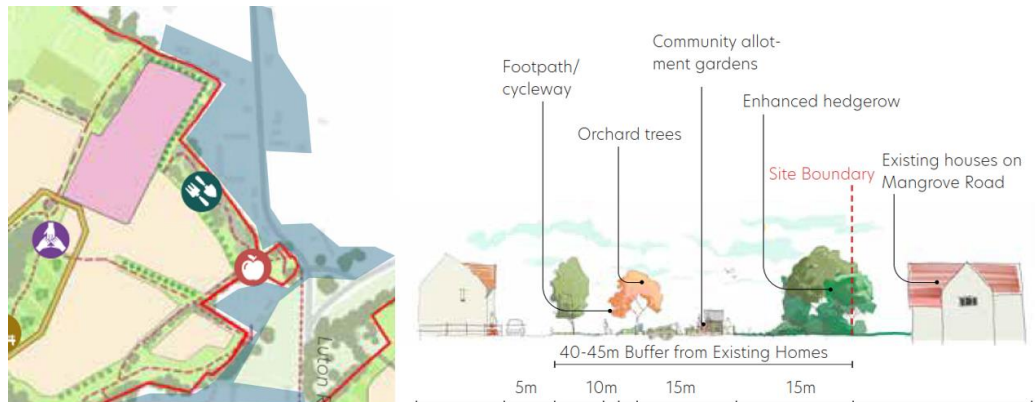
Addressing the relationship with Cockernhoe and Mangrove Green has been one of the key elements of the masterplan process, and the main area of change between consultation on the draft proposals in early 2024 and the version of the masterplan being presented for approval. This has included extensive liaison by both the landowners and Council officers with locally elected representatives of the Parish Council.



Proposals adjoining Cockernhoe and Mangrove Green at consultation stage

At draft masterplan stage, the area of the Crown Estate land (EL3) adjoining Cockernhoe and Mangrove Green, in particular, was envisaged as integrating into / with the villages by extending the existing green adjoining the school into the site. Potential residential development blocks were shown backing onto existing gardens.

This reflected the outcomes of the masterplan workshops and process to that point and an objective view that the scheme should seek to integrate existing and new. However, the clear feedback of the community and the Parish Council through consultation was that Cockernhoe and Mangrove Green should retain their distinct identities and be provided with clearer separation from the new development. Detailed discussions have been held with the Parish Council and within the masterplan project team on an appropriate 'buffer' in this area of the site while still retaining connectivity. The outcomes are shown below.



Officers retain some concerns over this approach in design and community integration terms. However, the 'buffer' has been designed to provide an area in which meaningful open space and community provision can be made rather than 'leftover space' with no clear purpose. It is considered this approach reflects an appropriate balance between professional and public opinion. Further design work will take place through Design Coding and eventually, the detailed reserved matters application(s) for these areas of the site.

The boundary of the allocated land is separated from Putteridge Bury by currently open land. Part of this adjoining the administrative boundary has recently been converted to a park to facilitate planning proposals within Luton Borough. The Council's evidence to the Local Plan examination recognised that land adjoining the Bury might also be used for playing fields associated with the new development. This is shown in the masterplan. It is important to note that this area remains within the Green Belt which provides appropriate controls over the extent of any associated facilities or infrastructure.

Sustainability

8.25. In September 2024, Cabinet approved the Council's Sustainability Supplementary Planning Document (SPD) which supports the local plan. This identifies a series of standards against key sustainability themes. The masterplan sets target levels of achievement against the SPD's key themes. These are shown below.

THEMES	STANDARD
Optimising Passive Design & Fabric Performance	Silver
Achieving Low Carbon Energy	Silver
Minimising Carbon Footprint	Silver at a minimum, but to be confirmed in detailed planning
Healthy Placemaking	Gold
Promoting Biodiversity (3 elements)	Silver at minimum, with Gold achieved on specific parts of the site
Sustainable Travel	Silver at minimum, with Gold achieved on specific parts of the site
Conserving Water	Silver at a minimum, but to be confirmed in detailed planning
Incorporating Sustainable Drainage	Silver at a minimum, but to be confirmed in detailed planning

8.26. These are targets and subject to more detailed design and viability. Ranges are also used where there are multiple components to certain themes and differing outcomes are anticipated.

Next steps

8.27. Subject to Full Council approval, the masterplan will be adopted as a material consideration for any future planning decisions relating to the site. Any existing or future applications will be assessed to ensure they broadly conform to and / or facilitate the implementation of the parameters and principles set out in this document. Any substantive deviation from the masterplan will need to be justified, for example if new information comes to light that isn't available at this stage in the process.

8.28. Through the joint work on the masterplan a series of actions and issues have been identified that will need to be addressed as the scheme progresses towards delivery. The masterplan provides appropriate 'hooks' to accommodate these matters. The most

appropriate place for these to be resolved and secured is through related planning applications and / or once the developer(s) of the site are known:

- Developing detailed proposals for:
 - The precise nature and specification of transport routes and hierarchy, including further consideration of lower-level street and block structures within the site;
 - Uses to be accommodated in the local centre; this is to include liaison with the NHS to ensure sufficient GP capacity is provided across the wider edge of Luton area having regard to existing provision and the cumulative impact of development proposals around the town
- Undertaking further design and feasibility work to establish the most appropriate location(s) and or solution(s) for the primary schools. For the western school, this will include further ongoing engagement with Cockernhoe CofE School, HCC and the Diocese. For the south-eastern school this will include detailed exploration of site feasibility and design to ensure the most appropriate site and layout can be delivered and is brought forward.
- Working with Luton Borough Council and Hertfordshire Council to ensure delivery of appropriate connections between the edge of the Crown Estate land ownership and the highway boundary of Hayling Drive in Luton;
- Liaison with HCC and bus operators to identify and secure the most appropriate route(s) and schedule(s) for bus service(s) to serve the site.
- Production of a Design Code(s) to refine character areas and / or detailed design instruction for reserved matters applications building on the broad design principles in the masterplan
- Determining detailed housing mix for individual phases
- Identifying specific projects for off-site contributions towards matters such as sports provision and sustainable travel improvements
- Ensuring the impacts of construction are appropriately managed and reduce impacts upon existing residents to the best of the development's ability; this is a detailed matter that will be dealt with by planning condition.
- Considering and securing the most appropriate management and stewardship model(s) for the social, green, blue [water] and transport infrastructure that will be provided

9. LEGAL IMPLICATIONS

- 9.1. Under the Terms of Reference for Cabinet, the Constitution states that it may exercise the Council's functions as Local Planning Authority and receive reports on strategic planning matters (except to the extent that those functions are by law the responsibility of the Council or delegated to the Service Director: Regulatory).
- 9.2. Section 4.8.2(i) of the Constitution contains a general power for Full Council to receive and debate reports from Cabinet.
- 9.3. There is no statutorily set definition of a 'masterplan'. Unlike, for example, the Local Plan or any Supplementary Planning Documents, they are not formally defined or regulated through relevant planning acts or associated regulations – either in terms of content or process. This means there is discretion as to how, when and whether they are produced and / or approved on the part of both the applicant and the Council.

- 9.4. Policy SP9 of the Local Plan provides a clear policy definition within the Council's statutory Development Plan of what is expected within a masterplan and the design outcomes that should be achieved.
- 9.5. Terms of Reference for the Project Board and guidance on the approval processes for masterplans have been presented to and endorsed by Cabinet, most recently in September 2024 and published on the Council website.
- 9.6. These set out that Masterplans will be subject to formal approval by Cabinet and Full Council where a masterplan is to be adopted as a material consideration in advance of the determination of the relevant planning application(s).
- 9.7. Government Planning Practice Guidance states that a material planning consideration is one which is relevant to making the planning decision in question (e.g., whether to grant or refuse an application for planning permission).
- 9.8. Formal, regulatory approval for any development of the site will be secured through any subsequent planning permission(s). These will be considered through established processes and legislation including presentation to Planning Control Committee.
- 9.9. Any approval of the Strategic Masterplan is without prejudice to the consideration and determination of any future planning application(s).
- 9.10. PPAs are made pursuant to the Localism Act 2011 and the Local Government Acts 1972, 2000 and 2003 and under associated planning legislation and guidance, including but not limited to the 2008 Act. Section 93 of the Local Government Act 2003 allows local planning authorities to charge for providing discretionary services and the legislation is clear that, where charges are made, they must not exceed the cost of providing the service.
- 9.11. At its meeting on 16 March 2021, Cabinet resolved (item 109) as part of the Local Plan Implementation report to approve the North Hertfordshire Masterplanning Principles. Within this document paragraph 2.11 states: The Council would normally expect a PPA to be used to support the preparation of Strategic Masterplans and significant development planning applications.
- 9.12. Under the Council's constitution, paragraph 14.6.4 (ii) authorises the Service Director Regulatory to enter into contracts for the supply of services, in this case the use of consultants to act on the Council's behalf. 14.6.4 (viii) authorises the setting of fees and charges, in this case to seek to recover these costs from the Developer.
- 9.13. The PPA states that "*Nothing in the [agreement] will restrict or inhibit HCC or NHDC from exercising their statutory functions and views about the development and nothing in this agreement shall predetermine the outcome of any planning application*".
- 9.14. Local authorities are under a statutory Duty to Cooperate on strategic planning matters that span administrative boundary when preparing their Local Plans. Plans which fail to comply with the Duty cannot pass examination. This Council's compliance with the Duty to Cooperate, including by making provision for unmet housing needs arising from Luton, was a key element of the Local Plan examination and an important factor in the plan

being found legally compliant and sound. This is extensively discussed in the Inspector's report.

10. FINANCIAL IMPLICATIONS

- 10.1. The Council resources for masterplanning and implementation work are drawn from existing staff, with additional support from specialist consultants as required. The PPA seeks to recover the costs of undertaking this work. The costs will be monitored to ensure on-going cost recovery.
- 10.2. For any activities that cannot be charged through the PPA, a ring-fenced Masterplanning reserve and / or approved budgets will be used.
- 10.3. The principle of setting of fees and charges for Planning Performance Agreements (PPAs) was agreed by the Service Director: Regulatory in consultation with the Service Director: Finance and the Executive Member for Planning & Transport in January 2022.
- 10.4. Funding was secured through a PPA to support the Council's input to this masterplan including the recovery of external consultancy costs. Additional resource was funded through the use of approximately £40,000 of Government grant specifically ringfenced for the delivery of sites of at least 2,000 homes. This included funding for Hyas Associates, who specialise in supporting local authorities on large site delivery, and who have provided consultancy advice and project management services to the Council for this masterplan.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. The Council previously monitored a specific Masterplanning risk. However, this was not carried forward in the 2024/25 Council Delivery Plan; progress is dependent on third parties and council activities are considered business-as-usual. Strategic oversight continues via the Project Board and reports to Cabinet and Full Council.
- 11.3. Notwithstanding, the key risks that were identified remain pertinent to consideration of individual reports and masterplans:
 - Risk of poor scheme outcomes that do not appropriately respond to local character and context
 - Risk that strategic sites do not maximise contribution to corporate objectives and priorities of climate change, environment, economy and place
 - Risk of delay to delivery of strategic sites if masterplan process is delayed or stalled or provides insufficient information to guide subsequent planning applications
 - Failure to secure funding to resource the process
 - Reduction in pre-application income and delay to income from planning applications
 - Failure to retain/recruit sufficiently experienced officers
 - Risk of adverse appeal findings on other/non-Local Plan sites if delivery is delayed or stalled

- 11.4. Positive decisions on officer and / or Project Board-supported masterplans mitigate against many of these factors by maintaining tangible progress on key sites that are essential to delivery of the Local Plan and securing an appropriate design framework against which future planning proposals can be assessed. Adverse decisions are likely to reduce developer confidence in the process, including negative reputational outcomes for the Council, and an increase in schemes which seek to meet the requirements of Policy SP9 directly through the Development Management process.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. The site which is subject to this masterplan was allocated for development through the Council's adopted Local Plan. An Equality Impact Assessment was produced in 2017 assessing the plan's compliance with relevant legislation and requirements and submitted to Government as part of the plan's examination.
- 12.3. No issues with the Equality Impact Assessment were raised by the Inspector throughout the examination report. Paragraph 11 of their report on the plan, issued in 2022, concluded:

I [the Inspector] have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the provision of traveller sites to meet need and accessible and adaptable housing.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. The allocation of the site in the Local Plan (and the Local Plan in general) was informed by a statutory Sustainability Appraisal which considered the potential social, economic and environmental impacts of the Plan. This informed the mitigation measures contained in Policy SP9, the site-specific policy for the site and general policies on matters such as biodiversity and transport.
- 14.2. Any future outline planning application(s) for this site will be accompanied by a statutory Environmental Statement and impact assessments. These will inform the detailed mitigation measures that will be required as part of the scheme and will be secured through any permission(s) and associated legal agreement(s).

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 None

16. APPENDICES

- 16.1 Appendix A – East of Luton Strategic Masterplan Framework
Note: The appendices to the Masterplan Framework which form part of the document to be approved have not been uploaded as part of the committee agenda due to their size but are available through the Council website in the East of Luton Masterplan link listed in the background papers below
- 16.2 Appendix B – East of Luton Strategic Masterplan Framework - Officer summary document
- 16.3 Appendix C – Non material amendments to masterplan between Cabinet and Full Council

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18. BACKGROUND PAPERS

- 18.1 [Local Plan Implementation - report to Cabinet, March 2021](#) [*including masterplanning principles and establishment of Project Board*]
- 18.2 [Local Plan adoption – report to Cabinet and Full Council, November 2022](#)
- 18.3 [Strategic Planning Matters – report to Cabinet, September 2024](#) [*including endorsement of current Project Board Terms of Reference*]
- 18.4 [North Herts Council website – East of Luton Masterplan](#) [*including masterplan appendices, statement of consultation and Design Review Panel report*]