

Welwyn Hatfield Borough Council

Adopted Statement of Community Involvement

(3 December 2013)



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## Glossary

### Glossary

**Annual Monitoring Report (AMR):** A report produced each year by local authorities, which assesses progress with, and the effectiveness of, its plan-making documents.

**Deposit or Inspection Point:** Locations across the borough where consultation documents can be viewed.

**Development Consultation Forum:** A public meeting for complex planning applications, where a developer explains proposals directly to councillors and the public before a decision is made on the application.

**Local Development Scheme (LDS):** This public statement sets out the programme for the preparation of the Local Plan and Local Development Documents.

**Local Enterprise Partnership (LEP):** A body, designated by the Secretary of State, established for the purpose of creating or improving the conditions for economic growth in an area.

**Local Nature Partnership (LNP):** Hertfordshire LNP is one of a number of LNPs across the country. Their main aims are to improve the range of benefits and services we get from a healthy natural environment, provide local leadership on environmental issues and to contribute to the green economy by linking with LEPs.

**Local Plan:** May consist of a single document or a set of documents including a Core Strategy, Site Allocations, Development Management Policies and Area Action Plans. Formal plans for a geographical area which are key points of reference when deciding planning applications.

**Local Strategic Partnership (LSP):** A partnership that brings together organisations from the public, private, community and voluntary sector, with the aim of improving the social, environmental and economic well-being of its area. In Welwyn Hatfield the LSP is known as the Welwyn Hatfield Alliance. Hertfordshire Forward produces a county-wide sustainable community plan.

**Minerals and Waste Local Plan:** Produced by Hertfordshire County Council, these documents set out plans relating to mineral and waste developments in Hertfordshire.

**National Planning Policy Framework (NPPF):** Sets out the Government's planning policies for England and how these are expected to be applied.

**Neighbourhood Plan:** Prepared by local communities, these set out policies and proposals for the future development of a neighbourhood but they must conform to the strategic policies of the Local Plan.

**Planning Aid:** An organisation which provides free, independent and professional planning advice and support to communities and individuals who cannot afford to pay planning consultant fees. It also provides direct support for neighbourhood plans being prepared by local communities.

## Glossary

**Planning Performance Agreements (PPAs):** Voluntary agreements that commit applicants, local planning authorities and partner organisations to an agreed timetable for determining proposals.

**Programme Officer:** Person appointed to assist with all administrative matters related to Examinations of Local Plan documents.

**Supplementary Planning Document (SPD):** These documents, including issue-based documents, design guidance and masterplans, provide more detail to how policies in the Local Plan should be used.

**Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA):** A systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive. The purpose of sustainability appraisal is to appraise the social, environmental and economic effects of the strategies and policies in a local development document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development.

### Disclaimer

This Glossary is neither a statement of law nor an interpretation of the law, and its status is only as an introductory guide to planning issues and it should not therefore be used as a source for statutory definitions.

# Introduction

## 1. Introduction

### What is the Statement of Community Involvement?

- 1.1 This document is the Statement of Community Involvement (SCI) for Welwyn Hatfield. It sets out how the council will involve the community in plan-making and when considering planning applications. In addition to setting out our own publicity and consultation procedures, the SCI also outlines what we expect applicants to do before they submit a planning application.
- 1.2 The document therefore explains:
- **When** we will consult the community in relation to planning applications, development plan documents and supplementary planning documents;
  - **What** publicity and consultation we will expect from applicants before they submit a planning application;
  - **How** we will engage with the community;
  - **Who** we will involve.

### Why prepare a Statement of Community Involvement?

- 1.3 All local planning authorities are required to produce an SCI. The legal requirements for consultation, community involvement and planning applications are currently set out in:

**Plan-making:** Planning and Compulsory Purchase Act 2004; Town and Country Planning (Local Development) England Regulations 2012; Neighbourhood Planning (General) Regulations 2012.

**Planning applications:** Town and Country Planning (Development Management) (England) Order 2010.

- 1.4 Welwyn Hatfield's SCI demonstrates how these requirements are taken into account to ensure that, as far as possible, all parts of the community are able to be genuinely involved in preparing the planning documents and processing planning applications.

### How has it been prepared?

- 1.5 The council adopted its first SCI in January 2007. Since then there have been changes in government regulations, policies and guidance which have implications for the way the council involves the community in planning.

## Introduction

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- 1.6 The council started the review of the SCI by gathering the views and ideas of the community. A letter was sent to all the consultees on our database in March 2010, notifying people about the intention to review the SCI and asking for comments about the existing document
- 1.7 The comments received were taken into account and the Draft SCI was published for consultation between November 2012 and January 2013. The comments received and feedback on the effectiveness of the consultation were taken into account when preparing this final version of the document.

### **When will we review the Statement of Community Involvement again?**

- 1.8 We will review the SCI again if our monitoring shows that we could improve how effectively we consult people (for example if new ways of consulting people become available) or if the government requires us to change the way in which consultation takes place.

## Plan-Making Overview

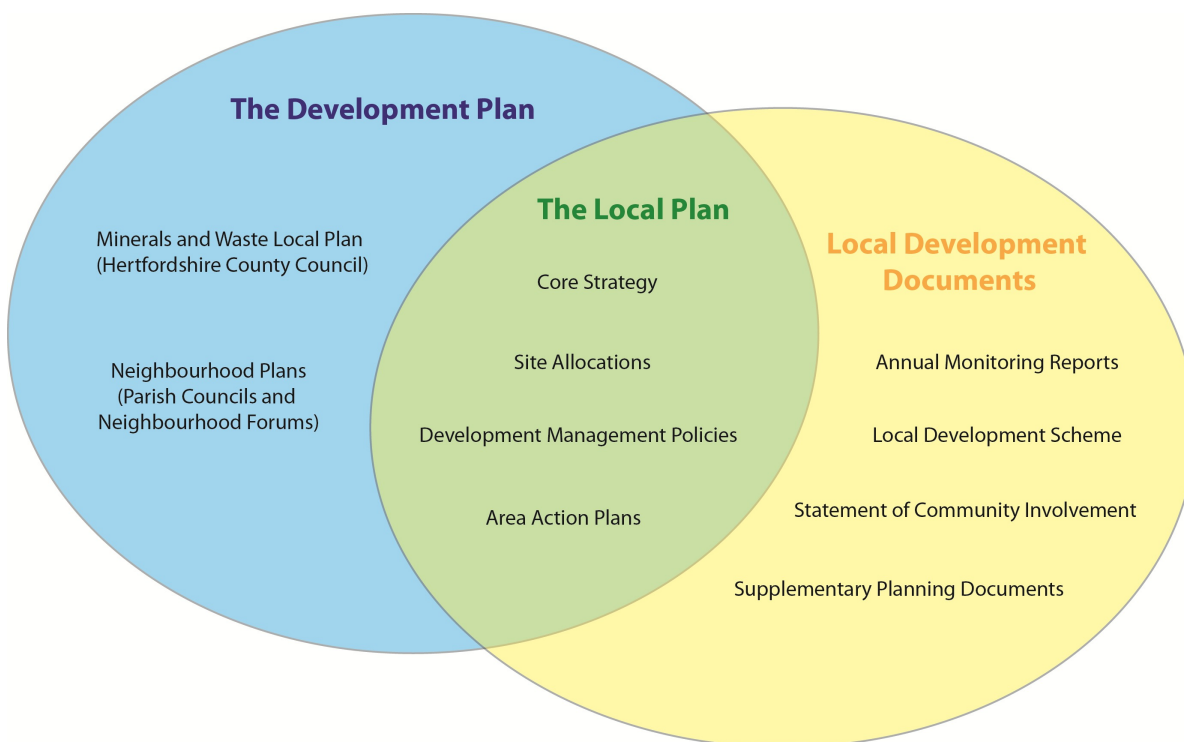
### 2. Plan-Making Overview

**2.1** As a local planning authority Welwyn Hatfield Borough Council is required to produce plans about new development in the borough over a 15 - 20 year period. This involves deciding how much and what type of new housing is needed, where it should be built, deciding what facilities are needed (such as schools, community facilities and infrastructure) and ensuring there is sufficient land for employment needs. As part of this process it is essential that important parts of the borough's character and environment are conserved and enhanced, and that Welwyn Hatfield continues to be a place where people want to live and work in the future. Involving our community in making these plans is very important.

#### What are the different types of plan that can be prepared?

**2.2** The new Local Plan will be central to delivering Welwyn Hatfield's vision for the future. It will set out how Welwyn Hatfield will develop over the next 15 to 20 years. The Local Plan may consist of a single document or a set of documents including a Core Strategy, Site Allocations, Development Management Policies and Area Action Plans.

**2.3** Figure 1 below shows the types of document included in the Local Plan and the relationship to other plans that form the development plan and local development documents for an area.



**Figure 1: Plan-Making Documents in Welwyn Hatfield**

## Plan-Making Overview

- 2.4 As illustrated above, some documents are classified only as Local Development Documents or Development Plan Documents, whilst Local Plan documents are classified as both Local Development Documents and Development Plan Documents.
- 2.5 Development Plan Documents are those that are used when determining planning applications. Local Development Documents are those that support or provide further detail on Local Plan Documents.

### Local Plan

- 2.6 As part of the Development Plan, the Local Plan documents are formal plans for a geographical area or a specific subject. They contain planning policies, site allocations and other designations, which are key points of reference when deciding planning applications.
- 2.7 These documents are subject to rigorous procedures including public consultation with the community and examination by an independent inspector. They must be found sound by the inspector before they can be adopted by the council and also require a Sustainability Appraisal (SA) – an assessment of the economic, social and environmental impacts of a plan, which must also be put out for public consultation. As part of this process, the requirements of the Habitats Regulation are taken into account and the possible effects of a plan on European-protected areas assessed.

### Other documents which form part of the Development Plan

#### *Neighbourhood Plan*

- 2.8 The Localism Act (2011) has empowered local communities to prepare their own Neighbourhood Development Plans should they wish to do so. These set out policies and proposals for the future development of a neighbourhood but they must conform to the strategic policies of the Local Plan. Although parish plans already exist in some local areas, Neighbourhood Plans, once adopted will have more weight in the planning system because they will form part of the overall Development Plan for an area. Therefore they will be used in conjunction with the Local Plan to consider planning applications in that area.
- 2.9 Parish and town councils have been empowered to lead on the preparation of Neighbourhood Plans which must conform with national planning policies and the Local Plan. Where there is no such council, a neighbourhood forum of at least 21 people must be formed from people living and working in the area in order to be designated by the council as a suitable body to take forward a Neighbourhood Plan.
- 2.10 The Neighbourhood Planning (General) Regulations 2012 require that a plan is subject to public consultation. This is similar to that which is required for Local Plan documents, with the neighbourhood group responsible for undertaking consultation during the preparation stage and the local authority responsible



## Plan-Making Overview

following receipt of the submitted the plan. Neighbourhood Development Plans will be examined by an independent inspector and they will then be adopted by the local authority if they receive a 50% 'yes' vote in a public referendum. Further information on neighbourhood planning is available on the council's website at [www.welhat.gov.uk/neighbourhoodplanning](http://www.welhat.gov.uk/neighbourhoodplanning).

- 2.11** In conjunction with these Neighbourhood Plans, local communities may decide to prepare a Neighbourhood Development Order. This allows certain types of development to take place as 'permitted development' without the need to apply for planning permission. This can include new buildings such as new housing (the community right to build). Neighbourhood Development Orders are also subject to consultation and an independent examination and a public referendum.

### *Minerals and Waste Local Plan*

- 2.12** Produced by Hertfordshire County Council, these documents set out plans relating to mineral and waste developments in Hertfordshire. Welwyn Hatfield Borough Council is not directly involved in writing these plans but is a statutory consultee. The County Council has produced its own SCI for matters which it is responsible for.

### **Local Development Documents**

#### *Statement of Community Involvement (SCI)*

- 2.13** As outlined in section one, this document sets out how the council will involve the community and other stakeholders in the preparation, alteration and review of the Local Plan. The Local Plan and Supplementary Planning Documents (SPDs) need to conform with the requirements set out in SCI.

#### *Supplementary Planning Documents (SPDs)*

- 2.14** These documents, including issue-based documents, design guidance and masterplans, provide more detail to how policies in the Local Plan should be used. SPDs are produced when needed and will also be prepared with the involvement of the community. They are not subject to examination by an independent inspector but are adopted following agreement by council's cabinet.

#### *Local Development Scheme (LDS)*

- 2.15** This public statement sets out the programme for the preparation of the Local Plan and Local Development Documents. A copy is available on the council's website. Due to the nature of its contents, it is not subject to public consultation.

#### *Annual Monitoring Report (AMR)*

## Plan-Making Overview

- 2.16** A report produced each year by local authorities, which assesses progress with, and the effectiveness of, plan-making documents. These are also available to view on the council's website. Due to the nature of its contents, it is not subject to public consultation.

### **Community Infrastructure Levy (CIL)**

- 2.17** The CIL allows local authorities to set charges which developers must pay when bringing forward new development in order to contribute to the delivery of infrastructure to support development. As part of the development of its CIL charging schedule, the council will conduct consultation in accordance with the governments most up-to-date CIL Regulations and Guidance.
- 2.18** The April 2013 CIL Regulations require a meaningful proportion of CIL monies to be allocated to neighbourhoods where new development has taken place. The Council will meet consultation requirements set out in the Regulations (at the relevant time) for allocating CIL monies to these neighbourhoods.

## Key Principles of Community Involvement for Plan-Making

### 3. Key Principles of Community Involvement for Plan-Making

#### Who to Consult?

- 3.1** The National Planning Policy Framework (NPPF), published in 2012, emphasises the need to involve all sections of the community in plan-making. There are many individuals, groups and organisations in Welwyn Hatfield who will be given the opportunity to be involved in the preparation of planning documents.
- 3.2** The council has an electronic database of consultees to involve at various stages of the plan making process. This list is not fixed and those who wish to be consulted can be added to it. Others who may no longer wish to be involved will be removed from the list on request.
- 3.3** To guide the plan-making process, the council has divided consultees into four sub-sections to reflect requirements in government regulation. These lists of groups or bodies are not exhaustive and will evolve due to re-organisations or legislative change. The bodies consulted will be continually reviewed and updated as appropriate.
- 3.4** Specific consultation bodies and general consultation bodies are statutory consultees and if considered relevant to a particular issue or document they must be consulted at a prescribed stage of the document preparation. Equally, by law, businesses and residents in the area should be consulted if it is considered appropriate.

#### The Specific Consultation Bodies

- 3.5** Statutory consultees, currently defined as:
- A local planning authority that adjoins the borough;
  - Hertfordshire County Council and any county councils that adjoin the borough;
  - Parish Councils within and adjoining the borough;
  - A local policing body;
  - The Coal Authority;
  - The Environment Agency;
  - The Historic Buildings and Monument Commission for England (English Heritage);
  - Natural England;
  - The Marine Management Organisation;
  - Network Rail Infrastructure Limited;
  - Highways Agency;
  - Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communication Act 2003, and any person who owns or control electronic communications apparatus situated in any part of the area;
  - Primary Care Trust;

## Key Principles of Community Involvement for Plan-Making

- Utilities and service providers; and
- Homes and Communities Agency.

### General Consultation Bodies

**3.6** Statutory consultees, currently defined as:

- Voluntary bodies, some or all of whose activities benefits any part of the area;
- Bodies which represent the interest of:
  - different ethnic or national groups in the area;
  - different religious groups in the area;
  - disabled people in the area; and
  - persons carrying on businesses in the area.

### Other Consultation Bodies or Organisations

**3.7** In addition, there are a number of other types of bodies, groups and organisations that the council considers are equally as important to consult and these are identified below:

- Environmental groups;
- Groups representing users, and the providers, of leisure, sport and recreation
- Health, education, social service and community based service providers;
- Cultural, historical and archaeological groups or bodies;
- Citizens' / borough / tenants panels;
- Local residents and community associations;
- Registered social landlords;
- House builders and developers;
- Landowners and land agents;
- Public transport users and providers;
- Groups representing retired and elderly persons;
- Groups representing young people; and
- The local strategic partnership.

### Wider Community

**3.8** Equally, It is very important that the wider community- people who live, work, run businesses and study in the borough – are consulted. Members of the public who would like to be notified about planning consultations and the progress of documents can add their details to the consultees electronic database.

## Key Principles of Community Involvement for Plan-Making

### Corporate Consultation

- 3.9** Approaches to planning consultations need to be consistent with corporate priorities and approaches. The council aims to encourage localism so wants to ensure the local community is engaged effectively. The council's Business Plan (2012-15) emphasises the importance of consultation and engagement with local people, customers and partners.
- 3.10** Work is ongoing to produce a Community Engagement Strategy , which will increase the coordination between different consultations in the council and provide corporate guidance on the scope and methods of consultation. To inform this strategy a toolkit of best practice for working with community groups is being prepared which will be a useful reference for planning teams before the strategy is complete.
- 3.11** When considered appropriate, the planning teams will consider using Welwyn Hatfield's Borough Panel, which is a group of residents who have already signed up to be consulted on council services and issues about 4/5 times a year.

### Links to the Local Strategic Partnership and Community Strategy

- 3.12** Working with the Welwyn Hatfield Alliance is one of the ways in which the council involves partner organisations and interested parties in planning matters. The Alliance is the local strategic partnership (LSP) for Welwyn Hatfield and consists of representatives from public, private, voluntary and community organisations. It is responsible for the Sustainable Community Strategy which provides the context for plan-making.
- 3.13** The Welwyn Hatfield Sustainable Community Strategy 2011-2014 has a vision to 'make Welwyn Hatfield a safe, healthy and prosperous borough where people want to live, work and raise their family'.
- 3.14** The Local Plan will play an important role in contributing towards the this vision. For further information on the Alliance and the Sustainable Community Strategy see <http://www.welhat.gov.uk/index.aspx?articleid=313>.

### Links to the Local Enterprise Partnership

- 3.15** The Hertfordshire Local Enterprise Partnership (LEP) is a business-led partnership which aims to accelerate economic growth in the county and create jobs. It has an important role to play in encouraging inward investment, facilitating growth of the local economy and engaging with local businesses. The council will work in partnership with the LEP in its efforts to consult with the local business community and potential inward investors.

## Key Principles of Community Involvement for Plan-Making

### Links to the Local Nature Partnership

**3.16** The Hertfordshire Local Nature Partnership (LNP) is one of a number of LNPs across the country. Their main aims are to improve the range of benefits and services we get from a healthy natural environment, provide local leadership on environmental issues and to contribute to the green economy by linking with LEPs. They will also contribute to local authority planning and co-operate with other partnerships where this results in more efficient use of resources. Partnerships will be fully inclusive with representation from local authorities, community forums, government arms length bodies, civil society organisations and environmental charities, existing biodiversity and green infrastructure partnerships, land owners, businesses, LEPs, health and wellbeing reps and education establishments.

### Duty to Co-operate

**3.17** Section 110 of the Localism Act and guidance in the National Planning Policy Framework (NPPF), set out the duty to cooperate. This duty requires Welwyn Hatfield Borough Council to work with neighbouring authorities and other public bodies involved in planning when it comes to tackling issues at a larger than local scale. The bodies that we are bound to work together with by the duty currently include:

- Local planning authorities;
- Hertfordshire County Council;
- The Hertfordshire LEP;
- The Environment Agency;
- English Heritage;
- Natural England;
- The Integrated Transport Authority (if one is formed in Hertfordshire);
- The Office of Rail Regulation;
- The primary care trusts;
- The Civil Aviation Authority;
- Homes and Community Agency; and
- In addition, the NPPF requires local planning authorities to work collaboratively with LNPs.

**3.18** Examples when the duty may be relevant include meeting housing requirements that cannot be met wholly within one area or transport improvements. Cooperation on the production of the evidence base has taken place across Hertfordshire and a number of studies have been jointly commissioned. Joint working with service and infrastructure providers has also taken place on the identification of infrastructure requirements.

## Key Principles of Community Involvement for Plan-Making Equalities

- 3.19** The council will ensure that planning services comply with its Single Equalities Scheme (2011), which is based upon the requirements of the Equalities Act 2010. Details can be viewed on the council's website.
- 3.20** An Equality Impact Assessment of the Draft Statement of Community involvement was undertaken to assess the impact of the strategy on different groups of people and to prevent any discrimination. It was concluded that due to the document aiming to engage with all sections of the community, the potential impact was generally considered to be positive so the assessment did not proceed beyond the screening stage. It is felt that the conclusions above remain applicable.

### Making Effective Use of Resources

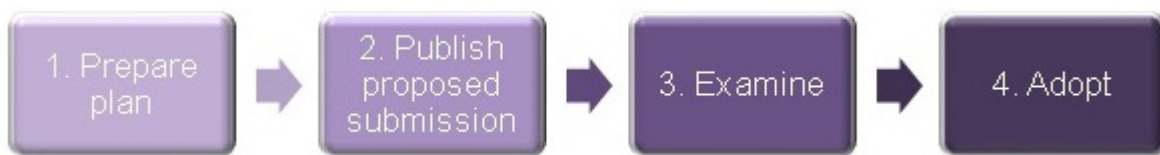
- 3.21** The council has to balance the extent of community engagement with the available staffing and financial resources. Staff within the planning policy team will primarily be responsible for carrying out the consultation processes for the Local Plan.
- 3.22** In order to avoid consultation fatigue we will maximise opportunities for joint consultation within the council and with our partners or rely on consultations carried out by other parts of the council if appropriate for the topic.
- 3.23** Resources will be targeted to where they will be used most effectively. Workshops and focus groups are resource intensive and will therefore be used where a more considered response is required or where there is an opportunity to consider a topic in more depth to encourage greater participation from particular sections of the community.

# Plan-Making Consultation

## 4. Plan-Making Consultation

### How, When and Who we will consult

- 4.1 The type of consultation we do depends on the document and the stage of its production. As outlined in tables 1 and 2, the council will use a range of consultation techniques to engage with the community.
- 4.2 Figure 2 identifies that there are four key stages to producing Local Plan documents. The details of how and who the council will engage with at each stage is then outlined in table 1.



**Figure 2: Main stages in preparing Local Plan documents**

**Table 1: Four stages of producing Local Plan documents (Core Strategy, Site Allocations, Area Action Plan and Development Management Policies)**

Stage 1 – Prepare Plan	
Whilst the plan is being scoped and prepared it is important that the local community have the opportunity to identify local issues, influence the options for future development and examine the evidence.	
<b>What will we do</b>	<ul style="list-style-type: none"> <li>• As a minimum, we will ensure that we comply with the relevant current planning regulations. We will consult more widely where it is relevant and appropriate to do so.</li> <li>• We will advertise any consultation and make it clear where material can be viewed by the community.</li> <li>• When possible, summary documents, maps and diagrams explaining the key issues and proposals will be published.</li> <li>• We will maintain and add people to our planning database at any time.</li> <li>• Comments received at this stage will be taken into account, together with any available technical evidence as well as national policies and guidance.</li> </ul>
<b>Who will we consult</b>	<ul style="list-style-type: none"> <li>• We will notify specific consultation bodies that may have an interest in the document.</li> </ul>



## Plan-Making Consultation

Stage 1 – Prepare Plan	
	<ul style="list-style-type: none"> <li>We will engage with general consultation bodies, and other consultation bodies as appropriate.</li> <li>We will consult with the wider community at least once during this stage in the production of the document.</li> </ul>
<b>How will we consult</b>	<p>We will use a range of types of consultation during this stage in order to understand key issues and views. Methods will include one or more of the following:</p> <ul style="list-style-type: none"> <li>Surveys and questionnaires.</li> <li>Correspondence through letters or email.</li> <li>Workshops or focus groups.</li> <li>Drop-in events, displays or exhibitions.</li> <li>Meetings (one to one or group).</li> <li>Make plans available on our website and at public inspection points (council offices and local libraries).</li> <li>Targeted measures for hard to reach groups.</li> </ul>

Stage 2 – Publish Proposed Submission	
<p>The council will prepare and consult on the final draft of the plan before it is submitted to the Secretary of State for examination. Representations submitted at this stage are forwarded to the Planning Inspector.</p>	
<b>What will we do</b>	<ul style="list-style-type: none"> <li>As a minimum, the council will comply with the relevant planning regulations.</li> <li>We will consult on the plan for at least six weeks. The submission documents and other relevant documents must be available for inspection on the website and at the council's office and other public inspection points.</li> <li>When possible, summary documents, maps and diagrams explaining the key issues and proposals will be published.</li> <li>We will notify consultees.</li> <li>The council will publicisewhere and when the documents may be inspected.</li> <li>Make printed copies of the plan available at a reasonable charge.</li> <li>Where appropriate, the council will make changes to the document before it is submitted to the Secretary of State. All representations received at this stage will be forwarded to the Secretary of State.</li> </ul>
<b>Who will we consult</b>	<ul style="list-style-type: none"> <li>We will notify those specific, general and other Consultation bodies that were invited to make representations at an earlier stage.</li> <li>The wider community (as appropriate to the document) will also be consulted.</li> </ul>

## Plan-Making Consultation

<b>How will we consult</b>	<ul style="list-style-type: none"> <li>We will contact everyone on our planning consultation database by letter or email and we will use targeted measures for hard to reach groups.</li> <li>To explain the preferred plan we will use one or more of the following methods: events, displays, exhibitions or meetings.</li> </ul>
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### Stage 3 – Examine

The council is required to submit the plan and supporting information to the Secretary of State and take it through a public examination. The Inspector will take into account written comments on the plan and if invited by the Inspector people can also appear at the examination to speak in support of, or against, the plan.

<b>What will we do</b>	<ul style="list-style-type: none"> <li>We will comply with all the relevant planning regulations for the submission and examination of the plan.</li> <li>This means we will ensure that all the relevant submission documents are available for inspection on our website and at the council's office and other deposit points.</li> <li>We will publish full details of the submission.</li> <li>The Programme Officer will publish full details of the examination of the plan on the website.</li> </ul>
<b>Who will we notify</b>	<ul style="list-style-type: none"> <li>We will notify all those specific, general consultation bodies, and other bodies who have previously been invited to make representations on the plan, about the submission of the plan to the Secretary of State.</li> <li>We will also notify anyone else who requested to be notified of the submission of the plan to the Secretary of State.</li> <li>The Programme Officer will notify all those who commented on the plan at stage 2 with details of the examination.</li> </ul>
<b>How will we notify</b>	<ul style="list-style-type: none"> <li>Consultees will be informed by letter or email.</li> </ul>

### Stage 4 - Adopt

Following the Examination, the Inspector will produce a report. The council will consider the Inspector's report, make changes and adopt the final plan where appropriate.

## Plan-Making Consultation

<b>What will we do</b>	<ul style="list-style-type: none"> <li>We will publish the Inspector’s report and notify anyone who requested to be notified.</li> <li>We will make the adopted document, sustainability appraisal report, relevant information and adoption statement available for inspection at the council’s main office and on the website.</li> </ul>
<b>Who will we notify</b>	<ul style="list-style-type: none"> <li>We will send the adoption statement to the Secretary of State and any person who asked to be notified.</li> </ul>

**4.3** The processes for producing Supplementary Planning Documents (SPDs) are less rigorous as they are not part of the Development Plan and build on adopted policies in Local Plan documents. Figure 3 identifies the three stages and table 2 outlines the detail of community consultation. These stages are also applicable to the revision of the SCI, which is also a Local Development Document.



**Figure 3: Main stages in preparing Supplementary Planning Documents**

**Table 2: Three stages of producing Supplementary Planning Documents**

Stage 1 - Prepare Plan	
The scoping stage helps to gather evidence and ideas and can look at alternative approaches before preparing the document.	
<b>What will we do and who will we consult</b>	<ul style="list-style-type: none"> <li>We will consult with those individuals and bodies who are relevant to the successful implementation of the SPD.</li> <li>We may consult more widely if it is considered relevant and appropriate to do so.</li> </ul>
<b>How will we consult</b>	<p>This will depend on the type of SPD. Methods will include one or more of the following:</p> <ul style="list-style-type: none"> <li>Correspondence by letter or email.</li> <li>Workshops or focus groups.</li> <li>Meetings.</li> <li>Drop in events.</li> </ul>

## Plan-Making Consultation

Stage 2 - Publish Draft SPD	
<p>The council is required to consult on the SPD. Publishing a draft provides opportunity to get comments on the document before it is finalised.</p>	
<p><b>What will we do and who will we consult</b></p>	<ul style="list-style-type: none"> <li>• As a minimum, the council will comply with the relevant planning regulations.</li> <li>• We will consult for at least 4 weeks and make copies of the draft SPD for inspection on the website and at the council's main office and other locations as appropriate to the type of SPD.</li> <li>• We will consult the specific, general and other bodies who are relevant to the topic of the SPD being prepared.</li> <li>• We will consult residents or persons carrying on business in the area where it is appropriate to.</li> <li>• We will consider all representations received.</li> </ul>
<p><b>How will we consult</b></p>	<p>This will depend on the type of SPD. Methods will include one or more of the following :</p> <ul style="list-style-type: none"> <li>• Making documents available on the council's website and at inspection points.</li> <li>• Correspondence through letters or emails.</li> <li>• Leaflets/Newsletters.</li> <li>• Targeted measures for hard to reach groups relevant to the topic of the SPD.</li> </ul>

Stage 3 - Adopt	
<p>Once the council has taken into account comments and made any changes to the document, it will be adopted by the council's Cabinet. An independent examination is not required.</p>	
<p><b>What will we do</b></p>	<ul style="list-style-type: none"> <li>• We will adopt the SPD and publish the document and an adoption statement on the website.</li> <li>• These documents will also be available for inspection at the council offices and other locations as appropriate to the type of SPD.</li> </ul>
<p><b>Who will we notify</b></p>	<ul style="list-style-type: none"> <li>• We will send a copy of the adoption statement to any person who has asked to be notified of the adoption.</li> </ul>

## Plan-Making Consultation

### Increasing Participation and Representation

- 4.4** It is important to recognise diversity within the borough and to consider the potential needs of all sections of the community, including those who do not have such a well developed culture of public participation. The council recognises that the planning system can seem complex and confusing and this can prevent some people getting involved.
- 4.5** The council's monitoring tells us that young people, younger adults, ethnic minorities, faith groups and sections of the community living in more deprived areas of the borough tend to be underrepresented or 'harder to reach' during consultation. To a lesser degree, women are often under-represented.
- 4.6** Consultation events held at fun days, or in our town centres tend to result in a more representative response than those held in council buildings. Providing shorter summarised versions of the full consultation document has also proved effective in reaching a wider audience.
- 4.7** To improve participation we will:
- Produce non-technical and summarised versions of documents
  - Use the most appropriate methods to reach different parts of the community subject to the availability of resources
  - Respond to any reasonable requests to make consultation material more accessible.
  - Identify when local community events and other meetings / markets / fun days take place to enable the council to have a visible presence in the community during consultations.
  - Seek to coordinate community consultation programmes between the council's departments and others where feasible and effective to remove duplication, combat consultation fatigue and make the most of opportunities to maximise different skills and resources.
  - Find the right time of day to hold events (although it is difficult to always suit everyone) and explore alternative styles of consultations to engage young children and other hard to reach groups,
  - Investigate the use of other locations/ inspection points in addition to the usual locations, for example local shops and school.
  - Liaise with local organisations such as residents' groups, to disseminate information.

## Plan-Making Consultation

### The Role of Elected Councillors

- 4.8** Councillors have a key role to play in plan-making. They are involved in decision-making as plans and strategies are agreed by the relevant planning committee and approved by the council's Cabinet. In addition, the full council must approve Local Plan documents before they are submitted for examination or adoption<sup>(1)</sup>
- 4.9** Councillors are also community representatives, so people can get information from their ward councillors and share their views.

### Reviewing Comments and Consultation

- 4.10** All consultation responses received online, or by letter or email within the prescribed timescales will be acknowledged and taken into account to inform the decisions that the council makes. However these decisions also have to take account of a number of other factors such as government policy and guidance, technical evidence and the sustainability appraisal.
- 4.11** We will make all the comments received publicly available and prepare and publish a summary of all the key issues and comments and how these issues have been addressed by the council.
- 4.12** The effectiveness of recent consultations is reviewed annually in the council's Annual Monitoring Reports, which are available on the council's website or from the planning policy team.
- 4.13** When consultees submit comments on consultation documents, they are given the option of completing a number of monitoring questions. The council will publish information on the profile of consultees who have responded and their views on the consultation. The purpose of this is to assist the council in monitoring the effectiveness of its community involvement activities and efforts to engage identified hard to reach groups.

### Regular Updates

- 4.14** There can often be a long gap in time between the consultation stages covered in Table 1. The council has recognised that it is important to keep the community regularly updated on progress during these periods in order to ensure they remain connected with the process and aware of progress.
- 4.15** In order to achieve this, the council launched 'Local Plan News' in May 2013. The intention is that this will be issued to those registered on our consultation database and also published on the council's website. People are able to add their details to this database at any time via: <http://consult.welhat.gov.uk/common/register.jsp>

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1 Welwyn Hatfield Borough Council Constitution - <http://www.welhat.gov.uk/index.aspx?articleid=1153>.

## Consultation on planning applications

### 5. Consultation on planning applications

- 5.1** For many people, the submission of a planning application, on a neighbouring or nearby site or premises, is the first, and possibly, the only time that they will become directly involved in the planning system. It is important that anyone who feels that they may be affected by a development proposal or has an opinion that they wish to be taken into account before a decision is made, is able to take part in and respond to consultation.
- 5.2** This section sets out the consultation requirements for applicants before a planning application is submitted, how the rest of the community will be informed about applications and how they can be involved in influencing decisions.

#### Pre-application consultation and advice

- 5.3** Before submitting a planning application, we encourage prospective applicants to seek advice at the pre-application stage. This allows for the identification of issues and constraints at an early stage in the design process; it enables concerns to be raised early; and can improve the quality of the scheme.
- 5.4** At an early stage, developers should discuss with service providers the implications of development on, and contribution towards, provision of infrastructure. In addition, where proposals are of particular significance, for example they would involve a significant impact upon the main retail, commercial, employment and leisure facilities of the borough, then the council will encourage prospective developers to undertake pre-application consultation with the community. This would usually be through the use of public meetings, meetings with local residents groups, amenity groups or parish/town councils, exhibitions and press releases. However, the council cannot make prospective developers or residents seek pre-application advice or carry out consultation. In some circumstances quite significant forms of development may not have been subject to any pre-application discussion.

#### Development Briefs / Master Plans

- 5.5** Before an application is submitted, developers should check with the council if a masterplan or development brief is needed. These documents are generally relevant to large or significant sites and are used as the basis by which planning applications submitted on the site will be determined.
- 5.6** Where developers and/or landowners prepare a brief, this must be prepared in consultation with the council and must be subject to public consultation before it can be endorsed by the council's committee (in order to be used as a material consideration in any planning application).



## Consultation on planning applications

### Development Consultation Forum

- 5.7** The council offers a consultation forum for large schemes, with the aim of improving councillor and public involvement in the pre-application process, and providing greater understanding of potential large developments within the borough.
- 5.8** The consultation forum is a public meeting, where a developer is able to explain proposals directly to councillors and the public at an early stage, before a decision is made on a planning application. The process is designed to help the developer deal effectively with important issues and to reduce delay and frustration in the formal planning process.
- 5.9** The forum aims to improve the planning process for schemes which have a wider impact on the local community within the borough. Whilst developers will be encouraged to use the forum for larger schemes it is not mandatory and it will depend upon their co-operation and willingness to take part.
- 5.10** The following types of development schemes will be considered:

Proposed large-scale developments which include significant social, community, health or education facilities, or where early public discussion of issues would be useful

Proposed developments of 50 units or more of housing

Proposed developments of 10,000 or more square metres of industrial, commercial or retail floorspace

- 5.11** Members of the public can attend the forum and listen to the presentations and questions. Councillor members of the forum and officers of the council will be allowed to ask the developer/agent/invited speaker questions to clarify issues or matters of fact.

### Planning Performance Agreements

- 5.12** Planning Performance Agreements (PPAs) are primarily aimed at complex development proposals. They are voluntary agreements that commit applicants, local planning authorities and partner organisations to an agreed timetable for determining proposals. Essentially they are a collaborative project management process, which aim to improve the quality of development and decision making by taking away national targets for determining an application (13 or 16 weeks).
- 5.13** Community engagement in this process will follow the procedures set out on Welwyn Hatfield's website, which are known as the Planning Performance Agreements Charter. As a minimum this will include consultation with the relevant parish or town councils and any established resident groups. Where desirable, a community forum will be set up to allow for regular communication and input with the local community. In addition, the applicant will normally be



## Consultation on planning applications

expected to hold a Developer Consultation Forum to keep councillors involved. Notwithstanding the above, the council will also undertake separate consultation as part of the formal planning application process, in accordance with the requirements of this Statement of Community Involvement.

### How, when and who will we consult on planning and other Applications?

**5.14** The Government sets out minimum requirements for consultation in the Town and Country Planning (Development Management) (England) Order 2010 and the Planning (Listed Buildings and Conservation Areas) Act 1990 for development affecting a Listed Building or the character or appearance of a Conservation Area.

**5.15** As outlined in section 2, the legislation identifies statutory consultees that the council must engage with. These include environmental organisations (such as Natural England, the Environment Agency and English Heritage) and local services and infrastructure providers (including Highways Agency, Hertfordshire County Council and utilities companies). The local community is also engaged as neighbours receive letters and/or site notices are displayed. The council asks for comments within a 21 day period. For further information on consultation procedures and consultees please contact the development management administrative team.

**5.16** The consultation varies depending on the type and stage of the planning application. Four different types of application can be identified:

- Major – Residential development of 10 or more dwellings or on a site of 0.5 hectares or more, non-residential development on a site of at least 1 hectares and creation of 1000 square metres or more of gross floorspace.
- Departure – Applications that do not conform to policies adopted in the Development Plan.
- Minor and other – Development that does not meet the criteria for major development and other applications including householder, change of use, estate management applications, telecommunications, works to preserved trees or those in a conservation area and advertisements.
- Listed building and conservation area- Listed Building and Conservation Area Consent.

**5.17** Table 3 identifies who and how people are consulted for each of these application types. It indicates how the council or the applicant/developer will tell the community about the proposal and if it is a mandatory or voluntary requirement.

### Table 3: Community consultation and publicity on planning applications

Key: **Required action** or **Optional action**

## Consultation on planning applications

Stage		Category of Application		
<b>PRE-APPLICATION</b>	<b>Community involvement technique</b>	<b>Major and Departures</b>	<b>Minor and other</b> (other includes householder, change of use, telecommunications, estate management, advertisements and works to preserved trees or those in a conservation area)	<b>Listed Building and Conservation Area</b>
	Press release	Applicant	-	-
	Public meetings / Exhibitions	Applicant	-	-
	Leaflets	Applicant	-	-
	Consult with Residents Associations, amenity groups and parish / town councils	Applicant	Applicant	Applicant
	Consult with neighbours	Applicant	Applicant	Applicant
	Pre-application discussion with council	Applicant Council	Applicant Council	Applicant Council
	Development Consultation Forum	Applicant Council	-	-
<b>APPLICATION</b>	Notice to owner or appropriate advertisement	Applicant	Applicant	Applicant
	Consultation statement	Applicant	Applicant	Applicant

## Consultation on planning applications

Stage	Category of Application			
	Neighbour notification and/or site Notice *	Council	Council	Council
	Advert in newspaper	Council Applicant	Council Applicant	Council Applicant
	Display Council application on council website and at council offices	Council	Council	Council
	Publish weekly list of applications on council's website	Council	Council	Council
	Consult Statutory consultees	Council	Council	Council
	Consult ward councillors	Council	Council	Council
	Consult town/parish councils	Council	Council **	Council
	Community meetings / exhibitions	Applicant	-	-
	Press release	Applicant Council	Applicant Council	-
	<p>Sometimes to overcome deficiencies in a proposal or on request of an applicant, amendments are made to a submitted scheme before a decision on it has been made.</p> <p>When these are 'minor' amendments, which go towards addressing objections to proposals, the council will not normally re-consult on the scheme. If more significant amendments are made that introduce new elements to the scheme the council will often consult again. The consultation may be for a shorter time or for some of the consultees</p>			

## Consultation on planning applications

Stage	Category of Application
	because in general, the proposals will now be familiar to those notified and their comments need only be addressed to the changes that have made, rather than matters of principle.
<b>POST-APPLICATION</b>	<p>If an applicant wants to make an amendment once planning permission has been granted, applications can be made to establish if the changes are 'non material' so would not need a new planning application. These changes do not require additional consultation. The council will decide each case on the individual circumstances of the application and details about the process are available on our website.</p> <p>When a change is 'material' you are advised to submit a new planning application, which will be subject to the council's usual publicity and consultation procedures.</p>

\* Further information and guidance will be available on the Councils website

\*\*n/a for Estate Management applications as there is no parish or town council in Welwyn Garden City.

### How can you be involved?

- 5.18 All planning applications and appeals are added to our online database. You can view and track planning applications as they progress. There are a number of ways you can comment on an application; comments can be made in writing, by email or submitted electronically using the on-line database. All comments received are a matter of public record and will be published on the council's website [www.welhat.gov.uk/planning](http://www.welhat.gov.uk/planning).
- 5.19 The website sets out in detail how to comment on an application and when and how you can speak at Development Management Committee. Members of the public or the applicant are allowed to speak at the committee. They will be notified about this opportunity and invited to express their interest. However, the number of speakers is restricted to ensure the meeting progresses efficiently, so normally only one speaker is allowed for and against the proposal. A representative of the parish/town council is also permitted to speak.
- 5.20 A decision notice will be sent to the applicant and everyone who commented on the application will be notified of the decision.
- 5.21 For further advice, the Planning Aid Direct website may be useful: <http://planningaid.custhelp.com/>

## Consultation on planning applications

### How we make decisions

**5.22** Most applications in Welwyn Hatfield are delegated decisions, which are applications decided by officers, under delegated powers. The remaining applications are looked at by the council's Development Management Committee, which comprises of 15 elected Councillors. The council's constitution, which can be viewed on the website, sets out when decisions will be made by the Committee.

**5.23** When making a decision, the Committee receive an officer's report setting out the issues raised by the proposals including those raised as a result of consultation and the recommended decision. After discussion, the Committee will determine the application, although on occasion they may defer a decision if they feel more investigation of the issues is needed.

### Appeals

**5.24** After the council has reached a decision on a planning or related application, and has refused it or permitted it with conditions attached, the applicant has a right of appeal against that decision, either in writing or with a hearing. The requirements for notification with regard to appeals are set down in government regulation and the council will comply with these. Those who have commented on an application that is subject to an appeal may be invited to submit further comments to the Planning Inspectorate (often dependant on the type of appeal).

**5.25** The council produces information on its website about the appeal process which gives further details of the appeal procedures and the potential for third parties to be involved.

### Review

**5.26** The Council has set up an agent/developers' forum to discuss relevant issues regarding the planning process and to provide information to applicants, for example regarding new government policy. These meetings are six monthly and involve regular applicants/developers (those who submit five or more applications per year). This provides an opportunity for the council to promote the key principles of the Statement of Community Involvement and encourage pre-application consultation.

