

Appendix A



Welwyn Hatfield Local Plan

Local Development Scheme

September 2016

Introduction

What is a Local Development Scheme?

A Local Development Scheme (LDS) provides information about the planning documents that will be prepared as part of the Welwyn Hatfield Local Plan. It explains:

- what documents have already been prepared and adopted
- what documents are currently being prepared
- what documents we intend to produce in the future
- the subject and geographical area of each document
- the timetable for preparing and adopting each document

The documents, which are also known as Development Plan Documents (DPDs), will set the planning policy framework for land use and development in the borough up to 2032.

For information, the first Local Development Scheme for the borough was published in 2005 and its timetable has been updated in August 2012, June 2014 and September 2015.

It was originally the Council's intention to prepare a suite of separate documents, such as a Core Strategy containing strategic policies, a Site Allocations document, a Development Management policies document and individual Area Action Plans for large/complex sites.

We have decided however that it will be easier and quicker to combine all of these strategic, site allocation and development management policies into a single document called a Local Plan.

The Council also has a number of Supplementary Planning Documents (SPDs) which provide further guidance on issues such as car parking, planning obligations and the development of large/complex sites. Although these do not form part of the Development Plan for the borough, they are part of the planning framework and can be used in the determination of planning applications.

Why do we need a Local Development Scheme?

It is important that the local community, businesses and others with an interest in the future planning of the borough are aware of the DPDs that we intend to produce and the timescale for their preparation, consultation and adoption.

Although consultations on the Local Plan will continue to be advertised and interested parties notified in accordance with the Council's adopted [Statement of Community Involvement](#), the LDS provides information about when consultations are likely to happen.

Will there be further revisions to the Local Development Scheme?

The LDS is reviewed annually as part of the preparation of the Annual Monitoring Report (AMR) which is published on the Council's website. Any changes to the programme will be published on the Council's website at www.welhat.gov.uk/amr.

Structure of the Document

This document is set out in 6 sections.

Section 2 sets out a short guide to the plan making system.

Section 3 provides information on the different types of documents that have already been prepared as part of the planning framework for the borough (previously called the Local Development Framework) as well as those that will be prepared in coming years.

Section 4 provides more detail about the preparation of the Welwyn Hatfield Local Plan, with an overview of resources and a timetable with key milestones.

Section 5 is the timetable, with key dates for consultation, submission, examination, receipt of inspector's report and adoption.

Section 6 provides a risk assessment to identify any risks and mitigation measures that might be needed to ensure that the preparation of the Local Plan DPD accords with the LDS timetable.

Section 2: Short Guide to Forward Planning

What is the Development Plan?

The Development Plan for a particular area consists of Development Plan Documents (DPDs) or Local Development Documents (LDDs) which manage land use and shape development.

It is a legal requirement to produce an up-to-date Local Plan and the Government has indicated that it will intervene where councils do not have one prepared by early 2017.

Figure 1 and the image below illustrates the types of document which form part of the Development Plan and how the responsibility for preparing the Development Plan is split between the three tiers of local government.



What is the role of Hertfordshire County Council in plan making?

Hertfordshire County Council is the planning authority responsible for producing the Minerals Local Plan and Waste Local Plan for the whole of Hertfordshire.

The County Council has prepared a Minerals and Waste Development Scheme to set out the programme for their preparation. Information about Minerals and Waste Planning can be found at <http://www.hertfordshire.gov.uk/services/envplan/plan/hccdevplan/>

What is the role of Welwyn Hatfield Borough Council in plan making?

Welwyn Hatfield Borough Council is the planning authority responsible for producing the Local Plan. The Council has decided that this will be a single document containing strategic policies, site allocations and development management policies covering topics such as housing, employment, retail, transport, infrastructure, utilities, the environment, climate change, community and leisure/recreation.

Once prepared, the Local Plan will provide the policy framework for the determination of planning applications through the Development Management system.

What is the role of Town and Parish Councils in Welwyn Hatfield in plan making?

Planning regulations introduced in 2012 mean that town and parish councils can produce a Neighbourhood Plan for their area which can identify where new development should be built. These plans can be adopted by Welwyn Hatfield and used to determine planning applications, although they must be in conformity with the Local Plan.

Neighbourhood plans are not compulsory however, and where they are not produced the Local Plan continues to form the basis for development management decisions.

Section 3: Planning Policy Framework

Existing position

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and states how these should be applied by local planning authorities and their communities. The Framework will be supported by National Planning Practice Guidance which is online guidance that offers commentary on how policies should be used and applied.

Adopted Welwyn Hatfield District 2005

The Welwyn Hatfield District Plan was adopted in April 2005. It provides a broad strategy for new development in the Borough and also sets out policies forming the basis for determining planning applications. The District Plan was automatically saved for three years after its adoption. This was extended after agreement by the Secretary of State and the District Plan [schedule of saved policies](#) continue to be part of the development plan. A number of policies were not saved because they duplicated government policy and were therefore not necessary. These are listed at [scheduled of not saved policies](#).

Emerging Welwyn Hatfield Local Plan

Work commenced on preparing the strategic policies of the Local Plan in 2005 culminating in consultation on an Emerging Core Strategy in 2012, consultation on sites, significant changes to strategic policies and the list of development management policies to be included in the Plan in 2015 and draft Local Plan Proposed Submission in 2016. This sets out the long term vision and the strategic policies to address; new affordable housing jobs, shopping and leisure, community facilities, the environment, travel and infrastructure. The Local Plan has been through the following stages which have informed its preparation.

Preparation of the evidence base	2005 and on-going
Pre-Issues and Options consultation	2006 – 2009
Issues and Options consultation	March – May 2009
How Many New Homes? consultation	June – July 2011
Emerging Core Strategy and Land for Housing Outside Urban Areas consultation	November 2012 – January 2013
Local Plan consultation document	January – March 2015
Draft Local Plan Proposed Submission consultation	August – October 2016

Statement of Community Involvement (SCI)

The first SCI was adopted in January 2007 and updated in 2013 due to changes in the planning system. It was subject to public consultation from November 2012 to January 2013 and following further amendments was adopted on 3 December 2013. It sets out the publicity and consultation procedures for preparing the Local Plan and determining planning applications. It can be viewed at [Statement of Community Involvement](#).

Supplementary Planning Documents (SPDs)

SPDs are non-statutory documents which have been prepared in accordance with the adopted Welwyn Hatfield District Plan and emerging policies in the Core Strategy and provide detailed guidance in relation to policies and proposals in the development plan.

The Council has prepared the following SPDs since the first LDS was produced:

- Broadwater Road West SPD(December 2008)
- High View SPD (April 2011)
- Houses in Multiple Occupation SPD (February 2012)
- Planning Obligations SPD (February 2012)
- Welwyn Garden City North SPD (April 2015)

Neighbourhood Planning

New regulations in 2012 concerning neighbourhood planning make provision for Neighbourhood Development Plans, Neighbourhood Development Orders and Community

Right to Build. To date only Northaw & Cuffley Parish Council are progressing such a plan. The Council is not responsible for their preparation and therefore no details can be included in the LDS.

Annual Monitoring Report

The Council publishes this document at the end of each year. The report monitors the effectiveness of planning policies and proposals, provides information for the emerging Local Plan and monitors the progress of the Local Plan. The current AMR can be viewed at <http://www.welhat.gov.uk/amr>.

Local Plan Evidence Base

A robust evidence base is needed to support the planning policies in the emerging Local Plan. This is published in the form of background documents. Further information on the evidence base prepared so far is available on <http://www.welhat.gov.uk/evidencebase>.

Future Local Plan Documents

This LDS sets out the programme for the production of the Welwyn Hatfield Local Plan. Our priorities are to progress to submitting a Local Plan for adoption and consulting on a preliminary draft charging schedule for CIL. The Welwyn Hatfield Local Plan which will bring together strategic policies, site allocations and development management policies.

The current Proposals Map is part of the Welwyn Hatfield District Plan 2005. This will be replaced and amended through the Welwyn Hatfield Local Plan, and will be known as the "Policies Map".

A Sustainability Appraisal incorporating Strategic Environmental Assessment is a legal requirement for certain plans and proposals including the Local Plan and Neighbourhood Plans. Considerable work on this has already taken place to support the work already completed on the Emerging Core Strategy. The process of Sustainability Appraisal will continue through the progress of the Local Plan and associated documents as necessary.

We are not obliged to set out specific timescales for the preparation of further Supplementary Planning Documents or other documents in this LDS. We are however proposing to prepare the following documents in the next few years which will update existing guidance:

- Design SPD
- Parking Standards SPD
- Infrastructure Delivery Plan (IDP)
- Community infrastructure Levy (CIL) Charging Schedule
- Masterplan SPDs for strategic development sites

Section 4: Welwyn Hatfield Local Plan Project profiles

DPD title	Welwyn Hatfield Local Plan and Policies Map
Role and Subject	Sets out the vision, objectives and spatial development strategy for the borough to 2032. Includes strategic policies, specific strategic allocations and other site allocations and development management policies
Coverage	Borough wide
Status	Development Plan Document
Conformity	National Planning Policy Framework
Key public consultation	Core Strategy Issues and Options Paper March (May 2009) Core Strategy: Review of housing targets (May/June 2011) Emerging Core Strategy (Nov 2012 – Jan 2013) Regulation 18 Local Plan Consultation (Jan 2015 – Mar 2015) Regulation 19 Draft Local Plan Proposed Submission (Aug – Oct 2016)
Staff Management	Planning Policy and Implementation Manager Planning Policy and Implementation team
Political Management	Executive Member for Planning, Housing and Community Cabinet Housing and Planning Panel, Cabinet and Full Council
Internal Resources	Planning Policy and Implementation Team Wide ranging input from other Council services
External Resources	Key stakeholders and service providers Consultants where relevant
Community & Stakeholder Involvement	In accordance with adopted Statement of Community Involvement
Timetable for Review	Annual Monitoring Report will assess effectiveness of Local Plan policies

Title	CIL Charging Schedule
Role and Subject	Community Infrastructure Levy (CIL) came into force in April 2010. It allows local authorities to raise funds from developers undertaking new building projects in their area. The money is used to fund a wide range of infrastructure that is needed as a result of new development in the area.
Coverage	Can be borough-wide or exclude areas where Section 106 contributions are a preferable way to deliver infrastructure and service needs
Status	Policy Document, part of Council's Local Development Framework
Conformity	Planning Act 2008, CIL Regulations, CIL statutory guidance and NPPF
Key Public Consultation	Consultation on Preliminary Draft CIL Charging Schedule (Summer 2016)
Staff Management	Planning Policy and Implementation Manager Planning Policy and Implementation team
Political Management	Executive Member for Planning, Housing and Community Cabinet Housing and Planning Panel, Cabinet and Full Council
Internal Resources	Implementation Team Wide ranging input from other Council services
External resources	Key stakeholders and service providers Consultants where relevant
Community & Stakeholder Involvement	In accordance with adopted Statement of Community Involvement
Timetable for review	Once adopted the CIL Charging Schedule will be reviewed every 3-5 years or in response to a change in market conditions

Section 5: Timetable

	Welwyn Hatfield Local Plan	CIL Charging Schedule
Q4 January-March 2016	Complete evidence, site assessments and duty to co-operate work	
Q1 April-June 2016	Officers to draft Proposed Submission	Viability evidence
Q2 July-September 2016	Committee approval for consultation Regulation 19 Proposed Submission consultation	Viability evidence Draft Preliminary Draft Schedule
Q3 October – December 2016	Regulation 19 Proposed Submission consultation Review representations	Complete Preliminary Draft Schedule Preliminary Draft Schedule agreed for consultation
Q4 January-March 2017	Review representations Submission	Consultation Review representations
Q1 April-June 2017	Examination	
Q2 July-September 2017	Examination Receipt of Inspector's Report	Officers to Draft Final Schedule
Q3 October-December 2017	Adoption	Consultation Submission (if Local Plan is sound)
Q4 January-March 2018		Examination
Q1 April-June 2018		Receipt of Inspector's Report
Q2 July-September 2018		Adoption

Please note that once the Local Plan is submitted to the Government, it is a matter for the Planning Inspector to establish a timetable for its examination and the publication of the Inspector's Report.

Section 6: Risk Assessment

It is important to identify any risk and measures to reduce risks to ensure that the timetable is adhered to.

Risk	Risk consequence	Severity 1-5	Likelihood 1-5	Risk Rating L, M, H	Revised Controls (to reduce risk)
Delay to the preparation of technical evidence or if partners/infrastructure providers are unable to provide information in time	Delay to production of the Local Plan document and impact on five year housing land supply	4	3	M	Good implementation of project management procedures. Council and team prioritisation of Local Plan work. Seek agreement with partners and infrastructure providers on requirements for their commitments.
Council fail to agree Local Plan for submission /consultation/ adoption	Delay to production of the Local Plan, loss of reputation, impact on five year housing land supply and risk of planning by appeal	5	1	M	Ensuring Member agreement throughout the preparation process including any modifications which may be required.
Local Plan found unsound at examination	Delay to the adoption of Local Plan, no up-to-date planning policy framework for the borough, impact on five year housing land supply and risk of planning by appeal	5	2	M	Make sure Local Plan is produced in accordance with current legislative requirements and tests of soundness, including securing legal advice in advance of submission. Ask Inspector to suggest modifications which would be required if it is considered the plan would otherwise be unsound.
Legal challenge to Local Plan	Delay to the adoption of the Local Plan, financial and staff costs and impact on five year housing land supply	4	3	M	Ensure that Local Plan, Strategic Environmental Assessment and supporting documents are produced in accordance with regulations, including legal requirements, latest case law and the tests of soundness

Risk	Risk consequence	Severity 1-5	Likelihood 1-5	Risk Rating L, M, H	Revised Controls (to reduce risk)
Legal challenge to Local Plan is successful	Delay to adoption of Local Plan, financial and staff costs, impact on five year housing land supply and loss of reputation	5	1	M	
Lack of community and stakeholder support, nature and scale of response to consultation unknown making it difficult to effectively plan resources	Delay to production due to time required to deal with responses	2	4	M	Ensure that the local community and other stakeholders understand the purpose of and are aware of Local Plan throughout its preparation and that Local Plan must be based on sound analysis of planning issues and evidence. Site specific proposals are likely to generate representations. Make sure there are adequate resources available to maintain sufficient engagement and assess the responses.
Change in staff resourcing	Delays caused by recruitment time lag	4	2	M	Good implementation of project management procedures, prioritisation of tasks and staff development
Insufficient staff resources	Delay to timetable if staff not replaced	4	2	M	Prioritisation of the production of Local Plan with corporate agreement to ensure sufficient staff resources available
Further budget reductions	Delay to timetable	4	3	M	Ensure robust financial planning and value for money

