



Welwyn Hatfield Borough Council

Statement of Community Involvement

2024



**Our
Local
Plan.**



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Statement of Community Involvement (SCI) 2024

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Introduction

The Statement of Community Involvement (SCI) is a document that sets out how and when the council will consult and involve the community and other stakeholders in planning matters including in the preparation of Welwyn Hatfield's development plan, its supporting documents, and the planning application decision-making process.

The Council is required by law to have an adopted SCI (as set out in the Planning and Compulsory Purchase Act (2004) (as amended)). Being part of the planning process means that Welwyn Hatfield's communities can play an active and visible role in shaping our neighbourhoods with a meaningful part in the decision-making process.

The Government is making substantial planning reforms through the Levelling Up and Regeneration Act 2023. The Levelling Up and Regeneration Act 2023 does not include a requirement to produce an SCI in anticipation that setting out consultation approaches will be part of the early stages of the new local plan making process when this is brought in. Until this change takes effect, we must produce a SCI.

The SCI is set out as follows:

- **Section 2 Stakeholders** – The legislation regarding different types of consultee groups and their constituent bodies or persons.
- **Section 3 Consultation Tools** - The range of consultation tools available to the Council to:
 - Meet the latest statutory requirements for public consultation.
 - To ensure Council officers can continue to facilitate effective public consultation using a variety of methods, recognising improvements, and increasing use of digital communications such as the Council's website and other digital/online platforms.
- **Section 4 Plan making** - The Council's minimum commitments for public consultation during the preparation of planning policy and guidance documents.
- **Section 5 Planning Applications** – Explanation of Development Management and how the Council will consult and engage on planning applications.
- **Section 6 Further information and contacts** – Details regarding Council planning webpages and contact information (email, telephone, post).
- **Section 7 Frequently Asked Questions** – Information about document access, and contact details for internal and external bodies.
- **Glossary** – an explanation of technical terms.
- **Appendix A** - a list of Specific, General and Duty to Cooperate bodies.
- **Appendix B** - the publicity and neighbour consultation procedure.

2 Stakeholders

This section describes the broad categories of stakeholder groups who may engage in the planning process, whether through participation in the preparation of the development plan and supporting documents, or through involvement in planning applications. The categories reflect those set out by planning legislation. However, within these categories there will be stakeholder groups that are unique to Welwyn Hatfield, reflecting the number and diversity of individuals, community organisations and other bodies with an interest in the borough.

Who we consult when preparing the Local Plan and Supporting Documents

The procedures and requirements for preparing a Local Plan are set out in legislation. There are several stages of formal public consultation in the plan-making process. At all stages, the Council has a legal requirement to make information available to interested residents and organisations, as well as a duty to consult defined 'specific' and 'general' consultation bodies.

Specific consultation bodies are groups that have expertise and knowledge in a particular subject. These are prescribed by legislation (please see appendix A).

General consultation bodies include recognised voluntary bodies; recognised bodies which represent the interests of certain groups (such as racial, ethnic, national, religious, disabled persons, and age groups); and bodies which represent persons carrying out businesses in the borough.

There are also a range of **Other Consultees** who have an interest in planning. They include local representative bodies who are regularly consulted including individuals, organisations, and businesses that have formally indicated to the Council they wish to be actively engaged in the preparation of Welwyn Hatfield's Local Plan, or other planning documents.

Duty to Cooperate

Under the Localism Act 2011 and the National Planning Policy Framework, the Council currently has a legal 'Duty to Cooperate' with other local planning authorities, including neighbouring boroughs, and various other public bodies and organisations that address strategic planning matters. As part of the reform of the planning system, the Levelling Up and Regeneration Act 2023, will repeal the duty to cooperate and replace it with a more "high-level" approach, which might include standard steps which each Local Planning Authority needs to take as part of their plan-making. At the time of writing no more information is available with regards to how cooperation will need to be demonstrated.

The Council will continue to carry out the Duty to Cooperate and document how it has done so, in line with the current legal requirements, until this changes. The preparation of Statements of Common Ground is one way in which this will be demonstrated.

Planning Policy Consultation Database

The Council's Planning Policy Department maintains a planning policy 'consultation database'. This includes Other Consultees, along with contacts from specific and general consultation bodies.

Stakeholders

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It is a live database and is regularly updated. Everyone on the database is notified of public consultations for Local Plan documents. Organisations, groups and individuals can choose to be added or deleted from the database at any time by contacting the Planning Policy Team. Those who have previously responded to a formal public consultation on a specific planning document are automatically added to the database but can be removed by request.

Supplementary Planning Documents

When preparing Supplementary Planning Documents (SPDs) and other guidance documents, we will consult with relevant statutory consultees.

We will also seek to engage more widely with stakeholder groups, ensuring consultation is effective and proportionate in scope to the nature of the document and the communities likely to be affected by the proposals.

Please refer to Annex A for a list of Specific, General, and Duty to Cooperate bodies that are routinely consulted. This will be reviewed and updated regularly, where appropriate, to reflect the latest statutory requirements. The names of organisations may be subject to change over the lifetime of the SCI.



Consultation Tools

It is important that everyone has the opportunity to get involved in planning decisions if they wish to do so. We will aim to make the planning process accessible to everyone within the community, including those who traditionally have not engaged or may have felt excluded from planning decisions. We will use the following principles of engagement:

- We will continue to adhere to legislative requirements, including relevant acts and regulations, in all planning consultation matters.
- We will reach out to our communities in the most direct and least resource-intensive manner possible so that we can deliver simple and cost-effective mechanisms for engagement in planning matters.
- We will continue to increase our use of digital technology to make it easier to view information and get involved. However, the council recognises that some people may not have access to the internet and so access to hard copy documents will still be made available. The council will seek to strike balance between both approaches when undertaking consultation.
- Consultation events will be publicised in the local press and other community publications. Copies of local plan consultation documents will be available for viewing at all local libraries, along with instructions on how to respond in writing.
- The council will also provide documents in a range of other formats upon request. Please contact us on 01707 357000.



Online Methods

[Welwyn Hatfield Borough Council's Website](#) – Electronic copies of plan-making documents, planning applications, consultations, and supporting information will be available on our website. The Council will ensure online documents meet the relevant legal requirements and/or standards for accessibility.

[Planning Consultation Portal](#) – This is the quickest and easiest way to view, download, and respond to our consultations on planning policy documents.

Email – We will use email to keep those registered on the Local Plan Database up to date on relevant planning policy consultations. You can sign up to receive updates on our [Planning Consultation portal](#) or email us at planningpolicy@welhat.gov.uk

Consultation Tools

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Written Methods (Letters/Press Notices)

Planning applications: Letters will be sent to the neighbouring properties that directly adjoin the application site for minor applications. For major applications, we will notify properties within a larger radius depending on the proposal.

We strongly encourage email as our primary means of contact and encourage all residents to provide their email address to receive the most timely and efficient updates.

Press Notice – We will advertise the following by way of notices in the local press: major applications; listed building consent; developments affecting the character or appearance of a conservation area; applications accompanied by an Environmental Impact Assessment (EIA); and applications that are departures from the development plan.

Site notices – We may display site notices in a public place at or near the planning application site.



Social Media

We will use social media such as Facebook, X (formerly Twitter) and Instagram, to spread the word about plan-making consultations and to publicise major planning applications.



Consultation Tools



Face to Face

Public events - We may hold public exhibitions and drop-in events for members of the public to attend. These can be used to publicise information about planning documents or major planning applications and to learn about the proposals. We may also facilitate workshops to obtain public views. These will be dependent on the resources available.

Digital engagement - A range of modern communication tools are now available and continue to be used more widely by the public. These include online conferencing, 'virtual' workshops, or meetings, as well as telephone conferencing and calls. These tools can be useful to engage with hard-to-reach groups, and others whose circumstances make attending events in person a challenge.

Plan Making

The planning system in England is 'plan-led'. This means that Local Planning Authorities (LPAs) prepare Local Plans identifying what can be built and where. They set out their vision and framework for the future development of land use in their area. Local planning authorities, including Welwyn Hatfield Council, must prepare and have in place an up-to-date Local Plan for their area, covering a specified period. The Local Plan sets out policies and guidelines for the development and use of land, according with the direction provided by higher-level policies, including the National Planning Policy Framework. Planning applications are determined with regard to the provisions of the development plan as well as other material considerations.

Most local planning policy and guidance documents for Welwyn Hatfield are prepared through consultation with the community and other stakeholders. The following section describes the various types of planning policy documents. It also sets out opportunities for the public to get involved in their preparation.

The Planning Policy Framework

The planning policy framework is a suite of documents used to guide planning and land use decisions and determine planning applications. It is formed of a suite of documents produced at the national, county and local authority level as identified below.

National Planning Policy

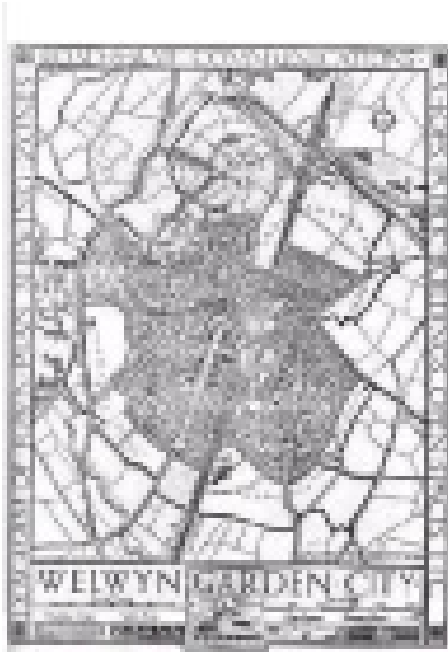
The UK government sets out guidelines for preparing local planning policies, and what they should include or take account of, through the National Planning Policy Framework (NPPF).

Further details on how these national policies should be implemented are provided in the associated National Planning Practice Guidance (NPPG).

Welwyn Hatfield's Development Plan

The statutory Development Plan for Welwyn Hatfield currently comprises the Welwyn Hatfield Local Plan (2016-2036), adopted October 2023, the Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007), the Hertfordshire Waste Core Strategy and Development Management Policies DPD 2011-2026 (adopted 2012), the Hertfordshire Waste Site Allocations DPD 2011-2026 (adopted July 2014), and any Neighbourhood Plans that have been 'made' within the borough. Most new development (with exceptions, such as for permitted development) are assessed against the Development Plan and the policies contained in the NPPF.

4 Plan Making



Welwyn Hatfield Local Plan

The Welwyn Hatfield Local Plan is the main strategic planning policy document prepared by the Council, in consultation with the community and key stakeholders. It sets out a long-term development and investment strategy for the borough along with strategic planning policies and guidelines to implement this. The Local Plan must be prepared in accordance with the processes and procedures set out by legislation. It is required to be consistent with national planning policy.

Supplementary Planning Documents (SPDs)

Supplementary Planning Documents are prepared by the Council to support Welwyn Hatfield's Local Plan. They provide further details and guidance on planning policies to help ensure these are implemented effectively. The planning matters addressed by SPDs can vary in scope, for example, by focusing on local areas within the borough, specific sites and/or certain types of development. SPDs do not contain policy themselves and therefore do not carry 'development plan' status. However, they are a material consideration in the determination of planning applications.

SPDs are not subject to independent public examination. Although the NPPF and planning legislation make clear that SPDs should be prepared through consultation with the community and other stakeholders.

Neighbourhood Plans

Neighbourhood Plans are planning policy documents that are produced for specific areas by Parish and Town Councils. In areas without a Parish or Town Council, local community groups, called Neighbourhood Forums, can be established and can produce a Neighbourhood Plan. Once a proposed Neighbourhood Plan successfully passes through a public examination and local referendum, it is adopted by the Council and forms part of the statutory Development Plan. Neighbourhood Plans set out non-strategic planning policies for their respective designated Neighbourhood Areas. A Neighbourhood Plan can focus on one particular policy area or several different policy areas that the

Plan Making

Forum feels are necessary to address. Neighbourhood plans must conform with Government Planning Policy such as the NPPF and policies contained in the Local Plan.

Other Guidance Documents

From time to time the Council will prepare other documents to guide development and inform decisions about land use in the borough. Such documents may include Conservation Area Appraisals, Masterplans for complex sites, and other topic-specific guidance. Whilst such documents do not form part of the statutory development plan for the Borough, they are material considerations when determining planning applications and other land use decisions. Consultation on these documents will be considered on a document-by-document basis and informed by legislation.

Sustainability Appraisal

Section 19 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to carry out a Sustainability Appraisal for each of the proposals in the Local Plan and prepare a report of the findings of the appraisal.

Sustainability Appraisals (SA) consider how the Local Plan document and its policies contribute to sustainable development and assess whether the policies and proposals in the Local Plan document are the most appropriate given the reasonable alternatives. A sustainability appraisal should be prepared for any of the documents that can form part of a local plan, including site allocation documents and Masterplans. Neighbourhood

plans, supplementary planning documents, the Statement of Community Involvement, the Local Development Scheme or the Annual Monitoring Report are excluded from this requirement.

In accordance with the regulations, when deciding on the scope and level of detail to be included in a sustainability appraisal report, the Council will consult relevant consultation bodies. Where a consultation body decides to respond, it will be required to do so within 5 weeks after receipt of the request.

The Council will consult and invite public representations on SAs alongside the consultation on Local Plan documents.

Habitats Regulations Assessment

The Local Plan will require a Habitats Regulations Assessment, as set out in the Conservation of Habitats and Species Regulations 2010 (as amended) to consider effects on European protected habitats or species. The sustainability appraisal will take account of the findings of a Habitats Regulations Assessment. The Council will consult on the Habitats Regulation Assessment alongside consultation of the Local Plan.

Strategic Environmental Assessment

Strategic Environmental Assessment (SEA) considers only the environmental effects of a Local Plan document, whereas sustainability appraisals consider the wider economic and social effects in addition to its potential environmental impacts. The Council will consult on the SEA, alongside the Local Plan document.

Plan Making

Plan-making in Welwyn Hatfield

This section provides further details about the key stages of plan-making for different types of planning policy and guidance documents and the Council's consultation commitments during their preparation.

The Council is required to prepare the Local Plan in accordance with relevant planning legislation and national planning policy. This includes consultation with specific and general consultation bodies and other consultees. See Appendix A.

The table below provides a summary of the key stages of the plan-making process and highlights where there are opportunities for communities and other stakeholders to get involved. It also sets out the Council's commitments to public consultation at different stages throughout the process. We will follow the relevant planning regulations for the statutory stages of consultation.

Plan Making

The plan making process:

Stage	Description	Engagement
<p>1. Pre-production</p>	<ul style="list-style-type: none"> • Compile evidence base • Review current Local Plan and Annual Monitoring Reports • Informal early-engagement exercise 	<ul style="list-style-type: none"> • Work with relevant groups and organisations, using virtual methods of communication where appropriate • Informal early-engagement exercise to establish challenges and opportunities
<p>2. Plan preparation</p> <p>Consultation (plan preparation), Regulation 18</p>	<ul style="list-style-type: none"> • Opportunity for the public to assist with the identification of the main issues along with possible approaches to address these • Available and supporting evidence base documents are made publicly available and can be downloaded from the Council’s Local Plan webpage • Comments received during the consultation are considered and used to inform the next stage of plan preparation 	<ul style="list-style-type: none"> • A period of no less than 6 weeks consultation • Documents made available for viewing • Public Notices in local press and news release, including on the relevant website(s) • Public alerts issued on Council social media • Notifications will be sent to relevant persons, groups and organisations and all those who have requested to be notified • Parish and town councils will be notified • Adjacent Authorities will be notified
<p>3. Pre-submission</p> <p>Publication and Representations</p> <p>Regulations 19 and 20</p>	<ul style="list-style-type: none"> • Publication of Proposed Submission Document and SEA/SA Report • Statutory consultation to allow representations on the plan, its sustainability appraisal and supporting evidence • Representations will be considered by the Inspector at the Examination 	<ul style="list-style-type: none"> • Engagement as for Plan preparation above

Plan Making

Stage	Description	Engagement
<p>4. Examination</p> <p>Submission to the Secretary of State, Regulation 22</p> <p>Independent Examination, Regulations 23 and 24</p> <p>Publication of Inspector's Report, Regulation 25</p>	<ul style="list-style-type: none"> • Main issues raised in the representations at Regulation 19 & 20 Stage summarised • Local Plan submitted to the Secretary of State for examination along with certain prescribed documents/statements including copies of the representations made at Regulation 20 • Independent Examination takes place • At the conclusion of the public hearings, the inspector may make recommendations for modifications before the plan can be adopted. If so, these will be consulted upon • The Inspector's report is issued 	<ul style="list-style-type: none"> • Examination documents made available • Consultees notified • Notice of Examination given • Local publicity for the Examination • The Inspector will decide whether to conduct the examination via written representations or hearings and will decide who is invited to participate. Hearing sessions are generally open to the public • Inspector's report made available
<p>5. Adoption</p> <p>Regulation 26</p>	<ul style="list-style-type: none"> • Plan adopted by the Council if found 'sound' by Inspector • Six week period for legal challenge to the High Court 	<ul style="list-style-type: none"> • Adoption documents made available • Consultees notified
<p>6. Monitoring and Review</p>	<ul style="list-style-type: none"> • Monitor Plan to make sure it is achieving its aims • The Plan will be reviewed where necessary and at least every 5 years 	<ul style="list-style-type: none"> • Authority Monitoring Report published annually on the Council's website

Documents made available for inspection on the Council's website and at the Council office and at such other places within the local planning authority area as considered appropriate, during normal office hours.

Plan Making

Supplementary Planning Documents (SPDs)

SPDs offer detailed guidance to support the implementation of the Welwyn Hatfield Local Plan. There are three main stages involved in preparing an SPD, as set out in the table below. We will follow the relevant planning regulations for the statutory stages of consultation.

NOTE: SPDs do not require Sustainability Appraisals but may in exceptional circumstances require a Strategic Environmental Assessment (SEA) if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local plan or other development plan documents. Where relevant, the Council will consult and invite representations on SEAs, including for screening reports, or other associated statements alongside the consultation on SPDs.

Stage of Preparation	Our commitment
Notification and preparation	The Council will publish its intention to produce an SPD. Work will then commence on the preparation of the SPD. This can include the gathering of technical evidence and early engagement with key stakeholders to inform the direction of the document.
Public consultation and refining the draft SPD	<p>A draft SPD will be prepared and published for public consultation, for minimum 4-week period. We will notify the community and other stakeholders, including statutory bodies, about the public consultation and details for submitting representations.</p> <p>The Council will take into account feedback received from the public consultation and use this to inform necessary changes to the draft SPD.</p> <p>Before adopting an SPD, the Council will publish a Consultation Statement setting out who was involved in the public consultation, the main issues and other matters raised, and how the Council has addressed these in preparing the SPD.</p>
Adoption	Once an SPD is adopted, the Council will make publicly available the SPD and an Adoption Statement.

Plan Making

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act 2011. It gives local communities statutory powers to create planning policy documents that can help shape development within a local area. This can be achieved through the preparation of Neighbourhood Plans and Neighbourhood Development Orders.

The NPPF (2023) states that Neighbourhood Plans “should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”.

The process for preparing a Neighbourhood Plan is set out in legislation. In summary, the process involves five main stages:

1. Initiation (including designation of a Neighbourhood Forum and Area)
2. Preparation of the plan (including public consultations)
3. Independent examination
4. Referendum
5. Adoption by the Council

We will seek to provide the local community and designated Neighbourhood Forums with guidance and advice at all stages of the plan-making process and carry out the Council’s statutory functions within the resources available. Some of this support is

set out in planning regulations which reflect that the Council will have a more active role at key stages in the plan process. This support includes:

- Checking, publicising and determining applications for Neighbourhood Areas and Neighbourhood Forums;
- Publicising Neighbourhood Plan proposals to provide the local community and other stakeholders with an opportunity to comment on them;
- Appointing a plan examiner to undertake a public examination of the Neighbourhood Plan proposals; and where appropriate;
- Coordinating, carrying out and paying for a local referendum, in which members of the public can vote whether to support the Neighbourhood Plan so that it becomes part of Welwyn Hatfield’s Development Plan.

In addition, the Council will provide Town/Parish Councils and Neighbourhood Forums with planning and other technical advice, and share information (such as evidence base documents), to help support the preparation of the Neighbourhood Plan.

It is vital that Neighbourhood Plans reflect the aspirations of the wider community. Effective and inclusive consultation with the community and others likely to be affected by a Neighbourhood Plan proposal is therefore strongly encouraged.

Further information on neighbourhood planning is available from:

- Welwyn Hatfield Council’s [Neighbourhood Planning](https://www.welhat.gov.uk/planning-policy/neighbourhood-planning) webpage
<https://www.welhat.gov.uk/planning-policy/neighbourhood-planning>

Plan Making

- [The National Planning Practice Guidance \(NPPG\)](#)

<https://www.gov.uk/government/collections/planning-practice-guidance>

- [Locality Neighbourhood Planning pages](#)

<https://neighbourhoodplanning.org/>

Other Planning Documents

The Council may produce other planning documents. Consultation on these will be considered on a document-by-document basis and informed by legislation.

Document	Our commitment
Community Infrastructure Levy (CIL) Charging Schedule	<p>The process of preparing and bringing into force a CIL Charging Schedule is set out in legislation. The Council will follow the relevant legal procedures.</p> <p>The Council will publish a draft Charging Schedule on its website and notify relevant stakeholders (such as local residents, community organisations, landowners and developers). The consultation will be for 6 weeks. A Consultation Statement will be published on the Council's website, showing who submitted representations and how these representations have been addressed by the Council. A final draft Charging Schedule will then be subject to independent examination.</p>
Other documents	<p>To consult on with the public and relevant stakeholders on planning policy documents according to the scale, details and nature of these documents also taking into account legislative requirements. These documents may include, but are not limited to, Conservation Area Appraisals; Masterplans; Area Action Plans; and Article 4 Directions.</p>

Planning Applications

What is Development Management?

A planning application is a means by which someone applies for permission from the Local Planning Authority to develop land.

Welwyn Hatfield Borough Council is responsible for most planning decisions that are made across the Borough, with some exceptions such as minerals and waste which is dealt with by the County Council. We receive a wide range of planning applications for formal determination. The process for determining planning applications is often referred to as 'Development Management'.

Development Management is an integral part of the planning process and includes all applications submitted for planning permission (and Listed Building Consent, Advert Consent and Prior Approvals). The statutory requirements for consulting on planning applications are set out in Appendix A.

Table - Planning Application Process

Stage of Process	Explanation
Pre-application	An applicant or developer prepares the development proposal. Early engagement with the Local Planning Authority, relevant stakeholders and the community is strongly encouraged, especially for larger and more complex proposals.
Planning application	An application is submitted to the Local Planning Authority who will consult on the planning application.
Decision making	A decision is made by either a planning committee of elected Councillors or delegated to a Planning Officer.
Appeals	The applicant has a right to appeal where they disagree with the decision of the Local Planning Authority to refuse permission. Appeals are considered by the Planning Inspectorate on behalf of the Secretary of State.

Planning Applications



Pre-application Advice and Consultation

Welwyn Hatfield Borough Council welcomes and encourages applicants and developers to seek pre-application advice from the Council before the submission of a formal planning application.

Pre-application advice can make the planning process more predictable and less adversarial, ultimately leading to a more successful outcomes.

Pre-application advice will normally be provided within 28 working days and incurs a fee which is indicated on the council's charging structure. Details of this can be found via <https://www.welhat.gov.uk/planning-applications>.

All pre-application enquiries are treated in confidence and are not available on the planning register. Although, we may be required to release some details of pre-application enquires under Freedom of Information requests.

For major pre-application enquiries the Council may seek advice from internal and external consultees. However, many of these external agencies offer their own direct pre-application advice service e.g., Hertfordshire County Council as highway authority, National Highways, and the Environment Agency.

National Planning Practice Guidance advises that 'pre application engagement with the community is encouraged where it will add value to the process and the outcome.' The Council understands that different developments will require public consultation to be tailored to suit the individual circumstances but on significant schemes a public meeting, exhibition and / or leaflet drop in the local area may be required. At pre-application stage, the development management team will be able to advise on an appropriate consultation plan for major development proposals.

The community consultation measures outlined above are not necessary for small scale applications e.g., house extensions or single dwellings. However, we emphasise to applicants / developers the benefits to be gained by discussing proposals

Planning Applications

with neighbours who may be affected by the development and taking account of their comments when drawing up the formal planning application.

Whilst some pre-application discussions can be confidential for commercial reasons, developers are strongly encouraged to undertake community engagement at this stage of the planning process, particularly where development is likely to have significant impacts on local communities or where the site is particularly sensitive. Community engagement could involve meaningful discussions with local or ward councillors, parish councils or residents' associations and working with them to publicise landowner led in person and online community engagement research and events

Design Review Panel

A design review panel can offer independent advice from a panel of experts who help to inform the planning process and give greater confidence in the decision making of innovative and quality design of the built environment. Panels involve a group of experts such as architects, heritage professionals, and urban designers, who meet to analyse prospective applications to improve the quality of the built environment. It is possible for applicants to book an appointment with design panels, subject to a fee, to obtain the expert's advice.

The Hertfordshire Design Review Service provides an independent and impartial process for evaluating the design quality and sustainability of development proposals in

Hertfordshire. The panel consists of members from different disciplines and offers critical design advice to applications. Details of this service is available here: <https://rb.gy/tahq9v>.

Planning performance agreements

Welwyn Hatfield Borough Council offers the opportunity for applicants or developers to enter into a planning performance agreement (PPA), which sits alongside the pre-application advice service.

A PPA is a project management tool that allows all parties to agree timescales, actions and resources for handling planning applications. PPAs can be used for any type of application but are most effective for major and complex planning applications.

PPAs are usually agreed at the pre-application stage and can relate to the whole development process, from pre-application planning advice and community engagement to application progress meetings right through to the post decision stage, including the discharge of conditions and site monitoring. Welwyn Hatfield Borough Council encourages the use of PPAs and recognises that the successful delivery of development projects requires good working relationships with developers, communities and other stakeholders. You can find more information on PPAs on our website at: <https://rb.gy/n24pvc>.

The Planning Application Process

At any time before a decision is made on a planning application, stakeholders and the local community have the opportunity to comment on any aspect of the proposal. The level and extent of

Planning Applications

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consultation will vary depending on the size, scale, location, and nature of the proposed development. Planning applications, supporting information and key dates are available for public inspection on the Welwyn Hatfield Borough Council website.

Neighbour notification by letter is the principal method of publicity on most planning applications. The Council has a statutory duty to publicise a planning application by serving notice on any adjoining owner or occupier, providing 21 days for representations to be made. Depending on the specifics of the application, a site notice and press notice may also be required, for example, where the application site adjoins open land, a site notice will be displayed. Further details regarding the legislation surrounding publicity for planning applications can be found here: [Publicity for Applications - Gov.uk](#).

In addition to statutory requirements, the Council's Publicity and Neighbour Consultation Procedure sets out the local publicity standards used by Welwyn Hatfield. These are above the minimum requirements. Details of the process can be found here: <https://rb.gy/n7j7i3>.

Comments received during the consultation period will be considered in decisions made by and on behalf of the Council. Representations must be submitted in writing, electronically via email or through the consultation system. The Council welcomes comments, whether in support of, or opposition to, an application, but the Council can only take account of material planning considerations.



All comments received are public information and cannot legally be kept confidential. Written representations received on planning applications are published on the Council's website. Therefore, comments should not include any personal information.

Late representations may be considered up to the point of determination of the application, however it is highly recommended that they are received during the consultation period indicated. They can only be taken into account if they relate to material planning considerations. You can find more information on this on the government's website on the planning system: <https://rb.gy/ew7e1j>.

It is at the discretion of the Local Planning Authority whether further publicity and public consultation are necessary when an application has been amended. In most cases, 10 days is considered an appropriate period to allow for further comment.

Planning Applications

Where an application located within a Conservation Area may require a site notice, the Town and Country Planning (Development Management Procedure) (England) Order 2015, sets out when a site notice is required.

There is no statutory requirement to consult on the following types of applications:

- Certificate of Lawfulness of proposed use or development
- Certificate of Lawfulness of existing use or development
- Approval of details/Discharge of Conditions
- Non material amendments.

Decision Making Process

Planning Law requires that decisions are taken in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan is currently the Welwyn Hatfield Local Plan 2016, alongside the Hertfordshire Minerals and Waste Local Plan and the Northaw and Cuffley Neighbourhood Plan.

The views of statutory consultees and the public are important in making decisions on planning and related applications. However, they are just one consideration amongst several in the overall decision-making process and must be weighed alongside local planning policy set out in the development plan and related guidance, national policy set out in the National Planning Policy Framework, and other material planning considerations.

Decisions on planning applications are made by either Planning Committee or Planning Officers. Delegated powers enable Planning Officers to determine applications without needing a decision from the Development Management Committee. This is set out in the Council's Constitution and Scheme of Delegation. Applications that are likely to be considered by the Development Management Committee include applications for larger scale development or development which is more sensitive.

Agendas and reports for Development Management Committee are publicly available at least five working days before the meeting and are also published online at democracy.welhat.gov.uk.

The minutes of the committee meetings are published online. The public may register to speak at a Planning Committee provided they have previously made written representations on the proposed development. Further guidance and information regarding speaking at Committee Meetings can be viewed on our website.

A copy of the planning decision notice will be sent to the applicant. Local Planning Authorities are required to notify all third parties who have made a representation of the decision the decision will also be available online through Public Access along with the reports that have been considered in the reaching of the decision.

Planning Applications

Planning Appeals

If the Council refuses an application for planning permission or if it is granted with conditions that are unacceptable to the applicant, the applicant can appeal to the Secretary of State against the refusal of permission or against the conditions attached. There is also a right of appeal if an application is not determined within a statutory period, and a right of appeal against the issuing of an Enforcement Notice.

Only applicants have a right of appeal. There is no third party right of appeal in respect of planning decisions. Appeals are considered by an independent Planning Inspector appointed by the government. We will write to everyone who made written comments on the original application. Copies of their comments will be forwarded to the Planning Inspectorate and the Council will inform people how to make further representations to the Planning Inspectorate. Further advice on the appeal process is available at:

<http://www.planningportal.gov.uk/planning/planninginspectorate>.

Planning Enforcement

Planning enforcement describes the processes involved in ensuring that people comply with planning law and requirements of a planning permission. The majority of cases arise through referrals from the public, Councillors and Planning Officers. Many investigations are confidential, so the process involves little public consultation. Where a breach of planning control is reported, an

Officer will investigate and assess the complaint, gather evidence, and establish what, if any, the most appropriate course of action should be.

Many investigations result in the submission of a planning application in an attempt to regularise a breach. When this is the case, the community will have the same opportunity to comment on the application, as with any other planning application. The application will be assessed in the same way as a proposed development which had not been built. If the breach cannot be regularised, the Local Planning Authority will consider formal enforcement action. The Local Planning Authority will ensure that the complainant is informed of the outcome of the Council's investigation. Further information about the enforcement process can be found on the [Estate Management webpages](#).

Estate Management

The Estate Management Scheme (EMS) covers most of Welwyn Garden City. It protects the environment and heritage of the town. If you live in the area covered by the scheme you may need to get consent before you can make changes to your home or garden. This consent is in addition to any permission required under planning regulations, although in some cases, both Estate Management and Planning Permission will be required. Further information can be found on the [Estate Management webpages](#).

Contact Details

You can find out further information about planning consultations and accessing consultation materials, including the Statement of Community Involvement, other planning policy documents and planning applications:



Online:

By accessing our planning webpages at <https://www.welhat.gov.uk/planning-building>



Email:

By contacting the planning policy team at planningpolicy@welhat.gov.uk

By contacting the development management team at planning@welhat.gov.uk



Telephone:

Alternatively, you can request to speak with a planning officer by calling 01707 357000.



Local Libraries:

Copies of local plan consultation documents will be available to view at all our local libraries.

Frequently Asked Questions (FAQs)

This section outlines important information relating to planning consultation and how the community can access planning information. It is presented in a 'question and answer' style.

How can planning information and consultation material be accessed?

Information and consultation material can be accessed in several ways. To learn more, see the 'Further information' section of this document for details on contacting Planning Policy.

Can I obtain written information in alternative formats?

Yes. Those in the community requiring alternative formats are encouraged to discuss their requirements with the Council. The Council will aim to provide documents in alternative formats on request.

Is there a mailing list for keeping me informed on planning activities?

Yes. The Council has developed a Planning Policy Consultation Database which you can request to be added to if you want to be contacted about planning matters in the borough. Contact Planning Policy if you would like to be added.

How can I speak to a council officer?

The Council provides a range of pre-planning application advice services which enable prospective planning applicants to seek and receive advice on their proposals before applying. A fee is payable, and this will vary depending on the type of service being sought.

Further information on the different types of service offered can be found on our website: [Pre-application planning advice](#)

How do I make a written representation to the Council?

Those wishing to make a written representation/submission on a planning document or planning application can do so in the following ways:

Planning application comments: You can search for, view and comment on a planning application [online](#) or

- by emailing planning@welhat.gov.uk
- by sending a letter: Welwyn Hatfield Borough Council, Development Management, The Campus, Welwyn Garden City, Herts, AL8 6AE
- Please quote the planning application reference in all correspondence.
- See the 'Further Information' section of this document for key contact information.
- **Planning policy comments:** the quickest and easiest way to comment is online via the Council's [Planning Consultation Portal](#) or

Frequently Asked Questions (FAQs)

- By emailing planningpolicy@welhat.gov.uk
- by sending a letter: Welwyn Hatfield Borough Council, Planning Policy, The Campus, Welwyn Garden City, Herts, AL8 6AE.
- Please quote the planning policy reference in all correspondence.

Where can I go for independent advice?

[Planning Aid](#) is a registered charity and may be able to provide advice to individuals and groups unable to afford professional consultants.

- email: info@planningaid.rtpi.org.uk
- Phone: 0370 774 9494
- Twitter: [@PlanningAidEng](#)
- Postal address: Planning Aid England, RTPi, 41 Botolph Lane, London EC3R 8DL

PLEASE NOTE: Planning Aid England does not provide planning advice via telephone or email.

How can I comment on, compliment or complain about the service I receive?

It's the community's feedback that helps the Council improve the way things are done. If you would like to make a comment, give a compliment or complain, you can contact the Planning Department or the Council switchboard – see the 'Further

Information' section for details. The Council can also provide you with information about how to complain to the Local Government Ombudsman.

What if I have special requirements stopping me from participating?

The Council is conscious of the need to ensure all in the community are able, if they so choose, to participate in planning at Welwyn Hatfield. The Council also recognises that many have requirements that need to be considered before they can participate (e.g., a disability, caring responsibilities, limitations on availability, mobility issues). To accommodate any special requirements people may have to participate, people can contact the Planning Department so that suitable arrangements (where feasible) can be put in place. Add contact details here?

What is the role of my ward councillor?

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. Ward councillors receive notification of planning applications. The community can contact their ward councillor(s) about their concerns about any planning matter. Councillor information can be obtained from the Council and is published on the Welwyn Hatfield website.

This glossary is not a statement of law or an interpretation of the law. It is an introduction to commonly used terms in planning. It should not be used as a source of legal definitions of terms.

Adopted: Final version of a Local Plan or Supplementary Planning Document (SPD) agreed through a formal resolution of the Council.

Annual Monitoring Report (AMR): Document produced each year recording and presenting progress on all elements of the Local Plan where measurement is required.

Duty to cooperate: A legal test that requires cooperation between Local Planning Authorities and other public bodies, to maximise the effectiveness of policies for strategic matters in Local Plans. The Duty to Cooperate is not a duty to agree.

Data Protection Act: The Data Protection Act 2018, places obligations on how organisations handle data. The Act came into force in May 2018.

Development Plan: The local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. This includes adopted Local Plans and neighbourhood plans.

Inspector's Report: Document produced by an independent inspector from the Planning Inspectorate. It assesses the soundness and robustness of the Local Plan.

Habitats Regulations Assessment: Habitats Regulations Assessment (HRA) is a process to determine whether a proposed plan or project could significantly harm the features of a European protected site. The assessment is required when a development project is being carried out that may affect a site protected by The Conservation of Habitats and Species Regulations 2017. These are sites recognised for their importance such as Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites.

Listed Buildings: A listed building is a building or other structure of special architectural or historic interest included on a statutory list and assigned a grade (I, II* or II). Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures (e.g. wells within its curtilage). If your property is a listed building then you will need additional planning consent to carry out work to it. This is called Listed Building consent.

Local Development Scheme (LDS): A Local Development Scheme sets out the timetable for the production of the Council's Development Plan Documents. It enables those with an interest in the plan-making process to understand which documents are to be prepared for the area and at what stages they will be able to participate.

Localism Act: The Localism Act 2011 has devolved greater powers to local government and neighbourhoods and given local communities more rights and powers over decisions about planning and housing.

Glossary

Local Nature Partnerships (LNPs): Partnerships of a broad range of local organisations, businesses and people who aim to help bring about improvements in their local natural environment.

Local Plan: Local Plans, prepared by a local planning authority in consultation with its community, set out a vision and a framework for the future development of an area. Once in place, Local Plans become part of the statutory development plan for the area.

Material Consideration: A matter to be taken into account in deciding a planning application or on an appeal against a planning decision.

Major Development: 10 or more dwellings or 0.5 hectares or over. For commercial floorspace, this is 1,000 sq.m or more.

Minor Development: 9 or fewer dwellings or land area under 0.5 hectares or up to 999 sq.m.

Minerals and Waste Local Plan: Produced by Hertfordshire County Council, these documents set out plans relating to minerals and waste in Hertfordshire and form part of the Development Plan.

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.

Permitted Development: Permission to carry out certain limited forms of development without the need to make an application to a local planning authority, as granted under the terms of the Town and Country Planning (General Permitted Development) Order.

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

Sustainability Appraisal (SA) An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development.

Strategic Environmental Assessment (SEA): A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Appendix A - Consultation Bodies

The Town and Country Planning (Local Planning) (England) Regulations 2012 specify a number of organisations that local planning authorities should consider consulting when preparing planning policy documents. These are known as 'Specific Consultation Bodies' and 'General Consultation Bodies'. The Regulations allow the councils to select 'such of' the Specific and General Consultation Bodies that may have an interest

and/or the 'local planning authority consider appropriate' to the consultation document being prepared.

The list of Specific, General and Duty to Cooperate bodies that we routinely consult is current as of June 2024 and is not exhaustive. It may be reviewed and updated, where appropriate, to reflect the latest statutory requirements. Names of organisations may be subject to change over the lifetime of the SCI.

The Specific Consultation Bodies

Statutory consultees currently include:

A local planning authority that adjoins the borough;

Hertfordshire County Council and any county councils that adjoin the borough;

Parish Councils and Town Councils within and adjoining the borough;

The appropriate local policing body (The Police and Crime Commissioner) any part of whose area is in or adjoins the Brough;

The Coal Authority;

The Environment Agency;

Historic England;

Natural England;

The Gardens Trust;

Network Rail Infrastructure Limited;

Highways England;

Telecommunications providers⁽¹⁾;

Integrated Care Boards (or the relevant NHS body);

Utilities and service providers, including telephone, mobile and broadband; and

The Homes and Communities Agency (now Homes England).

1 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.

Appendix A - Consultation Bodies

The General Consultation Bodies

Voluntary bodies, some or all of whose activities benefit any part of the area.

Bodies which represent the interests of different ethnic or national groups in the area; different religious groups in the area; different age groups in the area; disabled people in the area; and persons carrying on businesses in the area.

Other Consultees

In addition, there are several other types of bodies, groups and organisations that the council considers equally as important to consult, that are not specified in planning legislation. These include:

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; and

Groups representing young people.

Duty to Cooperate Bodies

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, such as the housing market in Hertfordshire. The bodies that we are required to work together with under the duty currently include:

Local planning authorities;

Hertfordshire County Council;

The Environment Agency;

Historic England;

Natural England;

The Office of Rail Regulation;

Relevant local NHS body;

Appendix A - Consultation Bodies

The Civil Aviation Authority;
Homes England; and
Local Nature Partnerships.

Appendix B - Publicity and Neighbour Consultation Procedure

There are three types of publicity:

- Publishing a notice in a newspaper circulating in the locality
- Posting a site notice visible to the general public
- Neighbour notification - to occupiers and owners of adjoining properties by individual letters

For some types of application, local planning authorities are required by law to carry out certain publicity – statutory publicity – whereas in other cases it is left to the individual authority to decide which is the most appropriate method. Welwyn Hatfield Borough Council aims to assist the public by making clear what kinds of publicity will be given to the different types of application, hence this code of practice. The local publicity standards are above the minimum guidelines recommended by central government, are set out below under the main categories of development type.

Local Publicity Standards

(A) Extensions to dwellings/development within the boundary of a dwelling

The Council will:

Consult properties with a common boundary to the application site as if a common boundary exists

Where appropriate, consult properties across a road or an alley/access way as if a common boundary exists

Post a site notice as an exception to the above when the proposed development is remote from neighbouring properties

(B) Single dwellings

The Council will:

Consult properties with a common boundary to the application site

Consult properties across a road from the site as if a common boundary exists

(C) Minor residential developments [less than 10 units or site area up to 0.5 hectares]

The Council will:

Consult as for single dwellings (see B above)

If the application site is off an existing private access road, or requires the formation of a new access to a public highway, consult properties served from or possessing a common boundary with the access

(D) Major residential developments [10 or more units, or building or buildings where the floorspace to be created is 1000m² or more, or site area in excess of 0.5 hectares (1.23 acres)]

The Council will:

Consult as for minor residential developments (see C above)

Appendix B - Publicity and Neighbour Consultation Procedure

Publish a statutory newspaper advertisement

Post a site notice

(E) Change of use

The Council will:

If within residential premises, consult in the same way as for single dwellings (see B above)

(F) Development affecting listed buildings or setting of a conservation area

The Council will:

Publish a statutory newspaper advertisement

Consult neighbours as required by the type of development

(G) Advertisements

The Council will:

Post a site notice

(H) Re-consultations on amended plans

The Council will

Re-consult only those people who responded to the original plans where the amendments have a significant impact

When the change will affect a neighbour

Proposed change does not overcome a problem previously raised

(I) Previous Objectors

Previous objectors to a planning application relating to a particular property or site may be notified about a further application because they fall within the neighbour notification arrangements described above. The Council will not notify previous objectors as a matter of course.

(J) Discretionary consultations

Additional, discretionary consultations (over and above those mentioned above) will be undertaken if this is considered appropriate in respect of a specific proposal.

Site Notices/Advertisements

In addition to the above, site notices and newspaper advertisements are required for those applications:

- Affecting the character or appearance of a conservation area, a listed building or its setting
- Representing a departure from the Borough's development plan
- Accompanied by an Environmental Statement
- Affecting a Public Right of Way

Appendix B - Publicity and Neighbour Consultation Procedure

Consultation Response Time

The normal time allowed for comments to be made on a planning application is 21 days from the date of the letter or site notice, and 14 days from the date of the press advertisement. For re-consultations on amended plans, 10 days is the norm. Late representations will be taken into consideration provided no decision has been made on the application.

Where/When Plans May Be Inspected

Applications may be viewed on-line at the Council offices in Welwyn Garden City: Council Offices, The Campus, Welwyn Garden City, AL8 6AE between the hours of 9-5pm Monday to Thursday and between 9-4.30 on Fridays. They may also be viewed on the Council's website: <http://planning.welhat.gov.uk/>

Comment on the Proposal

Having inspected the application and plans, residents may wish to comment on the proposal. If you wish to comment, they must be made online, by email or letter. Verbal representations on their own cannot be considered. We cannot enter into correspondence on representations due to the number received. All those who make written comments will be informed of the outcome of the application once the Council has reached a decision.

It is important to remember that the Borough Council can take into account only representations made about planning matters, which mainly cover issues relating to the built environment. There are a number of concerns which are often raised which cannot be taken into account; these include:

a) Property values

The planning system cannot legitimately concern itself with property values for owner-occupiers. Whilst the impact on the amenities and character of an area is a valid consideration, the effect on property prices is not a justifiable objection.

b) Land ownership

Planning legislation is not concerned with land ownership and planning applications can be made by persons other than the landowners, provided that the correct notice is served. Similarly, planning decisions do not take account of land ownership and permission can be given, even if the owner of the land in question does not wish the development to proceed. Granting of permission does not however convey, or imply, any consent to build without the approval of the landowners.

c) Civil matters

Planning considerations are entirely separate from civil matters and planning is not, therefore, concerned with such issues as boundary disputes, encroachment on to adjoining land and ancient rights of light. Hopefully, the majority of such civil disputes can be resolved amicably between neighbours.

Appendix B - Publicity and Neighbour Consultation Procedure

How Applicants Can Help

Since the Borough Council will consult neighbours, applicants are recommended to advise their neighbours first of their intentions. Please note that any representations received cannot be treated as confidential and will be published on the Council's website.

For further information, or comments on this procedure, please contact the Development Management Service.

Address: Welwyn Hatfield Borough Council, Development Management, The Campus, Welwyn Garden City, Herts, AL8 6AE.

Tel: 01707 357000

E-mail: planning@welhat.gov.uk

