

Appendix C – Local Development Scheme (LDS) February 2025

1. Introduction

- 1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to prepare, maintain, and make available to the public, a Local Development Scheme¹.
- 1.2 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.

2 What must a Local Development Scheme specify, how is it brought into effect, reviewed and made available

- 2.1 A Local Development Scheme (LDS) must specify:
- The local development documents which are to be development plan documents.
 - The subject matter and geographical area to which each development plan document is to relate.
 - Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities.
 - Any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee (under section 29)
 - The timetable for the preparation and revision of the development plan documents.
 - Such other matters as are prescribed.
- 2.2 Local planning authorities are also encouraged to include details of other documents which form (or will form) part of the development plan for the area, e.g. Neighbourhood Plans².
- 2.3 To bring the LDS into effect, LPAs must: (a) resolve that the LDS is to have effect; and (b) specify in the resolution the date from which the LDS is to have effect.
- 2.4 So that it is kept up to date, a local planning authority must revise its LDS at a time it considers appropriate, (or as otherwise directed to do so by the Secretary of State).
- 2.5 In order that local communities and interested parties can keep track of progress, local planning authorities must make the following available to the public:
- An up to date copy of the scheme.
 - A copy of any amendments.
 - Up to date information showing compliance or otherwise with the timetable.

¹ [Section 15 Planning and Compulsory Purchase Act 2004](#)

² [National Planning Practice Guidance Plan-Making](#) Paragraph: 003 Reference ID: 61-003-20190315

- 2.6 The LDS should be published on the Council's website.
- 2.7 The Council's previous LDS (July 2023) set out the timetable for the preparation of, what is now, the adopted Welwyn Hatfield Local Plan (2016-2036). The previous LDS is replaced by this new LDS, which sets out the proposed timetable for a new Local Plan for the borough, until such time as the LDS may be reviewed and revised as appropriate.

3. The existing Development Plan for the area

- 3.1 The Development Plan is defined in Section 38(3)(b) and (c) of the P&CP 2004³ Act as "*the development plan documents (taken as a whole) which have been adopted or approved in relation to that area*", and "*the neighbourhood development plans which have been made in relation to that area.*"
- 3.2 The Development Plan for an area comprises the combination of strategic and non-strategic policies which are in force at a particular time.
- 3.3 The Development Plan for the Welwyn Hatfield area currently comprises:
- The Welwyn Hatfield Local Plan (2016-2036), (adopted Oct 2023).
 - The Northaw and Cuffley Neighbourhood Plan (made, June 2023)
 - The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted, July 2014).
 - The Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2011-2026, (adopted 2012).
 - The Hertfordshire Minerals Local Plan Review 2002-2016, (adopted 2007).
- 3.4 Hertfordshire County Council, as Waste and Minerals Planning Authority, is preparing a new Waste and Minerals Plan. A draft plan was published for consultation in 2022. The County Council is responsible for preparing, maintaining and publishing an LDS for the Waste and Minerals Local Plan⁴.
- 3.5 Neighbourhood Planning is not a legal requirement but a right which communities in England may choose to use. Neighbourhood Plans can be prepared by three types of qualifying bodies: a parish or town council, a neighbourhood forum, or a community organisation. A town or parish council is responsible for neighbourhood planning for a designated neighbourhood area which contains all or part of its administrative area.
- 3.6 It is for such qualifying bodies to ensure that the wider community is kept informed of its neighbourhood planning proposals, the opportunities to be involved in shaping an emerging neighbourhood plan and when views can be made throughout the process.

³ [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

⁴ [Emerging Minerals and Waste Local Plan | Hertfordshire County Council](#)

4 The Welwyn Hatfield Local Plan Review

- 4.1 Local Planning Authorities are required to complete a review of their local plans at least once every 5 years from the adoption date of a plan⁵. This is to ensure that policies remain relevant, taking into account matters such as changes to local circumstances, conformity with national planning policy, whether issues have arisen which impact on the deliverability of key site allocations, significant economic changes that may impact on viability, and whether any new social, environmental or economic priorities may have arisen etc.
- 4.2 National planning practice guidance⁶ also states that there will be occasions where there are significant changes in circumstances, which may mean its necessary to review relevant strategic policies earlier than the statutory minimum of 5 years, e.g. where a plan has been adopted, on a basis of a [housing] number that is significantly below the number generated using the standard method.
- 4.3 Policy SP 2 of the adopted Welwyn Hatfield Local Plan 2016-2036 states that the Council will undertake a review of the Local Plan, commencing no later than one year after the adoption of the plan (i.e., by October 2024), with an updated or replacement plan being submitted for examination no later than three years after the plan's adoption, (i.e., by October 2026).
- 4.4 The need for this review arises as the plan does not make provision for the full objectively assessed need for housing over the full plan period and will be undertaken in the context of housing need, national policy and relevant circumstances at the time.
- 4.5 However, an initial review of the adopted Local Plan (report to CPPP, August 2024), concludes that there is a need for a full review and update to the plan, rather than a limited review.

5 Prospective plan-making reforms

- 5.1 The Levelling-Up and Regeneration Act 2023 paves the way for reforms to the plan-making system, subject to parliamentary approval of the relevant regulations, together with the publication of national policy and guidance. The reforms propose a 30 month timeframe (plus a scoping and early participation stage) to prepare and adopt a Local Plan.⁷
- 5.2 Recent announcements by the (new) Government⁸ indicate its intention to implement the new system, as set out in The Levelling-Up and Regeneration Act, from summer or autumn in 2025. The Government intends to publish further details of its intentions around plan-making in due course.

⁵ [T&CP \(Local Planning\) \(England\) Regulations 2012](#)

⁶ [National Planning Practice Guidance – Plan-making](#)

⁷ (Para 43) [Plan-making Reforms Consultation July 2023](#)

⁸ [Proposed reforms to the NPPF and other changes to the planning system](#)
[Ministerial Statement 12 December 2024](#)

6 The plan-making stages and timetable for the Welwyn Hatfield Local Plan Review

- 6.1 Table 1 in Appendix A sets out the key plan-making stages and timetable for the Welwyn Hatfield Local Plan Review.
- 6.2 This is the document that the Council intends to prepare, which will form part of the development plan for the area. The key milestones are based on the current statutory framework for plan-making.
- 6.3 The Council will review and amend the LDS at a future date as appropriate.
- 6.4 Any deletions are shown with a ~~strike through~~ and additions are shown with an underline.

Table 1 – Development Plan Document

Document Title	The Welwyn Hatfield Local Plan Review	
Subject matter	A local plan setting out a vision for the borough and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure, as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. ⁹	
Geographical area	The administrative area of Welwyn Hatfield Borough Council	
Plan-making stage	Description	Timetable
Survey of area S13 of the P&CP Act 2004	Matters which may be expected to affect the development of the area or the planning of its development.	To keep under review
Pre-production	Early engagement	Autumn 2024 (completed)
Consultation (plan preparation) Regulation 18 of the T&CP (LP) (England) Regulations 2012	The LPA notifies certain specified bodies or persons of the subject of a local plan which the LPA propose to prepare and invites representations about what that local plan ought to contain.	Summer 2025
Evidence gathering	This stage will include a Call for Sites	2024 - 2026
Publication and Representations Regulations 19 and 20	Make available the proposed submission documents and a statement of representation procedure. Any person may make representations about the Local Plan the LPA proposes to submit to the Secretary of State by a specified date.	Spring 2026
Submission to the Secretary of State Regulation 22	Submit the Local Plan to the Secretary of State for examination along with certain prescribed documents/statements including copies of the representations made at Regulation 20.	October 2026
Independent Examination Regulations 23 and 24	The Local Plan is independently examined by an Inspector appointed by the Secretary of State.	November 2026 to April 2027
Publication of Inspector's Report Regulation 25	The LPA publishes the recommendations of the Inspector	May 2027 [*]
Adoption Regulation 26	The LPA adopts the Local Plan, makes it available and sends the adoption statement to certain persons	June 2027

⁹ Paragraph 001 Reference ID: 61-001-20190315: [National Planning Practice Guidance – Plan-making](#)