

## Guidance note for respondents

### Introduction

The Draft Local Plan and its supporting documents are being published in order for responses (also known as representations) to be made prior to its submission for examination. Once the Council chooses to submit the Plan it will become the task of an independent Inspector appointed by the Planning Inspectorate to decide whether it can be adopted – this means that any responses made from now on will be forwarded to the Inspector. Responses on the Local Plan (including the Policies Map) must therefore be made in a certain way, and address the purposes of examination set out in the Planning and Compulsory Purchase Act 2004 (as amended):

1. Does the Plan comply with the **legal requirements**?
2. Is the Plan a **sound** plan for the future of Welwyn Hatfield?

### Legal Compliance

This concerns the **process** of preparing the Local Plan. You should consider the following before responding on its legal compliance:

- Has the programme for preparing the Plan followed the programme set out in the Council's most recent [Local Development Scheme](#)?
- Has the process of preparing the plan been in accordance with the Council's most recent [Statement of Community Involvement](#)?
- Does the Plan meet the requirements for content and consultation set out in the [Town and Country Planning \(Local Planning\) Regulations 2012](#)?
- Has the Council has complied with requirements arising from the [duty-to-cooperate](#) on strategic and cross-boundary issues?
- Do the Sustainability Appraisal and Habitats Regulatory Assessment accompanying the Plan form a suitable assessment of the sustainability of the Council's proposals, and follow the [Sustainability Appraisal guidance](#)?

### Soundness

This concerns the actual **content** of the Local Plan. You should consider the following before responding on its soundness:

- **Positively Prepared:** Where it is reasonable to do so and consistent with achieving sustainable development; does the Plan seek to meet objectively assessed development needs in full, in addition to the unmet development needs of any neighbouring authority?
- **Justified:** When considered against the evidence and any reasonable alternatives, is the plan the most appropriate strategy to meet the borough's development needs?
- **Effective:** Will the Plan be deliverable over the intended period to 2032, and is it based on effective joint working on cross-boundary strategic priorities?
- **Consistent with national policy:** Would the plan enable the delivery of sustainable development in accordance with the National Planning Policy Framework?

If you think that the addition of a new policy or proposal would be necessary to make the Local Plan sound, you should consider whether or not the matter is already dealt with by national policy or adequately covered by existing local planning guidance such as Supplementary Planning Documents. If this is the case, it is unlikely to be necessary for it to be duplicated.

### **General advice when responding**

**The Inspector will have to deal with a large number of responses in a limited amount of time, and may be unable to deal with responses which are not made in the correct way:**

- Responses should either be made through the Council's online portal; or by emailing or posting the relevant form which is available on the Council website or at the ten deposit points for the duration of the consultation, as well as at the six consultation events
- Attachments should only be submitted where they are necessary to support the response (e.g. plans or images) – responses that simply state 'see attachment' may not be accepted
- Responses should be brief and 'to the point' – the Inspector will be interested in the points being made, rather than how they are put across, and may not have time to consider letters or emails written as prose
- The consultation is not a vote, and the Inspector will give the same weight to an issue whether it appears in hundreds of responses or only in one. Where a group (for example a residents association or action group) shares a common view on how the Local Plan or one of the supporting documents should be changed, it will assist the Inspector if the group only makes a single response. In such cases the response should indicate how many people the group represents, and how the group's response has been authorised.

#### ***For the Local Plan and Policies Map:***

- Responses must specifically address either soundness or legal compliance
- Objections to the Plan must clearly explain why it is either unsound or not legally compliant, and where possible set out the modifications that are therefore considered to be necessary
- Responses on soundness should avoid generic statements such as 'traffic will increase as a result of development' – if this is a concern, the response must explain *why* this therefore means that the plan is unsound

#### ***For the Sustainability Appraisal and Habitats Regulations Assessment:***

The Sustainability Appraisal and Habitats Regulations Assessment are required in order for the Local Plan to be legally compliant, but their findings are also open to consultation. Responses must specifically address the conclusions made in either the Sustainability Appraisal or Habitats Regulations Assessment, and not solely be a comment on the proposals made in the Local Plan.

#### ***For the Draft Infrastructure Delivery Plan (IDP):***

The IDP is a supporting document to the Local Plan, setting out the infrastructure requirements associated with growth proposals in the Plan. Responses to it must specifically address its conclusions and requirements, and not solely be a comment on the proposals made in the Local Plan. Responses to the IDP do not need to consider legal compliance or soundness.

**For all documents, responses must be received by 5.00pm on 24<sup>th</sup> October 2016. Late responses will not be considered by the Inspector as part of the examination.**