

# Statement of Community Involvement 2016

**for Council**

## **CHERWELL DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT July 2016**

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## CONTENTS

Section	Page
<b>1. Introduction.....</b>	<b>5</b>
• What is the Statement of Community Involvement?	
• Why is a new Statement of Community Involvement required?	
• Structure of the Statement of Community Involvement	
<b>2. Context.....</b>	<b>7</b>
• Planning Policy	
• Overview of the plan making process	
<b>3. Community Involvement in Plan Making.....</b>	<b>13</b>
• Type of engagement methods	
• Who will we engage?	
• When will we engage?	
• How will we engage?	
A. Development Plan Documents	
B. Supplementary Planning Documents	
C. Community Infrastructure Levy	
D. Neighbourhood Planning	
E. Planning applications	
<b>4. Reviewing and Monitoring the SCI.....</b>	<b>45</b>

### Appendices

1. Local Development Documents – Specific and general consultation bodies
2. Neighbourhood Plan consultation bodies
3. Community Infrastructure Levy consultation bodies
4. Deposit Locations
5. Glossary



## I. Introduction

### What is the Statement of Community Involvement?

- I.1 This Statement of Community Involvement (SCI) sets out who Cherwell District Council will engage with in preparing key planning policy documents and how and when they will be engaged. The SCI also includes how the Council will consult on planning applications. Its aim is to encourage community and stakeholder involvement. The SCI sets the framework for planning-related consultations which will ensure there is genuine involvement in plan and decision making. It will also enable the Council to demonstrate how it has met statutory requirements. The SCI was consulted upon from 29 January to 11 March 2016.

### Why is a new Statement of Community Involvement required?

- I.2 The Council as Local Planning Authority must produce a Statement of Community Involvement under Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). The Council must comply with the adopted SCI in preparing relevant planning policy documents and in determining planning applications. The previous SCI was adopted by the District Council in July 2006. Since then there have been a number of changes to both planning legislation and policy, particularly as a result of the Localism Act 2011. Technological changes including the increased use and availability of electronic communications such as email and the internet, including social media, have also changed the way public engagement takes place. It was therefore appropriate to prepare a new SCI. Future changes to statutory requirements might affect how the SCI is implemented. Significant changes may necessitate a review.

### Structure of the Statement of Community Involvement

- I.3 The SCI is structured as follows:

- 'Context'
  - sets out the relevant national planning context
  - provides an overview of the plan making system
- 'Community Involvement in Plan Making'
  - provides an overview of the process, and what is required in relation to Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), Neighbourhood Development Plans (NDPs), the preparation of a potential Community Infrastructure Levy (CIL) and planning applications. This section also includes a section on engagement methods.
- 'Reviewing and Monitoring the SCI'
  - sets out how the SCI will be monitored and under what circumstances it might be reviewed.
- Appendices



## 2. Context

### Legal Requirements

2.1 The Statement of Community Involvement (SCI) is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). It needs to comply with statutory requirements for plan making and consultation on planning matters. However, the Government no longer provides guidance on how to produce a SCI. It is for local planning authorities to decide how they will prepare their own SCI.

### *Changes to Primary Legislation*

2.2 This SCI addresses a number of changes to the planning system, including the statutory Duty to Co-operate with prescribed bodies and Neighbourhood Planning introduced by the Localism Act 2011.

2.3 The main changes affecting the SCI are:

- Duty to Co-operate - The Act establishes the duty to co-operate in relation to the planning of sustainable development. It requires a Local Planning Authority (LPA) to engage constructively, actively and on an on-going basis on strategic matters with other LPAs and designated bodies.
- Neighbourhood Planning - The Act introduces a new tier of planning policy documents known as Neighbourhood Development Plans (NDP). Parish and Town Councils are able to prepare an NDP for all or part of their area. The LPA has a duty to support the preparation of such a plan, including the appointment of a person to examine the document and hold a referendum. Any plan needs to conform with the strategic elements of the Development Plan and national policy. As the SCI relates to the District Council's functions as Local Planning Authority, the SCI cannot legally be applied to the functions of Town and Parish Council's in preparing their Neighbourhood Plans. However, it has some relevance to the District Council's statutory requirements to process and formally seek representations on Neighbourhood Plans once they have been formally submitted.

2.4 It is possible that primary legislation will be amended as the Council produces its planning documents. Any significant change that affects community involvement may lead to a need to review the SCI.

### *Town and Country Planning (Local Development) (England) Regulations 2012*

2.5 These Regulations were introduced in 2012 and are the main 'rules' for the preparation of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). Key Regulations include:

- Regulation 2 – states the 'specific' and 'general' consultation bodies
- Regulations 12 and 13 – public participation in the preparation of Supplementary Planning Documents (SPDs)
- Regulation 14 – adoption of SPDs
- Regulation 18 – public participation in the preparation of a local plan
- Regulation 19 – publication of a local plan
- Regulation 20 – representations relating to a local plan

- Regulation 22 – submission of documents and information to the Secretary of State
- Regulation 24 – Independent examination on a local plan
- Regulation 25 – publication of recommendations following an examination
- Regulation 26 – adoption of a local plan
- Regulation 35 – availability of documents
- Regulation 36 – copies of documents

*Neighbourhood Planning Regulations (April 2012) (as amended)*

2.6 The Neighbourhood Planning (General) Regulations contain the provisions for neighbourhood planning, introduced by the Localism Act. This includes the procedures for setting up neighbourhood areas and forums and for preparing NDPs, neighbourhood development orders and community right to build orders. Key Regulations include:

- Regulation 7 – Designation of an area application
- Regulation 16 – Consultation on the submission Neighbourhood Development Plan
- Regulation 19 and 20 – Decision and publication of the made Neighbourhood Development Plan

*The Community Infrastructure Levy Regulations (April 2010) (as amended)*

2.7 The CIL Regulations set out the provisions for CIL introduced by the Planning Act 2008. They prescribe the procedures and the bodies to be consulted during the preparation of a CIL. Key Regulations include:

- Regulation 15 – Stakeholder engagement and consultation on the preliminary draft charging schedule
- Regulations 16 and 21 – Consultation on the draft charging schedule
- Regulation 19 – Submission of charging schedule
- Regulation 25 – Approval of charging schedule

2.8 Significant changes to statutory regulations or other secondary legislation may necessitate a future review of the SCI.

Planning Policy and Guidance

*National Planning Policy Framework (NPPF) (March 2012)*

2.9 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development and identifies the following roles for the planning system:

- Economic - building a strong economy by ensuring the right type of land is available in the right places to support growth, including the provision of infrastructure.
- Social - supporting strong, vibrant and healthy communities, by providing sufficient housing to meet the needs of future generations, and creating a high quality environment with accessible local services that reflect the community's needs.
- Environmental - contributing to protecting and enhancing our natural, built and historic environment, minimising waste and pollution, and adapting to climate change.



- 2.10 The NPPF promotes a plan-led system, and re-iterates the duty to co-operate on planning issues that cross administrative boundaries, particularly those related to the strategic priorities, including the homes and jobs needed in the area.
- 2.11 The NPPF sets out that LPAs should approach decisions on planning applications in a positive way to help deliver sustainable development, that they should look for solutions rather than problems, and that they should work proactively with applicants to secure development that improves the economic, environmental and social conditions of an area.
- 2.12 The NPPF states that Local Planning Authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning.
- 2.13 It makes clear that early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.

#### *Planning Practice Guidance*

- 2.14 Planning Practice Guidance (PPG) provides advice on a wide range of topic areas including the Duty to Co-operate; Local Plans, Neighbourhood Planning, Community Infrastructure Levies (CIL) and consultation on planning applications. It is updated by the Government on an on-going basis.
- 2.15 The PPG advises that Local Planning Authorities will need to identify and engage at an early stage with all those that may be interested in the development or content of the Local Plan, including those groups who may be affected by its proposals but who do not play an active part in most consultations. Those communities contemplating or pursuing a Neighbourhood plan will have a particular interest in the emerging strategy, which will provide the strategic framework for the neighbourhood plan policies. The PPG states that the Local Planning Authority will also need to ensure that it works proactively with other authorities on strategic cross boundary issues in line with the duty to cooperate.

#### Overview of the plan making process

##### *Local Development Scheme*

- 2.16 The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that the Council prepares and maintain a LDS.

##### *Development Plan*

- 2.17 The statutory term for formally adopted Development Plan Documents and 'made' Neighbourhood Plans. The Development Plan can include 'saved policies' from earlier adopted plans. Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. A material planning consideration is one which is relevant to making the planning decision in question.

### *Development Plan Documents*

- 2.18 Development Plan Documents (DPDs) are plans which set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy and community facilities and infrastructure as well as a basis for safeguarding the environment, adapting to climate change and securing good design. DPDs are critical tool in guiding decisions about individual development proposals and generally look forward fifteen to twenty years. Upon completion they are adopted as part of the statutory Development Plan. The adopted Cherwell Local Plan 2011-2031 (Part 1) is a Development Plan Document.

### *Supplementary Planning Documents*

- 2.19 Supplementary Planning Documents (SPDs) expand upon and provide further detail to policies in DPDs. They must be consistent with DPDs and, where relevant, can be considered in determining planning applications. However, they do not form part of the statutory Development Plan.
- 2.20 SPDs can be used to provide additional guidance on the development of a specific site or on a particular issue such as parking or design.

### *Neighbourhood Planning*

- 2.21 The Localism Act introduced a new right for local communities to draw up Neighbourhood Development Plans (NDPs) for their areas. Neighbourhoods can also grant planning permission through specific Neighbourhood Development Orders (NDOs) or Community Right to Build Orders.
- 2.22 NDPs are required to reflect strategic policies in an up to date Local Plan, and should plan positively to support those policies. A Neighbourhood Plan should not promote less development than is set out in a Local Plan, nor undermine the strategic policies within a Local Plan. A LPA has a duty to support the preparation of an NDP, though is not involved in all stages of preparation.
- 2.23 The preparation of an NDP is optional. However, the Council, as a LPA, has a significant role in managing the formal stages of the preparation process and ensuring that the Neighbourhood Planning Regulations are complied with. Neighbourhood Plans are not 'Development Plan Documents' but once they are 'made' they become part of the statutory Development Plan.

### *Community Infrastructure Levy*

- 2.24 The Community Infrastructure Levy (CIL) is a charge that allows local authorities to raise funds from most types of new development in their area to help fund infrastructure to support development growth. This could include open space, leisure centres, cultural and sport facilities, transport schemes, schools among other requirements. Local authorities wanting to introduce a CIL charge in their area must produce a Charging Schedule which sets out the levy rate(s) that the authority will charge. The rate is charged per square metre of new floor space created and the charge is non-negotiable. The Community Infrastructure Regulations 2010 (as amended) sets out the procedure that charging authorities must follow prior to adopting a Charging Schedule. Any review of the CIL charging schedule (a schedule of the CIL rates for different land uses or development types and areas of the District) will also be subject to consultation.

*Sustainability Appraisals and Strategic Environmental Assessment*

- 2.25 The Council is required to assess the social, environmental and economic implications of policies and proposals of DPDs and SPDs where it is relevant to do so. Sustainability Appraisals (SAs) and Strategic Environmental Assessments (SEAs) will help to test the soundness of planning policy documents by ensuring they reflect sustainable development objectives, as well as being consistent with each other in terms of their objectives and policies. The Council will consult the local community on its SAs and involve key stakeholders in its preparation. Parish Councils (or other Neighbourhood Forums) may also be required to undertake SEA in preparing Neighbourhood Plans. There is no longer a specific requirement for a SA to be produced for all SPDs.

*Habitats Regulations Assessment*

- 2.26 Habitats Regulations Assessment (HRA) is required under the European Directive 92/43/EEC on the "conservation of natural habitats and wild fauna and flora for plans" that may have an impact of European (Natura 2000) Sites. It will determine if a document, such as a DPD, contains proposals that are likely to have a significant effect on international sites (such as the Oxford Meadows Special Area of Conservation which falls within the district). The Habitats Regulations 2010 (as amended) requires: "*The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify.*" (Reg 102 (2)) It continues stating "*They must also, if they consider it appropriate, take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate.*" (Reg 102 (3)).

*Annual Monitoring Report*

- 2.27 An Annual Monitoring Report (AMR) reviews progress on Local Plans and includes monitoring information on employment, housing and natural environment. An AMR is the tool that can be used to lead to policy change if the policies in the Local Plan are not achieving the desired results. There is no requirement to consult on the AMR but it must be made publicly available.



### 3. Community Involvement in Plan Making

3.1 Cherwell District Council has a duty to put in place a framework of planning policies (known as the Local Plan) which will be used to guide development proposals and to help determine planning applications. As part of the preparation of these planning policies and supporting documents there are statutory stages of consultation that must be undertaken to allow the public and stakeholders to have their say on what is being proposed.

#### Type of engagement methods

3.2 There are a range of methods by which the Council will seek to engage with relevant bodies and the local community in the preparation of its planning documents. These are set out in Table I below. The methods of engagement have one of three purposes:

- Information – to provide the community with balanced, clear and easily understood objective information to assist them in understanding the problem, alternative or solutions
- Consultation – to obtain the views of the community on proposals, analysis, alternatives or decisions
- Participation – to partner with the community in each aspect of the decision making process, including the development of alternatives and identification of the preferred position. Working cooperatively to seek mutually beneficial outcomes



3.3 The method of engagement will depend on its purpose, whether the scope of engagement is proportionate to the issues and stage of preparation, and 'value for money' considerations

such as the staff resources required and direct costs. The possible engagement methods are listed in Table I.



**Table I: Engagement methods**

Engagement method	Purpose	Commentary
'Cherwell Link'	Information	The District Council's free publication 'Cherwell Link' is sent to every household in the District and can be used to disseminate information about the plan making process, emerging issues and consultation events. This offers an opportunity to reach every household in Cherwell.
Council Meetings	Information	<p>While the public are not able to automatically take part in the majority of scheduled Council meetings they are able to attend most, where they will be able to listen to the debate when the Council makes decisions on key issues and can request to address the meeting. Advanced notice is required and restrictions apply (please see Council's Constitution). It is important in a transparent planning system that the public are fully aware of the issues being debated and have access to observing the decision making process.</p> <p>The Local Development Documents (LDDs) will be considered either the Council's Executive or by full Council as set out in the Council's Local Development Scheme. The agendas and the minutes of previous Council meetings are available on the Council's website normally five days before the meeting takes place. The Council also offers live website broadcasting of some Council meetings. More details on this and Council meeting dates can be found on the Council's website at <a href="http://www.cherwell.gov.uk">www.cherwell.gov.uk</a></p>
Emails	Information	Emails are an affordable and effective method of communication for



		<p>raising awareness, keeping people informed and receiving feedback. Emails will be used as part of statutory and non-statutory consultation. The Planning Policy Team maintains a consultation database of those people who are automatically notified about relevant planning policy consultations. People who respond to consultations are added to the database and the Council is obliged to contact certain specific consultation bodies.</p> <p>People who wish to be added to or removed from the database can contact the Planning Policy Team on 01295 227985, by email to <a href="mailto:planning.policy@cherwell-dc.gov.uk">planning.policy@cherwell-dc.gov.uk</a> or by post to the Planning Policy Team at the Council's offices.</p> <p>For easy reference, emails can also contain hyperlinks to documents on the website. Where email addresses are provided to the Council, by preference emails will be used rather than letters.</p> <p>People who have registered on the Council's Public Access system will receive notifications on certain planning applications.</p>
Exhibitions	Consultation / Participation	<p>Exhibitions are a useful way of presenting information and options to the public, especially local communities. They are an effective visual tool and provide the community with the opportunity to question and resolve issues. They are also a good tool for reporting back the findings of previous consultation exercises. Exhibitions are able to reach large numbers of people if well-advertised. They provide the opportunity for face-to-face contact between Council representatives and local communities.</p>
Focus Groups / Forums	Participation	<p>Focus groups or forums enable local people to discuss planning issues. Focus groups can help local authorities to gain a better understanding of public concerns and help focus consultations in specific matters.</p> <p>Members of the community can sometimes be employed to undertake the engagement exercise and this can help in overcoming barriers. People may be more likely to respond to messages from similar or related groups. Alternatively a representative from an organisation or group could be employed to liaise with specific groups.</p>
Frequently Asked Questions	Information	<p>As appropriate the Council will issue a set of Frequently Asked Questions to supplement a consultation where there are known issues and questions that are likely to arise.</p>
Letters	Information	<p>A traditional but effective method as potentially everyone can be targeted in this way. To ensure high standards in efficiency, the Council will need to keep the consultation database of community members and stakeholders up-to-date so that they could be notified with updates. Letters will be used to accompany new material for consultation and ask for comments.</p> <p>The Planning Policy Team maintains a consultation database of those people who are automatically notified about relevant planning policy consultations. People who respond to consultations are added to the database and the Council is obliged to contact certain specific</p>

		<p>consultation bodies.</p> <p>People who wish to be added to or removed from the database can contact the Planning Policy Team on 01295 227985, by email to <a href="mailto:planning.policy@cherwell-dc.gov.uk">planning.policy@cherwell-dc.gov.uk</a> or by post to the Planning Policy Team at the Council's offices. Where email addresses are provided to the Council, by preference emails will be used rather than letters.</p> <p>Letters of notification on planning applications will be sent out to those who will be affected to advise on the planning application number, proposal and ways to comment.</p>
Online Consultation	Consultation	<p>Online consultation works in conjunction with other consultation techniques and can offer community stakeholders the opportunity to respond to consultations online. It can be used in tandem with online questionnaires to provide responses to consultations.</p> <p>The Planning Policy Team does not presently operate a formal on-line consultation system. If it chose to do so in the future, or if an on-line consultation system were to be used for a particular consultation, people registered on the Planning Policy Team's consultation database would be notified in advance.</p>
Paper copies of documentation	Information	<p>Paper copies of key consultation material will be made available at the 'deposit locations' such as in local libraries (please see Appendix 4 for deposit locations). Where consultations are supported by supplemental documents such as technical evidence, it may only be practicable and cost effective to make those documents available in hard copy at the Council's main offices at Bodicote House. Key planning policy documents that could affect an area of a Town/Parish Council/Meeting(s) within the district will generally be sent in hard copy to the relevant Town/Parish Council/Meeting(s). Copies of adopted Development Plan Documents will be sent to all Town/Parish Councils/Meetings within the district as a matter of course. Any person may make a request to the Planning Policy Team for a copy of such a document but a reasonable charge may need to be made. Copies of documents can also be obtained in large print, Braille, audio tape or in other languages. All published documents will be made available electronically.</p>
Meetings with Parish Councils/Meetings	Information and Participation	<p>As appropriate, meetings and workshops between the Council and Parish Council/Meeting(s) will be held to discuss particular issues or for the preparation of Neighbourhood Development Plans.</p> <p>Parish Liaison meetings between the Council and representatives of Parish Councils/Meetings are held twice a year. The purpose is to raise and discuss issues of mutual interest and so Councillors can effectively relay information to local residents. Updates from the Planning Policy Team will be provided at the Parish Liaison meetings when necessary.</p>
Meeting / Discussions with Stakeholders	Information and Participation	<p>As appropriate, meetings and discussions with stakeholders to assist understanding of issues and potential options.</p>



<p>Planning Aid England</p>	<p>Participation</p>	<p>Planning Aid England offers independent planning advice and support to individuals and communities. It is funded by the Royal Town Planning Institute (RTPI) and considers that everyone should have the opportunity to get involved in planning their local area. Its work is supported by volunteers who have a range of skills, interests and expertise. Five main services and types of support are offered:</p> <ul style="list-style-type: none"> <li>• Free planning advice and guidance – website and advice line</li> <li>• Bespoke support for eligible individuals and communities</li> <li>• Outreach and capacity building</li> <li>• Neighbourhood Planning</li> <li>• Online resources and guides</li> </ul> <p>Planning Aid can provide independent advice to help the community to comment on planning applications and get involved in the preparation of Development Plan Documents. It can also offer support for local communities particularly in respect to preparing Neighbourhood Development Plans.</p>
<p>Planning for Real®</p>	<p>Participation</p>	<p>‘Planning for Real’ is a highly visible, hands on community empowerment tool that is used to encourage people to get involved in planning by developing their own ideas on how communities can be improved. A large 3 dimensional model of a neighbourhood is constructed, preferably by local people, and is used specifically to address areas where major change is proposed. ‘Planning for Real’ provides an opportunity that people of all abilities and backgrounds find easy and enjoyable to engage in.</p>
<p>Posters / Leaflets</p>	<p>Information</p>	<p>Posters and Leaflets are a good way of presenting planning issues in a graphical form and are easy to understand. They can provide the reader with a quick overview of issues and provide contact details for further information on how to get involved. Distribution of posters and leaflets can be an effective way to raise awareness. They can either be delivered to households alone or with other Council mail outs to save postage costs. They can also be left at the deposit locations (please see Appendix 4) and, with agreement, in other locations accessible to the public.</p>
<p>Press Releases</p>	<p>Information</p>	<p>Press releases are one of the most effective ways of distributing planning and development information to large numbers of people and generating public debate. Press releases are published through the Council’s Communications Team and made available through the Council’s website. They may include details of consultation events, key stages in producing a planning document or specific planning matters. When required, and agreed in consultation with the Council’s Communications Team, press briefings may be held.</p>
<p>Public Meetings / Workshops</p>	<p>Participation</p>	<p>Meetings can assist the Council in presenting information and proposals within a forum that facilitates immediate discussion and feedback. Meetings will be used in conjunction with other techniques and not as the only consultative tool as the participants do not always reflect the views of the wider community. Where appropriate the Council will use independent facilitators to run public meetings to</p>

		<p>ensure that everyone has the opportunity to be involved and provide advice on how to maximise the benefits of community consultations.</p> <p>Workshops can be organised to encourage a wide range of issues and options to be debated and discussed in an interactive environment. These may help on specific topics, for example housing, employment or open spaces. Workshops will be held in accessible locations appropriate for the subject issues and will be held at times of the day best suited for appropriate community involvement.</p>
Questionnaires / Response Forms	Consultation	<p>Questionnaires and response forms are a structured way of obtaining information, which can be easily statistically analysed. They are convenient, economic and thus a good starting point, but need to be well structured and ensure that the questions are not leading. They can be completed and returned to the Council by post or can be set up so that they can be returned electronically online. Questionnaires / response forms do not always achieve high rates of return and therefore must be used as part of wider consultations.</p>
Review Sessions	Participation	<p>Review Sessions are a useful method for providing feedback, monitoring progress and maintaining momentum on a variety of planning issues. Sessions can be held weeks, months, or even years after a consultation event or other community planning initiative during which all those involved in a previous activity are invited back to a review session. Invitations can also be extended to those who may wish to become involved in the future. Where review sessions are used they will appraise current progress, evaluate earlier initiatives and determine the way forward.</p>
Social Media	Information	<p>Social media are now a primary source of information and news for many people. Associated with this is a declining reliance on traditional forms of mass media such as newspapers. The Council's Communications Team will therefore be notified about consultations on planning policy documents so that it can release information via Facebook and Twitter, the two most commonly used social media. However, social media will only be used as a method of notification. Formal comments on Planning Policy consultations and applications will need to be received by email or by letter (or Public Access for applications) with names and addresses provided.</p>
Statutory Notices	Information	<p>Formal advertisements such as statutory notices in local newspapers will be used when necessary during the process of key planning documents production to inform the community of various key consultation dates and the publication of documents. The Council will publish notices in the Banbury Guardian and/or the Bicester Advertiser and/or the Oxford Mail depending on the geographic area affected.</p>
Other Public Notices	Information	<p>Planning applications are advertised in the affected areas and local papers.</p> <p>For particular policy consultations Council officers may consider it appropriate to use site or parish notices. For example, they are produced to advertise consultation on applications to have</p>

		Neighbourhood Areas designated and on submitted Neighbourhood Plans.
TV and Radio	Information	TV and Radio offer the potential to reach a wide range of people and can be used to disseminate information quickly and effectively. TV offers a highly visible approach to planning issues and radio offers a forum for topical debate. Information presented in this way would be arranged through the Council's Communications Team.
Website	Information	<p>The internet provides quick and efficient opportunities for interested stakeholders to engage in the planning process and access up-to-date information on the Local Development Documents (LDDs) process. The Planning Policy Team advertises consultations, publishes its latest news and maintains its library of documents on-line. The Planning Policy homepage is available at <a href="http://www.cherwell.gov.uk/planningpolicy">www.cherwell.gov.uk/planningpolicy</a>. The Development Management service ensures that planning applications can be accessed via a public access system at <a href="http://www.publicaccess.cherwell.gov.uk/">http://www.publicaccess.cherwell.gov.uk/</a>. Weekly or monthly lists for all planning applications can be accessed. The Council's website address is <a href="http://www.cherwell.gov.uk">www.cherwell.gov.uk</a>.</p> <p>For communities and stakeholders, the internet offers:</p> <ul style="list-style-type: none"> <li>• readily accessible information on proposals, opportunities, constraints and studies</li> <li>• a platform on which organisations can respond to issues known to be of community concern</li> <li>• a way for people to invite others to comment on the specific proposals and a means of receiving feedback</li> <li>• an interactive medium allowing discussion and debate.</li> </ul> <p>The Council will publish on its website regular updates on the progress of the LDD's, proposal documents and provide contact details for the Planning Policy Team.</p>

Who will we engage?

3.4 A public sector Equality Duty came into force across Great Britain on 5 April 2011. It means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. It also requires that public bodies have due regard to the need to:

- eliminate discrimination
- advance equality of opportunity
- foster good relations between different people when carrying out their activities.

3.5 Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies.

3.6 Cherwell District Council's Equality Vision in its Equality and Diversity Framework is:

*'Cherwell District Council, working to ensure equality, access and fairness in all we do'*

3.7 The Council intends that all people have the opportunity to have their say in how Cherwell District is spatially planned irrespective of their differences including by way of age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

3.8 The Council publishes its planning policy consultations on a geographic basis and any individual may comment. On occasions, it may be appropriate to narrow the geographic scope of the consultation, for example for a planning matter that only affects a particular town or parish.

3.9 The scope of a consultation will only be narrowed to a specific group of stakeholders if the consultation is only relevant to that group. Similarly, there might be a need to produce technical evidence with the particular input of a specific group of stakeholders; for example the Travelling Communities on their accommodation needs or a developer panel to assess issues of development viability. A 'tailored' approach to engagement may sometimes be needed.

3.10 The Town and Country Planning (Local Development) (England) Regulations 2012 identify Specific and General Consultation Bodies that the Council has to consult in preparing Local Plans and Supplementary Planning Documents at certain stages of their preparation. Specific Consultation Bodies must be consulted where the Council consider that the proposed subject matter will be of interest to them. The Council must consult such of the General Consultation Bodies as the Council considers appropriate. There is also a requirement that the Council invites representations from such residents and persons carrying on business as it considers appropriate.

3.11 The Specific and General Consultation Bodies presently prescribed by the Regulations for Local Plans and SPDs are presented at Appendix I.

3.12 The Council will maintain a consultation database of specific and general consultees and others that have expressed a specific interest to be consulted. Where consultation is required in the production of a Local Development Document (LDD) or other policy document, the Council will normally notify all those on the Planning Policy consultation database. When an individual or organisation makes a representation on a planning policy document they will be added to the consultation database. People who wish to be added to or removed from the database can contact the Planning Policy Team on 01295 227985, by email to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk) or by post to the Planning Policy Team at the Council's offices. A postal registration can be requested (rather than email) if required or preferred.

*Duty to Cooperate*

- 3.13 Section 110 of the 2011 Localism Act inserts the Duty to Co-operate as a new Section 33A in the Planning and Compulsory Purchase Act 2004. Section 33A came into effect on 15 November 2011. It is not retrospective.
- 3.14 Section 110 of the Localism Act sets out the ‘Duty to Co-operate’. The Duty:
- relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is a strategic and has or would have a significant impact on at least two planning areas”;
  - requires that councils and public bodies “engage constructively, actively and on an ongoing basis” to develop strategic policies; and
  - requires councils to consider “joint approaches” to plan making.
- 3.15 Section 33A (1) and (3) of the 2004 Act impose a duty on a local planning authority to co-operate with other local planning authorities and other prescribed bodies when it undertakes certain activities, including the preparation of development plan documents, activities that can reasonably be considered to prepare the way for such preparation and activities that support such preparation so far as they relate to a strategic matter. This is to maximise the effectiveness with which those activities are undertaken.
- 3.16 Section 33A (4) states that a strategic matter is: “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.”
- 3.17 Section 33A (2) requires a local planning authority “to engage constructively, actively and on an on-going basis” in respect of the activities that are subject to the duty.
- 3.18 For Cherwell the local planning authorities that border Cherwell District are:
- Aylesbury Vale District Council
  - Buckinghamshire County Council
  - Northamptonshire County Council\*
  - Oxford City Council
  - Oxfordshire County Council
  - South Northamptonshire Council\*
  - South Oxfordshire District Council
  - Stratford-on-Avon District Council
  - Vale of White Horse District Council
  - Warwickshire County Council
  - West Oxfordshire District Council
- \* *Daventry District Council, Northampton Borough Council, South Northamptonshire Council and Northamptonshire County Council have established the West Northamptonshire Joint Planning Unit to prepare joint development plan documents, including the Joint Core Strategy and other joint Supplementary Planning Documents.*
- 3.19 The Oxfordshire Councils are assisted in meeting the Duty to Cooperate by an ‘Oxfordshire Growth Board’ (a joint committee) which includes the local authorities within the

Oxfordshire Local Enterprise Partnership (LEP) comprising, Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council, West Oxfordshire District Council and Oxfordshire County Council. It also includes co-opted non-voting named members from the following organisations:

- LEP: Chairman
- Oxford University
- Skills Board
- Harwell/Diamond Light Source
- LEP Business Representative
- LEP Oxford City Business Representative
- Homes and Communities Agency

3.20 In addition, when considering matters that sit under the purview of the Local Transport Board then Network Rail and the Highways England have the right to attend the Growth Board as non-voting investment partners.

3.21 The Growth Board is supported by officer and working groups as required. A separate Oxfordshire Planning Policy Officers (OPPO) group also assists engagement with the other Oxfordshire Councils on planning matters.

3.22 Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the other prescribed bodies for the purposes of implementing Section 33A of the 2004 Act. Of those bodies listed in the Regulation it is considered that the following bodies are relevant to Cherwell District:

- The Environment Agency
- Historic Buildings and Monuments Commission for England (Historic England)
- Natural England
- The Civil Aviation Authority
- The Homes and Communities Agency
- The NHS Oxfordshire
- The Office of Rail Regulation
- The Highway Authority – Section 1 of the Highways Act 1980:
  - Oxfordshire County Council (Highways)
  - The Highways Agency (Highways England)
- Local Enterprise Partnerships:
  - The Oxfordshire Local Enterprise Partnership (OXLEP)
  - The South East Midlands Local Enterprise Partnership (SEMLEP)
- The Oxfordshire Local Nature Partnership

3.23 The Council will liaise with the duty to co-operate bodies to ascertain what aspect of the plan preparation they wish to be engaged with and how. This may also provide an opportunity for joint working and establishing a shared evidence base. There will be ongoing engagement between Cherwell District Council and all the Oxfordshire local authorities on strategic priorities and cross boundary issues and as required on a bilateral basis.

#### *Sustainability Appraisal*

3.24 Local Planning Authorities are required to undertake SA for Local Plans under the Planning and Compulsory Purchase Act 2004. The SA incorporates the requirements for Strategic Environmental Assessment under European Directive 2001/42/EC. The SEA requirement

applies to relevant plans, policies (such as a Local Plan) but is not required for the SCI, the Local Development Scheme (LDS), Annual Monitoring Reports (AMRs) or the Community Infrastructure Levy (CIL). There is no obligation for Neighbourhoods Plans and Supplementary Planning Documents (SPDs) but SA/SEA can be necessary, particularly where the social, economic and environmental effects have not already been assessed during the preparation of a higher level Plan or programme.

- 3.25 Preparing a scoping report is part of the first required steps to meet the SEA Directive requirements. As part of the scoping work on the SA/SEA we will consult Natural England, Historic England (formerly known as English Heritage) and the Environment Agency and possibly others. As requested by the regulations there will be public consultation on other stages of the SA.

#### *Hard to reach groups*

- 3.26 The Council will use a wide range of engagement methods as referenced earlier in seeking to engage with 'Hard to Reach' groups, particularly in the context of the Equality Duty. The use of the term 'Hard to Reach' simply highlights that there may be groups of people within the wider Cherwell community that would not readily use or access the planning system, may be unfamiliar with the Council, but which because of their needs and priorities are potentially affected by planning issues and policies. Examples might include some older or younger people, those with disabilities or those within the Travelling Communities.
- 3.27 To engage with such people, officers may need to employ engagement methods that will help to overcome the barriers that prevented them from participating in the first place. For example, this might include using specialist advisers, third parties, interpreters or specific facilities for disabled people, etc. With regard to arranging consultation events, flexibility over the timing, location and venue may also need to be considered. Council officers will determine the most appropriate way for engaging with hard to reach groups taking specialist advice where required. This might mean tailoring the engagement methods employed.





When will we engage?

3.28 Relevant regulations set out the stages in the preparation process for each type of planning document, when we must formally publish the documents for comment, and for how long. These requirements will always be met. The SCI reflects statutory requirements for the length of formal consultation periods. Additional days will be added where statutory Public Holidays (England) fall within the formal consultation period. The early stage of plan preparation will involve engagement with specific stakeholders, prescribed bodies, partners and consultees to inform the identification of issues and options. Engagement will continue on a continuous basis to ensure options are thoroughly tested and policy preparation is robust. Stakeholders wishing to discuss specific policy matters can contact the Council's Planning Policy Team directly.

*Consultation Stages*

3.29 The opportunity for community involvement in the preparation of planning policy documents is summarised below:

## Documents Produced by Cherwell District Council

- **Development Plan Documents (DPDs)**
  - Formal consultation on issues and options
  - Stakeholder engagement in considering issues and options
  - Formal consultation on Sustainability Appraisal
  - Stakeholder engagement in developing proposals
  - Formal consultation on proposals
  - Participation in the formal examination of plans (those seeking a change to the proposed Plan)



- **Supplementary Planning Documents (SPDs)**
  - Stakeholder engagement in preparing the SPD
  - Formal consultation on the draft SPD
  
- **Community Infrastructure Levy Charging Schedule**
  - Stakeholder engagement
  - Formal consultation on a Preliminary Draft CIL Charging Schedule
  - Formal consultation on the Draft CIL Charging Schedule (public participation)
  - Participation in the formal examination (Inspector to invite participants)

Produced by Parish or Town Councils or designated Neighbourhood Forums

- **Neighbourhood Plans**
  - Formal consultation on the designation of Neighbourhood Area or Forum (by Cherwell District Council)
  - Pre-Submission consultation in preparing a draft Plan (by the Parish/Town Council of designated Forum)
  - Formal consultation on a plan proposal (by Cherwell District Council)
  - Community Referendum (organised by Cherwell District Council)

How will we engage?

3.30 The tables below describe the formal stages of document production, explaining how community involvement will take place. Significant changes in circumstances may lead to a review of the SCI.

**Table 2: Local Plans (Development Plan Documents)**

Stage	Regulation (The Town and Country Planning (Local Planning) (England) Regulations 2012	Community Involvement	How
Pre-production	N/A	Initial contact with key stakeholders as required.	Telephone/ Email / Letter / Meetings
Project planning		On-going cooperation with prescribed bodies.	Oxfordshire Growth Board  OGB Working Groups / Oxfordshire Planning Policy Officers Group
Preparation  Scoping, Identification	Regulation 18	Consultation on Sustainability Appraisal Scoping Report – at least 5 weeks - with statutory bodies	Telephone / Email / Letter / Website / Meetings

<p>of Issues and Options, Assessment of Options</p>		<p>On-going cooperation with prescribed bodies.</p> <p>Formal consultation on issues and options with public, statutory &amp; prescribed bodies and with other stakeholders – 6 weeks per consultation</p> <p>Targeted consultation with communities / stakeholders</p>	<p>Oxfordshire Growth Board</p> <p>OGB Working Groups / Oxfordshire Planning Policy Officers Group</p> <p>Publication and ‘deposit’ of consultation documents</p> <p>Workshops</p> <p>Evidence gathering (consultation as appropriate)</p>
<p>Publication</p>	<p>Regulations 19 and 20</p>	<p>Consult on Proposed Local Plan, SA/SEA and supporting evidence.</p> <p>Consultation period – 6 weeks</p> <p>The Council must ensure that a statement of the representations procedure and a statement of fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under Regulation 18(1).</p>	<p>Publication and ‘deposit’ of proposed documents</p> <p>Email / Letter / Website</p> <p>Explanatory meetings / press as required</p>
<p>Submission of proposed documents to the Secretary of State</p>	<p>Regulation 22</p>	<p>Notification only</p> <p>Submission of Local Plan and all associated documents to the Secretary of State – electronic and paper copies.</p> <p>Make the relevant documents available at the deposit locations and on the Council’s website as soon as reasonably practicable.</p> <p>Documents to include:</p> <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Sustainability Appraisal report</li> </ul>	<p>Publication and ‘deposit’ of submission documents</p> <p>Email / Letter / Website</p>

		<ul style="list-style-type: none"> <li>• Submission Policies Map</li> <li>• Statement of Consultation</li> <li>• Copies of representations</li> <li>• Statement of fact</li> <li>• Supporting documents as in the opinion of the Council are relevant to the preparation of the Local Plan.</li> </ul> <p>The Council must send to each of the general consultation bodies and each of the specific consultation bodies which were invited to make representations under Regulation 18(1), notification that the Local Plan and relevant documents are available for inspection and of the places and times at which they can be inspected.</p> <p>The Council must also give notice to those persons who requested to be notified of the submission of the Local Plan to the Secretary of State that it has been so submitted.</p>	
Examination	Regulation 24	<p>Notification only</p> <p>Right to appear and be heard limited to those persons legally defined as having made representations seeking a change to the proposed Plan.</p> <p>Or, if invited by the Inspector where he or she thinks that a person is needed to enable the soundness of the Plan to be determined.</p> <p>Public hearing sessions are held which helps the Inspector to determine whether the Local Plan is sound and legally compliant.</p> <p>The Council must make the matters available at least 6 weeks before the opening of a hearing. Matters include the date, time and place which the hearing is to be held, and the name of the person appointed to carry out the independent</p>	Email / Letter / Website

		<p>examination. The Council must also notify any person who has made a representation in accordance with Regulation 20 and not withdrawn that representation, of those matters.</p>	
Main Modifications	N/A	<p>Possible further consultation</p> <p>On-going cooperation with prescribed bodies.</p> <p>Optional stage – where the Council agrees, the Inspector can propose changes or ‘main modifications’ to the Plan to avoid it being found ‘unsound’ (unless there is a fundamental issue with ‘soundness’).</p> <p>The Inspector will set out arrangements and seek agreement on a timetable for any necessary sustainability appraisal work and public consultation.</p> <p>The precise arrangements for public consultation may vary from case to case.</p> <p>The scope and length of the consultation should reflect the consultation at Regulation 19 stage.</p> <p>Further hearing sessions will only be scheduled exceptionally.</p>	<p>Telephone / Email / Letter / Website / Meetings</p> <p>Oxfordshire Growth Board</p> <p>OGB Working Groups / Oxfordshire Planning Policy Officers Group</p> <p>Publication and ‘deposit’ of proposed documents</p>
Adoption	Regulation 26	<p>Notification only</p> <p>As soon as reasonably practicable after the Council adopt a Local Plan they must make the following available at the deposit locations and on the Council’s website:</p> <ul style="list-style-type: none"> <li>• The Local Plan</li> <li>• Adoption Statement</li> <li>• Sustainability Appraisal report</li> <li>• Sustainability Appraisal Adoption Statement</li> <li>• Habitats Regulations Assessment</li> <li>• Details of where the Local Plan is</li> </ul>	<p>Publication and ‘deposit’ of proposed documents</p> <p>Email / Letter / Website</p>

		<p>available for inspection and the places and times at which the document can be inspected.</p> <p>The Council must send a copy of the adoption statement to any person who has asked to be notified of the adoption of the Local Plan. A copy must also be sent to the Secretary of State.</p>	
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**Table 3: Supplementary Planning Documents**

Stage	Regulation (The Town and Country Planning (Local Planning) (England) Regulations 2012)	Community Involvement	How
Pre-production	N/A	Initial contact with key stakeholders as required.	Telephone / Email / Letter / Meetings
Project planning		On-going cooperation with prescribed bodies as required	
Preparation Scoping, Identification of Issues and Options, Assessment of Options	Regulation 12	<p>Informal consultations may be carried out and the nature/extent of this will be determined by the subject matter of document.</p> <p>Determine if an SEA is required. Consult with statutory bodies on formal screening</p> <p>If required, consult on Sustainability Appraisal Scoping Report – 5 weeks - with statutory bodies</p> <p>On-going cooperation with prescribed bodies as required</p> <p>Formal consultation on issues and options with public, statutory &amp; prescribed bodies and with other stakeholders – at least 4 weeks per consultation</p> <p>Targeted consultation with</p>	<p>Telephone / Email / Letter / Website / Meetings</p> <p>Publication and ‘deposit’ of consultation documents</p> <p>Workshops</p> <p>Evidence gathering (consultation as appropriate)</p>

		communities / stakeholders	
Consultation	Regulation 12/13	<p>Consult on draft SPD and any supporting evidence, including the Consultation Statement.</p> <p>Consultation period – minimum of 4 weeks</p> <p>The Council has to produce a statement (referred to as the 'Regulation 12(a) Statement') setting out:</p> <ul style="list-style-type: none"> <li>• The persons who were consulted</li> <li>• A summary of the main issues raised</li> <li>• How any issues raised have been taken into account</li> </ul> <p>After reviewing any responses received, the Council will consider the need for any further consultation, which may relate to a specific topic.</p> <p>On-going cooperation with prescribed bodies as required</p>	<p>Email / Letter / Website</p> <p>Publication and 'deposit' of consultation documents</p>
Adoption	Regulation 14	<p>Notification only</p> <p>As soon as reasonably practicable after the Council adopt a SPD the Council must:</p> <ul style="list-style-type: none"> <li>• Make the SPD and adoption statement available at the deposit locations and on the Council's website</li> <li>• Send a copy of the adoption statement to any person, who has asked to be notified of the adoption of the SPD.</li> </ul>	<p>Publication and 'deposit' of proposed documents</p> <p>Email / Letter / Website</p>

**Table 4: Community Infrastructure Levy**

(Cherwell District Council is the Charging Authority for the purpose of Part 11 Section 206 of the Planning Act 2008.)

Stage	Regulation (The Community Infrastructure Levy Regulations 2010 (as amended))	Community Involvement	How
Pre-production	N/A	Initial contact with key stakeholders as required.	Telephone / Email / Letter / Meetings
Project planning		On-going cooperation with prescribed bodies as required	
Preliminary Draft Charging Schedule	Regulation 15	<p>Stakeholder engagement</p> <p>Formal consultation – 6 weeks</p> <p>On-going cooperation with prescribed bodies as required</p> <p>The charging authority must send a copy of the preliminary draft to each of the prescribed consultation bodies, and invite each of those bodies to make representations on the preliminary draft.</p> <p>Consultation bodies are those listed below whose area is within or adjoins the charging authority's area, in this case Cherwell District:</p> <ul style="list-style-type: none"> <li>• District Councils (including Oxford City Council)</li> <li>• County Councils</li> <li>• Any other person exercising the functions of a local planning authority and Parish Councils/Meetings whose area is in the Council's administrative area</li> </ul> <p>Using mechanisms it considers appropriate the charging authority must also invite representations on the preliminary draft from:</p> <ul style="list-style-type: none"> <li>• Persons who are resident or</li> </ul>	<p>Telephone / Email / Letter / Meetings</p> <p>Evidence Gathering / Targeted stakeholder review</p> <p>Publication and 'deposit' of draft schedule</p>

		<p>carrying on business in its area</p> <ul style="list-style-type: none"> <li>• voluntary bodies some or all of whose activities benefit the charging authority's area (if considered appropriate)</li> <li>• bodies which represent the interests of persons carrying on business in the charging authority's area (if considered appropriate).</li> </ul> <p>CIL regulations do not specify how charging authorities should consult or how long a consultation period to offer, although they should consider an appropriate period to ensure that respondents have enough time to comment.</p>	
Publication of a Draft Charging Schedule	Regulations 16 and 21	<p>Formal Consultation – 6 weeks</p> <p>On-going cooperation with prescribed bodies as required</p> <p>Before submitting a Draft Charging Schedule, the charging authority must make a copy of the draft charging schedule, the relevant evidence and a statement of the representations procedure available for inspection. These must be made available at its principal office and at such other places within its area as it considers appropriate.</p> <p>The relevant documents must also be published on the Council's website alongside a statement indicating they are available for inspection and where.</p> <p>The Draft Charging Schedule and statement of the representations procedure must be sent to each of the consultation bodies.</p> <p>The charging authority must give by local advertisement notice which sets out a statement of the representations procedure and a statement of the fact that the Draft Charging Schedule and relevant</p>	<p>Email / Letter / Website / Meetings</p> <p>Publication and 'deposit' of draft schedule</p>



		<p>evidence are available for inspection and of the places at which they can be inspected.</p> <p>CIL Regulation 17 establishes that the consultation must be for a period of no less than 4 weeks. Although Planning Practice Guidance indicates that allowing at least 6 weeks is considered good practice and longer if the issues are particularly complex.</p>	
<p>Modifications to the Draft Charging Schedule after Publication</p>	<p>Regulations 11, 15 and 19</p>	<p>Possible consultation – 6 weeks</p> <p>On-going cooperation with prescribed bodies as required</p> <p>If modifications on the Draft Charging Schedule were made by the charging authority after publication under Regulation 16, the charging authority must produce a Statement of Modifications (as set out in Regulations 11 and 19), publish it on its website and send a copy of the statement to each of the consultation bodies invited to make representations under Regulation 15.</p> <p>This must be complied with before submission of documents to the examiner.</p>	<p>Email / Letter / Website / Meetings</p> <p>Publication and ‘deposit’ of documents</p>
<p>Submission of documents and information to the examiner</p>	<p>Regulation 19</p>	<p>Notification only</p> <p>Submission of documents to the examiner.</p> <ul style="list-style-type: none"> <li>• The Draft Charging Schedule</li> <li>• A Statement setting out the representations made and a summary of the main issues raised by the representations</li> <li>• Copies of any representations</li> <li>• A Statement of Modifications (if modifications to the Draft Charging Schedule was made)</li> <li>• Copies of the relevant evidence.</li> </ul> <p>As soon as practicable after</p>	<p>Email / Letter / Website</p>

		<p>submission, the documents above must be published on the Council's website and be made available at places where documents were made available under Regulation 16.</p> <p>The charging authority must give notice to those persons who requested to be notified of the submission of the Draft Charging Schedule to the Examiner that the draft has been so submitted.</p>	
<p>Examination</p>	<p>Regulation 21</p>	<p>Notification &amp; right to be heard (as invited)</p> <p>Independent examination of the Charging Schedule by an Independent Examiner.</p> <p>It is for the examiner to decide how the hearings are conducted.</p> <p>A person who makes representations about a draft charging schedule under Regulation 17 must (if so requests) be heard by the examiner. This request must be made in writing within the consultation period specified by the charging authority.</p> <p>Where a person has submitted a request to be heard by the Examiner, the charging authority must:</p> <ul style="list-style-type: none"> <li>• Publish the matters on its website (time and place at which the examination is to be held and the name of the Examiner)</li> <li>• Notify any person who has made a representation in accordance with Regulation 17 and any person who has made a request to be heard in relation to the modifications.</li> </ul> <p>The charging authority must also give notice by local advertisement of the matters above.</p> <p>The local advertisement, notification</p>	<p>Email / Letter / Website</p>

		<p>and website publication must be undertaken at least four weeks before the opening of the examination. A two week notice is needed for those who have made a request to be heard in relation to the modifications.</p> <p>When a charging authority modifies a draft charging schedule, any person may request to be heard by the examiner in relation to these modifications. This applies only to the modifications as set out in the schedule of modifications. This request must be submitted in writing to the charging schedule within 4 weeks commencing on the day the draft schedule is submitted and must include details of the modifications on which the person wishes to be heard.</p> <p>The charging authority must submit a copy of each request it receives to the Examiner as soon as practicable after the end of the period of four weeks beginning with the day on which the Draft Charging Schedule is submitted to the Examiner in accordance with Regulation 19(1).</p>	
<p>Publication of the Examiner's recommendations</p>	<p>Regulation 23</p>	<p>Notification only</p> <p>As soon as practicable after the Council adopt the Charging Schedule, the charging authority must:</p> <ul style="list-style-type: none"> <li>• Make the Examiner's recommendations and reasons available for inspection at the places where documents were made available under Regulation 16.</li> <li>• Publish the recommendations and reasons on its website</li> <li>• Give notice to those persons who requested to be notified of the publication of the Examiner's recommendations and reasons that they have been so published.</li> </ul>	<p>Publication and 'deposit' of the Examiner's recommendations and associated documents</p> <p>Email / Letter / Website</p>

Approval and Publication of a Charging Schedule	Regulation 25	<p>As soon as practicable after the charging authority approves a charging schedule it must:</p> <ul style="list-style-type: none"> <li>• Publish the charging schedule on its website</li> <li>• Make the charging schedule available for inspection at places where documents were made available under Regulation 16.</li> <li>• Give notice by local advertisement of the approval of the charging schedule, that a copy of the charging schedule is available for inspection, and of the places at which it can be inspected</li> <li>• Give notice to those persons who requested to be notified of the approval of the charging schedule that it has been so approved</li> <li>• Send a copy of the charging schedule to each of the relevant consenting authorities.</li> </ul>	Email / Letter / Website
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**Table 5: Neighbourhood Plans**

Stage	Regulation (The Neighbourhood Planning (General) Regulations 2012) and Amendment (2015)	Community Involvement	How
Publicising an Area Application	Regulation 6	<p>Consult on the area application.</p> <p>As soon as possible after receiving an area application the Council must make it available for public consultation.</p> <p>Consultation period – minimum of 4 weeks (or 6 weeks if a wider area is being considered)</p>	<p>Publication of application</p> <p>Email / Letter / Website</p> <p>Site Notices to Parish or Town Council or designated Neighbourhood Forum</p>

		<p>The Council has to produce a public notice setting out:</p> <ul style="list-style-type: none"> <li>• Details of the consultation</li> <li>• Details of how to make representations</li> </ul> <p>If a deposit location is not available in the affected area, the Council will agree with the relevant neighbourhood plan steering group on a suitable location for the documents to be made available to the public.</p> <p>A public notice will also be published in the relevant local paper and copies will be sent to the relevant neighbourhood plan steering group for publicising in the area.</p> <p>The Council must determine the area application by:</p> <ul style="list-style-type: none"> <li>• 20 weeks for areas of two or more local planning authorities</li> <li>• 8 weeks for whole of the area of the Parish Council</li> <li>• 13 weeks for other cases.</li> </ul>	
Publicising a Designation of a Neighbourhood Area	Regulation 7	<p>Notification only</p> <p>As soon as possible after designating a neighbourhood area the Council must publish the decision on the area application including:</p> <ul style="list-style-type: none"> <li>• Name of the neighbourhood area</li> <li>• A map which identifies the area</li> <li>• The name of the relevant body who applied for the designation.</li> </ul>	Email / Letter / Website
Publicising a Plan Proposal	Regulation 16	<p>Consult on the submission neighbourhood plan.</p> <p>As soon as possible after receiving a Neighbourhood Development Plan the Council must make the Plan and associated documents available for public consultation.</p>	<p>Publication and 'deposit' in relevant area of proposed documents</p> <p>Email / Letter / Website</p>

		<p>Consultation period – minimum of 6 weeks</p> <p>The Council must publish the submission neighbourhood plan and associated documents and produce a public notice setting out:</p> <ul style="list-style-type: none"> <li>• Details of the consultation</li> <li>• Details of how to make representations</li> </ul> <p>If a deposit location is not available in the affected area, the Council will agree with the relevant neighbourhood plan steering group on a suitable location for the documents to be made available to the public.</p> <p>In addition a public notice will be published in the relevant local paper and copies will be sent to the relevant neighbourhood plan steering group for publicising in the area.</p>	
Publication of the Examiner’s Report and Plan Proposal Decisions	Regulation 18	<p>Notification only</p> <p>As soon as possible after making a decision the Council must publish the Examiner’s Report and a decision notice.</p>	<p>Publication and ‘deposit’ in relevant area of Examiner’s Report</p> <p>Publication of decision notice</p> <p>Email / Letter / Website</p>
Referendum (Neighbourhood Planning (Referendum) Regulations 2012)	N/A	<p>Local referendum</p> <p>The Council’s Democratic Services team will facilitate the local referendum concerning the area affected.</p>	Notification of venue and date
Decision on a Plan Proposal	Regulation 19	<p>Notification only</p> <p>As soon as possible after deciding to make a Neighbourhood Development Plan the Council must publish a decision statement and send to the qualifying body and any person who asked to be notified of the decision.</p>	Email / Letter / Website
Publicising a	Regulation 20	Notification only	Publication and ‘deposit’

Neighbourhood Development Plan		<p>As soon as possible after making a Neighbourhood Development Plan the Council must make the following available at the deposit locations and on the Council's website:</p> <ul style="list-style-type: none"> <li>• The Neighbourhood Development Plan</li> <li>• Details of where and when the Neighbourhood Development Plan may be inspected.</li> </ul> <p>The Council must also notify any person who asked to be notified of the making of the Neighbourhood Development Plan that it has been made and where and when it may be inspected.</p>	Email / Letter / Website
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*Planning Applications*

3.31 The Council's Development Management team is responsible for the processing of all planning applications within the District. Both publicity and consultation are a key part of the process. There are various stages for planning applications which are referred to in Table 6.

**Table 6: Stages of planning applications**

Stage	Summary
Pre-application discussions and consultations	<p>Early discussions between developers and planning officers will provide the opportunity to create proposals in the right form that will be attractive to the community and the local planning authority. They can be of great benefit to the application by identifying the key planning issues, avoiding abortive work and speeding up the statutory process.</p> <p>The Council offers a confidential formal pre-application service for a fee which is charged depending on the scale of the proposed development. The pre-application guidance note and fee schedule are available at <a href="http://www.cherwell.gov.uk">www.cherwell.gov.uk</a>.</p> <p>Developers of larger sites will generally be expected to engage with local communities – residents and community associations and relevant interest groups and statutory consultees or service providers. The Council will expect developers, as part of their application to detail the pre-application consultation they have undertaken (in a statement of consultation) and how comments have been addressed in progressing a proposal – which could take the form of a 'statement of community involvement'. This will ensure that the standard requirements for involving the local and/or wider community are met.</p>
Submission of an application	<p>As soon as a planning application has been submitted and validated, the Council will undertake notification and consultation with the local community (other than for applications considered by the County Council which is responsible for 'County</p>

Matters' – Minerals and Waste development). All applications are available to view on the Council's website (via Public Access at <http://www.publicaccess.cherwell.gov.uk/>) which enables people to:

- comment on an application (validated applications should be available for comment within 5 working days of being received, or major applications within 10 working days)
- search and view planning application details (historic applications back to 1995)
- research the planning history of a property (back to 1995)
- register to receive email notifications of certain planning applications
- view weekly or monthly lists of new and recent planning applications
- comment on current applications (like all comments received by the Council, these are open to public inspection)
- see planning decisions
- monitor planning application progress
- view details of planning appeals
- search and view enforcement details back to 2008

As well as being available through the Public Access system, a copy of the application may be inspected at the Council offices at Bodicote House during normal working hours (8.45am to 5.15pm Monday to Friday) or may be available for inspection from the Clerk to the relevant Town or Parish Council or Parish Meeting. Applications for development within the town of Banbury may also be inspected at Banbury Town Council, Town Hall, Bridge Street, Banbury. Copies of applications may also be obtained at Bodicote House for a fee.

The Council uses the following methods to consult the public on planning applications:

- Notifications – where there are people in buildings that are likely to be affected by a planning application and also the relevant Town/Parish Council/Meeting, the Council will normally notify them by letter that an application has been submitted and that they can inspect the application and make written comments to the Council within 21 days.
- Public Access System – all planning applications are available to view and comment on via an on-line public access system available at <http://www.publicaccess.cherwell.gov.uk>. Weekly or monthly lists of applications can be obtained through the system. Town and Parish Councils/Meetings are notified about individual applications. Local Members are also notified.
- Press Notice - Planning legislation requires local planning authorities to publish details in the local press of all planning applications for major development, applications for development affecting listed buildings, conservation areas, tree preservation orders or public rights of way and applications accompanied by Environmental Statements.



	<p>The Council’s letters/notifications/advertisements set out the deadline by which comments should be submitted, which is 21 days of the date of publication. Only comments relating to planning matters will be taken into account.</p>						
Processing the application	<p>Dialogue between applicants and the Planning Officers is an important part in the development management process, and the negotiation can steer development towards more acceptable forms. This negotiation may lead to amendments to a scheme which may resolve particular objections or take on board recommendations made by interested parties.</p> <p>Where negotiation with the applicant results in an amendment to the proposal being submitted the requirement for re-notification will depend upon the scale of the amendment. Below outlines the guidelines that will be applied in considering the re-notification procedure.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Type of amendment</th> <th style="text-align: left;">Re-notification procedure</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <p>Minor amendments</p> <p><i>(such as a small alteration to the approved materials of proposal)</i></p> </td> <td style="vertical-align: top;"> <p>The re-notification of neighbours on minor amendments can significantly delay the consideration of a planning application. On the whole, most amendments are normally made to seek better quality development or resolve particular areas of conflict. On this basis and in order to avoid unnecessary delay for minor amendments, no additional re-notification is undertaken. Copies of the amendments will normally be sent to appropriate Parish Councils/Meetings for information only. Minor amendments will not be re-advertised. The modified plan will be available immediately on the Council’s website upon receipt.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <p>Significant amendments</p> <p><i>(such as major structural changes or significant modifications to the proposal)</i></p> </td> <td style="vertical-align: top;"> <p>More significant amendments will require neighbour re-notification with the decision to re-notify neighbours at the discretion of the case officer. There will be a shorter response period of normally ten days in order to reduce delay in the process unless the amendment is deemed to warrant a longer period, in which case it may be extended to 21 days. All significant amendments will also be re-advertised in the local press.</p> <p>Where appropriate Parish Councils/Meetings, statutory consultees and anyone that had made a representation during the original notification period are also re-consulted if a significant amendment is received. This again will normally be a reduced period of ten days unless the amendment is deemed to warrant a longer</p> </td> </tr> </tbody> </table>	Type of amendment	Re-notification procedure	<p>Minor amendments</p> <p><i>(such as a small alteration to the approved materials of proposal)</i></p>	<p>The re-notification of neighbours on minor amendments can significantly delay the consideration of a planning application. On the whole, most amendments are normally made to seek better quality development or resolve particular areas of conflict. On this basis and in order to avoid unnecessary delay for minor amendments, no additional re-notification is undertaken. Copies of the amendments will normally be sent to appropriate Parish Councils/Meetings for information only. Minor amendments will not be re-advertised. The modified plan will be available immediately on the Council’s website upon receipt.</p>	<p>Significant amendments</p> <p><i>(such as major structural changes or significant modifications to the proposal)</i></p>	<p>More significant amendments will require neighbour re-notification with the decision to re-notify neighbours at the discretion of the case officer. There will be a shorter response period of normally ten days in order to reduce delay in the process unless the amendment is deemed to warrant a longer period, in which case it may be extended to 21 days. All significant amendments will also be re-advertised in the local press.</p> <p>Where appropriate Parish Councils/Meetings, statutory consultees and anyone that had made a representation during the original notification period are also re-consulted if a significant amendment is received. This again will normally be a reduced period of ten days unless the amendment is deemed to warrant a longer</p>
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		period, in which case it may be extended to 21 days.
Determination of the application	<p>Any consultation responses received will be considered in decisions made by the Council. As outlined above planning applications are determined by the Council either through Planning Committee or powers delegated to Council Officers. Some 90% of the applications submitted to the Council are determined under delegated powers to help ensure that applications are dealt with efficiently within the eight week timescale set by the Government.</p> <p>The Council publishes on its website the details of all Planning Committees normally 5 days in advance of the meetings along with the agendas and items for consideration. Where requested, the Council will inform the applicant of the time, date and location of the Committee meeting along with the officer recommendation.</p>	
Post determination	<p>Where a planning application is determined by Planning Committee a letter is sent to everyone who made representations advising them of the decision except on those applications which have generated a significant degree of public interest. In those cases a notification of the decision is put in the local press.</p> <p>Where decisions are taken at Planning Committee the decision will be publicised in the Committee minutes on the Council's website.</p>	
Planning appeals	<p>Where an applicant has an application refused, not determined or disagrees with the conditions attached to a planning permission they have the right of appeal within six months of the decision. When an applicant appeals the Planning Inspectorate, which is an independent body, will determine the appeal through one of the following methods.</p> <ul style="list-style-type: none"> <li>• Written representations – where the appeal is determined based solely upon the written representations sent to the Planning Inspectorate</li> <li>• Informal hearing – where the appeal is determined based upon the written representations sent to the Planning Inspectorate and a discussion led by an independent Inspector involving the Council, the person making the appeal and any third parties who wish to comment</li> <li>• Public inquiry – where the appeal is determined based upon the written representations sent to the Planning Inspectorate and a formal public inquiry procedure where evidence is cross-examined.</li> </ul> <p>If an appeal is made the Council will notify in writing everyone who made representations on the application and tell them how to make their views known to the Planning Inspector. This may be in writing or in person according to the appeal method. There is no need to re-submit previous information sent to the Council on the planning application as the Council will forward all previous representations to the Planning Inspectorate. Ward Councillors are also informed that an appeal has been made.</p> <p>Where an appeal is to be dealt with by the Planning Inspectorate through written representations the appeal will be determined based upon the evidence contained within those statements and following a site visit by the Inspector.</p>	

Where an appeal is to be dealt with by the Planning Inspectorate through an informal hearing or public inquiry the Council will display a site notice and advertise in the press the date, time and location of the hearing or inquiry. Third parties are able to attend both informal hearings and inquiries if they wish to do so, providing that the Planning Inspectorate is notified beforehand.





#### 4. Reviewing and Monitoring the SCI

- 4.1 Monitoring of the SCI is important in ensuring that the Council has conformed to what it has set out. We will monitor the effectiveness of the SCI to ensure that the requisite community involvement has been appropriate and effective in the production of planning policy documents and in decision making. We will also monitor any changes to national legislation and policy.
- 4.2 The SCI will also be updated if other significant changes suggest a review is required. For example this might be the result of changes to:
- Groups we engage with
  - Legislation / national policy
  - Consultation methods
  - Council protocol
  - Technology
  - Results of the review of consultations, including the effectiveness of consultation methods in engaging particular groups.
- 4.3 If it becomes clear that the SCI is failing to deliver effective community involvement on planning matters, or where significant changes are required, the Council will consider reviewing the SCI. Should this be the case, the Council's Annual Monitoring Report (AMR) will set out the need for a review of the SCI and clearly identify where the SCI has failed to deliver effective community engagement or where there is a need for significant change.

**Appendix I - Local Development Documents – Specific and General Consultation Bodies**

The Town and Country Planning (Local Planning) (England) Regulations 2012

Part 1, Regulation 2

‘Specific Consultation Bodies’ means:

- (a) the Coal Authority
- (b) the Environment Agency
- (c) The Historic Buildings and Monuments Commission for England (now known as Historic England)
- (d) The Marine Management Organisation
- (e) Natural England
- (f) Network Rail Infrastructure Limited
- (g) the Highways Agency (Highways England)
- (h) a relevant authority any part of whose area is in or adjoins the local planning authority’s area
- (i) prescribed electronic communications providers
- (j) relevant Primary Care Trust
- (k) relevant electricity providers
- (l) relevant gas providers
- (m) relevant sewerage undertaker
- (n) relevant water undertaker
- (o) Homes and Communities Agency

‘General Consultation Bodies’ means:

- (a) Voluntary bodies some or all of whose activities benefit any part of the local planning authority’s area
- (b) Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority’s area
- (c) Bodies which represent the interests of different religious groups in the local planning authority’s area
- (d) Bodies which represent the interests of disabled persons in the local planning authority’s area
- (e) Bodies which represent the interests of persons carrying on business in the local planning authority’s area

## Appendix 2 - Neighbourhood Plan Consultation Bodies

The Neighbourhood Planning Regulations 2012 set out that any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a Neighbourhood Development Plan should be consulted. (Note: it is not always the responsibility of Cherwell District Council to engage with the following groups, as this depends on the relevant stage of the Neighbourhood Plan preparation, in some instances, it will be the responsibility of the qualifying body who is preparing the Plan (i.e. a Parish/Town Council). The list of the Neighbourhood Plan consultation bodies is from the Neighbourhood Planning Regulations 2012 (paragraph 1 of Schedule 1):

- A Local Planning Authority, County Council or Parish Council whose area is within or adjoins the area of the relevant Local Planning Authority
- Coal Authority
- Environment Agency
- Highways England
- Historic England
- Homes and Communities Agency
- Natural England
- Network Rail Infrastructure Company
- NHS Oxfordshire
- Any person to whom the electronic communications code applies or who owns or controls electronic communications apparatus situated in part of the area of the Local Planning Authority.
- Any person to whom a licence has been granted under the Electricity Act (if it exercises a function in any part of the neighbourhood area)
- Any person to whom a licence has been granted under the Gas Act (if it exercises a function in any part of the neighbourhood area)
- Sewerage undertaker
- Water undertaker
- Voluntary bodies some or all of whose activities benefit any part of the neighbourhood area
- Bodies which represent the interests of different racial, ethnic or national groups in the neighbourhood area
- Bodies which represent the interests of different religious groups in the neighbourhood area
- Bodies which represent the interests of persons carrying on business in the neighbourhood area
- Bodies which represent the interests of disabled persons in the neighbourhood area

### **Appendix 3 – Community Infrastructure Levy Consultation Bodies**

The Community Infrastructure Levy Regulations 2010 (regulation 15) defines the consultation bodies that a Charging Authority must engage with during the different stages of CIL preparation:

- A local planning authority whose area is within or adjoins the charging authority's area
- Oxfordshire County Council
- Each Parish Council whose area is in the charging authority's area

The charging authority must also invite representations on the preliminary draft charging schedule from:

- persons who are resident or carrying on business in its area
- voluntary bodies some or all of whose activities benefit the charging authority's area
- bodies which represent the interests of persons carrying on business in the charging authority's area



**Appendix 4 – Deposit Locations**

<b>Deposit Location Name</b>	<b>Deposit Location Address</b>
Cherwell District Council Offices	Bodicote House, Bodicote, Banbury, OX15 4AA
Banbury Town Council	Town Hall Buildings, 1 Bridge Street, Banbury, OX16 5QB
Banbury Library	Marlborough Road, Banbury, OX16 5DB
Neithrop Library	Community Centre, Woodgreen Avenue, Banbury, OX16 0AT
Bicester Town Council	The Garth, Launton Road, Bicester, OX26 6PS
Bicester Library	Franklins House, Wesley Lane, Bicester, OX26 6JU
Kidlington Library	Ron Groves House, 23 Oxford Road, Kidlington, OX5 2BP
Adderbury Library	Church House, High Street, Adderbury, OX17 3LS
Deddington Library	The Old Court House, Horse Fair, Deddington, OX15 0SH
Hook Norton Library	High Street, Hook Norton, OX15 5NH
Banbury LinkPoint	43 Castle Quay, Banbury, OX15 5UW
Bicester LinkPoint	Franklins House, Wesley Lane, Bicester, OX26 6JU
Kidlington LinkPoint	Exeter Hall, Oxford Road, Kidlington, OX5 1AB

## Appendix 5 – Glossary

Phrase	Definition
Adoption	The approval, after independent examination, of the final version of a Local Development Document by a local planning authority for future planning policy and decision making.
Annual Monitoring Report (AMR)	A report produced at least annually assessing progress of the LDS and the extent to which policies in Local Development Documents are being successfully implemented.
Community Infrastructure Levy (CIL)	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.
Development Plan	The statutory term used to refer to the adopted spatial plans and policies that apply to a particular local planning authority area. This includes adopted Local Plans (including Minerals and Waste Plans) and Neighbourhood Development Plans and is defined by Section 38 of the Planning and Compulsory Purchase Act 2004.
Development Plan Documents (DPDs)	Documents which make up the Local Plan. All DPDs are subject to public consultation and independent examination.
Duty to Co-operate	A statutory duty placed on public bodies to cooperate constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
Examination	The process by which an independent Planning Inspector considers whether a Development Plan Document is 'sound' before it can be adopted.
Hard to reach groups	Groups of people or organisations within the community that have traditionally been more difficult to engage in the planning system. They include older people, children and young people, religious, disabled and ethnic minority groups.
Local Development Documents (LDDs)	The collective term for Development Plan Documents, Supplementary Planning Documents and other documents containing statements relating to planning policy and the development and use of land.
Local Development Scheme (LDS)	A Local Development Scheme is a statutory document required to specify (among other matters) the documents which, when prepared, will Local Development Scheme (LDS) comprise the Local Plan for the area. It sets out the programme for the preparation of these documents.
Local Plan	The plan for the local area which sets out the long-term spatial vision and development framework for the District and strategic policies and proposals to deliver that vision.
National Planning Policy Framework (NPPF)	A document setting out the Government's planning policies.
National Planning Practice Guidance (NPPG or PPG)	The Government's planning guidance supporting national planning policy.
Neighbourhood	A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act

Plans	2004).
Planning Inspectorate	The Government body responsible for providing independent inspectors for planning inquiries and for examinations of Development Plan Documents.
Policies Map	Maps of the local planning authority's area which must be reproduced from, or based on, an Ordnance Survey map; include an explanation of any symbol or notation which it uses; an illustrative geographically the application of the policies in the adopted development plan. Where the adopted policies map consists of text and maps, the text prevails if the map and text conflict.
Soundness	A term referring to the justification of a Local Plan Document in line with legislation and national and regional guidance. To be tested at an Examination in Public.
Strategic Environmental Assessment (SEA)	An assessment of the environmental effects of policies, plans and programmes, required by European legislation, which will be part of the public consultation on the policies.
Submission	The stage at which a Development Plan Document is sent to the Secretary of State for independent examination.
Supplementary Planning Documents (SPDs)	Documents which provide guidance to supplement the policies and proposals in Development Plan Documents.
Sustainability Appraisal (SA)	The process of assessing the economic, social and environmental effects of a proposed plan. This process implements the requirements of the SEA Directive. Required to be undertaken for all DPDs.