

# Statement of Community Involvement 2021

Appendix 2

## CHERWELL DISTRICT COUNCIL Statement of Community Involvement September 2021



*Cherwell*  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

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# 1 INTRODUCTION

## 1.1 What is the Statement of Community Involvement?

A Statement of Community Involvement (SCI) sets out who, how and when Cherwell District Council will engage as part of the planning process. This includes preparing key planning policy documents and the determination of planning applications. The aim of the SCI is to explain how we will consult and provide information to help encourage community and stakeholder participation in the planning process. The SCI gives the public and stakeholders certainty over the type of engagement expected and the ways they can get involved. The SCI sets the framework for planning-related consultations which will enable us to demonstrate how we have met and, in some cases, exceeded statutory requirements.

We must comply with the adopted SCI in preparing relevant planning policy documents and in determining planning applications.

There is no formal requirement for local planning authorities to consult when reviewing or updating their SCI. However, community involvement from the outset in the local planning system is important. This SCI was made available for comment for a period of 6 weeks in July 2021 and comments received have been used to inform this final version.

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

The previous SCI dates back to 2016. Since its adoption, there have been changes to planning legislation and guidance. In addition, there have been changes to how the public and other stakeholders access information relating to the planning process. This includes an increased use and availability of electronic communications (e.g. the more widespread use of 'smart phones' for internet access) and increased use of social media to access information and news. These changes provided opportunities to change the way we engage on planning matters to make planning more accessible to a wider audience.

As part of this review, we have taken the opportunity to:

- review the availability of planning documents considering the impacts of the COVID-19 pandemic;
- consider ways in which we can be flexible in our approach to consultation and engagement to ensure that the Council can still proceed with its planning duties whilst responding to national or local circumstances; and
- recognise the importance of ensuring that consultation is cost effective and that the Council is working efficiently to free up limited resources.

This SCI is intended to provide a more flexible approach to consultation and engagement to ensure that the Council can still proceed with its planning duties whilst responding to unpredictable national or local circumstances. This SCI supersedes the 2016 SCI and the Addendum adopted in July 2020.

## 1.3 Content

Our Statement of Community Involvement comprises five sections:

1. **Context** – summarises the principles of community involvement in planning and sets out the relevant national planning context.
2. **Community Involvement in Planning Policy** – provides information on how to get involved with and influence the preparation of planning policy documents and includes an overview of the consultation and engagement methods that may be used.
3. **Neighbourhood Planning-** provides a statement of the assistance that the Council will provide to those groups wishing to prepare Neighbourhood Plans for their area.
4. **Community Involvement in Planning Applications** – provides information on how to become aware, comment and view planning applications and how to submit details of a potential breach of planning control to the Council.
5. **Reviewing and Monitoring the SCI** – sets out how the SCI will be monitored and under what circumstances it might be reviewed.

## 2 CONTEXT

### 2.1 Principles of community involvement in planning

Planning is important in shaping the neighbourhoods and communities in which we all live and work. Early and meaningful engagement with local communities and stakeholders is an integral part of the planning process. In preparing this SCI, regard has been had to the National Planning Policy Framework (NPPF) and accompanying Planning Policy Guidance (PPG). These highlight the Government's commitment to engaging the public in planning both in plan making and decision taking.

The NPPF states that plans should *"be shaped by early, proportionate and meaningful engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and statutory consultees"*. In relation to decision taking, it states that *"early engagement has significant potential to improve the efficiency and effectiveness of the planning application system"*. It enables improved outcomes for the community. We take public and stakeholder engagement seriously and consider it important that everyone has an opportunity to be involved in and influence decisions that are made through the planning process.

The Council is seeking to delivery upon its Climate Emergency declaration. We have considered how the SCI can contribute through encouraging the appropriate use of information and communication technology and reducing resource use. We will be mindful of the declared climate change emergency when conducting our consultations balancing this against the needs to ensure access to information for all.

## 3 COMMUNITY INVOLVEMENT IN PLANNING POLICY

### 3.1 Overview of the plan making process

As a Local Planning Authority, we have a statutory duty to put in place a framework of planning policies (known as the Development Plan or Local Plan) used to guide development proposals and to help determine planning applications. Our 'Local Development Scheme' or LDS sets out the programme for preparing new planning policy documents.

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. This section of the SCI provides an overview. **Statutory requirements will always be met.**

Completed documents that are relevant to the plan-making process, but which are not required to be subject to consultation will be published on the Council's website in the interest of accessibility and transparency. Examples include technical and information documents, the Local Development Scheme and our Annual Monitoring Report.

### 3.2 Types of Planning documents subject to consultation

We are required to prepare a Local Plan. This plan can comprise one or more documents prepared either individually, or jointly with other Local Planning Authorities. Plans must be kept 'up-to-date' and are subject to review every 5 years (or sooner if circumstances alter) having regard to latest national policy and guidance.

For some joint plans, such as the Oxfordshire Plan 2050, the council may adopt a different Statement of Community Involvement that sets out how it will engage on that specific document. This is to ensure that each of the Local Planning Authorities involved are following the same procedures.

In addition, the Council may prepare other documents such as a Community Infrastructure Levy or Supplementary Planning Documents (SPDs) which are also prepared in accordance with regulations.

From time to time other documents such as masterplans, development briefs and guidance notes will be prepared on specific topics or areas. Who, how and when we consult on these documents will vary dependent on their scope.

#### **Local Plans**

Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure. They provide a basis for managing development, for safeguarding the environment, adapting to climate change and securing good design. Local Plans can allocate land for development and areas that may need to be protected. Local Plans form part of the statutory Development Plan and are the starting point for the determination of planning applications.

Preparation of a Local Plan will follow a set of statutory stages. In broad terms they include the identification of issues and the testing of options for addressing those issues, the preparation and publication of plan proposals and the submission of a plan for examination. The stages involve on-going community engagement, defined periods of formal consultation and the submission of comments known as representations which must be considered. There are prescribed requirements for making documents available: to who, for how long and where. The requirements are a minimum.

Local Plans are independently examined by an Inspector appointed by a Secretary of State (via the Planning Inspectorate). During the examination, an Inspector will wish to ensure that the preparation of the plan has followed the relevant procedures including that the Council has consulted and considered comments received.

#### **Supplementary Planning Documents**

Supplementary Planning Documents (SPDs) expand upon and provide additional guidance and interpretation to support policies in a Local Plan. They must be consistent with the Local Plan and, where relevant, are a *material consideration* in the determination of planning applications. They do not form part of the statutory Development Plan.

Consultation is part of the process for preparing SPDs but, unlike a Local Plan, they are not examined.

## Other planning documents

The Council also prepares other planning-related documents which will be subject to public consultation and engagement. As these documents do not form part of the 'Local Plan' and do not have regulations to guide their preparation, there is discretion in who, how and when we consult.

### 3.3 Sustainability Appraisals / Habitats Regulations Assessments

Local Plans and some SPDs and Neighbourhood Plans need to be assessed for social, environmental and economic implications of policies and proposals. Sustainability Appraisals (SAs) and Strategic Environmental Assessments (SEAs) help to test the 'soundness' (or robustness) 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 requirements of The Sustainability Appraisal, Strategic Environmental Assessment and Habitats regulations assessments are prescribed by a European Directive. However, they have been transposed and remain a requirement.

A Habitats Regulations Assessment (HRA) may be 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. The screening stage determines if a document, such as a Local Plan, 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). This is the likely effect of the plan before any mitigation is included. The screening can lead to the need for 'Appropriate Assessment'.



### 3.4 Who will we engage with?

Who we engage with will depend on the document being prepared. For some documents such as Local Plans, consultees are prescribed in the regulations and are known as ‘general’ consultation bodies or ‘specific’ consultation bodies. This list is subject to change and review. Definitions of these bodies is provided at Appendix 2.

The Council maintains a database of individuals and organisations who have expressed an interest in the preparation of planning policy documents. The database is used to notify individuals and organisations of forthcoming consultations, opportunities to comment or for the purposes of wider engagement and awareness raising. For the Local Plan, this also includes those who have responded to planning policy consultations in the past as there is a requirement in the regulations that the council needs to notify those individuals at future stages.

The database is periodically reviewed and managed to comply with the General Data Protection Regulations 2016 (GDPR) and Data Protection Act 2018 (DPA) or any successor legislation. Full details about how we use this data and the rights you have around this can be found on the Council’s website. Individuals can be added to or removed from the database. Please contact the Planning Policy Team by emailing [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk).

Who we consult with will depend on the type of document. The main groups are summarised in **Table 1** below. As is illustrated, the Local Plan has specific regulations that guide who we need to consult with, whereas masterplans and other guidance there is greater discretion. At each stage we will be transparent about the ‘scope’ including the area or topic and who was consulted.

**Table 1: Who will be consulted**

Group	Document		
	Local Plan	Sustainability Appraisal/ Habitats Regulations Assessment	Other guidance
<b>Specific Consultation bodies</b>	All - as per the prescribed regulations	All - as per the prescribed regulations	Will depend on the matters covered will usually include: Environment Agency, Natural England, Homes England, Town and Parish Councils.
<b>General Consultation Bodies</b>	All - as contained on the Planning Policy Database	All - as contained on the Planning Policy Database	Will depend on the geographical area or topic.
<b>Interested Persons</b>	All individuals who wish to comment	All individuals who wish to comment	All individuals who wish to comment

### 3.5 The Duty to Cooperate

The preparation of a Local Plan is subject to a statutory ‘Duty to Cooperate’. This is a requirement to consider strategic planning issues beyond administrative boundaries and address issues that cannot be dealt with by the local authority working alone. To ensure that Cherwell’s Local Plan can be adopted, compliance with the Duty to Cooperate must be demonstrated. It requires an on-going process. The bodies for cooperation are defined in the regulations.

Within Oxfordshire, the Oxfordshire Councils are assisted in meeting the Duty to Cooperate by an ‘Oxfordshire Growth Board’ (a Joint Committee) comprising ourselves, 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:

- Oxfordshire Clinical Commissioning Group
- Environment Agency
- Homes England
- Oxford Universities
- Oxfordshire Skills Board
- Oxfordshire Local Enterprise Partnership

The Council must also work closely with the authorities outside of Oxfordshire who share a boundary. This includes Buckinghamshire, West Northamptonshire and Stratford Upon Avon.

### 3.6 Community engagement

The Council is committed to ensuring on-going and meaningful engagement in the plan making process. In preparing our plans and policies we will actively seek to engage with our communities, businesses and other relevant stakeholders. Planning Practice Guidance (PPG) emphasises that this is to ensure that policies remain relevant and community involvement is effective at all stages of the planning process.

On occasion we receive requests to attend Parish meetings and briefings and whilst we cannot commit as a matter of course, we will continue to consider such requests, subject to resources and programming.

We may use any of the engagement methods set out in **Table 2** based on individual circumstances. In choosing methods, we will ensure these are appropriate to the stage of plan preparation and proportionate to the scale and impact of the proposals. Methods will also need to be considered in relation to the circumstances at the time of consultation, as well as the latest government and planning guidance.

**Table 2: Engagement methods**

<b>Method</b>	<b>Use</b>
<b>Online consultation system</b>	The Council has committed to purchasing software which will help facilitate on-line engagement. This will be available via our website in due course.
<b>Online meetings and events</b>	On-line meetings and events may be used in conjunction with other consultation techniques to discuss specific issues. The experience of the pandemic has shown that, if managed well, this can be both efficient and effective. The ability to engage on-line provides resilience if the pandemic or other unanticipated future circumstances provides restrictions on social contact
<b>In person meetings and events</b>	Whilst it will not always possible to meet, we are happy to consider requests and find ways to ensure that our communities and other interested parties are heard where on-line communication would not be effective.
<b>Exhibitions</b>	Exhibitions may be used to present information and options to the public. They may be used to reporting back the findings of previous consultation exercises or to present ideas. Exhibitions may include unstaffed displays (or virtual events).  Exhibitions offer the chance to provide feedback through interactive displays, informal polls/voting, or through discussions with officers. Where Officers of the council will be present at exhibitions, this will be clearly advertised.
<b>Briefings</b>	Briefings may be held with Town and Parish Councils/Meetings to disseminate information and discuss issues. They may be on-line or held in person.
<b>Workshops</b>	Workshops may be organised to explore issues and options in detail with a wider group of participants and an interactive environment. Workshops will be held either virtually or in accessible locations appropriate for the subject issues and will be held at times of the day best suited for appropriate community involvement.
<b>Focus Groups or Forums</b>	Focus groups or forums may be used to enable local people to discuss planning issues either in person or virtually. They will usually be held during the earlier stages of plan making and be arranged with specific groups, dependent on the topic.  Focus groups may be used to gain a more in-depth understanding of public concerns or those of specific groups e.g. younger people on specific matters or to help focus wider consultations.

### 3.7 Publicising Planning Policy Documents

The Local Plan and other policy documents will routinely be published online, and the consultation bodies notified of how and where they can be accessed. It should be noted that **paper copies will not routinely be available other than at those locations listed in Appendix 1.**

Requests can be made for a paper copy of primary consultation documents by contacting the Planning Policy Team. A reasonable charge may be levied for requests for printed copies of the documents to cover the cost of production.

**Table 3** (below) provides specific details of the availability of Local Plans, Supplementary Planning Documents and the Sustainability Appraisal.

**Table 3: Availability of documents**

Method	Commentary
<b>Website</b>	<p>The Council's website is the principal source for all consultations and information relating to plan making. It is used for:</p> <ul style="list-style-type: none"> <li>- Publication of all local plan consultation documents</li> <li>- Publication of latest news</li> <li>- Publication of evidence base documents</li> <li>- Publication of public notices including where documents are available for inspection.</li> </ul>
<b>Direct notification</b>	<p>All relevant organisations and individuals on the Planning Policy consultation database will receive direct notice of the publication of a planning policy document (see <b>Table 1</b>) for consultation. Notifications will be sent by:</p> <ul style="list-style-type: none"> <li>- Email (including electronic alerts)</li> </ul> <p>Letters will be sent where no email address is held, or the individual has made a specific request. To minimise costs to the council and to help meet our climate action targets individuals and organisations are encouraged to register an email address with the Planning Policy team.</p>
<b>Public notice</b>	<p>Public notices detailing the availability of the document(s) will be posted at the following locations:</p> <ul style="list-style-type: none"> <li>- On the Council's website</li> <li>- In local newspapers both online and in hard copy insofar as they are circulating in the district. For documents only affecting Cherwell, these are the Banbury Guardian, Bicester Advertiser and the Oxford Mail.</li> </ul> <p>When open to the public, notices will be also be available at:</p> <ul style="list-style-type: none"> <li>- Public Libraries within Cherwell District</li> </ul>

Method	Commentary
	<p>- Bodicote House, Bodicote, Banbury, OX15 4AA (the Council's principal office)</p> <p>An A4 paper copy of the notice will be provided to Town/Parish Councils for inclusion on local boards at their discretion.</p>
<b>Inspection Copies</b>	<p>Inspection copies of the document will be made available at Bodicote House (the Council's principal office) and the libraries listed in <b>Appendix 1</b> when publicly accessible during advertised opening hours.</p>

In addition, the council may utilise the following methods to publicise consultations relating to the local plan and other planning policy documents:

- **Cherwell Parish Bulletin:** regular electronic newsletter sent to all parish councils in the Cherwell area. This will be used to help raise awareness of forthcoming consultations. In addition, we are open to discuss ways in which we can help parish councils disseminate information in their own newsletters.
- **Social Media:** The Council has several official channels covering the principal social media platforms (Facebook and Twitter). These will be used to raise awareness of consultation and how individuals/organisations can engage. Weblinks will be provided to enable interested parties to view the consultation documents and submit representations.
- **Press releases:** these may be issued to local newspapers to draw attention to policy documents.
- **Posters and Leaflets** may be prepared to raise awareness of the matter, summarise the principal matters and direct consultees to sources of further information where this is appropriate.

### 3.8 How long will we consult for?

We will meet our statutory requirements. Presently, consultation periods for the Local Plan are a minimum of 6 weeks. The consultation period for a Supplementary Planning Document (SPD) is 4 weeks.

On some occasions we may have discretion to extend consultation periods beyond the *minimum* set out in the regulations. This will depend on the stage of plan making (as some stages are 'prescribed' in the regulations and cannot be altered) and our required programme of work.

### 3.9 When will we Consult?

The planning policy team will engage throughout the process of preparing a local plan. Formal periods of consultation/representations will reflect the stages of document preparation. The Local Development Scheme (LDS) sets out the stages for Local Plan production and is reviewed periodically. The key stages for a Local Plan are:

- Regulation 18- Preparation
- Regulation 19- Pre-Submission stage
- Regulation 22- Submission stage (and examination)

Local Plan regulations prescribe what we must do at each stage.

### 3.10 Providing feedback

Responses provided to consultations are an integral part of the plan- and policy-making process. We will receive and encourage comments, representations and feedback using one or more of the following methods set out in **Table 4** depending on the consultation.

**Table 4: Gathering Feedback**

Method	Use
<b>Online consultation system</b>	The Council has committed to purchasing software to make responding to planning consultations simpler. This will be available via our website in due course.
<b>Questionnaires and response forms</b>	<p>The type of questionnaire/ response form will be dependent on the stage of plan making. At the earlier stages, questionnaires may provide polls, closed questions or other requests for evidence. At the latter stages, those responding to consultations will need to provide information on specific parts of the plan making process. Using the published response form(s) ensures that all the information required to allow views to be considered at the examination.</p> <p>The Council will make questionnaires and response forms available online. Paper copies of primary documents will be provided on request.</p> <p>Questionnaires and response forms can be:</p> <ul style="list-style-type: none"> <li>• Completed online</li> <li>• Completed electronically and emailed, or</li> <li>• Returned to the Council by post.</li> </ul> <p><b>It is our preference that submissions are made on-line.</b></p>
<b>Emails and letters</b>	Although it will be our preference that comments / representations are made using on-line facilities, emails will continue to be accepted. We will provide an address for each consultation. Letters can also be sent to the Council by post.

<b>Online meetings, events and presentations</b>	Online meetings, events and presentations may be used in conjunction with other consultation techniques to help explain our consultations and encourage feedback.
<b>In person meetings and events</b>	Whilst it will not always possible to meet, we are happy to consider requests and find ways to ensure that our communities and other interested parties are heard where on-line communication would not be effective.
<b>Exhibitions</b>	Exhibitions may be used to present information and options to the public. Exhibitions may include unstaffed displays (or virtual events).  Exhibitions offer the chance to provide feedback through interactive displays, informal polls/voting, or through discussions with officers. Where Officers of the council will be present at exhibitions, this will be clearly advertised.
<b>Briefings</b>	Briefings may be held with Town and Parish Councils/Meetings to disseminate information and discuss issues. They may be on-line or held in person.

At certain statutory stages of plan making it is important that responses are received during the advertised timeframe. This will be made clear on all public notices and consultation documents. We will also specify the means by which comments should be made.

For formal consultations, we cannot take into consideration anonymous comments. We will require the respondent's name and address and contact information. An email address will be requested to assist efficient communication. It must be expected that comments will be made publicly available with personal data redacted to comply with privacy legislation.

### 3.11 Other ways to get involved

Whilst engagement and formal consultation is likely to increasingly take place on-line, it is important we continue to promote effective community engagement for all. It is recognised that there are a significant number of people who do not have internet access or who do not feel confident responding in this way.

We will take reasonable steps to facilitate this. This may involve representative groups, striving to contact people in areas most affected by proposals, and allowing individuals to nominate an advocate to share views on their behalf. The Planning Policy team will provide telephone contact details for each consultation (which will be advertised on the public notices or on leaflets) and will be happy to discuss the best way of ensuring that all views are heard.

### 3.12 How are comments and responses considered?

After each formal consultation period ends, all comments received during the consultation period will be reviewed and considered by officers. We will consider all relevant matters made. How the issues raised are then addressed depends on the stage and purpose of consultation. At the formative stages of plan-making they will be used alongside evidence to help develop or refine, and test the robustness of, our proposals. At the final stage of plan-making they are provided to an appointed Inspector to consider together with any proposed modifications to the plan.

Comments will normally be published on-line with personal information protected in accordance with the Council's privacy policy and associated legislation (see paragraph 3.4.3). It is common to receive a large volume of responses and it is not possible to respond to each individually. Comments are typically summarised or grouped in reports and officer responses provided to the issues raised.

In particular, before Local Plans are submitted for examination, or in the case of an SPD before it is adopted, a Consultation Statement will be produced which sets out the comments received and, where required, how they have been addressed. For Local Plans, a consultation statement may be prepared at key milestones in the process to demonstrate how comments have been reflected at each stage

Formal plan making processes are subject to democratic oversight. Officers make recommendations to the Councillors to proceed with the key stages of consultation, having considered the responses to consultation and in presenting proposals. Public involvement at Council meetings is overseen by the Council's Democracy team in accordance with the constitution.

We will notify respondents and others on our database at key stages. The examination of a local plan, including any associated communications and the arrangements for participation at public hearings, is administered by a programme officer on behalf of the appointed Inspector.



## 4 Neighbourhood Plans and Development Orders

Local communities can prepare Neighbourhood Development Plans for their areas. These can be prepared by Town and Parish Councils or formal 'neighbourhood forums' where no town/parish council exists. Additional rights also allow communities to grant planning permission through specific Neighbourhood Development Orders or Community Right to Build Orders.

The responsibility for consulting on Neighbourhood Plans rests with the organisation that has chosen to prepare the document. However, we have a duty to provide advice to groups who are preparing or modifying a Neighbourhood Plan. We also help administer consultation and the examination of submitted plans with a view to becoming a 'made' (adopted) part of the statutory development plan.

The Council's role in the process of neighbourhood planning is set out within regulations. Several of the stages have prescribed deadlines to ensure that the neighbourhood plan process can run smoothly and efficiently. Our statutory duties include:

- To confirm formal designation of an area for a Neighbourhood Plan / Order and publicise the application and decision;
- To confirm formal designation of a Neighbourhood Forum (where no Parish/Town council exists);
- To publicise and consult on the submitted Neighbourhood Plan (Regulation 16 version) for a period of six weeks, publish responses online and send to the examiner;
- To arrange and meet the cost of an independent examination of the Plan / Order;
- To consider the examiner's recommendations and publicise the examiner's report and a decision statement;
- To check compliance with 'basic conditions' and regulations;
- To organise and meet the cost of the relevant referendum/s for Neighbourhood Plans / Orders;
- To formally 'make' (adopt) the plan as a development plan document and produce the adoption statement/s (subject to the result of the referendum);

Further advice on how local planning authorities should assist groups is provided in national guidance this includes providing technical advice and support to communities in the preparation of a Neighbourhood Plan / Order and a local indicative housing requirement figure, if requested to do so by the neighbourhood planning body.

#### 4.1 How will we support Neighbourhood Planning?

We will seek to support the preparation of Neighbourhood Plans, recognising that they usually be prepared by local communities rather than planning professionals.

We will help representatives of local communities determine whether Neighbourhood Planning will assist them with their goals, to understand the process, and to access advice and information.

There are a range of sources of government advice including those prepared by organisations such as Planning Aid, Locality and the Association of Local Councils as well as national planning guidance. We will be able to provide or point towards examples of Neighbourhood Planning to help make informed decisions. Officers will be happy to discuss alternatives to Neighbourhood Plans where requested e.g. Local Plan submissions, Village Design Statements and Village/Parish Plans.

We will endeavour to support those communities who wish to prepare a Neighbourhood Plan process by providing impartial advice in the interest of the community concerned. We can support groups by:

- Providing a named officer to act as a single point of contact;
- Advising and supporting on whether matters can be included in the plan;
- Seeking internal advice on issues of democratic governance
- Advising on how to approach the appointment of suitably qualified consultants if required to assist with plan preparation/evidence gathering (including potentially attending interviews where requested)
- Advising on some of the technical, planning-related aspects of producing the plan (for example, drafting policies, undertaking a sustainability appraisal, negotiations with developers);
- Signposting to sources of evidence and assisting in the analysis of evidence received from village surveys;
- Signposting to relevant contacts within the Council or within other stakeholder / partner organisations (e.g Oxfordshire County Council, the Environment Agency, Historic England etc);
- Providing advice on consultation, including on proposed surveys or questionnaires; and;
- Providing practical support such as providing a venue for meeting and access to mapping.

The level of assistance given, and our availability will depend on the circumstances at the time. Advanced planning and mutual flexibility will be required. Where necessary, we may seek to formalise arrangements through service level agreements.

Our resources are finite and in some circumstances charges may need to be considered subject to appropriate oversight and approval.

We will provide advice on sources of Government or other financial and technical support that may exist. We cannot provide direct financial assistance to groups preparing a Neighbourhood Plan.

## 5 COMMUNITY INVOLVEMENT IN PLANNING APPLICATIONS

### 5.1 Introduction

The Council as Local Planning Authority is responsible for the processing of planning applications within the District. Publicity and consultation are a key part of the process. Some planning applications are dealt with by Oxfordshire County Council, for example those relating to minerals and waste. The County Council produces its own Statement of Community Involvement which details how they will consult on these applications.

Planning legislation sets out the minimum requirements for publishing and consulting the community and stakeholders on planning applications. This section sets out our interpretation of how we will meet those requirements through the development management process.

### 5.2 Pre-application discussions and consultations

For enquiries relating to specific schemes or emerging proposals, we offer a formal pre-application service. All potential applicants are encouraged to use this service before applying. Information on accessing pre-application advice, the service that will be provided and financial costs involved can be viewed on the Council's website<sup>1</sup>.

Government guidance encourages pre-application engagement with the community where it will add value to the process and the outcome. We therefore encourage developers and promoters for large scale development to undertake their own consultation and engagement process with local people.

The term 'large scale development' for the purposes of pre-application discussion is not defined in the SCI to allow flexibility as the level of impact and local interest for prospective developments can differ depending on their context. Setting a defined threshold level would limit the ability of Council Officers to promote the benefits of this proactive developer lead consultation with applicants for proposals beneath the threshold.

In any submission which has included pre-application consultation, the Applicant should set out: what consultation was undertaken; and how any and all comments received have been addressed in the evolution of their design and the detail of their proposals.

The Council will not undertake a public consultation exercise on pre-application submissions received and the detail of pre-application submissions will not be published on the Council's website (unless otherwise first agreed with the applicant). However, subject to prior agreement with the applicant, we may consult with technical consultees at the pre-application stage. This process can include Ward Councillors and Town and Parish Councils where appropriate.

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<sup>1</sup> <https://www.cherwell.gov.uk/info/115/planning/55/apply-for-pre-application-advice>

### 5.3 Submission of an application

Once a planning application has been submitted and validated, we will record the application on our online planning register and make the application available for public inspection via our website.

The methods we will use to publicise planning applications (as explained in **Table 5**) will meet the minimum requirements provided in legislation relating to the methods for publicising applications. The requirements vary according to the type of development proposed and are set out in national Planning Practice Guidance.

Where it is not reasonably practical to comply with publicity requirements due to local or national restrictions in place at the time, we will take reasonable steps to inform those likely to have an interest in the application by other means. The level of publicity we undertake will be proportionate to the scale and impact of the development proposed and will be in accordance with legal requirements.

**Table 5 Publication methods for planning applications**

Method	Commentary
The Council's website	<p>All undetermined applications are available to view on the Council's online planning register <a href="https://planningregister.cherwell.gov.uk/">https://planningregister.cherwell.gov.uk/</a> which enables people to:</p> <ul style="list-style-type: none"> <li>• find an application using a quick search, advanced search, address search or map search;</li> <li>• view the progress of applications;</li> <li>• view all associated documents, including consultation responses;</li> <li>• comment on an application;</li> <li>• research the related planning history of a property (back to 1990);</li> </ul> <p>For those who cannot the website, submitted plans and documents can be inspected at Bodicote House on one of the council's self-service computers at any time between 8:45 a.m. and 5:15 p.m. Monday to Friday.</p> <p>During any period when access to Bodicote House is restricted, we will withdraw the facility to view planning applications at our office. We will, however, include contact details on all publicity to help anyone who may have difficulty in accessing the documents online.</p> <p>If you require help or support to use the website in order to submit your comments, or for any accessibility issues, please contact the Council on 01295 227006 and we will guide you through the process.</p>
Site notices	Site notices are displayed in a public place at or near the

Method	Commentary
	application site. They provide details of the planning application, where to view plans, how to make comments and by what date. One or more site notices may be displayed for not less than 21 days.
Direct notifications	<p>We will send a direct notification<sup>2</sup> to the following:</p> <ul style="list-style-type: none"> <li>• Internal and external statutory consultees in accordance with relevant regulations. Consultation with these bodies will vary depending on the type of development proposed and / or the location.</li> <li>• Ward Members and Town and Parish Councils / Meetings will be notified when an application relates to their area.</li> <li>• Adjoining Town and Parish Councils / Meetings and adjacent Local Planning Authorities will be notified where strategic development sites border their respective administrative area.</li> </ul>
Neighbour notification	<p>Neighbour Notifications will be used for non-strategic development<sup>3</sup>.</p> <p>Notifications will be sent to properties which physically adjoin, or are directly opposite, an application site (i.e. share a boundary with the “red line” planning application site boundary or is only separated from the application site by a public right of way or highway) will be notified.</p>
Newspaper advertisements	<p>Planning legislation requires local planning authorities to publish details in the local press of all planning applications for the following:</p> <ul style="list-style-type: none"> <li>• Major developments.</li> <li>• An application accompanied by an Environmental Impact Statement.</li> <li>• A departure from the Local Plan.</li> <li>• A development that would affect a public right of way, under Part III of the Wildlife and Countryside Act 1981.</li> <li>• Development affecting the character or appearance of a Conservation Area.</li> <li>• Development affecting a Listed Building or its setting.</li> </ul>

<sup>2</sup> To help minimise costs, the default notification method will be email unless no email address is held by the Council or the stakeholder indicates they require communication by letter.

<sup>3</sup> See Table 7

Once an application has been registered and validated, we undertake a formal period of notification and consultation and invite comments.

The consultation period for planning applications will be 21 days unless the notification period states otherwise.

**Table 6** summarises examples of our arrangements for publicising applications. All applications will continue to be published on our website. In all cases, publicity will meet legal requirements.

**Table 6: How we will publicise planning applications**

Application type	Site notice	Neighbour notification	Newspaper advert	Website
<b>Applications for Planning Permission</b>				
<i>Note: greyed out cells = not required to meet minimum requirements</i>				
Major developments	✓	Non-strategic applications only (as defined in table 7)	✓	✓
Non-major and Householder development		✓		✓
Householder Prior Approvals		✓		✓
Non-material Amendment submissions				✓
An Environmental Impact Assessment accompanied by an environmental statement	✓	Non-strategic applications only (see table 7)	✓	✓
Development that does not accord with the Development Plan in force in the area	✓	Non-strategic applications only (see table 7)	✓	✓
Development that would affect a public right of way	✓	Non-strategic applications only (see table 7)	✓	✓
Technical details consent (permission in principle)	✓			✓

Application type	Site notice	Neighbour notification	Newspaper advert	Website
Development which would affect the setting of a listed building or affect the character or appearance of a conservation area	✓	Non-strategic applications only (see table 7)	✓	✓
<b>Applications for Listed Building Consent</b>				
Applications for listed building consent where works to the exterior of the building are proposed	✓		✓	✓
Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building	✓		✓	✓
<b>Other Consents</b>				
Applications for prior approval under the GPDO (excluding householder prior approvals)	✓			✓
Applications for advertisement consent	✓			✓
Applications for tree preservation order consent	✓			✓
Applications for works to trees within a Conservation Area	✓			✓
Applications for a Lawful Development Certificate in respect of existing development	✓	✓		✓
Application types not covered in any other entry above				✓

The legislation that governs the consultation process provides Local Planning Authorities (LPAs) with a choice on how to publicise applications submitted to them for determination. In most cases, LPAs can **either** erect site notice in at least one place on or near the land to which the application relates; or by serving the notice on any adjoining owner or occupier.

### Neighbour Notifications

Neighbour notifications will continue to be sent for non-strategic development. For the purposes of this SCI strategic development in respect of neighbour notifications is defined in Table 7.

**Table 7: Neighbour Notification Thresholds**

Development type	Strategic Development
Residential Development	Proposals for 100 dwellings or more
Commercial Development (Employment, retail and leisure)	Proposals where the application site measures 0.2ha or more
Other development (school sites, agricultural development)	Proposals where the application site measures 0.2ha or more
Mixed use development	The lower threshold of residential, commercial or other development.

Where sites are classed as ‘strategic’ in Table 7, in addition to Site Notices we will also publicise these applications on our website. We will consider bespoke arrangements to ensure that the application is brought to the attention of those in the local area. This may include press and social media releases.



#### 5.4 Commenting on a planning application

The purpose of the consultation process undertaken for each application is to highlight development proposals to the widest number of interested parties. There are no limitations who can respond to a consultation and anyone can make comments upon an application. Those without access to the internet can telephone the planning service and advice on how to access information and make comments will be provided.

Delays in the determination of planning applications hinder the delivery of new development and the associated benefits and infrastructure investment they bring. We need to consider applications in a timely manner, particularly as the Government measures our performance. Failure to meet targets can result in a Local Planning Authority losing its planning powers.

During the prescribed consultation periods, anyone may make comments via the website, email or letter.

However, to balance the need to ensure our performance is not unduly impacted the following measures will apply:

- Comments via the website will close once the overall consultation expiry date has passed (the last date specified by any site notice, press notice or notification letter).

However, we will balance the need for pace with providing a fair opportunity for our communities to engage and comment. Whilst there is no statutory obligation to take late comments into account, we will exercise discretion in a positive manner and accept late comments, as far as it is reasonably practicable to do so, up until the application is ready to be determined. **Late responses may only be made via email or letter.**

#### 5.5 Amendments to an application

Dialogue between applicants, stakeholders and the Planning Officers is an important part of the planning process and can contribute to delivering sustainable, high quality development. Negotiation may lead to amendments to a scheme which may resolve objections or take on board recommendations made by interested parties.

Where negotiation with the applicant results in amended plans or additional information being submitted, the application will not be automatically re-advertised.

#### 5.6 Consultation on applications that are not within the Cherwell administrative boundary

The statutory duty to notify residents on a planning application sits with the decision-making authority. In some cases, this may not be this Council. Such applications will be advertised in accordance with that Council's SCI and any comments must be directed back to that authority to ensure that they are considered in the decision-making process.

## 5.7 Determination of the application

All material comments received will be considered in decisions made by the Council. Planning applications are determined by the Council either through Planning Committee or powers delegated to Council Officers, in accordance with the decision-making processes set out in the Council's constitution<sup>4</sup>.

### ***Planning Committee***

The Planning Committee is a public meeting and both applicants and members of the public have the right to speak in relation to an application. Speakers must be registered in advance with the Council's Democracy team. Planning Committee agendas are normally published 5 working days in advance of the meeting with the items for consideration. The committee is administered by the Council's Democracy team.

## 5.8 Post determination

Once a decision is issued (either through delegated decision or Planning Committee), the decision notice is published on the application case file on the Council's online planning register.

## 5.9 Planning appeals

Where an applicant has an application refused, not determined or disagrees with the conditions attached to a planning permission, they have the right to submit an appeal to the Planning Inspectorate.

In the event of an appeal, the Council will comply with the notification required set by the Planning Inspectorate. The appeal process and any public inquiries or hearings are administered by the Inspectorate.

All appeal decisions will be made available on the application case file on the Council's online planning register and published on the Planning Inspectorate website.

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<sup>4</sup> <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?XXR=0&Year=2019&CId=531&Info=1&MD=constitution>

## 6 REVIEW AND MONITORING THE SCI

Once approved we must conform with the SCI. We will monitor the effectiveness of the SCI to ensure that 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, and internal service plans.

The SCI will also be updated within 5 years or 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
- The Council's constitution
- New technology

We will also review the SCI if it is failing to deliver effective community involvement on planning matters.

## APPENDICES

### Appendix 1: Planning Policy Deposit Locations

<b>Deposit location name</b>	<b>Deposit location address<sup>5</sup></b>
Cherwell District Council Offices	Bodicote House, White Post Road, Bodicote, Banbury, OX15 4AA
Banbury Library	Marlborough Road, Banbury, OX16 5DB
Woodgreen Library	Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0AT
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

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<sup>5</sup> Current opening times for the deposit locations are published online:  
[https://www.cherwell.gov.uk/info/5/your-council/478/contact-us/2;](https://www.cherwell.gov.uk/info/5/your-council/478/contact-us/2)  
<https://www.oxfordshire.gov.uk/residents/leisure-and-culture/libraries>

## Appendix 2: Planning Policy Consultation Bodies

**Interested Person** is the term used in planning regulations to refer to members of the public who wish to comment on planning policy documents. Interested persons do not have to live within Cherwell to comment on the planning policy documents.

**General consultation bodies.** These are identified locally, although there are several national organisations that also are classified as a general consultation body. The Planning Policy Team maintains a database of the general consultation bodies for the purpose of preparing planning policy documents. In the case of Local Plans all organisations will be notified of consultations. Organisations that fall into one of the categories below can request to be added to the database at any time. General Consultation bodies include organisations that are in one or more of the following categories:

- Voluntary organisations some or all whose activities benefit any part of the local planning authority area.
- Bodies that represent the interest of different racial, ethnic or national groups
- Bodies which represent the interests of different religious groups
- Bodies that represent the interests of disable people
- Bodies which represent business interests

**Specific consultation bodies** are organisations that are 'prescribed' e.g. set out within the regulations. They include bodies such as:

- Town and Parish Councils
- The County Council
- Neighbouring Council areas
- The Environment Agenda
- Historic England
- Natural England
- Network Rail (or any successor body)
- The Highways England
- Utilities companies and sewerage undertakers
- The Primary Care Trust (now Clinical Commissioning Groups)
- Homes England

Consultation with specific bodies is dependent on the document being prepared. The regulations will guide which specific bodies are consulted during the preparation of any planning policy document.