



WEST OXFORDSHIRE
DISTRICT COUNCIL

West Oxfordshire Statement of Community Involvement (SCI)

February 2020



01993 861000

www.westoxon.gov.uk



Statement of Community Involvement

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I. Introduction

- 1.1 This Statement of Community Involvement (SCI) explains how West Oxfordshire District Council will engage with the local community and other stakeholders in respect of planning matters, in particular:
- District-level plan-making (e.g. the West Oxfordshire Local Plan)
 - Neighbourhood Plans and Neighbourhood Development Orders; and
 - Planning applications.
- 1.2 It supersedes the Council's previous SCI which was adopted in December 2014.
- 1.3 Our overarching principles are to:
- Use 'Plain English' and provide clear information;
 - Provide opportunities for everyone to get information and get involved;
 - Use involvement methods appropriate to the circumstances; and
 - Give timely feedback
- 1.4 The SCI is available online at www.westoxon.gov.uk and is available in hard copy format at a number of locations across the District as set out at Appendix 1.

2. What is a Statement of Community Involvement and why have one?

- 2.1 Under the 2004 Planning and Compulsory Purchase Act, local planning authorities are required to prepare a Statement of Community Involvement (SCI) setting out how they will engage with local communities and key stakeholders in respect of planning matters. The purpose of the SCI is to provide clarity and transparency so that people know how and when they can get involved.
- 2.2 There is no set format, but SCIs are required to address three main areas of planning; district-level plan-making (e.g. the West Oxfordshire Local Plan) neighbourhood planning (e.g. neighbourhood plans and neighbourhood development orders) and the process of determining planning applications.
- 2.3 Sections 3 -5 of the SCI deal with these three main areas in turn. Section 6 explains how the SCI will be kept up-to-date and relevant and Section 7 includes a number of suggested sources of further information.

3. District-level plan making

- 3.1 The planning system in England is based on a 'plan-led' approach, with local authorities required to produce succinct and up-to-date plans that provide:
- a positive vision for the future of their area;
 - a framework for addressing housing needs and other economic, social and environmental priorities; and
 - a platform for local people to shape their surroundings¹

The Plan-Making Process

- 3.2 Local authorities have a good degree of flexibility in terms of how they approach plan making, but typically this will take the form of an individual Local Plan such as the West Oxfordshire Local Plan 2031.²
- 3.3 Plans can also be produced on a joint basis such as the emerging Oxfordshire Plan 2050 which will provide an overarching planning framework for the whole county³.
- 3.4 Local authorities can also prepare more focused and 'area-specific' plans such as Area Action Plans (AAPs) which provide detailed planning strategies for particular locations. The District Council is currently in the process of preparing an Area Action Plan for the Oxfordshire Cotswolds Garden Village near Eynsham.
- 3.5 The preliminary plan-making stage involves initial survey work to enable a good understanding of the key characteristics of the local area including population, transport, physical, economic, social and environmental characteristics. We often address these issues within a document known as a Sustainability Appraisal (SA) Scoping Report which is made available for consultation over a period of at least 4 weeks.
- 3.6 Also at this preliminary stage, the Council prepares its Local Development Scheme (LDS) setting out what planning documents it is proposing to produce and when. The LDS is formally reported through the Council's Cabinet, thereby allowing for comments to be made at that stage before being finalised and made publicly available.
- 3.7 Following on from this, there are five main stages in the plan-making process (see Figure 1) with most consultation taking place during the first, informal stage of plan preparation (Regulation 18).
- 3.8 At this stage, local authorities have considerable flexibility in terms of what they consult on and how they go about it. The main objective is to develop a strong understanding of the local area and its future needs and to start considering different possible options for addressing these.

¹ NPPF – paragraph 15.

² adopted in September 2018

³ <https://oxfordshireplan.org/>

- 3.9 Many authorities choose to publish an initial 'issues and options' type consultation paper followed up by a 'preferred options' type document once they have narrowed down the possible solutions. A range of consultation methods are often employed at this stage which allows for various options to be thoroughly tested.
- 3.10 Once a local authority has prepared what it considers to be a robust and 'sound' plan, it proceeds to the second stage and formally publishes the plan for a statutory 6-week period of consultation (Regulation 19).

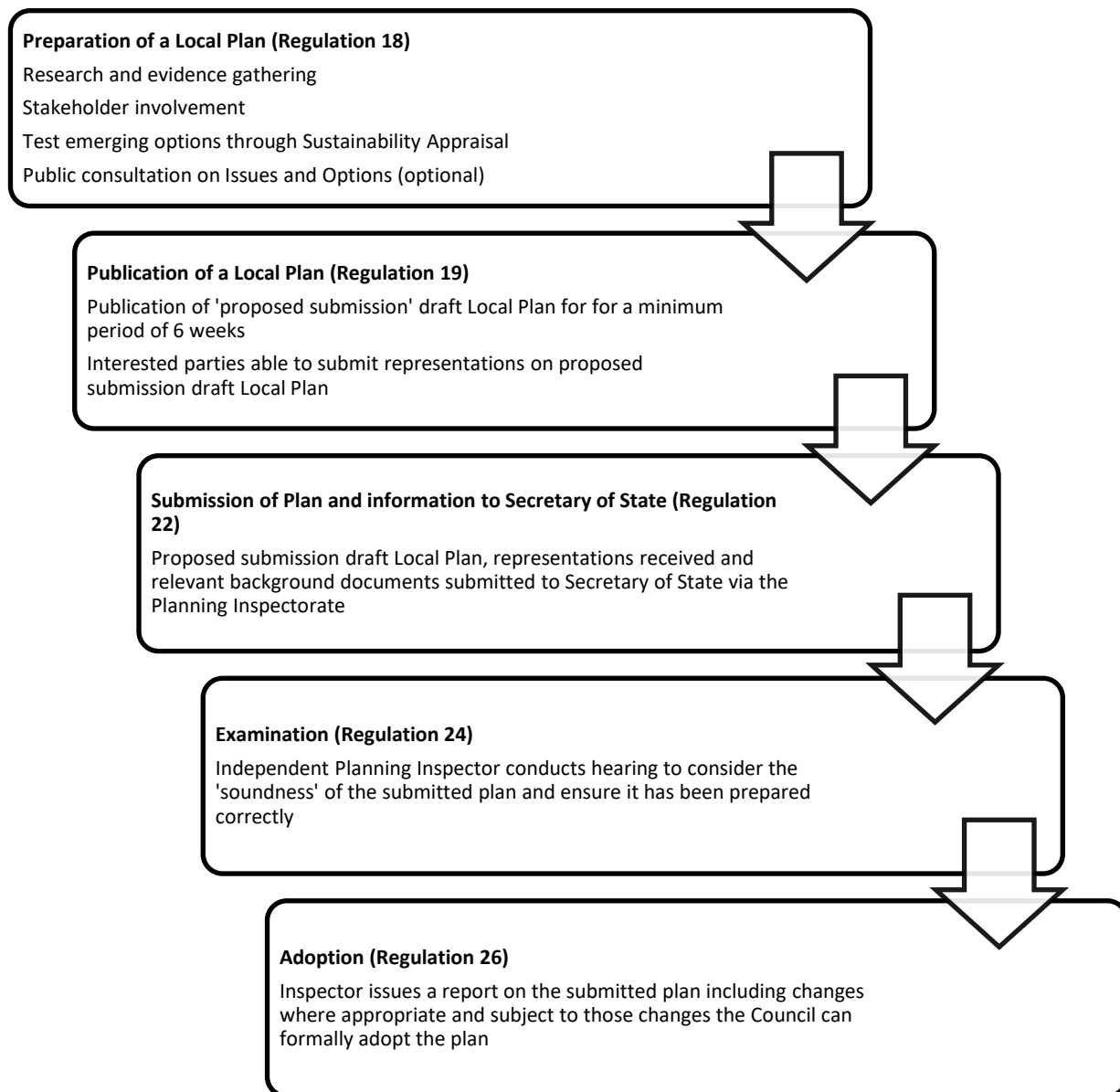


Figure 1 – Formal Plan-Making Process (Local Plans, AAPs etc.)

- 3.11 At the formal Regulation 19 stage, the views of the local community and other stakeholders are sought as to whether the draft plan is legally compliant and sound. There are four tests of soundness:
- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.
- 3.12 Once the formal six-week period has closed, the local authority will consider the responses received, collate these together with the supporting plan evidence and formally submit the plan to the Planning Inspectorate for independent examination. Often this stage will include hearing sessions led by a Planning Inspector, with the key issues explored through round table debate and discussion.
- 3.13 Once the examination has closed, the Inspector will issue his/her report confirming whether or not the plan is legally compliant and sound. This often involves a series of modifications recommended by the Inspector to address issues raised through the examination process.
- 3.14 The final stage is for the authority to formally adopt the plan, after which point it can be formally used in terms of planning decision making.

Supplementary Planning Documents (SPDs)

- 3.15 To provide an additional layer of detail to Local Plans, local authorities can also choose to produce supplementary planning documents which provide further guidance for development on specific sites or on particular issues such as design. These are a material consideration in planning decisions but do not carry the same statutory weight as a Local Plan.
- 3.16 The process for preparing a supplementary planning document is less formal than a local plan, with no independent examination but there remains a need for effective community and stakeholder engagement. The SPD process is summarised in Figure 2.

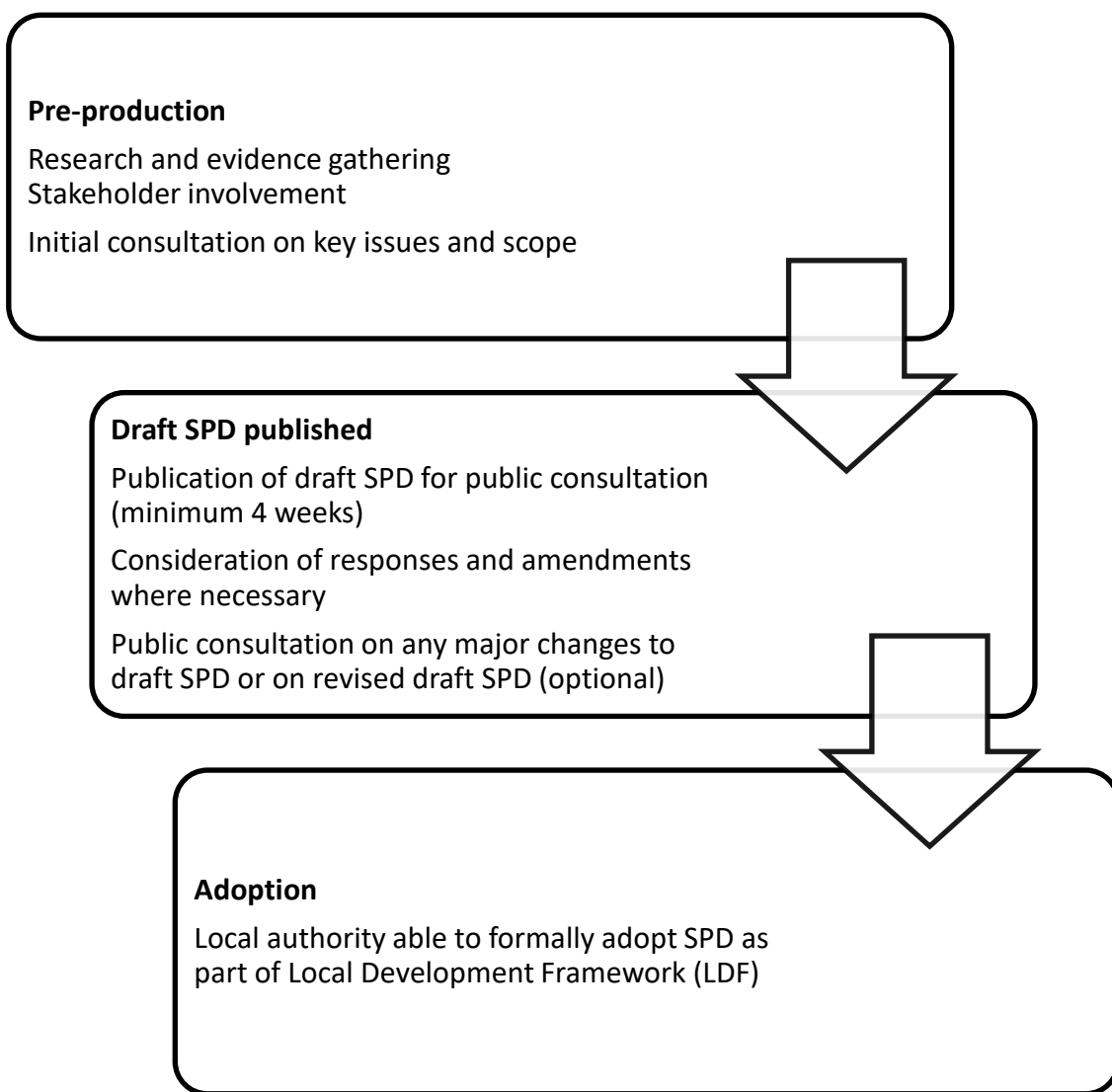


Figure 3 – Supplementary Planning Document (SPD) Process

- 3.17 Essentially there are three main phases, the first of which starts to identify the scope of the SPD and the key issues it needs to address, followed by the publication of a draft SPD document for consultation over a period of at least 4 weeks and preferably more.
- 3.18 At this point, if major changes to the document are needed, the authority may choose to consult again on a revised draft, or if the changes are relatively minor, it can proceed to adopt the SPD at which point it is capable of being used as a material consideration in planning decisions.

Who do we consult?

- 3.19 We recognise that planning is often an emotive subject and it is vital that as many people and organisations as possible are given the opportunity to properly input into the plan-making process.

3.20 Planning legislation essentially requires us to consult with three main ‘groups’:

- Specific consultation bodies that may have interest in the plan including organisations such as the Environment Agency and Natural England (see Appendix 2 for a complete list);
- General consultation bodies where appropriate including for example local voluntary and business groups (see Appendix 2); and
- Residents or other persons carrying out business in the local area.

3.21 Additionally, the Council is under a legal ‘duty to co-operate’ with various bodies in respect of local plan preparation where strategic cross boundary matters arise. This includes organisations such as the Homes and Communities Agency and the Oxfordshire Local Enterprise Partnership. A complete list is provided at Appendix 2.

3.22 The table below summarises the different groups that we will seek to engage in the preparation of the Local Plan and other planning policy documents.

Who?	How and why?
Local People	At each stage of the process we will seek to provide information and opportunities for involvement which are accessible to local people.
Local Community and Voluntary groups	Engaging these groups is important as they can help involve more people and represent the interests of groups who may not normally get involved. Such groups may include residents associations or environmental groups. These groups may also be part of existing networks and forums such as Women’s Institutes and Transition Eynsham.
Other interest groups	There are other agencies who are not statutory consultees but who represent particular interests. These groups may be national in scope but have local branches, such as Friends of the Earth and Campaign for the Protection of Rural England.
Local Businesses	Whilst we would like to involve all local businesses, the majority of businesses in West Oxfordshire are small and may have limited capacity to get involved in planning issues. We will therefore primarily seek to involve organisations which represent local business interests such as the Local Enterprise Partnership and Chambers of Commerce.
Developers and Landowners	As these groups are often critical to delivery of policies and proposals, they have an important part to play. Most developers are already engaged with the planning process and seek to be involved, particularly in identifying potential development options.
Local Service Providers	Many service providers are statutory consultees. There are some that are not, such as Thames Valley Police and local housing associations.
Statutory consultees	There are certain groups that we must involve when consulting on planning matters. These include local and national service providers and organisations, such as the Highways Authority, the Environment Agency and local Town and Parish Councils for example. Some of the latter have prepared/are preparing parish plans and Neighbourhood Plans which make a valuable contribution to the evidence base for the Local Plan and planning policy documents.

3.23 Not all groups have engaged with the planning process in the past. Whilst we cannot force people to get involved, where there are barriers to their involvement we will seek to remove them. The following groups have been identified in particular:

Who?	How and why?
Young people	Young people typically do not get involved but as we are planning for the future we believe there should be opportunities for young people to get involved. We will continue to seek to involve local schools and youth forums in the process and try to ensure we provide information relevant to young people which gives them opportunities to get involved.
Ethnic minorities	Ethnic minorities may be represented by voluntary or other organisations already on our consultation database. In addition, we will make documents available in other languages, large print and Braille when requested. Please Telephone 01993 861000.
People with disabilities	People with disabilities may be represented by voluntary or other organisations already on our consultation database. In addition, we will make documents available in other languages, large print and Braille when requested. Please Telephone 01993 861000. All our offices have disabled access and we will try to ensure that any community involvement events are fully accessible.
Gypsies and Travellers	We will involve the Gypsy Council and other organisations representing Gypsies, Travellers and Travelling Showpeople in the plan preparation process so that they are represented.
Older people	It is recognised that some older residents may find it more difficult to get involved. We will seek to involve organisations representing the needs of our ageing population, such as Age UK

When do we consult?

3.24 In terms of plan-making (Local Plans, Area Action Plans etc.) as we outlined earlier, there is an opportunity to be involved at the following key stages:

- Preliminary stages of plan making including survey stage and Local Development Scheme;
- Preparation of the plan (Regulation 18 stage)
- Publication of the draft plan (Regulation 19 stage)
- Examination (Regulation 24 stage)

3.25 In some instances the examination process can lead to proposed modifications to the plan which need to be consulted upon. Often, these modifications are subject to the same process as the formal Regulation 19 stage.

3.26 In relation to the preparation of supplementary planning documents (SPDs) there is an opportunity to be involved at the following stages:

- Initial production/preparation
- Publication of draft SPD for consultation

- 3.27 In some instances, if major amendments to a draft SPD are required, a revised draft document may be published for a further period of consultation before being formally adopted.
- 3.28 In terms of specific timescales for plan-making in West Oxfordshire, these are set out in our Local Development Scheme (LDS). The current LDS covers the 3-year period December 2019 – December 2022 and is available online at www.westoxon.gov.uk as well as in hard copy format at the locations listed at Appendix I.
- 3.29 As the LDS is subject to frequent updates (at least annually) the dates from the current LDS have not been included in this SCI as they could soon become out of date. Instead, the SCI and the LDS should be read in conjunction with one another so that the timing of community and stakeholder engagement stages is clear and up to date.

How do we consult?

- 3.30 We will use a variety of consultation techniques and formats to ensure we obtain useful and constructive feedback. Planning legislation requires us to take certain steps including making documents available, notifying statutory consultees and advertising in the local press. In the past we have exceeded these requirements and used a number of other ways of involving the community. We will continue to do so.
- 3.31 The table below sets out our approach to community and stakeholder engagement at each stage of the plan-making process. The minimum statutory requirements are noted together with the additional methods of engagement the Council will use to complement these. The process we follow for supplementary planning documents is very similar, except for the later examination stages which do not apply.

Stage of preparation	What we will always do	What we may also do
<p>Preliminary stages Survey stage (Regulation 13) and local development scheme (Regulation 15)</p> <p>Plan preparation Evidence gathering/ issues and options (Regulation 18)</p>	<ul style="list-style-type: none"> • Notify local businesses, statutory, voluntary and special interest bodies of the subject of the local plan and invite them to say what the plan ought to contain • Consultation on Sustainability Appraisal Scoping report • Engage with duty to cooperate partners • Take into account representations received • Report draft LDS through Cabinet • Early engagement with local communities, businesses and other interested parties • Press release • Make use of Council's social media sites • Documents* available on the website and in offices^o and local libraries • Sustainability Appraisal Scoping report available on the website and in offices^o • Local Plan Update newsletter • Notify and involve those on consultation database • Acknowledge and publish comments received • Prepare a summary of the main issues raised (including through community involvement events), set out the Council's response to these issues and make document available on our website 	<p>Advertise in local newspapers e.g. Oxford Times</p> <p>Hold focus group sessions to help decide issues to be included in the plan</p> <p>Public/stakeholder meetings/workshops</p> <p>Attend Parish/Town Council meetings, particularly where they can be grouped or there is a recognised policy issue of local significance</p> <p>Roadshows/exhibitions</p> <p>Documents available in public and mobile libraries</p>

<p>Publication Submission Draft Local Plan (Regulation 19)</p>	<ul style="list-style-type: none"> • Draft documents* published for a minimum of 6 weeks consultation • Documents available on the website and in offices° and local libraries • Consult specific and relevant consultation bodies and other interested bodies and individuals • Engage with duty to cooperate partners • Press release • Make use of Council’s social media sites • Local Plan Update newsletter • Notify by email those on consultation database • Publish a summary of representations made, the main issues raised and how they have been taken into account 	<p>Advertise in local newspapers e.g. Oxford Times Stakeholder meetings/workshops Public meetings Attend Parish/Town Council meetings, particularly where they can be grouped or there is a recognised policy issue of local significance Road shows/exhibitions For site specific proposals notify adjoining landowners/occupier and erect site notices Community newsletter School/youth group visits</p>
<p>Submission Submission/Pre-examination by Inspector (Regulation 22)</p>	<ul style="list-style-type: none"> • Submitted Plan (and any proposed changes), along with supporting documents*, including Sustainability Appraisal, evidence base and copies of representations, available on the website and in offices° and local libraries • Notify each general and specific consultation body invited to make representations of availability of documents for inspection • Publish statement setting out how people were invited to make comments, who did, the main issues raised and how these issues have been addressed • Give notice to those that have requested notice of submission • Engage with duty to cooperate partners • Press release • Make use of Council’s social media sites • Local Plan Update newsletter 	<p>Advertise in local newspaper where and when documents and representations can be inspected Pre-examination meeting (around 2 months before examination)</p>

<p>Examination (Regulation 34)</p>	<p>6 weeks before examination:</p> <ul style="list-style-type: none"> • Publish details on our website • Notify people who have made representations • Make use of Council's social media sites 	<p>Advertise in local newspapers Press release</p> <p>No further opportunity for other community involvement. Appearance at the examination requires a representation to have already been submitted at the publication stage (Regulation 19)</p>
<p>Examination Post-examination (Regulation 25)</p>	<ul style="list-style-type: none"> • Inspector's report available on our website and in offices^o • Give notice to those who have requested notice of the publication of the Inspector's report • Make use of Council's social media sites • Notify all statutory consultees, including specific and general consultation bodies, and those on our consultation database by email 	<p>Press release Documents available in public libraries No further opportunity for community involvement, unless modifications to the plan are recommended by the Inspector. The Inspector's report will be binding on the Council</p>
<p>Adoption (Regulation 26)</p>	<ul style="list-style-type: none"> • Local Plan, an adoption statement and Sustainability Appraisal report published and made available on the website and at offices^o • Send adoption statement to those who have requested notice of adoption • Make use of Council's social media sites • Local Plan Update newsletter • Notify all statutory consultees, including specific and general consultation bodies, and those on our consultation database by email 	<p>Press release Documents available in public libraries No further opportunity for community involvement as the document content has been finalised</p>

* The documents include relevant supporting documents such as Sustainability Appraisal (SA)

^o Offices include the Council's Elmfield Office, New Yatt Road, Witney, the Town Centre Shop, Witney, and the Guildhall in Chipping Norton.

The minimum requirements (indicated above as ■) have been summarised from those set out in the Town and Country Planning (Local Development) (England) Regulations 2012. The regulation relevant to each stage is identified in the first column.

How can comments be made?

- 3.32 Our aim is to make it easy for local communities and other stakeholders to get involved and as such, comments can be made in a number of ways. Where face-to-face sessions such as public exhibitions and meetings take place, views can be expressed verbally to Officers who will endeavour to note down the main issues raised.
- 3.33 To ensure maximum effectiveness, we do however encourage comments to be submitted in writing wherever possible. We are purposely flexible and comments can be submitted in the form of a letter, email or preferably via our online consultation portal⁴ which helps us to analyse the responses more quickly.
- 3.34 In respect of statutory documents such as Local Plans, Area Action Plans etc. at the formal 6-week Regulation 19 stage, respondents are asked to complete a standard response form based on a model template provided by the Planning Inspectorate. This is to assist the Inspector during the examination stage.

What do we do with the comments we receive?

- 3.35 There is little point people getting involved in the plan-making process if their views and opinions are not properly taken into account. However, by its very nature, plan-making involves making some very difficult decisions about key issues such as how much growth to plan for and where it should go.
- 3.36 Inevitably, this will mean some people feel that their views have not been properly taken into account. This is not the case and a considerable amount of time is spent by Officers analysing the comments received and deciding how those comments should be taken into account, for example through amendments to a plan or the inclusion of new information/proposals.
- 3.37 We make all comments received publicly available⁵ and produce a summary of the main issues raised together with an explanation of how those comments have been taken into account.

How are decisions made?

- 3.38 Decisions on what policies, proposals and sites are to be included in planning documents and are made by District Councillors, as advised by their planning officers. Planning policy decisions are generally taken by Cabinet and in the case of final submission draft plans such as the Local Plan or an Area Action Plan, Full Council. When a planning document is independently assessed at examination, the Inspector will issue a report and this may require some of the policies and proposals to be changed before the Council can formally adopt the plan.

⁴ <https://planningconsultation.westoxon.gov.uk/consult/ti/system/register>

⁵ With personal details redacted as appropriate

- 3.39 Initial consultation on supplementary planning documents (SPDs) will be agreed by Cabinet but final adoption will be agreed by Full Council.
- 3.40 So that Councillors are aware of the views of the local community and other key stakeholders, a summary of the comments from consultation with the local community will be presented to Councillors when decisions are to be made.
- 3.41 It is the Council's policy that there is no public speaking at Council meetings on the statutory planning documents process as there are other specified ways of bringing your views to the attention of the Council. Whilst the views of the community are clearly very important, there may be other considerations which must be taken into account when decisions are made, such as national government policy.
- 3.42 The programme of Council Meetings, meeting agendas and the minutes of previous meetings are available online⁶.

4. Neighbourhood Planning

- 4.1 Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop in ways that meet identified local need and make sense for local people.
- 4.2 It provides a powerful set of tools for local people to plan for the types of development to meet their community's needs and where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.
- 4.3 Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use under the Localism Act 2011⁷. Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals.
- 4.4 This is because unlike the parish, village or town plans that communities may have prepared previously, a neighbourhood plan forms part of the development plan and sits alongside the local plan prepared by the Council. Decisions on planning applications will be made using both the local plan and the neighbourhood plan, and any other material considerations.

⁶ <https://cmis.westoxon.gov.uk/cmisis/Meetings.aspx>

⁷ <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

4.5 Through neighbourhood planning, communities can choose to:

- Set planning policies through a neighbourhood plan that, once adopted (or 'made') forms part of the development plan used in determining planning applications.
- Grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.

Neighbourhood Plans

4.6 A neighbourhood plan should support the delivery of strategic policies set out in the local plan or spatial development strategy and should shape and direct development that is outside of those strategic policies. The specific planning topics that a neighbourhood plan covers is for the local community to determine but a neighbourhood plan should contain policies for the development and use of land because once adopted (or 'made') it becomes part of the statutory development plan.

Neighbourhood Development Orders

4.7 A Neighbourhood Development Order can grant planning permission for specific types of development in a specific neighbourhood area. A Neighbourhood Development Order can therefore:

- apply to a specific site, sites, or wider geographical area
- grant planning permission for a certain type or types of development
- grant planning permission outright or subject to conditions.

4.8 A Neighbourhood Development Order can be used to permit:

- building operations (e.g. structural alterations, construction, demolition or other works carried out by a builder);
- material changes of use of land and buildings; and/or
- engineering operations.

Community Right to Build Order

4.9 A Community Right to Build Order is a form of Neighbourhood Development Order which can be created by a local community organisation, and so not restricted to a town or parish council or neighbourhood forum, and can be used to grant planning permission for small scale development for community benefit on a specific site or sites in a neighbourhood area.

- 4.10 Where the community organisation wishes to develop the land itself (subject to acquiring the land if appropriate), then the resulting assets can only be disposed of, improved or developed in a manner which the organisation considers benefits the local community or a section of it.
- 4.11 There are some restrictions on the type of development that Neighbourhood Development Orders can grant permission for:
- Development normally dealt with by a county planning authority, for example minerals and waste related development;
 - Development which automatically requires an Environmental Impact Assessment;
 - development of nationally significant infrastructure projects (which are defined in the Planning Act 2008).

The Neighbourhood Planning Process

- 4.12 Where a community wants to take up the opportunities offered by neighbourhood planning, the legislation enables 3 types of organisation, known as qualifying bodies, to lead it:
- a parish or town council
 - a neighbourhood forum
 - a community organisation
- 4.13 In a designated neighbourhood area which contains all or part of the administrative area of a town or parish council, the town or parish council is responsible for neighbourhood planning.
- 4.14 A designated neighbourhood forum is an organisation or group empowered to lead the neighbourhood planning process in a neighbourhood area where there is no town or parish council. A group or organisation must apply to the local planning authority to be designated as a neighbourhood forum (a forum application).
- 4.15 Any community organisation can develop a Community Right to Build Order provided they meet certain prescribed conditions. A community organisation does not need to be designated by the local planning authority in order for it to develop a Community Right to Build Order in a designated neighbourhood area.

⁸ <http://www.legislation.gov.uk/ukpga/2008/29/contents>

The District Council's Role

4.16 As the local planning authority, the District Council is required to:

- Take decisions at key stages in the neighbourhood planning process within the time limits that apply; and
- Provide advice or assistance to a parish council, neighbourhood forum or community organisation that is producing a neighbourhood plan or Order.

4.17 In accordance with the Government's practice guidance on neighbourhood planning, the District Council will:

- Be responsive and proactive in providing information to communities about neighbourhood planning;
- Fulfil its duties and take decisions as soon as possible, within any statutory time limits that apply;
- Agree and set out a clear and transparent decision making timetable; and
- Constructively engage with the community throughout the process

4.18 The District Council welcomes an early discussion with communities seeking to explore the potential of Neighbourhood Planning in their area. Enquiries should be sent via email to community.development@westoxon.gov.uk

4.19 The table overleaf summarises the necessary steps required by the neighbourhood planning legislation, the role of WODC and the community involvement typically required at each stage.

Stage	The Neighbourhood Planning (General) Regulations 2012 and Amendment (2015)	Community Involvement	WODC Role
Neighbourhood Development Plan (NDP)			
Neighbourhood Area Designation application	Regulation 5	Where a community within a 'parished' area, the relevant body for applying for the Designation of a Neighbourhood Area is the Town or Parish Council. Applying for the Neighbourhood Area is the first statutory step required for producing a Neighbourhood Plan. Where the area is not 'parished' a Neighbourhood Forum may be designated to produce an NDP (see steps below).	
Publicising a Neighbourhood Area Designation	Regulation 6		Where the Neighbourhood Area follows the parish boundary WODC will automatically designate it. Where the Neighbourhood Area is not coterminous with the parish boundary a decision will be taken by Cabinet as to whether or not the Neighbourhood Area can be designated.
Publicising a Neighbourhood Area Designation	Regulation 7		If WODC approves a Neighbourhood Area Designation it will publicise on www.westoxon.gov.uk , the name of the Neighbourhood Area, A map identifying the area and the name of the parish council or forum who applied for the designation. Where the designation is refused the reasons will be set out in a published decision statement.

Application for a Neighbourhood Forum Designation	Regulation 8	<p>Where there is no Parish, a Neighbourhood Forum may be designated to produce an NDP.</p> <p>The community must apply to WODC with:</p> <ul style="list-style-type: none"> • a list of 21 names currently on the electoral register • a written constitution • map identifying the neighbourhood area to which the plan relates <p>A statement that the forum is established to promote & improve the social, economic & environmental wellbeing of the area; that membership is open to people living &/or working there & Councillors; and has a written constitution must also be submitted.</p>	
Publicising the Neighbourhood Forum Application	Regulation 9		WODC will publish the Forum application on www.westoxon.gov.uk and invite comments to the application for 6 weeks. A check of the list of 21 members of the forum will be made against the electoral register.
Publicising the Neighbourhood Forum Designation	Regulation 10		A decision on the designation of a Neighbourhood Forum will be taken by Cabinet. The outcome of this decision will be published on www.westoxon.gov.uk

<p>Pre-submission Consultation of draft Neighbourhood Plan</p>	<p>Regulation 14</p>	<p>The community will develop the NDP through local engagement & evidence base gathering. A draft NDP including policies and proposals needs to be put out for 6 weeks consultation – this process will inform the final version of the NDP.</p>	<p>As the community develops the NDP, WODC will provide advice and support on how the draft NDP will meet the Basic Conditions at examination, particularly conformity with the Local Plan 2031 and national policy (NPPF).</p> <p>A formal representation will be submitted from WODC to the Regulation 14 pre-submission consultation.</p>
<p>Strategic Environmental Assessment & Habitat Regulations Assessment Screening</p>			<p>Once the draft NDP is in near complete form (including identification & assessment of any sites for allocation), WODC will undertake a ‘screening’ for the need Habitats Regulation Assessment and Strategic Environmental Assessment. The screening will be sent to the Environment Agency, Natural England and Historic England for 5 weeks for comment. Should the screening give rise to the need for SEA and/or HRA, the community will be obliged to undertake this in order to meet the Basic Conditions at examination.</p>

Receipt of the Draft NDP	Regulation 15	<p>The community will submit the following to WODC:</p> <ul style="list-style-type: none"> • A map of the Neighbourhood Area • The proposed draft NDP • A consultation statement • A statement explaining how the NDP meets the Basic Conditions (including conformity with the Local Plan 2031) • A statement for reasons as to whether or not the NDP is likely to have significant environmental affects • Where appropriate, any SEA/HRA assessments. 	
Publicising a draft Neighbourhood Plan	Regulation 16		<p>WODC will publish on www.westoxon.gov.uk & make available at relevant deposit locations the NDP submission for 6 weeks consultation. WODC will submit a comprehensive representation to this consultation. All comments received will be published online.</p>
Examination	N/A		<p>WODC will arrange and fund independent examination of the NDP. The appointed examiner will be agreed with the Parish Council or Neighbourhood Forum.</p>

Publication of the Examiner's Report and Plan Proposal Decisions	Regulation 18		The Examiners Report will be published on www.westoxon.gov.uk alongside a Decision Statement as to whether they accept/or not the Examiners recommendation. It will also address all modifications to the NDP as specified in the Examiner's Report.
Referendum	N/A	All those who are registered on the Electoral Register will be able to vote at the NDP Referendum.	If the Examiner has recommended that the NDP has met the Basic Conditions WODC will arrange and fund the Referendum of the NDP.
Decision on a Plan Proposal	Regulation 19		If the Referendum gives a vote in favour of the NDP (ie 50% + 1) WODC will publish a 'Decision Statement' confirming that the NDP will be 'made' ie will become part of the development framework against which planning application within the Neighbourhood Area will be determined.

Stage	The Neighbourhood Planning (General) Regulations 2012 and Amendment (2015)	Community Involvement	WODC Role
Publicising a Neighbourhood Development Plan	Regulation 20		WODC will publish the 'made' NDP and all supporting documentation
Neighbourhood Development Orders (including Community Right to Build Orders)			
*The initial steps of designating the Neighbourhood Area (and) Neighbourhood Forum (for non-parished areas) is the same as for NDP's as described above.			
Consultation by the Parish Council or Neighbourhood Forum (the qualifying body) on the Proposed NDO	Regulation 21	<p>Before submitting an NDO to WODC the qualifying body should:</p> <ul style="list-style-type: none"> • Widely publicise the proposals for 6 week public consultation • Notify those listed consultees on Schedule 1 Regulation 21 of the Neighbourhood Planning (General) Regulations 2012 • Send a copy of the NDO to WODC 	
Environmental Impact Assessment	N/A		Under the EIA Regulations WODC will screen the draft NDO for the need for an Environmental Impact Assessment.
NDO Proposal – Required documentation	Regulation 22	<p>The submitted NDO must include:</p> <ul style="list-style-type: none"> • A map identifying the land for the proposal 	

		<ul style="list-style-type: none"> • A consultation statement • The proposed NDO • Archaeology statement if necessary following engagement with Historic England • Basic Conditions Statement • Environmental Impact Assessment (if required following WODC screening) 	
Assessing the NDO Proposal	N/A		<p>WODC will assess the NDO Proposal against this criteria:</p> <ul style="list-style-type: none"> • That the body submitting is qualified to do so • That the proposal meets the definition of an NDO & complies with the relevant rules including the scope of and type of development an NDO can grant • Whether correct procedures have been followed
Publicising the NDO Proposal	Regulation 23		WODC will publicise for 6 weeks public consultation on www.westoxon.gov.uk and in deposit locations the details of the NDO Proposal
Submission of the NDO for Examination	Regulation 24		<p>WODC will submit the NDO proposal & supporting documentation (including representations received to this) to an Independent Examiner. The Examiner will consider:</p> <ul style="list-style-type: none"> -Whether the draft NDO meets the Basic Conditions (including impact on European sites) - Whether it complies with the definition of an NDO

			<p>& provisions that can be made by an NDO and that can be granted</p> <ul style="list-style-type: none"> - Whether any period for applications to be made or development to begin are appropriate - Whether the area for referendum should extend beyond the Neighbourhood Area - Whether the draft NDO is compatible with Human Rights.
Receipt of the Examiner's Report	N/A		WODC will consider each of the examiners recommendations & address each, & come to a view on whether the NDO meets the Basic Conditions.
Local Planning Authorities consideration of Examiner's Recommendations	Regulation 25		If WODC decides to accept the Examiner's recommendations then it will 'make' the NDO & conduct a Referendum – publishing the outcome via a Decision Notice. If it does not then it must refuse the NDO & publish a Decision Notice to this effect.
Following a Referendum & Publication of a Decision on the NDO by the Local Planning Authority	Regulation 26	All those who are registered on the Electoral Register will be able to vote at the NDP Referendum.	Once the referendum is held and there is a vote in favour (ie 50% +1) WODC will publicise its decision and reasons for it in a Decision Document on www.westoxon.gov.uk & provide this to the Qualifying Body & any person who has asked to be notified.

Statutory neighbourhood planning steps and WODC/community involvement

5. Planning applications

- 5.1 The Council is committed to ensuring that all those affected by or interested in a planning application have the opportunity to comment.
- 5.2 In addition to individuals who might be directly affected by a planning application, community groups and specific interest may wish to provide representations on planning applications.
- 5.3 This section sets out the Council's approach towards pre-application discussions as well as the process for publicising and determining planning applications.

The pre-application stage – what is it?

- 5.4 The term 'pre-application' refers to the period before a planning application is submitted to the Council for determination. It provides an opportunity for an applicant to 'test' the merits of their proposal both with Officers of the Council and with the wider community through pre-application consultation (e.g. through a public exhibition).
- 5.5 Pre-application engagement can offer significant potential to improve both the efficiency and effectiveness of the planning system and improve the quality of planning applications and their likelihood of success.
- 5.6 Early involvement between developers, the community, consultees and the local planning authority allows issues and concerns to be identified, discussed and potential solutions found before planning proposals are formally submitted for assessment and decisions are made.
- 5.7 Engagement can range from developers seeking advice from the Council on their proposal to landowners/developers involving local communities in the evolution of their plans. Even minor applications can benefit from early consultation. For example, we encourage applicants to consult their neighbours before submitting an application.

Pre-application advice

- 5.8 Applicants are invited to seek the views of District Council Planning Officers at the pre-application stage. Information on our pre-application enquiry service, including a standard advice form, can be found on our website⁹.

⁹ <https://www.westoxon.gov.uk/media/1040712/pre-app-form-and-fees-april-2019.pdf>

Pre-application public consultation

- 5.9 Applicants who intend to submit a planning application, particularly one which is of particular interest to the wider community, are encouraged to go beyond the standard requirements for consultation and seek views of the wider community¹⁰. Pre-application involvement gives communities the opportunity to shape or influence the design and form of the development proposals before they are finalised. Such consultation is often in the applicant's interest in helping to resolve issues or take account of local opinion, improving the quality of the application and increasing the likelihood of success.
- 5.10 Officers will be able to advise applicants on pre-application public consultation. It is advisable that views of the wider community are sought at the pre-application stage, and preferably within 3 months prior to an application being submitted. The scale of consultation should be comparable to the scale, location and type of application.

Guidelines for consulting the wider community at the pre-application stage

- Prepare in 'Plain English', clear and understandable consultation material such as design concept statements, key plans and a statement of how the proposal meets planning policy considerations
- Make consultation material accessible to the local community. Displaying information on a website has an advantage in that it may be accessible to a large proportion of the community but it should not be the sole source of information
- Give adequate publicity to consultation material and events. For instance, by sending letters to local residents, businesses and organisations, advertising in the local press, or staging public exhibitions. Face to face contact may help build understanding and enable questions to be answered
- Contact local community groups, including the local Parish or Town Councils, regarding consultation arrangements as they may be able to assist and alter the local community. The Council may be able to assist in identifying local community groups
- Previous consultation on allocated sites during the Local Plan process should be taken into account and additional consultation should not consider issues agreed in adopted policy.

- 5.11 Additional consultation whether pre or post-application, should be arranged and funded by the applicant. The Council may however be able to assist by advising on appropriate procedures or by making material available to customers at the Planning Office or Town Centre Shops.
- 5.12 If development proposals are likely to impact upon the functions of other organisations, such as the County Council as Highways Authority and service provider, applicants are also advised to discuss proposals with such organisations at the pre-application stage.

¹⁰ For certain developments pre-application community engagement is mandatory.

- 5.13 For larger applications, the Council operates a Planning Performance Agreement (PPA) approach. Details of the applicable charges are available on the Council's website. A PPA is an agreement between the Council and applicants to provide a project management framework for major applications that are likely to exceed the 13-week period normally expected to be the period required to determine such applications. The PPA sets out the targets agreed by both parties for the levels and types of consultation required, information gathering process, consideration of options and agreement on design issues.
- 5.14 In submitting an application which may affect the wider community or is of wider community interest, the applicant should submit full details of any pre-application consultation material and also the comments received. This material will be made publicly available with the planning application.
- 5.15 After the application has been submitted the statutory consultation and publicity procedures will prevail regardless of any pre-application consultation. If the wider community has not been consulted at the pre-application stage (or if there have been significant changes), wider community consultation is still encouraged.

Consulting on planning applications

- 5.16 After the Council has received and registered a planning application, we will carry out a period of consultation where views on the proposed development can be expressed.
- 5.17 Planning applications are published online. The Council's website has a range of information on the planning applications' process and guidance notes on how to make an application. Public Access¹¹ allows users to search for planning applications, view details and decisions.
- 5.18 Web-users are also able to access a range of information for their area, including selected planning information, using 'My West Oxfordshire' part of the Council's website. Free web access is available at public libraries and at the planning office.
- 5.19 Once an application is registered, a site notice is displayed at a suitable location nearby and a local advertisement placed in the local press for major or more sensitive applications. A weekly list of new planning applications is published on the Council's website.
- 5.20 Consultations are carried out with statutory bodies (e.g. the Environment Agency) and with other Council departments to obtain views on drainage, pollution, health and safety and other technical matters. The views of local or national amenity, conservation and environmental groups will also be sought where they have an interest. All new developments need access to essential services and essential service providers will be consulted on significant major applications.

¹¹ <https://publicaccess.westoxon.gov.uk/online-applications/>

5.21 The following table indicates the publicity appropriate for different types of planning applications, incorporating the legal requirements.

Online via Council website (Public Access)	✓
Consult statutory organisations*	✓
Consult Town and Parish Council/Meeting	✓
Display of site notice	✓
Weekly list of applications	✓
Local Advertisement (Oxford Times)**	✓
Planning applications available to view online at the Planning Reception	✓

* The Council must consult statutory bodies relevant to the proposal. These statutory bodies may include organisations such as the County Highways Authority, the Environment Agency or Natural England.

** Most applications are advertised locally. Domestic/Householder applications which do not affect the character and appearance of a Conservation Area, the setting of a Listed Building, the setting of a Public Right of Way or are not a departure from the local plan do not require local advertisement.

5.22 Following the initial period of consultation, it may be that further additional consultation on changes submitted by an applicant is needed prior to any decision being made. Finally, once consultation has concluded, the Council will consider the representations made by consultees, and proceed to determine the application.

How to comment on a planning application

5.23 Anyone can comment on a planning application. Comments should be emailed (or sent in writing) to the Planning Officer named on the application, or to:

Development Management
 West Oxfordshire District Council
 Elmfield
 New Yatt Road
 Witney
 OX28 1PB

Email: planning@westoxon.gov.uk

5.24 It is important to quote the planning application number and site address on all correspondence and to include your name, address and the date of your correspondence.

- 5.25 Comments should be made within the specified time (normally 21 days) and will be acknowledged within one day of receipt. Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. Comments received after the deadline may not be able to be considered by the Council in determining the application.
- 5.26 It is advisable to contact the case officer to see if, in appropriate circumstances, the consultation period can be extended. (This may be possible, for instance, when the application is due to be considered by Committee and the relevant meeting is not due to take place until a week or two beyond the consultation deadline).
- 5.27 Comments made are added to the planning application file (although we will not include any inappropriate or offensive comments). They are public information and can be viewed on the Council's website.

How planning applications are decided

- 5.28 Planning decisions must be decided in accordance with the development plan (e.g. the West Oxfordshire Local Plan 2031) unless there are material considerations that indicate otherwise.
- 5.29 The Government's National Planning Policy Framework (NPPF) represents up-to-date government planning policy and is a material consideration that must also be taken into account where it is relevant to a planning application. If the Council were to choose not to follow the NPPF, where it is a material consideration, clear and convincing reasons for doing so would be needed.
- 5.30 In addition to national and local policy, comments received on planning applications are considered when applications are decided. These are summarised in the Planning Officer's report. If the application is not delegated (see below) this report is presented to the Area Planning Sub-Committee. If comments are received after the report is produced they will be verbally reported to the committee. The Committee agenda papers are available to view five working days before the meeting.
- 5.31 When making comments it is important to remember that the Council can only take account of material planning considerations when deciding applications. A material planning consideration is one which is relevant to making the planning decision in question.

Examples of material and non-material planning considerations

We can take into account:	We cannot take into account:
<ul style="list-style-type: none"> • National and local policies • Planning history and previous appeal decisions • Overlooking and loss of privacy • Overshadowing and loss of light • Car parking • Traffic generation • Scale of development • Conservation of buildings • Noise and disturbance • Character of the area • Design, appearance and layout • Precedent/consistency of decision making 	<ul style="list-style-type: none"> • Loss of value to the property • Loss of private views • Personal disagreements • Boundary disputes • Covenants • Commercial competition • Construction disturbance • Issues considered under Building Regulations

Who makes the decision?

- 5.32 The majority of householder and other minor applications are decided under delegated powers (i.e. they are decided at senior officer level rather than being reported to a Planning Committee).
- 5.33 It is in the public interest for the Council to have effective delegation arrangements in place to ensure that decisions on planning applications that raise no significant planning issues are made quickly and that resources are appropriately concentrated on the applications of greatest significance to the local area.
- 5.34 More significant applications are determined by one of the two Area Planning Sub-Committees (Uplands and Lowlands). Very occasionally the two sub-committees will combine to consider as one committee more contentious applications.
- 5.35 Planning Committee Members are involved in planning matters to represent the interests of the whole community and must maintain an open mind when considering planning applications. Where members take decisions on planning applications they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid material planning reasons.

- 5.36 We encourage public speaking by applicants, members of the public and other interested parties at the Area Planning Sub-Committee meetings. Any person wishing to speak needs to have commented on the application during the consultation period and needs to register to speak by midday on the Friday before the meeting. The speaker is then allotted three minutes to outline their views on the application; all matters raised must be relevant to planning. A leaflet setting out the procedures and guidelines for public speaking is available on our website 'Public Speaking at Planning Committee'¹².

Timescales for determining planning applications

- 5.37 Once a planning application has been validated, the Council will seek to make a decision on the proposal as quickly as possible, and in any event within the statutory time limit unless a longer period is agreed in writing with the applicant.
- 5.38 The statutory time limits are usually 13 weeks for applications for major development and 8 weeks for all other types of development (unless an application is subject to an Environmental Impact Assessment, in which case a 16 week limit applies).
- 5.39 Where a planning application takes longer than the statutory period to decide, and an extended period has not been agreed with the applicant, the government's policy is that the decision should be made within 26 weeks at most in order to comply with the 'planning guarantee'.
- 5.40 The planning guarantee is the government's policy that no application should spend more than a year with decision-makers, including any appeal. In practice this means that planning applications should be decided in no more than 26 weeks, allowing a similar period for any appeal. The planning guarantee does not replace the statutory time limits for determining planning applications.

What happens once a decision is made?

- 5.41 Once a decision has been made, the Council must formally notify the applicant of their decision using a written decision notice. Decision notices on planning applications are available on the Council's website or from the Planning Reception.
- 5.42 Under article 33(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 the Council must also give notice of their decision to every person who has made a representation who is an owner of the land or a tenant of an agricultural holding on the land or an adjoining owner or occupier.

¹² <https://www.westoxon.gov.uk/media/95030/Public-speaking-at-planning-committee-leaflet.pdf>

- 5.43 The Council will take a flexible approach and make a judgement about whether additional publication of the decision is needed on a case by case basis, weighing up factors such as the level of public interest in the application and the cost of additional notification. We will for example notify the Environment Agency of any decision taken on a planning application where the Agency has objected on flood risk grounds.

6. Keeping the SCI update to date

- 6.1 We will endeavour to keep the SCI up-to-date to ensure effective community involvement at all stages of the planning process. In accordance with Government advice, the SCI will be reviewed at least once every 5 years from the date of adoption and more frequently should there be any significant change to the Council's approach towards public engagement.

7. Sources of further information

- 7.1. Set out below are a number of web-links which provide further information on the various aspects of the planning system as covered in this SCI.

District-level plan making

www.westoxon.gov.uk/ldf

www.gov.uk/guidance/plan-making

Neighbourhood planning

<https://www.gov.uk/guidance/neighbourhood-planning--2>

<https://www.westoxon.gov.uk/residents/communities/neighbourhood-planning/>

Planning applications

<https://www.gov.uk/guidance/determining-a-planning-application>

<https://www.gov.uk/guidance/making-an-application>

<https://www.gov.uk/guidance/fees-for-planning-applications>

<https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

Planning – general

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

<https://www.planningportal.co.uk/>

Appendix I – SCI availability

The SCI is available online at www.westoxon.gov.uk with hard copies available at the following locations:

West Oxfordshire District Council Offices Elmfield New Yatt Road Witney OX28 1PB Tel: 01993 861000 Open: Monday – Friday 9am to 5pm	Witney Town Centre Shop 3 Welch Way Witney OX28 6JH Tel: 01993 861000 Open: Monday – Friday 9am to 5pm	Witney Town Council Town Hall Market Square Witney OX28 6AG Tel: 01993 704379 Open: Monday – Friday 9am to 1pm, 2pm to 5pm
Carterton Town Council 19 Alvescot Road Carterton OX18 3JL Tel: 01993 842156 Open: Monday – Friday 9.30am to 4.30pm	Chipping Norton Town Council The Guildhall Chipping Norton OX7 5NJ Tel: 01608 642341 Open: Monday – Friday 9am to 1pm	Burford Visitor Information Centre 33 High Street Burford OX18 4QA Tel: 01993823558 Open: Monday – Saturday 9.30am to 5pm, Sunday 10am to 4pm
Bampton Library Old Grammar School Church View Bampton OX18 2NE Tel: 01993 850076	Burford Library 86A High Street Burford OX18 4QF Tel: 01993 823377	Carterton Library 6 Alvescot Road Carterton OX18 3JH Tel: 01993 841492
Charlbury Library Charlbury Community Centre Enstone Road Charlbury OX7 3PQ Tel: 01608 811104	Chipping Norton Library Goddards Land Chipping Norton OX7 5NP Tel: 01608 643559	Eynsham Library 30 Mill Street Eynsham OX29 4JS Tel: 01865 880525
North Leigh Library Memorial Hall Park Road North Leigh OX29 6SA Tel: 01993 882935	Stonesfield Library Village Hall Longore Stonesfield OX29 8EF Tel: 01993 898187	Witney Library Welch Way Witney OX28 6JH Tel: 01993 703659

Woodstock Library The Oxfordshire Museum Fletcher's House Park Street Woodstock OX20 1SN Tel: 01993 814124	Wychwood Library 29 High Street Milton-under-Wychwood OX7 6LD Tel: 01993 830281	
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Appendix 2 – List of consultees

Specific consultation bodies

The following list is as prescribed by the Town and Country Planning (Local Planning) (England) Regulations 2012:

- Coal Authority
- Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail
- Highways Agency
- Adjoining Local Authorities (Cotswolds DC, Cherwell DC, Vale of the White Horse DC, Stratford-upon-Avon DC)
- Telecommunications operators
- Sewage and water undertakers
- Oxfordshire Clinical Commissioning Group
- Gas and Electricity operators
- The Homes and Communities Agency

General consultation bodies

There are a wide range of other groups, organisations and interested individuals who, depending on the nature of the document, may be consulted. The following list sets out the types of groups who we will seek to involve and give examples:

- Town and Parish Councils/Meetings and Town and Parish Councils/meetings which adjoin West Oxfordshire
- Local Councillors
- Nearby Local Authorities – Oxford City, South Oxfordshire District Council and Swindon Borough Council
- Police and Crime Commissioner
- Oxfordshire Local Enterprise Partnership
- Local community and voluntary groups – which may include: Civic societies (eg Eynsham Society)
- Community groups (eg Oxfordshire Rural Community Council), Environmental groups (eg Transition Eynsham Area) and other groups representing local interests
- Wildlife and conservation groups – eg Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), Cotswolds Conservation Board, Campaign for the Protection of Rural England (CPRE)
- Local service providers – eg Thames Valley Police, Cottsway Housing
- Local business groups – eg Local Chambers of Commerce, Federation of Small Businesses

- Developers and landowners – eg planning agents, the Home Builders Federation, defence Estates
- Ethnic minority groups – eg Commission for Racial Equality
- Disability groups – eg Oxfordshire Council of Disabled People
- Gypsies, Travellers and Travelling Showpeople – eg National Gypsy Council, Showmen’s Guild of Great Britain
- Elderly/aged groups – eg Age UK
- Young people – eg local primary/secondary schools and Witney and Abingdon College
- Faith groups – eg Oxfordshire Community Churches
- Other organisations and interest groups

Prescribed bodies under the ‘Duty to Co-Operate’

The following list is as prescribed by the Town and Country Planning (Local Planning) (England) Regulations 2012:

- Environment Agency
- Historic England
- Natural England
- Mayor of London
- Civil Aviation Authority
- Homes and Communities Agency
- Oxfordshire Clinical Commissioning Group
- Office of Rail Regulation
- Transport for London
- Each Integrated Transport Authority
- Each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
- Marine Management Organisation.
- Oxfordshire Local Enterprise Partnership