

REPORT OF THE STRATEGIC DIRECTOR
TO THE STRATEGIC AND LOCAL PLANING ADVISORY GROUP
24 MAY 2006

Local Development Framework: Response to the Statement of Community Involvement
Submission Document

1.0 Introduction and Report Summary

- 1.1 The Statement of Community Involvement was submitted to the Secretary of State on the 10th March 2006 and placed on deposit until 21st April 2006. This report summarises the representations received during the deposit period and Appendix A sets out the recommended response of the Council to the representations for consideration by the Inspector at the Examination.
- 1.2 The Contact Officer for this report is Grant Audley-Miller, Section Head (Environmental Planning & Conservation) 01235 540343.

2.0 Recommendations

2.1 *That the Strategic and Local Planning Advisory Group recommend the Executive to:*

- 1) *Note the representations received in response to the submission of the Statement of Community Involvement,*
- 2) *Forward Appendix A to the Planning Inspectorate as the Council's response to the issues raised by the representations and possible changes to the final Statement of Community Involvement that would improve the document.*

3.0 Relationship with the Council's Vision, Strategies and Policies

3.1 This report complies with the Council's Vision Statement and aims.

4.0 The Statement of Community Involvement Submission Document

- 4.1 The Statement of Community Involvement submission document was placed on deposit from 10 March 2006 to 21 April 2006. It was sent free to all the Consultation Bodies contained in Appendix 1 and the List of Bodies and Organisations in Appendix 2 of the Statement. In addition over 200 individuals and other organisations who had previously expressed interest on being kept up to date on progress on the Local Plan were notified by letter of the publication of the Statement.
- 4.2 The document and the forms for making representations were available at the Local Services Points in Abingdon and Wantage and the Council's offices at Faringdon, at libraries throughout the district and at Didcot and the Westgate Centre, Oxford.
- 4.3 Notices were placed in the Oxford Mail and the Wiltshire Gazette and Herald at the start of the consultation period. A press release was sent out to the media identified in Appendix 2 of the Statement. In addition an informal notice was placed in Council News. The document and representation forms were also available at www.whitehorsedc.gov.uk/planningpolicy/LDF which

included a downloadable version of the document together with forms for making comments.

5.0 Consultation Responses

- 5.1 30 individuals and organisations made representations. 8 were representations in support and 7 were comments. 7 were submitted by e-mail.
- 5.2 16 representations were objecting to the SCI or part of the SCI. The majority were concerned with minor amendments to help improve the clarity of the document and requests that the representee was included on the LDF database and should continue to be kept informed on the preparation of local development documents. Only 1 individual has requested the examination to be in the form of a hearing.

6.0 Next Steps

- 6.1 The Planning Inspectorate are required to be sent a summary of the responses and the main issues raised. The representations have been forwarded to the Planning Inspectorate to arrange the Examination which will be carried out by Keith Holland BA (Hons) Dip TP, MRTPI ARICS.
- 6.2 The Planning Inspectorate also recommend that authorities can include a response to the main issues raised, offering where necessary, possible changes to the final SCI that would improve the document. It is intended that Appendix A be forwarded to the Planning Inspectorate after consideration by the Executive.

RODGER HOOD
Deputy Director (Planning & Community Strategy)

TIM SADLER
Strategic Director

Background Papers: None

Appendix A

Summary of the representations received in response to Statement of Community Involvement Submission Document

| Organisation | Para No | Organisation's Comment | Council's Response |
|----------------------------------|-----------|---|---|
| SEEDA | All | Support | |
| Churches Together in Oxfordshire | | Support | |
| East Hagbourne Parish Council | All | Support | |
| Oxford Green Belt Network | All | Support Pleased that they are included in Appendix 2 | |
| WM Morrison Supermarkets Plc | Section 6 | Support the proposals set out in SCI | |
| The Theatres Trust | | Welcome their inclusion in Appendix 2 and look forward to commenting on next stage of LDF | |
| Oxfordshire Geology Trust | | Support Would like reference to Oxfordshire RIGS Group deleted as no longer exists | The Council has no objection to the deletion of Oxfordshire RIGS Group from Appendix 2. |
| Learning and Skills Council | | Support | |
| South West Regional Assembly | | Noted the contents. Have no comments at this stage | |
| Gloucestershire County Council | | No comments to make. Would like to be kept informed of future progress on LDF | |
| British Waterways | | Satisfied it appears in the appropriate appendices and has no further comments to make | |
| Bellway Homes | | Have no further comments to make but would like to continue being consulted in future | |
| First Great Western | | Would like to be consulted on planning applications particularly around rail stations in addition to Network Rail | The Council currently consult Network Rail in appropriate cases but do not consider it would be practicable to consult rail operators as suggested. |
| Highways Agency | | No further comments to make | |

| Organisation | Para No | Organisation's Comment | Council's Response |
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| Cluttons | | Note content, would like to be included on list of consultees to be consulted in future | The Council has no objection to the inclusion of Cluttons in Appendix 2. |
| Oxfordshire Architectural and Historical Society | Appendix 2 | Oxford Architectural and Historical Society should read as Oxfordshire Architectural and Historical Society | The Council has no objection to amending Appendix 2 to read 'Oxfordshire Architectural and Historical Society'. |
| Appendix 1 | | The Council for British Archaeology should be included under Environmental Groups | Appendix 1 is an extract from PPS12: Local Development Frameworks, and contains a list of bodies and organisations which the Government has specified should be consulted. This list is not intended to be exhaustive and is included to show the range of organisations the Council should involve. The Council has developed its own database which contains many more consultees. The Council has no objection to the Council for British Archaeology being included in Appendix 2. |
| Oxford Field Paths Society | Appendix 2 | Consider their group should be included under the Environmental Interest Group heading rather than the General Interest Group heading | The Council has no objection to amending Appendix 2. |
| Chilton Parish Council | | Feels that the acid test will be whether community views have any influence on decision making | All comments will be taken into account but the weight given to them will depend upon whether they are material planning considerations and the need also to take into account Government and Council policy. |
| Harwell Parish Council | Para 6.10 | Consider it is factually incorrect. The Development Control Committee meetings are proposed to be every three weeks in future, would like paragraph changed to reflect this. | From the 1 May Development Control Committee meetings will meet every 3 weeks rather than every 2 weeks. At the time of submission this had not been confirmed. The Council has no objection to updating the text to reflect this change in circumstances. |
| The Countryside | | Consider the SCI should set out | The Council will try to involve as many sectors of |

| Organisation | Para No | Organisation's Comment | Council's Response |
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| Agency | | <ul style="list-style-type: none"> • Ways of involving all sectors of the community including those in smaller settlements. Rural areas and areas in the rural/urban fringe who may have difficulty in accessing some methods used to engage communities; <p>The particular approaches or techniques that will be used to ensure that rural communities have the opportunity to engage fully with the LDF process</p> <ul style="list-style-type: none"> • How will other community initiatives such as Town and Village Design Statements as well as other local evidence or survey work provided by local communities will be used to inform the LDF and the weight that such community initiatives will be given; | <p>the community as possible but has to be mindful of the resource implications. Nevertheless, the SCI highlights that where the Council considers that it will add value to the consultation process and make it easier for the community to be involved it will use additional techniques at appropriate stages in the preparation of DPDs. These additional methods could be used in the rural areas if it was felt to assist the local community to become involved.</p> <p>Town and village design statements currently do not have any statutory status in the LDF process and many of the issues they raise do not fall within the scope of the LDF. The Council considers that the most appropriate way of making use of the valuable survey work and other information that such documents are likely to contain is to ensure that this information is fed into the early stages of the preparation of LDF documents.</p> <p>Section 7.0 of the SCI stresses that the Council intends to individually evaluate the main community involvement exercises, and assess the methods of consultation used, their appropriateness and effectiveness. The main method highlighted is the use of evaluation forms but this does not exclude the Council from using other methods.</p> |
| Oxfordshire County | Appendix 1 | Pleased to be included in both appendices | Noted |

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| Council | & 2 | <p>Para 6.5 Would like the paragraph changed to indicate that the County should also be consulted on issues regarding minerals and waste, service provision, developer funding, rights of way, ecology and landscape.</p> <p>Para 6.22-6.25 Would urge developers to contact the County for advice at an early stage of the application process.</p> | <p>The Council has no objection to amending the second sentence of paragraph 6.5 to read “..(highway, archaeology, strategic planning, minerals and waste, service provision, developer funding, rights of way, ecology and landscape).”</p> <p>The Council has no objection to adding a new sentence after the second sentence of para 6.24, to read “The Council also encourages developers to undertake early consultation with the relevant statutory bodies and stakeholders including Oxfordshire County Council.</p> |
| Oxfordshire Rural Community Council | | <p>Welcome Council's stated intention to aim for early involvement, clarity about opportunities for involvement and good feedback.</p> <p>No mention in the SCI is made to the fact that in rural area many of the population are 'hard to reach'. Would like to be assured that the Council will take particular note of access issues when conducting consultations.</p> | <p>See response to the Countryside Agency above.</p> |
| Mr M. G. Hocken | Sections 5 & 6 | | <p>Considers the advertisement of formal notices for the SCI was made in inappropriate papers.</p> <p>In its attempt to comply with the Town and Country Planning (Local Development) (England) Regulations 2004 the Council used the Oxford Mail and the Wiltshire Gazette for the publication of the statutory notices for the SCI. The Oxford Mail has the most comprehensive circulation across the District. The Council would have no objection to adding the Herald Series and the</p> |

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| | | | Oxford Times (and budgetary provision has been made for this) but it is still of the view that to comply with the spirit of the Regulations it will in future still need to advertise in the Oxford Mail and the Wiltshire Gazette. |
| Section 8 | | <p>There are inadequate resources to manage community involvement effectively in respect of air quality and environmental issues in general. The requisite staffing and other resource allocations should be reassessed and a risk analysis made of this particular aspect of the LDF Consultation and Community Involvement process.</p> | <p>The Council considers that the SCI is sound in this respect because sufficient resources exist in house in the context of the Local Development Framework and consultation on planning applications. It is clear that it can use external consultants if it can be demonstrated that this will enable consultation to be carried out more efficiently, or for specific projects if there is a lack of capacity or expertise in house. Furthermore the Council do not consider that resources for environmental controls fall within the scope of the SCI which is concerned with resources for managing community involvement.</p> |
| GOSE | Back Cover | <p>The inclusion of the text on the inside front cover is welcomed; however, it may assist further if text were added in each of the main locally relevant languages to explain what the document is about and why people should take an interest in it. Such text should be included on the cover of all LDF documents.</p> | <p>The Council has had no requests in the recent past to make documents available in other languages. However, the Council is currently investigating the possibility of using alternative languages, requests which if necessary could be included on the adopted document.</p> <p>Update to reflect inclusion of Appendix 5.</p> |

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| | Para 2.6 | You may also wish to add the web address of the SCI for those who may wish to have an e copy and to alert readers to the potential for the SCI to be updated in the future. | The Council has no objection to the addition of “..and can be viewed at www.whitehorsedc.gov.uk/planningpolicy/LDF .” to the end of the first sentence of para 2.6. |
| | Fig 3 | The Preferred Options Stage is commonly called Reg 26, while the Alternative Sites Stage is commonly called Reg 32. | The Council has no objection to amending Fig 3 as attached at Appendix A to overcome this inaccuracy. |
| | Para 5.58 | The requirement to prepare an initial sustainability report was rescinded in the April 2005 ODPM Interim Advice on SA of RSS and LDFs and confirmed in the November 2005 final SA guidance. | This advice is noted and an amendment to Fig 3 as attached at Appendix A would overcome this inaccuracy. |
| | Para 6.9-6.18 | You may wish to add text to inform readers that planning decisions will be based upon the development plan unless material considerations indicate otherwise, and to briefly explain in the text or glossary the meaning of material considerations. | The Council has no objection to the inclusion of text to para 6.9 that clarifies how planning applications are determined and to read “Decisions on planning applications will be in line with the regulations the Town and Country Planning Act 1990. In general this means that decisions on applications will be based on their conformity with the development plan and/or other material considerations.” |
| | | | It would further assist readers of the SCI to add to the glossary “ Material Considerations: Something that should be taken into account when preparing |

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| | Para 7.2 | <p>You may wish to add text to the effect that reader should refer to the website version of the SCI that will comprise the most up-to-date version e.g. if non-significant changes such as a change of name or address/website address are necessary.</p> <p>You may wish to add ACTVaR to your list of consultees.</p> | <p>Development Plan Documents or determining planning applications, but they must be genuine planning considerations eg the type of development, site, layout, siting, design, access and landscaping.”</p> <p>The Council has no objection to the addition to the end of para 7.2 of the text “the most up to date version of the SCI will be on the Council’s website at: www.whitehorsedc.gov.uk/planningpolicy/LDF.”</p> <p>The Council has no objection to the inclusion of ACTVaR in Appendix 2.</p> |
| | Appendix 2 | <p>We note the Council’s intention to avoid consultation during school summer holidays. In the interests of avoiding delay in the implementation of the new planning system and the creation of an up-to-date LDF for the Vale, the Council should ensure that its LDS derived DPD timetables are not unnecessarily lengthened, for this or other reasons, beyond those indicated in PPS12 Figure 4.1 and 4.2.</p> | <p>The Council recognise that the Local Development Scheme is an ambitious and tight programme. For this reason the words “Where practicable …” were used when changing the SCI in response to an objection that was made at the draft stage. This recognised that the Council will, where practicable, and without prejudice to its Local Development Scheme attempt to avoid public holidays and the summer vacation.</p> |
| Harcourt Hill Estate Residents Association | Section 5 | <p>It is not clear who the Council might consider to be a relevant body to consult</p> | <p>At this stage in the LDF process it is not possible to identify precisely which groups will be consulted at various stages in the production of DPDs. This will depend on the type of DPD being produced. As advised in Creating Local Development Framework A Companion Guide to PPS12 the Statement of Community Involvement includes a ‘long list’ of the types of groups the Council proposes to involve.</p> |

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| | Section 5 | The Oxford Times is read more in the district than a particularly issue of the Oxford Mail. | See response to Mr M G Hocken above. |
| | Para 5.46 | It is not clear when supplementary planning documents will be produced, by whom and what status these will hold. | Supplementary Planning Documents will be produced by the Council. They will form part of the Local Development Framework and will expand on policies and proposals made in the Development Plan Documents. This is clearly set out in para 2.10 of the SCI. |
| | Para 6.3 | It is not clear which properties will be notified of planning applications. Should change to notify local residents associations, those properties that adjoin or overlook. | The Council as a matter of course do not consult with resident associations because it is difficult to assess how representative they are, their accountability and longevity. The Council does however take account of comments received from residents associations and other groups if they are based upon material planning considerations. The Council consult all properties that adjoin an application site, but do not consider that they can undertake to consult properties that overlook because the term is too vague and imprecise and the degree of overlooking is subjective. |
| Fitzharry's Manor | Para 6.3 | Support the SCI but suggest a minor alteration to the | Supplementary Planning Documents will not necessarily be area based. They will in most cases expand on policies that apply across the whole district. All planning applications regardless of location are subject to public consultation. |
| | | | See response in relation to Harcourt Hill Estate |

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| Estate Residents Association | | <p>paragraph to ensure, where applicable, that the appropriate residents association is aware of the planning application.</p> | <p>The Residents Association above.</p> |
| Faringdon Town Council | | <p>There is no indication of what happens to the consultation process once it has been carried through.</p> <p>No mention is made of the healthcheck or village equivalent in the entire document.</p> <p>Would like to suggest that there should be a separate Citizens Panel for each of the areas operated within the Council committee structure ie Abingdon Area, North East Area, South East Area and West Area.</p> <p>A large part of the consultation process in Faringdon depends upon the existence of the Faringdon Local Office, the future of which is at present uncertain.</p> <p>The Vale is asked to consider the implications of delegating minor planning application decisions, in the presence of planning officers, to parish and town councils.</p> | <p>The stages following on from formal public consultation periods is clearly stated in the SCI. The next stages of the SCI are set out at paras 3.9-3.10. Stages for the DPDs and SPDs are included at paras 5.14 – 5.57.</p> <p>The Council has no objection to the inclusion of the Faringdon Health Check in Appendix 2.</p> <p>The Citizens panel does have representative samples from each of the four areas. If necessary and appropriate the responses can be analysed accordingly.</p> <p>The District Council is already aware of the Town Council's concerns and is currently considering future options.</p> <p>The Council has only recently revised its scheme of delegation. The Council does not have the resources to make planning officers available to provide advice to town and parish councils and ensure that applications are determined within the Government's targets. In addition determination by town and parish Councils are likely to raise a higher number of probity issues than if dealt with</p> |

| Organisation | Para No | Organisation's Comment | Council's Response |
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| Drayton Parish Council | | Consider the SCI is sound. | <p>It is important that there is a clear and consistent approach to consultation on planning applications that is applied uniformly across the district. With regard to DPDs and SPDs the SCI makes it clear that consultation arrangements can be varied if this adds value to the process and makes it easier for the community to be involved.</p> |
| | | <p>Also have the following comments: It would potentially be very constructive if consultation process were to be applied in particular to guidelines for the consideration of planning applications in different communities.</p> <p>Not enough emphasis on role of parish council.</p> | <p>Parish Councils have a significant role. If their view is contrary to the officer recommendations and are based upon material planning considerations the application is referred to the Development Control Committee. The Parish Council has the opportunity to attend and address the Committee.</p> |
| Letcombe Brook Project | Appendix 2 | Would like a number of local environmental interest groups set out in Appendix B of the representation to be added to Appendix 2 of the SCI. | The Council has no objection to the list of groups included in Appendix B being added to Appendix 2 of the SCI. |
| Persimmon Homes | | <p>Overall considered document is easily understood. Should be more succinct and presentational style would benefit from the use of photographs, maps and diagrams to break up text.</p> | <p>Noted. The Council considers that the document needs to be this length if it is to contain the necessary information to convey to the public how it is to involve them in the planning process. When the final version is published the Council will look again at presentation and the possibility of introducing photographs etc.</p> |

| Organisation | Para No | Organisation's Comment | Council's Response |
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| | | Object to the requirement that representations on planning applications must be received within the specified time. All comments received prior to determination should be duly accepted. | The response period is in accordance with the Regulations. Where practicable and so long as it does not prejudice determination of applications within the Government's targets the Council will normally consider representations received after the specified time. |
| | Para 2.9 | Danger that the SCI could mislead readers into believing that the DPDs produced at the district level will determine the amount and general location of development. Is necessary for the SCI to explain that the policies of the district Council must also be consistent with higher order policies and guidance and consultation on DPDs is not an opportunity to question established policies or guidance. | Paragraph 2.2 sets out that all the Council's Development Plan Documents must comply with the Regional Spatial Strategy. However, the Council would have no objection to the sentence also being included after the second sentence of para 2.9 to add clarity. |
| | Para 5.1 | Failure to recognise the important role developers and land owners will have in influencing and importantly delivering the policies of the development plan. Para 5.1 be amended to include reference to land owners and developers working together with the Council and the community to meet the district's development requirements. | A reference to the role of developers is included in the last sentence of para 1.4. The Council would have no objection to amending para 5.1 to read '... by seeking early involvement from the local community (including the public, developers, town and parish councils and local organisations) on the content ...'. |
| | Para 5.2 | Object to the final sentence of paragraph 5.2. It suggests to the reader that the Council may need to apply its discretion to which statutory requirements it will meet, in light of the resources that are available. | The Council clearly demonstrates throughout the Statement of Community Involvement how it will meet the statutory requirements. |
| | | Last sentence should state "overall context of international, national and regional policies and | The Council do not consider it necessary to refer |

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| | Para 5.2 | guidance, as well as the other policies of the district council". SCI should recognise that there are a number of international designations within the district. | Where relevant these are embodied in national legislation and/or dealt with in national planning guidance to international policies and designations. |
| | Para 5.4 | Consider should be amended to include consultation techniques which intend to inform and educate the community on the wider policy context within which development plan documents and supplementary planning documents must be prepared. | The Council agrees that an understanding of planning issues is an important part of enabling effective community involvement. The Council's local plan documents include information and explanation about the wider policy context. The SCI refers to the wider policy context all is an example of how the use of the glossary, reference to web sites and organisations concerned with planning can help provide the public with a wider understanding. |
| | Para 5.6 | There is a need to include reference to methods by which the Council intend to educate and inform the local community as well as simply listening to their views. Consultation is a two way process. | See response made to para 5.4 above |
| | Para 5.11 | A further positive refinement would be to inform key stakeholders when their views are to be considered so that they may attend relevant committees or other meetings rather than being informed of the outcomes after the event. | The timetable of the Council's committees is available on the Council website along with agendas for those meetings. The Council would have no objection to providing such information where practical in its response to consultees and on its website. |
| | | | Anyone who submits written comments on a planning application is notified of the opportunity to speak at the Development Control Committee (para 6.15) |

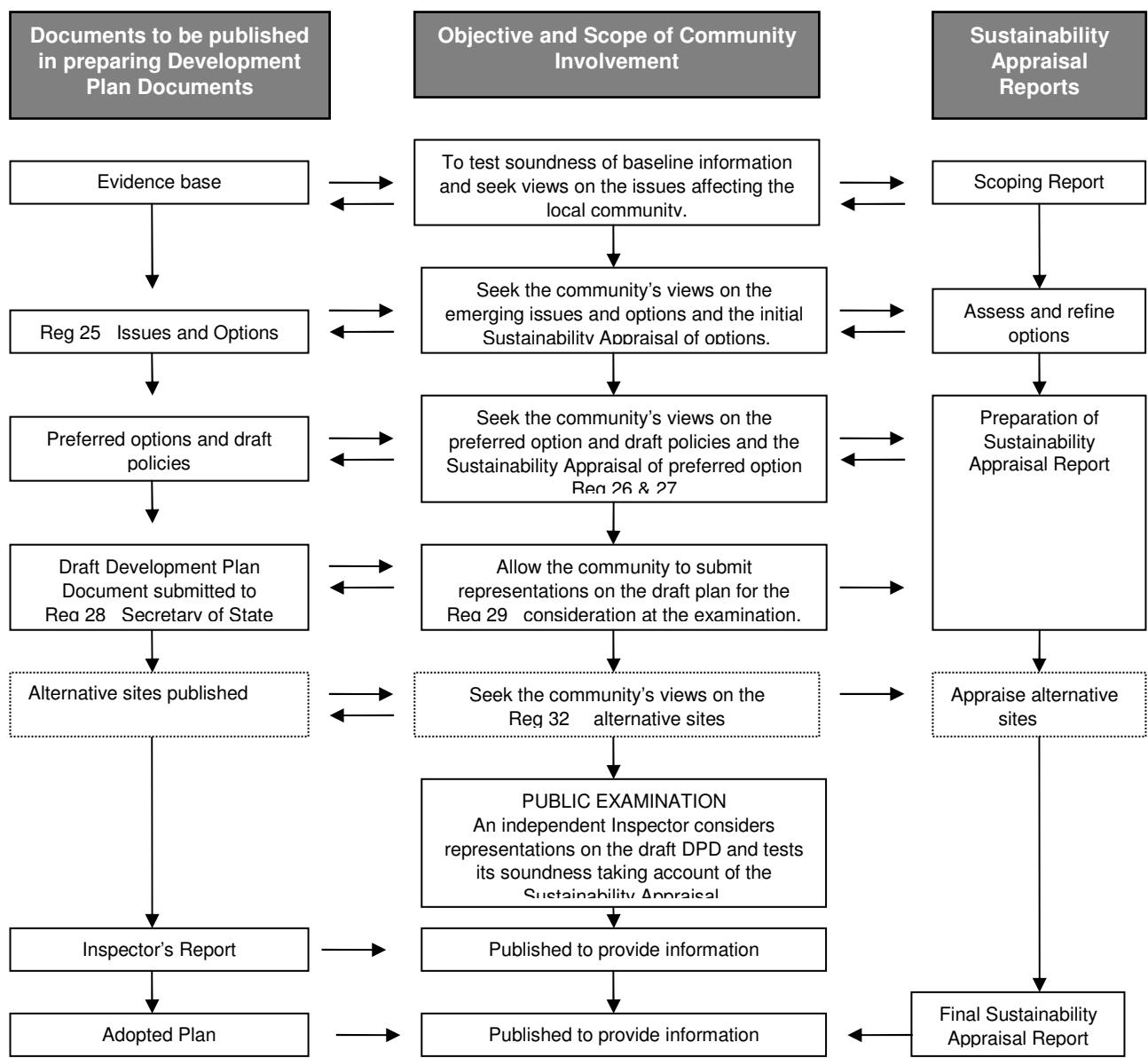
| Organisation | Para No | Organisation's Comment | Council's Response |
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| | Para 5.13 | In addition to standard forms and letters, an allowance should also be made for written reports. | The Council accepts written reports and has no objection to the inclusion of '(including written reports)' at the end of the first sentence of para 5.13 of the SCI. |
| | Para 5.27 | Would be helpful when identifying the Preferred Option that the Council also explain why other main options were discounted. | The extent of background information available in the specific DPDs will be more appropriately decided when they are produced. |
| | Para 5.27 | When significant changes are made to a draft SPD these should also be subject to further consultation in the interests of fairness and openness before the SPD is finally adopted. | There is no requirement in the regulations for a further round of consultation on SPDs. However if the Council feel significant changes have been made to an SPD they may consider further consultation in exceptional cases. |
| | Para 5.54 | Should be amended to include a commitment by the Council to maintain a list of all adopted and emerging SPD's so the public are fully aware of their existence. | Paragraph 5.10 of the Statement of Community Involvement sets out the Council's commitment to provide information to the community. The Council has no objection to the second sentence being amended to read 'This will include providing lists of emerging and adopted documents, copies of documents'. |
| | Para 5.57 | | Sustainability appraisal of Local Development Documents will be undertaken in accordance with the process set out in Government guidance and will be undertaken in accordance with the timetable set out in the Council's Local Development Scheme which the Council must adhere to. The Council cannot comment with regard to the impact 'other parties' might have on the process. |
| | Para 5.58 | Stress that the sustainability appraisal must be undertaken by the Council to ensure that the strategic development requirements of the district are delivered in a sustainable manner and that they should not be used by the Council or any other party as a device to preclude or slow down the delivery of new development. | Should include a reference to the Council's role in the process. |

| Organisation | Para No | Organisation's Comment | Council's Response |
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| | Para 6.1 | explaining and educating the community on the importance of individual planning applications and how they will deliver the development plan strategy. | This statement clearly sets out the purpose of this Section of the SCI and it is not considered to need alteration as suggested. |
| | Para 6.3 | Bullet point 7 – the Council have omitted to state that they will allow a further period of time for comments to be made. Further bullet point should be added to deal with applications that are determined under Officer Delegated Powers. Should be a requirement for an Officer's Delegated report to be made available. | The Council would have no objection to adding to the end of bullet point 7 the following ' and allow 21 days to comment' A Schedule of delegated decisions is produced and is available for public inspection. The Council is currently investigating the possibility of producing fuller reports on delegated items but is not in a position to include this in the Statement of Community Involvement. |
| | Para 6.18 | Amended to also refer to the use of special meetings where necessary for the consideration of large scale strategic sites. Flexibility should be given to the time allowed for public participation at such meetings. Reference should be made to extended presentations that developers may wish to make to the committee. | Occasionally the Council will have a Special Meeting for particularly significant proposals at which normal standing orders are relaxed to allow longer speaking by all interested parties. |
| | Para 6.20 | Should positively confirm that the Council will receive planning applications electronically. | The Council can now receive applications electronically excluding payment of the fee and there is no need to change the paragraph. |
| | Para 6.21 | Should confirm that all consultation responses received in respect of planning applications will be displayed on the website. | The Council is not required to and has made a decision not to proceed down this route. It considers, bearing in mind the IT resources available that it is more important at this time to |

| Organisation | Para No | Organisation's Comment | Council's Response |
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| | Para 6.26 | <p>A further paragraph ought to be included which confirms that the Council will also provide advice on whether planning permission is required for non-householder development.</p> | <p>The Council currently provides such advice and has no objection to the inclusion of a new sentence at the end of para 6.26 'In addition the Council will provide advice on whether or not other forms of development require planning permission.'</p> |

Appendix A

Figure 3. Process for preparing a Development Plan Document



Appendix B

List of Groups to be added to Environmental Interest Groups in Appendix 2 of SCI

Blewbury Village Society Environmental Group
Cumnor Conservation Group
Harwell Environment Group
Letcombe Conservation Society
Marcham Society
Wantage and District Field Club