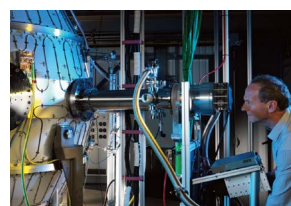


# Duty to Cooperate Scoping Document

South Oxfordshire and  
Vale of White Horse  
District Councils

May 2022



## **Contents**

|  |          |
|--|----------|
| <b>1. Introduction</b>                     | <b>3</b> |
| <b>2. What is the 'Duty to Cooperate'?</b> | <b>3</b> |
| <b>3. Our strategic planning matters</b>   | <b>4</b> |
| <b>4. Who should we cooperate with?</b>    | <b>5</b> |
| <b>5. How shall we cooperate?</b>          | <b>6</b> |
| <b>6. Consultation Questions</b>           | <b>7</b> |
| <b>7. How to respond</b>                   | <b>7</b> |

## **1. Introduction**

1.1. South Oxfordshire District Council and Vale of White Horse District Council are working together to produce a new Joint Local Plan. The production of the Joint Local Plan requires the Councils to engage with a wide range of local, regional, and national stakeholders, including local communities, to address the strategic issues facing the districts up until 2041.

## **2. What is the 'Duty to Cooperate'?**

2.1. The District Councils have a legal 'Duty to Cooperate' with other local planning authorities and organisations on strategic planning matters that are driven by larger than local issues - issues that are likely to have an impact beyond the immediate Local Plan area.

2.2. The Localism Act 2011 introduced the Duty to Co-operate and imposes a duty on all Local Planning authorities to demonstrate wider cooperation in plan making with adjoining or nearby authorities and other organisations when preparing their development plan documents for 'strategic matters' and in relation to cross boundary issues.

2.3. Section 33A of the Planning and Compulsory Purchase Act 2004 establishes the Duty to Co-operate in law. It sets out that to maximise effective working on strategic matters throughout the preparation of Local Plans, authorities have a duty "...to engage constructively, actively and on an ongoing basis" This Duty applies to all local planning authorities, county councils and other prescribed bodies or persons as set out at Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2.4. Paragraphs 24 to 27 of the National Planning Policy Framework (NPPF) recognise this duty and consider effective and ongoing joint working between strategic policy-making authorities and relevant bodies to be integral to the production of a positively prepared and justified strategy. Specifically, paragraph 26, identifies joint working as helping to determine where additional infrastructure is necessary, and whether development needs that cannot be wholly met within a particular plan area could be met elsewhere.

2.5. To demonstrate that the duty has been met, the NPPF requires strategic policymaking authorities to prepare and maintain statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. The National Planning Policy Guidance sets out how these Statements of Common Ground should be produced.

### 3. Our strategic planning matters

- 3.1. The strategic matters that need to be addressed through cross-boundary cooperation should be identified at the beginning of the Local Plan making process.
- 3.2. Paragraph 24 of the NPPF encourages strategic policy-making authorities to collaborate to identify the relevant strategic matters which they need to address in their plans.
- 3.3. A strategic matter is defined as “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including, in particular, that in connection with strategic infrastructure.”
- 3.4. The five Oxfordshire authorities (Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council and West Oxfordshire District Council) in partnership with Oxfordshire County Council, have committed to producing a joint strategic plan - the Oxfordshire Plan 2050.
- 3.5. The Oxfordshire Plan will set out a strategic planning framework and evidence base for Oxfordshire to support sustainable growth across the county to 2050. This will include a county-wide requirement for new homes and jobs and a strategy to deliver them, as well as the anticipated supporting infrastructure needed.
- 3.6. The Oxfordshire Plan is being prepared by a team of planning policy officers, mostly from the five Oxfordshire authorities and County Council. As part of the plan-making process, this core team undertake regular engagement with the five Oxfordshire authorities and County Council. Many of the strategic matters relevant to Oxfordshire will be discussed and addressed as part of the plan-making process for the Oxfordshire Plan 2050.
- 3.7. Below we have identified the strategic matters currently considered as potentially relevant to the districts. These matters will be further refined based on Duty to Cooperate discussions and the content of the Joint Local Plan.
  - **Housing need and supply**, including affordable housing, and the provision of sites for Gypsies and Travellers
  - **The supply of retail and employment land**
  - **The provision of infrastructure**, including health, education, utilities, flood risk and strategic sustainable transport links
  - **Conserving and enhancing our natural and historic environments**
  - **Addressing climate change**

#### **4. Who should we cooperate with?**

4.1. It is important to adopt a practical and realistic approach in deciding the area over which cooperation is needed and who to work with.

4.2. The Local Planning Authorities that border our districts could share cross-boundary strategic planning issues that could significantly impact on both planning areas. These are:

- Cherwell District Council
- Buckinghamshire Council
- Cotswold District Council
- Gloucestershire County Council
- Oxford City Council
- Oxfordshire County Council
- Reading Borough Council
- Swindon Borough Council
- West Berkshire Council
- West Oxfordshire District Council
- Wiltshire Council
- Wokingham Borough Council

4.3. We are also legally required to cooperate with the following prescribed bodies:

- The Civil Aviation Authority
- Clinical Commissioning Groups (NHS)
- The Environment Agency
- Highways England
- Highways Authorities (e.g. Oxfordshire County Council)
- Historic England
- Homes England
- Local Nature Partnership (Wild Oxfordshire)
- Natural England
- NHS England
- Office of Rail and Road
- Oxfordshire Local Enterprise Partnership (OxLEP)
- Mayor of London
- Transport for London
- Integrated Transport Authority
- Marine Management Organisation

4.4. There are a number of other, non-prescribed, bodies (not subject to the legal Duty to Cooperate) that we will be engaging with through the plan-making process, such as:

- Berkshire, Buckinghamshire, and Oxfordshire Wildlife Trust (BBOWT)
- Chilterns Area of Outstanding Natural Beauty Conservation Board
- North Wessex Downs Conservation Board
- Office for Nuclear Regulation
- Sports England
- Town and Parish Councils
- Neighbourhood Development Plan groups

## **5. How shall we cooperate?**

5.1. The engagement required will vary depending on the nature of the issues being addressed and could range from consulting on an issue to preparing joint evidence.

5.2. For some strategic matters the most effective outcomes may be achieved through cooperation by a small number of neighbouring local planning authorities while for other matters there may be a need for cooperation over a wider area involving both neighbouring and other local planning authorities and bodies.

5.3. To demonstrate that the duty has been met, policy-making authorities are required to prepare and maintain Statements of Common Ground, documenting the progress made during the process of planning for strategic cross-boundary matters. The statement should document where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries. The National Planning Policy Guidance sets out more detailed advice on how Statements of Common Ground should be produced, including what activities should be documented and the level of detail they are expected to contain.

5.4. Table 1 below sets out in more detail who we intend to engage with during the plan-making process and which strategic matters we intend to engage them on, in respect of the Duty to Cooperate.

## **6. Consultation Questions**

- 6.1. Details of how to respond to the following consultation questions and to provide any other comments on this document are set out in section 7 below.
- 6.2. Have we identified all the strategic planning matters? (see paragraph 3.7 above).
- 6.3. In respect of the Duty to Cooperate, have we identified all the local authorities and organisations that we need to engage in the plan-making process? (see paragraphs 4.2 and 4.3 above and Table 1 below).
- 6.4. Do you have any comments on Table 1 below, regarding which strategic matters we intend to engage neighbouring authorities and prescribed bodies on?

## **7. How to respond**

- 7.1. Your views on this document will help shape the plan-making process for the South Oxfordshire and Vale of White Horse area.
- 7.2. We are inviting comments on this document between 12 May and 23 June 2022. You can provide comments by using the survey form on either of our websites:  
  
<http://www.southoxon.gov.uk/jointlocalplan>  
  
<http://www.whitehorsedc.gov.uk/jointlocalplan>
- 7.3. You can find further information and other consultation documents on the above website addresses.
- 7.4. Please contact us on 01235 422425 or email [haveyoursay@southandvale.gov.uk](mailto:haveyoursay@southandvale.gov.uk) for support to access the consultation materials.

| Table 1                          | Housing need and supply   | The supply of retail and employment land   | The provision of infrastructure   | Conserving and enhancing our natural and historic environments   | Addressing climate change  |
|----------------------------------|---|--|---|--|--|
| <b>Cherwell District Council</b> | <p>Consideration of unmet needs from the plan area, if any arise</p>  | <p>Meeting needs for retail and employment land</p> <p>Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority</p> | <p>Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development</p> | <p>Impact on habitat/wildlife conservation arising from travel implications and recreational pressure of new development</p> <p>Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary</p>  | <p>Downstream impact of new development on flood risk</p> <p>Cross-boundary sustainable travel implications arising from new residential development</p> |
| <b>Buckinghamshire Council</b>   | <p>Consideration of unmet needs from the plan area, if any arise</p> <p>Impact of housing need on cross-boundary sustainable travel</p> | <p>Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority</p>   | <p>Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development</p> | <p>Impact on habitat/wildlife conservation arising from travel implications of new development</p> <p>Impact on nature conservation/Chilterns AONB arising from the location and design of development close to the boundary, and travel implications</p> <p>Impact on the significance of heritage assets arising</p> | <p>Cross-boundary sustainable travel implications arising from new residential development</p>   |



| Table 1                        | Housing need and supply                                       | The supply of retail and employment land  | The provision of infrastructure  | Conserving and enhancing our natural and historic environments  | Addressing climate change   |
|--------------------------------|---|---|--|---|---|
|                                |   |   |  | from proposed development located close to the shared administrative boundary   |   |
| Cotswold District Council      | Consideration of unmet needs from the plan area, if any arise | Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development | Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary |   |
| Gloucestershire County Council | Impact of housing need on cross-boundary sustainable travel   |   | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development | Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary | Cross-boundary sustainable travel implications arising from new residential development |

| Table 1                           | Housing need and supply   | The supply of retail and employment land  | The provision of infrastructure  | Conserving and enhancing our natural and historic environments   | Addressing climate change   |
|-----------------------------------|---|---|--|--|---|
| <b>Oxford City Council</b>        | Consideration of unmet needs from the plan area, if any arise   | Meeting needs for retail and employment land<br><br>Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development | Impact on habitat/wildlife conservation arising from travel implications and recreational pressure of new development<br><br>Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary | Downstream impact of new development on flood risk<br><br>Cross-boundary sustainable travel implications arising from new residential development |
| <b>Oxfordshire County Council</b> | Impact of housing need on sustainable travel across Oxfordshire |   | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development | Impact on habitat/wildlife conservation arising from travel implications<br><br>Impact on the significance of heritage assets arising from proposed development  | Sustainable travel implications arising from new residential development  |

| <b>Table 1</b>                 | Housing need and supply                                       | The supply of retail and employment land  | The provision of infrastructure  | Conserving and enhancing our natural and historic environments   | Addressing climate change  |
|--------------------------------|---|---|--|--|--|
| <b>Reading Borough Council</b> | Consideration of unmet needs from the plan area, if any arise | Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development | Impact on nature conservation/Chilterns AONB arising from the location and design of development close to the boundary, and travel implications<br><br>Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary | Impact of new development on flood risk<br><br>Cross-boundary sustainable travel implications arising from new residential development |
| <b>Swindon Borough Council</b> | Consideration of unmet needs from the plan area, if any arise | Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development | Impact on habitat/wildlife conservation arising from travel implications and recreational pressure of new development<br><br>Impact on nature conservation/North Wessex Downs AONB arising from the location and design of development close to the boundary, and travel implications      | Cross-boundary sustainable travel implications arising from new residential development  |

| Table 1                | Housing need and supply  | The supply of retail and employment land   | The provision of infrastructure   | Conserving and enhancing our natural and historic environments  | Addressing climate change  |
|------------------------|--|--|---|---|--|
|                        |  |  |   | <p>Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary</p>  |  |
| West Berkshire Council | <p>Consideration of unmet needs from the plan area, if any arise</p> | <p>Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority</p> | <p>Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development</p> | <p>Impact on habitat/wildlife conservation arising from travel implications and recreational pressure of new development</p> <p>Impact on nature conservation/Chilterns and North Wessex Downs AONBs arising from the location and design of development close to the boundary, and travel implications</p> <p>Impact on the significance of heritage assets arising from proposed development located close to</p> | <p>Cross-boundary sustainable travel implications arising from new residential development</p> |

| Table 1                           | Housing need and supply                                       | The supply of retail and employment land  | The provision of infrastructure  | Conserving and enhancing our natural and historic environments   | Addressing climate change  |
|-----------------------------------|---|---|--|--|--|
|                                   |   |   |  | the shared administrative boundary   |  |
| West Oxfordshire District Council | Consideration of unmet needs from the plan area, if any arise | Meeting needs for retail and employment land<br><br>Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space, and cross-boundary sustainable travel implications arising from new residential development | Impact on habitat/wildlife conservation arising from travel implications and recreational pressure of new development<br><br>Impact on nature conservation/North Wessex Downs AONB arising from the location and design of development close to the boundary, and travel implications<br><br>Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary | Sustainable travel implications arising from new residential development |

| Table 1           | Housing need and supply                                       | The supply of retail and employment land  | The provision of infrastructure   | Conserving and enhancing our natural and historic environments  | Addressing climate change   |
|-------------------|---|---|---|---|---|
| Wiltshire Council | Consideration of unmet needs from the plan area, if any arise | Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space and cross-boundary sustainable travel implications arising from new residential development | <p>Impact on habitat/wildlife conservation arising from travel implications and recreational pressure of new development</p> <p>Impact on nature conservation/North Wessex Downs AONB arising from the location and design of development close to the boundary, and travel implications</p> <p>Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary</p> | Cross-boundary sustainable travel implications arising from new residential development |

| <b>Table 1</b>                       | <b>Housing need and supply</b>                                | <b>The supply of retail and employment land</b>   | <b>The provision of infrastructure</b>  | <b>Conserving and enhancing our natural and historic environments</b>  | <b>Addressing climate change</b>   |
|--------------------------------------|---|---|---|--|--|
| <b>Wokingham Borough Council</b>     | Consideration of unmet needs from the plan area, if any arise | Impact of development in existing and new retail centres and out of centre locations on the catchment of relevant centres in each authority | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space and cross-boundary sustainable travel implications arising from new residential development | Impact on nature conservation/Chilterns AONB arising from the location and design of development close to the boundary, and travel implications<br><br>Impact on the significance of heritage assets arising from proposed development located close to the shared administrative boundary | Impact of new development on flood risk<br><br>Cross-boundary sustainable travel implications arising from new residential development |
| <b>The Civil Aviation Authority</b>  | Impact of housing location and height                         | Impact of employment development location and height  | Impact of infrastructure location and height  |  | Impact of renewable energy infrastructure location and height, specifically wind turbines  |
| <b>Clinical Commissioning Groups</b> | Impact of housing need on supply of health provision          |   | Sufficiency of health care provision and implications arising from new residential development  |  |  |

| <b>Table 1</b>                | Housing need and supply  | The supply of retail and employment land                   | The provision of infrastructure   | Conserving and enhancing our natural and historic environments | Addressing climate change  |
|-------------------------------|--|--|---|--|--|
| <b>The Environment Agency</b> |  |  |   | Impacts on nature conservation                                 | Impact of new development on flood risk                                  |
| <b>Highways England</b>       | Impact of housing need on highway infrastructure   | Impact of employment development on highway infrastructure | Sufficiency of highway infrastructure capacity and sustainable travel implications arising from new residential development |  | Sustainable travel implications arising from new residential development |
| <b>Highways Authorities</b>   | <p>See above</p> <p>Oxfordshire County Council, Buckinghamshire County Council, Gloucestershire County Council, Reading Borough Council, Swindon Borough Council, Wokingham District Council, West Berkshire Council, Wiltshire County Council</p> |  |   |  |  |
| <b>Historic England</b>       |  |  |   | Impact on the significance of heritage assets                  |  |



| <b>Table 1</b>                                     | Housing need and supply            | The supply of retail and employment land | The provision of infrastructure  | Conserving and enhancing our natural and historic environments                      | Addressing climate change   |
|--|------------------------------------|--|--|---|---|
| <b>Homes England</b>                               | Facilitating the delivery of homes |  | Sufficiency of infrastructure capacity, including school places, health care, utilities, open space and sustainable travel implications to allow new homes to be delivered |   |   |
| <b>Local Nature Partnership (Wild Oxfordshire)</b> |                                    |  |  | Impacts on nature conservation  | Increasing and enhancing biodiversity<br><br>Carbon offsetting schemes                                |
| <b>Natural England</b>                             |                                    |  |  | Impacts on Nature Recovery Network<br><br>Impacts on habitats/wildlife conservation | Nature Recovery Network<br><br>Increasing and enhancing biodiversity<br><br>Carbon offsetting schemes |

| <b>Table 1</b>  | Housing need and supply   | The supply of retail and employment land  | The provision of infrastructure   | Conserving and enhancing our natural and historic environments | Addressing climate change       |
|---|---|---|---|--|---------------------------------|
| <b>NHS England</b>                                      | Impact of housing need on supply of health provision              |   | Sufficiency of health care provision and implications arising from new residential development                              |  |                                 |
| <b>Office of Rail and Road</b>                          | Impact of housing need on rail movement strategic highway network | Impact of employment development on rail movement and strategic highway network | Sufficiency of rail and strategic highway infrastructure capacity and implications arising from new residential development |  |                                 |
| <b>Oxfordshire Local Enterprise Partnership (OxLEP)</b> |   | Meeting needs for employment land and the economic potential of Oxfordshire     |   |  | Supporting a low carbon economy |
| <b>Mayor of London</b>                                  |   |   |   |  |                                 |
| <b>Transport for London</b>                             |   |   |   |  |                                 |
| <b>Integrated Transport Authority</b>                   |   |   |   |  |                                 |
| <b>Marine Management Organisation</b>                   |   |   |   |  |                                 |



**Alternative formats of this publication, a summary of its contents or specific sections, are available on request.**

**These include large print, Braille, audio, email, easy read and alternative languages.**

**Please contact customer services to discuss your requirements on 01235 422422.**

**Planning Policy Team**  
135 Eastern Avenue,  
Milton Park, Milton, OX14 4SB  
Tel: 01235 422422  
Email: [planning.policy@southandvale.gov.uk](mailto:planning.policy@southandvale.gov.uk)

[www.southoxon.gov.uk](http://www.southoxon.gov.uk)  
[www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

