

## South Oxfordshire Local Plan Proposed Main Modifications Consultation Comment Form

**Please return by midnight on Monday 2 November 2020** via email [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk) or post to Freepost SOUTH AND VALE CONSULTATIONS (no stamp is needed and no further address is needed)

This form has two parts:  
**Part A** – contact details  
**Part B** – your comments

### Part A

Are you responding as an: (please tick)

Individual

Business or organisation

Agent

A name and contact details are required for your comments to be considered.

#### 1. Personal Details

#### 2. Agent Details (if applicable)

Title	<input type="text"/>	<input type="text"/>
Full Name	<input type="text"/>	Stephen Stoney
Organisation (if relevant)	JT Leavesley Ltd	Wardell Armstrong LLP
Job Title (if relevant)	<input type="text"/>	Technical Director
Address Line 1	<input type="text"/>	
Address Line 2	<input type="text"/>	
Address Line 3	<input type="text"/>	
Postal Town	<input type="text"/>	
Postcode	<input type="text"/>	
Telephone Number	<input type="text"/>	
Email Address	<input type="text"/>	

### Sharing your personal details

Your name, contact details and comments will be shared with the Planning Inspector and a Programme Officer, who acts as a point of contact between the Council, Inspector and respondents.

This means that you may be contacted by the Programme Officer or the Council with updates and in relation to any necessary consultations on the Local Plan. This is in accordance with Regulation 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 and Regulation 102 of The Conservation of Habitats and Species Regulations 2017.

We have received assurance that the data passed to the Planning Inspector and Programme Officer will be kept securely and not used for any other purpose. The Inspector and Programme Officer will retain the data up to six months after the plan has been adopted.

Comments submitted by individuals will be published on our website, alongside their name. No other contact details will be published. Comments submitted by businesses and/or organisations will be published, including contact details.

Please refer to our Privacy Notice regarding how your personal data is used for this consultation, available on our website [southoxon.gov.uk/newlocalplan](https://southoxon.gov.uk/newlocalplan). If you would like to know more about the councils data protection registration or to find out about your personal data, please visit: [southoxon.gov.uk/dataprotection](https://southoxon.gov.uk/dataprotection)

### Future contact preferences

As explained above, in line with statutory regulations, you will be contacted by the Programme Officer (and where necessary the Council) with relevant updates on the Local Plan. South Oxfordshire and Vale of White Horse District Councils have a shared planning policy consultation database. If you would like to be added to our database to receive updates on other planning policy consultations, please tick the relevant district box(es):

- I would like to be added to the database to receive planning policy updates for South Oxfordshire
- I would also like to be added to the database to receive planning policy updates for Vale of White Horse

## Part B – Please use a separate sheet for commenting on each proposed main modification or consultation document

You can provide your comments on the Emerging South Oxfordshire Local Plan Proposed Main Modifications in this section.

The list of documents you can comment on are:

- Schedule of Proposed Main Modifications
- Schedule of Policies Map Changes
- Sustainability Appraisal Report Addendum
- Habitats Regulations Assessment Addendum

**Please note we are inviting comments on the Proposed Main Modifications and documents listed above only - this is not an opportunity to make comments on any other part of the Plan.**

If you are commenting on the Main Modification document, please provide the main modification number (for example MM1) in the box below.

If you are unsure of the 'modification number', please refer to the Schedule of Proposed Main Modifications.

If you are commenting on any of the other consultation documents (for example the Sustainability Appraisal Addendum), please provide the relevant section, paragraph or page number in the box below:

Modification Number or  
Document, section, paragraph or page  
number

H1 / H9 / H13

Please provide your comments below:

If your comments are over 500 words it would be really helpful if you could also provide a summary of your comments using the text box in the next question.

If you wish to include any supporting documents, please attach them to this comment form.

**This representation is submitted on behalf of JT Leavesley Ltd who have strategic land ownership in South Oxfordshire in Cholsey and Warborough.**

The Inspector's letter of 28<sup>th</sup> August 2020 clearly sets out the Plan's need for change, and in particular our reference is Paragraph 16 "... *does not adequately create the conditions for meeting specialist housing needs and the needs of older people*".

On this basis Policies H1, H9 and H13 are highly relevant for consideration.

**Main modification 1** (Page 86) of **H1** is framed in a manner that is unduly and unobjectively restrictive to direction to allocated sites (or carried forward by, as stated - which is unclear) or sites allocated by Neighbourhood Plans (NP). This is not a practical proposition in that such needs will just not be achieved on the Plan allocation sites as they will be directly developed by major housebuilders who have no recognition of this bespoke C2 facet, or NP's which do not other than potential moral support make such use specific allocations. There is no evidence whatsoever offered by the Council to justify delivery in this manner.

The Council are clearly not able to justify a means by how the delivery of the housing for older people (2019 Planning Guidance) is achieved, relevant to these allocated sites?

The MM recommendation is unsuitable in that it merely promotes a principle that is questionable in the extreme on aspects of developability, deliverability and viability.

The Plan does not reference within any proposed Plan or NP allocation that the allocated sites will deliver housing to meet the needs of older people, and therefore is unjustified.

The Main modification should be properly referenced to the NPPF in the context of support for sustainable development in sustainable locations.

**Main modification 3 ii of H1** - is unclear in relation to "development within the existing built up areas". This should be set within defined Plan boundaries and not left to interpretation of how a built-up boundary is set.

**Main modification 3 vi of H1** – is supported in principle. However, the terms "*outstanding or innovative and of exceptional quality and would significantly enhance its immediate setting*" are all non-quantifiable, subjective and unable to be specifically measured. It is suggested that NPPF complaint language that is specific and measurable is used.

In addition to design, it is suggested that Biodiversity value and the contribution to green infrastructure and recreation are equally valid considerations in securing sustainable development and should be referenced.

**Main modification H9** (Page 99) – prescribes 40% Affordable in relation C2 and C3, and these should be subject to viability.

Para 5.46 (Page 100) references **1 i**) regarding local need that cannot be accommodated in any other way, implies a sequential test mechanism is required. This should be made implicit one way or another, rather than vacuous wording.

The lead wording which differentiates C2 and C3 development requires greater clarity and specific in relation to the now established case law (Spitfire Homes). This wording should be legally proof checked to avoid further policy challenge.

**Main modification H11 (Page 103) 6** is unspecific in that “*should have regard to*” is an inappropriate unclear statement and referencing point. The actual council policy referencing point should clearly be stated as the current Strategic Housing Market Assessment document.

This document, now aged as a 2014 production, is referenced at **5.51 Page 104**.

**Para 5.73 (Page 109)** is supported in principle. Local communities are unlikely to have the foresight, resources or understanding to be involved in objective assessments of the SHMA involving stock assessment, local demographics, occupancy rates and demand analysis. This function sits more appropriately with the private sector as investors and operators, and therefore the emphasis on the terms of the engagement with the community should be more realistically set. The NP should not be the overriding policy reference point and should not override any identified need cases.

**Table 5b Page 85** should contain a footnote to explain that the figures are minima and not a cap or moratorium on further sustainable development, in order to be consistent with the NPPF.

**Table 5f Page 93** requires the same footnote in order to be consistent with the NPPF that the figures stated cannot be used as a moratorium on development.

If your comments cover more than the boxes provided, please use the space below to provide a summary. You are not required to summarise your comments, but a summary would help us in our reporting.

Please provide your summary below:

Changes to Main Modifications H1, H9 and H13 are required to make the Local Plan sound.

**Thank you for your comments.**

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