



Our Ref: PF/9320  
(Please reply to Banbury office)

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11<sup>th</sup> December 2018

Adrian Duffield  
Planning Head of Service  
South Oxfordshire District Council  
135 Eastern Avenue  
Milton Park  
Milton  
Oxfordshire  
OX14 4SB

Dear Mr Duffield

**TOWN AND COUNTRY PLANNING ACT 1990  
SOUTH OXFORDSHIRE LOCAL PLAN PUBLICATION VERSION (2034)  
REPORT TO SCRUTINY COMMITTEE 13<sup>TH</sup> DECEMBER 2018**

On behalf of Summix Ltd, Pye Homes Ltd and Bellway Homes Ltd, we write having reviewed, with Leading Counsel, the report to the Council's Scrutiny Committee for 13<sup>th</sup> December 2018, which has been issued with the purpose of outlining the contents of the South Oxfordshire Local Plan Publication Version (2034) (the Plan) and its associated documents listed in the Background Papers and appended to that report.

The report goes onto state that, subject to Council approval, it is proposed to commence consultation (under Regulation 19 of the Town and Country Planning Regulations) on 7 January 2019, for a period of 6 weeks until 18 February 2019.

We are very concerned about the Plan being progressed on this basis.

Previous consultation versions of the Plan have sought to limit green belt releases. The current version of the Plan is founded on a new strategy that effectively seeks to maximise green belt releases on the periphery of Oxford. This is a completely new strategy resulting in a new Plan that has not been previously consulted upon.

Whilst it may be the case that the various green belt sites now proposed for allocation have been 'considered' separately in previous versions of the Plan, such consideration was undertaken in the context of seeking to limit green belt releases. The proposed combination of sites in the new Plan have never been consulted upon in the context of a strategy that seeks to focus development in the green belt.

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It appears that the Council is seeking to avoid a further Regulation 18 Consultation on the new strategy, which is clearly the appropriate and lawful way to proceed, and is trying to create the opportunity to proceed in a short form way by commencing consultation under Regulation 19. This is simply not appropriate or lawful.

It is not our intention to needlessly cause any difficulties for the Council, nor should our comments be perceived as any form of threat, but the consultation approach advocated in the Scrutiny report would, in our view, lead to an inevitable challenge to the lawfulness of the process in due course and possible intervention by the Secretary of State.

We invite you to take your own advice on this matter which we hope you will then share with us.

I would be grateful if you can make the members of Scrutiny Committee, Cabinet and Council aware of the above information so that it can be taken into consideration at their forthcoming meetings on 13<sup>th</sup>, 18<sup>th</sup> and 20<sup>th</sup> December respectively.

Yours sincerely

A handwritten signature in black ink, appearing to read "Greg Mitchell".

Greg Mitchell

Cc: Councillor Mrs J Murphy Leader SODC  
Mark Stone Chief Executive SODC  
Holly Jones Planning Policy Manager SODC  
Martin Kingston QC  
Richard Brown (Summix Limited)  
Graham Flint (Pye Homes)  
Ashley Maltman (Pye Homes)  
Fergus Thomas (Bellway Homes)  
Jane Mulcahey (JAM Consult Limited)  
Mitchell Barnes (Framptons)