

FOR IMMEDIATE RELEASE
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Bioabundance applies for court hearing in battle against Local Plan decision

Residents are applying to renew their application to challenge South Oxfordshire District Council, over its decision to proceed with its Local Development Plan.

The Council [adopted the plan under pressure from Robert Jenrick](#), Secretary of State at the Ministry for Housing, Communities and Local Government (MHCLG).

Mr Justice Dove has refused Bioabundance Community Interest Company's application to the planning court to have the local plan quashed.

Bioabundance has today announced that it has filed a request for an oral court hearing to hear the application for a statutory review under s.113 of the Planning and Compulsory Purchase Act 2004 on the papers. Lawyers will argue at the oral hearing that claim is clearly arguable and that the challenge should be subject to full substantive hearing.

The plan earmarks land for over 32,000 homes and was adopted by South Oxfordshire District Council on 10 December 2020. The decision was based on a contentious vote: nine councillors abstained saying this was not a free vote, [due to massive intervention by Robert Jenrick](#).

MHCLG had put the council under intense pressure, threatening to withhold promised infrastructure funding if the plan was not adopted. That would have meant cancellation of projects such as the Didcot Science Bridge, Milton Interchange dual carriageway, a new river crossing at Culham and a bypass at Clifton Hampden.

After the original Bioabundance claim was issued, a number of developers applied to join the legal action, to defend their interests in profitable housing allocations. The developer for Christ Church College of Oxford University was one of these.

Grounds for the challenge are:

- The conduct of the adoption vote: dictation of it by MHCLG, and the way councillors unlawfully took into consideration the threatened consequences of government intervention.
- The calculation of housing numbers by the Plan Inspector working with 775 dwellings per annum instead of the standard 627
- The inadequate regard paid to the effect of high housing numbers on climate change.

Dr Sue Roberts, director of Bioabundance, said:

“Democracy died when Robert Jenrick forced this Conservative plan through. He overruled the newly elected LibDem-Greens, chosen by the people, and stopped them from scrapping the hated plan.

“This plan is for four times the number of homes we need: *four* new homes for every new household. This satisfies greed but not need. The high target cannot be met and will lead to speculative development.”

Ian Ashley, director, of Bioabundance Community Interest Company said:

“We will renew our application because our many supporters recognise this Local Plan and the wider Oxfordshire growth aspirations are inconsistent with the needs of local people, inconsistent with a climate emergency and the antithesis of ‘levelling up’ the UK.

“100 tonnes of CO2 are released on average, just from the building of each home. After that these houses will puff out CO2 for their lifetime. Why would we build this enormous number of unneeded homes when they will all need retrofitting in the future?”

Lisa Buchan of Bioabundance said:

“Sensitive ecological areas have been earmarked for construction. Or is it destruction? One developer is even asking to build 1,600 homes on a site where the plan calls for 1,100.”

Leigh Day solicitor Tom Short, represents Bioabundance with barristers Tim Buley QC and Alex Shattock of Landmark Chambers.

Tom Short said:

“It is disappointing that our client’s application for statutory review of the adoption of this local plan has been refused on the papers. The claim is clearly arguable and Bioabundance will now proceed to put its case to the Court in an oral hearing. At a time of desperate climate emergency, our client considers it vital that full judicial scrutiny is given to the way in which this local plan was pushed through by central government”.

Notes to Editors:

Bioabundance is [crowdfunding](#) its legal action. The [group](#) is the campaigning arm of South Oxfordshire Sustainability, founded in 2011; it works to protect and restore wildlife in South Oxfordshire.

See: [South Oxfordshire Local Plan 2035](#)

Grounds for the legal claim are available on request.

Dr Sue Roberts can be contacted on tel 07913 896 874.

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