

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

Residents fighting South Oxfordshire District Council's Local Plan to build 32,000 homes have had a date set for their appeal hearing in court. On Thursday, 29 April they will argue that their case against the plan is sufficiently strong that it should be heard in the High Court.

Bioabundance Community Interest Company had its initial application turned down for a statutory review in the planning court under s.113 of the Planning and Compulsory Purchase Act 2004. But the group has the right to renew the claim at an oral hearing.

Bioabundance is [fundraising](#) to meet the costs of the hearing and the ongoing legal campaign.

The Local Plan allocates land for over 32,000 homes, 23,500 of which must be built by 2035. If they are not built, developers have the right to claim yet more land for development.

Full Council adopted the Local Plan in a divided vote on 10 December, 2020, after intervention from the Conservative government had forced the plan through to this point. Nine councillors abstained saying the vote was not free because of massive interventions by Robert Jenrick, Secretary of State Ministry for Housing, Communities and Local Government (MHCLG).

MHCLG had put intense pressure on South Oxfordshire District Council and threatened to withhold promised infrastructure funding if the Local Plan was not adopted. Projects at risk were the Didcot Science Bridge, Milton Interchange dual carriageway, a new river crossing at Culham and a bypass at Clifton Hampden.

Grounds for challenge are:

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

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

Tom Short said:

“Our client welcomes this opportunity to put forward its case at an open hearing at the High Court, and the scrutiny that will bring of the unfortunate manner of decision-making lying behind South Oxfordshire's Local Plan.”

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

“We remain optimistic that the Courts will be able to interpret the law in a way that will protect the existing residents of Oxfordshire and the environment from inappropriate housing and jobs growth that is way in excess of actual need.”

Dr Sue Roberts, director of Bioabundance, said:

“The Conservative government overthrew the democratic mandate of the people. We, the Greens and LibDems were voted in to scrap this development plan that would destroy our rural district. Mr Jenrick forced us to push it through: he issued a directive to us to do that, and he was ready to hand our planning powers over to the County Council because it is Conservative-run. Democracy is dead.”

Lisa Buchan of Bioabundance said:

“The process for plan adoption was neither democratic nor legal. And the only way to get any justice for the people of South Oxfordshire is through the courts.”

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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.

For more information contact Leigh Day press office on pressoffice@leighday.co.uk