

South Oxfordshire and Vale of White Horse Joint Local Plan EIP

Matter 1: Legal and Procedural Requirements

Plan preparation

Q1.1 Do the Councils intend to update the latest version of the Local Development Scheme (LDS) (August 2024) [OCD01]?

This is for the Council to answer. However, we note that a new LDS was considered by Cabinet on the 4th of June 2026 alongside an item on the preparation of a new Joint Local Plan.

Q1.2 The Councils are due to start production of a new local plan in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2026 that came into force in March. What implications might this have for the Plan currently under examination?

Both SODC and VoWH will be required by paragraph 4 the Town and Country Planning Regulations 2026 to have reached Gateway 1 (Regulation 21) no later than the 31st of October 2026. This will mean submitting their intention to commence plan making by the 30th of June 2026. On the basis that preparing a new local plan under the latest regulations is expected to be achieved within 30 Months of Gateway 1, a new plan should be adopted by the 31st of April 2029.

This timetable will require the Council to undertake a scoping consultation and have reached Gateway 1 at the same point that the Councils will be preparing for and attending hearings on this local plan. At the time the Councils are likely to be preparing and consulting main modifications, if the plan is found sound, the Council will need to publish a summary of the scoping consultation and potentially looking to consult on the content of the local plan not long after this plan is adopted. This will clearly be a drain on resources and HBF are concerned that in trying to prepare a new plan alongside examining this submitted plan it will potentially delay both processes and cause significant confusion amongst the public as to why the councils are consulting on the preparation of a new local plan to significantly increase housing delivery while they are still in the process of having this local plan examined.

In addition to the Town and Country Planning Regulations consideration will also need to be given to the new NPPF. While this plan is being examined under NPPF23, the Draft NPPF will be a material consideration at the next stage of the examination and one that will need to be given significant weight by the Inspectors. In particular it is important to consider whether the plans development management policies are in any way inconsistent with national decision making policies in the new Framework given that the current draft states in Annex A that very limited weight should

be given to such policies.

Therefore, following the publication of the new NPPF, HBF consider it essential that the Council to review all of its development management policies to ensure that there are no inconsistencies with the new Framework. HBF is concerned that if this plan is adopted it will require for every application decision makers to determine the degree to which a development management policy is or is not consistent with national policy. Ultimately the Council will be adopting a local plan where it is unclear as to how a decision maker should react and which is inconsistent with paragraph 16d of NPPF23.

As such the examination of this plan is far from over and likely to take in well over 6 months before a conclusion on soundness can be reached. In examining local plans, the Minister of State for Housing stated in his letter to the Planning Inspectorate that pragmatism should only be used where local plan can be found sound and that any pauses to undertake additional work should take no more than 6 months. This local plan has now been at examination since December 2024 with the examination on hold since October 2025 following the inspectors consideration that the Councils had failed the Duty to Co-operate. Following the decision not to save the Duty to Co-operate further information was required and some 9 months later the hearings have resumed. HBF appreciates that in taking a pragmatic approach it is important for Inspector's to consider the benefits of extending an examination in order to get a plan in place that will start delivering new homes. However, this is not the case here.

The JLP does not seek to increase supply, in fact it removes the allocation at Chalgrove Airfield that was included in the adopted South Oxfordshire Local Plan. In fact, the level of development proposed in this local plan does not need a new local plan to secure its delivery as it is already allocated in the adopted local plans of both Councils. As such the JLP does not seek to boost the supply of housing beyond that which has already been planned for. Instead, all this plan seeks to do is bake in a significantly lower housing requirement in both SODC and VoWH as well as place significant extra burdens such as the requirement to deliver 20% BNG and higher building standards on new development, both of which the draft NPPF currently considers to be inappropriate policies. HBF would therefore encourage the inspectors to recommend that the plan is withdrawn and that the Council place all their focus on preparing and adopting a new local plan under the new plan making regulations. HBF can see no good reason as to why this examination should be extended further.

Strategic policies and the Plan period

Q1.12 LPA25 sets out the Councils' consideration of whether the Plan's policies are strategic or non-strategic in response to Action Point 2. Is the Plan's categorisation of policies as strategic or non-strategic justified and consistent with national policy? Are all policies identified as strategic, genuinely strategic?

No comment.

Q1.13 Paragraph 22 of the NPPF expects strategic policies to look ahead over a minimum 15 year period from adoption. With this in mind, would main modifications be needed to ensure consistency with national policy, and would any updates to the evidence base be necessary?

HBF consider it necessary for the plan period to be extended by a year in order for the JLP to be consistent with paragraph 22 of the NPPF.

Spatial Development Strategy

Q1.14 What is the timetable for the preparation of the Spatial Development Strategy?

This is for the Council to answer.

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