



# The Planning Inspectorate

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Appeals' Officer  
South Oxfordshire District Council  
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OX14 4SB

Your Ref: P16/S3525/FUL  
Our Ref: APP/Q3115/W/17/3173982

28 February 2018

Dear Appeals Officer,

Town and Country Planning Act 1990  
Appeal by Churchill Retirement Living Ltd  
Site Address: Thames Valley Police Station, Greyhound Lane, Thame, OX9 3ZD

Thank you for your recent detailed submissions concerning the above case. The Inspector appreciates the detail submitted at such short notice.

The Inspector notes the contents of the RICS guidance on viability quoted by the appellant, and agrees that up to date viability assessments are desirable given the need to consider the appeal based on today's circumstances. In this respect the Inspector appreciates that the introduction of the new valuation evidence is useful in the consideration of the case.

However, the PINS document, 'Procedural Guide Planning Appeals England' states that if a planning obligation is to be sent the appellant should ensure that a final draft, agreed by all parties, is received by PINS no later than 10 working days before the Hearing opens. Given the circumstances of this case and the likely timelines advanced by the Council this will clearly not be possible and it appears unlikely that a completed draft S106 would be in place even on the current scheduled date of the Hearing. Such an eventuality means that the Inspector and other parties' ability to prepare for the Hearing would likely be significantly hampered.

Furthermore, given the nature of the conversations before him there still appears to be considerable disagreement between the parties. In this respect the Inspector notes the views of the appellant that the changes to the viability assessment are limited. However, this does not appear to match the views of the Council and areas such as potential reductions due to possible ground rent legislation appear to be new issues for consideration by the Council.

The Inspector therefore considers that given the proximity of the hearing and the level of uncertainty that has arisen, that it will ultimately serve the process well to postpone the Hearing to allow agreement to be reached as far as possible on the matters outstanding.

Yours sincerely,

***Tom Smith***

Tom Smith

*Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>*