

Dear Councillor,

1. The Report of Officers recommends **REFUSAL** and we fully endorse that recommendation. We would state, though, that a 6<sup>th</sup> reason for refusal should reasonably be advanced, regarding the severe impact on the amenities of the 3no. dwellings, livery and B & B business at Hornton Grounds, by virtue of noise, light and visual disturbance and pollution.
2. A previous application by CERTAS at Sugarswell Business Park (2km due west) was refused by Cherwell DC for 3no. reasons in Autumn 2019 (19/01202/F refused 21 October 2019)
3. The applicant submitted a pre-application submission for this site at Hornton Grounds Quarry not long afterwards. I have a copy of the full response of Cherwell – and it is negative and non-supportive, from both Cherwell's and the County's point of view, the latter with its Highways and Drainage/flooding remits.
4. 8 months later the applicants submit an application that fails to address any of the stated objections/concerns of officers (plural) – and one cannot simply move an unsustainably-located site.
5. The applicant failed to take heed of comments made and has now wasted that opportunity.
6. In spite of the Council advising the applicant of the proximity of the AONB designation in their pre-application report of 15<sup>th</sup> January 2020 (it's a mere 250 away) the Planning Statement, LVIA, Noise Assessment and Lighting Assessment reports are all silent on that important **national designation (now on a par with National Parks)**.
7. We fully understand the rationale for CERTAS looking to relocate, in part to allow progress on the Canalside re-development, cherished by Cherwell and Banbury Town Councils but this is simply NOT the solution. Far from it. There will be far better alternatives in both planning and operational senses.
8. This is not just relocation though BUT a **significant EXPANSION**, and an expansion wholly in the wrong location. The applicant's planning statement at para 1.5 states, 'The proposal is to enable Certas Energy to relocate from its premises in Tramway Road, Banbury –**enabling expansion** and the provision of a more efficient operation. **Productivity will be improved** for the company by this investment.'
9. This is more than evidenced by the fact that here there will be 14 drivers operating out of the site. At Banbury there are only 6 drivers (source: CERTAS' Transport Statement for the refused planning application at Sugarswell Business Park (19/01202/FUL)). This is a more than doubling of the operation.

10. According to the applicant “the application site will serve a 50-mile radius area from Banbury, which includes towns and cities as far afield as Birmingham, Leicester, Bedford, Luton, Reading, Swindon, Gloucester and Worcester”. This evidences the magnitude of the proposed operation.
11. The application has solicited an unprecedented 150+ letters of OBJECTION from separate households, across SIX Parishes and objections from four (4) Parish Councils, CPRE, The AONB Board and County and District functions, such as landscape officer, County Highways and County Drainage.
12. There has been one (1) letter of support, which confirms what we all know, and I quote from that letter, “... that the current brownfield site that is occupied by Certas [that] is in a highly sustainable location in the center of Banbury”
13. Banbury, by the M40 **IS** the sustainable location that CERTAS should be directed to, for its 50 mile radius operation, next to the primary road network of the M40, but naturally clear of the Canalside Redevelopment Area. The application site, on the other hand, is wholly inappropriate for a raft of reasons advanced by your officers, those of the County and the myriad of objectors.
14. A resident of Hornton recently put it well to me –  
  
“Given the principles involved, this application is nothing less than a landmark case in the future conservation of this precious area of the Ironstone Downs and Cherwell rural landscape, to 2040 and beyond”.

**I close by simply commending the report and recommendation of your officers to you, and trust that the true impact of these proposals will be fully assessed in your deliberations.**

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**NB: The note has been forwarded to all Members that sit on Planning Committee, the case officer, committee clerk and planning team leader.**