

Lynne Baldwin

From: George Smith
Sent: 08 April 2021 08:09
To: DC Support
Subject: FW: MLA394 Wroxton Motocross Application: Cherwell District Council Reference: 21/00517/F_Objection on behalf of Hornton Parish Council (HPC)
Attachments: Objection Photosheet 060421.pdf

From: info@martinleay.co.uk <info@martinleay.co.uk>
Sent: 07 April 2021 16:49
To: George Smith <George.Smith@Cherwell-DC.gov.uk>
Cc: pc.chair@hornton.org.uk; Hugh Richards <HR@no5.com>; Martin Leay <martin@martinleay.co.uk>
Subject: MLA394 Wroxton Motocross Application: Cherwell District Council Reference: 21/00517/F_Objection on behalf of Hornton Parish Council (HPC)

7th April 2021

Our Ref: MJL/MLA394/sjc

Director of Planning
Cherwell District Council
Bodicote House
Bodicote
Banbury OX15 4AA
For the attention of George Smith Esq

Dear Mr Smith,

**Wroxton Motocross Application: Cherwell District Council Reference: 21/00517/F
Objection on behalf of Hornton Parish Council (HPC)**

In support of this OBJECTION, on which advice has been provided by Hugh Richards, Specialist Planning Lawyer of No5 Chambers – who has acted on behalf of HPC over the last nine months, please find the following documents sent separately by Transfer Big Files:

1. **Objection Statement**
2. **HPC detailed Response Information** – which includes many photographs, a selection of which are attached to this letter for ease of reference
3. **Clarke Saunders Acoustics Report**
4. **Copy September 2020 HPC Objection to the Lawful Development Certificate Application** (plus Appendices) that was withdrawn (Application Reference 20/02126/CLUE).

Main Reasons for Objection

With cross-reference to the eight pages and section numbers of the full MLA Objection Statement, I confirm the following main points:

- a) **Para 1.4:** the application for up to 24 race meeting days is inconsistent with the total 65 days use applied for, including setting up, dismantling and private practice days – unspecified in number.

- b) **Para 1.8:** the redline application drawing does not include all of the land which has been used for and is necessary to accommodate the motocross parking and camping.
- c) **Para 1.5e:** The applicant's noise impact assessment was only based on measured observations at a practice day and the report has other deficiencies as identified within the Clarke Saunders Acoustic Report, prepared on behalf of HPC.
- d) **Para 1.9-1.15:** The applicant's planning statement is a wholly inadequate assessment and is flawed for the following reasons:
 - **First**, it does not engage properly or at all with the countryside location. There is no proper assessment of the baseline (prior to engineering operations) nor the landscape character and visual impact of the development. It is plain that the development is contrary to local and national policy in this regard.
 - **Second**, the assumption is made that there is a 'need' for this type of facility. It is plain that the application far exceeds what is needed for a local club. What has developed here is a national (nearly international) facility; CDC's Recreation and Leisure response to the application has noted "a lack of supporting evidence as to whether the proposed increased usage of the site addresses existing deficiencies in provision" – this stated in relation to the requirement for meeting "local needs".
 - **Third**, it is assumed that there will be local economic benefits from this development, but there is no proper analysis or quantification of these benefits to enable them to be weighed properly in the planning balance. There is no evidence to show that the diversification scheme is "essential" (#6.4).
 - **Fourth**, it is stated that the development is needed as a farm diversification scheme but without any evidence or analysis of the need for it, or the consequences for the future viability of the agricultural unit if permission is refused.
 - **Fifth**, the Planning Statement appears to give great weight to the merits of the enjoyment / amenity of the visitors to the area to participate or spectate the motocross events, without recognising the adverse impacts on the host community. The claim that there have been "no sustained complaints about noise or other nuisance issues" (#6.9) is plainly wrong and insulting.
 - **Sixth**, the conclusion that "the development accords with the Cherwell Local Plan" (#5.14) is absurd not least because it was carried out in the absence of a proper Landscape and Visual Assessment (#5.18).

The full MLA Objection Statement, cross-referencing to section or paragraph numbers, also provides confirmation on the following:

- e) **Para 2.5:** HPC main conclusions reached within their Objection to the withdrawn Lawful Development Certificate application – with the same points of objection applying to the current application.
- f) **Section 3** set out the HPC rebuttal of applicant's claims about the track and site – confirming changes in length and width of the track in recent years.

Section 4 of the Objection Statement highlights further flaws and errors in the reports accompanying the application – both in content and methodology.

Further details are provided covering the following:

- g) **Section 5:** incomplete or misleading information within the application form
- h) **Section 7** Conclusions from Clarke Saunders Acoustic Report which confirms that, as submitted by the applicant:

"...the assessment cannot be relied upon to describe the community impacts of the proposal."
- i) **Main objection statement Sections 8-12** cover summary points from the applicant's Transport Statement, Ecological Survey, Landscaping Scheme, Flood Risk Assessment – all identifying incomplete or misleading information, eg, and perhaps the most farcical, that the claimed benefit of a wildflower meadow creation is in the exact location where camper vans are parked.
- j) **Section 13** summarises the main Cherwell District Council Local Plan policies that are not met by the Motocross application.

Conclusion

For all of the above reasons Hornton Parish Council conclude that the Wroxton Motocross application must be refused and that no planning conditions would make this development proposal acceptable. It is also clear that the report to Planning Committee should set out the steps recommended for immediate enforcement action following refusal of the application.

Please do not hesitate to contact me if I can assist with any further information.

Yours sincerely,

Martin J Leay

Enc Photosheet and with Documents 1-4 sent separately by Transfer Big Files

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