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David Peckford
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Cherwell District Council
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13 June 2021

Dear Mr Peckford

OBJECTIONS TO PLANNING OFFICER'S RECOMMENDATION ON AGENDA DOCUMENT FOR PLANNING COMMITTEE 17/06/2021

Re: Planning Application Ref 21/00517/F

"CREATION OF A MOTOCROSS TRACK AND SOFT LANDSCAPING SCHEME AND THE CHANGE OF USE OF AGRICULTURAL LAND TO HOLD MOTO-CROSS EVENTS INCLUDING SET-UP, TAKE DOWN AND PRIVATE PRACTICE SESSIONS, WITH ASSOCIATED CAMPING SITE, FOR UP TO 65 DAYS PER YEAR AND AGRICULTURAL GRAZING (RETROSPECTIVE)"

We are frankly appalled and astounded by the Planning Officer's recommendation re the above application. The site should not even be occupied by the current permanent, giant motocross track since no planning permission has been sought or granted. In legal Land Registry terms, the site is agricultural land that is used for motocross, but should revert to agricultural use between MX events. CDC appear to accept the status quo, but should obviously consider the status quo **ante**.

Although there are constant references to undisputed contraventions of the National Planning Policy Framework (NPPF) and other planning policies throughout the Officer's recommendation document, these seem to be subsequently disregarded when it comes to making a determination and "acceptance" (with conditions) has been recommended.

We would like to make the following comments/queries regarding this document and urge that further consultation takes place, both on this letter and on other Consultee submissions to the portal from Hornton Parish Council in the days before the report went live, which were in response to extremely late submissions by the applicant:

Point 3.1 we would like confirmation that the 65 days will include **all/any** days spent maintaining the track, altering topography etc not just the set-up and set-down days either side of an event or will the applicant be allowed carte blanche effectively to work on the track for 365 days of the year?

Point 3.2 states that “a typical event is held on Sunday”. No! Most events (including practice sessions) typically take place over 2 days with racing on both Saturday and Sunday and vehicles arriving on site anytime from 3pm on Friday.

Point 4.1 what exactly are “private practice sessions” referred to in 20/02126/CLUE: Certificate of Lawfulness of Existing Use application and in the current application? In the AMCA Standing Regulations and Sporting Codes, there is mention of Practice Sessions (ref SR-39) and Restricted Practice Sessions (ref SR-39.1) but no mention of “private practice sessions”.

Point 6.2 there have been over 200 letters of objection to this application (more than the 172 stated).

Point 9.2 the aerial photographs do indeed demonstrate an increase in the size of the track, but understate it as the significant alterations to the topography are hard to appreciate from the photographs.

Point 9.12 this application certainly does not meet local need! Most fixtures are hire-out events for bigger clubs or national championships and even the local club fixtures are made available to paying riders from all over the country.

Point 9.26 this track has expanded hugely over the last 4-5 years; it is most certainly **not** the track it was 40 years ago.

Point 9.27 states that the track is not visible from any settlement, but it is most certainly visible from Wroxton Heath due to both topography and distance! Although Wroxton Heath might not be a settlement within a planning definition, it certainly is in terms of plain English in that people live here in a settled way. And it is certainly very obtrusive from this particular “settlement”! It is also entirely visible from Hornton Grounds Farm, the site of 3 homes.

Point 9.30 This demonstrates the weakness of granting planning permission after the fact. Some of these mitigation measures will take 25+ years to come to maturity. This encourages a policy of “develop now, seek permission later”.

Point 9.31 Over what time frame are the Officers satisfied that mitigation will be achievable? Should not the rate of use of the track be tied to the rate of mitigation achievements? In other words, usage tapering up as the mitigation gradually materialises.

Point 9.33 how can this MX track possibly be acceptable in visual and landscape terms?

Point 9.39 again no mention is made of Wroxton Heath, which is the closest settlement to the track.

Point 9.46 the noise measurements taken in Hornton in 2019 by the CDC Environmental Protection Officer were not taken on full race days. We refer you to the Hornton Parish Council Consultation Response “Environmental Protection Noise Report” of 7 June 2021, which is on the Planning Portal but which has not been considered by the Officers in their report, along with other Hornton PC submissions of that time which were written, in haste, to rebut late submissions by the applicant and the Environmental Protection Officer in the previous days.

Point 9.48 states that this proposed development would not have a significant detrimental impact upon residential amenity. Incredible! There are over 200 letters of objection; are we all lying when we describe the detrimental effects and noise disturbance misery we suffer in various villages, including Hornton and Wroxton Heath?

Point 9.71 how can Great Crested Newts possibly co-exist with an MX Track and regular earthmoving and water-spraying machinery, regardless of any mitigation measures undertaken?

Point 9.72 it should be noted that Officers are indeed not satisfied that the development has shown to be acceptable on ecological grounds.

As a last point, we would like to know whether the organisers of the Wroxtton MX Track have in the past and will in the future (if the application is approved) adhere to the guidelines on noise control as laid out in the AMCA Standing Regulations and Sporting Codes point ref SR-36, which deals with the importance of noise regulation including Trackside Testing and Sound Control - Static Testing.

https://www.amca.uk.com/images/downloads-general/Standing_Regs_Sporting_2020.pdf

In view of all the contradictions and inaccuracies in the proposed planning application, we would urge most strongly that there should be an extension to the consultation period and further review of whether to recommend Refusal, which we feel would be entirely just. If a Refusal recommendation cannot be reached, then, at the very least, further unequivocal conditions should be attached to the acceptance wording to remove loopholes and ambiguities and to protect the landscape, reduce harmful carbon emissions and preserve the residential amenity of the area.

We have copied this letter to our Ward Councillor, Phil Chapman, as we understand he will be supporting our concerns at the Planning Committee scheduled for Thursday 17 June.

Yours sincerely

Mr & Mrs A Higgins

cc Nathanael Stock, Team Leader – General Developments Planning Team
George Smith, Senior Planning Officer
Phil Chapman, Ward Councillor