

# Planning and Development

David Peckford, Assistant Director – Planning and Development



**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

Berkshire, Buckinghamshire and Oxfordshire Wildlife  
Trust  
Mr Matthew Stanton

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Planning tel: **01295 227006**  
Your Ref:

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31st January 2023

Dear Mr Stanton,

## TOWN AND COUNTRY PLANNING ACT 1990

**Application No.:** 21/00517/F

**Applicant's Name:** Hedges & Kerwood

**Proposal:** 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)

**Location:** Land Used For Motorcross  
Stratford Road A422  
Wroxton  
OX15 6HX

**Parish(es):** Shenington With Alkerton

I write further to your letter dated 19 October 2022 where you requested conditions with regard to net gain in biodiversity and the protection of the Sor Brook. A draft list of conditions has now been created that incorporate your requests. I have included the draft list of conditions for your consideration below:

1. Prior to the first use of the site in any individual calendar year, a schedule of proposed activity and events for that calendar year shall be submitted to and agreed in writing by the Local Planning Authority. The submitted schedule shall include details of each event, including:
  - i. the intended programme of track use including practicing and racing;
  - ii. likely number of participants and spectators, and
  - iii. a written supporting statement demonstrating how the proposed programme of events has been designed to ensure that there are periods of inactivity between race events.

Notwithstanding the details of any agreed schedule, practice or race days upon the site shall not exceed 20 days in any calendar year.

Reason – In the interests of highway safety, the general amenity of the area, the living conditions of local residents, and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Informative Note regarding Condition 1:

(1) You are advised that there is an expectation that there will be a maximum of 6 race days within any 3 month period. Any Schedule of proposed activity and events submitted under this condition that seeks to secure approval of a programme that fails to accord with this frequency should set out: (i) why this is necessary; and (ii) what mitigations are proposed to protect the amenity of local residents.

(2) The Local Planning Authority's assessment of any submission made under this condition shall include consultation with the Parish Council.

2. Prior to the first use of the site under the permission for practice or competitive racing full details of the means of access between the land and the highway, including position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The details required by this condition shall include the formation of a kerbed bellmouth junction where the site access road meets the unnamed public highway between Wroxton and Hornton, and the surfacing of the area alongside the carriageway, opposite to the site entrance, which has been worn away by vehicles making the turn into and out of the site. The means of access and vision splays shall be constructed in strict accordance with the approved details prior to any competitive racing and shall be retained and maintained as such thereafter.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

3. The vision splays shown in the plans approved pursuant to the requirements of Condition 2 of this permission shall not at any time be obstructed by any object, structure, planting or other material of a height exceeding 0.6m measured from the carriageway level.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

4. Notwithstanding any details shown with the Landscaping Scheme prepared by Mid West Planning Ltd and dated January 2021, prior to the first planting season after the date of this permission a landscaping scheme shall be submitted to the Local Planning Authority. The scheme for landscaping the site shall include:

- a. details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
- b. details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation. No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

- c. a Schedule of Landscape Maintenance for a minimum period of five years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting
- d. a Landscape Amenity Plan, to include the timing of the implementation of the plan, long term design objectives (to include consideration of the restoration of the land), management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas. The Landscape Amenity Plan shall also include provisions to ensure that the existing hedgerow on the south east boundary adjacent to the access trackway of the site shall be retained and properly maintained at a height of not less than three metres, and that sections of the hedgerow that die or are damaged are replaced.

The details approved under points a. b. c. and d. of this condition shall be implemented in the first planting season following their approval and shall be carried out in accordance with the most up to date and current British Standard.

The schedule of landscape maintenance shall be implemented in full accordance with the implementation details agreed pursuant to point c. above

The landscape amenity plan shall be implemented in full accordance with the implementation details agreed pursuant to point d. above

Reason – To safeguard the character and appearance of the area, and the surrounding landscape in a manner that is compatible with the ecological enhancement measures being secured at the site to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. The development hereby permitted shall be carried out in accordance with the approved drainage system and maintenance regime detailed in the Flood Risk Assessment prepared and submitted by Lidar-Logic, report reference LL071 - February 2021. The maintenance regime shall be followed at all times that the site is in use for the development hereby approved.

Reason - To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure compliance with Policy ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

6. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Wroxton Motorcross Circuit – Ecological Enhancement Measures by Chris Seabridge & Associates Ltd dated September 2022, and The Wroxton MotoCross Circuit - Mitigation Measures for Great Crested Newts by Chris Seabridge & Associated Ltd dated 11 March 2022 unless otherwise agreed in writing by the Local Planning Authority. The 'Reasonable Avoidance Measures' set out in the Mitigation Measures for Great Crested Newts by Chris Seabridge & Associated Ltd dated 11 March 2022 shall be followed at all times that the site is in use for the development hereby approved.

Reason - In the interests of wildlife and nature conservation and to ensure compliance with Policy ESD10 of the Cherwell Local Plan 2011- 2031 Part 1 and Government guidance within the National Planning Policy Framework.

7. Except where otherwise stipulated by conditions attached to this permission, the development shall be retained strictly in accordance with the application forms and the following plans and documents:

- PI 01 Rev0
- PI 02 Rev1
- SU2192 2D-1 .
- SU2192 2D-2 .
- SU2192 2D-3 .
- SU2192 2D-4
- Kerwood PL-03 Rev2

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

8. There shall be no use of the track or set-up or take down of events on the first Bank Holiday Monday in May of each year.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

9. Prior to the first use of the site under this permission for practice or competitive racing, a plan showing parking provision for vehicles to be accommodated within the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall not be used other than in accordance with the approved details, and the number of vehicles parking within the site shall not exceed this capacity.

Reason - In the interests of highway safety, to ensure the provision of off-street vehicular parking and to comply with Government guidance contained within the National Planning Policy Framework.

10. The noise levels at or from the site shall not exceed 96dB(A) and the track shall only be used for motocross purposes between the hours of 9:00am and 6:00pm.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. Prior to the first use of the site under this permission for practice or competitive racing, a Spectator and Access Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Spectator and Access Strategy shall include:

- How the calendar of events would be regulated
- An event ticketing strategy
- A vehicle permitting strategy

The site shall not be used other than in accordance with the approved details thereafter.

Reason - In the interests of general amenity and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

12. Notwithstanding the details set out within the Wroxton Motorcross Circuit – Ecological Enhancement Measures by Chris Seabridge & Associates Ltd dated September 2022, or The Wroxton Motocross Circuit - Mitigation Measures for Great Crested Newts by Chris Seabridge & Associated Ltd dated 11 March 2022, prior to the first use of the site under this permission for practice or competitive racing, an Exit Strategy Management Plan (ESMP) shall be submitted to and agreed in writing by the Local Planning Authority. The purpose of this ESMP is to specify the works to be undertaken and ongoing management regime to be implemented at the site when activities cease to protect the biodiversity of the Sor Brook and the Horley Local Wildlife Site from silt migrating downstream.

The submitted ESPM must include:

- i. Landscaping Scheme: This shall detail positions for the re-instatement of grass cover across the site, planting of additional hedgerows and scrub along land contours. The scheme shall identify the planting arrangements and timings, together with details of inspection and maintenance protocols and responsibilities to ensure the identification and then timely replacement of any dead, dying or diseased landscaping elements for a minimum period of five years from the point of initial planting.

- ii. Monitoring and Management Plan: A specification of the of the site drainage system ceases, to include provisions to ensure that slit ponds are cleaned out on a set schedule.

Where no submission has been made to the Local Planning Authority to discharge condition 1 within 6 months of the last event held in accordance with the previous schedule of events agreed under Condition 1, the commencement of the agreed Exit Strategy Management Plan (ESMP) shall be triggered. Thereafter the agreed ESMP shall be implemented in full unless a new schedule of proposed activities and events for that calendar year has been submitted to and agreed in writing by the Local Planning Authority under the terms of Condition 1 above.

Reason - In the interests of wildlife and nature conservation and to ensure compliance with Policy ESD10 of the Cherwell Local Plan 2011- 2031 Part 1 and Government guidance within the National Planning Policy Framework.

I would be grateful for any feedback that you may have on the draft conditions by **14 February 2023** and look forward to hearing from you shortly.

Yours sincerely

Gemma Magnuson

Yours faithfully

Gemma Magnuson