

## Rachel Tibbetts

---

**From:** Gemma Magnuson  
**Sent:** 08 March 2023 13:20  
**To:** DC Support  
**Subject:** FW: Planning Application Ref: 21/00517/F

Kind regards

Gemma Magnuson (Mrs) MRTPI MTCP  
Senior Planning Officer (South)  
Communities Directorate  
Cherwell District Council  
Tel: 01295 227006

[gemma.magnuson@cherwell-dc.gov.uk](mailto:gemma.magnuson@cherwell-dc.gov.uk)

[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

Find us on Facebook [www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil)

Follow us on Twitter @Cherwellcouncil

You will appreciate that the above views are those of Council Officers and though given in good faith, cannot prejudice any decision which the Council, as the Local Planning Authority, may make.

**Please note that my usual working hours are Monday to Friday 9.00am to 3.00pm.**

Planning and Development services can be contacted as follows: Development Management - [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk); Building Control - [building.control@cherwell-dc.gov.uk](mailto:building.control@cherwell-dc.gov.uk); Planning Policy - [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk); Conservation - [design.conservations@cherwell-dc.gov.uk](mailto:design.conservations@cherwell-dc.gov.uk). For the latest information on Planning and Development please visit [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

---

**From:** Justina Marot [REDACTED]  
**Sent:** 08 March 2023 12:44  
**To:** Gemma Magnuson <Gemma.Magnuson@cherwell-dc.gov.uk>  
**Cc:** Paul Seckington <Paul.Seckington@Cherwell-DC.gov.uk>; David Peckford <David.Peckford@Cherwell-DC.gov.uk>; Yvonne Rees <Yvonne.Rees@Cherwell-DC.gov.uk>; Councillor George Reynolds <George.Reynolds@Cherwell-DC.gov.uk>; Councillor Phil Chapman <Phil.Chapman@Cherwell-DC.gov.uk>; Councillor Maurice Billington <Maurice.Billington@Cherwell-DC.gov.uk>; Councillor Andrew Beere <Andrew.Beere@cherwell-dc.gov.uk>; Councillor Rebecca Biegel <Rebecca.Biegel@cherwell-dc.gov.uk>; Councillor John Broad <John.Broad@Cherwell-DC.gov.uk>; Councillor Hugo Brown <Hugo.Brown@Cherwell-DC.gov.uk>; Councillor Colin Clarke <Colin.Clarke@Cherwell-DC.gov.uk>; Councillor Jean Conway <Jean.Conway@Cherwell-DC.gov.uk>; Councillor Ian Corkin <Ian.Corkin@Cherwell-DC.gov.uk>; Councillor Sandy Dallimore <Sandy.Dallimore@cherwell-dc.gov.uk>; Councillor Ian Harwood <Ian.Harwood@Cherwell-DC.gov.uk>; Councillor David Hingley <David.Hingley@Cherwell-DC.gov.uk>; Councillor Simon Holland <Simon.Holland@Cherwell-DC.gov.uk>; Councillor Fiona Mawson <Fiona.Mawson@Cherwell-DC.gov.uk>; Councillor Richard Mould <Richard.Mould@Cherwell-DC.gov.uk>; Councillor Lynn Pratt <Lynn.Pratt@cherwell-dc.gov.uk>; Councillor Leslie Sibley <Leslie.Sibley@Cherwell-DC.gov.uk>; Councillor Dorothy Walker <Dorothy.Walker@cherwell-dc.gov.uk>; Councillor Mike Bishop <Mike.Bishop@Cherwell-DC.gov.uk>; Councillor Gemma Coton <Gemma.Coton@Cherwell-DC.gov.uk>; Councillor Nick Cotter <Nick.Cotter@Cherwell-DC.gov.uk>; Councillor Matthew Hodgson <Matthew.Hodgson@cherwell-dc.gov.uk>; Councillor Ian Middleton <Ian.Middleton@Cherwell-DC.gov.uk>; Councillor Adam Nell <Adam.Nell@cherwell-dc.gov.uk>; Councillor Angus Patrick <Angus.Patrick@Cherwell-DC.gov.uk>; Councillor Bryn Williams <Bryn.Williams@Cherwell-DC.gov.uk>  
**Subject:** Planning Application Ref: 21/00517/F

**CAUTION:** This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please take the following comments into consideration prior to your meeting tomorrow and post this objection onto the planning portal.

I'm finding it hard to understand why CDC is ignoring so much expert advice and knowledge in terms of getting the conditions correct for approving this planning application. A quick fix and getting this passed tomorrow and off your desks is not the best course of action for all concerned not least for the residents of Hornton.

You agreed to consult our PC and local councillor regarding the revised conditions but this has not happened and you have denied our Parish Council a voice at your meeting tomorrow. Is this because you fear we will again highlight the areas of concern you have missed or refuse to address?

It's time for a fresh look at this hugely problematical application – it has taken over 18 months to get this far.

The applicant has let the land and watercourse fall into even greater disrepair in the meantime.

Banbury MX Club – always the pretext – has ceased to exist.

There are numerous poorly-drafted conditions - full of loopholes, omissions and ambiguity - in this document. Far more conditions, of much greater complexity, than normal. This indicates how much is wrong with the location and nature of this proposed track.

This all begs the question again – should it be refused? It's not too late as permission has still NOT been granted and there are numerous valid reasons to refuse it that were ignored first time around.

The applicants have not established any lawful use of the site. They were invited to do so by the submission of an application for a lawful development certificate, but withdrew it.

The Committee should therefore be invited to judge the application on the basis that there is no such lawful use. On that basis the policies in the development plan clearly indicate a refusal on landscape Impact and Residential Amenity grounds.

The committee is not, as its officers appear to be suggesting, bound by the committee resolution of June 2021. The committee may lawfully revisit that resolution and change their minds.

If this scaled-up track goes live again there will be massive CDC resources needed to enforce, monitor and deal with complaints and legal challenges from at least six parishes – eg. CDC Planning, Environmental Health, Ecology, Enforcement, Building Control and Legal will be inundated.

This, too, is a measure of how much is wrong with this application.

There is another Cherwell national-scale motocross track at Arncott, Bicester, near the M40 – the right location. We don't need one to desecrate a beautiful Ironstone Downs conservation-status landscape and ecologically-protected wildlife habitat.

The only sensible fallback option is to defer this decision, tighten up these conditions and consult with the ward members, which was a commitment made in June 2021.

