

Rachel Tibbetts

From: Gemma Magnuson
Sent: 09 March 2023 09:36
To: DC Support
Subject: FW: 21/00517F

Kind regards

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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; Building Control - building.control@cherwell-dc.gov.uk; Planning Policy - planning.policy@cherwell-dc.gov.uk; Conservation - design.conservations@cherwell-dc.gov.uk. For the latest information on Planning and Development please visit www.cherwell.gov.uk

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Subject: 21/00517F

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8th February 2023

Your Ref: Planning Application Reference 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).

Dear Gemma,

I am an immediate neighbour of this application's site.

I appreciate that have been newly appointed as the case officer in this instance & I understand that you may not have been prepared for the volume of correspondence regarding what is a highly contentious &

controversial application, but this is so very important to a large number of local residents, including me & my family.

It was made very clear at the previous Planning Committee Meeting that Ward Councillors & Parish Councils would be consulted regarding the great many conditions that were proposed, I understand that there has been no consultation whatsoever.

There are hundreds of objectors to this application, including a great number of local residents as well as various expert wildlife & conservation organisations. There no local support.

It appears that CDC seem to be determined to 'rubber stamp' this application, & effectively 'by-pass' proper democratic processes in favour of one individual applicant. The newly proposed conditions are too ambiguous, row back from pervious propped conditions & are open to interpretation.

My property has direct line of sight to the motocross circuit which is only several hundred metres away. I can see that the track itself is now completely 'grassed over' & would now have to be re-created using earth moving equipment. The spoil would then either have to be removed or more likely used to create additional or greater track elements. As just one example of why planning permission should be withdrawn, this would make the destruction of the Great Crested Newt habitiat (GCN presence on-site confirmed in documents by Dr Charlotte Watkins) & the creatures themselves, impossible to avoid. Therefore, any form of planning permission, should be rescinded.

As an absolute minimum, the application should not be put in front of the planning committee this week, but instead, returned to consultation, with the aforementioned Ward Councillors & Parish Councils actually being properly consulted as promised.

Supplementary to my original objection, I am writing again to object in the strongest possible terms to this application. Additionally, all & any proposed mitigations will not elevate any of the below objections, which I submit for the following reasons:

Visual amenity – I have seen from my property the expansion of the track over a number of years, the 'jumps' of the track are higher & there appear to be more & more permanent features such as railings etc. If permission were to be granted, it would undoubtedly lead to further expansion.

Adequacy of parking/turning – Aerial photographs show the vast numbers of large, motorhome type vehicles & vans parked. The application seeks permission for car parking, it makes no mention of motorhomes, which make up the majority of vehicles visiting the site.

Highway Safety – the number of vehicles travelling to and from the circuit has increased substantially, again, aerial photographs of the site show hundreds of large motorhomes. The unnamed lane (a single carriageway) on which my property is situated, is unsuitable in terms of width and maintenance. Potholes are constantly forming, & the grass verges ruined. What I understand is an old O.I.R railway bridge, is unsuitable for the numbers of heavy motorhomes & vans accessing the site from this direction. The only roads accessing the site are all single-track roads, frequented by walkers, dog walkers, cyclists & horse riders, clearly, hundreds of motorhomes driving along these narrow roads, represents a significant hazard.

In addition, the growing popularity of 'Caffiene And Machine' in Ettington, means that this section of the A422 is used as a de facto racetrack, particularly in the evenings & at weekends, with zero policing, by large numbers of sports cars & racing type motorbikes. I have witnessed on many occasions, vehicles travelling far in excess of the 60mph speed limit. There is the very sad inevitability that the additional numbers of Motorcross traffic will lead to tragedy.

Air Pollution – a significant number of large diesel motorhome vehicles & vans, numbering in the hundreds drive along the single-track roads, including the one adjacent to my property, which produces a noticeable increase in the smell of exhaust fumes. The motocross events themselves use motorcycles which have polluting petrol engines, which also kick up a significant amount of dust from the track. The motocross track is all but directly to the west of my property, so the general prevailing winds mean that this petrochemical & dust cloud comes over my property, I have one young child & a new baby due in the summer, I have serious concerns about the damage of the inevitable air pollution from the motocross track, on my children's health.

Traffic Generation – if this application is approved it would allow for larger and more frequent meetings resulting in a higher density of traffic, in particular, hundreds of diesel, vans & motorhomes.

Density (vehicles) – As mentioned above, the number of vehicles has massively increased over the years, with a knock-on effect on the mass of these large vehicles entering & exiting the motocross track (along a track unsuitable for such vehicles) onto the highway, and then either turning left and passing through the small village of Hornton, or right and along the unnamed single-track lane on which my property sits, in order to gain access to the A422.

Noise and Disturbance – when I first visited the property that I now own, around 11 years ago, the volume of noise from the track was high on meeting days, but tolerable, the noise of the motorcycle engines were higher-pitched but quieter, & there were less of them. In recent years, the engines of individual motorcycles have a deeper note, & are considerably louder, perhaps because the motorcycles are more powerful. This is clearly indicative of the transition from the track being used by local enthusiasts to becoming a hired out, professional/national/international circuit. An acquaintance of mine, who lives in Oxfordshire, used to take his son to the track to take part, but no longer does so because, in his words they "could no longer compete" in the expanded nature of the motocross events & circuit. The number of

meetings has increased and exceeds the number of days allowed under 'permitted use' as have the number of days during which the site is being set up/used. Bigger national events are being hosted on the site, consequently enlarging the existing camping areas. On race/practice meeting days pre-pandemic, the noise was unbearable. On the 6th of December 2020, while walking, I met a gentleman who said he had come from Bristol to measure the noise levels on behalf of the landowner. There was a very small-scale event taking place on the motocross track at a time which would normally be 'off-season'. In addition, the gentleman measuring the noise levels said that he'd just come from Hornton, where he said, he could barely detect any noise from the track, but the motocross activity had not yet started. At Parker Jones Acoustics 'P2', the OIR railway bridge very near my house, he remarked to me, that it was actually "quite loud", this was during a pre warm-up period, by the time the actual warm-up/practice (the track being so saturated with rainfall in early December, that no actual racing was permitted) had started, he had left. It can easily be construed, that the applicant has taken advantage of a very small-scale 'off season' event, during the Covid-19 pandemic crisis, to generate & submit, spurious, dishonest & misleading evidence, presenting the lowest possible noise levels, in an underhanded attempt to 'pull the wool over the eyes' of those responsible for the planning process, that the Parker Jones Acoustics report, is a typical example of noise levels, which it most emphatically is not.

I believe that granting permission will breach article 8 of the human rights act, the right to family life which offers me protection from noise & pollution nuisance in my home. I also believe that the proposed application will constitute a statutory nuisance which will significantly interfere with my right to enjoy my home as a residential amenity.

Landscaping –A very substantial amount of construction & engineering works with associated heavy vehicles, excavators & bulldozers etc, has already been carried out, but without the required planning permission. The site is in an agricultural field in a rural setting, that, to my recollection, does not appear to revert to agricultural use during the 'closed' season, the exception, to the best of my knowledge being that, as witnessed by me, the landowner, using a livestock trailer, put sheep on the motocross track on Friday 26/03/2021. This could be construed as a rather belated & cynical attempt to falsely demonstrate that the track normally reverts to agricultural use, which it does not.

Road Access - Access to the motocross track for the large number of vehicles accessing/exiting the site is particularly poor. Vehicles have to turn off the A422 and either drive through the small village of Hornton, or along Ironstone Lane from Wroxton, or along the unnamed single-track lane in Wroxton Heath, with few or no passing places, which leads to congestion & damaged verges. What I believe to be an old OIR railway bridge, on the unnamed single-track lane, through Wroxton Heath, is understand, weak & therefore unsuitable for hundreds of large, heavy motorhomes & vans, passing back & fourth over it on dozens of occasions per year, with potentially catastrophic consequences.

Breach Of Planning Laws – There has been for years, if not decades, persistent & blatant disregard for planning application legislation, insomuch as until recently none has ever been sought, (with the exception of a very recent application for a LDC, quickly withdrawn in the face of significant local opposition), but the landowner & track operators, have unlawfully & extensively, developed the motocross track, including very substantial earthworks & have held events well beyond permitted development rights. I am very concerned that CDC have never taken any enforcement action. Granting planning permission in this case

would send a terrible message to any landowner or developer that they can simply do whatever they like, however damaging it may be to the local community & environment, with no consequences for their actions. CDC should in fact enforce the removal of the majority of the track, so that it reverts to a much smaller circuit for the use of local enthusiasts, with stringent conditions placed on the scale & frequency of events. Failing that, the entire site should be bulldozed flat & permanently reverted to agricultural use only.

Nature Conservation - The proposed development will have a detrimental effect on the wildlife in the local area. For example, Balscote Quarry Reserve, which is close by, was purchased by the Banbury Ornithological Society in 1998. This 6.2 hectare disused quarry site provides a wonderful wetland habitat for birds. There is also a deep pool which retains water all year. The reserve attracts breeding Lapwing, Little Ringed Plover, Sand Martin (all 3 being protected bird species), Mallard & Little Grebe. It also attracts many species of Butterfly & Dragonfly. Research has shown that noise pollution has a huge impact on the natural migration of animals, many birds will avoid noise polluted areas. On the site itself there have been breaches of the Land Drainage Act, in that there has been unauthorised work to dam & drain the watercourse, which essentially amounts to environmental vandalism.

In conclusion, the 'optics' for CDC itself, were this application to be successful, would be extremely damaging. CDC recently announced a 'Green Investment Budget' in order to help tackle climate change. My most recent Council Tax Demand contained a leaflet outlining how CDC plans to spend our council tax money & highlights "four strategic priorities", one being "Leading on environmental sustainability". Under this heading, it further states CDC's intention to "Deliver on our commitment to be carbon neutral by 2030", "Protect our natural environment", "Work with partners to improve air quality in the district", & "Reduce environmental crime", granting planning permission would clearly fly in the face of such statements. Motocross events use soon to be obsolete, petrochemical/fossil fuel engine motorcycles, plus many large, diesel motorhomes, & as public opinion moves quickly towards alternative fuel source technology, granting permission for much greater use of polluting motocross bikes & the hundreds of associated diesel engine motorhomes & vans, would be a retrograde step, contributing to environmental damage including to protected wildlife species (GCN)

CDC will be culpable in supporting & promoting the use of petroleum-based fossil fuels, & of negatively contributing to the climate change emergency. The proposed application adds nothing beneficial to the local area, it will not bring jobs, participants may well come from "far & wide" (supporting letters), but they bring their own accommodation, & food etc, contributing little if nothing to the local economy, with the obvious exception of the landowner herself. To the contrary, the proposed application will detract from the local area, attendees of events, will simply cause significant levels of disruption, as well as noise & air pollution, all of which will be damaging to the environment & the rights of local people to enjoy their homes.

For the above reasons I remain opposed to the proposed application.

Yours sincerely,

Andrew Bock.