



**Statutory
Nuisance
Solutions**

Please Reply to:

David Horrocks Technical Partner

Statutory Nuisance Solutions

Reg Office: 46 Arlington Rd Ealing
LONDON W13 8PE

Mobile: 07889 198735

david@statutorynuisancesolutions.co.uk

www.statutorynuisancesolutions.co.uk

8th March 2023

Mr David Peckford, Assistant Director Planning & Development
Cherwell District Council
Bodicote House
Bodicote
Banbury Oxon, OX15 4AA

Dear Sir

Re: Wroxton Motocross Track Planning Ref 21/00517/F

I have been asked to advise Hornton Parish Council on the noise aspects of this application for retrospective planning consent, which I understand is to be considered at tomorrow's Planning Committee meeting.

I have considerable experience in assessing the noise impact of motocross sites around the country and have advised both operators and local authorities on the development of regimes to mitigate the noise impacts from such sites.

I have seen the Freedom of Information Document Trail relating to the methodology employed by the council's Environmental Health Service in their assessment of the noise historically from this motocross track; this methodology may have been flawed and I would urge the council to re-visit this aspect in order to have an assurance that, in future, genuinely representative operating conditions are being assessed.

I have been provided with the agenda for tomorrow's Planning Committee meeting with the officer's report in which a condition to control noise is recommended. I was surprised to see such little attention being paid to noise within the report where the noise condition appears way down the list at number 15. This condition requires that *"The noise levels at or from the site shall not exceed 96 dB(A)..."* Unfortunately this condition, as drafted, is meaningless and unenforceable since it is not specified from which position the noise shall be measured. The cited level of 96 dBA has its provenance in the Noise Council's *Code of Practice on Noise from Organised Off-Road Motor Cycle Sport* published in 1994 where this noise level refers to a maximum permitted sound level resulting from a close-to-source static noise test following a methodology espoused by the International Federation of Motor Cyclists (FIM). This is also the assessment method adopted by the Auto Cycle Union in their 2021 Handbook.

A more meaningful and helpful condition aimed at controlling noise from the site would be one which required the operator to provide a Noise Management Plan (NMP) for approval by the planning authority before operations commence on site. This plan could incorporate the following elements:

- to limit the engine size of each machine admitted onto the track to [] cc;
- to require the routine assessment of the noise levels generated by each individual machine in conformity with the Noise Council's Code of Practice and only allowing machines to use the track that pass the static noise test of 96 dBA. The NMP could also require the noise tests to be logged and the results to be made available to the planning authority;
- to require the prohibition of customised exhaust silencers and to require the fitting of manufacturer's standard exhaust silencers to all machines admitted onto the track;
- to specify the maximum number of machines to be admitted onto the track at any one time;
- to require the configuration of the track and the modus operandi to remain unaltered without the express consent of the planning authority;
- to require the operators to undertake programmes of environmental noise monitoring off-site during specified events on the track in accordance with a protocol agreed with the planning authority and to provide the results of such monitoring programmes to the planning authority.

A Noise Management Plan drawn up along these lines represents industry best practice and this approach has been adopted by a number of motocross tracks across the country.

It is very important that the control of noise from this track is adequately controlled through the planning consent that is being sought, and for the management of noise to be consistently effective in order for the proposals to be genuinely sustainable in conformity with the aims of the National Planning Policy Framework. If this objective is not achieved it is very likely that there will continue to be widespread community dissatisfaction expressed in the form of noise complaints continuing to be made to the council.

I trust these comments are helpful and I would be happy to provide further assistance to the committee, as necessary.

Yours faithfully



David Horrocks
Technical Partner

Copies to: Gemma Magnuson; Paul Seckington; Yvonne Rees; Jane Law
[Cherwell DC Officers]

George Reynolds; Phil Chapman; John Broad; Hugo Brown; Ian Corkin; Fiona Mawson; Ian Middleton; Gemma Coton; Jean Conway; David Hingley;
Dorothy Walker
[Planning Committee Members]

John Offord Chair Hornton Parish Council; Cllr Woodcock Hornton Parish Council