



Moto Cross MX Facility  
Hornton, Oxfordshire

**Transport Review**

For

Hornton Parish Council

## Document Control Sheet

Moto Cross MX Facility  
Hornton, Oxfordshire  
Hornton Parish Council

This document has been issued and amended as follows:

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Motion  
232 High Street  
Guildford  
Surrey  
GU1 3JF  
T 01483 531300  
F 01483 531333  
E [info@motion-uk.co.uk](mailto:info@motion-uk.co.uk)  
W [www.motion-uk.co.uk](http://www.motion-uk.co.uk)



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## 1.0 Preamble

### Author's Qualifications and Experience

- 1.1 This report is prepared by Mr John Russell. Mr Russell is a Chartered Transport Planner, being a Chartered Member of the Institute of Logistics and Transport (CMILT) and a Member of the Institution of Highways and Transportation (MIHT). He holds an Honours Degree in Civil Engineering and is a Director of Motion Limited a consultancy that specialises in transport planning, traffic engineering and highway design.
- 1.2 Mr Russell has worked in the field of traffic engineering and transportation planning for 30 years. He currently manages a team of transport consultants that is almost exclusively engaged in assessing access, traffic, parking, road safety and sustainability matters relating to new development and the redevelopment of previously developed land. In any one year he is responsible for providing highway design, road safety and transport impact advice to over 50 new development / redevelopment projects including applications for strategic residential development sites.

### Representations

- 1.3 Motion is instructed by Hornton Parish Council to advise on transport and highway infrastructure matters in relation to the proposed Moto Cross Facility with planning application reference: 21/00517/F.
- 1.4 The planning application seeks permission for the 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.
- 1.5 The information used to conduct this transport review includes the following:
  - ▶ Relevant information submitted in support of the development including the Transport Statement 'Proposed Regularisation of Wroxton Motorcross Track' dated February 2021;
  - ▶ Comments from Oxfordshire County Council dated 30<sup>th</sup> March 2021 and 4<sup>th</sup> June 2021; and
  - ▶ Cherwell District Council Committee report dated 17<sup>th</sup> June 2021.

## 2.0 Transport Policy and Guidance

### National Planning Policy Framework

2.1 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development. It recognises the importance of transport policies in facilitating sustainable development, and that planning decisions should have regard to local circumstances.

2.2 Paragraph 2 of the NPPF states that:

*"The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements."*

2.3 The NPPF presumes in favour of sustainable development and is a material consideration in planning decisions.

2.4 Section 9 of the NPPF deals with 'Promoting Sustainable Transport'. Paragraph 105 states that:

*"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."*

2.5 Paragraph 110 addresses the relationship between development and sustainable transport as follows:

*"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*b) safe and suitable access to the site can be achieved for all users;*

*c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*

*d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

2.6 Paragraph 111 sets out the test that a determining authority should apply when determining the suitability of a planning application in terms of transport and highways stating that:

*"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

2.7 Paragraph 112 states that applications for development should:

*"a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;"*

2.8 There are several common themes in the transport policies referred to above which can be summarised as follows:

- ▶ Safety of road users;
- ▶ Actively promoting the use of non-car means of travel;
- ▶ Increasing people's accessibility to facilities and amenities; and
- ▶ Locating new development such that it aligns with the above three themes.

2.9 These are transport policy themes that all new development needs to comply with. It is noted that paragraph 105 of the NPPF recognises that the degree to which development is able to maximise these themes may vary between urban and rural locations. However, this is simply the "degree" to which sustainability and accessibility can be maximised. It does not remove the requirement to do so. Nor does it mean that the NPPF's objective of locating development in a sustainable location is undermined; remote locations or ones that have little or no access by sustainable modes are not justified by the terms of paragraph 105.

### **Local Transport and Connectivity Plan 2022 – 2050 by Oxfordshire County Council, adopted July 2022**

2.10 The Local Transport and Connectivity Plan (LTCP) was adopted in July 2022 and outlines the long-term vision for transport and travel in Oxfordshire. The policies contained within the LTCP inform the types of schemes implemented in Oxfordshire. The relevant policies contained within the LTCP will be outlined below.

2.11 Policy 1 (Transport User Hierarchy) states the hierarchy of transport users as follows:

*"We will develop, assess and prioritise transport schemes, development proposals and policies according to the following transport user hierarchy:*

- ▶ *Walking and wheeling (including running, mobility aids, wheelchairs and mobility scooters)*
- ▶ *Cycling and riding (bicycles, non-standard cycles, e-bikes, cargo bikes, e-scooters and horse riding)*
- ▶ *Public transport (bus, scheduled coach, rail and taxis)*
- ▶ *Motorcycles*
- ▶ *Shared vehicles (car clubs and carpooling)*
- ▶ *Other motorised modes (cars, vans and lorries)"*

2.12 Policy 2 (Cycle and Walking Networks) states:

*"Develop comprehensive walking and cycling networks that are inclusive and attractive to the preferences and abilities of all residents in all towns. All new walking and cycling schemes will be designed according to the updated Oxfordshire Walking and Cycle Design Standards (to be published in 2022).*

*Ensure that all new developments have safe and attractive walking and cycling connections to the site, include a connected attractive network for when people are walking and cycling within the development and that the internal routes connect easily and conveniently to community facilities and the local cycle and walking network.*

*Work closely with stakeholders using co-production methods when developing and improving cycle and walking networks from inception to delivery."*

2.13 Policy 5 (Public Rights of Way) states:

*"Adapt the public rights of way network to current and future climate change by conducting assessments that involve communities, users, farmers and landowners as well as respecting the natural and historic environment.*

*Protect the rights of access for the public by working closely with farmers, landowners, developers and householders to ensure the line, width, surface, vegetation and furniture is appropriate to the path and user.*

*Conduct maintenance and management of the public rights of way network that reflects the route, landscape characteristics and responds to the needs of users.*

*Whenever possible make the public rights of way more accessible to those with limited mobility, vision or confidence.*

*Extend and improve the public rights of way network by securing on and offsite mitigation measures from developments and increasing partnership working with a range of stakeholders to achieve shared outcomes."*

2.14 Policy 15 (Vision Zero) states:

*"Adopt the vision zero approach, which seeks to eliminate all fatalities and severe injuries on Oxfordshire's roads and streets, to have safer, healthier, and more equitable mobility for all.*

*Work closely with partners and stakeholders to take a whole system approach, working together on infrastructure, behaviour, technology and legislation to achieve this change."*

2.15 Policy 33 (Parking Management) state:

*"Ensure the parking requirements of all modes of transport are considered, in line with our transport user hierarchy.*

*Work to embed our parking guidance (Appendix 5) into relevant guidance and decision making processes and progress the associated actions.*

*Take measures to reduce and restrict car parking availability. As part of developing LCWIPs and in LTCP area strategies, the following measures will be assessed:*

- ▶ *Introduce parking charges in Council-managed car parks.*
- ▶ *Introduce parking costs for businesses such as a workplace parking levy.*
- ▶ *Introduce on-street restrictions and control such as double and single yellow lines via decriminalised parking enforcement powers.*
- ▶ *Control on-street parking in neighbourhoods via Controlled Parking Zones (CPZs).*
- ▶ *Changes to car parking to allow the introduction of bike hangars."*

2.16 The LTCP has a range of transport policies which look to prioritise the use of sustainable travel to and from developments, looking to replace the private car as the primary means of travel. Policy 1 of the LTCP demonstrates this with walking at the top of the hierarchy and private car at the bottom.

### **Cherwell Local Plan 2011 – 2031**

2.17 The Cherwell Local Plan was adopted on the 20<sup>th</sup> July 2015 and aims to set out how the District will grow and change in the period up to 2031. The Key policies relevant to transport and sustainable development are summarised below:

2.18 Policy A.25:

*"Cherwell's key challenges to ensuring sustainable development are:*

*There is a need to maximise the opportunities to significantly cut carbon emissions. Although compared to other 'significant rural' districts, Cherwell has lower domestic carbon dioxide emissions per person, it has higher overall emissions per person due to more emissions from industrial and commercial activity.*

*A need to consider the effects of development on air quality, including in relation to Air Quality Management Areas (AQMAs) in Cherwell, and how development proposals can contribute towards improvements.*

*A need to ensure that contamination is addressed effectively on sites through re-development.*

*There is a need to maximise opportunities for the use of renewable energy, efficient buildings and for using resources such as energy and water more efficiently.*

*There is a need to reduce dependence on travel by car and to manage traffic congestion - between 1981 and 2001 the number of cars in Cherwell increased by over 34,700 (97%), over double the growth in households (46%); residents in our rural areas are particularly dependent on their cars and congestion hotspots include Junction 9 of the M40, on the A34, in the centres of Banbury, Bicester and Kidlington at peak times and in villages with schools. Commuters in Cherwell travel relatively long distances to work.*

*Maximise the opportunity to shift dependence from the car to sustainable modes of transport."*

2.19 Paragraph A.26:

*"Cherwell's Environmental Strategy for a Changing Climate (2008) highlights the common need to improve energy efficiency, reduce carbon emissions, encourage the take-up of low carbon and renewable energy technologies, and reduce the need to travel and provide good access to public and other sustainable modes of transport. It notes the need to conserve water, to minimise flood risk, and to be resilient to the impacts of climate change."*

2.20 Paragraph SO.13:

*"To reduce the dependency on the private car as a mode of travel, increase the attraction of and opportunities for travelling by public transport, cycle and on foot, and to ensure high standards of accessibility to services for people with impaired mobility."*

2.21 Paragraph B.173:

*"Critical to achieving progress towards a lower carbon economy is the provision of quality employment in the District and public transport options for rail and bus to reduce the need to travel by private car, hence the importance of Theme One: Securing a Sustainable Local Economy. But we also need to manage development to ensure that the quality of our environment is valued and sustained."*

2.22 Paragraph B.180:

*"There is increasing recognition that reducing carbon emissions is important in reducing and adapting to the impacts of climate change. The Climate Change Act 2008 has an objective of an 80% reduction (from a 1990 baseline) in carbon dioxide emissions by 2050. This can be achieved by, for example, reducing dependence on private cars and locating new development in sustainable, accessible, locations, increasing energy efficiency, or by increasing the use of renewable or low carbon energy sources. It is particularly important to reduce carbon emissions from dwellings and business through increasing energy efficiency. Similarly it is important to ensure that we adapt to the inevitable changes to future climate. This applies to the built development, its location, design, layout and proposed land uses, as well as the natural environment, by seeking to reduce exacerbated habitat fragmentation by increasing landscape permeability and connectivity (see 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment', 'Policy ESD15 Built and Historic Environment' and 'Policy ESD 17: Green Infrastructure')."*



### Climate Emergency

- 2.23 Both Cherwell District Council and Oxfordshire County Council in 2019 declared and recognised the Climate Emergency whereby one of the stated aims is becoming carbon neutral. The planning submission does not make reference to these stated emergencies and due to the complete lack of sustainable options for travelling to the site and therefore a complete reliance on cars / vans it would be difficult to meet the objectives of the stated emergency with this proposed development.
- 2.24 The LTCP mentioned above states Oxfordshire County Council's targets for carbon reduction, these targets have been reiterated below for ease of reference:
- "By 2030 our targets are to:
- ▶ Replace or remove 1 out of every 4 current car trips in Oxfordshire
  - ▶ Increase the number of cycle trips in Oxfordshire from 600,000 to 1 million cycle trips per week
  - ▶ Reduce road fatalities or life changing injuries by 50%
- By 2040 our targets are to:
- ▶ Deliver a net-zero transport network
  - ▶ Replace or remove an additional 1 out of 3 car trips in Oxfordshire
- By 2050 our targets are to:
- ▶ Deliver a transport network that contributes to a climate positive future
  - ▶ Have zero, or as close as possible, road fatalities or life-changing injuries"
- 2.25 Any development which does not align with the targets stated above to reduce the reliance on the private car is contrary to the adopted policies of Oxfordshire County Council.
- 2.26 The Cherwell District Council Local Plan mentioned above outlines the importance of reducing travel by the private car and shifting to sustainable travel alternatives to address Cherwell's carbon emissions. Any development that is reliant on the private car for access is contrary to the policies set out in the Cherwell Local Plan.

## 3.0 Transport Review

### Transport Statement

#### *Sustainable travel*

- 3.1 The applicant's Transport Statement ('TS') makes no reference to active travel or public transport as the site is within a wholly unsustainable location and would be entirely reliant on visitors arriving by motorised vehicle only. This is contrary to Oxfordshire County Council's recently adopted Local Transport and Connectivity Plan which seeks, inter alia, a reduction in car borne journeys of 25% by 2030 (with further significant reductions by 2040).
- 3.2 The TS also does not address the sustainable transport requirements of the NPPF. Paragraph 105 of the NPPF recognises that the degree to which development is able to maximise sustainability and accessibility may vary between urban and rural locations. However, this is simply the "degree" to which sustainability and accessibility can be maximised. It does not remove the requirement to do so. Nor does it mean that the NPPF's objective of locating development in a sustainable location is undermined; remote locations or ones that have little or no access by sustainable modes, such as this proposed development, are not justified by the terms of paragraph 105.
- 3.3 The application states that the intended use of the site is for both club and national events, in all cases there is no alternative to arriving on site by any other means than a motorised vehicle. Many of these journeys would commence from outside the Cherwell District Council area with a corresponding carbon impact, which will be increased by the stated prevalence of larger vehicles such as caravans, motorhomes and trailers that would be used to access the development. It would also mean that any spectators would have no alternative to a motorised vehicle to access the site.
- 3.4 Whilst it is noted that the intended use is a motor sport with users, by default, arriving by motor vehicle – this is not NPPF policy.

#### *Safe and suitable access*

- 3.5 The access of the proposed development is stated as having a width of 4.75m. This is inadequate for the proposed uses which will attract significant numbers of commercial vehicles.
- 3.6 The TS notes that the gates are set back 4.75m from the edge of the carriageway. This is inadequate to enable a vehicle (even a car) to wait clear of the carriageway in the event that the gates are closed and is wholly inadequate for the motorhomes, caravans and trailers brought to the site.
- 3.7 Para 2.7 claims that the visibility achievable is suitable for traffic travelling at 50mph. This is incorrect as the calculation undertaken is based on parameters for cars travelling below 30mph in built-up areas (1.5 second perception and 0.45g deceleration). On a derestricted rural road and with the significant numbers of commercial / larger vehicles that will be attracted to the site, the relevant parameters are 2 seconds and 0.25g which brings safe approach speeds down to nearer 30mph and not the 50mph stated. The matter could be resolved by speed surveys.
- 3.8 However, it is noted that the visibility available is less than that required for 43mph as referenced in Oxfordshire County Council's Residential Road Design Guide (2003) - Second Edition (2015) whereby 120m is required. This is further reinforced by Oxfordshire County Council's 'Position Statement – on the Application of Contemporary Highway Design Guidance in Oxfordshire' that clearly states in Section 8 that especially for rural locations, such as this access, the standards of the DMRB may be more appropriate than those of Manual for Streets. It is easily conceivable that approach speeds in this location could be 43mph when the speed limit here is 60mph.
- 3.9 This is also notwithstanding the vertical alignment issues in the vicinity of the proposed access that further require full visibility splays to be provided for safe access to be achieved. Failure to demonstrate correct visibility splays is contrary to paragraph 111 of the NPPF as safe access has not been

demonstrated and therefore there could be an unacceptable impact upon highway safety and accordingly the development should be refused.

- 3.10 Highway boundary information has also not been provided to ensure that any required visibility splays fall within highway land.
- 3.11 The carriageway width by the access is approximately 4.5m and has insufficient width for vehicles to turn in and out. Para 2.10 confirms that large vehicles rely on over running the verge to access the site. Whilst it is further stated in the report that the area is over-run by agricultural vehicles using the access to the land adjoining the proposed site due to tractor (bar-tread) tyre marks, these tyre marks would cover any preceding tyre marks from the large vehicles accessing the proposed site. This is depicted well on a dash-cam video clip referenced later, showing a large motorhome overrunning the offside verge when accessing the site.
- 3.12 An analysis of the route to the proposed site from the A422 is provided. The only route for which an analysis is provided is the route to the south east rather than the northern route via the village of Hornton. Whilst this is the logical route, due to the nature of the proposed development with users coming from further afield who are not used to the area, some may well use the northern route, particularly if they are approaching from the Stratford-upon-Avon direction on the A422.
- 3.13 The analysis includes, inter alia, reference to visibility distances but no speed context regarding their suitability. A common theme of the analysis is the over running of verges in places along the route highlighting the inadequate width of the route to the proposed site. This will be exacerbated by the number of larger vehicles anticipated that would be linked with the proposed development.
- 3.14 There is no reference whatsoever regarding safe and suitable access other than by motor vehicle within the assessment. This highlights the total lack of sustainable transport infrastructure.
- 3.15 Paragraph 2.9 confirms that the access road is used by vulnerable users with "a group of three young equestrians" (so vulnerable, child users) and a cyclist. No reference is made in the Transport Statement regarding how vulnerable local users, including children riding horses, will be protected. Again, the prevalence of larger vehicles accessing the proposed site would exacerbate this situation and could be a safety concern for existing local users of the highway network.

#### *Capacity Assessments*

- 3.16 The report states that anything from 600 - 1500 people may be on site for an event (with the larger number being for National level events). This includes spectators. This number of visitors is at odds with news articles of similar sized sites hosting similar national events whereby numbers attending can easily be 10,000.
- 3.17 The highway capacity assessment relies on guidance set out in TA 79/99. This guidance was withdrawn in May 2017 and is therefore no longer relevant. There is no other highway capacity assessment.
- 3.18 Reference is made to Figure 7.1 of Manual for Streets 2 (MfS2). As a starting point, the characteristics of the access road and road network bear no resemblance to the characteristics of roads described in MfS2. Table 1.1 in MfS2 expressly identifies that MfS is not applicable to roads where traffic speeds are 40mph or greater. Reference to road widths in MfS is therefore irrelevant. Notwithstanding this, para 4.9 of the TS argues that it is "only where a larger vehicle is encountered that one vehicle would have to give way to another." Para 3.10 of the TS states that tow caravan and motorhomes would be used by some users of the site; clearly these would be large vehicles that would cause one vehicle to give way to another. Again, evidence of this is shown on the viewed dashcam footage.
- 3.19 An argument is made about tidal flow to and from events however no information is provided regarding the size and frequency of existing vehicular users on the approach routes.
- 3.20 Aerial footage of vehicles accessing the site on the 17<sup>th</sup> and 18<sup>th</sup> October 2020 have been provided. A sample of these are included below to indicate the scale of previous events at the site and the number

of vehicles queuing to enter the site from within the development and back to the highway, where we are advised that queuing vehicles were backed up on to the carriageway.



#### Highway Safety

- 3.21 The assessment of highway safety is based on recorded collision data only. There is no risk assessment provided. There is no WCHAR or equivalent assessment. The conclusion at para 5.6 states that “it is concluded that the impact of the activities of WMX on highway safety is acceptable, as road users are apparently and demonstrably capable of safely interacting with each other on the local road network” is therefore unsubstantiated.
- 3.22 A 53 second video (dashcam) clip has been provided indicating a large motorhome accessing the site on Saturday 17<sup>th</sup> October 2020. This short clip demonstrates the unsuitability of the adjacent roads for large vehicles to access the site in the quantum’s that they were. During this short clip a car coming the other way can clearly be seen being forced off the carriageway to allow the larger vehicle to pass. Towards the end of the clip the motorhome is seen having to go beyond the far offside of the carriageway to then turn left into the site and that this occurred whilst in the path of another oncoming vehicle, which had to stop in the carriageway. The offside verge is clearly damaged from vehicles overrunning and it is evident that as a result mud has been pulled across the carriageway. The mud on the carriageway itself presents an additional risk to road users on this bend with limited forward visibility in both horizontal and vertical planes. Highway safety is severely compromised during this clip. Note the existing vulnerable road users referenced in 3.15 above within the context of the number of large vehicles that may access the site as demonstrated in the photos above.
- 3.23 The recorded collision data provided is dated 2015 – 2019 inclusive. This data would have been out of date when the report was written in 2021 and is still out of date in 2023.

#### Summary and conclusion

- 3.24 The Transport Statement fails to demonstrate that:
- ▶ the site can be accessed by sustainable modes;
  - ▶ safe and suitable access for motorised traffic can be achieved;
  - ▶ there is safe and suitable access for non-motorised traffic;
  - ▶ the safety of existing vulnerable users of the lanes has been considered;
  - ▶ two-way vehicular movements can be safely accommodated; and
  - ▶ the suitability of routes to the site from the A422.
- 3.25 No mitigation has been proposed.

- 3.26 The proposed development fails against NPPF paragraph 110 (a), (b) and (d). As a consequence of 110 (a) the development cannot be considered as sustainable and hence the presumption in favour of sustainable development in NPPF paragraph 11 is not relevant.
- 3.27 The proposed development does not meet the requirements and objectives of Oxfordshire County Council's Local Transport and Connectivity Plan 2022 – 2050.
- 3.28 The application should be refused because the applicant has:
- ▶ not demonstrated that the vehicular access to the site is safe or suitable;
  - ▶ failed to demonstrate that the approach routes are safe and suitable having regard to all road users;
  - ▶ failed to even refer to sustainable modes of travel;
  - ▶ provided no current assessment of the impacts on the highway network; and
  - ▶ failed to meet the requirements of the NPPF and Oxfordshire County Council's Local Transport and Connectivity Plan 2022 – 2050.

### **Oxfordshire County Council's Comments**

- 3.29 There are two publicly available comments from Oxfordshire County Council on highway matters dated 30th March 2021 and 4th June 2021.
- 3.30 It is noted that these comments were made prior to Oxfordshire County Council's adopted new transport policy in July 2022. The officer's comments therefore refer to policies that are now superseded.
- 3.31 The officer's comments state that "It is recognised that motocross events have been taking place here for a number of years, so the principle of access to the highway is well established.". There is no planning permission in place for the use, nor is there a Certificate of Lawfulness of Existing Use in place to establish a level of operation that is lawful. What was occurring at the site was unauthorised, hence the applications since to try and regularise matters.
- 3.32 With regard to the current adopted policies it is clear that spatially the proposed development is in an entirely inappropriate location for a facility such as this which makes no provision for non-car travel and as such the application should be refused.
- 3.33 It is noted that Oxfordshire County Council's newly adopted policy has a need to provide 25% of spaces with EVC's.
- 3.34 The comments within sections 3.1 to 3.28 above would need to be taken into account for a full and robust appraisal of the Transport Statement submitted in support of the application. Most of these were not picked up within the two responses from the highway authority, which do not fully appraise the impact of the development and does not reference current local and national (NPPF) policies.
- 3.35 Of note is the officer's statement that, subject to the highway boundary, passing places may be included to enable the development as part of eventual S278 works. It is considered that suitable locations for passing places along with associated required widths and available land should be determined at planning stage to ensure their viability in being provided.
- 3.36 There are two further responses from Oxfordshire County Council dated 10<sup>th</sup> March 2023 and 31<sup>st</sup> January 2023 that state no further comment, although it is not clear if this refers to highway matters.
- 3.37 In summary, it would appear from the responses so far from the Highway Authority that they have not considered relevant national policy (paragraphs 105 and 110 of the NPPF) as well their own relevant and current transport policies in assessing this application. Further to this, their responses incorrectly do not take account of the fact that in planning terms the scale of previous use of the site for motocross was

unauthorised and therefore has no planning weight. As such, the proposals for the site need to be viewed as totally new for a green field site and assessed accordingly.

### Cherwell District Council Committee report

- 3.38 The Cherwell District Council Committee report dated 17th June 2021 states in section 9.10 "The site is outside of a sustainable settlement and set in a rural context. Given the location, nature of the development and lack of public transport links the proposed development would be heavily reliant on the use of the private motor vehicle to access the facility via the route of minor rural roads". This analysis from the Case Officer clearly suggests that the development proposal is not transport policy compliant, however nothing further is mentioned with regard to this in the committee report.
- 3.39 Beyond this the Officer's report entirely fails to mention any policies relating to transport sustainability. No reference is made to NPPF 105 or 110. Transport is dealt with purely under the heading "Highway Safety" and then only deals with conditioning the design of the access for motor vehicles. No reference is made to non-car safety.
- 3.40 It is not clear as to why the Committee report has omitted to advise members of the relevant national and local transport policies against which an application of this nature should be tested.

### Summary

- 3.41 Based on the evidence submitted, the planning application should be refused from a highway perspective as the development does not accord with both local and national policy or meet the stated climate emergency of both Cherwell District Council and Oxfordshire County Council that became policy in 2019.
- 3.42 The application fails to acknowledge and address national and local policies regarding transport sustainability. Both the Oxfordshire County Council highway responses and the committee report reinforce this omission and fail to draw to members' attention the transport policies of relevance against which an application of this nature should be tested.
- 3.43 For the reasons set out above, it is concluded that development at the Application Site:
- ▶ is unsustainable in transportation terms, with no prospect of it being made sustainable, thereby failing to meet the requirements of paragraphs 105 and 110 (a) of the NPPF as well as Oxfordshire County Council's Local transport and connectivity Plan 2022 - 2050;
  - ▶ does not demonstrate that safe and suitable access can be achieved thereby failing to meet the requirements of paragraphs 110 (b) and 112 (a) of the NPPF;
  - ▶ fails to accurately determine the traffic impacts arising from the Proposed Development hence both failing to identify the mitigation required to address significant impacts and to demonstrate that these could be cost effectively delivered, thereby failing to meet the requirements of paragraphs 110 (d) of the NPPF; and
  - ▶ has not fully assessed the impact on highway safety.
- 3.44 In accordance with paragraph 111 of the National Planning Policy Framework 2021 the planning application as currently presented should be refused

Motion  
232 High Street  
Guildford  
Surrey  
GU1 3JF  
**T** 01483 531300  
**F** 01483 531333  
**E** [info@motion-uk.co.uk](mailto:info@motion-uk.co.uk)  
**W** [www.motion-uk.co.uk](http://www.motion-uk.co.uk)