



**Above:**

The Scott Trial operated under permitted development for over 90 years until the landscape was designated SSSI and it required planning permission for the first time.

## Motorsport and Planning

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*“Motorsports are a product of the twentieth century leisure patterns and technology. For the participant and enthusiasts they are exciting, involving skill, achievement and great fun. For many land owners and residents they are seen as noisy, smelly, periodic or near permanent nuisance which brings more cost than benefit to their lives and environment. In the case of motorcycling the participants are all too often seen as ne'er do wells”*

(Elson et al, 1986).

Despite sporadic and occasionally harsh criticism, motorsport and recreation remains legitimate as it enters its second century, and the enthusiasm of the general public as spectators, if not participants, holds steady at a very high level for the top events. Motorsport uses land and constitutes a material change of use (other than on a purpose-built circuit), and consequently is ‘development’ for the purposes of the Town and Country Planning Act 1990. Motor recreation, as well as motorsport, often takes place in National Parks, Areas of Outstanding Natural Beauty, and other similar landscape designations, and continued access to land in these environments is essential in order to provide realistic facility provision for motorsport and recreation activities.

Motorsport comes in many forms and variations. Some disciplines use land away from the highway, some take place on the public highway, and some use both. Use of the highway is regulated under non-planning provisions (principally the Road Traffic Acts) so it is the use of land other than the highway which is discussed in this paper. At the top of the tree comes the limited provision of the permanent, highly developed race circuits like Brands Hatch. A little lower come permanent, but usually club owned, or semi-commercial, tracks, for example, kart racing, motocross, and car autograss. Lower again, but far more numerous in the number of events and participants, comes a raft of disciplines that rely almost entirely on the occasional and temporary use of land not normally in their ownership. These events predominantly operate under the provisions of Class B, Part 4 of the Town and Country Planning (General Permitted Development) Order 1995. Part 4 allows for the temporary change of use of land for the purposes of motorsport for 14 days a year.

This paper examines three main areas:

- Why does the motorsport community choose permitted development?
- Why the planning system is blind to motorsport?
- How can the planning system and motorsport community make motorsport ‘visible’, and what benefits would this bring?

## Why does the motorsport community choose permitted development?

At the lower levels of the sport, the organising motorsport club sets up the event, the competition takes place, the equipment (e.g. fences, ropes) is dismantled, and the land reverts to its original use. Examples of this temporary use include motorcycle trials, on areas of rough agricultural land or quarries; and autocross car racing, using stubble fields after harvest. These sites make land available to the organising clubs at an affordable price. Motorsport opts for permitted development because:

- Events are mostly low-key and non-profit generating. The peripatetic nature of motorsport events results in it using a number of sites during the year.
- There are almost always no alternative sites with planning permission available at an economic price.
- Landowners of these sites show reluctance to become involved in the formal process of seeking planning permission, leading to the loss of sites even where there is reasonable prospect of planning consent being granted.
- Development Plans generally lack positive policies, and the planning authority is suspicious of motorsport, leading to the loss of events. Similarly, the sport is suspicious and fearful of planners, and often prefers to keep a low profile.



**Left:** Motocross uses both permanent tracks and agricultural land on a temporary basis. Once the racing has been completed, the ropes and start gates are removed and the land reverts to agriculture.

Contrary to the popular image, motorsport is not a rich sport. Most grass roots motorsport takes place at voluntary level and is low key. Access to suitable land is often provided to the organising club for a small sum.

Motorsport faces much negativity. It is often portrayed as an emotive subject in rural areas. Motorsport is consequently subjected to a barrage of negativity from the planning profession (often, research shows, due to a serious lack of understanding of

what is legitimate motorsport, and what is 'cowboy' illegal activity). Nevertheless, motorsport has an extensive heritage and legitimacy:

*"Many forms of motorsport have been practised in rural areas for considerable lengths of time and in many areas, pre-date the large scale growth of the so called 'traditional' forms of rural recreation e.g. walking and riding"*

(Elson, et al, 1986)

The Scott Motorcycle Trial, held in the Yorkshire Dales, is one of the oldest motorcycle events in the UK. The Trial began well before Leeds United Football Club was ever established and is possibly the oldest running (bar the war years) outdoor sporting event in Yorkshire after St Ledger horse race at Doncaster.

Despite the considerable heritage, other countryside user groups often consider it as a non-legitimate activity, and this is a major factor in its being marginalised by the planning profession. It is often associated with deviant images:

*"A lot of people – including planning authority committee members and officers – are fearful or suspicious of motorsport. Some still believe that every motorcyclist is a Hell's Angel and that every time a Land Rover turns a wheel the environment is irrecoverably damaged"*

(Kind, 1997a)

Many planners do not like motorsport, or are told by their politicians not to like it. This issue is especially true in relation to policy formation and motorsport's involvement and consultation with management groups such as National Parks. This perpetuated negative image often results in motorsport being reluctant to involve itself with planning, believing any potential planning application will be met with opposition – both internally and externally. Amenity groups can often apply severe external pressures. These groups, such as the CPRE and the Ramblers Association, are well-resourced organisations with negative attitudes and long-term policies towards organised motorsport and recreation. Certain amenity groups have maintained an intolerant attitude towards motorcyclists in general. The President of the Ramblers Association stating that trail riders were *"bird brains who have no thought whatsoever for other users of the countryside"* (Elson et al, 1986).

However many objections to motorsport and recreation are based on emotive responses rather than empirical verification of any disamenity or damage caused (ibid. 1986). The argument is exacerbated by the consultation process on Land Management or Development Plans where any input made by the motorsport community may be drowned by the combined activities of local branches of the Ramblers Association, the CPRE and local residents associations and other conservationist interests. Given that Local Authorities operate within a political climate that is increasingly 'environmentally aware', those seeking a balanced provision for motorsports are aware of the pressures this situation creates.

Faced with this negativity, the landowner may be reluctant to apply for planning permission fearing upsetting the local community and instead, rely upon permitted development rights. This general negativity results in the motorsport community preferring a deliciously tempting approach, one where it can use land for a temporary period without formally involving itself in the development control or forward planning process: permitted development rights.

### **Why the planning system is blind to motorsport?**

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The peripatetic character of club and regional level motorsport, combined with its reliance on permitted development, consequently means that Planners, as visionaries of land use, often look right past the issues of motorsport, but never notice them. Many long running events, some for almost a century, are operating under permitted development without Development Plans ever acknowledging their existence. The motorsport community has learnt, from bitter experience, that their single voice in requiring positive policies for motorsport, (and the same goes for other ‘difficult to provide for sports’) is swamped by amenity groups. The consequence is Development Plans, more often than not, contain policies that are ‘anti’ motorsport and have little regard to the needs and requirements of the motorsport community. To compound this, these Plans fail even to acknowledge the character and amount of motorsport that already takes place. To damn something totally, without even identifying and investigating it, smacks of prejudice – certainly of ‘unprofessionalism.’

The lack of acknowledgement of motorsport in Development Plans creates an odd situation given the sporting heritage of many events. Motorsport is not a new phenomenon to the British landscape; in fact off road motorsport is peculiarly British in origin. The spectating Edwardians saw the amusement of early road-going motorcycles struggling over fields and unsurfaced rights of ways in the 1900s as a ‘fair old scramble’, from where the term *motorcycle scrambling* was born.

The Scott Trial (as mentioned earlier) is one of the oldest motorsport events in the world. Some years ago, large tracts of the Yorkshire Dales, where the event is held for just one day a year, were designated SSSIs (with some SPAs thrown in) and consequently the event, that had operated for almost a century under permitted development, needed planning permission. A similar situation occurred with a motorcycle trial in the Pennines near Manchester. It operated under permitted development for 40 years, and suddenly the organising club found it needed planning permission. In both cases the actual environment had not changed, but the immediate attitude of the planning authorities was that the events should stop. Policy and prejudice set the agenda, and both organising clubs faced a difficult battle merely to keep doing that which they’d been doing for decades, with no suggestion whatsoever that the events were damaging the environments now designated ‘for conservation’. In both cases English Nature entered into positive discussions with the clubs, and looked to a way in which the events could continue; it was the planners whose knee-jerk reaction was to shelter behind a stone wall of negative policy.

If the planning system exists to 'balance' and mediate between conflicting interests in land use, the decisions which emerge from local decision-making arenas rarely support the demands of motorsport and recreation interests. In this respect few local authorities possess a 'policy' of any sort (Thomas, 1991).

The revised PPG 3 (Housing) issued in 2000 strengthens the theme of re-using previously developed land. Provisions for housing allocated sites and a growing emphasis on conservation are squeezing hard on motorsport. Where residential developments are built adjacent to motorsport sites, the resulting objections to noise can cause an abandonment of the site through environmental health powers, or the imposition of an Article 4 Direction removing any Permitted Development Rights.

Thus the paradox is set: Motorsport chooses to use permitted development because its short-term simplicity tempts the harassed organiser, or (and this is really the other side of the same coin) the sport is forced to use it by the negativity (perceived or actual – it does not matter) of planning policy. Whilst motorsport operates in the permitted development allowance, the world changes around it: development plans renewed, houses built, landscapes designated and events begin to require planning permission. The problem is that when motorsport tries, or is forced, to come into the planning system, it isn't capable of acknowledging the sport's existence, and generally has few policies and practices capable of assessing it fairly.

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## How can the planning system and motorsport community make motorsport 'visible'?

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When motorsport comes into contact with the planning system it is, all too often, for the wrong reasons. It is either through enforcement, when say a motorsport club exceeds its permitted development allowance, or when a new housing estate is built and the complaints flow.

However this negativity is not completely the fault of the planning profession. The motorsport community places too much reliance on permitted development. There is a *'why fix it if it isn't broken'* approach from organisers. These people, remember, are volunteers. It is this year's event, and maybe next's, that concerns them; five years hence, somebody else will probably be doing the job.

The planning profession needs to recognise that motorsport is legitimate and needs to acknowledge that there are many historic motorsport events taking place under permitted development and that policies need to be formed where by a once permitted development event can be assessed against a positive policy, perhaps one that acknowledges that a motorsport event can even be acceptable in a SSSI. After all, many have rubbed together, side-by-side for decades, before the motorsport site was designated a SSSI; the very nature of the land that makes it SSSI landscape, also often makes it good for motorsports. The two are not inherently incompatible.

However the transient nature of motorsport raises a major issue that these short-term uses of land in transition between one use and another results in the use of 'marginal' land or even open land being negated. Because the use is temporary the forward-looking planning processes is essentially incapable of recognising, acknowledging and safeguarding that temporary use as a valuable recreation asset. Sport England are currently examining areas of sporting value with a policy to safeguard them from alternative future development by a designation planning policy called **'Significant Areas for Sport' (SASPs)**. At the moment, SASPs do not look to be designed to protect the 'grass roots site,' rather the scheme acknowledges more a site's 'importance' in terms of numbers and level of users.

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## Conclusions – becoming visible.

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So motorsport is caught in a trap – perhaps one laid by itself. It chooses or is pushed into operating under permitted development for the reasons argued in this paper, but whilst the majority of grassroots motorsport operates in this way, it is invisible to the planning profession. If motorsport is a good neighbour and operates under permitted development, it essentially mitigates itself against getting planning permission as it has never been visible or acknowledged.

Simple acknowledgement of long running events would help. The key here is acknowledgement of the event, not the site. This would help not just motorsport but other sporting events: mountain bike races, horse events and hot air balloon meetings can all be realised in a policy – a policy that sees motorsport as visible.

Where do we start to achieve this goal? I said above ‘the planning profession needs to recognise that motorsport is legitimate’. That is the key, but to get that key to unlock the door labelled ‘positive solution’, we have to shift the emphasis to ‘the planning authorities need to recognise that motorsport is legitimate’. Not every event. Not every site. Not everywhere. But we must have a shift in official attitude that encourages responsible motorsport organisers to ‘come down out of the hills’ and be seen.



**Left:** The motorsport community needs to stand up and be seen by the planning system; and the planning system needs to recognise that motorsport is visible.



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