2

Yorkshire Dales National Park Authority

Committee: Planning

Date: 1 September 2026

Applicant: Richmond Motor Club

Parish: Arkengarthdale

Application No: R/01/100E

Site Address: The Scott Trial, Arkengarthdale, Gunnerside and Reeth Moors

Proposal: Section 73 application to amend condition 2 of planning permission reference R/01/100D (Section 73 application for variation of Condition 2 of R/01/100C to extend the date of the permission to 14th July 2026) to extend the date of the permission to 30th September 2027.

Purpose of Report

1. That Members approve planning permission for the above development in accordance with the recommendations below.



Reason For Committee Consideration

2. This application is reported to Committee for the following reason: in the opinion of the Head of Development Management it is in the best interests of the National Park Authority that the application is considered by the Committee.

Application Site

3. The Scott Trial is a motorbike trial event that is held once a year, in October, in north Swaledale and Arkengarthdale. The Trial is made up of up to 210 competitors travelling a circuit of approximately 130km.

4. The majority of the route is within the Yorkshire Dales National Park and is located on land within the Arkengarthdale, Gunnerside and Reeth Moors SSSI designation as well as the North Pennine Moors Special Areas of Conservation (SAC) and Special Protection Areas (SPA) which are both 'Habitat Sites' protected under the Conservation of Habitats and Species Regulations 2017 (as amended). The proposed route is also routed through three areas of Ancient Semi Natural Woodland: Birk Park Wood; Arkle Beck Wood; and Cuckoo Hill Wood. The route also passes through and close by to a relatively large number of non designated and designated heritage assets, including Scheduled Monuments and archaeological features.

5. The Scott Trial route crosses areas of both improved pasture and silage fields of upland farms within enclosed land and into the higher areas of remote unenclosed moorland and hillsides. This includes areas of very steep and challenging rocky terrain, stream beds, remote gills and areas of blanket peat.

6. Previous temporary 'Section 73' permissions for the Scott Trial have had a condition attached requiring the applicant to submit details of the precise route of each year's event to the LPA for prior approval. As this current application (as amended) is only seeking permission for an additional year (i.e. one additional event), the '2026 route' plan has been submitted as part of this application.

Proposal

7. This is a Section 73 application seeks to vary condition 2 of R/01/100D, such to extend the date of the permission to 30th September 2027. This proposed extension date has been altered during the course of the application from the originally proposed extension period that was for an additional 5 years or to allow the event to run in perpetuity.

Relevant Planning History

8. The following applications are relevant:

R/01/100: Full planning permission for annual motorcycle trial
Approved - Conditional
25/10/1999

R/01/100A: Renewal of planning permission R/01/100
Approved - Conditional
27/01/2005

R/01/100B: Full planning permission for use of land for one day per year for motorcycle trial
Approved - Conditional
05/05/2010

R/01/100C: Variation of Condition 2 of planning permission R/01/100B to extend the date to 4th May 2020
Approved – Conditional
15/07/2015

R/01/100D: Section 73 application for variation of Condition 2 of R/01/100C to extend the date of the permission to 14th July 2026.
Approved – Conditional
09/08/2021

Consultations

9. The comments of statutory and non-statutory consultees are summarized below:

Muker Parish Council
The trial does not impact directly on the geography of Muker Parish. However, it does impact on tourism and local businesses. The Parish Council is of the opinion that such an historic 100 year prestigious event, which has considerable impact on the local economy must be allowed to continue. It recognises the limited impact on nature, but any impact is for one day only and the area will quickly return to its normal state with minimal long term implications to wildlife and the countryside.

Melbecks Parish Council
Support the application. The Parish Council feel that such an event has huge benefits for the local community. It brings many people into the area which gives an economic boost during a time of year when there are fewer visitors. The event is enjoyed by spectators and participants, and the community is involved in the planning and management of the event which has a significant tradition in the area, and it helps to

support social interaction and outdoor activities which are both beneficial for well being. In the opinion of the Parish Council, the trial has had little detrimental impact on the environment and this is carefully managed by the planning team. They hope that this event will continue into the future for future generations to enjoy.

YDNPA Trees & Woodlands Officer
The proposed route submitted in the plans crosses Ancient Woodland at Castle Farm House and east of Healaugh. Faggergill Wood is not Ancient Woodland but is shown on the 1856 OS map as a result is a 'woodland of significant age'. No details of any alternative (contingency) routes have been submitted with the application (including as part of the shadow HRA) as an alternative to the proposed route should ground conditions on the day of the event be considered to be unsuitable.

It is unclear from the documents as originally submitted with the application that the hierarchy of mitigation in the NPPF has been addressed. Mitigation should ensure that any harmful impacts are 'put right' and the proposed development should accord with Local Plan Policy NE2. There is nothing in the application documents [as originally submitted] that demonstrates how the proposals would meet the requirements of Policy NE2.

The Trees and Woodland Officer has expressed reservations that the proposed route could cause damage to woodland, including ancient woodland, with the compaction of soil being a major concern. While he has expressed specific concerns regarding extending the time limit for the Trial for another five years or in perpetuity [as was originally applied for], he has however stated that he would be happier with an approach that granted permission for one more year (i.e. event) in order to give the applicant time to submit a full application with all the necessary assessments/appraisals and suitable mitigation. He has also recommended the submission of contingency routes, the submission of an Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), and either an amended route that avoids the Ancient Woodland altogether or provides for some form of mitigation.

Since the receipt of the aforementioned comments on the application (as originally submitted), the agent (in accordance with the Tree and Woodland Officer's recommendation) has agreed to reduce the proposed extended time limit, while an AIA (with AMS incorporated) has also been submitted. Clarification on the proposed 2026 Trial route has also been subsequently provided by the applicant. The Trees and Woodlands Officer has therefore been reconsulted, and a further response is awaited. Officers will update Members of the Planning Committee of the contents of any subsequent response before or during the Committee Meeting.

YDNPA Planning Ecologist
The Planning Ecologist has confirmed that she is unable to support the application, noting that no up-to-date ecological information has been submitted. Notwithstanding this, it is considered likely that impacts to the habitats would occur including degradation, erosion of soils, damage to vegetation, trail widening and disturbance to

wildlife. This is particularly damaging to sensitive, rare and important habitats such as blanket bog, calcareous grassland, calaminarian grassland, upland heath and ancient woodland, which are found across the route. The route also goes through the North Pennine Moors SAC and SPA and the Arkengarthdale, Gunnerside and Reeth Moors SSSI. The YDNPA have a statutory duty to protect and enhance protected sites and it is up to the applicant carrying out the operation to propose and implement the avoidance, mitigation and/or compensation measures. No adequate avoidance, mitigation or compensation strategies have been provided, only the reuse of a previous Monitoring and Remediation Plan (2021).

Protected and priority habitats and species are a material consideration [in the determination of this application], and in the absence of reliable assessments, including survey work, the impacts of the proposal on protected/priority habitats and species will not have been adequately established. Therefore, the impacts of this proposal cannot be assessed in accordance with the Authorities statutory duties under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) (also see paragraph 99 of the ODPM Circular 06/2005). The proposal would also be contrary to Policy NE1 and NE2 of the adopted Yorkshire Dales National Park Authority Local Plan and Chapter 19 of the National Planning Policy Framework. Furthermore, impacts to irreplaceable habitats such as blanket bog and ancient woodland should be avoided, as per the requirement of the NPPF.

The sHRA submitted is based on out of date survey data (2021) and therefore should be updated to reflect the current conditions on site. As the mitigation and monitoring are also based on this out of date data it means that the mitigation measures are no longer valid and needs to be updated to reflect the current impacts to the SPA/SAC and SSSI, along with the other priority habitat found throughout the route. Without the valid data on the site, how can impacts be identified and relevant measure to avoid sensitive habitats be addressed?

The sHRA refers to the last 5 years of having photographic monitoring by the applicant, this has not been provided to the Authority, and the “photographic evidence” is from 2021 from the original application, not the past 5 years of supposed monitoring. This does not evidence that any monitoring has taken place nor does it show that the impact to habitats is temporary in nature.

As per the Authority’s validation requirements, the following documents should have been submitted: Ecological Impact Assessment (EcIA); any further surveys for protected species/Protected Species Report; a shadow Habitat Suitability Assessment based on the current baseline of the site; and an Environmental Management Plan which details mitigation measures to protect the habitats, monitoring and identification of biodiversity protection zones.

YDNPA Senior Historic Environment Officer (SHEO)
The Historic Environment Survey and Assessment should have included a detailed methodology for the field and desk-based assessment work involved in producing it. It

would then be more clear exactly which areas received field visits, when this happened and why they were chosen. As the report stands its not clear whether the data in the survey section has been collated recently or is reproduced from other previous monitoring events.

There is no acknowledgement within the Historic Environment Survey and Assessment that some of sites on the course of the route are designated heritage assets (Scheduled Monuments), what protection this affords them or discussion of the existing situation relating to the requirements for Scheduled Monument Consent for the inclusion of these sites on the course. There should also be some consideration of the fact that some of the land involved has ecological designations and discussion of how any conflicting requirements between the archaeological sites and ecological interest might be resolved.

Under section 5, 'Conservation Management' of the Historic Environment Survey and Assessment there are suggestions for minimising the impact on heritage features of the event. These are proceeded by the recommendation that a long-term, practical and achievable, conservation management plan for the Scott Trial would need to be agreed by all parties. This long term conservation plan should be submitted in support of this application. Any such plan should address all the issues described above and be informed by discussions with Historic England, relevant YDNPA officers and Natural England.

YDNPA Area Ranger (Swaledale & Arkengarthdale):
Representation awaited. Officers will update Members of the Planning Committee of the contents of any subsequent response before or during the Committee Meeting.

Local Highway Authority (LHA) (North Yorkshire Council)
The LHA notes that the application seeks the continuation of an established annual event rather than the introduction of a new use. The Scott Trial has operated under successive planning permissions for a considerable period and no changes to the route, scale or operation of the event have been identified which would materially alter its impact on the local highway network. The LHA acknowledges that the event attracts competitors, officials and spectators and therefore requires appropriate traffic, parking and safety management, However, these matters are managed through the events operational arrangements and liaison with the LHA, police and other relevant bodies. The LHA therefore raises no objection to the proposal.

Lead Local Flood Authority (LLFA) (North Yorkshire Council)
No comments.

Environment Agency (EA)
Having reviewed the information submitted with the application, the EA confirm that they have no objection to the proposal.

The Coal Authority

No comments to make, specifically as Condition 2 is not coal mining related.

Historic England
Historic England do not object to this application in principle, noting that the Scott Trial has been running successfully by Richmond Motor Club for the past 30 years. However, they note that the submitted Historic Environment Survey and Assessment shows there are multiple heritage assets and multiple 'high risk' historic environment features along the route. Historic England have concerns in relation to the impact of the scheme on the historic environment as the Trial could result in harm to the significance of any scheduled monuments on the route; potentially, as the route crosses six scheduled monuments, although this is currently unclear from the information provided.
It is therefore recommended that additional assessment is undertaken to establish the impact of this proposal on the significance of these heritage assets. In particular, the heritage assessment should clearly identify the location and extent of any scheduled monuments in relation to the proposed route and the photo locations presented in the heritage assessment should clearly identify any scheduled monuments. This information is required to provide critical assessment of the impact upon the significance of any highly-graded heritage assets and to meet the requirements of the National Planning Policy Framework (NPPF).

It is noted that scheduled monuments are protected under the Ancient Monuments and Archaeological Areas Act 1979 (as amended). Any sections of the proposed route that lie within a scheduled monument would require scheduled monument consent (SMC) from the Secretary of State and any proposals will need to demonstrate adequate public benefit.

Historic England also recommend that every effort is made to minimise the impact on (and risk to) the significance of any scheduled monuments and non-designated heritage assets of equivalent significance. This should be achieved by micro-rerouting wherever possible to avoid sensitive areas, such as structural remains, earthworks and unstable spoil heaps, that might be vulnerable to disturbance, degradation and damage.

Natural England
Natural England have confirmed that they are not able to provide specific advice on this application and therefore has no comment to make on its details.

10. A site notice was displayed on 12th August 2026 and expires on 2nd September 2026. Members will be updated if any additional responses are received before the Committee Meeting. Public responses received at the time of writing: 241, all in support of the application. The main themes of the representations are summarised below:
    - The event has been running for over a century, and has become synonymous with the Yorkshire Dales forming part of its cultural heritage and be-coming part of the fabric of the community in Swaledale and Arkengarthdale
    - The event has been run previously with good organisation and marshalling, that has taken into account, and minimised environmental/landscape impacts.

The once-a-year event also helps to minimise the landscape/environmental impacts.

- The event has local economic benefits in relation to businesses in the YDNP and surrounding areas, i.e. increases in visitor numbers (both day visits and overnight stay) leading to increased consumer expenditure and a valuable source of income for accommodation providers, pubs, restaurants, shops, fuel stations and other local businesses during a 'quieter time of year' for tourism.
- The event generates money for local charities and community groups.
- Social and health benefits associated with access to the outdoors, involvement in outdoor recreation, and learning opportunities related to the landscape in which the event is held.
- The trial has run with little or no disruption to people or traffic.

Assessment

Key Issues:

- National Park Purposes
- Heritage (including Archaeology)
- Trees and Woodland
- Nature Conservation and Recovery
- Parish Council Comments
- Planning Policy

National Park Purposes

11. The National Parks and Access to Countryside Act 1949 (as amended by Section 61(1) of the Environment Act 1995) sets out the statutory purposes of National Parks, i.e.:
(a) conserving and enhancing the natural beauty, wildlife and cultural heritage of National Parks, and
(b) promoting opportunities for the understanding and enjoyment of the special qualities of National Parks by the public.

12. Where it appears that there is a conflict between the aforementioned two purposes, the Act states that greater weight shall be given to purpose (a) above.

13. This statutory requirement was subsequently amended through section 245 of the Levelling Up and Regeneration Act 2023 [amending section 11 of the National Parks and Access to the Countryside Act 1949] so that any relevant authority in performing any functions that may affect land within a National Park must 'seek to further' the aforementioned National Park Purposes (replacing the previous requirement to 'have regard to').

14. Local Plan Policy CP2 (National Park Purposes) states that development will not be permitted where it would significantly conflict with the aforementioned statutory National Park Purposes.

15. The Scott Trial is a long established and nationally recognised trial bike event that contributes significantly to the local economy of the National Park and to non-profit making organisations through charitable donations. As referenced within many of the representations received in relation to this application, the annual event provides an opportunity for participants and spectators alike to experience and enjoy the landscape and other special qualities of the Yorkshire Dales National Park.

16. Given its long history and national recognition, the Scott Trial attracts riders and spectators from across the country, many of whom would not otherwise visit the Yorkshire Dales National Park. As such, the annual event plays an important role in actively furthering opportunities for understanding and enjoyment of the special qualities of the Yorkshire Dales National Park by the public.

17. Given its scale and the passage of the event through areas of identified archaeological and natural conservation importance and sensitivity, it is however inevitable that the running of the Trial will have a degree of adverse impact in these terms versus a situation whereby it was not run and the land therefore not disturbed. It is therefore necessary to consider these impacts in order to be able to weigh the benefits of the event against National Park purposes (SP2a) as concerns the conservation and enhancement of natural beauty, wildlife and cultural heritage.

18. As set out in the supporting text to the policy, the conservation principle is to be given preference where a development proposal would lead to conflict between the statutory National Park purposes. However, it is considered possible to resolve such conflicts through the use of conditions, such as has been the approach taken by the Authority in granting the previous permissions for the Scott trial event (see above).

Heritage (including Archaeology)

19. Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Town & Country Listed Building & Conservation Areas Act 1990 requires that the Local Planning Authority pays special attention to the desirability of preserving or enhancing the character or appearance of that area.

20. Local Plan Policy AB1 (Heritage Assets) states that development proposals affecting a designated heritage asset will be permitted provided they conserve or enhance its significance. Proposals that result in non-substantial harm to a designated heritage asset will only be permitted where it can be demonstrated that the public benefits of the proposal clearly outweigh the harm to significance.

21. A Historic Environment Survey and Assessment (dated April 2026) has been submitted with the application. This document includes the results of a combined Historic Environment Survey (HES) and Heritage Impact Assessment (HIA) The HIA element has sought to provide baseline information on the cultural heritage along the proposed route of the Trial and to assess any existing and potential impacts of the event on any identified heritage assets. The study area for the Assessment consists of a 100m buffer around the proposed route of the Trial within the boundary of the National Park, although the Impact Assessment has focussed n a 20m wide corridor along the proposed Trial route. The Assessment has identified a total of 324 heritage assets within the aforementioned study area, and 176 assets within the route corridor A walkover survey to examine the extent, nature and conditions of the heritage assets in the Trial route corridor was undertaken as part of the assessment.

22. Although the Assessment has identified 'considerable variability' in the extent and nature of the historical environment resource within the aforementioned study area, the most prevalent categories of heritage assets and historic landscapes are the remains of historical lead mining, (Old Gang Beck, Melbecks Moor, Turf Moor, Faggergill Moor, White Gang and Sleigill); historical quarrying (Fremington Edge and Calver Hill); late prehistoric to Romano-British field systems and settlement foci (Fremington Edge, Low Moor in Arkengarthdale and on the plateau to the north of the Barney Beck) The significance of the catalogued heritage assets also varies, from low significance to remains which are Scheduled.

23. The Assessment has identified archaeological significance associated with the historical leading mining works within the Study Area, although it is noted that their significance is more sternly related to 'their illustrative historic interest' rather than the pontifical knowledge gained form their excavation. There is also archaeological significance associated with late prehistoric-Romano-British activity within the Study Area. Historic significance is an important consideration in relation to the heritage landscape and assets within the Study Area, with historical mining prominently illustrating a key part of the economic and social identity of Swaledale and Arkengarthdale.

24. The Historic Environment Survey and Assessment identified existing and continuing impacts upon heritage assets as a result of the annual running of the Scott Trail event. The extent of the identified impacts were found to vary, although impacts were most notable in areas of historical lead mining and related to spoil heaps and dressing waste which are particularly sensitive to the impacts of trial bikes, although the walkover assessment did identify impacts on assets from vehicles, bicycles and footfall not associated with the Scott trial event. Without the introduction of control measures, the Assessment concludes that the long-term running of the Scott Trial would represent less than substantial harm to the significance of both designated and non designated heritage assets, however, crucially, it is also concluded that with the implementation of a long-term conservation management plan that harmful impacts can potentially be reduced.

25. The comments and concerns of both Historic England and Senior Historic Environment Officer are acknowledged regarding the information and assessment limitations of the submitted Historic Environment Survey and Assessment, particularly with regards to Scheduled Monuments on and adjacent to the Trail route. It is understood that the agent is scheduled to meet with Natural England before the date of this year's Trial to discuss requirements for Scheduled Monument Consent and measures to prevent and minimise damage to Schedule Monuments and features of archaeological importance. It is recommended that if temporary planning permission is granted, that a condition is imposed requiring the submission and approval by the LPA of a Heritage Management Plan before the running of this year's Trial aimed at preventing/minimising damage to features of archaeological importance.

26. Given the nature of the Trail, there is still likely to be [non substantial] harm to the heritage assets as a result of its running, although it is considered that this harm can be mitigated through the implementation of the agreed measures of a Heritage Management Plan. Policy HE6(4) of the National Planning Policy Framework (NPPF) (2026) states that where a development proposal would harm the significance of a designated heritage asset, the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. The cultural, economic and social benefits of the Scott Trial event are described in the 'National Park Purposes' subsection above and are considered to outweigh the harm to heritage assets (as mitigated through a Heritage Management Plan) of the running of the Scott Taial for an additional year.

27. As recommended by the Historic Environment Survey and Assessment, the implementation of a long-term conservation management plan can potentially reduce the long term effects of future events on heritage assets further, and it is important that such a heritage conservation management plan is part of any future application submission seeking a more permanent permission for the Scott Trail Event.

28. The Trial route passes through part of the Swaledale and Arkengarthdale Barns and Walls Conservation Area. However, it is not considered that the running of a single event will result in any permanent harm to the character and appearance of the Conservation Area.

Trees and Woodland

29. Local Plan Policy NE2 (Protecting irreplaceable habitat, trees, hedgerows and walls) states that development proposals should protect, conserve and, where possible, enhance irreplaceable habitat and the pattern of distinctive features such as hedges, walls and trees. Development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland, ancient trees, veteran trees, woodlands of significant age will be refused permission unless there are wholly exceptional reasons that demonstrate to the Authority that the loss would be clearly

outweighed by the public benefit development would bring, and that the trees or habitat are in poor health; or has lost its intrinsic value.

30. Although there are no trees subject to a Tree Preservation Order on or adjacent to the proposed Trail route, the Trail would potentially impact on three areas of Ancient Semi Natural Woodland (ASNW) within the National Park: Birk Park Wood; Arkle Beck Wood; and Cuckoo Hill Wood. An Arboricultural Impact Assessment (AIA) dated August 2026 has therefore subsequently been submitted as part of the application. Following a walkover appraisal along the proposed route. the AIA has been able to assess the qualities and characteristics of each of the three ASNWs, as well as consider the potential impacts of the Trail on the aforementioned three areas of ASNW. The AIA also includes a series of mitigation measures (as part of the Arboricultural Method Statement (AMS) of section 4 of the AIA).

31. The AIA has identified several potential impacts on the ASNWs as a result of the proposed routing of the Trail, including (but not limited to): soil compaction, rutting; damage to exposed lateral roots; impacts to low branches/crown damage; collisions with the stems and surface roots of trees; the impact of footfall associated with spectators and marshalls; and reinstatement works following the event. Although the route through Ancient Woodland only represents a relatively small proportion of the total Trail route (approx. 1 per cent) and an equally small proportion of the Ancient Woodland itself (approx. 1 per cent), the AIA states that the proposed routing and running of the Trail has the potential to impact the areas of Ancient Woodland identified. However, the AIA has recommended several mitigation and management measures within the AMS section, which, if implemented, the AIA concludes would mean that the risk of significant long-term damage to the areas of Ancient Woodland would be low. The mitigation and management measures included within the AMS include, but are not limited to:
    - Conduct pre- and post-event route inspections
    - Mark the route with red flags every 20-30m on both sides of the trail, and ensure the route avoids the stems of trees
    - Measures (including signage) to keep spectators out of the areas of Ancient Woodland.

32. The AIA has identified several potential impacts on Ancient Woodland from the running of the Scott Trial event, although the Assessment concludes that with the implementation of its recommended woodland mitigation and management measures any long-term damage (from the running of this year's event) is considered to be low. Although the comments of the Trees and Woodlands Officer on the AIA are awaited (any subsequent comments will be reported to Members at the Committee Meeting), he has indicated previously that his primary concern regarding the impacts of the Trial on trees and woodland is in relation to its long-term effect (rather than specifically the running of this year's event)

33. Subject to a condition requiring the submission and approval by the LPA of a Woodland Management Plan (based on the aforementioned recommendations

within the AIA) before the running of this year's Trial aimed at preventing/minimising damage to features of archaeological importance, it is considered that the temporary approval of the running of the Scott Trail for an additional year is unlikely to result in the loss or deterioration of woodland (including Ancient Woodland) As such, the permission would satisfy the relevant requirements of Local Plan Policy NE2 in this regard.

34. The AIA also concludes that a longer term strategy for managing the woodlands affected by the running of the Scott Trial should be achievable to ensure the protection of the Ancient Woodland habitat. It is important that such a strategy forms part of any future application submission seeking a more permanent permission for the Scott Trail Event.

Nature Conservation and Recovery

35. Local Plan Policy CP9 (Biodiversity conservation and enhancement) states that all development should ensure wildlife is conserved and should contribute towards nature recovery. Policy NE1 (Protecting Wildlife Sites, Species and Networks) Development proposals that would adversely affect Special Areas of Conservation, Special Protection Areas or Ramsar Sites to be refused permission except where the three derogation tests [as set out in Article 6(4) of the Habitats Directive are met.

36. Policy NE2 (Protecting irreplaceable habitat, trees, hedgerows and walls) states that development proposals should protect, conserve and, where possible, enhance irreplaceable habitat (e.g. blanket bog) Development that would result in the loss or deterioration of such irreplaceable habitat will be refused permission unless there are wholly exceptional reasons that demonstrate to the Authority that the loss would be clearly outweighed by the public benefit development would bring, and that the habitat: is in poor health; or has lost its intrinsic value
.

37. Approximately 38km of the proposed '2026' route of the trial event involves land within the North Pennines Moors Special Area of Conservation (SAC) and the North Pennines Moors Special Protection Area (SPA), which is also within the Arkengarthdale, Gunnerside and Reeth Moors Site of Special Scientific Interest (SSSI). Both the SPA and SAC are 'Habitat Sites' (as designated within the National Planning Policy Framework (NNPF) 2024) and are protected by the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regulations 2017).

38. A Shadow Habitats Regulations Assessment (sHRA) dated April 2026 has been undertaken and submitted as part of the current Section 73 application. The sHRA considers that the natural of the Trail is such that it has the potential to give rise to direct impacts through identified 'pathways' resulting in potential adverse effects to habitats that are interest features of the SAC and that support SPA birds. Such direct pathways have been identified as contamination from fuel and/or oil spillage), disturbance of bird species and damage to habitat from the passage of bikes and footfall of participants and spectators) In relation to the latter, the sHRA notes that

habitats which are normally saturated, such as blanket bog or wet heath, are particularly sensitive to such disturbance, as the motorbikes can cause damage to the underlying peat and damage sensitive vegetation such as sphagnum moss. The possible effects include rutting of soft peat rich soils, physical damage to vegetation and potential initiation of erosion through micro changes in hydrology.

39. The sHRA states that the Trial organisers are aware of the sensitivity of these habitats and that the route of the trial avoids such areas as a matter good stewardship, with the current route having been refined based on the experience that has been gathered over the almost 100 years the event has been held. This 'refinement' includes avoiding areas that are waterlogged, and areas that are easily damaged, or slow to recover following the Trial.

40. The sHRA also confirms that a large proportion of the Scott Trial route of the uses existing trackways and access points. Where the Trial uses routes that are not normally used for access, then photographic monitoring has been carried out to see how these habitats are affected and how quickly they recover. It is stated that previous photographic monitoring demonstrates that the extent of the damage to habitats along the route is confined to a narrow strip typically not more than 3 metres wide and that the habitats recover from the disturbance over the 12 months between each event. It is not however made clear within the sHRA what specific habitats recover and to what extent.

41. The sHRA argues that the extent of any damage must be considered within the context of the overall size of the SAC. The SAC covers an area of 103,109.42 Ha, and, taking the width of the route used as a maximum of 3-meters and a length of 38.015km, the extent of the impacted area is approximately 0.011% of the SAC. This is a worst-case calculation, as for much of the length of the Trial, the course runs on existing tracks that are used regularly for farming and moorland management. 0.011% is small-scale and because of the annual interval of the Trial the habitats that are affected are not subjected to permanent effect but recover naturally.

42. With reference to the interest features of the SPA, the (s)HRA states that the event is held in October, outside the bird breeding season so there is no likelihood of the event giving rise to disturbance of breeding birds either from the presence of motor vehicles or people.

43. On the basis of the above, the (s)HRA concludes that the Scott Trial does not result in damage to SAC habitats of a nature or scale that could constitute a Likely Significant Effect on the qualifying interest features of the SAC, nor will any damage to habitats affect the SPA birds.

44. It is acknowledged that the Authority's Planning Ecologist does not support the conclusions within the (s)HRA, noting in her representations that there are likely to be adverse impacts on habitats (including some rare and important habitats) along the Trail route as a result of the erosion of soils, vegetation damage and disturbance

of wildlife. No recent ecological information/assessment appears to have been undertaken and no up-to-date avoidance, mitigation or compensation strategies have been provided, only the reuse of a previous Monitoring and Remediation Plan (2021). In the absence of up-to-date assessments, including survey work, the Planning Ecologist does not consider that the impacts of the proposal on protected/priority habitats and species have been adequately established, and therefore considers the proposal to be contrary to Local Plan Policies NE1 and NE2.

45. An (Ecological) Management Plan was undertaken and approved in relation to previous permissions for the Scott Trail. The Plan set out how the Trial was to be managed to avoid damage to sensitive areas of habitat, include fencing and waymarking the route to ensure riders and spectators kept away from sensitive habitats, briefing all riders before the event, marshalling to ensure compliance, and the provision of clear signage of the route. Previous events have also required a Monitoring and Remediation Plan to ensure that any damage is recorded and the route changed in subsequent years to allow the habit to recover. If damage does occur the route is changed in subsequent years to ensure the habitat fully recovers. Where damage does occur, remediation is carried out. The (s)HRA recommends that similar plans would be appropriate to address any significant ecological issues.

46. The limitations of the applicant's submission (as referred to by the Planning Ecologist in her representations) with regards to up-to-date ecological assessment and mitigation is acknowledged, which makes it difficult to make a fully informed consideration of the impact of the running of the Trail on habitats and species along the Trail, including those within the aforementioned SPA, SAC and SSSI. Applying the precautionary principle, it needs to be assumed that here will be harm to multiple habitats and species along the Trial route, the impacts of which need to be better understood and then mitigated for, before the undertaking of this year's event.

47. It is therefore recommended that if temporary planning permission is granted, an Ecological Management, Remediation and Monitoring Plan (based on the findings of an Ecological Impact Assessment) is submitted and agreed by the LPA prior to the running of the event. While this would not alleviate harm to species and habitats along the Trail route, it would help to mitigate any further long-term impacts of the Trail and provide important monitoring information and data to inform the submission of any future application seeking a more permanent, sustainable permission for Scott Trail. Nevertheless, and taking into consideration the submission of the above Plan, the use of predominantly existing tracks by riders and the fact that the permission would only extend the event for an additional year, the proposed development is considered likely to result in the deterioration of habitat, including potentially irreplaceable habitat, although the aforementioned mitigation would limit the harm/loss.

48. In such situations Local Plan Policy NE2 states that permission should be refused unless there are wholly exceptional reasons that demonstrate to the Authority that the loss would be clearly outweighed by the public benefit of development. It is

considered that retaining the running of the Scott Trail event with its social, economic and cultural significance to the National park would constitute an exceptional reason for this year's event, although it is apparent that a more permanent and sustainable solution needs to be agreed (through the submission of a new planning application seeking a permanent and ore sustainable permission).

Parish Council Comments

49. Both Melbecks and Muker Parish Councils have submitted representations in support of the application, recognising the local economic, community and social benefits of the running of the Scott Trial.

Equality Act

50. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

51. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

Conclusion

52. The Scott Trial is a nationally recognised annual trial bike event that has been run within Arkengarthdale and adjacent parishes for over 100 years but first received planning permission in 1999 (R/01/100). Since then, successive Section 73 applications (four in total) have extended the time limit of the permission for five years. As stated in the 'National Park Purposes' subsection above, the Scott Trail plays an important role in actively furthering opportunities for understanding and enjoyment of the special qualities of the Yorkshire Dales National Park by the public, in accordance with the 'second' statutory National Park purpose.

53. The route and nature of the event will result in adverse impacts and harm in relation to ecology (nature recovery) and heritage, including archaeology. Without the implementation of appropriate mitigation and management, there is also the potential for the running of the event to adversely impact ancient woodland. However, this amended Section 73 proposal, if approved, and unlike the previous five year extensions granted by the previous Section 73 applications, would only extend the running of the trail for an additional year (i.e. to facilitate holding of this year's planned October 2026 event).

54. This proposed limited one year extension to the time has been agreed between the agent and Officers during the course of the application and reflects the recognition from both parties for the need for the submission of a ‘full’ planning application that seeks to achieve a permanent permission (subject to appropriate ecological an arboricultural management and monitoring requirements) for the Scott Trail in order to provide more certainty for the event organisers and also to seek to achieve a greater understanding of the Trial’s current and longer-term impacts on ecology, archaeology and impact on trees and woodland along and adjacent to the trial route, so that more effective mitigation and monitoring measures can be agreed and implemented. The running of this year’s event, if effectively monitored, will also provide useful data and information regarding the impacts of the trail that can potentially be used to inform any future application seeking a more permanent permission.

55. The applicant (through the agent for the application) has committed to actively engaging with Officers of the Authority to understand and to agree the various plans, surveys and assessments required for the validation of a new ‘full’ planning application, that if approved, would provide a permanent permission for the trial and look to achieve better, long-term ecological, archaeological and arboricultural outcomes than the current ‘five-year extension’ approach.

56. While the lack of comprehensive and up-to-date baseline information and effective assessment of the impact of the Trial on ecology and heritage in particular, which is a clear omission from the current application, the applicant has committed to concentrating its finite financial resources to working with the Authority to submit a detailed ‘full’ application with updated baseline data and assessments to cover future Trial events from 2027 onwards. As such, it is considered expedient in these circumstances, to rely on previous baseline data and monitoring information in assessing the impacts of the proposed 2026 Trial and proposing appropriate mitigation and monitoring (by condition) similar to that required by the previous Section 73 permission for the Scott Trial.

57. Local Plan Policy CP2 (National Park Purposes) states that development will not be permitted where it would significantly conflict with the aforementioned statutory National Park Purposes. While there is considered to be some conflict particularly with regards to the potential ecological impacts of running the Trial for an additional year, it is not considered that this conflict would be significant.

58. Within this context, it is recommended that the amended proposal to extend the length of the previously approved permission until the 30th September 2027 (to facilitate the running of the 2026 Scott Trail event) is approved, subject to conditions.

Recommendation

59. It is recommended that temporary permission granted subject to conditions including the following:
    - The permission shall relate only to the annual Scott Trial to be run by the Richmond Motor Club (Yorkshire) Ltd.
    - The use hereby permitted shall cease on or before 30th September 2027.
    - The event shall take place within the month of October 2027.
    - The maximum number of riders taking part in the event shall not exceed 210.
    - The submission of a Heritage Management Plan to be submitted and agreed before the event.
    - The submission of an Ecological Management, Remediation and Monitoring Plan (based on an Ecological Impact Assessment) shall be submitted and agreed by the LPA prior to the running of the event.
    - The submission of a Woodland Management Plan shall be submitted and agreed by the LPA prior to the running of the event.

Report Author: Ian Nesbit