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| This report is public | |
| Wroxton Motocross Article 4 Direction | |
| Committee | Executive |
| Date of Committee | 16 June 2026 |
| Portfolio Holder presenting the report | Deputy Leader – Planning and Enforcement, Councillor Chris Brant |
| Date Portfolio Holder agreed report | 4 June 2026 |
| Report of | Assistant Director Planning, David Peckford |

Purpose of report

To inform the Executive of the recommendation to proceed with a targeted non-immediate Article 4 Direction restricting temporary use permitted development rights, and to set out the legal and procedural steps required for the Direction to be made and confirmed.

1. Recommendations

The Executive resolves:

- 1.1 To agree to make the following non-immediate Article 4 Direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 To authorise the Assistant Director Planning, in consultation with the Deputy Leader - Planning and Enforcement, to finalise the wording of the Article 4 Direction and to undertake all necessary procedural steps to give effect to the Direction, including issuing the Direction, undertaking statutory consultation, notifying the Secretary of State, and reporting back to the Executive for confirmation following consideration of representations.
- 1.3 To note the process for making, consulting upon and confirming an Article 4 Direction, including notification to the Secretary of State and consideration of representations prior to confirmation.

2. Executive Summary

- 2.1 Following compliance with an enforcement notice in 2024, motocross activity at Wroxton has continued through reliance on permitted development rights for temporary uses. Evidence gathered over 2025 and into 2026 indicates that, while current impacts do not justify immediate or blanket restriction, events are being delivered at a scale and level of organisation that limits the Council's ability to exercise proportionate planning control.

- 2.2 Continued reliance on full permitted development rights for events of increasing scale and organisational complexity reduces the Council's ability to exercise effective control should impacts intensify. In particular, the current regime does not provide mechanisms to regulate key factors such as event size, frequency and management.
- 2.3 It is therefore considered expedient to adopt a targeted and proportionate regulatory approach through a non-immediate Article 4 Direction, designed to retain appropriate planning oversight, manage the risk of future impacts, and maximise the likelihood that the Direction will withstand scrutiny and be successfully confirmed.

Implications & Impact Assessments

| Implications | Commentary | | | |
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| Finance | <p>The proposed non-immediate Article 4 direction would not result in any financial implications, unlike an immediate direction. The implementation, possible defence and enforcement of the direction will have to be met from existing budgets.</p> <p>Joanne Kaye, Head of Finance, 13 May 2026</p> | | | |
| Legal | <p>The Article 4 direction should be limited to that which is necessary to protect local amenity or the well-being of the area and should in all cases be supported by a robust evidence basis.</p> <p>Denzil – John Turbervill, Head of Legal Services, 18 May 2026</p> | | | |
| Risk Management | <p>The proposal is designed to be resilient and low risk, with a targeted approach, supported by a clear and evidence base, and will be finalised with external legal input. The statutory consultation and the non-immediate timetable will enable constructive engagement and further evidence gathering, whilst avoiding potential financial risks. Risks linked to this proposal will be monitored and managed through the service operational risk and escalated to the Corporate Risk Register as and when deemed necessary.</p> <p>Celia Prado-Teeling, Performance & Insight Team Leader, 12 May 2026</p> | | | |
| Impact Assessments | Positive | Neutral | Negative | Commentary |
| Equality Impact | | X | | <p>There are no implications arising from these decisions.</p> <p>Celia Prado-Teeling, Performance & Insight Team Leader, 12 May 2026</p> |
| A Are there any aspects of the proposed decision, | | X | | N/A |

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| including how it is delivered or accessed, that could impact on inequality? | | | | |
| B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users? | | X | | N/A |
| Climate & Environmental Impact | | X | | Environmental considerations form part of the overall 'planning balance'. |
| ICT & Digital Impact | | X | | N/A |
| Data Impact | | X | | N/A |
| Procurement & subsidy | | X | | N/A |
| Council Priorities | N/A | | | |
| Human Resources | N/A | | | |
| Property | N/A | | | |
| Consultation & Engagement | Deputy Leader – Planning and Enforcement, Councillor Chris Brant | | | |

Supporting Information

3. Background

- 3.1 The Wroxton Motocross track is reported to have been in existence since the 1980s¹. It is acknowledged by many objectors that the site has a longstanding history of motor racing use. However, objectors contend that the scale, frequency and intensity of events have increased over time, resulting in a greater level of harm to local amenity than was associated with historic usage patterns.
- 3.2 By virtue of their age, certain engineering works associated with the formation of the track are immune from planning control.
- 3.3 The Council has received a substantial number of representations requesting that an Article 4 Direction be made to restrict the operation of temporary use permitted development rights at the site. The alleged planning harms cited include impacts on

¹ The earliest available aerial imagery dates the track back to the 1990s.

residential amenity, the natural environment, landscape character, the highway network, anti-social behaviour, and the local economy.

- 3.4 The Council has committed additional monitoring resources to systematically assess the impacts of events at the site to collect evidence to support the potential making of an Article 4 Direction.

4. Details

Article 4 Director Process

Legislative Framework

- 4.1 Class B of Part 4 of the Town and Country Planning (General Permitted Development) Order 2015 (“GPDO”) grants a deemed planning permission for the use of land for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be used for: “motor car and motorcycle racing including trials of speed, and practising for these activities”.
- 4.2 Subject to the relevant conditions being observed, planning permission is not required for motor racing and associated uses on this site.
- 4.3 The GPDO also grants deemed planning permission to the land for, “any moveable structure for the purpose of the permitted use”. This includes portable toilets, moveable timber structures, temporary fencing, track markers and tyre enclosures.
- 4.4 If a local planning authority is satisfied that it is expedient that development described in the permitted development regulations should not be carried out without express planning permission, Article 4 of the GPDO states that the local planning authority may make a direction to restrict or withdraw permitted development rights (an “Article 4 Direction”).
- 4.5 An Article 4 Direction can be immediate or non-immediate. For an immediate Direction, or if a period shorter than 12 months is provided before the Direction takes effect, the LPA may be liable to pay compensation for proven abortive expenditure. Compensation is limited to expenditure already incurred and does not extend to loss of profit, loss of future income, or foregone revenue from temporary or alternative land uses.
- 4.6 A non-immediate Direction which provides at least 12 months before it takes effect is not subject to compensation.
- 4.7 The Council must notify the Secretary of State and conduct a statutory consultation before it can be confirmed by the LPA. The Secretary of State has the power to cancel or modify an Article 4 Direction. The landowners are entitled to apply for planning permission.
- 4.8 An Article 4 Direction may be framed in a targeted or criteria-based manner rather than as a blanket removal of permitted development rights. Recent practice by another authority demonstrates that Article 4 powers can, in principle, be applied by reference to defined criteria rather than operating as an absolute prohibition. However, the use of Article 4 Directions in this way remains relatively uncommon.

As such, criteria-based approaches are relatively novel and carry a degree of legal and procedural risk, reinforcing the importance of careful drafting and a robust evidence base to maximise the likelihood of confirmation.

National Planning Policy

4.9 The National Planning Policy Framework (NPPF) paragraph 54 states that the use of Article 4 Directions to remove national permitted development rights should:

- [...]
- *in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area*
- *in all cases, be based on robust evidence, and apply to the smallest geographical area possible.*

4.10 Planning Practice Guidance (para. 038) further states that the potential harm that the Article 4 Direction is intended to address will need to be clearly identified.

Article 4 Process

4.11 The making of the Article 4 Direction in this instance is to be determined by the Executive. Following that decision, officers will implement the Direction and undertake the statutory process in accordance with the Executive's resolution.

4.12 The proposed wording of the Article 4 Direction and this report will be subject to final legal review. The Assistant Director Planning, in consultation with the Deputy Leader - Planning and Enforcement, is authorised to make any necessary minor or consequential amendments arising from that review, provided such amendments do not materially alter the scope or effect of the Direction, without the need to refer the matter back to the Executive.

4.13 Following confirmation of the final drafting, the Council will make a non-immediate Article 4 Direction, which does not take effect straight away. The Direction would then be publicised and subject to statutory consultation, during which affected landowners, statutory consultees and the wider public would have the opportunity to make representations. The Direction will remain non-immediate for a minimum period of 12 months before it can come into force. After the consultation period has ended and representations have been considered, the Council would decide whether to confirm the Direction. If confirmed, the Direction would take effect on the specified date, at which point the relevant permitted development rights would be withdrawn and future development would require planning permission.

Article 4 Direction Evidence

Planning History

4.14 The Planning Committee's prior consideration of the site through the determination of a planning application is a relevant contextual factor. That process demonstrated that motocross activity at this site, albeit at a proposed higher intensity, was considered capable of being acceptable only where subject to express planning control, including limitations on event frequency, scale, associated activities and

mitigation secured through conditions. The continued reliance on permitted development rights removes that regulatory framework entirely. The purpose of the Article 4 Direction is therefore not to revisit the merits of the use of the land for motocross, but to address whether the ongoing use of national permitted development rights to the extent permitted remains appropriate in light of the scale, format and intensity of activity now undertaken at the site.

Geographic Area

- 4.15 The Article 4 Direction would be limited to a single planning unit, namely the unit containing the existing motocross track. While temporary motocross activity could, in theory, take place on other land, the use at Wroxton Motocross is intrinsically dependent on a permanently engineered track and associated groundworks. As such, the use could not readily relocate without substantial further development, bringing it within the proper scope of planning control.
- 4.16 The Article 4 Direction would therefore be precisely targeted and would apply to the smallest geographical area necessary, in accordance with national planning policy and guidance on the use of Article 4 Directions.

Community Representations

- 4.17 A significant number of representations have been received reporting planning harm in respect of noise, ecology, landscape character, transport networks, anti-social behaviour, and the local economy. Complaint volume alone is not determinative but is treated as contextual evidence alongside objective evidence.

Permitted development event history

- 4.18 The Council deferred consideration of whether an Article 4 Direction would be expedient until the conclusion of the 2025 calendar year in order to establish a complete and proportionate evidence base. A full year of operation in reliance on permitted development rights was necessary to accurately assess the frequency, scale and nature of activities at the site. Earlier intervention would have been based on partial and unrepresentative information, without sufficient evidence to justify further planning control.
- 4.19 The year 2025 was the first full calendar year during which motocross activity at the site was carried out in reliance on the permitted development rights set out in the GPDO. This allowed the Council, for the first time, to observe over a complete seasonal cycle how those rights were asserted and utilised in practice, without predetermining any assessment of their appropriateness or scope.
- 4.20 During 2025, the 14-day motor racing allowance comprised seven standalone practice days and four championship-style events, three of which took place over two consecutive days. One such event was held on Remembrance Sunday. This pattern of use has continued into 2026, with two further two-day championship events held to date.
- 4.21 The largest event, British Masters, takes place annually over a weekend and advertises nine race classes, with up to 40 riders per class. The event is promoted as “one of the UK’s largest motocross championships”, involving youth, amateur and professional riders.

- 4.22 Events undertaken at the site are regularly promoted and managed as regional and national-scale activities rather than small-scale, incidental uses of land. While permitted development rights for temporary use are intended generally to facilitate limited and occasional activities, their application to events of this scale and format, although lawful, raises legitimate concerns regarding their suitability in this specific context. The Article 4 Direction is therefore targeted at ensuring that development of this nature is subject to appropriate scrutiny and proportionate control.

Noise

- 4.23 The Council's Environmental Protection Team has conducted noise monitoring at a range of motocross events and under differing weather conditions. In response to the informal consultation, the Environmental Protection Officer commented as follows:

“Based on the outcome of our investigations into noise from the track, we do not believe there is any justification for the Article 4 action from a noise perspective. Nothing we have witnessed on the site has given any indication of significant harm from noise based on all applicable guidelines.

The World Health Organisation guidelines are 50-55 dB when building new premises near sources of noise, however it's not just the noise levels on a given motocross event, but also the frequency and duration - currently a maximum of 28 days per year for the site.

There are comparable guidelines for licensing events concerts, and the Environmental Noise Control at pop concerts code of practice allows for the background noise level to be up to 15 dB over the residual background level in a 15-minute period, and specifies that noise should not exceed 65 dB at 1 m from the façade of any noise sensitive premises. The noise from the motorcross is much lower than this at any nearby sensitive receptors, and Hornton is further away than the nearest sensitive receptors.”

- 4.24 Following further event monitoring undertaken during 2026, the Environmental Protection Officer provided additional consultation comments in respect of peak noise events observed on site:

“If the peaks that I witnessed were more sustained or more frequent, then we would have something actionable from our end but, having been to the site on many occasions without witnessing this, we have no reason to believe that this is happening with enough frequency to be actionable. It does, I think, give us adequate justification to regulate for what is already being carried out on the site if this is the purpose of, and justification for the Article 4, to ensure that the noise I witnessed on 12th April does not become more frequent and impactful.”

- 4.25 Taken on their own, the monitoring evidence and professional advice from the Environmental Protection Team confirm that there are currently no grounds to take regulatory action on the basis of demonstrable existing noise nuisance.

- 4.26 However, the evidence also demonstrates that this conclusion is finely balanced and dependent on weather conditions and the frequency, duration and management of events. Event activity on cultural occasions, for example activity coinciding with

the Remembrance Sunday minute of silence, has generated a high volume of complaints. Furthermore, the variable nature of motocross scheduling and weather conditions results in unpredictable noise impacts. A targeted Article 4 Direction could safeguard sensitive occasions and time-of-day restrictions could ensure activity is limited to less sensitive periods of the day. In the absence of further planning control, there is no mechanism to secure these safeguards.

- 4.27 In assessing harm, the Council has had regard to the objective monitoring evidence alongside the volume of representations received and the reasonable prospect that noise impacts could intensify if the scale, frequency or duration of events undertaken under permitted development rights were to increase. While noise impacts attract limited weight at present in isolation, they form part of the wider assessment of whether an Article 4 Direction is justified as a measure to manage the risk of future harm and to retain appropriate planning control.

Highways

- 4.28 The land is served by an established vehicular access onto a national speed-limit rural road. Motocross events have taken place at the site for many years and the principle of access to the public highway is therefore well established. Arrival and departure patterns are typically incremental, with some attendees arriving in advance for camping and others departing following completion of race classes, rather than all movements occurring simultaneously.
- 4.29 The Local Highway Authority has previously acknowledged that congestion can occur on the local road network, including connecting routes to and from the A422, during larger events. However, it has also advised that such congestion is typically short-term in nature and does not, in itself, give rise to an unacceptable highway safety impact. Accordingly, the highway impacts associated with the temporary motocross use are afforded limited weight.
- 4.30 Notwithstanding the above, in the context of reliance on permitted development rights, the Council has no mechanism to regulate event size, vehicle numbers, or traffic management measures, nor to secure formal access improvements or operational controls through conditions. Event management practices could adequately mitigate highway impacts, however currently there is no mechanism to secure this. The making of an Article 4 Direction would provide an appropriate planning framework through which the scale and nature of events, and their associated traffic impacts, could be managed proportionately in the future, informed by advice from the Local Highway Authority through the statutory consultation process.

Sustainable Location

- 4.31 The Wroxton Motocross site is located in a rural area with limited access to sustainable modes of transport. Attendance at events is therefore heavily reliant on private motor vehicles, and some events attract participants and spectators travelling significant distances.
- 4.32 However, an Article 4 Direction must be limited to circumstances where it is necessary to protect local amenity or the well-being of the area. While the site's location results in a reliance on private vehicles, the principle of an unsustainable location is not, in itself, a material justification for an Article 4 Direction. Accordingly,

limited weight is attributed to this factor except insofar as vehicle movements give rise to direct and demonstrable impacts on local amenity or the highway network.

Ecology

- 4.33 The site lies in proximity to a watercourse and is surrounded by mature trees and hedgerows, and there are known European protected species on site. Ecological concerns have previously focused on impacts to biodiversity, protected species, and the control of surface water and silt run-off into the Sor Brook and nearby Local Wildlife Sites.
- 4.34 In the context of earlier planning consideration, ecological objections were capable of being addressed through the submission of detailed surveys, mitigation measures, and habitat enhancement proposals, secured via planning conditions and ongoing management requirements. Officers concluded that, subject to such controls, the use could proceed without unacceptable ecological harm.
- 4.35 Where motocross activity is undertaken in reliance on permitted development rights, there is no mechanism to secure updated ecological assessment or mitigation. However, the available evidence does not demonstrate that the current pattern of temporary use is resulting in ecological harm above that associated with the site's longstanding historic use. Accordingly, ecological impacts are afforded limited weight in the justification for the Article 4 Direction and do not form a primary basis for its making.

Local Economy

- 4.36 The Council has received representations asserting that Wroxton Motocross has a detrimental impact on the local economy. However, no substantive evidence has been provided to demonstrate that the motocross use results in measurable economic harm. Consequently, very limited weight is attached to this factor.

Landscape Impact

- 4.37 The motocross track has an impact on landscape character; however, this impact arises principally from permanent engineering works associated with the formation of the track. These historic works would not be affected by an Article 4 Direction, which would be limited to the removal of permitted development rights for temporary uses.
- 4.38 The motocross events and associated temporary land uses are, by their nature, intermittent and reversible and do not involve additional physical development. As such, they are not considered to result in a material change to landscape character beyond the baseline established by the permanent track features, and this factor carries limited weight in the consideration of an Article 4 Direction.

Planning balance

- 4.39 The Council has considered a full withdrawal of temporary use permitted development rights. A wide-ranging or unconditional Article 4 Direction would be disproportionate based on current evidence and more likely to attract intervention by the Secretary of State and would be less likely to be confirmed. By contrast, a narrowly focused, criteria-based Direction, addressing those aspects of activity most

closely linked to potential harmful impact, is considered to be a reasonable response and would be compliant with national policy tests of necessity, proportionality and geographic focus.

- 4.40 The evidence base indicates that an Article 4 Direction would provide an appropriate mechanism to manage and mitigate the risk of impacts in relation to noise and transport arising from temporary motocross activity, and to ensure that events of increasing scale and complexity remain subject to proportionate planning oversight. It is considered proportionate to make a targeted Article 4 Direction, with a view to undertaking statutory consultation and seeking detailed representations on the potential planning impacts.
- 4.41 The Article 4 Direction is proposed as a preventative and proportionate measure. It is not intended to respond to established impact but to avoid the reasonable prospect of unregulated impacts arising from the continued reliance on permitted development rights for activities of significant scale and complexity. This approach is consistent with national policy and guidance, which recognises the role of Article 4 Directions in protecting local amenity and the well-being of an area where robust justification exists.
- 4.42 The non-immediate nature of the proposed Article 4 Direction is deliberate and outcome-focused. The 12-month period prior to coming into force allows for continued evidence collection, engagement with stakeholders and the refinement of the Council's understanding of impacts under real operating conditions. This approach strengthens the Council's evidence base, reduces the risk of legal challenge, and significantly improves the likelihood that any eventual restriction on permitted development rights will be upheld.
- 4.43 The Direction is tightly drawn, applies to the smallest geographical area necessary, and does not prevent motocross activity in principle, but ensures that future use is subject to appropriate planning assessment and public consultation.

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Make a non-immediate Article 4 Direction unconditionally removing the application of Schedule 2, Part 4 Class B of the Town and Country Planning (General Permitted Development) Order 2015.

This option is rejected because, on balance, a qualified Article 4 Direction would result in a more proportionate approach, recognising the historic nature of the land use and toleration of motor racing activity. A qualified Direction is considered more likely to withstand challenge and therefore maximises the prospects of successful control, as opposed to seeking the full removal of permitted development rights, which would carry a greater risk of failure.

Option 2: Do not make an Article 4 Direction.

This option is rejected because, on balance, the evidence base indicates there is some harm to residential amenity and transport from the current scale and nature of the operation, and, in the absence of a Direction, the Local Planning Authority does

not have an effective means to manage the scale and operation of events undertaken under permitted development rights. The Council therefore considers it expedient to make an Article 4 Direction and undertake a statutory consultation.

Option 3: Make an immediate Article 4 Direction.

An immediate Article 4 Direction is considered to be disproportionate. It would give rise also to a significant risk of compensation liability under the GPDO, in respect of abortive expenditure or losses directly attributable to the withdrawal of permitted development rights where such expenditure had already been incurred. This potential liability would arise irrespective of the merits of the Direction and could not be reliably quantified in advance. The Council considers that this exposure represents an unacceptably high financial risk, such an intervention is not necessary and that the benefit/risk assessment therefore clearly favours a non-immediate approach.

6 Conclusion and Reasons for Recommendations

- 6.1 It is proposed that the Executive resolves to make a targeted, non-immediate Article 4 Direction in accordance with the restrictions and reasons set out in the body of the report.

Decision Information

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| Key Decision | No |
| Subject to Call in | Yes |
| If not, why not subject to call in | N/A |
| Ward(s) Affected | Cropredy, Sibfords and Wroxton (parishes: Wroxton, Hornton, Shenington with Alkerton) |

Document Information

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| Appendices | |
| Appendix 1 | None |
| Background Papers | None |
| Reference Papers | None |
| Report Author | Sean Tilbury, Team Leader Planning Enforcement |
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| Executive Director Approval (unless Executive Director or Statutory Officer report) | Executive Director for Plance and Regeneration, Ian Boll, 4 June 2026 |
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