

A new permitted development right for temporary recreational campsites	
Question	Answer
	Yes/No/Don't Know. Please give your reasons.
Q1. Do you agree that a new permitted development right should be introduced that will allow the temporary use of land for recreational campsites and associated facilities?	<p>No.</p> <p>The Landscape Review recommended a full review of Permitted Development Rights in protected landscapes and potentially adding to the list of those already withdrawn to ensure that the full application process applies before determining planning approval. The Government's response supported the need to monitor the use of Permitted Development Rights in protected landscapes and identify future opportunities to review their use.</p> <p>Potentially impactful changes of use of land in a National Park must remain subject to planning control.</p> <p>Most National Park Authorities have serious concerns about the detailed operation of the proposal. This is because of a negative impact on Purpose No. 1 of National Parks, and a negative impact with regard to the Duty on authorities as set out in Section 62 of the Environment Act 1995.</p> <p>Purpose No. 1 is the conservation and enhancement of natural beauty, wildlife and cultural heritage. The Duty is to seek to foster the economic and social well-being of national park communities in pursuance of national park purposes. It should be noted that the 'socio-economic duty' set out in the Environment Act 1995 is not a third purpose and is linked to the delivery of the two statutory purposes.</p> <p>Existing permitted development rights have led in some cases to temporary campsites of over 100 tents and negative impacts on landscape, water quality, wildlife and habitats resulting from traffic, noise, campfires and litter in National Parks. This also has a negative impact on residential amenity of communities living within National Parks.</p> <p>Where authorities have sought to mitigate negative effects (in the New Forest for example through Article 4 Direction) it is thought that the proposed extension of permitted development rights would undermine this and lead to further pressures.</p>

	<p>Authorities note that due to resource issues, the monitoring of sites is largely reactive (done in response to complaints). Coupled with the frequent ‘rule changes’, and a general misunderstanding about what is permissible, the situation exists for sites to regularly exceed statutory limits on days and numbers.</p> <p>Authorities are increasingly concerned about the additional impact on internationally protected sites from nutrient enrichment of water catchments, and the procedural difficulties of managing this via a permitted development route. Since March 2022 the requirement for nutrient neutrality affects catchments within 8 National Parks (including the Broads) and the introduction of further permitted development rights for new overnight accommodation in these areas adds additional complications (See also Q5 and Q7)</p> <p>Some National Park Authorities believe that the proposal could contribute positively to Purpose No.2. This is to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. However, we would highlight the ‘Sandford Principle’, which confirms that if there is a conflict between the two National Park purposes, the first purpose takes precedence. It is important that the public’s enjoyment of National Parks be not at the expense of their wildlife and natural beauty.</p> <p>Some National Park Authorities believe that there would be no <b>additional</b> adverse effects when compared to the current position because the increase in the number of days would be offset by the introduction of a limit on the number of tents. They note that most adverse effects that occurred during the pandemic related to so-called ‘fly-camping’ (where camping equipment is left behind along with other litter and human waste) rather than to the extension of permitted development rights.</p>
<p>Q2. Do you agree that the permitted development right should only apply to the placing of tents?</p>	<p>Yes.</p> <p>It should be noted that many of the negative impacts (campfires, amplified music and lack of appropriate car parking) are not related to the type of accommodation provided. Therefore, although the proposed limitation to only tents is supported, it will not alone remove the potential for negative impacts.</p> <p>‘Tents’ should be clearly defined. Caravans, motorhomes and campervans are out of scope but the proposal is less clear about, for example, trailer tents, glamping tents, shepherds huts and ‘pop-up campers’.</p>

<p>Q3. Do you agree that the permitted development right should allow up to a maximum of 30 tents to be erected on the land?</p>	<p>Yes.</p> <p>It is imperative that the number of tents is limited. Under existing permitted development rights, some national parks have evidence of sites containing 100 pitches, with consequent pressure on local communities.</p> <p>Some authorities have planning policies that restrict the size of 'small touring camping and caravan sites'. Sites that are allowed by permitted development will be competing with official sites that have higher overheads and stricter requirements. Therefore, it is important that the size of pop-up sites does not offer an unfair advantage. Given this, and the potential impact of such sites on the special qualities of national parks and the Broads, a lower maximum in protected landscapes may be desirable.</p> <p>Legislation should also take into account the cumulative impact of the permitted development right when it is used on adjacent or nearby sites.</p>
<p>Q4. Do you agree that the permitted development right should be limited to up to 60 days per calendar year?</p>	<p>The impact of existing permitted development rights on National Parks and the Broads has been varied. The impacts on local communities should be considered – the proposed new permitted development right would enable sites to be used for essentially 2 months without planning permission, which is a significant period and well in excess of the 28 days that typically apply to other permitted uses.</p> <p>Consideration needs to be given to seasonality. The usual approach in protected areas is to restrict the use of camp sites to spring, summer and autumn, because they cannot be adequately screened in winter months. For the sake of fairness, similar rules should apply to sites that require permission and sites that are permitted development.</p> <p>We would also wish to see thought given to individual occupancy restrictions. It is usual to restrict occupancy by any one individual to 28 days per calendar year.</p> <p>It is also important that there are strict guidelines to ensure that sites operating under the new permitted development are expressly for the use of holiday makers, rather than to provide cheap and potentially unsuitable accommodation for seasonal workers.</p>
<p>Q5. Do you agree that the permitted development right should require the provision of temporary on-site facilities to</p>	<p>Yes.</p>

<p>provide waste disposal, showers and toilets?</p>	<p>It is important that campsites have sufficient facilities for waste disposal, otherwise it is extremely likely that any waste arising from this use (including human waste) will be distributed around the surrounding countryside and into watercourses.</p> <p>However, there needs to be some consideration as to the appropriateness of even portable toilet facilities in some locations. This is particularly the case at locations where any seepage from the facilities could lead to nutrient enrichment of water courses or nutrient poor habitats. Such consideration is important at all locations, but particularly so where there is the potential for impact on designated land or watercourses, such as Special Areas of Conservation.</p> <p>8 National Park Authorities (including the Broads Authority) are subject to the legal requirement for development, including permitted development, to be 'nutrient neutral' with regard to the treatment of wastewater. The new permitted development right must take this into account to ensure it is legally compliant.</p> <p>Legislation should clarify what is meant by 'moveable structures' that 'support campsite use'. Moveable structures other than for waste-disposal, showers and toilets are not supported.</p>
<p>Q6. Do you agree that the permitted development right should not apply on land which is in or forms part of sites of special scientific interest, Scheduled Monuments, safety hazard areas, military explosives storage areas and land within the curtilage of a listed building?</p>	<p>Yes.</p> <p>The permitted development right should not apply to any EU, national, or locally designated nature conservation sites such as Special Protection Areas (SPAs) Special Areas of Conservation (SAC), National Nature Reserves (NNR), Local Nature Reserves (LNR) and Local Wildlife Sites (LWS). If SSSI land is to be excluded – which we support – it would be logical to also remove internationally designated sites (which benefit from a higher level of protection) from the proposed new right.</p> <p>The permitted development right should not apply to any 'Natural Zones' designated under Section 3 of the Wildlife and Countryside (Amendment) Act, and that are carried forward in planning policy.</p>
<p>Q7. Are there any other planning matters that should be considered?</p>	<p>Yes.</p> <ul style="list-style-type: none"> <li>i. The final report of the Government-commissioned 'Landscapes Review' (Glover, September 2019) stated on page 60,</li> </ul>

“We think their [NPA] planning powers are important, the protections they give are essential and we don’t think they hold progress back.”

The Report went onto advise,

“The current Permitted Development Rights (PDR) system should also be reviewed and, if necessary, further PDRs should be added to the list of those currently withdrawn within national landscapes to ensure that the full application process applies before determining planning approval.” – page 64

The proposed introduction of new extended permitted development rights in National Parks runs directly contrary to the conclusions of the Government-commissioned review of national landscapes (National Parks and AONBs). The planning system is key to the delivery of the statutory National Park purposes and therefore we feel that land uses changes should continue to be assessed through the full planning application route in National Parks. This enables proper consideration to be given to the material planning matters; and appropriate conditions used where permission is granted in nationally protected landscapes.

- ii. Most National Park Authorities do not have the resources to monitor camping uses across the whole area, and instead focus resource on specific complaints. It is very likely that permitted development rights will be exceeded on numerous sites – as is currently the case.
- iii. Both the existing and proposed new right allow for the provision of moveable structures for the purposes of the permitted use. The consultation suggests that the new right should **require** the on-site provision of temporary facilities for showers, toilets, and waste storage/collection. It is not clear how the requirement would be enforced.
- iv. It is important to remember that tent camping can still result in other negative impacts such as, but not limited to; campfires, lighting, amplified music, lack of appropriate parking areas, increased recreational pressures on adjacent sites, and impacts on residential amenity. It is requested that the proposed permitted development right includes

	<p>appropriate criteria/ conditions / restrictions to address, avoid and mitigate these potential negative impacts.</p> <p>v. The exemptions should also apply to any EU, national, or locally designated nature conservation sites such as Special Protection Areas (SPAs) Special Areas of Conservation (SAC), National Nature Reserves (NNR), Local Nature Reserves (LNR) and Local Wildlife Sites (LWS).</p> <p>vi. Permitted development rights must highlight the legal need to ensure compliance with the Habitats Regulations.</p> <p>vii. Some thought should be given to parking issues. In most cases, parking occurs alongside the camping pitch. However, muddy conditions could lead to overspill beyond the site. Therefore, it is important that there is sufficient space within the site as a whole to allow for parking to occur without the need for additional permanent materials such as hardcore to be added to field entrances or lines of passage within the field to allow this use.</p>
Q8. Do you agree that the permitted development right should require annual prior notification to the local authority of the matters set out above?	<p>Yes.</p> <p>The prior notification process should also require the submission of information relating to site management such as lighting, noise and parking, to ensure that there are no adverse impacts on amenity and landscape.</p> <p>Prior notification should allow for assessment and mitigation for nutrient enrichment.</p>
<b>Prior approval for campsites in areas of flood risk</b>	
Q9. Do you think that, in areas of flood risk, the right should allow for prior approval with regard to flooding on the site?	<p>No. The proposed permitted development right should not apply to flood zones 2 or 3.</p> <p>This proposal is not compatible with national flood risk policy. Campsites are listed as more vulnerable in appendix 3 of the National Planning Policy Framework. The proposal does not recognise the difference between national flood risk policy for flood risk zones 2 and 3, the exceptions test, or indeed the sequential test. Reference to flood warning and evacuation plans is too simplistic.</p>

<b>Public Sector Equality Duty and Impact Assessments</b>	
Q10. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on: a) businesses b) local planning authorities c) communities?	<p>The proposed changes:</p> <p>(a) could have a positive effect on farm businesses seeking to diversify, and other local businesses that rely on the tourist trade.</p> <p>(b) may create extra burdens for the local planning authorities due to increased monitoring.</p> <p>(c) could have a mixed impact on local communities – positive for local residents involved in local businesses that rely on the tourist trade but potentially negative for local amenity in areas of high visitor pressure.</p> <p>Experience of the 56 day sites showed that unneighbourly development adversely affecting communities can result.</p> <p>Amenity impact of schemes is a key consideration when determining planning applications and this permitted development right removes the ability to consider, address and mitigate the impact of a campsite on the community. Simply saying that 30 tents reduces the impact on the community is too simplistic – even a few tents could make noise and disturb neighbouring land uses. Similarly the tents could be disturbed by neighbouring land uses.</p>
Q11. Do you think that proposed changes in relation to a new permitted development right for temporary recreational campsites could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).	<p>Generally speaking camping is an inclusive form of holiday-making as it is less costly than most other forms of accommodation. However, the temporary nature of the sites under discussion means that the facilities and means of access are unlikely to be fully inclusive. It is likely that any toilet and shower provision will be more difficult to use for those with limited mobility. Similarly, it is unlikely that there will be existing surfaced level footpaths to provide access around the site and particularly to and from showers, toilets and waste facilities.</p>
<b>Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings</b>	
Q12. Should the permitted development right for solar on domestic rooftops be amended so that they can be installed on flat roofs where the highest part of the equipment would be no higher than 0.6 metres above the highest part of the roof (excluding any chimney)?	<p>Yes. There is no reason why flat roofs should be excluded from supporting solar.</p> <p>The limitation that solar equipment cannot result in the highest part of the equipment being higher than the highest part of the roof should be retained for pitched roofs.</p>
Q13. Are there any circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises?	<p>Yes. It would not be appropriate to allow the installation of solar equipment on flat roofs of listed buildings or any buildings in conservation areas.</p>

<p>Q14. Do you agree that solar on a wall which fronts a highway should be permitted in conservation areas?</p>	<p>No.</p> <p>Conservation Areas are sensitive and their designation derives mainly from the character of the built environment. The siting of solar could have adverse impacts. Each case needs to be decided on its own merit.</p> <p>Existing PD restrictions in Conservation Areas should not be changed. This does not mean that solar will always be refused within Conservation Areas, but ensures that appropriate consideration is given to the proposal through the usual planning application route.</p>
<p>Q15. Do you have any views on the other existing limitations which apply to this permitted development right which could be amended to further support the deployment of solar on domestic rooftops?</p>	<p>Yes</p> <p>Criterion A.1(c) of Schedule 2, Part 14, Class A of the GPDO should be amended so that the installation of solar equipment on the wall and/or a roof of a property, which fronts a highway in a conservation area, cannot be carried out under PDR. The above is required to ensure that the installation of solar equipment does not have a potentially adverse negative impact on the character and appearance of a conservation area.</p> <p>Notwithstanding the above, it is noted that the permitted development rights (PDR) for other types of development – i.e., Schedule 2, Part 1, Class A of the GPDO in relation to the enlargement, improvement, and/or alteration to a dwellinghouse – has the potential to overshadow existing solar panels and compromise their efficiency. It may, therefore, be appropriate to consider additional limitations on other PDR to ensure that the efficiency of existing solar equipment is not compromised/reduced by future developments carried out under other permitted development rights. Similarly, Schedule 2, Part 14 should also include further limitations when new solar equipment may not be appropriate – i.e., when new equipment would shade other neighbouring solar equipment, and/or would lead to reflection or overheating of neighbouring properties.</p>
<p>Q16. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the dwellinghouse in conservation areas, should be removed?</p>	<p>No. This needs to be decided on a case by case basis to protect the character and appearance of conservation areas.</p>
<p>Q17. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone domestic solar?</p>	<p>Yes. The limitations related to Listed Buildings and Scheduled Monuments should remain.</p>
<p>Q18. Do you agree that the current threshold permitting the generation of up</p>	<p>Yes.</p>



to 1MW of electricity on non-domestic buildings should be removed?	
Q19. Is the current prior approval for solar equipment on non-domestic rooftops (where equipment is over 50kW but no more than 1MW) effective?	No. The prior notification process is too restrictive.
Q20. Are there any circumstances where it would not be appropriate to allow for the installation of non-domestic rooftop solar where there is no limit on the capacity of electricity generated?	
Q21. Do you agree that the existing limitations relating to the installation of solar on non-domestic buildings in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?	No. The limitations should remain as they are essential to conserve and enhance the natural beauty and cultural heritage of national parks and the Broads.
Q22. Do you have any views on how the other existing limitations which apply to the permitted development right could be amended to further support the deployment of solar on non-domestic rooftops?	
Q23. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the building in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?	No. The solar equipment should, where possible, be 'read' as part of a building to ensure that the character and appearance of Article 2(3) land is conserved. As such, we believe that the permitted development right should remain as it is.
Q24. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone non-domestic solar?	Yes. The limitations relating to Article 2(3) land, Listed Buildings and Scheduled Monuments should remain.
Q25. Do you agree that permitted development rights should enable the installation of solar canopies in ground-level off-street car parks in non-domestic settings?	Yes, except that the permitted development right should not apply to National Parks, the Broads and Article 2(3) land. They may also provide shade from the sun as well as rain in a changing climate.
Q26. Do you agree that a permitted development right for solar canopies should not apply on land which is within 10 metres of the curtilage of a dwellinghouse?	Yes, except that the permitted development right should not apply to National Parks, the Broads and Article 2(3) land.
Q27. Do you agree that a permitted development right for solar canopies should not apply on land which is in or forms part of a site designated as a	Yes, except that the permitted development right should not apply to National Parks, the Broads and Article 2(3) land.

scheduled monument or which is within the curtilage of a listed building?	
Q28. Do you agree that the permitted development right would not apply to article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites?	Yes. We agree that the proposed PDR should not apply to National Parks, the Broads and Article 2(3) land. This is because such proposals may lead to adverse impacts on the landscape and scenic beauty, and so need to be considered as part of a planning application to ensure that any adverse impacts are avoided or appropriately mitigated. There may be instances where such canopies are acceptable, but this is best done through the normal planning application route.
Q29. Do you agree that solar canopies should be permitted up to 4 metres in height?	Yes, except that the permitted development right should not apply to National Parks, the Broads and Article 2(3) land.
Q30. Do you think that the right should allow for prior approval with regard to design, siting, external appearance and impact of glare?	Yes, except the permitted development right should not apply to National Parks, the Broads and Article 2(3) land.
Q31. Are there any other limitations that should apply to a permitted development right for solar canopies to limit potential impacts?	The permitted development right should not apply to National Parks, the Broads and Article 2(3) land.
<b>Public Sector Equality Duty and Impact Assessments</b>	
Q32. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on: a) businesses b) local planning authorities c) communities?  Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights they particularly relate to.	Don't know.
Q33. Do you think that proposed changes in relation to the permitted development rights for solar could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).	No.
Q34. Do you agree that the permitted development right allowing for development by local authorities should be amended so that the development permitted can also be undertaken by a body acting on behalf of the local authority?	Yes. Also to National Park Authorities and the Broads Authority. Additionally, Interpretation of Part 12 should be amended to include National Park Authorities. C. For the purposes of Part 12, "local authority" includes a parish council <b>or national park authority</b> .

<b>Public Sector Equality Duty and Impact Assessments</b>	
Q35. Do you think that any of the proposed changes in relation to the permitted development right could impact on: a) businesses b) local planning authorities c) communities?	
Q36. Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?	
<b>Changes to support film-making</b>	
Q37. Do you agree that the maximum period of time land or a building can be used for the purpose of commercial film making should be increased to 12 months in any 27 month period?	The limitations relating to National Parks, the Broads and other Article 2(3) land should remain.
Q38. Do you agree that the maximum area of land or land on which the building is situated being used for the purposes of film making should be increased to 3 hectares?	The limitations relating to National Parks, the Broads and other Article 2(3) land should remain.
Q39. Do you agree that the maximum height of any temporary structure, works, plant or machinery allowed for under the right should be increased to 20 metres?	The limitations relating to National Parks, the Broads and other Article 2(3) land should remain.
<b>Public Sector Equality Duty and Impact Assessments</b>	
Q40. Do you think that any of the proposed changes in relation to the permitted development right could impact on: a) businesses b) local planning authorities c) communities?	The limitations relating to National Parks, the Broads and other Article 2(3) land should remain.
Q41. Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?	The limitations relating to National Parks, the Broads and other Article 2(3) land should remain.