

From:
Sent: 21 February 2022 16:41
To: Iles, Nicholas (ESNR - Planning)
Subject: Re: Your email of 19th August

Dear Nick,

We have read carefully the document below and revisited previous correspondence on this matter. We are satisfied that the Club has operated within the legislation and within the guidelines laid out by Welsh Government and Natural England regarding permitted development.

As an adjunct to this, may we bring to Welsh Government's attention, the Club's self-imposed, much tighter conditions of certification than the guidance specifies, including capped pitch numbers, Club membership operation, annual site inspections and due diligence when certificating a new campsite.

As you are aware the exempted camping legislation comes under the permitted development rights of individual land owners to enjoy and use their property. As such, unless the property is in an Article 4 Direction area, or has other legally defined restrictions such as phosphate zones etc., neither neighbours nor the local authority can block such activity unless there are critical issues such as highway access or flooding.

The Greener Camping Club does not try to exploit the legislation. Unlike other exempted camping organisations, we operate very much in the 'spirit' of the legislation. We always consult with and take in to consideration affected neighbours, each taken on a case by case basis. We balance the interest of the neighbours with the interest of the land owner who is entitled to these permitted development rights. To enable us to do this consistently, in absence of specific guidance from the issuing bodies, we have developed our own criteria as set out below.

The Club also has an efficient complaints procedure. On the rare occasions we have had problems, this has resulted in the site having its certificate withdrawn (at which point we notify the local planning authority).

In this particular instance, the neighbour's house is in excess of 150 meters from the closest camping pitch - and is screened by mature trees from all but distant activity during the camping season.

We also note that there is no complaint about the campsite itself, nor about having distant views of elements of the site. This is an indication of how the Club helps site owners plan their campsite for minimum disturbance.

We are aware there are planning issues at this campsite - but these are being addressed by the local planning authority and the landowner through a retrospective planning application.

We make it very clear to all new applicants that certain works will require planning - but that it is possible to use temporary structures. Despite our best efforts, whether through over-enthusiastic new business owners or a lack of awareness of planning law, a tiny minority of campsites put themselves at risk of planning enforcement. We are not upholders of planning laws, only the legislation under which we issue certificates.

With regard to access rights, we only issue certificates when the site owner owns the access, or has written permission to use the access. In this instance we are aware that the complainant has a right of way over the property that runs through the campsite.

If the site owner is blocking the access, or our members are causing issues, the Club will step in. We understand that additional gates have put in that are requested to be kept shut because of livestock. Other than that we are not aware of any complaints that are the Club's responsibility.

There is no comment to the further comments that have been forwarded to us as they are unfounded, inaccurate and do not apply to this neighbour. The neighbour was originally contacted out of courtesy, not because he would be affected by the campsite operation. The Club may contact some neighbours outside of our set distances, where we feel there maybe comments that could affect the final positioning and operating of a campsite.

If you have questions about our processes, or believe we have been unfair or inconsistent in our processes we would welcome your comments.

Yours sincerely,

* Affected neighbours - consultation guidelines:

Property dwelling within 150 metres of camping activities
Regardless whether or not screened - we consider could be affected and consultation always required.

Property up to 500 metres visible
Direct line of sight of camping activities and unlikely that screening will be sufficient - we consider could be affected and consultation may be required.

Access 1

Where a track has shared access and the applicant doesn't own the track - we require written authority from owner(s) for use as a campsite.

Access 2

Where an access off the public road is in close proximity to a dwelling that we feel will have significant passing traffic impact - consultation always required.

Access 3

Where there is a long public single track access serving multiple properties with insufficient passing places - we consider could be affected and consultation may be required.

On 14/02/2022. at 11:49 AM, Nicholas.Iles@gov.wales wrote:

Dear ,

I have received further correspondence in respect of this particular site, can you please consider the following and respond to the points raised.

" I would like to highlight the following issues I have with the club's conduct and their response you have provided:

- Point 7 in the documents you provided states "Local people should be able to carry on their normal activities when camping is in progress. The organisation will take reasonable steps to minimise disturbance and will investigate and deal with the causes of any complaint". It is clear from the club's responses to us and to you that no investigations have taken place and nothing has been done to deal with the cause of the complaint.
- The club's initial letter to us was misleading as it did not suggest that the size of the site ("a maximum of six camping pitches") or the site plans presented (one field and a small wooded area) could or would change without further consultation. I would like to draw your attention to this text from the club's guide: "...we will write to your neighbours, outlining the proposal and inviting their comments ... The Greener Camping Club does not arbitrate between applicants and neighbours - so unless agreement can be reached between you and your neighbours

we will be compelled to withdraw the application". I firmly believe the club were aware agreement might not be reached with us if the full size and scale of the campsite were revealed (compelling them to withdraw the application) and so deliberately presented us with a misleading proposal in order to gain our approval. In 'marking their own homework' the club are now able to exploit this loophole and we seemingly have no recourse. This also shows their statement to you that they wrote to neighbours "as a matter of courtesy and on the request of the campsite applicants" to be false and misleading.

- The club have said to you the site is now certified for 15 pitches, which is even more than we were aware of and presents a new concern. This further expansion is over double the six we were consulted on and 50% more than the 10 listed on their own website (<https://www.greenercamping.org/campsites/uk/wales/west-wales/carmarthenshire/llandoverly/050-dark-skies-camping/>). We remain concerned this number will continue to increase, unchecked and without consultation or notification, until potentially the whole 70 acres is given over to camping.
- The club seem to have ignored obvious planning contraventions. The only way such a large number of pitches can be accommodated is with the use of the facilities installed without planning permission, which the club would have become aware of in carrying out their due diligence.
- The "neighbour conflict issues" are an irrelevant smokescreen. My complaint to you is about the club's conduct.
- I must correct the record and say that our property is within 500 m of the camping areas and elements of the campsite are visible from our property, though this does not affect our complaint.
- Our access across the site is not "permitted" ie it exists in its own right and is not dependent on the land owner's permission. It is for us to determine whether or not that access is affected by the camp site and we disagree with the club's assertion that "the access ... is not affected by the camping activities". It is for this reason we originally approached the site owners, then the club, and finally you when the issues could not be resolved. We are concerned the increasing size and scale of the campsite will make using our access ever more difficult but the site owners and the club are not willing to address this.

As I have said previously, I have no desire to stop our neighbours running their camp site. All I have requested is that this be done within the confines set out in Greener Camping's original letter, which we did not object to, and that any changes are subject to the same level of consultation as that already carried out."

Regards

Nick

Nick Iles
Cangen Benderfyniadau - Decisions Branch
Y Gyfarwyddiaeth Gynllunio - Planning Directorate
Llywodraeth Cymru - Welsh Government
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e-bost - e-mail: Nicholas.iles@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

-----Original Message-----

From:
Sent: 20 August 2021 12:50
To: Iles, Nicholas (ESNR-Plannina) <Nicholas.iles@gov.wales>
Cc: GCC
Subject: Your email of 19th August

Dear Nick,

In response to your email of 19th August.

The campsite area has been expanded and the site is certificated for a maximum of 15 pitches although they only use 11. This is 1 more than the original certification. No additional neighbour consultation was done as no properties are affected within the parameters we use*.

We received a complaint from a neighbouring property owner on the 6th July and responded on the 8th of

July. We can't pass on the response (GDPR) as it covers many elements, most that are not under our control and are if applicable related to NRW, and the LPA.

We are also aware there are "neighbour conflict" issues.

The house of the complainant we received, is more than 500m away from the camping area. The camping area is not visible, the access and the use of their land is not affected by the camping activities.

We wrote to the neighbours initially to ensure there weren't other issues that we might not have been made aware of and as a matter of courtesy and on the request of the campsite applicants.

The subsequent extension to the campsite did not require "consultation" as there are no affected properties and is within their permitted development rights.

The complainant we have received a letter from, has a land locked property with only permitted access across the campsite owners property in question.

* Affected properties - neighbour consultation parameters guidelines

Property dwelling within 150 meters of camping activities regardless if screened - we consider could be affected and consultation always required.

Property up to 500 meters visible, direct line of sight of camping activities and unlikely that screening will be sufficient - we consider could be affected and consultation may be required.

Access - where a track has shared access and the applicant doesn't own the track we require written authority from owner(s) for use as a campsite.

Access- Where an access off the public road is in close proximity to a dwelling that we feel will have significant passing traffic impact.

Access- where there is a long public single track access serving multiple properties with insufficient passing places - we consider could be affected and consultation may be required.

If you require further information, please do not hesitate to contact me.

Yours sincerely

The Greener Camping Club

"Serving more than 12,000 Members across the UK"

Tel

Email

<https://eur01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.greenercamping.org%2F&data=04%7C01%7CNicholas.lles%40gov.wales%7Cd45c4a61dca9464368b708d963d0abc2%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637650570144894667%7CUnknown%7CTWFpbGZsb3d8eyJWljoic4wLjA%7CwMDAilCJQljoiv2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C1000&data=xn0%2FNwVvXLgkCck3ELe5UJnW9b7T8UNTWF6huWQgEME%3D&reserved=0>

Office hours

Monday to Friday 9.00am to 5.30pm

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Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

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