

Amendments to permitted development rights

Details

Q1. Details

Name

Organisation

Preferred contact details (Email address, phone number or address)

Q2. Type (please select one from the following)

Professional Body / Interest Group

Q3. Responses to consultations may be made public. To keep your response anonymous (including email addresses) tick the box.

No Response

Questions

Q4. Q1. Should the additional days granted by Class A of Part 4A be retained permanently, permitting temporary uses to take place for up to 56 days (28 days for specified uses) in a calendar year?

No

Comments:

Founded in Pembrokeshire in 2015, The [REDACTED] is an exempted camping organisation representing some of the greenest, most eco-friendly campsites in England and Wales. As of January 2022, we represent 148 campsites, of which 100 are in Wales. In 2021 we had over 13,660 camping memberships, representing more than 15000 camping holidays.

Our campsites are carefully vetted - and those that make it through our application process, share a common theme of high quality, low impact and environment-friendly camping, in truly beautiful settings. The Club is striving to build a network of premium quality campsites that consistently provide our campers with a first class, sustainable camping experience.

The [REDACTED] does not believe that the present Permitted Development Rights should be permanently changed to 56 days, for four key reasons:

- The significant potential for negative impacts from unregulated 'pop-up' campsites
- Limited wider economic benefit as campsite supply already exceeds demand
- Pop-up campsites have an unfair competitive advantage
- Existing light-touch regulation operates effectively

THE SIGNIFICANT POTENTIAL FOR NEGATIVE IMPACTS FROM UNREGULATED 'POP-UP' CAMPSITES

Pop-up campsites have no accountability to their local community, authorities, the environment or the campers they serve. This lack of accountability presents varied risks and can result in negative outcomes for the local community:

- No consultation with or consideration of negative impacts on neighbours and the local community (which can include noise, traffic congestion, rubbish/waste disposal/pollution issues, anti-social behaviour). There is limited recourse for complaint or resolution for neighbours who may suffer

significant disruption from the operation of a pop-up campsite.

- No suitability assessment of the access roads, which may be narrow or otherwise unsuited to increased traffic volumes, with potential consequences for safety, congestion and pollution. Similarly, there may be little, if any, consideration of car parking problems.
- No assessment of local site flood risk. Flooding can happen very quickly in adverse weather conditions, placing campers at risk.
- There is no scrutiny by the LPA, nor any register of 'pop-up' campsites. Without such mechanisms, local authorities cannot monitor usage or breaches, nor can they have an accurate baseline for planning potential visitor numbers in a given area.
- There is a revenue impact for local authorities with no requirement for the payment of business rates.
- If Wales introduces the proposed Tourism Tax, how will this be integrated with sites that can just appear and disappear with no register of them?
- There is usually no assessment of or due consideration given to the local environmental impact of 'pop-up' campsites.

Risk factors include:

- No requirement to limit pitch numbers, often with little regard for the safe or comfortable spacing of camping units.
- No requirement to provide sufficient toilet/washroom/sewerage facilities which can lead to significant local pollution risks.
- No necessity to have Trade Waste removals. Consequently, waste facilities at 'pop up' sites may be insufficient, resulting in local litter/waste issues, and with related costs instead passed to Local Authorities.
- Lack of provision of suitable recycling facilities
- Pop-up campsites have no requirement to maintain minimum standards for campers, with potential impact on safety, waste/pollution and the visitor experience.

SUFFICIENT CAMPSITE CAPACITY IS MET THROUGH EXISTING REGULATORY MEANS

Pop-up campsites will bring limited, if any, additional revenue to the local economy. This is because licensed and/or certified campsites and those operating under the current 28 day limit already offer sufficient capacity to meet demand for camping holidays, thereby ensuring the local economy already derives maximum benefit from responsible tourism.

Our data show that many existing [REDACTED] sites do not operate at full capacity, even during peak periods. More broadly, Visit Wales own annual occupancy figures show that sites under the "Touring Caravan and Camping Park" category consistently operate well under full occupancy, even during high season. For example, in August 2019, this Visit Wales data shows occupancy for Touring Caravan and Camping Parks at 57%. Source: Visit Wales own data www.Wales.ribos.co.uk

This data shows that there is no need for the additional capacity provided by 'pop-up' campsites. Consequently, additional capacity will not bring additional economic benefits and revenue to the wider community, it merely displaces visitors and revenue from existing regulated sites.

For 2022, the [REDACTED] has seen a noticeable reduction in camping enquiries and advance booking for the 2022 summer season compared to 2021, likely as a result of some visitors focusing on the expected return of easy foreign travel.

'POP-UP' CAMPSITES HAVE AN UNFAIR COMPETITIVE ADVANTAGE

Pop-up campsites have an unfair competitive advantage over regulated sites who incur costs to maintain certain minimum standards and who pay business rates and taxes.

For example, most certificated campsites and certainly all licensed sites are registered for business rates and will pay for the provision of Trade Waste services. Some regulated campsites are subjected to "mobile home rates" for letting of glamping tents. No such rates apply to 'pop-up' campsites. Regulated sites also incur a range of other costs related to assessment, consultation and inspection, as well as through the investment and maintenance in facilities required to meet minimum standards.

If the 56 day rule is applied this will allow unregulated sites to operate for near the entire duration of the high season. Most regulated sites in the UK may only be able to achieve reasonable occupancy levels for little over 80 days a year – not significantly longer than unregulated pop-up sites under a 56 day rule, and most of the extra days falling in shoulder season. This offers regulated sites limited scope to recover the higher costs of operating in a regulated fashion.

Consequently, 'pop-up' campsites have a competitive advantage over other sites who have to follow rules placed on them by safety, environmental and community well-being considerations and who have

to maintain quality standards. 'Pop-up' sites can flood their site with unregulated numbers at a lower cost, but with potentially very little benefit to the local community and wider economy.

EXISTING LIGHT-TOUCH REGULATION OPERATES EFFECTIVELY

Landowners can go down the exempted camping route if they wish to extend the season without planning permission or a license. There are numerous Exempted Camping Organisations to choose from. The [REDACTED] are already finding this with a significant increase in campsite applications from sites that were operating under the 56 day rule last year. As such, The [REDACTED] have seen campsite certification enquiries grow by approximately 50% over the last two years. Other certification organisations report a similar growth.

The administrative and financial burden to landowners from going down the certificated route is minimal and should not be a barrier to market entry for new sites wanting to open. For example, many of the 100+ certification organisations provide certification for free. The [REDACTED] charges a total of £300 to prospective new sites, including a site inspection and local consultation process, to ensure our high environmental standards are met.

The advantage of the certificated route is that the sites are still of a temporary nature but are regulated and scrutinised before being certificated.

Considerations include:

- Certificated sites have a strict limit on pitch numbers and safe spacing between camping units as a requirement.
- The LPA are consulted for their views.
- Suitability of access roads is considered.
- Environmental aspects are considered, (for example, where necessary the impact of car headlights on bats).
- Flood risk is scrutinised.
- Neighbours are also consulted and their views given priority.
- Waste disposal is considered and monitored.
- Suitable facilities are required and inspected.
- Sites are inspected annually.
- The sites are monitored by the certification organisation for quality
- There are complaint procedures in place should the local community be disturbed by activities on site.

Q5. Q2. Do you have any evidence as to any benefits and impacts as a result of introducing the additional number of days for temporary uses to take place since April? If yes, please specify.

Yes

Comments:

It is easy to find examples of the negative impact of 'pop-up' campsites operating under the 56 day rule in a quick internet search, across both Wales and England.

We offer one example of a site that operated under this rule. The site is surrounded by other properties in close proximity and plenty of houses within a two-mile radius. They allowed unlimited numbers and loud amplified music to be played sometimes until 4.00am. The noise was clearly audible for a radius of at least 2 miles. The council were called and agreed that the noise was a considerable nuisance. Local authorities are under strain and despite agreement that the site is a nuisance the summer was over before any consequences and next year they will be able to open all over again. Local residents have had two years of excessive noise for 56 days. Limiting the operating period to 28 days would, at least, be more bearable for the local community.

On the other hand, regulated campsites have strict noise policies; in the case of [REDACTED] sites and many other Exempted Organisations, amplified music is not allowed at all and sites are required to have a strict "no noise" policy operating between 10.30 pm and 7.30 am, including a limitation on vehicle movements. The Certifying organisation can be contacted if there are complaints and have the power to withdraw certification immediately if a similar situation occurred.

Another example is a campsite that has contacted us for certification. They have been operating under the 56 day allowance, with 40 pitches and only 1 toilet. That can equate to 160 people on site with only 1 toilet.

[REDACTED], a specialist broker for camping and glamping sites has written to us with the following comments:

"It has been our experience with temporary pop-up sites during the Covid pandemic, that a considerable number of these have had inadequate 'own' risk management.

From an insurance perspective these are primarily liability risks, and as such, with temporary sites being unregulated, we have seen a negative impact from the insurance position, and runs the risk of diluting the Camping and Glamping industry as a whole.

We hope careful consideration is given to the risk factors associated with pop-up sites"

From [REDACTED] (Director)

A copy of this letter can be supplied if required.

With regard to any benefits, it seems that nothing can be gained from an extension to 56 days that is not already available through Certificated Sites. This system allows access to many beautiful areas on a temporary basis, to anyone. Some Exempted organisations do not require membership for access to their sites and for some membership is free. The [REDACTED] charge £12 for annual membership.

Q6. Q3. Do you have views on whether there should be additional restrictions on the use of this PDR to mitigate against potential impacts of making this permanent? If yes, please specify.

Yes

Comments:

If this right were made permanent then there should be:

- A requirement to register the site and the numbers of pitches with the Local Authority.
- A requirement for the provision of minimum level of facilities in proportion to visitors (eg a certain number of toilets in proportion to total visitors).
- There should be a requirement to have a Trade Waste agreement with the Local Authority to deal with the rubbish.
- There should be the same requirement that regulated sites have with regard to noise and nuisance
- There should be assessment of road safety and environmental issues.

All of this is a requirement for Certificated sites so in essence the extension is not actually needed. If a landowner wishes to operate for longer than 28 days but still on a temporary basis then they could easily go down the Certificated Campsite route which would allow this but in a properly regulated and accountable fashion.

Q7. Q4. Should the number of days for holding a market generally be extended? If Yes, what is an acceptable number of days for holding a market? What conditions should apply to manage the planning impacts?

No Response

Q8. Q5. Should any additional days over the permitted 14 days be provided for markets operated by or on behalf of a local authority?

No Response

Q9. Q6. Do you agree the permitted changes of use within town centres should become permanent? If not, please provide your reasons for disagreeing.

No Response

Q10. Q7. Do you agree the permitted development right for the use of the highway adjacent to a hospitality use for that purpose should be made permanent? If not, please provide your reasons for disagreeing.

No Response

Q11. Q8. If you answered yes to Q7, are any additional conditions required to mitigate potential amenity impacts?

No Response

Q12. Q9. Do you agree the permitted development right for the installation of awnings at hospitality uses should be made permanent? If not, please provide your reasons for disagreeing.

No Response

Q13. Q10. Do you have any comments regarding Part 3A?

No Response

Q14. Q11. Do you have any comments regarding Part 12A?

No Response

Q15. Q12. Do you agree that HMOs should not benefit from permitted development rights for alterations and extensions to a dwellinghouse granted by Part 1 of the GPDO? If not, please provide your reasons for disagreeing.

No Response

Q16. Q13. Do you agree with the proposed alterations to Class F? If not, please suggest alternative approaches, restrictions or thresholds that could be adopted.

No Response

Q17. Q14. Do you agree greater flexibility should be provided through permitted development rights to accelerate the rollout of electric vehicle charging infrastructure? If not, please provide your reasons for disagreeing.

No Response

Q18. Q15. Do you agree with reintroducing permitted development rights for the protection of poultry and other captive birds?

No Response

Q19. Q16. Do you agree with the proposals for amending Article 4 directions?

No Response

Q20. Q17. We would like to know your views on the effects of the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

No Response

Q21. 18. We have asked a number of specific consultation questions. If you have any related issues which we have not specifically addressed, please use the space below to raise them.

No Response

Submit your response

Q22. If you want to receive a receipt of your response, please provide an email address.

Email address

[REDACTED]