

AM 658/23

NEW FOREST NATIONAL PARK AUTHORITY

NEW FOREST NATIONAL PARK MEETING – 21 SEPTEMBER 2023

PROPOSED NEW ARTICLE 4 DIRECTION – TEMPORARY CAMPSITES

Report by: Steve Avery, Executive Director

1. INTRODUCTION

- 1.1 The Authority confirmed an Article 4 Direction last year to remove permitted development rights for new and larger 28 day ‘pop up’ campsites. The Direction was made in response to a large increase in ‘pop up’ campsites over recent years and the need to protect the Forest’s internationally designated nature conservation sites, as well to safeguard the amenities of local communities. The process was confirmed after consultation with the public and Members.
- 1.2 At the end of July 2023, the Government introduced a new stand-alone permitted development right that allows the temporary use of land as a ‘pop up’ campsite for 60 days in any one calendar year, with the number of pitches being capped at 50. The effect of this new permitted development right is to effectively render the Authority’s Article 4 Direction ‘null and void’.
- 1.3 This report therefore seeks Members’ approval to amend and make a new Article 4 Direction to ensure the Authority continues to exercise a degree of planning control over ‘pop up’ campsites in the National Park.

2. BACKGROUND

- 2.1 The New Forest is one of the most visited National Parks in England and has the highest proportion of designated land of international value for nature conservation in the country. Holiday parks and campsites are already well provided for in the National Park and for these reasons, successive local plans have taken a restrictive approach to the provision of new campsites and caravan sites.
- 2.2 The Authority’s current Local Plan, which pre-dates the pandemic and the following spike in ‘staycations’, refers to the “large increase in 28-day ‘pop up’ campsites which account for some extra 7,000 overnight stays in the Forest. If this trend continues consideration will be given to the use of an Article 4 Direction to ensure this type of development is properly planned”.
- 2.3 At the Authority meeting in March 2021 (paper AM 583-21) Members considered ‘options for managing temporary ‘pop up’ campsites’ and agreed to make an Article 4 Direction removing permitted development rights for larger (50 pitches +) and all new temporary campsites (post-1 March 2020).

- 2.4 The Article 4 Direction was published in September 2021, and prior to it taking effect, was the subject of a six-week public consultation during September – October 2021. The results of that consultation were reported to the Authority meeting in January 2022 (AM 613/22) in which over 70% of respondents (including 12 parish councils) supported the proposed Article 4 Direction.
- 2.5 The Article 4 Direction was subsequently confirmed at the following Authority meeting in March 2022 and a copy of the report (AM 624/22) is attached as Annex 1. The Direction took effect on 30 September 2022 so that planning permission is required for:
- Temporary 28-day campsites with 51 pitches or more; and
 - All temporary 28-day campsites established after 1 March 2020
- 2.6 At the same time Members agreed a planning guidance note to assist applicants when applying for planning permission for temporary camping uses caught by the Article 4 Direction. Further information about the Article 4 Direction, including the published guidance note, can be found on the Authority's website: [National Park- wide Article 4 Direction – temporary campsites - New Forest National Park Authority \(newforestnpa.gov.uk\)](https://www.newforestnpa.gov.uk/national-park-wide-article-4-direction-temporary-campsites)
- 2.7 Since the Article 4 Direction came into effect, we have received one planning application for a larger temporary campsite and this was granted planning permission earlier this year in accordance with our published planning guidance note.

3. THE NEW PERMITTED DEVELOPMENT RIGHT

- 3.1 Between February – April this year, the Government consulted on proposals to introduce a new permitted development right to allow the temporary placement of up to 30 tents at any one time on land for up to 60 days a year and for moveable structures on the land related to campsite use, such as portable toilets. National Parks were not excluded from this proposed new right.
- 3.2 The Authority's response to the consultation, as agreed by Members of the Planning Committee at their meeting on 18 April 2023 (PC 422/23), opposed the proposed new permitted development right on the grounds that it would result in further pressures on local communities, the landscape and habitats of the National Park. We maintained that there was a strong case to exclude National Parks from this proposed new right and to ensure that proposals for new campsites in protected landscapes continue to be properly assessed through the planning process.
- 3.3 In the event, the Government introduced a new permitted development right for temporary campsites at the beginning of July 2023 and this came into force on 26 July 2023. The new permitted development right allows for the temporary use of land as a recreational campsite for up to 60 days per calendar year and the provision on such land of no more than 50 pitches (for tents and motorhomes) and "any moveable structure reasonably necessary for the campsite use". The developer is required to make on-site provision for users of the campsite for moveable toilet and waste disposal facilities and must notify the local planning authority in writing before

the commencement of development each calendar year. There is no exemption for National Parks.

- 3.4 The existing permitted development right for 28-day ‘pop up’ campsites will continue until 26 July 2024 “to provide maximum flexibility for the forthcoming summer”.
- 3.5 As this is a new stand-alone permitted development right (60 days/50 pitches), it overrides our existing Article 4 Direction, save for the retained ‘28- day’ right which will expire next summer.
- 3.6 All the stated reasons in support of the Article 4 Direction confirmed only last year remain equally valid in relation to the new permitted development right, arguably more so with a much longer duration (60 days) albeit limited to 50 pitches.

4. PROPOSED NEW ARTICLE 4 DIRECTION

- 4.1 It is therefore proposed that the Authority make a new Article 4 Direction to remove permitted development rights for the temporary use of land as a recreational campsite in excess of 28 days (for those sites existing on or before 1 March 2020) and for all other sites (irrespective of the number of days) established after 1 March 2020. This would reflect the approach already adopted, i.e. the current Article 4 Direction does not apply to established 28-day sites of 50 pitches or less which were in existence prior to 1 March 2020. There is no need to restrict ‘larger’ sites as all temporary sites are now limited to 50 pitches, which conveniently reflects the same threshold in our existing Article 4 Direction.
- 4.2 The accompanying guidance note will need to be updated accordingly and presented to the Planning Committee meeting later this calendar year for formal approval.
- 4.3 As the Authority already has an Article 4 Direction in place which only took effect last September it is considered appropriate and reasonable for the new, updated Article 4 Direction to take immediate effect. It is therefore proposed to make an ‘Immediate’ Article 4(1) Direction. This means that permitted development rights are removed with immediate effect and then consulted on. The Article 4(1) Direction will lapse after six months from when it was made unless it is confirmed beforehand. Any objections will be considered by the Authority before it is considered whether to confirm the Direction, or not. We are required to notify the Secretary of State on the same day that we make the Direction. We will also need to notify owners; publicise the Direction by local advertisement; and display a site notice in at least two locations within the area to which the Direction applies. The Secretary of State will be notified (as before) when the new Direction is published.
- 4.4 At the time of preparing this report the Authority has only received one formal written notification to operate a 60-day campsite for the remainder of this calendar year. This is in respect of a modest campsite (10 pitches) at Belle Vue Campsite in Frogham. Without prejudice to any action the Authority may take in the future, it is proposed that this campsite be allowed to continue to operate as planned for the

remainder of this calendar year so that the owners would not be unduly prejudiced by the making of an immediate Article 4 Direction.

RECOMMENDATION:

That the Executive Director be authorised to make an immediate Article 4 (1) Direction to remove (i) permitted development rights (Schedule 2, Part 4, Class BC) for the temporary use of land as a recreational campsite in excess of 28 days for those sites existing on or before 1 March 2020 and (ii) permitted development rights (Schedule 2, Part 4, Class BC) for the temporary use of land as a recreational campsite for all new sites established after 1 March 2020.

Contact:

Steve Avery
Executive Director
Tel: 01590 646659
Email: steve.avery@newforestnpa.gov.uk

Papers:

**Annex 1: Confirmation of Article 4 Direction –
Temporary Campsites (NFNPA AM624/22)**

Equality Impact Assessment:

There are no specific equality, diversity or inclusion implications to note arising from this report.