

## Planning Aid England (PAE) Volunteers' Advice Note

### Camping, Glamping & Caravanning: Planning Policy and Licensing



*This note is being circulated to all PAE volunteers for information. Sections 1-3 below are available to the public via our website: <https://planningaid.zendesk.com/hc/en-us/categories/200520611-Do-I-need-planning-permission-to>. Sections 4-5 provide volunteers with some information which we hope you will find useful in addition to that made available to the public on our website.*

#### Summary

During the Covid-19 pandemic when there was a rise in the demand for “staycation holidays”, we received an increase in the number of enquiries to PAE’s e-Mail Advice Service about how to obtain planning permission for new camping or glamping sites in the countryside.

This advice note aims to provide straightforward guidance to the question: ‘Do I need permission for a camping, glamping, or caravan site?’ by:

1. outlining the range of relevant permitted development rights for temporary site proposals;
2. giving some advice regarding what the main considerations might be for a local authority dealing with a planning application for a permanent site; and
3. including a synopsis of separate licensing requirements under the Caravan Act, 1960.

#### 1) Temporary Sites: Permitted Development Rights

**Question:** Is it true I can use my land every year for a temporary time for visitors wanting to go camping or glamping?

**Answer:** Yes.

The Government grants planning permission for temporary uses of land which can be undertaken without a planning application – known as permitted development rights. The relevant regulations explaining Permitted Development are set out in the [Town and Country Planning \(General Permitted](#)



[Development\)\(England\) Order 2015](#). This allows certain temporary uses of land to take place without prior planning permission for **up to 28 days in any calendar year** (Part 14 Class B) where the necessary legal requirements can be met.

Additional permitted development rights came into force in July 2023 and allow land to be used as a temporary recreational or 'pop-up' campsite for **up to 60 days in any calendar year** without prior planning permission (Part 14 Class BC). It is important to note that different legal requirements apply if operating under Class BC and these must be satisfied in full before development can commence.

**Question: Can you still use the 28-day limit for camping?**

**Answer: Yes, but only until 25<sup>th</sup> July 2024.**

Land can be used for camping under either Class B or Class BC until 25 July 2024. Only Class BC can be used thereafter.

Other temporary uses permitted under Class B such as car parking can operate alongside a 60-day temporary campsite after 25 July 2024 provided the required conditions are met.

**Question: Are there any other catches to look out for?**

**Answer: Yes.**

Temporary recreational campsites operating under Class BC are subject to a 50-pitch limit. Pitches must be for tents or motorhomes/campervans only (caravans are subject to different rules – see below). Provision must also be made for on-site toilet and waste disposal facilities.

The local planning authority must be notified in writing each calendar year before development starts. Notification should include a site plan showing toilet/water disposal facilities and details of the dates the campsite will be in use.

A separate [campsite licence](#) may be required if operating a campsite for more than 42 consecutive days or more than 60 days per calendar year.

**Question: Are there any restrictions on where temporary campsites can be located?**

**Answer: Yes**

The legislation does not allow 60-day temporary recreational campsites on land within the curtilage of a listed building or within Sites of Special Scientific Interest or Scheduled Monuments. Safety hazard areas and military explosive areas are also excluded from Class BC.

Prior approval must be obtained from the local planning authority for campsites within Flood Zones 2 and 3. This must be done each calendar year and include a site-specific flood risk assessment with a warning and evacuation plan.

As with other temporary uses of land, you are not allowed to operate a temporary campsite on land where permitted development rights have been withdrawn by an Article 4 Direction. There are also restrictions on land within or close to Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and other protected areas. You can check if a proposed site is in, or close to, a SSSI/SAC/SPA or Ramsar site by using DEFRA's MAGIC mapping system (available at: <https://magic.defra.gov.uk/MagicMap.aspx>).

**Question: Tents are pretty lightweight and removed easily – but what about glamping pods, etc. – some of that stuff can be pretty heavy duty?**

**Answer: Planning policy and regulations can't cover every eventuality.**

As there is a wide range of glamping units available on the market, their legal position varies. Some may constitute uses of land, some buildings, others may be regarded as caravans under the Caravan Act. Some may be permissible without a prior planning application being needed; others may not, depending upon their specification and circumstances. A land owner or prospective operator can make an application for a lawful development certificate to obtain a formal decision from their local planning authority whether a glamping proposal would require full planning permission.

**Question: If I've already had a camping or glamping use on my land, can I easily swap one for the other?**

**Answer: Not Necessarily.**

It is always worth first checking with your local planning authority, e.g. by seeking "pre-application advice" or a lawful development certificate on this. It is also worth investigating whether an authority already has Local Plan policies relating to the impact of the loss of, or over-supply of certain types of accommodation – e.g. if it wanted to prevent all tented sites in its area gradually being developed into glamping pods or caravan sites.

**Question: What about setting up a caravan site?**

**Answer: Caravans and motorhomes are subject to different rules.**

Caravans may only be sited without planning permission if an exception in [Schedule 1 of the Caravan Site and Control of Development Act 1960](#) applies. In all other cases using land for caravans or motorhomes needs planning permission. A 'caravan' includes static caravans, touring caravans, and motorhomes/campervans, but also typically pods, shepherd's huts, gypsy caravans and moveable lodges:

*"caravan" means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include...any tent' [Caravan Sites and Control of Development Act 1960](#)*

## 2) Permanent Sites: Planning application considerations for a Local Authority

**Question: For a permanent camping / glamping / caravanning site I'll need to get planning permission – so, what will the local authority be looking at?**

**Answer: A variety of things.**

The following list is not meant to be exhaustive, but some of the key planning considerations will be:

- a) **National Planning Policy:** the Government requires all Local Plan policies to comply with the National Planning Policy Framework (NPPF). If they do not, then the NPPF will take precedence. Local Plan policies are generally expected to be positive towards tourism - as it is seen as a beneficial contributor to economic development. At the same time they require that it is sustainable and does not cause landscape, highway, or amenity harm. Generally, development in the open countryside does tend to be more restricted, especially in protected landscapes.
- b) **The Local Planning Authority's (LPA's) position on tourism uses:** many LPAs in popular tourist areas have a Local Plan containing a policy supporting local tourism and some will have policies supporting rural development and farm diversification. These will give an idea of the sort of overall view the council are likely to take when considering individual applications. Consequently, any application for a new site should highlight the contribution to local tourism it is expected to make through increased numbers at local visitor attractions and footfall for local shops, cafes, restaurants, pubs, etc. Depending on the specific policy criteria requirements set by an individual local planning authority, if an applicant is claiming a proposal is needed to support farm diversification, then they need to clearly demonstrate this, i.e. why it is needed at that location and how it will help sustain the farm business (as opposed to simply being an additional income source). If any Neighbourhood Plan covers the area, any relevant policies will also need to be considered, e.g. regarding nearby site allocations or designations – they may even have specific policies relating to camping development.
- c) **Clear location and layout plans:** these should clearly show proposed pitch locations, sizes and types of tents / glamping units or caravans and whether these will be sited permanently or just for stated holiday periods (e.g. throughout May to the end of September). Generally, a small-scale proposal is likely to stand more chance of success than a larger site as the impact of the new use is less. Likewise, structures that come down in the autumn and are put back up in the spring will probably be more acceptable in planning terms. Site design needs to be carefully explained in submitted drawings and should probably include details of:-
  - the position of individual pitches
  - the position, size and elevations of any central facilities being provided (e.g. showers and washing facilities, WCs, site reception buildings, shops, cafés / restaurants, waste / refuse disposal and recycling arrangements, firefighting, or fuel storage facilities)
  - site access from adjoining roads for cars and any service vehicles
  - on-site roadways, servicing, and parking areas
  - any rights of way crossing or adjoining the site
  - any gas pipelines, electricity transmission lines or water mains crossing the site



- open recreational areas for games
- any proposals for avoiding potential conflict with adjoining residential property, or farming livestock, machinery, or activities
- any site security fencing, signs or external lighting proposed
- the location of any nearby public transport services

The main point here is that applicants need to be aware of the impacts of all elements of their proposal, not just proposed pods, lodges (etc.) themselves, but also any necessary associated facilities such as service blocks, waste management measures or parking. Local planning authorities will assess the likely impact of greater numbers of cars and new access points as these can collectively and individually have an undesirable urbanising effect on a rural area, especially if poorly designed. Services and facilities proposed should be proportionate and necessary for the scale of the scheme - e.g. is a reception building really needed for site with only three pods?

- d) **Significant land designations:** such as National Parks, National Landscapes (formally Areas of Outstanding Natural Beauty or AONB's), Sites of Special Scientific Interest, Dark Sky Areas, Conservation Areas, or Green Belt. If a proposed site is in or adjoins one of these it does not prohibit development, but the bar is raised in terms of making sure it does not damage the character and appearance of these protected areas. There is a legal duty on public authorities to have regard to these, whether considering proposals for new sites or to extend existing ones.
- e) **Landscape and visual impact:** the impact that the development has on the landscape in terms of its overall character and appearance will be assessed. A proposed site might impact visually at public vantage points such as from roads and public rights of way or might impact on views towards a nearby listed building or area of special landscape value. When the pitches and facilities are being planned, some additional landscaping in keeping with the surrounding landscape might be proposed to ameliorate any such potential adverse impacts. A Landscape Impact Assessment should be undertaken to support a site choice – together with any additional landscaping proposed. Given that many proposed sites are in quiet/rural areas where there is little existing development, it is important to consider the effect of increased activity, noise, lighting etc. upon landscape character.
- f) **Biodiversity / Ecology:** these are major issues affecting all the assessment of all planning proposals by local authorities. Pods (etc.) proposed in woodland settings - perhaps to reduce their visual/landscape impacts – or other areas with importance for biodiversity due to the presence of particular local flora and fauna, can introduce new disturbance/human activity to a sensitive habitat. Planners will be looking at how a proposed site might affect a range of subjects here, e.g. priority habitats, ancient woodland, veteran trees, or particular species such as red squirrels.
- g) **Highway impact:** highways issues that need to be considered are the increase in vehicle movements which a new proposed site might give rise to and how traffic safely enters and leaves the public highway. A Traffic Assessment Report will be needed in support of most planning applications to clarify the potential impacts.



- h) **Amenity:** Although no one has a right to a view from their property in planning terms, they do have a right to environmental amenity. Where new uses potentially disturb this, amenity factors should be carefully considered. Amenity could be lost through additional noise at unsocial hours or smoke from fires for example. In practice these conflicts are rare, but it is important to be able to show that there will be site rules in place to protect neighbouring uses, e.g. such as any nearby residential housing, and that any necessary planning conditions to protect environmental amenity will be acceptable to the applicant. It is important to detail the intended dates and times a site will be operating.

Obtaining planning permission does not override the requirements of any other legislation - for example the provision of sanitation or other facilities, flood prevention, drainage, etc.. Site owners or operators must ensure that their sites comply with all relevant requirements, not just planning policies and regulations.

### 3) Caravan Sites: Licensing requirements - Caravan Sites & Control of Development Act, 1960

The [\*Caravan Sites and Control of Development Act 1960\*](#) requires occupiers of land to gain a license before using that land as a caravan site. It does not apply to proposals for camping or glamping sites. The licensing authority is the local borough or district council. It is the primary piece of legislation which sets out the:

- requirements,
- condition, and
- exemptions

for a caravan site to operate – e.g. to ensure they do not become permanent residence sites.

There are also model standards for caravan sites to adhere to when planning approval has been granted. Different model standards apply to touring sites, static sites, and residential park home sites.

### 4) Links to useful public sector guidance

Advice available from local planning authorities at the time of writing includes:

1. <https://www.cornwall.gov.uk/planning-and-building-control/planning-enforcement/temporary-pop-up-camping-sites-planning-guidance/>
2. [https://www.lakedistrict.gov.uk/planning/planning\\_necessary/gettingplanningadvice/planningguides/temporary-uses-including-pop-up-camping-and-car-parks](https://www.lakedistrict.gov.uk/planning/planning_necessary/gettingplanningadvice/planningguides/temporary-uses-including-pop-up-camping-and-car-parks)
3. <https://www.southdowns.gov.uk/wp-content/uploads/2021/02/Final-Camping-Glamping-TAN-for-publication-08.07.21.pdf>

There is also a wide range of guidance available on the internet from commercial consultancies.

## **5) Practical examples of issues arising from recent proposals for camping, glamping, and caravanning.**

The last few years, and particularly since the start of the COVID-19 pandemic, has seen a noticeable increase in proposals for camping and glamping accommodation. This has included everything from single pod proposals and new tent-only sites, through to significant extensions to existing sites or new lodge parks. Some proposals have appeared highly speculative and have shown the importance of being aware of relevant local plan policy for the type of development proposed well in advance of making a planning application (and ideally, in advance of buying the land).

The following examples are illustrative of some of the key issues mentioned above that those considering opening new camping and glamping sites should be aware of.

**Example 1:** A proposal for eight camping pods was submitted on a farm in a protected landscape with access off a busy trunk road. Some of the pods were proposed to be placed in priority habitat (deciduous woodland). Approx. 130 new lights were proposed including 80 bollards and further lights mounted on the pods, despite the applicant stating they wished visitors to enjoy the night sky. Due to concerns raised about light pollution, impacts on the priority habitat and the access, the eventual approval saw the number of pods reduced to four, a dramatic reduction in the amount of new lighting, a revised layout to avoid the priority habitat, conditions requiring advanced warning of the site on the trunk road and a stipulation that any further expansion would require a substantial access upgrade.

**Example 2:** Five geometric camping domes were proposed as farm diversification along with service access, parking water treatment plant and landscaping. The site was visually and physically separated from the farm in question. There was no evidence to demonstrate why it was needed to support the farm – the application itself confirmed that the farm was already viable and profitable - or why it was necessary for it to be in open countryside, distant from the farm. The site was also in a tranquil landscape and highly visible from popular viewpoints nearby. The proposal was refused on grounds of landscape and visual impacts, distance from the farm and unsafe access. Enforcement action was also undertaken in relation to works already carried out to form an access and bases for the domes.

**Example 3:** A 44-lodge extension was proposed to an existing holiday park in a protected landscape. It was similar in nature to the existing site and incorporated some landscaping but was on rising land and highly visible from popular local viewpoints. It would expand the existing site significantly. Concerns were expressed about landscape and visual impacts and some objectors considered the site to have the potential to be major development under paragraph 177 of the NPPF. Although the precise reasons are unclear, the proposal was withdrawn.

Paragraph 177 of the NPPF states that in National Parks, 'permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest'. Caselaw is clear that a proposal having the potential for harm is a crucial factor in determining the need for an assessment against the criteria for major

development as set out at paragraph 177 (e.g. see the Maurici Opinions on the meaning of “major development” in National Parks by James Maurici, Landmark Chambers at:

<https://www.southdowns.gov.uk/wp-content/uploads/2015/01/Legal-Opinion-of-Major-Development-June-2011.pdf>

and

<https://www.southdowns.gov.uk/wp-content/uploads/2015/01/Guidelines-on-Significance-for-SDNP-Planning-Applications-%E2%80%93-Supplementary-Advice-October-2014.pdf>.

A 35-caravan scheme in an AONB was deemed major development by an Inspector in 2018 (APP/N2535/W/18/3200598). In another 2018 case (APP/B9506/W/18/3196556), an Inspector concluded that a proposal in the New Forest National Park for 41 holiday lodges on land that was entirely within an existing holiday park was major development. At the time of the application, the land in question was already in use for sporting activities, dog walking and as part of a golf course. The appeal was dismissed due to the resulting landscape harm.

**Example 4:** A proposal was submitted for permanent tented camping on an agricultural field used as a temporary camp site under the extended permitted development rights applied during the Covid-19 pandemic. The site was put forward as farm diversification yet was distant from the farm and the evidence as to how it would support the farm business was weak. It also lay in a very sensitive landscape that was already facing challenges with traffic and would directly affect a Public Right of Way and a stream that had connectivity with a nearby SSSI. The use of the temporary site had raised a number of concerns with local people around waste, fires, traffic and noise and the impact of these on local amenity, tranquillity, and wildlife. The proposal was refused, appealed and the appeal dismissed on landscape, highways and flood risk grounds.

**Example 5:** A change of use of agricultural land was sought for three pods and a customer service building in open countryside and with access of a narrow country lane. It was distant from any existing buildings, including the farm it was proposed to diversify and no evidence was provided to support the need for it to either support the farm or to be in such a remote location, or as to why a service building was required for such a small site. Concerns were also raised by the relevant authorities as to the surface water drainage and access proposals. The application was withdrawn.

**Example 6:** Proposals for 13 camping pods and six chalets and a services block were submitted as part of a wider scheme to expand and update the accommodation offer at a small rural hotel. Local concerns were raised about the access and landscape impacts due to the proposed layout of the site. The agricultural gateway proposed to access the accommodation would require significant upgrading to be brought up to standard, and the pods were proposed on the highest part of the site, most distant from the hotel. The accommodation elements were removed from the application and a new application submitted with a revised layout that clustered the pods on the lower part of the site and closer to the hotel. Use was made of the main hotel vehicle access instead, with the agricultural gate being reserved for maintenance access. The new application was approved.