

Response ID ANON-8KQG-1RB5-N

Submitted to Permitted development rights: supporting temporary recreational campsites, renewable energy and film-making
Submitted on 2023-04-24 16:38:24

Scope of the consultation

Introduction

What is your name?

Name:
Ruth Bradshaw

What is your email address?

Email:
ruthb@cnp.org.uk

What is the type of organisation that you work for?

Charity or voluntary organisation

If applicable, what is the name of your organisation?

Organisation:
Campaign for National Parks

What is your position in the organisation?

Position in organisation:
Policy and Research Manager

Privacy notice

A new permitted development right for temporary recreational campsites

Do you want to complete this section?

Yes

A new permitted development right for temporary recreational campsites

Temporary recreational campsites - the proposed new right

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?

No

Please give your reasons :

Campaign for National Parks wants to see more opportunities for everyone to visit and enjoy National Parks but we also want these places to be exemplars for nature recovery. If that is to happen then the development of campsites and other recreational facilities needs to be carefully managed in order to ensure that the needs of both access and nature recovery are fully considered.

While we welcome the fact that the right will not apply in SSSIs, camping can also harm other sites designated for nature recovery and there are many important habitats, such as ancient woodlands and flower-rich meadows, where it would not be appropriate. The impacts, including, but not limited to, noise and light pollution, disturbance to wildlife and trampling of habitats can also extend beyond the immediate location of the campsite. It is essential that there is full consideration of such impacts, particularly in Protected Landscapes (National Parks and Areas of Outstanding Natural Beauty (AONBs)). As these are areas where there is both a high demand for recreational facilities and an urgent need to do more to support nature recovery, a full planning application should be required in such locations.

The list of areas where this new right will not apply (included in para 17 of the consultation document) should therefore be extended to include all article 2(3) land and not just SSSIs. This would be in line with the established precedent of excluding article 2(3) land from certain permitted development rights as is clearly demonstrated by the fact that some of the other rights covered in this consultation, such as solar canopies, do not apply in article 2(3) land.

Q2. Do you agree that the permitted development right should only apply to the placing of tents?

Yes

Please give your reasons :

As set out in response to Q1, the right should not apply in article 2(3) land but if it does it should only apply to the placing of tents and consideration should be given to a definition of tent, including the maximum cubic capacity allowed, to ensure that there are proper limitations on the scale of development allowed.

Q3. Do you agree that the permitted development right should allow up to a maximum of 30 tents to be erected on the land?

Not Answered

Please give your reasons. If you have responded no, please provide your alternative suggestion and justification. :

Q4. Do you agree that the permitted development right should be limited to up to 60 days per calendar year?

Not Answered

Please give your reasons. If you have responded no, please provide your alternative suggestion and justification.:

Q5. Do you agree that the permitted development right should require the provision of temporary on-site facilities to provide waste disposal, showers and toilets?

Yes

Please give your reasons and provide details of any other facilities that should be required.:

As set out in response to Q1, the right should not apply in article 2(3) land but if it does then it is essential that it includes a requirement for the provision of temporary onsite facilities in order to reduce the impact on the local environment. The placing of any such facilities should count towards the 60 days even if no tents are on the site and temporary on-site facilities should only be required or allowed where there are no suitable existing facilities exist, for example, if the site is adjacent an existing permanent site or close to an existing building where these facilities are available.

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?

Yes

Please give your reasons :

In addition to the areas specified, the permitted development right should not apply in all article 2(3) land for the reasons set out in our response to Q1. As Protected Landscapes (National Parks and Areas of Outstanding Natural Beauty (AONBs)) are areas where there is both a high demand for recreational facilities and an urgent need to do more to support nature recovery, a full planning application should be required in such locations.

Q7. Are there any other planning matters that should be considered?

Yes

Please specify :

The permitted development right should not apply in all article 2(3) land. As Protected Landscapes are valuable for both nature and access, it is essential that a full planning application is submitted in these areas so that the impacts can properly considered. It would not help meet the Government's ambitions for either nature recovery or economy recovery if a proliferation of badly sited temporary campsites harms the natural beauty and tranquillity which attracts people to visiting Protected Landscapes in the first place. Neither prior notification nor prior approval can adequately ensure that the impacts of development are properly managed in such sensitive areas.

Temporary recreational campsites - prior notification

Q8. Do you agree that the permitted development right should require annual prior notification to the local authority of the matters as set out above?

Not Answered

Please give your reasons :

Temporary recreational campsites - prior approval for campsites in areas of flood risk

Q9. Do you think that, in areas of flood risk, the right should allow for prior approval with regard to flooding on the site?

Not Answered

Please give your reasons :

Temporary recreational campsites - Public Sector Equality Duty and Impact Assessments

Q10.a. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on businesses?

Not Answered

Q10.b. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on local planning authorities?

Not Answered

Q10.c. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on communities?

Not Answered

Q10.d. 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.

Please give your reasons :

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).

Not Answered

If so, please give your reasons:

Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

Do you want to complete this section?

Yes

Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

Rights for domestic solar - solar on domestic buildings

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)?

Yes

Please give your reasons :

This would allow for increased use of solar panels on domestic buildings without a significant increase in visual impacts. However, the right should only apply to non-reflective solar panels.

Q13. Are there any circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises?

Yes

Please give your reasons :

It would not be appropriate to permit solar which is not non-reflective.

We are aware that there is some local confusion as to whether solar panels are permitted development in protected landscapes or not. The GDPO legislation makes no reference to any exclusion for Article 2(3) land or Article 2(4) land in relation to domestic roof-mounted solar (see section A.1 of part 14 of the Regs.). The right therefore currently applies in protected landscapes but in some cases PD rights have been removed and in others, specific restrictions may apply, which themselves are not comprehensive or consistent with those for other solar installations. This results in confusion. For instance, the Regs appear to exclude from the right solar on buildings within the curtilage of listed buildings BUT NOT on listed buildings themselves (see A.1(e) of part 14). Listed building consent may capture these cases but may also look at different impacts that planning consent would. In both instances a more consistent and updated approach would be welcome to avoid confusion.

Q14. Do you agree that solar on a wall which fronts a highway should be permitted in conservation areas?

Don't know

Please give your reasons :

The installation of solar can have a significant impact on conservation areas depending on its size and how visible it is so it should only be allowed in certain circumstances and consideration should be given to ensuring that any impacts are limited. For example, only non-reflective solar should be allowed.

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?

Yes

Please give your reasons :

We welcome greater flexibility to allow for the installation of solar on flat roofs. However, we would like to see the inclusion of greater clarity as to how the rights for rooftop solar apply in Protected Landscapes, and the introduction of appropriate restrictions in these areas, such as requiring non-reflective solar panels. The current lack of clarity as to if and how the rights for rooftop solar apply in Protected Landscapes is sometimes a cause for confusion.

Rights for domestic solar - stand-alone domestic solar

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?

No

Please give your reasons :

The installation of stand-alone solar can have a significant impact on conservation areas and these impacts should be properly considered as part of a planning application.

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?

Not Answered

Please give your reasons :

Rights for non-domestic solar - solar on non-domestic buildings

Q18. Do you agree that the current threshold permitting the generation of up to 1MW of electricity on non-domestic buildings should be removed?

Yes

Please give your reasons :

This would allow for increased solar generation in appropriate locations.

Q19. Is the current prior approval for solar equipment on non-domestic rooftops (where equipment is over 50kW but no more than 1MW) effective?

Don't know

Please give your reasons :

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?

Yes

Please give your reasons :

In article 2(3) land for the reasons set out in response to Q21.

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

Please give your reasons :

While we welcome the potential for increased solar generation, it is essential to retain the existing limitations relating to the installation of solar on non-domestic buildings in article 2(3) land. This will not prevent the installation of increased solar in appropriate locations but by requiring planning permission it will ensure that the impacts are properly considered and installations are sited so as to minimise any damaging impacts.

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?

No

Please give your reasons :

Rights for non-domestic solar - stand-alone non-domestic solar

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

Please give your reasons :

While we welcome the potential for increased solar generation, it is essential to retain the existing limitations relating to the installation of stand-alone solar in article 2(3) land. This will not prevent the installation of increased solar in appropriate locations but by requiring planning permission it will ensure that the impacts are properly considered and installations are sited so as to minimise any damaging impacts.

The following example from the Lake District National Park demonstrates why it is essential to retain the existing limitations. A planning application (ref:7/2020/5397) was submitted for a wind turbine and a bank of standalone solar panels distant from a farm. When this was refused, it was replaced by another application (ref: 7/2021/5895) which did not include the wind turbine and had the solar panel bank moved much closer to the farm ensuring that it had much less impact on the landscape.

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?

No

Please give your reasons :

Rights for non-domestic solar - solar canopies

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

Please give your reasons :

This would reduce the need to install solar panels on greenfield sites.

Q26. Do you agree that a permitted development right for solar canopies should not apply on land which is within ten metres of the curtilage of a dwellinghouse?

Yes

Please give your reasons :

This will minimise the impact on local residents.

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 scheduled monument or which is within the curtilage of a listed building?

Yes

Please give your reasons :

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

Please give your reasons :

This would be in line with the established precedent that certain permitted development rights do not apply in article 2(3) land, given the added importance of protecting the landscape quality and natural beauty of these areas.

Q29. Do you agree that solar canopies should be permitted up to four metres in height?

Don't know

Please give your reasons :

Q30. Do you think that the right should allow for prior approval with regard to design, siting, external appearance and impact of glare?

Yes

Please give your reasons :

Q31. Are there any other limitations that should apply to a permitted development right for solar canopies to limit potential impacts?

Yes

Please give your reasons :

The right should apply to non-reflective solar panels only.

Solar equipment - Public Sector Equality Duty and Impact Assessments

Q32.a. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on businesses?

Not Answered

Q32.b. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on local planning authorities?

Not Answered

Q32.c. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on communities?

Not Answered

Q32.d. 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.

Please give your reasons :

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).

Not Answered

If so, please give your reasons and specify which rights any comment relates to.:

Providing further flexibility to allow local authorities to undertake development

Do you want to complete this section?

No

Changes to support film-making

Do you want to complete this section?

No