

## **Planning - Development Management**

**Manager:** David Norris

My Ref:  
Your Ref:

Date: 30 January 2024

### **Camp sites advice letter 2024**

From the 26 July 2023 the permitted development regulations for temporary recreational campsites or 'pop up' campsites changed with the introduction of a new Class BC and an amendment to the existing Class B of Part 4 of Schedule 2 to the Planning (General Permitted Development) (England) Order 2015

#### **Class BC**

The new Class BC rights allow operators to use land for up to 60 days in any calendar year as a campsite for no more than 50 pitches. This is limited to camping with tents and caravans that are motor vehicles that have been designed or adapted for human habitation. It does not extend to caravans generally. To make use of the new Class BC rights, operators must give prior notification to the Council in writing before undertaking any camping use, in accordance with the procedures set out within the legislation. Operators may also need a site licence.

All temporary camping sites operating under permitted development Class BC will be required to notify the Council as the local planning authority in advance in writing before starting development in each calendar year. You must provide a copy of a site plan which includes details of:

- toilet and waste disposal facilities
- the dates on which the site will be in use

You may also need a site licence.

If your site is within Environment Agency Flood Zones 2 and/or 3, you will need to submit an application for prior approval and receive confirmation of approval before using the land. Please note - this can take up to 56 days.

All the rights are subject to limitations and conditions. Find out more by reading:

- The relevant legislation under the Town and Country Planning (General Permitted Development) (England) Order 2015 - [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2015/1717/contents/make)

**[newforest.gov.uk](https://www.newforest.gov.uk)**

Appletree Court, Beaulieu Road, LYNDHURST, SO43 7PA

- Our advice note for pop up campsites in the forest - [Pop up campsites in the forest - New Forest District Council](#)

To be lawful under the Class BC permitted development rights, the temporary use of the land as a recreational campsite must not begin before either –

- (a) the receipt by the developer (site operator) from the local planning authority of a written notice giving their prior approval; or
- (b) the expiry of 56 days following the date on which the application was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.

### **Class B**

Class B has been amended so that from 26<sup>th</sup> July 2024 development is NOT permitted for the use of land for camping, other than in connection with a festival. It also specifies that development is not permitted for the siting of any caravan except a caravan which is a motor vehicle designed or adapted for human habitation in connection with a festival. The 28 day limit still applies.

### **Caravans and motorhomes**

Caravans and motorhomes are subject to different rules.

You can only site a caravan under permitted development rights if an exception applies. You can find about the law by reading [Schedule 1 of the Caravan Site and Control of Development Act 1960](#). You will need planning permission to use your land for caravans for camping in most cases. The only exception set out within Classes B and BC are caravans that are used as a motor vehicle designed or adapted for human habitation as set out above.

### **Facilities and structures for temporary campsites**

Permitted development rights do not allow any permanent works or operations. Necessary facilities such as temporary toilets may be needed. Each day the facilities are on your land in connection with its use as a temporary campsite will count towards the 60 day limit even if the site is unoccupied.

### **Advice on nutrient neutrality**

Developments and campsites in the New Forest District Council area need to prove nutrient neutrality.

It is a requirement and pre-requisite of the General Permitted Development Order that for a site to benefit under the provisions of the Order they must also satisfy regulations 75-78 of the Conservation of Habitats and Species Regulations 2017.

In summary these Regulations require that an appropriate assessment is carried out before the Council can determine if permission can be granted (whether by permitted development or otherwise).

Regulation 77 provides that it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which—

- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
  - (b) is not directly connected with or necessary to the management of the site,
- must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority).

Therefore, to use/benefit from the permitted development rights set out above for recreational camping or any other type of overnight accommodation in the New Forest District Council area, Regulation 77 approval is first required as a pre-requisite.

This will require a separate application to the local planning authority for Regulation 77 approval (application fee is currently £30). Regulation 77 approval must be in place before any permitted development right for the use of land as a recreational campsite can be undertaken. Without Regulation 77 approval, the permitted development right(s) do not exist and the recreational campsite use would constitute unauthorised development.

I appreciate the above presents a fairly complex set of requirements and if you have any questions regarding your specific proposal(s) please contact the planning office via [planning@nfdc.gov.uk](mailto:planning@nfdc.gov.uk).

Yours sincerely

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