

P-06-1374 Bring Wales in line with England by allowing landowners 60 days tent and campervan camping a year.

Y Pwyllgor Deisebau | 27 Tachwedd 2023
Petitions Committee | 27 November 2023

Reference: SR23/7092-7

Petition Number: P-06-1374

Petition title: Bring Wales in line with England by allowing landowners 60 days tent and campervan camping a year.

Text of petition:

During Covid Wales extended landowners' rights to allow tent and campervan/motor home camping from 28 days pa to 56. In 2022 it reverted to 28 days but a consultation was held around making 56 days law. A recent announcement by the Senedd put any permanent change on hold. As of July 2023 England has 60 days of permitted camping, putting Welsh landowners at a disadvantage. I urge the Senedd to look at the Town and Country Planning Order 2023 amendments and consider bringing them into Welsh law.

The new amendment passed in England in July 2023 allowing landowners 60 days of up to 50 tents and campervan/motor home camping per year, subject to some new regulations:

<https://www.legislation.gov.uk/ukxi/2023/747/article/3/made>



The Senedd response that the consultation in Wales had concluded and that changes to the pop-up campsite rules would be looked at in a future update of the planning permitted rights rules:

<https://record.senedd.wales/WrittenQuestion/87749>

I urge that this review is held now, and tries to be as consistent as possible with the English amendments so as not to disadvantage Welsh landowners like myself who want to diversify the use of their land in order to maintain an income in these difficult times for everyone.

1. Background

Permitted development

Certain development is classed as “permitted development” meaning there is no requirement to seek planning permission because it is automatically granted. The *Town and Country Planning (General Permitted Development) Order 1995* (the GPDO) sets out what constitutes permitted development.

Class B of Part 4 of *Schedule 2* of the GPDO provides for the temporary use of land (excluding buildings) for 28 days, subject to certain limitations and conditions. Under these permitted development rights, land can be used for a campsite for up to 28 days a year without the need to apply for planning permission - although this applies to tents only and excludes caravans.

If the temporary use of the land lasts for a period longer than 28 days or permanently, it would be for the local planning authority (LPA) to determine whether this constitutes ‘development’ or a ‘change of use’ in planning terms. If so, then an application for planning permission may be necessary.

This is known as the “28-day rule” that is in force in Wales.

Changes in England

On 26 July the *Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2023* came into force. This allows for land in England to be used as a temporary campsite for up to 60 days of the year without the need to apply for planning permission. However there are a number of

conditions attached, **which do not apply under the Welsh 28-day rule**, including that:

- no more than 50 pitches are allowed;
- toilet and waste disposal facilities must be provided; and
- the LPA must be notified in advance every year, they must be provided with a copy of a site plan as well as the dates of operation.

While caravans are still excluded under the 60-day rule, campervans and motorhomes are permitted.

A **camping licence** is also required (in both England and Wales) to pitch tents for more than 42 consecutive days or more than 60 days total within a calendar year. Therefore, if a campsite owner in England were to use the new rules to run a campsite for 60 consecutive days, while planning permission would not be required, they would still need to apply for a licence.

Situation in Wales

As above, the 28-day rule is still in force in Wales.

The Welsh Government introduced **new temporary permitted development rights** in April 2021 to help aid the economic recovery from Covid-19. This provided for an additional 28 days for the temporary use of land meaning, in practice, land could be used as a campsite for up to 56 days a year without the need for planning permission. However, the **relevant legislation** was only in force until January 2022.

In November 2021 the **Welsh Government consulted** on a range of matters relating to permitted development, including whether to make the additional temporary use of land changes permanent. To date, the Welsh Government has not published a full response to the consultation with a decision on whether the temporary expansion will be made permanent, nor has it stated whether it will introduce the same rule that is now in force in England.

2. Welsh Government action

In her letter to the Chair, dated 7 November, the Minister for Climate Change, Julie James, says the Welsh Government:

...received a number of concerns about extending the permitted development rights for temporary campsites from residents adjacent to

sites, both during the operation of the 56-day allowance following the coronavirus restrictions and in response to the consultation at the start of last year to retain the extended period.

She says the Welsh Government will consider the issues when it next makes amendments to permitted development rights. The next set of changes have yet to be scheduled.

3. Welsh Parliament action

In March 2023 Darren Millar MS asked for an update on the Welsh Government's consultation regarding the extension of permitted development rights. The response stated that consideration of the changes "consulted on in respect of pop-up campsites is ongoing".

In June 2023 Huw Irranca-Davies MS also tabled a written question on the issue. The Welsh Government's response stated that:

...A final decision will be taken as part of the next review of permitted development rights. The review has yet to be scheduled.

More recently, in September James Evans MS asked the Welsh Government what plans it had to review the situation in Wales in light of the changes in England. The Welsh Government responded that it:

...will consider whether 60 days is appropriate, taking account of consultation responses already received on this issue, when we make the next amendments to permitted development rights. The next set of changes have yet to be scheduled.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.