

## **Advice Note to Landowner/Operator**

The information contained below sets out the planning and site licence position as regards the use of land for those wishing to operate a Temporary Recreational or 'Pop up' camp site.

### **Temporary Recreational Campsites**

From 26 July 2023 the Temporary Change of Use of Land for Temporary Recreational Campsites has been extended from 28 days per calendar year to 60 days. Should a landowner decide not to take advantage of this new legislation, they can still continue with the current temporary change of use of their land for camping (i.e. for 28 days) until July 25 2024.

Previously, the temporary use was restricted to camping in tents, however, the new legislation also allows the use of camper vans and motor homes. Other requirements will have to be adhered to before such use would be allowed under the new camping legislation:

- a) The legislation does NOT permit the temporary use to take place on a site of a scheduled monument; in a safety hazard area; in a military explosives storage area; on a site of special scientific interest; on a site of a listed building;
- b) No more than 50 pitches are allowed on the land.
- c) the developer must make on-site provision for users of the campsite of toilet and waste disposal facilities;
- d) the developer must notify the local planning authority in writing before commencement of development in each calendar year, providing a copy of the site plan, which must include particulars of—
  - i. toilet and waste disposal facilities; and
  - ii. the dates on which the site will be in use;
- e) where the proposed development is on land within Flood Zone 2 or Flood Zone 3, the permitted development is subject to prior approval by the local planning authority before commencement of development in each calendar year.

You can find out whether your site lies within a Flood Zone on [Dorset Explorer](#).

Where Prior Approval is required then the site cannot be used as a camping site until either—

- (a) the Council, as the local planning authority has given their prior approval by or
- (b) more than 56 days have passed following the date on which the prior approval application was received by the local planning authority (we will acknowledge receipt) and no notification has been provided that prior approval has or has not been granted.

**Tented camp sites (which may include camper vans/motorhomes) – Need for site licence (separate from planning permission)**

All tented sites which operate for more than 42 consecutive days or for more than 60 days in total in any 12 consecutive months must be licensed by a local authority under Section 269 of the Public Health Act 1936. This section of the act allows for licencing of moveable dwellings. Details of who to contact as regards site licences can be got from this link: [Caravan site licence - Dorset Council](#)

But you should also be aware that whether a site licence is required or not, you must also check the planning position as regards the need for any planning application which might also be required.

**Tented camp sites (which may include camper vans/motorhomes) impacts on European sites.** The Conservation of Habitats and Species Regulations 2017 defines a number of sites, known as European sites, across Dorset for their wildlife conservation value. The permitted development rights which apply to temporary campsites do not apply if the campsite is likely to result in a significant effect upon a European Site unless you have first obtained confirmation from the Council via a regulation 75 Habitats Regulations Application that effects can be avoided (see [‘Permitted Developments and Habitats Regulations’ document](#)).

This is likely to apply to proposals with permitted development rights across extensive areas of Dorset, given the extent of issues relating to European Sites within the Dorset Council area. This includes, but is not limited to, the following:

- Sites within the hydrological catchment of the Poole Harbour SPA/Ramsar ([Nitrogen Reduction in Poole Harbour SPD](#))

- Sites within 5km of the Dorset Heaths SAC and Dorset Heathlands SPA and Ramsar ([Dorset Heathlands Framework 2020-2025 SPD](#))
- Sites within the hydrological catchments of River Axe SAC and River Avon SAC;
- Sites within the recreation zone of influence for the Poole Harbour SPA and Ramsar ([Poole Harbour Recreation 2019-2024 SPD](#));
- Sites within the 5km recreation zone of influence for the Chesil and the Fleet SAC and Chesil Beach and the Fleet SPA and Ramsar ([Chesil and the Fleet recreation zone of influence](#));

There are numerous other European sites within the Dorset Council area, and within the boundaries of neighbouring authorities, which may be subject to significant adverse effects as a result of a temporary campsite. For more guidance regarding significant effects on European sites please contact Natural England. Natural England will provide an opinion as to whether or not the development is likely to have a significant effect. This notification can then be provided to Dorset Council as part of the application for a regulation 75 Habitats Regulations application. Operation of your temporary campsite cannot begin until you have received approval from the Council that its use will not result in a significant effect upon these European sites, or that significant effects can be satisfactorily mitigated. Campsites which are likely to result in a significant effect, and for which there is no mitigation, will not be permitted.

This is likely to include all sites that lie within 400m of the Dorset Heathlands. There is a link to further information on Natural England's DAS service here if needed: <http://publications.naturalengland.org.uk/file/6284617338322944>

Also attached to this guidance note is an advice note that provides further detail on the requirements of the Habitats Regulations and its relationship with proposals which qualify as permitted development.

### **Examples here of Mitigation Payments**

Below are just 2 examples (though each will need to be considered on its own individual merits) of likely scenarios and cost implications for applicants to note:

Example 1 - A pop-up campsite with 20 pitches within the 400m to 5km zone around the Dorset Heathlands European Site, operating for 28 days, will be required to pay a contribution of £51.00.

Example 2 - A pop-up campsite with 50 pitches within the hydrological catchment of Poole Harbour, operating for 28 days, will be required to pay a contribution of £27.87. Further advice however can be got from our Environmental Assessment officers by sending an email to [environmentalassessment@dorsetcouncil.gov.uk](mailto:environmentalassessment@dorsetcouncil.gov.uk)

### **Unilateral Undertaking (Legal Agreement)**

Any requirement to enter a Unilateral Undertaking (UU) legal agreement should any financial contribution towards mitigation which be required will incur Legal fees to the Council charged at £160 per UU.

### **Permitted Development Enquiry Service**

For further enquiries please send to us a permitted development enquiry submission (which does attract a planning fee) details can be got via this link:

[Non Householder permitted development - do I need planning permission? - Dorset Council](#)

### **Our Dorset Council Planning Contacts**

Please contact if your site was in **former East Dorset**: The planning office for the Eastern area

Email: [planningeast@dorsetcouncil.gov.uk](mailto:planningeast@dorsetcouncil.gov.uk)

Please contact if your site was in **former North Dorset**

Email: [planningnorth@dorsetcouncil.gov.uk](mailto:planningnorth@dorsetcouncil.gov.uk)

Please contact if your site was in **Purbeck**

Email: [planningeast@dorsetcouncil.gov.uk](mailto:planningeast@dorsetcouncil.gov.uk)

Please contact if your site was in **West Dorset/Weymouth & Portland**

Email: [planningwest@dorsetcouncil.gov.uk](mailto:planningwest@dorsetcouncil.gov.uk)

**For further information about the need for an Appropriate Assessment under the Habitat Regulations** please contact

Email [environmentalassessment@dorsetcouncil.gov.uk](mailto:environmentalassessment@dorsetcouncil.gov.uk)