25th February 2021

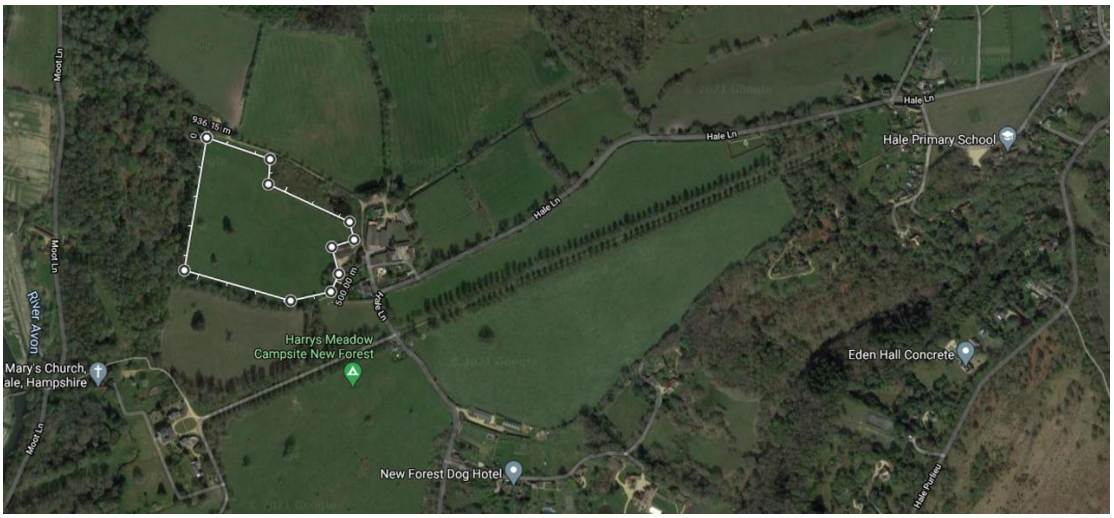
To Hale Parish Council

RE Harry's Meadow Pop-up Campsite.

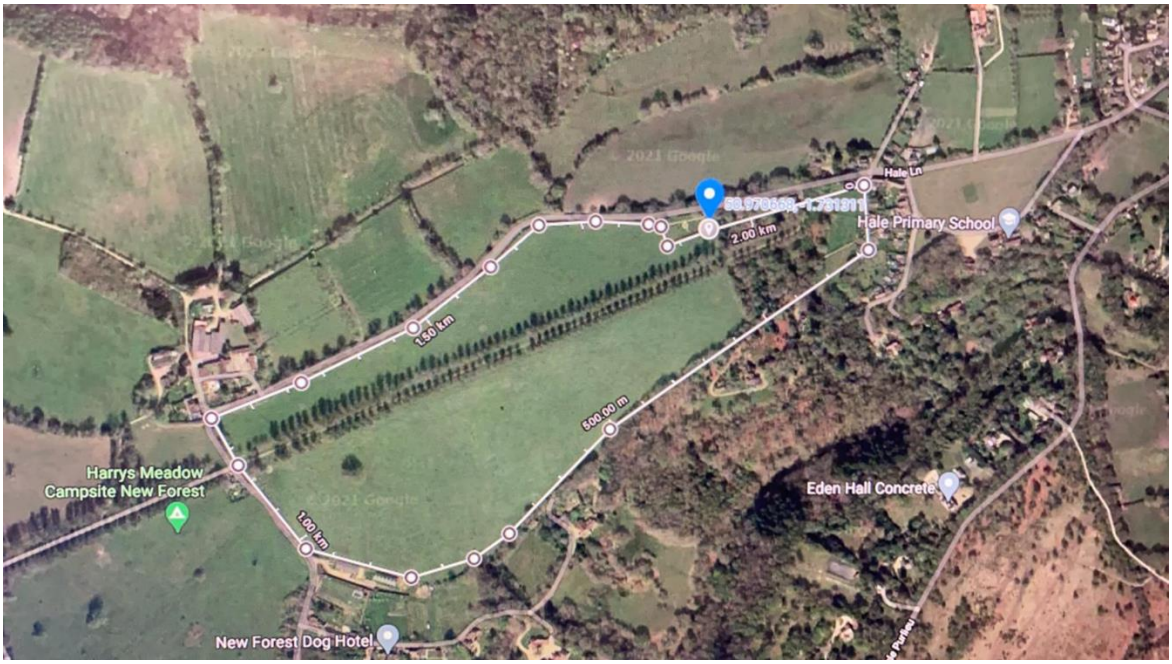
It has been brought to my attention that a 'Pop-up' campsite is planned in the field opposite our property and that Harry's Meadow is currently taking online bookings from the 9th July to 30th August 2021.

I would not be raising a complaint if the operator had behaved within the permitted planning exception principles last summer and for the purpose of this letter, I am also aware that the operator is also not part of an except scheme such as the Camping and Caravanning club.

Last year's pop-up Campsite operated on a 20 acre piece of land as shown in the screenshot below and allowed for 100 pitches per day to be booked. This operation caused a significant impact to the local residents and its was noted that the operator regularly overbooking the site (over 300 tents were witnessed by a neighboring resident), which as I am sure you will understand created an excessive noise nuisance into the early hours, with significant increases in traffic and speeding on the local and surrounding roads. Another foreseeable risk that I must highlight to the Parish Council, is the safety of pedestrians, predominately from Harry's Meadows, as the location of this campsite and the proposed/anticipated volume of the campers/pedestrians will increases foot traffic on the unsuitable narrow country lanes that as we all know have no pavement nor street lighting to safeguards pedestrians walking to and from Wood Green.



My primary objection however is that the new undertaking is now planned for within a 50-acre plot and as touched upon the legal status in my view is questionable as it clearly intends to operate an unregulated Caravan Site under the guise of a Pop-Up Campsite.



Do note the comments on [The New Forest Camping Website]() where this undertaking is being advertised as, "*With no allocated pitches, we offer wild camping at its best. Feel free to pitch up wherever you like- you'll have over 50 acres of perfectly flat pristine pasture to choose from!*"

My understanding of the regulations are that there are only two alternatives to planning permission for this type of operation:

1) Permitted development (The Town and Country Planning (General Permitted Development) Order 1995, Schedule 20

- In England, 28-day campsites can now open for 56 days in a calendar year under permitted development rights (now extended until the end of December 2021).

- Moveable structures on wheels or skids in connection with the use of the site, such as portable toilets, benefit from the same permitted development rights. However, any day when such a temporary structure remains on site counts as one of the number of days permitted

- Glamping units, such as bell tents, can benefit from permitted development as long as a 'building operation' is not involved, for example the construction of a solid base. Whether something is a building operation depends on factors such as the size, permanence and physical attachment to the ground. To determine whether planning permission is required you can apply for a Lawful Development Certificate or discuss the matter informally with your local planning department.

- Similarly, planning permission may still be required for new engineering work to install drains, electricity, roads, etc. However, minor development may excused under the 'de minimis' principle

- A separate license may still be required for certain types of moveable facility, such as a take-away van

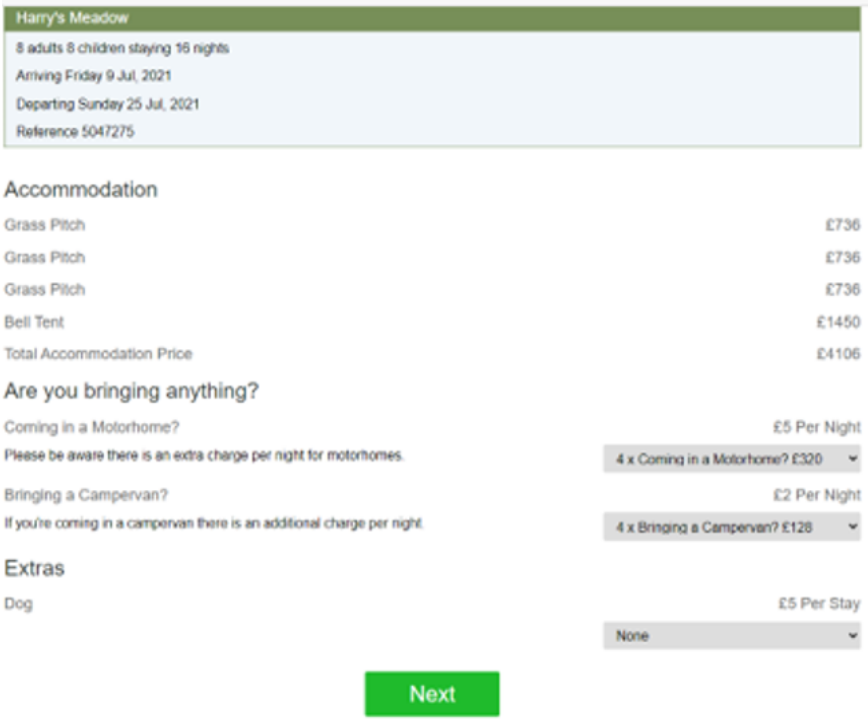
- Trailer tents qualify for permitted development, but caravans (definition) do not. This prevents touring caravans and motorhomes/campervans being sited, but you may be able to use the license exemption for 28-day use of up to 3 units.

- Permitted development rights do not override existing planning conditions. If you have not provided camping under permitted development ('28-day camping rule') before, we would suggest confirming status with your local planning department.

2) Lawful use

As this is clearly does not fall under Lawful Use, for this pop-up site to be unlicensed it must conform to the Permitted Development criteria as listed above. The fact the operator of the site is taking bookings for Motorhomes and Campers, I therefore had assumed that the Operator had already contacted the New Forest District Council to seek planning and licensing advice on this. I have since contact the NFDC Environmental team and they have not been approached to date.

The fact that I am able to book a stay at Harry Meadow for 4 motorhomes and 4 campervans confirms that this unlicensed undertaking falls under *that Caravan Sites and Control of Development Act 1960* and is not a pop-up campsite as advertised and therefore a caravan site license and the appropriate planning permission is needed for this undertaking to be lawful.



I am sure that you are aware that under the *undertaking* , there are only specific cases where a Caravan site License is not required, and they are as set out below.

1 A site license shall not be required for the use of land as a caravan site if the use is incidental to the enjoyment as such of a dwelling house within the curtilage of which the land is situated

Use by a person travelling with a caravan for one or two nights.

2 Subject to the provisions of paragraph 13 of this Schedule, a site license shall not be required for the use of land as a caravan site by a person travelling with a caravan who brings the caravan on to the land for a period which includes not more than two nights—

(a) if during that period no other caravan is stationed for the purposes of human habitation on that land or any adjoining land in the same occupation, and

(b) if, in the period of twelve months ending with the day on which the caravan is brought on to the land, the number of days on which a caravan was stationed anywhere on that land or the said adjoining land for the purposes of human habitation did not exceed twenty-eight.

Use of holdings of five acres or more in certain circumstances.

3 (1) Subject to the provisions of paragraph 13 of this Schedule, a site license shall not be required for the use as a caravan site of land which comprises, together with any adjoining land which is in the same occupation and has not been built on, not less than five acres—

(a) if in the period of twelve months ending with the day on which the land is used as a caravan site the number of days on which a caravan was stationed anywhere on that land or on the said adjoining land for the purposes of human habitation did not exceed twenty-eight, and

(b) if in the said period of twelve months not more than three caravans were so stationed at any one time.

I am also aware that the legal definition of a Caravan has been clarified In Section 29 (1) of the Caravan Sites and Control of Development Act 1960, a caravan is therefore defined as:

"…any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted but does not include.

(A) Any railway rolling stock which is for the time being on rails forming part of a system, or

(B) Any tent"

I would welcome the Parish Councils view on legalities of this undertaking, as I understand the law is clear in this instance as demonstrated above you are unable to operate a pop-up caravan site without a Local Authority Caravan license and the appropriate planning consent and with respect would hope that the Parish Council takes a proactive stance against operators who have set up to abuse the planning exceptions to profit at the expense of local residents' peaceful enjoyment.

I look forward to your responses and note that I have already escalating this complaint to the New Forest National Park Association, and intent to contact our