### Awdurdod Parc Cenedlaethol Arfordir Penfro Pembrokeshire Coast National Park Authority



## FAQ: Camping and Caravan Article 4(1) Direction on 28-Day Sites in Pembrokeshire Coast National Park

### What is an Article 4(1) Direction?

An Article 4(1) Direction is a planning tool which enables Local Authorities to respond to the specific needs of their areas by removing certain permitted development rights. It withdraws the planning permission which the General Permitted Development Order grants for a class of development. Such a direction may be made by a Local Planning Authority or by the Welsh Ministers under article 4 of that order. The confirmation of an Article 4(1) Direction does not prevent planning permission being issued but instead requires planning permission to be sought for all proposals within a certain category. This provides the opportunity to support development which is consistent with the strategy and policies of the Pembrokeshire Coast National Park Local Development Plan 2.

### What does this change mean?

For specific types of development, planning permission is not required, as they have been given 'permitted development rights'. The use of land for up to 28 days for camping, caravans and mobile homes benefits from a permitted development right. Introducing an Article 4(1) Direction means the Local Planning Authority can remove permitted development rights for some types of development and a planning application would be required. The Article 4(1) Direction will remove the permitted development right to use land for camping, caravans and/or mobile homes for up to 28 days in any calendar year. A formal planning application will be required to be submitted to the National Park Authority. This measure ensures that their placement and operation are carefully managed to safeguard the unique environment of the National Park.

### What is the 28-Day Rule?

Under the current legislation, the '28-day rule' allows a landowner to use land without having to get formal planning permission for 28 days in a calendar year for a campsite with no caravans. Blocks of land of over 5 acres can be used for up to 3 caravans, or motorhomes or campervans for no more than 2 nights. Blocks of any size can be used for the siting of one caravan for no more than two nights. Whereas landowners establishing sites in England are required to notify the planning authority in advance of opening, this is not required in Wales.

Further information can be found here: <a href="https://www.pembrokeshirecoast.wales/wp-content/uploads/2021/09/28">https://www.pembrokeshirecoast.wales/wp-content/uploads/2021/09/28</a> day leaflet english.pdf

### Why is an Article 4(1) Direction being introduced for 28-day sites in the National Park?

The number of campsites in the National Park is substantial, with many 28-day sites operating beyond their permitted development period. This has resulted in significant landscape impacts, with pitches being placed and, in some cases, gaining certificates of lawful use in locations in which planning permission would normally be refused. Monitoring of these sites continues to challenge the limited resources of the Authority.

As a result, a public consultation was held between May and September 2024 on the proposal to remove permitted development rights for 28-day camping and caravan sites through an Article 4(1) Direction. The Pembrokeshire Coast National Park Authority approved the decision to issue an area wide Article 4(1) Direction at the Authority's meeting on Wednesday 11 December 2024. Public consultation was held from 10 January to 21 February 2025 on the Article 4(1) Direction. The National Park Authority confirmed the Article 4(1) Direction on 7 May 2025. The Article 4(1) Direction will take effect on Wednesday 1 January 2026.

This will enable the Authority to better manage the impacts of temporary camping and caravan sites on the environment, local communities, and infrastructure. It aims to ensure that these sites operate sustainably and do not negatively affect the natural landscape or local amenities through better monitoring.

### What are the benefits of this new regulation?

- It will allow for more comprehensive control to assessing the impacts of caravan and camping in the National Park enabling the Authority to ensure that proposals are compatible with the strategy of the Pembrokeshire Coast National Park Local Development Plan 2 and the purposes of National Parks.
- The introduction of the Article 4(1) Direction for the entire area will ensure that sustainable tourism is promoted, the natural landscape is protected from 'pop-up' sites, and will ensure that camping and caravanning activities are managed responsibly. It also provides a framework for better collaboration between landowners, local authorities, and the community where the amenities of the National Park's residents are protected.
- A re-focusing of National Park Authority resources (and those of partner organisations) from being reactive to unauthorised caravan and camping sites to building relationships with exemption organisations and other key stakeholders.

## If I already operate a camping and caravan site will the Article 4(1) Direction affect me?

If your camping and caravan site is already operating with an existing planning permission in place, this also includes those sites which operate under a Certificate of Lawfulness, then there will be no change. Those operating under an exemption certificate granted through exempted organisations will also be unaffected by the Article 4(1) Direction. All other sites will require planning consent from The Pembrokeshire Coast National Park Authority.

What types of camping and caravanning are affected?

The Article 4(1) Direction primarily affects temporary camping and caravanning activities that fall under the 28-Day Rule, this would include:

- Tents and trailer tents
- Glamping accommodation without solid bases
- Moveable structures on wheels or skids in connection with the use of the site, including portable toilets.
- Vehicles used solely for transportation to the site (cars, vans, and trailers)
- Land over five acres up to three caravans can be pitched at a time. The maximum stay for each caravan is two nights.
- Land under five acres only one caravan can be pitched at a time. The maximum stay for any caravan is two nights.

### Are there any exemptions?

Yes, certain types of camping and caravanning activities may still be exempt from this Article 4(1) Direction, and the subsequent need for planning permission. For example, organisations which meet certain requirements can apply to the Welsh Government for exemption certificates under the Caravan Sites and Control of Development Act 1960 and Public Health Act 1936.

To be eligible, organisations must have:

- A formal constitution;
- Objectives including the encouragement or promotion of a recreational activity; and
- The resources to arrange and supervise activities.

These organizations can certify sites, allowing them to host camping and caravanning activities under their banner. Both certificates are required if tents and caravans are being used on the site at the same time.

## If I operate a site in Pembrokeshire, but outside the National Park am I affected by the consultation?

If you operate a site outside the National Park then the proposals in relation to an Article 4(1) Direction will not affect you. However, if you intend to operate a camping or caravan site on a temporary basis you are advised to contact Pembrokeshire County Council where it acts as the Local Planning Authority: <a href="https://www.pembrokeshire.gov.uk/">https://www.pembrokeshire.gov.uk/</a>

# Will an Article 4(1) Direction on camp sites stop my family camping in my garden, or staying in a caravan on my drive for the night?

No – the proposals for an Article 4(1) Direction for campsites are aimed at land that does not have an existing residential use. People camping or staying in a caravan within a residential curtilage will not be impacted by these changes.

### How can landowners apply for planning permission?

Landowners can apply for full planning permission either online via the Planning Portal at <a href="https://www.planningportal.gov.uk">www.planningportal.gov.uk</a> or by email or post using the relevant application forms and plans

directly to the Authority. Application forms and guidance notes are available to download from our website: <a href="https://www.pembrokeshirecoast.wales/planning/application-forms-and-fees/">https://www.pembrokeshirecoast.wales/planning/application-forms-and-fees/</a>

### Can I prepare an application by myself?

Yes, there is nothing stopping you submitting an application without external assistance. However, depending on the complexity of your site a planning agent is advised and will serve as a go-between for you and the Authority. They are especially useful for those with limited knowledge of the planning process, helping to expedite application determinations by understanding the process and potential issues related to your development. The agent will be your primary contact for any application. While we cannot recommend specific planning agents or consultants, you can find a list of companies in the county through an internet search.

### How much will it cost to submit an application?

Due to the permitted development rights for 28-day sites being removed by means of the Article 4(1) Direction, no planning fees are required to submit an application. The Authority will also provide free pre-application advice.

### How long will it take to get planning permission?

The Authority will aim to determine most planning applications within the statutory time period of 8 weeks from the date your application is validated. When we receive your application, we will make sure it has been properly completed and we have all the required details. Once accepted, it is registered as a valid application.

### Will applications for 28-day sites be prioritised?

For those applicants who will now require formal planning consent as a result of the Article 4(1) Direction, a fast-track service planning application service is available ensuring that consents for 28-day sites are prioritised and dealt with in a timely manner. The following types of planning applications will be prioritised:

- Full Applications for 28-day campsites
- Certificate of Lawful Development (Existing & Proposed) for 28-day campsites
- Discharge of Conditions for 28-day campsites

### Planning permission is required, what will I need to submit?

Before applying for planning permission you will need to gather the following information:

- The location of your proposed site. This will need to be shown on a map with a red line indicating the extent of the site and including any access tracks from the public highway.
- How vehicles/pedestrians will access your site.
- How many pitches you intend to provide for campers (please note that up to 3 touring caravans, or motorhomes, or camper vans only are permitted on these sites). The

number of tents proposed will depend on the site area, allowing for access and pitch layout.

- The time-period during which you intend to operate your site in one calendar year.
  The 28 days do not have to be consecutive. (Temporary facilities sited on the land such as toilets/showers will count towards the tally even if there are no pitches occupied.)
- How you will deal with waste generated by visitors to your site.
- How you will deal with grey water/sewage generated by visitors to your site.

### How applications for 28-day sites will be considered:

When considering a planning application for a 28-day camping site, the National Park Authority will base its decision on the policies set out in National Planning Policy (<u>Planning Policy Wales Edition 12</u>) prepared by the Welsh Government, the <u>Local Development Plan 2</u> for the National Park and the adopted <u>Supplementary Planning Guidance on Camping</u>, Caravans and Chalets.

The size of the site and number of pitches will be considered as part of your planning application. Sites that are in locations with particular sensitivities or policy restrictions will not be supported. These can include land designated as a Site of Special Scientific Interest (SSSI), or Land within zones 2 and 3 on the Flood Map for Wales. The Authority will also consult various bodies, authorities and organisations who can provide expert advice. If your application to operate a site is successful it will be granted with conditions. These are intended to ensure that the site is operated as expected.

### What happens if my planning permission is refused?

If the Authority recommend your application be refused, or if you are unhappy with any of the conditions attached, there is a right of appeal. Appeals are required to be made to Planning and Environment Decisions Wales (PEDW) within 6 months of receiving your decision notice. PEDW will assess your application independently to the Local Authority and will determine if the right recommendation has been made. Please see <a href="here">here</a> for further information.

#### Where can I find more information?

If you have a further question that has not been addressed above, please contact the Planning Service at: <a href="mailto:dc@pembrokeshirecoast.org.uk">dc@pembrokeshirecoast.org.uk</a>