

Submitted to Permitted development rights: supporting temporary recreational campsites, renewable energy and film-making
Submitted on 2023-04-21 09:23:20

Scope of the consultation

Introduction

What is your name?

Name:
Carol Williams

What is your email address?

Email:
cwilliams@bats.org.uk

What is the type of organisation that you work for?

Charity or voluntary organisation

If applicable, what is the name of your organisation?

Organisation:
Bat Conservation Trust

What is your position in the organisation?

Position in organisation:
Director of Conservation

Privacy notice

A new permitted development right for temporary recreational campsites

Do you want to complete this section?

Yes

A new permitted development right for temporary recreational campsites

Temporary recreational campsites - the proposed new right

Q1. Do you agree that a new permitted development right should be introduced that will allow the temporary use of land for recreational campsites and associated facilities?

No

Please give your reasons :

Creation of recreational campsites should continue to require the full planning permission process. This is because the legal considerations regarding protected species, including bats, are more explicitly considered in that process, and therefore we would be less confident that the law would be followed if the proposed right is introduced. This is important as the impacts from camping can be both direct and indirect. For bats the introduction of artificial lighting has the potential to impact foraging activity with noise and disturbance also matters for wider consideration.

Q2. Do you agree that the permitted development right should only apply to the placing of tents?

Don't know

Please give your reasons :

Minimised disruption to wildlife and their foraging habitats as a result of such sites would be preferable. Noise and light disturbance connected to tents would likely be minimal, whereas placement of more imposing accommodation, like parking up motor homes or associated support structures such as showers and toilets, could disrupt wildlife more through increased electric light spillage and higher imposition on the landscape. However, we are of the opinion that the full planning permission process is the appropriate way to mitigate the impacts of these sites.

Q3. Do you agree that the permitted development right should allow up to a maximum of 30 tents to be erected on the land?

No

Please give your reasons. If you have responded no, please provide your alternative suggestion and justification. :

We are not in support of the proposed permitted development right due to potential risk to species and their habitats, with minimal enforcement. We think that if the right is introduced despite this, there should be reasonable limits on the scale of these sites, but we do not hold a particular view on the specific number of tents.

Q4. Do you agree that the permitted development right should be limited to up to 60 days per calendar year?

Don't know

Please give your reasons. If you have responded no, please provide your alternative suggestion and justification.:

If the right is introduced, there should be reasonable limits on the duration of such sites, though we do not hold a view on the specific length of time. The full planning process would be the most appropriate way to determine what duration might be appropriate for a prospective campsite, while taking into account local factors, including the presence of vulnerable species and the timing coinciding with sensitive times of year for species present.

Q5. Do you agree that the permitted development right should require the provision of temporary on-site facilities to provide waste disposal, showers and toilets?

Not Answered

Please give your reasons and provide details of any other facilities that should be required.:

Q6. Do you agree that the permitted development right should not apply on land which is in or forms part of sites of special scientific interest, Scheduled Monuments, safety hazard areas, military explosives storage areas and land within the curtilage of a listed building?

Yes

Please give your reasons :

There should be no such right on Sites of Special Scientific Interest. Moreover, we suggest that any such rights should also not apply on land that is sufficiently close to Sites of Special Scientific Interest. This is because the sites are liable to be adversely impacted by development outside the strict confines of their boundaries. This is particularly the case for sites designated due to the presence of protected species, such as bats, that will forage outside of that area. We also think that such a right should not apply on other sites designated for nature such as Local Wildlife Sites, Special Areas of Conservation and Special Protection Areas, as well as proposed sites.

Q7. Are there any other planning matters that should be considered?

Yes

Please specify :

Species protections continue to apply in relation to permitted development rights and as such it should be made clear that any such rights to set up a temporary campsite do not overrule the legal obligations contained in wildlife legislation. Additionally, the potential for increased light pollution in these areas should be considered alongside their effects on wildlife, including bats and other nocturnal species.

If the proposed site falls within an area of particular importance for biodiversity as mapped under the relevant Local Nature Recovery Strategy, a campsite would likely be incompatible with nature recovery in that area, especially if a site is used year after year. Therefore, we would suggest that the right should not apply in areas of particular importance for biodiversity.

Temporary recreational campsites - prior notification

Q8. Do you agree that the permitted development right should require annual prior notification to the local authority of the matters as set out above?

Yes

Please give your reasons :

Though we would prefer use of the full TCPA planning process, prior notification could provide the local authority with useful information for the purposes of wildlife crime enforcement and monitoring of species protections in their local area. For instance, provision of site maps to local authorities annually could provide insight when cross-referenced with the Local Nature Recovery Strategy for the area.

Temporary recreational campsites - prior approval for campsites in areas of flood risk

Q9. Do you think that, in areas of flood risk, the right should allow for prior approval with regard to flooding on the site?

Not Answered

Please give your reasons :

Temporary recreational campsites - Public Sector Equality Duty and Impact Assessments

Q10.a. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on businesses?

Not Answered

Q10.b. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on local planning authorities?

Not Answered

Q10.c. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on communities?

Not Answered

Q10.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Please give your reasons :

Q11. Do you think that proposed changes in relation to a new permitted development right for temporary recreational campsites could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

Not Answered

If so, please give your reasons:

Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

Do you want to complete this section?

Yes

Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

Rights for domestic solar - solar on domestic buildings

Q12. Should the permitted development right for solar on domestic rooftops be amended so that they can be installed on flat roofs where the highest part of the equipment would be no higher than 0.6 metres above the highest part of the roof (excluding any chimney)?

Don't know

Please give your reasons :

Regardless of the height limit chosen, it is important to consider the potential impacts on bats that may be roosting in that property or that may subsequently do so. Therefore, in communicating changes to this permitted development right, it should be emphasised that consideration of impacts on legally protected species must be considered in the same way as for the full TCPA planning process and statutory nature conservation organisations' advice should be followed if the presence of bats is suspected.

Q13. Are there any circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises?

Yes

Please give your reasons :

If bats are suspected to be roosting in the flat roof or in close proximity on the exterior of the building, solar installation would need to take this fully into account due to the disturbance to bats or damage to a roost that could occur if the timing and manner of installation if not modified to avoid impacts. Any future changes to solar permitted development rights and guidance need to dispel the idea that species protections do not apply to permitted development, as held by a concerning number of local authorities.

Q14. Do you agree that solar on a wall which fronts a highway should be permitted in conservation areas?

Not Answered

Please give your reasons :

Q15. Do you have any views on the other existing limitations which apply to this permitted development right which could be amended to further support the deployment of solar on domestic rooftops?

Not Answered

Please give your reasons :

Rights for domestic solar - stand-alone domestic solar

Q16. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the dwellinghouse in conservation areas, should be removed?

Not Answered

Please give your reasons :

Q17. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone domestic solar?

Not Answered

Please give your reasons :

Rights for non-domestic solar - solar on non-domestic buildings

Q18. Do you agree that the current threshold permitting the generation of up to 1MW of electricity on non-domestic buildings should be removed?

Not Answered

Please give your reasons :

Q19. Is the current prior approval for solar equipment on non-domestic rooftops (where equipment is over 50kW but no more than 1MW) effective?

Not Answered

Please give your reasons :

Q20. Are there any circumstances where it would not be appropriate to allow for the installation of non-domestic rooftop solar where there is no limit on the capacity of electricity generated?

Yes

Please give your reasons :

The chances of interactions with roosting bats must be considered to avoid disturbance to bats, damage to roosts and a reduction in the amount of available roosting habitat within and around a building's roof. Any future guidance or permitted development rights must be clear that species protections still apply and therefore that those legal requirements must be considered when planning the installation of solar, e.g. where bats are found to be roosting.

Q21. Do you agree that the existing limitations relating to the installation of solar on non-domestic buildings in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

Not Answered

Please give your reasons :

Q22. Do you have any views on how the other existing limitations which apply to the permitted development right could be amended to further support the deployment of solar on non-domestic rooftops?

Not Answered

Please give your reasons :

Rights for non-domestic solar - stand-alone non-domestic solar

Q23. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the building in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

Not Answered

Please give your reasons :

Q24. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone non-domestic solar?

Not Answered

Please give your reasons :

Rights for non-domestic solar - solar canopies

Q25. Do you agree that permitted development rights should enable the installation of solar canopies in ground-level off-street car parks in non-domestic settings?

Not Answered

Please give your reasons :

Q26. Do you agree that a permitted development right for solar canopies should not apply on land which is within ten metres of the curtilage of a dwellinghouse?

Not Answered

Please give your reasons :

Q27. Do you agree that a permitted development right for solar canopies should not apply on land which is in or forms part of a site designated as a scheduled monument or which is within the curtilage of a listed building?

Not Answered

Please give your reasons :

Q28. Do you agree that the permitted development right would not apply to article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites?

Not Answered

Please give your reasons :

Q29. Do you agree that solar canopies should be permitted up to four metres in height?

Not Answered

Please give your reasons :

Q30. Do you think that the right should allow for prior approval with regard to design, siting, external appearance and impact of glare?

Not Answered

Please give your reasons :

Q31. Are there any other limitations that should apply to a permitted development right for solar canopies to limit potential impacts?

Yes

Please give your reasons :

Such a permitted development right should not apply in designated sites for nature including Sites of Special Scientific Interest, Special Areas for Conservation and Special Protected Areas, as well as proposed sites. Additionally, the right should not apply in areas mapped in the Local Nature Recovery Strategy as having particular importance for biodiversity. This is because these sites should be protected from many forms of development in order to deliver their aims and solar canopies could conflict with that unless the full planning permission process is followed.

Solar equipment - Public Sector Equality Duty and Impact Assessments

Q32.a. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on businesses?

Not Answered

Q32.b. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on local planning authorities?

Not Answered

Q32.c. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on communities?

Not Answered

Q32.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights they particularly relate to.

Please give your reasons :

Q33. Do you think that proposed changes in relation to the permitted development rights for solar could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

Not Answered

If so, please give your reasons and specify which rights any comment relates to.:

Providing further flexibility to allow local authorities to undertake development

Do you want to complete this section?

Yes

Providing further flexibility to allow local authorities to undertake development

Q34. Do you agree that the permitted development right allowing for development by local authorities should be amended so that the development permitted can also be undertaken by a body acting on behalf of the local authority?

Not Answered

Please give your reasons :

Local authority development - Public Sector Equality Duty and Impact Assessments

Q35.a. Do you think that any of the proposed changes in relation to the permitted development right could impact on businesses?

Not Answered

Q35.b. Do you think that any of the proposed changes in relation to the permitted development right could impact on local planning authorities?

Not Answered

Q35.c. Do you think that any of the proposed changes in relation to the permitted development right could impact on communities?

Not Answered

Q35.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Please give your reasons :

Q36. Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?

Not Answered

If so, please give your reasons:

Changes to support film-making

Do you want to complete this section?

Yes

Changes to support film-making

Film-making - proposed changes to the permitted development right

Q37. Do you agree that the maximum period of time land or a building can be used for the purpose of commercial film making should be increased to 12 months in any 27 month period?

No

Please give your reasons :

The disturbance to wildlife caused by commercial film-making could be very significant, with increased lighting as well as noise and air pollution. The lighting used would particularly impact on nocturnal animals, including bats, and therefore it would be unreasonable to extend this in order as it would subject surrounding wildlife to harm.

Q38. Do you agree that the maximum area of land or land on which the building is situated being used for the purposes of film making should be increased to 3 hectares?

Not Answered

Please give your reasons :

Q39. Do you agree that the maximum height of any temporary structure, works, plant or machinery allowed for under the right should be increased to 20 meters?

Not Answered

Please give your reasons :

Film-making - Public Sector Equality Duty and Impact Assessments

Q40.a. Do you think that any of the proposed changes in relation to the permitted development right could impact on businesses?

Not Answered

Q40.b. Do you think that any of the proposed changes in relation to the permitted development right could impact on local planning authorities?

Not Answered

Q40.c. Do you think that any of the proposed changes in relation to the permitted development right could impact on communities?

Not Answered

Q40.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Please give your reasons :

Q41. Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?

Not Answered

If so, please give your reasons: