Horsham District Council

Maria Bloxham
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West Sussex
RH12 3BU

Our ref: DC/24/0300

Your ref:

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Direct Line: 01403 215166

If calling please ask for: Tamara Dale

Date: 17 April 2024

Dear Sir / Madam

Campsite for 60 consecutive days between 29/03/24 - 31/08/24

Sussex Topiary, Naldretts Lane, Rudgwick, West Sussex, RH12 3BU

I refer to your notification received in this office on 7th February 2024.

Class BC of Part 4 Schedule 2 of the Town and Country General Permitted Development (England) Order 2015, as amended relates to permitted development rights consisting of –

(a) the use of land as a recreational campsite for not more than 60 days in total in any calendar year; and
(b) the provision on such land of-
  (i) not more than 50 pitches
  (ii) any moveable structure reasonably necessary for the purposes of the permitted use.

BC.2.(a) specifies that development is permitted by Class BC subject to the developer making on-site provision for users of the campsite of toilet and waste disposal facilities.

BC.2.(b) requires the developer to notify the local planning authority in writing before commencement of development in each calendar year. This notification must be accompanied by a copy of the site plan (which must include particulars of toilet and waste disposal facilities) and the dates on which the site will be in use.

The Notification outlines that it is proposed to use the site for 60 consecutive days starting from 29.03.2024 to 31.08.2024. No specific dates have been provided across this period, where this spans a total of 155 days. The specific dates that the site would be used for recreational camping are therefore unknown, with the information provided indicating that the site would be used for a period in excess of 60 days.

The Applicant has submitted a Location Plan reference 2021.319.01 which indicates that the site would comprise 3no. camping fields, along with an area referred to as “Sussex Topiary Campsite”. This area includes 7no. pitches and a building. A shower block, bin area, and waste water block are shown on the plans, and it is noted that these are proposed to be located within existing buildings on the site.

The application site is located outside of a designated Flood Zone.

It is noted that the application site includes an area of land referred to on the Location Plan as “Sussex Topiary Campsite”. This area of land is subject of planning permission reference DC/19/1362 for “Retrospective change of use of land for the stationing of caravans for residential purposes for four gypsy pitches, along with the formation of hardstanding and four utility/ day rooms ancillary to that use”. This was subject to a number of conditions, including:

11 ***Regulatory Condition****: This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).*

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

12 ***Regulatory Condition****: No more than 4 caravans (of static or mobile home type), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), shall be stationed on the site at any time. There shall be no more than four (4) touring caravans stationed on site at any time and these shall not be occupied by any person at any time whilst stationed on the application site.*

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance Policy 33 of the Horsham District Planning Framework (2015).

The land subject of this planning permission, which includes the areas referred to as “Sussex Topiary Campsite” and Camping Field 1 are therefore subject of the above conditions, which have the result of restricting the use and occupation of the land. As such, these areas of the site would not benefit from the permitted development right under Class BC of Part 4 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

The buildings annotated as shower block, bins and waste water block on the Location Plan also appear to be permanent buildings that have been on-site for a number of years. It is unclear from the submission whether these are to be permanently converted for the annotated purposes, which if the case, would require planning permission as a material change of use.

Other Matters

Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended states that:

"Subject to the provisions of this Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2."

Section 75 of the Conservation of Habitats and Species Regulations 2017 states that "it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which -

(a) Is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
(b) Is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it

cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

In order to benefit from permitted development rights under Class BC of Part 4 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, it is a condition of any permission granted by the Order that the development must not be begun until written notification of the approval of the Local Planning Authority under regulation 77 of The Conservation of Habitats and Species Regulations 2017 has been received. Any subsequent notification should be accompanied by relevant information to address this matter.

Conclusion

The Notification has not been accompanied by the specific dates within the calendar year that the proposed recreational campsite would operate. Insufficient information has therefore been provided in this regard.

The application site is subject of planning permission reference DC/19/1362 (Retrospective change of use of land for the stationing of caravans for residential purposes for four gypsy pitches, along with the formation of hardstanding and four utility/ day rooms ancillary to that use) which is subject to conditions 11 and 12 which restrict the use and occupation of the land. The part of the application site referred to as “Sussex Topiary Campsite” and “Camping Field 1” would not therefore benefit from permitted development right under Class BC of Part 4 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. As such, the temporary use of the site for the described purpose would not therefore represent permitted development.

I trust this information is of assistance to you. Should you however require any further information or clarification please do not hesitate to contact the Case Officer as detailed above.

Yours faithfully



Emma Parkes
Head of Development and Building Control