



Controlling temporary recreational campsites through an Article 4 Direction

Summary

1. Members are asked to consider making an Article 4 Direction in relation to temporary recreational campsites.

Recommendation

2. It is recommended that Members approve the making of, and public consultation on, a National Park wide Article 4 Direction withdrawing the planning permission granted by Schedule 2, Part 4, Class BC of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (temporary recreational campsites).

Background

2. Government grants planning permission through legislation for certain operational developments and material changes of use that can be undertaken without a planning application. These are known as permitted developments.
3. Where relevant criteria are met, local planning authorities can withdraw permitted development rights through an Article 4 Direction, meaning a planning application is required for the developments in question.
4. The Article 4 process is, in summary:
 - i. The Authority makes an Article 4 Direction
 - ii. The Authority undertakes publicity and consultation on the Direction

- iii. The Authority considers representations received
 - iv. The Authority decides whether to confirm the Direction
 - v. The Direction comes into force on the stated date
5. Current permitted development rights set out in Schedule 2, Part 4, Class BC of the Permitted Development Order allow the use of any land as a recreational campsite for not more than 60 days in total in any calendar year, along with the provision on such land of not more than 50 pitches, and any moveable structure reasonably necessary for the purposes of the permitted use. There is a notification requirement but no approval mechanism unless the land is in a flood risk zone. There are some limited exclusions for certain land designations (e.g. SSSIs), but no limitations about issues such as distance from neighbours, ancient woodland or access. The permitted development order states the developer must make on-site provision for toilet and waste disposal facilities, but then sets no requirements about the number or adequacy of those facilities. The relevant section of the Order is included in full at Annex 1 for information.
6. Failure to follow permitted development requirements is a breach of planning control which can be enforced in the same way as any other unlawful development.
7. We have received 47 notifications for temporary campsites to operate this calendar year. A small number of notifications were invalid, but the majority met legal requirements.

Policy context

8. National Planning Policy Framework policy DM 10: Removal of national permitted development rights states:

The use of Article 4 directions to remove permitted development rights should:

- (a) *Be limited to situations where it is necessary to protect local amenity or the wellbeing of the area (for example safeguarding against the demolition of local facilities, preventing an over-concentration of*

uses which could affect the quality of life such as small Houses in Multiple Occupation, or supporting the vitality and viability of parts of town centres);

- (b) Be based on robust evidence; and*
- (c) Apply to the smallest area required to mitigate the evidenced harm.*

9. The National Parks and Access to the Countryside Act 1949 designates National Parks for two purposes:
 - (a) Conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas specified in the next following subsection; and
 - (b) Promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public.
10. In exercising or performing any functions in relation to, or so as to affect, land in the National Park in England, we must seek to further the purposes and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park. The 1949 Act also provides that, in our pursuing of the National Park purposes, we shall also seek to foster the economic and social well-being of local communities within the National Park.
11. The Lake District Partnership Plan (the statutory management plan for the national park) seeks to help rural communities to be sustainable and vibrant by, amongst other things, reducing recreational pressures on communities, landscapes, and the environment (with a measure of success being a reduced number of reported incidents of littering, open fires and barbeques outside of designated areas, and illegal fly camping). The Partnership Plan also seeks to increase the percentage of visitors choosing to visit the Lake District for health and wellbeing benefits.
12. The Lake District National Park Local Plan sets out the Authority's policies to guide development across the National Park. Recognising the National Park's protected landscape status and sensitivities, and to promote sustainable

patterns of development, development in the open countryside is strictly controlled.

13. New camping pitches will normally only be permitted where: the proposal is on, or immediately adjacent to existing sites, and is consistent with the landscape character; it improves screening, including landscape recovery, and where appropriate, reduces the massing and site density of an existing site to the benefit of the amenity of the staying visitors of the existing sites; the site has necessary infrastructure capacity; the use does not introduce inappropriate levels of use to the location; and the campsite would be well related to the existing road network.
14. A new campsite is normally only permitted by the Local Plan if: it would be in the west distinctive area or contribute to the diversification of an agricultural or land-based rural business, pub or drinking establishment; the proposed site would be appropriately screened and consistent with the landscape character; and the site has necessary infrastructure capacity, does not introduce inappropriate levels of use to the location, and is well related to the existing road network. Policy compliant opportunities are therefore, in practice, limited.

Assessment

15. Temporary campsites can have benefits. I see the main benefit is their ability to provide cost-effective camping options at the busiest times of year, giving more people opportunities for enjoyment of the special qualities of the National Park and the countryside. This aligns with second national park purpose. Some people tell us temporary campsites can help reduce fly-camping, however I am unpersuaded – it is readily apparent that despite a highly permissive permitted development framework allowing temporary recreational campsites essentially without approval, fly-camping continues to be an issue of significant local concern in some parts of the national park. I have also heard views that temporary campsites help to remove motorhomes from the roads and laybys. It is possible this is true, but I consider it unproven – I have not seen any

evidence demonstrating campervans that use temporary recreational campsites would arrive ad hoc and overnight antisocially in the absence of temporary recreational sites. Temporary recreational campsites likely provide some income to landowners, however there is no guarantee that income from temporary sites will be reinvested for public good.

16. Whilst not all temporary recreational campsites cause problems, it is quite clear some do. Over the summer I have received regular feedback from our local communities, including Parish Councils and residents, about temporary recreational campsites. I know the Authority's Chief Executive and some members have received the same. The representations detail residential amenity impacts of noise, anti-social behaviour, fires, litter and loss of privacy due to campsites abutting, even surrounding, homes. We have received concerns about accesses onto roads that are too large to be safe and roads too small to be safe. I know members of the Development Management team have spoken with representatives of Highways England who were concerned temporary sites operate with accesses directly onto trunk road as such as the A66 without any consent or control. Members of the Development Management team have also spoken with representatives of Cumbria Fire and Rescue who expressed concern that temporary sites uncontrolled operation meant there were no fire safety controls whatsoever (for example spacing between pitches and provision of extinguishers). The information indicates some temporary recreational campsites harm local amenity.
17. Available information indicates the largely open and unrestricted nature of the current national permitted development rights (when exercised across the Lake District National Park) presents an unduly high risk of unacceptable adverse impacts arising. I consider this is a product of a range of factors including:
 - The extremely high numbers of visitors coming to the national park (18.11m visitors/27.21m visitor days in 2023), fuelling demand and resulting in pressures which are of a magnitude likely unseen by most rural areas in England.

- Local circumstances meaning temporary recreational campsites can be situated near to, or immediately adjoining, neighbouring dwellings (in some cases with multiple campsites surrounding an unrelated home).
 - Extensive areas of national or international ecological importance, making the likelihood of adverse impacts greater.
 - A highly rural area where narrow roads mean many parts of the highway network are narrow, have poor visibility, are unsuitable for large volumes of traffic, and changes in traffic volumes can be highly perceptible for some people.
 - Two World Heritage Sites, with the English Lake District WHS covering almost all the National Park.
18. I consider there is robust evidence that, taking into account the factors above, within the specific context of the Lake District National Park, current permitted development rights for temporary recreational campsites do not include sufficient controls to avoid adverse impacts to local amenity and wellbeing arising within unacceptable frequency.
19. In terms of geography, I can draw no distinction that particular parts of the National Park are at greater risk of impact than others. We have received complaints and concerns about campsites in most areas of the National Park – in Central Lakes at Bowness and Troutbeck, at the south-east entrance to the national park near Staveley, in the East at Ullswater and Helton, in the West at Annaside, in the North at Newlands and Overwater, in the South at Nibthwaite for example.

Options

20. I have identified three options:
- a) Do nothing
 - b) Make an Article 4 Direction covering all of the National Park
 - c) Make an Article 4 Direction covering some of the National Park

Stakeholder consultation

21. If an Article 4 Direction is made a period of publicity and consultation would be undertaken. The Authority must take into account any representations received before deciding whether or not to confirm the Direction.

Finance considerations

22. If the withdrawal of permitted development rights occurs less than 12 months from the notice of withdrawal being published, compensation is payable if a planning application (for development that was permitted before the Direction) is refused or granted subject to conditions other than those imposed by the Permitted Development Order. For example, if an Article 4 Direction was made that came into force immediately and an application for a previously permitted temporary campsite was refused, compensation would be payable to the landowner at taxpayers' expense. The amount of compensation owed would be determined either by agreement, or by tribunal if agreement cannot be reached.
23. Compensation risks are avoided if notice of the withdrawal of permitted development rights is published not less than 12 months before the withdrawal took takes effect.
24. Because Class BC applies to a majority of land in the National Park, and because of the local plan policy context, there is a genuine possibility that sites which are currently permitted development would not be acceptable on application, leading to refusal and attracting compensation liability. The amount of land in scope of this risk makes it difficult to gauge the financial value of compensation liability that could arise from an immediate direction. An Article 4 with a minimum 12-month lead-in is necessary to avoid unquantified financial risks.

Risk

25. If we do not make an Article 4 Direction there is the risk existing impacts will continue to the detriment of local amenity and the environment. This also carries reputational risk.
26. If we make an Article 4 Direction there is the risk existing sites will be unable to operate in future, disadvantaging visitors, and possibly displacing ad hoc campers and campervans. This also carries reputational risk.
27. If we make an Article 4 Direction there is the risk of economic impacts to landowners and the wider local economy if tourists who would have used temporary sites choose not to travel to the area. This also carries reputational risk.
28. Financial risks associated with compensation have been addressed above.

Legal considerations

29. Article 4 Directions are made in accordance with a legal framework. Failure to follow this framework, or acting unreasonably, could be challenged by judicial review in the High Court.

Diversity implications

30. I have considered diversity and equality issues. A Direction is more likely to affect visitors who are drawn to lower-cost forms of holiday accommodation, including some younger people. However, it is important to understand a Direction would not prevent camping within the national park – it would just make temporary recreational campsite developments subject to detailed control. Existing established campsites and responsible wild camping practices above the fell wall would be unaffected. Any potential age-related impacts are

considered limited and outweighed by the protection of local amenity and the wellbeing of the area.

Sustainability

31. An Article 4 Direction is likely to have environmental benefits (reduced impact from inappropriate sites), economic disbenefits (reduced visitor spend), social benefits (reduced amenity impacts on residents and visitors from inappropriate sites and behaviours) and disbenefits (reduced choice and opportunity for lower cost camping experiences in the open countryside of the national park). These considerations must be weighted and a judgment reached on the appropriate balance.

Best value considerations

32. I have considered best value, including the principles of challenge, comparison, consultation and competition. Options have been considered (including taking no action and Article 4 Directions of different geographic extent) and compared with the current permitted development position. Any Direction made would be subject to public consultation before confirmation. No competition issues have been identified.

Other considerations

33. A Local Planning Authority can grant planning permission akin to permitted development across all or part of its area through a Local Development Order. Local development orders can be time-limited or subject to conditions. Recognising temporary recreational campsites can have benefits, it is open to the Authority to explore a local development order to operate in tandem with an Article 4 Direction. This would grant planning permission to temporary campsites in a manner not dissimilar to the permitted development regime, but with specific conditions and limitations to tackle some of the impacts currently seen (for example minimum distances between campsites and dwellings).

34. A local development order could not address all impacts which are being experienced today, and in all likelihood some of the most complained about temporary campsites would continue to be operable under a Local Development Order. But impacts overall would likely be diminished in comparison to the existing situation.
35. The timetable for making a Local Development Order is less constrained than for an Article 4 (because an LDO is permissive rather than restrictive there are no compensation considerations). An LDO for the 2028 season would not need to be made until late 2027 for example. I make no recommendation on a Local Development Order today, but note the mechanism for context and in case members wish to comment on the opportunity.

Recommendation

36. Weighing relevant considerations as identified above I recommend a whole national park area Article 4 Direction withdrawing the planning permission granted by Schedule 2, Part 4, Class BC of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (temporary recreational campsites).

Background papers	Correspondence from third parties
Author / Post	Andrew Smith, Head of Development Management
Responsible Director	Hanna Latty, Director of Sustainable Development
Date written	16 September 2026

Annex 1: Town and Country Planning (General Permitted Development) (England) Order 2025, Schedule 2, Part 4, Class BC – Temporary recreational campsites

Permitted development

BC. Development consisting of—

- (a) the use of any 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; and
 - (ii) any moveable structure reasonably necessary for the purposes of the permitted use.

Development not permitted

BC.1 Development is not permitted by Class BC—

- (a) on a site of a scheduled monument;
- (b) in a safety hazard area;
- (c) in a military explosives storage area;
- (d) on a site of special scientific interest;
- (e) on a site of a listed building;
- (f) for the siting of any caravan except a caravan which is used as a motor vehicle designed or adapted for human habitation.

Conditions

BC.2 Development is permitted by Class BC subject to the following conditions—

- (a) the developer must make on-site provision for users of the campsite of toilet and waste disposal facilities;
- (b) 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;

(c) the local planning authority (if not the same body as the fire and rescue authority in an area) must as soon as practicable provide to the relevant fire and rescue authority the notice described in paragraph BC.2(b); and

(d) 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.

Procedure for applications for prior approval under Class BC

BC.3—(1) The following provisions apply where under Class BC a developer is required to apply to the local planning authority for prior approval.

(2) The application must be accompanied by—

(a) a site-specific flood risk assessment, including provision for warning and evacuation; and

(b) any fee required to be paid.

(3) On receipt of the application, the local planning authority must notify and consult the Environment Agency specifying the date by which they must respond (being not less than 21 days from the date the notice is given).

(4) The local planning authority must, when determining the application—

(a) take into account the response by the Environment Agency; and

(b) have regard to the National Planning Policy Framework so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

(5) The development must not begin before either—

(a) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or

(b) the expiry of 56 days following the date on which the application was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.

(6) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

Annex 2: Draft direction

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015, AS AMENDED**

DIRECTION MADE UNDER ARTICLE 4(1)

TO WHICH PARAGRAPH 1 of SCHEDULE 3 OF THE ORDER APPLIES

(direction without immediate effect)

WHEREAS the LAKE DISTRICT NATIONAL PARK AUTHORITY ("the Authority") being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended ("the Order") is satisfied that it is expedient that development of the description set out in the First Schedule below should not be carried out on the land shown edged red on the plan attached ("the Land"), unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the Authority in pursuance of the power conferred on it by Article 4(1) of the Order, hereby directs that the permission granted by Article 3 of the said Order shall not apply to development of the description set out in the First Schedule on the Land.

THIS DIRECTION is made under article 4(1) of the Order and in accordance with Schedule 3 of that Order it is proposed that it shall come into force on 1 March 2028.

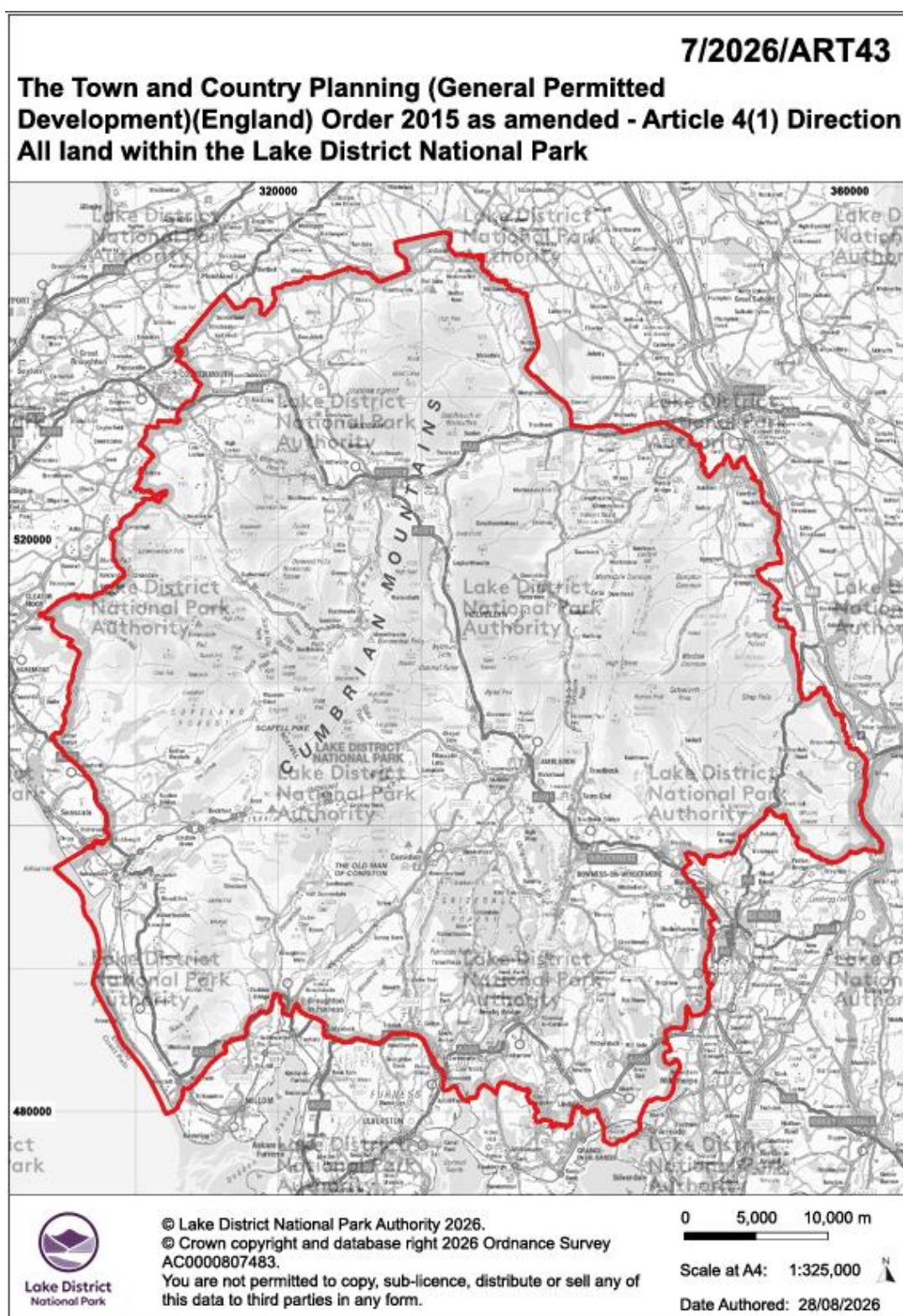
SCHEDULE

The use of any land as a recreational campsite being development comprised within Class BC of Part 4 of Schedule 2 to the said Order and not being development comprised within any other class.

This Direction was made under the Common Seal of the Lake District National Park Authority this <<insert date>>.

The Common Seal of the Authority was
affixed to this Direction in the presence of:

..... **AUTHORISED SIGNATORY**



This Direction was confirmed by the Lake District National Park Authority this
<<insert date>>.

..... **AUTHORISED SIGNATORY**