
PRE-APPLICATION ADVICE NOTE

Reference: 24/02994/PAYPHH

Address: Cutlers Field, Fairford

Date: 4th November 2024



SITE DESCRIPTION & PROPOSAL

The site appears to be two fields surrounding a water treatment facility adjacent to RAF Fairford. The site is not within a Conservation Area nor the Cotswolds National Landscape, so is not considered to be located on Article 2(3) land for the purposes of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), as amended - <https://www.legislation.gov.uk/uksi/2015/596/contents> .

This enquiry seeks to establish if planning permission is required for the temporary siting of approximately 100 caravan plots and 250 Bunkabin plots in the western field, with 200 camping plots, 30 rockdom tent plots and 30 bell tent plots in the eastern field, over a period of approximately 21 days. This would include toilet and shower facilities, a recreational area with a large marquee/tent and parking.

PLANNING HISTORY

There is no recorded planning history for the site.

IS PLANNING PERMISSION REQUIRED?

Temporary use and siting of camp pitches, caravans and moveable buildings:

The temporary use of land is considered under Class B, Part 4, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, which allows the use of any land for any purpose for not more than 28 days in total in any calendar year, subject to conditions and limitations. Class B states the following:

Permitted development

B. *The use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purposes of—*

(a) the holding of a market;

(b) motor car and motorcycle racing including trials of speed, and practising for these activities,

and the provision on the land of any moveable structure for the purposes of the permitted use.

Development not permitted

B.1 *Development is not permitted by Class B if—*

(b) the land in question is a building or is within the curtilage of a building;

(c) the use of the land is for the siting of any caravan except a caravan which—

(i) is a motor vehicle designed or adapted for human habitation; and

(ii) is sited on the land in connection with a festival;

(d) the land is, or is within, a site of special scientific interest and the use of the land is for—

(i) motor car and motorcycle racing including trials of speed or other motor sports, and practising for these activities;

(ii) clay pigeon shooting; or

(iii) any war game;

(e) the use of the land is for the display of an advertisement; or

(f) the use of land is for camping, except when in connection with a festival.

Your enquiry advises that the temporary use of the land for camping and for the siting of caravans would not exceed a period of 28 days in a calendar year and would be associated with a festival.

The land is not within a site of special scientific interest (SSSI) nor is it within the curtilage of a building.

Criteria (c) and (f) are considered of relevance to your enquiry.

B.1(c) states that development is not permitted by Class B if the use of the land is for the siting of any caravan *except* a caravan which is a motor vehicle designed or adapted for human habitation; and is sited on the land in connection with a festival.

Caravans are defined as: “*any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted*” (Paragraph 29(1), Part I of the Caravan Sites and Control of Development Act 1960).

The proposed Bunkabins are considered to meet the definition of ‘caravan’.

Class B appears to specifically restrict caravans which are not motor vehicles adapted or designed for human habitation. The Road Traffic Act 1984 defines a motor vehicle as “*a mechanically propelled vehicle intended or adapted for use on roads*” (Part X, Section 136). As such, in this instance the legislation is considered to restrict any caravans which are not themselves mechanically propelled vehicles. Camper vans and recreational vehicles (RVs) would therefore be considered permitted; however, towed caravans, including the Bunkabins; are not considered to meet the criteria for permitted development under Class B.

Class B also restricts the use of land for camping, except in association with a festival (B.1(f)). As such, in this case, the use of the land for camping strictly in association with the RIAT festival would be considered permitted.

Class B permits “the provision on the land of any moveable structure for the purposes of the permitted use”. It is considered that the proposed marquee/tent and additional temporary toilet and shower facilities would be moveable structures due to their moveability and non-fixed nature to the ground.

As such, the proposed temporary use of the land for temporary parking, the siting of tent pitches and other associated moveable structures for a period not exceeding 28 days of a calendar year is considered to meet the criteria for permitted development under Class B.

Temporary laying of trackway for vehicles:

The proposed site plan as submitted shows a track running through the site for vehicular access, to comprise of aluminium sheets (trackway). Planning permission may be required for works which fall under the definition of ‘operational development’:

“the carrying out of building, engineering, mining, or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land”.

The sheets would not be fixed to the ground and would serve a specific and temporary purpose. As such, in this instance the proposed trackway would not be considered operational development and would not require the benefit of planning permission, provided the track is used solely in association with the temporary use of the site and is removed upon cessation of the temporary use.

Further information can be obtained from <https://www.planningportal.co.uk/>

CONCLUSION

On the basis of the information provided, the majority of the proposed works would not require the benefit of planning permission as they would meet the criteria for permitted development under Class B, Part 4, Schedule 2 of the GPDO. In the case of the proposed vehicular track, in this instance this would not be considered operational development and would not require planning permission provided it is removed upon cessation of the temporary use of the site.

The proposed siting of caravans which are not themselves motor vehicles designed or adapted for human habitation would require planning permission.

The proposed development would likely be considered Major Development due to the proposed application site exceeding 1 hectare. An application for full planning permission for the temporary siting of caravans (including bunkabins) for a specified period in association with a festival can be submitted via the Planning Portal (<https://www.planningportal.co.uk/planning/planning-applications>).

It is important to ensure that any application is accompanied by all the relevant information to enable us to progress the application as quickly as possible and a list of the information requirements

can be found below, in addition to an application form for full planning permission and the requisite fee:

- Existing and Proposed Plans
- Design and Access Statement (including details of traffic management)
- Biodiversity Net Gain Statement
- Biodiversity Self-assessment Form
- Preliminary Ecological Appraisal
- Location Plan
- Land Contamination Assessment / Site Investigation (for major development)
- Site Waste Management Plan (for major development)
- Statement of Community Involvement (for major development)
- Waste Minimisation Statement (for major development)

Please see the Council's Validation Checklists for additional information:

<https://www.cotswold.gov.uk/planning-and-building/planning-permission/make-a-planning-application/planning-application-supporting-information/>

Please see the Council's Biodiversity Net Gain (BNG) guidance here:

<https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-net-gain-bng/>

Please Note

Any advice given by Council officers, whether verbal or in writing, for pre-application enquiries does not indicate any formal decision by the Council as local planning authority. Any views or opinions expressed are given in good faith, and to the best ability, without prejudice to the formal consideration of any planning application following statutory public consultation, the issues raised and evaluation of all available information.

You should, therefore, be aware that officers cannot give guarantees about the final formal decision that will be made on your planning or related applications. However, this advice note will be considered by the Council as a material consideration in the determination of the future planning related application(s), subject to the proviso that circumstances and information may change or come to light that could alter that position.

It should be noted that the weight given to pre-application advice notes will decline over time.
