

PLANNING COMMITTEE	DATE: 24/04/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	FRONDEG, PWLLHELI

**Number: 6**

**Application Number: C17/0100/46/LL**

**Date Registered: 03/02/2017**

**Application Type: Full - Planning**

**Community: Tudweiliog**

**Ward: Tudweiliog**

**Proposal: Extend existing touring caravan site and increase the number of touring caravans from 11 to 22**

**Location: Hirdre Ganol, Edern, Pwllheli, LL538YY**

**Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS**

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## 1. Description:

- 1.1 This is an application to carry out improvements to an existing touring caravan site and expand the site to the rest of the field, increasing the number of touring caravans from 11 to 22. The caravans would be located around the boundary of the field with one located directly adjacent to the existing touring pitches and the rest located opposite on the other side of the field. As part of the improvements, it is intended that additional landscaping be included by the access road to the site. This landscaping would be a mixture of blackthorn, hawthorn and hazel. Part of the work associated with extending the site has already been carried out on some hard standings and hook-up areas.
- 1.2 The site is located in rural countryside and within a Landscape Conservation Area. The site also lies within a Landscape of Outstanding Historical Interest. The site is located directly adjacent to the B4417, which is a class 3 road. Between this road and the site is a *clawdd* with hedges and small trees. Toward the north eastern end the site borders a public footpath. The Llŷn Fens Conservation Area and the Cors Geirch Site of Special Scientific Interest are located around 225 metres to the north-east of the site.
- 1.3 A Design and Access Statement and Language and Community Statement were received as part of the application.
- 1.4 The application is brought to Committee as it involves more than five caravans.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Gwynedd Unitary Development Plan 2009:**  
**POLICY A2 - PROTECT THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES** - Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.
- POLICY B10 – PROTECTING AND ENHANCING LANDSCAPE CONSERVATION AREAS** – Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant damage to recognised features.
- POLICY B12 – PROTECTING HISTORICAL LANDSCAPES, PARKS AND GARDENS** - Safeguard landscapes, parks and gardens of special historical interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

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POLICY B15 – PROTECTION OF INTERNATIONAL NATURE CONSERVATION SITES – Refuse proposals that are likely to cause significant harm to nature conservation sites of national importance unless they conform to a series of criteria aimed at managing, enhancing and protecting recognised features within such sites.

POLICY B16 – PROTECTING NATIONALLY IMPORTANT NATURE CONSERVATION SITES - Refuse proposals which are likely to cause significant harm to nature conservation sites of national significance unless they conform to a series of criteria aimed at protecting, enhancing and managing the recognised features of the sites.

POLICY B23 – AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY B27 - LANDSCAPING SCHEMES - Ensure that permitted proposals incorporate soft/hard landscaping of a high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new development, extension of existing development or change of use will be refused unless off-street parking is provided in accordance with the Council’s current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park.

Policy D20 – SITES FOR TOURING CARAVANS, CAMPING AND TOURING UNITS – EXTENSIONS, ADDITIONAL PITCHES, RELOCATION AND EXCHANGE - Proposals for increasing the number of pitches, extensions to sites, relocation or exchange of sites will be approved if the proposal includes a plan to ensure environmental and visual improvements, and meets other criteria regarding the impact of the development on the local area.

Supplementary Planning Guidance: Holiday Accommodation (July 2011)

Supplementary Planning Guidance, Gwynedd Council: Planning and the Welsh Language (November 2009)

2.4 **Gwynedd and Anglesey Joint Local Development Plan. (Composite Version including Matters Arising Changes, January 2017)**

- PS 1: The Welsh Language and Culture
- TRA 2: Parking standards
- TRA 4: Managing Transport Impacts
- PCYFF 1: Development criteria
- PCYFF 3: Design and landscaping

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TWR 5: Touring caravan, camping and temporary alternative camping accommodation  
 PS 16: Protect and/or enhance natural environment  
 AMG 1 Special Landscape Areas  
 PS 17: Safeguarding and/or enhancing heritage assets  
 AT 1: Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens

**2.5 National Policies:**

Planning Policy Wales (Edition 9, November 2016)  
 Technical Advice Note 12 – Design  
 Technical Advice Note 13 – Tourism  
 Technical Advice Note 18 – Transport  
 Technical Advice Note 20 – Planning and the Welsh Language

**3. Relevant Planning History:**

3.1 C09D/0211/46/LL - Establish a site for 11 touring caravans along with the construction of a toilet block and install a septic tank - Allow 18 January 2011.

**4. Consultations:**

Community/Town Council: Support.

Transportation Unit: No recommendation as it is not assumed that the proposal would have a detrimental impact on any road or proposed road.

Footpaths Unit: The development is on the verge of Public Footpath No. 60, Tudweiliog Community. Need to safeguard the path and ensure that access is protected during and after the development.

Welsh Water: No observation as it is intended to use private disposal method.

Natural Resources Wales: Natural Resources Wales does not object to the proposal. The following observations were noted:-

Protected Sites

The proposed development site close to the Llŷn Fens Special Area of Conservation (SAC) and the Cors Hirdre Site of Special Scientific Interest (SSSI). Such sites are protected under the Habitats and Species Conservation Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Considering the nature of the development, it is unlikely to effect the features, ecological integrity or practicality of any statutory sites of ecological, geological and/or geomorphological interest.

Foul Drains

From the application form, we note that foul sewage is disposed into the small existing sewage treatment works. The

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applicant should ensure that the small existing sewage treatment works is able to cope with the additional load resulting from the proposed development.

Biodiversity Unit: No biodiversity concerns as the site is an improved grazing area of very low biodiversity value.

Caravans Officer: There is no objection to the application as long as it complies with the licensing conditions. This development must comply with the requirements of the Acts and Model Standards as follows:

- Caravan Site and Control of Development Act 1960
- Model Standards 1983
- The Health and Safety at Work etc. Act 1974

The applicant will be required to make an application to vary the site's licence to correspond to the number of units allowed by the planning unit should the application be approved.

Public Consultation: A notice was posted on the site and nearby residents were notified. The consultation period ended and no objection had been received.

## 5. Assessment of the material planning considerations:

### The principle of the development and visual amenities

- 5.1 Policy D20 of the GUDP approves proposals to increase the number of pitches on existing touring caravan sites by means of an extension provided that the proposal forms part of a plan that will secure environmental and visual improvements in terms of the location, layout, design and appearance of the site, and its position in the surrounding landscape. Furthermore, it is a requirement that the proposed development will not exceed the reasonable capacity of the immediate locality to accommodate such a development, taking into account the cumulative impact of existing touring caravan sites.
- 5.2 The proposal in question involves expanding the size of the existing touring caravan site together with adding 11 touring units to the site. Among the proposed amendments is a proposal to carry out additional landscaping work.
- 5.3 An increase of 11 units would be a relatively large increase to the number of caravans. However it is not considered that the site is prominent or obtrusive in the landscape as the fields are surrounded by hedges and trees along their boundaries which screen and conceal the site from viewpoints on the B4417 county road. Although the site or parts of the site could be visible from higher areas further away, it is not considered that the proposal to expand the site in terms of its area and its numbers would be likely to create an obtrusive and prominent feature in the landscape within the Landscape Conservation Area. Landscaping work has been carried out relatively recently at the northern corner of the site and that landscaping has taken hold and is maturing. Reinforcing the existing landscaping by the site access road is also intended, and that would help with landscaping the site further by travelling along the B4417 from a south westerly direction. Strengthening the existing landscape is welcomed and considered to be in line with Policy B27 of the GUDP. It is deemed unlikely that increasing the site's area and numbers would create an

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obtrusive and prominent feature in the landscape that is within the Landscape Conservation Area.

- 5.4 The existing site operates between 1 March and 31 October of any given year and the same period would apply to the new units.
- 5.5 From assessing the proposal against the requirements of policy D20, it is believed that the extension, and location, setting, design and appearance of the additional plots are likely to integrate and blend in with the site and its landscape. The site is neither prominent nor intrusive in the landscape; it is believed that it would not have a detrimental impact on the visual amenities of the vicinity or the Landscape Conservation Area. The landscaping would be an environmental improvement that would improve the appearance of the entire site. This site is also considered to be close to and convenient for the roads network as it is located directly adjacent to the county road. Although there are other touring caravan sites nearby, the proposal does not go beyond the locality's reasonable capacity to accommodate such a development when considering the cumulative impact of existing sites within the area. Therefore, it is considered that an extension of the site, an increase in numbers, the landscaping and the new proposed facilities comply with the requirements of policies B10, B27 and D20 of the GUDP.
- 5.6 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. Policy B12 states that consideration will be given to the information about the historic landscapes if the impact of proposals is on such a large scale that their impact would be greater than merely a local impact. It is considered that impact of its location and size would be local and it would not have a wider impact on the historic landscape. Therefore, the proposal is not considered to be contrary to Policy B12 of the GUDP.
- 5.7 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless other material planning considerations state otherwise. The current 'Development Plan' is the Gwynedd Unitary Development Plan (2001-2016) and the Joint Local Development Plan for Gwynedd and Anglesey (JLDP) will replace the UDP as the 'development plan' once it is adopted. It is hoped that the JLDP will be adopted during July 2017.
- 5.8 When dealing with any planning application the statutory test should be your first consideration at all times, i.e. it is necessary to determine planning applications in accordance with the development plan, unless other relevant considerations state otherwise. The JLDP is now a material planning consideration for the purposes of development control - see paragraph 3.1.3 Planning Policy Wales that states:  
*"Material considerations could include current circumstances, policies in an emerging development plan and planning policies of the Welsh Government. All applications should be considered in relation to up-to-date policies ..."*
- 5.9 Although a number of policies have been discussed in detail during the Gwynedd and Anglesey Joint Local Development Plan Hearings, we will not know the contents of the Plan for certain until the Inspector presents his binding report.
- 5.10 Paragraph 2.14.1 of Planning Policy Wales states:  
*"...thus in considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to consider carefully the underlying evidence and background to the policies. National planning*

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*policy can also be a material consideration in these circumstances."*

- 5.11 In this case, the JLDP policies as noted in 2.4 above are material and, as these policies are consistent with the policies of the Unitary Development Plan, the recommendation of this report is considered to be consistent with the emerging policy.

#### **General and residential amenities**

- 5.12 Since the site is located in rural countryside, properties in the site's vicinity are few and sparse. It is not considered that the proposal would cause significant harm to the local neighbourhood with regard to privacy / over-looking. It is not considered that the proposal to increase the numbers from 11 to 22 is an over-development of the site. The site is located directly adjacent to the county road and, as such, it is not considered that the proposal would lead to an increase in traffic, such that it would have a significantly detrimental impact on local amenities. The caravan site would have seasonal use, and it would remain as it currently operates between 1 March and 31 October. As a result, the site would be used on a seasonal basis and the caravans would not be sited on the land throughout the year. This would mean no change to local residents' amenities outside the occupancy season. The applicant's property is located near the site; therefore, the owner would be living nearby, and would be available to manage the site and any potential incidents in respect of safety, noise, litter, antisocial behaviour etc. Therefore, it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and the proposal is considered to be acceptable in terms of policy B23 of the GUDP.

#### **Transport and access matters**

- 5.13 As noted, there is no need to make alterations to the existing vehicular entrance into the site, and the site is directly adjacent to the county road. The Transportation Unit had no concerns regarding the proposal to increase the numbers. It is not considered that the proposal would likely have a detrimental impact on road safety and the proposal is, therefore, considered acceptable in respect of policy CH33.

#### **Linguistic Matters**

- 5.14 Policy A2 of the GUDP states that proposals that would cause significant harm to the social, linguistic or cultural cohesion of communities, because of their size, scale or location, will be refused. As the proposal involves a tourism development which will create ten or more holiday units there is a requirement for a Language and Community Statement to be prepared in order to comply with the Supplementary Planning Guidance: Planning and the Welsh Language. A Language and Community Statement was received as part of the application and the Joint Planning Policy Unit was consulted. The Joint Planning Policy Unit's observations state, as this is a proposal for touring unit pitches entirely and not permanent pitches, that it is not believed that the nature or scale of the proposed development are likely to have a detrimental impact on the Welsh language. It is considered that the proposal is likely to have a positive impact on the area's economy and, therefore, of benefit to the Welsh language; and the development is also likely to create or contribute to economic opportunities for local people e.g. on site, in local shops and eateries, local attractions. In order to maximise potential positive effects, it is suggested that positive mitigation measures be considered in order to protect and promote the Welsh language. These can include bilingual signs on site and information about the history and culture of the area. It is suggested that the site manager contact the Local Welsh

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Language Initiative (Hunaniaith) to discuss measures that could add value to the business, e.g. use of the Welsh language when advertising the site, practical assistance from the Welsh Language Commissioner's Office for businesses. Therefore, it is not considered that the proposal would cause significant harm to the social, linguistic or cultural fabric of the community, and is, therefore, deemed acceptable in respect of Policy A2 of the GUDP.

### **Biodiversity Matters**

- 5.15 The site is approximately 225 metres from the Llŷn Fens Special Area of Conservation (SAC) and the Cors Hirdre Site of Special Scientific Interest (SSSI). Observations were received by Natural Resources Wales about the proposal and these observations consider that the development, because of its nature, is unlikely to affect the features, ecological integrity or the practicality of any statutory sites of ecological, geological and/or geomorphological interest. The Biodiversity Unit has no concerns regarding the application from a Biodiversity perspective. Therefore, it is not considered that the proposal would cause significant harm to biodiversity and that it is acceptable from the perspective of Policies B15 and B16 of the GUDP.

### **6. Conclusions:**

- 6.1 Because of the scale and location of the application together with existing natural features the site is not considered to be obtrusive in the landscape, or likely to have a significantly harmful impact on the visual amenities of the Landscape Conservation Area. It is not considered that it would have any effect on road safety or have a detrimental impact on the amenities of the local neighbourhood. It is considered that the site can be correctly managed by imposing relevant conditions.

### **7. Recommendation:**

- 7.1 To approve – conditions:
1. Commencement within five years.
  2. In accordance with submitted plans.
  3. The number of touring units on the site at any one time to be restricted to 22.
  4. Restrict the season to between 1 March and 31 October.
  5. Holiday use only.
  6. A register to be kept.
  7. No storing of touring caravans on the site.
  8. Carry out the landscaping plan.