

PLANNING COMMITTEE	DATE: 26/02/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	DOLGELLAU

Number: 15

Application Number: C17/1218/44/LL

Date Registered: 05/12/2017

Application Type: Full - Planning

Community: Porthmadog

Ward: Gorllewin Porthmadog West

Proposal: Creation of a new static caravan site for 11 caravans, and erection of new reception / lounge, creation of a new vehicular access and access road, parking space and playing field

Location: Land near - Entrance to Garreg Goch Caravan Park, Morfa Bychan Road, Morfa Bychan, Porthmadog, Gwynedd, LL49 9YD

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1 Full application to create a new static caravan site for 11 caravans and erect a new reception/lounge, bin storage, create a new vehicular access and access road, parking space, landscaping and playing field. This application has been amended since it was originally submitted to include a new sewage draining site within a section of the proposed car park.
- 1.2 The existing site is a parcel of green land with signs of quite recent clearance work (mounds of thorns and gorse). Hedges and trees are scattered across the site boundary, with residential houses abutting the boundaries on three sides, and a narrow private unclassified road running past a section of the site's western elevation. This road (which is also shared with a public footpath) leads to a static caravan site which abuts a section of this application site only, and does not lead through to any other road nearby.
- 3 The site is located within a Special Landscape Area and outside (although adjacent) to the development boundary of the Morfa Bychan village as defined in the Gwynedd and Anglesey Joint Local Development Plan (LDP).
- 4 The plans submitted show the following:
 - Construction of a new vehicular access with a standard road leading to the individual caravans
 - Creation of a parking site for staff and visitors with six plots measuring 2.6m x 4.m each, this is also where the site's treatment work would be installed with a connected soakaway system.
 - A new reception and lounge building with ancillary resources that would include a floor surface area of approximately 90m² and 4.5m in height finished externally with a mixture of render and brick and a natural slate pitched roof.
 - 11 individual plots for static caravans on a concrete foundation with external timber decking and one associated parking space
 - Scattered landscaping within the site, with a mixture of various trees and hedges and surrounding open grass spaces
 - Open playing field to the rear of the reception building
- 1.5 For information, no pre-application advice was submitted relating to the proposed development. The application is submitted to the Committee for a decision on the grounds of the number of proposed 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 Local 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 seven 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, 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.

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2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-26 adopted 31 July 2017

TRA 2: Parking standards
 TRA 4: Managing transport impacts
 PCYFF 2: Development criteria
 PCYFF 4: Design and landscaping
 TWR 3: Permanent static caravan and chalet and alternative camping sites
 ISA 1: Infrastructure Provision
 AMG 2: Special Landscape Areas
 AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape
 AMG 5: Local Biodiversity Conservation

In addition to the above, it is also believed that the following are pertinent:

Supplementary Planning Guidance – Holiday Accommodation (2011)

Isle of Anglesey, Gwynedd and Snowdonia National Park – Landscape Sensitivity and Capacity Assessment – Gillespies March 2014

2.4 National Policies:

Planning Policy Wales, Edition 9, November 2016.
 Technical Advice Note 13 – Tourism
 Technical Advice Note 18 – Transport

3. Relevant Planning History:

3.1 It appears that there is no planning history relating to this site.

4. Consultations:

Community/Town Council: Object to the plan on the grounds of overdevelopment, unsuitable transportation that would derive from the plan and the location of the plan amidst houses. The development is unsuitable for the area.

Transportation Unit: No objection as the site is located off a private road and therefore no licence from the Highways Authority is required.

Natural Resources Wales: No observations originally but, as a result of amending the proposal to include private treatment work, the application is objected.

Welsh Water: The application was originally objected to due to the lack of capacity in the public system to accept new connections. After amending the application to include a private treatment system, the objection was withdrawn.

Public Protection Unit: Not received

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Biodiversity Unit: The site consists of grassland, and includes wet and sandy areas. There is also some blackthorn growing on the site. The site has very recently been cleared of gorse and other trees, possibly in preparation for this development. No assessment of Biodiversity value has been submitted and no mitigation measures have been proposed for this loss of a semi-natural area. A preliminary ecological report will be required before the application can be determined. A report should include an assessment of the site and appropriate mitigation measures.

Land Drainage Unit: Not received

Caravans Officer: Observations about the need for a certificate for the proposed use, it is noted that the size of the caravans is unknown and therefore, in order to conform to licensing requirements in terms of distances etc., this could impact on the density of the site.

Fire Service: No observations

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and several items of correspondence were received objecting on the following grounds:

- Overdevelopment of small site
- The road is not suitable for additional traffic
- Concern about floods/drainage issues
- Detrimental impact on local biodiversity
- Loss of privacy/detrimental impact on the amenities of nearby residents
- Loss of a green space
- Lack of compliance with policies
- Outside the development boundary
- Too many similar caravans in the village already
- Detrimental impact on protected landscape

As well as the above objections, objections were received that were not material planning objections and these included:

- Land ownership

5. Assessment of the material planning considerations:

The principle of the development

5.1 A number of policies within the LDP are relevant when determining this type of application. One of the main policies to consider when assessing the principle of the

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development is policy TWR 3. The relevant part of the policy in terms of this specific application due to its location within the Special Landscape Area is part 1 which states that *"proposals to develop new static caravan sites (i.e. a single or double caravan), new holiday chalet sites or permanent alternative camping accommodation will be refused in...Special Landscape Areas"*.

The site, and Morfan Bychan in its entirety, is located within the Special Landscape Area 02 Porthmadog Bay and Tremadog, and is designated due to its important role as a coastal setting and 'gateway' to Snowdonia. Due to its location outside the National Park and the popularity of the coast, the area is under pressure by developments associated with tourism, such as in this case.

- 5.2 It is noted that Morfa Bychan is already a substantial settlement with a high number of residential housing and holiday units in very close proximity. It is considered that the area's designation as a Special Landscape has now been specifically made to restrict and slow down the intensive tourism developments in particular.
- 5.3 The policy does not, therefore, allow the development of new static caravan sites on sites within Special Landscape Areas. This application in question is for the creation of a brand new site. The proposal does not therefore comply with the relevant requirements of Policy TWR 3 in terms of new sites within the Special Landscape Area. The proposal is, therefore, contrary to the requirements of Policy TWR 3 of the LDP.
- 5.4 Policies AMG 2 and AMG 3 also consider proposals within the Special Landscape Areas. It is considered that the designation and these policies are relevant to this development as it involves creating a new static caravan site on a parcel of relatively small land, which contributes positively towards appearances from and toward the site.
- 5.5 Within the Supporting Planning Statement submitted with the application, it claimed that the site is within an area that has already been heavily developed and that it would not lead to a prominent intrusive feature. It is believed that it would blend in with adjacent developments and within the area in general, and it would not be contrary to the requirements of relevant policies relating to Special Landscape Areas.
- 5.6 The Local Authorities of the North West commissioned a study by the Gillespies in the form of a report in response to increasing pressure on the landscape in order to safeguard the most sensitive and notable landscapes from inappropriate developments and in order to encourage suitable developments within suitable areas. The report provides a study based on evidence of the relative sensitivity and capacity of the landscape to tolerate various types and sizes of developments. Porthmadog area capacity assessment (where Morfa Bychan is included) notes (only the English version was published):
- "Due to the considerable numbers of static caravan/chalet parks, in combination with the overall higher sensitivity, there is no capacity for further static caravan/chalet park developments and extensions"*.
- 5.7 It is considered that the proposal is contrary to the requirements of policies AMG2 and AMG3 as insufficient attention has been given to the Landscape Character Area designation or to how the proposed development respects and protects local and strategic views, and that no appropriate consideration has been given to the scale and nature of the development, ensuring that the development adds towards maintaining, enhancing or restoring the recognised character of the Special Landscape Area.

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Visual amenities

- 5.8 The plans submitted show an intention to carry out the landscaping within the site and, usually, a condition would be included to agree on suitable landscaping details. It is not believed that the proposal would be unacceptable in terms of this element and therefore, it would conform to the requirements of policy PCYFF 4 of the LDP which relates to the landscaping schemes of developments.

General and residential amenities

- 5.9 As noted above, objections were received from local residents, referring to the likely detrimental impact of the proposal on their residential amenities. The nature of this type of development is likely to have an impact to some degree on the general amenities of any area due to the nature of movements, disturbance, noise etc.
- 5.10 It is accepted that the site is within a village with a very high number of caravans and static caravan sites and, therefore, it could be argued that there is already an element of disturbance. Nevertheless, this is not a justification in itself to approve further developments that could impact the local neighbourhood. Existing residential housing surround the site on three sides, some within a distance of approximately 12m to some of the proposed units. Although landscaping and boundary treatment work is proposed, this in itself would not entirely safeguard the amenities of nearby residents. The requirements of Policy PCYFF 2 states that proposals will be refused if they have a significant detrimental impact on the amenities of occupiers of local residences due to an increase in activity, disturbance or other forms of nuisance. Therefore, it is considered that the proposal is likely to lead to further disturbance and would be unacceptable in terms of policy PCYFF 2.

Transport and access matters

- 5.11 Policies TRA 2 and TRA 4 of the LDP involve assessing proposals in terms of their impact on matters relating to road safety. Local residents expressed concern about the proposal in terms of the increase deriving from the development on the existing narrow road. Nevertheless, the Transportation Unit has no objection to the proposal as the road is a private road and satisfying the normal standards would not be relevant in this case. The road is shared with a public footpath, but no concern has been highlighted in terms of this aspect either. Therefore, it is not likely to cause a detrimental impact with regard to road safety; it is, therefore, considered that the proposal complies with the requirements of the above policies.

Biodiversity matters

- 5.12 Observations were received from the Biodiversity Unit stating that no assessment of the Biodiversity value of the site had been submitted and no mitigation measures had been proposed for this loss of a semi-natural area. In order to satisfy this concern and in order to be able to assess any proposal in terms of compliance with the requirements of policy AMG 5, it was noted that a preliminary ecological report would be required before a decision could be made on the application.. However, as there is a fundamental objection to the application in terms of the requirements of other policies, it is not believed that in this case, it is justified to force the applicant to prepare and submit such a survey.

Infrastructure Matters

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5.13 The application was originally submitted along with a show of intent to connect the site's foul drainage to the main public sewer. An objection was received to this proposal from Welsh Water because it would overload the public system. Consequently, the application was amended to include private treatment work on the site and, as a result, Welsh Water's objection was withdrawn.

5.14 However, by amending the application to include private treatment work on the site rather than connecting with the main public sewer, Natural Resources Wales now object to the proposal in its amended form. They state:

"The site lies within a publicly sewered area and the application indicates that foul drainage will be by means of a private treatment tank. The application has been amended from connecting to the main sewage to connecting to a sewage treatment tank. Building a private sewage treatment works in an area with a public sewage system (main sewage running through the site) is not considered acceptable from an environmental perspective. Lack of capacity or plans to increase capacity is not an adequate reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991, and we could refuse to provide permission for private treatment works in such cases."

5.15 As a result of the above, it is not believed that the development is acceptable in terms of this aspect, and that it therefore is contrary to the relevant requirements of policy ISA 1.

Response to the public consultation

5.16 As previously referred to, observations/objections to the proposal have been received from local residents objecting to the proposal, and a number of matters relating to the proposed development have been raised. It is considered that the relevant matters have received thorough consideration in the above assessment.

5.17 Matters that can be considered to be material planning matters are quite specific, therefore; not all of the matters raised can be considered, such as the land ownership, etc. as they are not deemed material under planning legislation.

6. Conclusions:

6.1 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as the observations received, it is believed that this proposal to create a new static caravan site is unacceptable as it is unable to satisfy the requirements of the relevant policies as noted.

7. Recommendation:

To Refuse – reasons

1. The proposal involves the creation of a static caravan site within a Special Landscape Area. Policies TWR 3, AMG 2 and AMG 3 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017) do not permit the development of new static caravan sites within Special Landscape Areas. The proposal is, therefore, contrary to Policies TWR 3, AMG 2 and AMG 3 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017).

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2. Policy ISA 1 approves proposals when adequate infrastructure capacity exists. In this case, it is not believed that providing private sewerage treatment work within an area with a public sewerage system is acceptable and therefore it is not believed that the proposal satisfies the relevant requirements of policy ISA 1.

3. The relevant requirements of Policy PCYFF 2 states that proposals will be refused if they would have a significant detrimental impact on the amenities of occupiers of local residences due to increased activity, disturbance or other forms of nuisance. The Local Planning Authority is of the opinion that the proposal is likely to lead to further disturbance and would be unacceptable in terms of policy PCYFF 2.