

PLANNING COMMITTEE	DATE: 19/03/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 4

Application Number: C17/0967/39/LL

Date Registered: 03/01/2018

Application Type: Full - Planning

Community: Llanengan

Ward: Llanengan

Proposal: Creation of site for 12 safari tents

**Location: Land at Ty'n y Cae, Llangïan, Pwllheli,
Gwynedd, LL537LN**

Summary of the Recommendation: TO REFUSE

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1. Description:

1 This is an application to create a site for 12 safari tents. The proposal involves:-

- Erecting 12 safari tents and associated camping area on the land.
- Erecting 12 wet room pods next to each safari tent.
- Creation of gravel footpaths
- Two barbecue areas.
- Children's play area.
- First aid point including defibrillator for the village of Llangŷan.
- Central parking area.
- Additional landscaping.
- Installing a sewage treatment tank.

The tents would measure approximately 5.4 metres by 9.0 metres but with the overhang that would cover the timber platform wherever the tent is erected they would measure 6.9 metres by 11 metres. The tents would be a green / camel colour.

1.2 As part of the application, a Landscape and Visual Impact Assessment was submitted, along with a Planning Statement and Ecological Survey.

1.3.1 This is a site in open countryside which abuts a class three county road from Llanengan to Llangŷan and which is within an Area of Outstanding Natural Beauty designation. The site is also located within a Landscape of Outstanding Historic Interest. The intention is to use the existing vehicular access to serve the proposal. Ty'n y Cae house is a grade II listed building. Planning permission was recently granted to convert an outbuilding near the site into a holiday unit and to also construct an agricultural shed.

1.4 The application is submitted to the Committee as it involves a development of five or more safari tents.

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.

2.3 **The Gwynedd and Anglesey Joint Local Development Plan (July 2017) (as amended by the Inspector's Report, 30 June 2017)**

TRA 2: Parking standards

TRA 4: Managing transport impacts

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

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TWR 5: Touring caravan sites, camping sites and temporary alternative camping accommodation

PS 19: Protect and/or enhance natural environment

AMG 1: Areas of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

PS 20: Protecting and where appropriate enhancing heritage assets

AT 1: Conservation Area, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens

Supplementary Planning Guidance:

2.4 National Policies:

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note 12 – Design

Technical Advice Note 13 – Tourism

Technical Advice Note 18 – Transport

3. Relevant Planning History:

3.1 2/19/217A - Site 10 touring caravans, convert outbuilding into a toilet block, install new drains and septic tank - refused

4. Consultations:

Community/Town Council: Objection is based on over-development of a prominent roadside location and sets a precedent.

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

Natural Resources Wales: No objection to the application but observations were submitted.

Protected species

We note that in the protected species report submitted to support the above application, it states that there are currently no protected species on the application site. According to the information in the report, we consider that the proposed development poses a lower risk to bats, as defined in our guidance document 'Natural Resources Wales Approach to Bats and Planning' (2015).

The bat report concludes that the proposed development is unlikely to have a detrimental impact or affect bats or their breeding and roosting sites on this site, on condition that mitigation measures, as described in the report, are implemented. Since the development in this case represents a lower risk to bats, we consider that the development is unlikely to have a detrimental impact on the ability of the bat population to sustain itself or on its protected status in its natural environment. Therefore, we do not object to the proposal, subject to adhering to all the avoidance measures described in the bat report.

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Environmental Licences

A licence is required for the private foul drainage system associated with the development.

Welsh Water:

A main pipe / distribution pipe crosses the site and it is necessary to be connected with Welsh Water.

Since the intention is to use a septic tank facility, it is recommended that Natural Resources Wales be contacted.

Public Protection:

Not received.

Biodiversity Unit:

An ecological report by Alison Johnston was submitted with the application. The report is well constructed and I agree with the recommendations therein. There will be no negative impact on biodiversity as long as the recommendations in the report are adhered to. A condition should be included so that the mitigation measures listed in part 6 of the report are strictly adhered to.

AONB Unit:

The land in question lies beside a country road between Llanengan and Llangŷan in the Llŷn Area of Outstanding Natural Beauty (AONB). The AONB is a statutory designation which has the same status as a National Park and is protected by local and national policies.

The intention is to site 12 safari tents on the site as well as 'camp plus en-suite' pods. There would also be a parking area, disabled provision and tree / hedge planting as part of the development. The safari tents are fairly large fabric and timber structures - 6.9 metres by 11 metres, including the timber platform at the front. The structures would be removed from the site at the end of the holiday season but the parking areas etc. would remain.

Currently, the site is agricultural with no building or structure. Although some cloddiau and hedgerows exist, the site is visible from the road and from the nearby public footpath and higher land nearby (Pen y Gaer especially).

It is noted that a Landscape and Visual Impact Assessment has been prepared by Tirlun Barr Associates and submitted with the application. It is a thorough report and we are satisfied with the work methodology, and the images are useful. However, we do not agree with the analysis of the likely impact of the development. There is concern about the visual impact and likely disturbance caused by the proposed development in a rural and quiet area in the AONB.

Caravans Officer:

If the proposed application were to be defined as mobile units under the Caravans Act 1960, the applicant would need a site licence. It must be ensured that there will be sufficient room

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for the number of units noted within this application to ensure a gap of 6 metres between units.

This development must comply with all the requirements of the following Acts and Standards:

- 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 for a site licence if this planning permission is granted.

Fire Service: No observations on the access for fire vehicles and water supply, but recommending fire safety measures.

Public Consultation: A notice was placed on the site and the consultation period ended. No response was received during the public consultation period.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy TWR 5 of the LDP permits proposals to develop new touring caravan, camping or alternative temporary camping accommodation sites provided they comply with all the criteria noted. These include the need for the proposed development to be of a high quality in terms of design, layout and appearance and sited in an unobtrusive location which is well screened by existing landscape features and/or where touring units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape; avoids excessive areas of hard standing; have limited physical connection to the ground and is capable of being removed off the site out of season; any ancillary facilities should, if possible, be located within an existing building or as an extension to existing facilities; that the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features; occupation is limited to holiday use only; that the site is used for touring purposes only and any units are removed from the site during periods when not in use.
- 5.2 The field in question lies in open countryside and is parallel to a class three county road that would abut the site to the south and west. The twelve tent units would mainly be sited around the boundaries of the field and the wet-room pods would be installed next to each tent. The applicant confirmed that the safari tents and their foundation, along with the wet-room pods, would be removed from the site outside the operating season. Consequently, it would be possible to consider the proposal under policy TWR 5, which concerns touring caravans, camping, and alternative temporary camping accommodation.
- 5.3 Criterion 1 of policy TWR 5 states that the design, layout and appearance of touring caravan sites should be of a high quality. It is considered, in terms of layout and design of the site, a high quality development would be possible here and the safari tents are also likely to be of high quality. However, much of the greenery shown on the site plan is landscaping that is yet to be undertaken. It is true that there are hedgerows along part of the western and southern boundaries. However, at present, the south western corner,

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the eastern boundary, the northern boundary near the proposed parking area, and the inside of the site are all entirely open and have not been landscaped. The plan shows a proposal to landscape in these areas. However, landscaping on such a scale as this would take time to mature and there is no certainty that the proposed landscaping would take root. At present, therefore, the site is highly exposed and, since the land is on an upward slope, it is not considered that the site in question is well hidden by the features of the existing landscape. As part of the application, a visual and landscape impact assessment of the proposal was received. The report concludes that the impact of the proposal would be limited and it is anticipated that it would not be visually intrusive and that measures have been included in the site layout and design to reduce this. It is also stated that planting a new hedgerow would help add to the fabric of the landscape as a whole, along with its screening function and benefit as a habitat. Owing to its restricted impact on the fabric of the landscape and the character of the landscape, the assessment concludes that there would be a slight adverse impact during periods of activity only. The visual and landscape impact assessment has also referred to LANDMAP assessments in the area, especially the visual and sensory reports. In this it mentions that the value of the landscape is moderate. It should, however, be noted that despite the moderate value of the landscape in general the assessment also notes that it is a small, enclosed, rural valley with some small, specific detractors, specifically the build up form on the outskirts of Abersoch. Further in the recommendations, the LANDMAP assessment states that caravan developments within the valley should be restricted in the long-term. The visual and landscape impact assessment submitted as part of the application also contains images showing the site from various places. Image 14 (from the public footpath to the south east, on the far side of Afon Soch) and image 16 (from the Pen y Gaer hillfort to the south east) show that the site would be visible in the landscape and in views across the AONB. Even if the proposed landscaping were to mature, the site would still be visible from these areas. Looking at these views, it is also clear that there few other detractors in the landscape. There are also images of the site from Llanengan to Llangŷan in the visual and landscape assessment and it is evident that the site is visible when travelling along this road since it lies at the junction between the aforementioned class three road and Porth Neigwl road toward the south western edge of the site. Due to the above, it is therefore considered that the proposal is located in a prominent site and is not well hidden by the existing landscape features; consequently, the proposal would cause substantial harm to the visible quality of the landscape which has an AONB designation. The proposal is considered to be contrary to Criterion 1 of Policy TWR 5.

- 5.4 It appears that the proposal would be constructed in such a way as to avoid a preponderance of hard standings and is, therefore, acceptable in terms of Criterion 2 of Policy TWR 5.
- 5.5 Since the site would be cleared outside the operating season its physical contact with the ground is considered to be limited. The applicant confirmed that the safari tents and their foundations, along with the wet-room pods, would be removed from the site outside the holiday season. This means that the gravel footpaths would remain throughout the year. It is considered that the proposal is acceptable in relation to criterion 3 of Policy TWR 5. If the Committee were to approve the application, a condition would have to be imposed to ensure that the safari tents, their foundations and the wet-room pods were removed from the site outside the holiday season and a suitable location agreed for storing them.
- 5.6 New permanent buildings would not be built as a result of the proposal and the proposal is considered to be acceptable in relation to criterion 4 of Policy TWR 5.

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- 5.7 In respect of proximity to the road network, the site has direct access to a third class county road. It is a rural road that is narrow and winding in parts; nevertheless, there is suitable access into the site and this would not need to be changed. The proposal is considered to be acceptable in relation to criterion 5 of Policy TWR 5.
- 5.8 If the Committee were to approve the application, a condition would need to be imposed restricting the safari tents to holiday time only, in accordance with criterion 6 of policy TWR 5.
- 5.9 Although the proposal would not, therefore, be contrary to all the requirements of Policy TWR 5, it is considered that the proposal does not meet with the policy's main aims which requires that sites be unobtrusive in the landscape; therefore, it is considered that the principle of the development is contrary to policy TWR 5 of the LDP.

Visual amenities

- 5.10 The main aim of policy AMG 1 of the LDP is to conserve, maintain and enhance the character of the Area of Outstanding Natural Beauty by giving consideration to the Area of Outstanding Natural Beauty Management Plan. One of the main goals of the AONB Management Plan is to sustain, safeguard and improve the character, outstanding beauty and uniqueness of Llŷn's landscape, coast and seascape. To this end, the Management Plan includes many Policies and Objectives. The TP4 Policy and TA 4 Objective attempt to resist developments that would be intrusive in the landscape, coast or seascape of the AONB. Policy TP5 and TA 5 Objective of the Management Plan recommend resisting new caravan developments and extensions to existing sites in prominent locations within the AONB and promote landscaping and improved management of existing sites and units. As previously noted, there is concern that the site in its current form is intrusive in the landscape, as the existing landform and landscape do not assimilate the units within their location. Approving a safari camp site would detract from views within the AONB, which are highly visible from the nearby road and a public footpath located on higher ground to the east. The proposal would not contribute positively to the broader landscape of the AONB and therefore the proposal does not meet the requirements of policy AMG 1 of the LDP.
- 5.11 The current landform and landscaping are not sufficient to assimilate the units with the site. Although the plans show that it is intended to strengthen the existing landscaping by screening the site. If the application were to be approved, there is no assurance that the planting would be carried out to the necessary extent to screen the development. Despite the proposed landscaping, it is not considered that the proposal in its essence is acceptable in relation to the landscaping policy of PCYFF 4 of the LDP, given its sensitive location within an AONB.

Conservation Matters

- 5.12 Ty'n y Cae house is a grade II listed building. Also, near the site is Bont Newydd that carries the road from Llanengan to Llangŷan over Afon Soch. This bridge is also Grade II listed. Ty'n y Cae is located to the north east of the site. Currently, the area surrounding this listed building is fairly undeveloped. An outbuilding stands close to Ty'n y Cae and, quite recently, planning permission was granted for an agricultural shed, between this outbuilding and the site of the application. Although the site of the safari tents would add an additional build up feature to the area, it is not considered that it would have a substantial impact on the setting of these listed buildings. Despite some concern about the relationship between the proposal and nearby listed buildings, it is

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not considered that the proposal would have an effect on the setting of the listed building to such a degree that the proposal would have to be refused owing to the impact of the proposal on the setting of the listed buildings. It is considered that the proposal is acceptable in terms of Policy PS 20 in terms of the impact on the setting of listed buildings.

- 5.13 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. The proposal relates to creating a new site for safari tents, but in terms of its location and size, it is considered that the impact of the proposal would be local only and that it would not have a wider impact on the historic landscape. It is therefore considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

Transport and access matters

- 5.14 The site is served by a class three rural road, which is narrow and winding in parts. The Transportation Unit has no concerns relating to the proposal; therefore, the proposal is considered unlikely to harm road safety or be contrary to policy TRA 4. It is intended to park visitor vehicles in a central parking area toward the northern end of the site and plant a hedge between the parking area and the rest of the field. A vehicular track would be created to service two of the safari tents for disabled use. The proposal is considered to be acceptable in relation to Policy TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.15 An ecological survey was received as part of this application. The Biodiversity Unit and Natural Resources Wales are satisfied with the assessment carried out and neither objects to the proposal. A condition would have to be imposed, however, stipulating that the development must be made in accordance with the conclusions and recommendations included in part 6 of the ecological survey. Consequently, the proposal is considered to be acceptable in relation to Policy AMG 5 of the LDP.

6. Conclusions:

- 6.1 The Council has not been persuaded that the site, in its current form, complies with the principles of policy TWR 5 which relates to touring sites. It is considered that the proposal would be an intrusive feature in the landscape and would lead to an unacceptable harmful effect on visual amenities of the Area of Outstanding Natural Beauty. Despite the proposed landscaping, there is no guarantee that the landscaping would take place if the application were granted; even then, concerns would remain about the visual impact of the proposal. Whilst it is noted that there are no concerns on the grounds of highways or local amenities, the main principles of policy TWR 5 are not met, as the units would not be assimilated within the existing landscape within the AONB where the main aim is to conserve, maintain and improve its character.

7. Recommendation:

- 7.1 To Refuse – reasons
1. The proposed site, owing to its location, setting and appearance in the landscape, would stand out as a prominent and intrusive feature in open countryside and would have a detrimental impact on the landscape and on the visual amenities of the Area of Outstanding Natural Beauty. Furthermore, the proposal would be located in a prominent site and would not be well hidden by the existing landscape features. The proposal is therefore contrary to policy AMG 1 and TWR 5 of the Gwynedd and

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Anglesey Joint Local Development Plan (July 2017) and the Supplementary Planning
Guidance: Holiday Accommodation Gwynedd Council.