

PLANNING COMMITTEE	DATE: 23/07/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 1

Application Number: C17/1181/38/LL

Date Registered: 29/11/2017

Application Type: Full - Planning

Community: Llanbedrog

Ward: Llanbedrog

Proposal: Retrospective application to extend a touring caravan site and retain the toilet block, a timber platform and undertake a landscaping plan.

Location: Bryniau, Llanbedrog, Pwllheli, LL537PG

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 The application was deferred at the meeting of the Planning Committee on 16 April 2018 in order to re-consult on the application and reassess it after amended plans were received on 13 April 2018 that showed a reduction in the proposed additional number of touring caravans on the property from 20 to 10, and provided additional storage place for 20 touring caravans and an amended landscaping plan.
- 1.2 This is a retrospective planning application to extend an existing touring caravan site and retain the toilet block, electric hook ups, and undertake a proposed landscaping and tree planting scheme along the northern and western boundaries of the extended site. The application entails siting 10 additional touring caravans on the property in addition to the 10 touring caravans allowed in a previous retrospective application in 2016. Two caravan pitches are located on land to the north-west of the existing site, whilst another 8 pitches are located on a southern part of a field to the west of the existing site, parallel with a class three county road that runs past the property's vehicular access.
- 1.3 It is intended to increase the number of touring caravans on the site to a total of 20. The field where the 8 touring caravans are located extends over an area of 1.97 acres, and most of the field is included as part of the current application, and this is considered to be a substantial physical extension to the approved site. An amended landscaping and tree planting scheme was received on 13 April 2018 showing the intention to plant trees along the northern and western boundary of the extended site, and it would include heavy standard ash, oak, sycamore and linden. In addition, it is intended to infill gaps in the existing boundary gwrychoedd with similar species.
- 1.4 The proposal also involves creating a new storage space for 20 touring caravans and since the extant permission is for storing 10 touring caravans, this would equate to a storage area for 30 touring caravans on site.
- 1.5 The site lies in a prominent site within a Special Landscape Area and is visible from the parallel county road and the public footpath that runs along the site's northern boundary. It is also visible from the B4413 county road that runs down to Llanbedrog from Mynytho. The site is in the countryside outside the development boundary of the village of Llanbedrog.
- 1.6 The application was submitted to the council following action by the Enforcement Unit. During a site inspection, it was noted that a number of the existing caravan pitches had timber platforms. It is understood that foul water is to be disposed of via the existing septic tank.

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 seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty

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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.

2.4 **Gwynedd and Anglesey Joint Local Development Plan 2011 - 2026**

AMG 2: Special Landscape Areas
 TRA 2: Parking standards
 TRA 4: Managing transport impacts
 PCYFF 2: Development criteria
 PCYFF 3: Design and place shaping
 PCYFF 4: Design and landscaping
 TWR 5: Touring caravan sites, camping sites and temporary alternative camping accommodation
 PS 19: Protect and/or enhance natural environment

Supplementary Planning Guidance: Holiday Accommodation, Gwynedd Council
 Landscape Sensitivity and Capacity Assessment Gillespies - March 2014

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

3. **Relevant Planning History:**

- 3.1 C16/0537/38/LL - Bryniau Caravan Park, Lôn Pin, Llanbedrog. A retrospective application to retain a caravan site for 10 touring caravans, retain ancillary services and store caravans over winter. Approved with conditions 27 September 2016.

4. **Consultations:**

Community/Town Council: Amended plan 13.04.18 - The Council strongly objects.

The applicant wants 20 additional caravans.
 In 2016 there were no caravans, but approval was granted for 10 in a retrospective application.

There is little difference between the existing plan and its predecessor.

The Council wishes to know what happened to the enforcement notice posted on the site.

Caravan Site Licensing Officer: Amended plan 13.04.18 - In terms of licensing conditions, it is recommended that the application be refused.

I refer to the application and proposed development noted above. This licensed site appears to be operating as a static holiday site rather than a touring caravan site.

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The details that exist at Bryniau, Llanbedrog, are as follows:

1. Licensed site showing operations as a static site because of the following and untidiness
2. Large sheds next to touring caravans with a few caravans with two sheds
3. Decking with touring caravans
4. Permanent fences erected next to touring caravans
5. 2 x 47Kg gas cylinders next to a touring caravan
6. Gorse as a boundary between the current site and the proposed site, which is a fire risk.

Based on the above details, it is recommended that this development be refused.

Transportation Unit:

Recommends refusing - the proposal is a substantial increase, which triples the site's capacity, and is, therefore, likely to lead to a substantial increase in traffic flow along the rural road known as Lôn Pin.

This increase would be an increase in the number of vehicles towing caravans, and the road is not deemed suitable for an increase in this type of movement, as there are few passing opportunities. The road already provides access to a few other caravan sites, and fields and local farms, and consequently already has to adapt to a high percentage of vehicles and large plant.

Amended plan 13.04.18 - I confirm that I remain concerned about the numbers proposed in this retrospective application.

The amended plans include a proposal for 10 additional touring caravans, which is an increase of 100% to the current number, along with storing caravans outside the season. It is deemed that the increase in the number of pitches is substantial and unacceptable, without even considering the traffic that could result from the storage. Therefore, it is recommended that the proposal be refused for road safety reasons.

Natural Resources
Wales:

Amended plan 13.04.18 - Thank you for consulting with us on the amended plans for the above application. We confirm that our response dated 21 March 2018 remains valid.

Objections 21 March 2018 - No objection to the application, but observations submitted in relation to foul water drainage and protected species. It recommends researching the possibility of foul water disposal through the public sewerage system.

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Welsh Water: Observations on the intention to use a septic tank and a request for the applicant to contact Natural Resources Wales.

Public Consultation: A notice was posted on site and nearby residents were informed. The following comments were received as a result of the first consultation:

- The developer chooses to ignore planning rules, and undertakes unauthorised usage, and then submits retrospective applications;
- The use of the field as a caravan site has a detrimental effect on the amenities of local residents in their properties, and reduces the value of those properties;
- A narrow, winding road, without a pavement leads to the site; it is also busy during the summer months. An increase in traffic is likely to endanger pedestrians using the road;
- Lôn Pin serves two other touring caravan sites that are within 300 yards from the site, and a shooting range
- Caravans have remained on the individual pitches throughout the holiday season and beyond;
- The site is visible in the landscape and visible from a number of directions;
- A comprehensive tree planting scheme will affect the views toward the Snowdonia mountain range for pedestrians using Lôn Pin;
- The development is far too large for the countryside and outside the village;
- Sufficient touring caravan site provision already exists in the parish of Llanbedrog and there is no need for any more;

The following comments were received as a result of re-consulting on the amended plans dated 13.04.18

- No proposed improvements to the entrance;
- Insubstantial difference between the amended plan and the original proposal;
- Using the field closest to Lôn Pin affects nearby residents;
- High timber fence spoils the landscape and no consideration for plants;
- Alleged enforcement notice in force.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy TWR 5 LDP approves proposals for extensions to existing touring sites or additional pitches provided they comply with all the criteria noted. These include the

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need for the proposed development to be of a high quality in terms of design, layout and appearance and to be 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 are 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 aim of the policy is to facilitate the establishment of high quality touring and camping sites in suitable locations, acknowledging the contribution that high quality touring and camping sites make to the range of holiday accommodation available to visitors. Touring caravan and camping sites are often found in prominent and open locations and can be highly prominent in the open countryside, especially along the coast. An unobtrusive location is defined as one that is well screened by the existing landscape features and/or where touring units can be readily assimilated into the landscape without the need for too many man-made features, such as hard standings and fences. There are areas that are under extreme pressure in a number of communities located on the coast, including large parts of the Areas of Outstanding Natural Beauty. The Council will need strong evidence that proposals for more accommodation units in such areas will not add to problems for services, and will not harm the natural character or resources of these areas.
- 5.3 Any landscaping location, site layout and screening are, therefore, important considerations when assessing proposals. In each case, the applicant will need to submit a landscaping plan along with the application, and an improvement scheme for extensions.
- 5.4 The site in question is large and located in open countryside and a winding class three county road leading from the centre of Llanbedrog village runs parallel. Although two pitches are located to the west of the authorised touring site, most of the pitches are on a field that lies between the authorised site and the class three county road. Criterion 1 of policy TWR 5 states that the design, layout and appearance of sites should be of a high quality. Although existing vegetation can be seen along the boundaries of the extended site, most of the landscaping and planting work shown on the amended plan submitted is landscaping that is yet to be carried out. There are hedgerows along the site's western boundary with the parallel county road, but there is very little existing vegetation along the site's northern boundary with the public footpath. In addition, it is expressly stated that the extended site is visible from the class three county road, and the class two county road that leads down from the village of Mynytho. The amended landscaping plan submitted shows an intention to reinforce the existing vegetation along the northern and western boundary along with planting 25 standard trees and 15 heavy standard trees; but, this is not considered to be sufficient to ensure that that site is unobtrusive in the landscape, and landscaping on such a scale would take time to mature, and there is no assurance that this proposed landscaping would take hold. The site is very open and, since the land is visible from higher ground from the direction of Mynytho, it is not considered that the site in question is well screened by existing landscape features.
- 5.5 A statement in support of this planning application was received. There is concern that parts of this statement are not factually correct, e.g. there is a discussion about impact

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on the visual amenities of the Llŷn Area of Outstanding Natural Beauty, but it should be noted that the site of the application is outside the AONB. It is also stated that all the caravans can be removed from the site at unapproved times. Furthermore, it is stated that the proposal is not contrary to the national and local policies quoted in the report, and that the site is not obtrusive in the landscape. The report does not refer to the LANDMAP assessment of the area, in particular, the visual and sensory parts. The LANDMAP assessment states that the local landscape is of moderate value and states that the main method of management should be through continuing with viable farming methods, with low level ancillary holiday accommodation and tourism facilities. Furthermore, it is stated in part of the LANDMAP assessment recommendations that the long term goal should be to ensure no obtrusive tourism development in the local area. It has already been stated in this report that the extended site is considered to be obtrusive and visible in the landscape; therefore, it is considered that the existing application is neither on land that lies in an unobtrusive location nor is it well screened by the existing landscape features. Consequently, this current application is considered to cause substantial harm to the visual quality of the landscape, which has a Special Landscape Area designation, and the application is contrary to criterion 1 of Policy TWR 5. It is worthwhile noting also that the Landscape Sensitivity and Capacity Assessment carried out by Gillespies in March 2014 relating to static caravan developments identified that the general sensitivity of the local landscape was high, with a highly restricted capacity for additional developments of this type.

- 5.6 It does not appear that the application includes a proposal to create hard standings and this is, therefore, acceptable from the perspective of criterion 2 Policy TWR 5.
- 5.7 The touring caravans storage area is parallel to the approved site established in 2016. Nevertheless, and even though the report submitted with the application states an intention to remove caravans from the site at unapproved times, a touring caravan continued to be on the permitted site's pitches over this latest closed season, contrary to the planning conditions imposed on the retrospective planning permission dated 27 September 2016. Furthermore, the caravan storage site was not used outside the holiday period. The current application includes an intention to extend the storage provision for a total of 30 touring caravans, by providing storage for 20 touring caravans in addition to the existing storage site for 10 caravans. This could mean other touring caravans within the site are stored on site as well; this would lead to an increase in the movement of traffic along Lôn Pin. Based on the evidence of this site's usage to date, it is not possible to state with any certainty that the current application complies with the third criterion of policy TWR 5. This has been increasingly highlighted because of the ancillary structures on some pitches such as timber platforms, sheds and storage bins.
- 5.8 The current application includes retaining the toilets building erected to the left of the access road to the property, and between the approved site and the extended site, which also forms part of the application. The building is not in an obtrusive location in the landscape. However, it is noted that the Council's Caravans Licensing Officer stated that there is insufficient provision within this building for 30 touring caravans, but the number of units on the land has now been reduced to a total of 20, and it is likely that the provision could be modified within the family block to create a disabled or family provision that would allow for the total number or toilets required. It is, therefore, likely that the application could be acceptable in terms of criterion 4 of Policy TWR 5.
- 5.9 In respect of its proximity to the roads network, the site has direct access to a class three county road. It is a rural road that is winding and narrow in parts; it is noted that there are other touring caravan sites serviced by this road, as well as a nearby shooting range. Nevertheless, access to the approved touring site runs past the existing dwelling on the

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property, but the existing access to the proposed extended site is through a gate within the left hand splay of the main access road. The amended plan shows the intention to partly restrict use of this entrance, because of the intention to landscape and plant trees, but the access is not fully closed up. The Transportation Unit provided observations on the application, and it objects on the grounds that the proposal would create a significant increase in the number of vehicles towing caravans along a narrow, winding road, which already serves other touring caravan sites, agricultural fields and local farms, along which few passing opportunities exist. This would create a situation that would harm road safety. The Transportation Service has not changed its views on the application as a result of submitting the amended plan dated 13 April 2018. Consequently, it is not considered that the application is acceptable in relation to criterion 5 of Policy TWR 5.

- 5.10 To ensure compliance with the sixth and seventh criteria of Policy TWR 5, appropriate planning conditions could be imposed on any permission to ensure that use is restricted to touring and holiday use only. Nevertheless, the existence of fences, sheds and timber platforms on several pitches causes some concern that caravans could remain on their pitches when not in use, thus creating a permanent feel to the touring caravan site. In fact, evidence shows that caravans have remained on their pitches when not in use, throughout the holiday term and outside. On these grounds, officers are not satisfied that the applicant intends to operate in accordance with the requirement of the seventh criterion of the policy; therefore, this aspect of the proposal is also contrary to policy TWR 5.
- 5.11 Although the proposal would not 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

- 5.12 Strategic Policy PS19 of the Gwynedd and Anglesey Joint Local Development Plan states that Councils will manage development in order to conserve and, where relevant, enhance the natural environment, the countryside and special coastline of the Plan area and that proposals that will have a substantial detrimental impact on them will be refused unless the need or the benefits of the development in the location clearly outweigh the value of the site or the area and national policy of protection for the relevant site or area. When determining a planning application, it is necessary to give consideration, among other things, to protect, preserve or enhance the local character and uniqueness of the Landscape Character Areas (in accordance with Policy AMG 2).
- 5.13 When considering proposals within Special Landscape Areas (SLA), as identified by the proposals map and listed below, Policy AMG 2 states the need to appropriately consider the scale and nature of the development thus ensuring that there is no substantial detrimental impact on the landscape. Wherever possible, the development should contribute to maintaining, improving or restoring the recognised character of the SLA. Protecting the natural landscape is extremely important; however, some areas of Gwynedd and Anglesey have special characteristics meaning that it is appropriate that they be afforded additional protection.
- 5.14 The current application involves retaining land use as an extended site to a touring caravan site, and siting 20 touring caravans on that land. This is a 100% increase in the number of approved units on the site. In addition, the application requests that the storage of touring caravans be increased to a total of 30. The Planning Service is of the

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opinion that the location of the extended site is obtrusive in the local landscape, and is highly visible from Lôn Pin and from the class two county road that leads down from Mynytho to Llanbedrog and neither the current landform nor the landscaping are sufficient to assimilate the units with the site. Although plans show an intention to reinforce the existing landscape to screen the site, there is no certainty that the planting will be carried out to the necessary degree to screen the development, should the application be approved, and this in itself does not justify the proposal on this site. 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 a Special Landscape Area. The main aim of policy AMG 2 is to maintain, improve or recover the recognised character of the SLA, and it is not considered that the proposal protects the natural landscape in this case, and the proposal is, therefore, contrary to Policy AMG 2.

General and residential amenities

- 5.15 It is stated that a dwelling stands 11 metres away from the extended site, on the other side of the class three county road. An objection to the current application was received from the resident of that property and the grounds for the objection have been noted above. Among other matters, it is noted that the application is on a field that was exempt from the planning permission granted in 2016; that the proposal was likely to have a detrimental impact on the objectors' property as approving the application would be likely to create noise and smoke, and would reduce the value of the property; the size of the extension to the approved site and its prominence in the landscape; and the fact that the road that runs past the site is narrow and winding. It is noted that the Council's Transportation Unit objects to the application; therefore, on one hand, there are grounds for the objection. On the other hand, the proposal to plant a belt of trees along the northern boundary of the site, parallel to the county road, would be likely to act as a future noise buffer zone. Nevertheless, that would take a number of years to establish itself, and the conclusion must, therefore, be reached that the proposal does not currently comply with all the criteria of Policy PCYFF 2, and is, therefore, likely to have an effect on the amenities of nearby residents.
- 5.16 In terms of the design, location and finish of the additional toilet building, it is considered that this aspect of the application does comply with all the criteria of PCYFF 3 of the LDP. Despite the building's flat roof, its location is screened and it is not visible from the nearby class three county road. The external walls have been clad in brown, plastic, horizontal boards and the windows have a black plastic finish. Foul water is discharged to an existing septic tank and Natural Resources Wales has submitted observations on this method of disposing of foul water.

Transport and access matters

- 5.17 The site is served by a class three rural road, which is narrow and winding in parts. The Transportation Unit objects to the application because of the substantial increase in the number of touring units that will triple the site's capacity, and is likely to lead to a substantial increase in traffic flow along this rural road. This increase would lead to an increase in the number of vehicles towing caravans, and the road is not deemed suitable for an increase in this type of movement as there are few passing opportunities on the road. It also provides access to other caravan sites, fields and local farms; consequently, it already deals with a high percentage of large vehicles and plant. There was further response to the amended plans submitted on 13 April 2018 and the views of the Transportation Unit have not changed. There remains a 100% increase in the number

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of touring caravans intended on the site, and storage provision for 30 touring caravans. Consequently, it is not considered that the application complies with Policy TRA 4.

- 5.18 It is considered that there is sufficient land to provide parking spaces within the site; therefore, there are no concerns regarding compliance with Policy TRA 2 (parking standards).

Relevant Planning History

- 5.19 It is noted that this is the second retrospective planning application submitted for touring caravans at this property. Nevertheless, it is important to note that every application submitted to the Council for consideration must be determined on its own merits, taking into consideration the national and local planning policies along with any other material planning matter.

Conclusions:

- 6.1 Policy PCYFF 2 states that every proposal must demonstrate compliance with all relevant policies of the LDP and national planning policies and guidance. From reading the above report, it is clear that the proposal does not comply with all the planning policies stated here.
- 6.2 The Planning Service has not been persuaded that the site complies with the fundamental principles of policy TWR 5 that relates to touring sites. It is considered that the proposal would be an obtrusive feature in the landscape and would lead to an unacceptable harmful effect on visual amenities of the Special Landscape Area, and would be contrary to the aims of the visual and sensory aims of the LANDMAP assessment of the local area. Despite the proposed landscaping, there is no guarantee that the landscaping would take place or that it would mature if the application were granted; even then, concerns would remain about the visual impact of the proposal. The main principles of policy TWR 5 are not met, as the units, due to the current landscape features, would not be assimilated into the existing landscape within the SLA where the main aim is to conserve, maintain and improve its character. The proposal is, therefore, also contrary to Strategic Policy PS19 and Policy AMG 2.
- 6.3 In addition, it is not considered that the application complies with Policy TRA 4 because of the unacceptable increase in the use of the narrow and winding county road that runs past the site. Approving the application would lead to an increase in the number of similar vehicles using the road and would create a situation on this road that would harm road safety. At the same time, the application would harm the enjoyment of nearby residents at their properties, not only because of the increase in traffic, but also because of the additional activity and noise; it is not considered that the landscaping and tree planting scheme would overcome this problem. The proposal is therefore contrary to Policy PCYFF 2.

7. Recommendation:

- 7.1 To Refuse – reasons
1. The development, owing to its location, setting and appearance in the landscape, would stand out as a prominent and obtrusive feature in open countryside and would have a detrimental impact on the landscape and on the visual amenities of the Special Landscape Area. Furthermore, the proposal would be located in a prominent site and would not be well screened by the

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existing landscape features. The proposal is therefore contrary to strategic policy PS 19, and policies AMG 2, PCYFF 2 and TWR 5 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017) and the Supplementary Planning Guidance: Holiday Accommodation Gwynedd Council.

2. Generating an unacceptable increase in the level of traffic along a narrow and winding road that has few passing places, creating a situation that would be likely to harm road safety, is contrary to Policy TRA 4.
3. It disrupts nearby residents' enjoyment of their property because of the unacceptable increase in the level of traffic, disturbance and noise, contrary to Policy PCYFF 2.