

<b>PLANNING COMMITTEE</b>	<b>DATE: 22/11/2021</b>
<b>REPORT OF THE SENIOR MANAGER – PLANNING AND PUBLIC PROTECTION SERVICE</b>	

**Number: 4**

**Application Number: C21/0665/40/LL**

**Date Registered: 14/07/2021**

**Application Type: Full**

**Community: Llannor**

**Ward: Efailnewydd/Buan**

**Proposal: Application for the change of use of land into a touring caravan site for 19 units including the provision of a toilets and shower building, track and play area within the site.**

**Location: Gefail y Bont Lôn Boduan, Efailnewydd, Pwllheli, Gwynedd, LL53 6DN**

**Summary of the Recommendation: TO REFUSE**

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**1. Description:**

- 1.1 Full application to develop a new touring caravan site. The proposal involves using an agricultural field for the siting of 19 touring caravans, toilet building, improving the existing access and landscaping work along the existing *clawdd*/hedge. The field where it is proposed to locate the touring caravans is fairly flat and the units would be located along the north-eastern and south-western boundary of the site.
- 1.2 The applicant states that it is proposed for plants to be planted along the south eastern boundary. The toilet building would measure 11 metres long and 3.75 metres wide with a grey cladding finish to the walls and a grey sheeting roof and would be sited near the access. It is understood from the applicant that it is not proposed to construct a track as an internal access road or hard standings for the touring caravans and an amended plan was received together with a statement confirming this. It is also intended to install a sewage treatment system.
- 1.3 The site is located between a class 3 county highway and Rhyd Hir river that is at a lower level. The proposed site measures 0.75 hectares.
- 1.4 The application site is designated a Wildlife Site Area and lands to the south-west have been designated as a Special Landscape Area. It is proposed to undertake improvements to the existing access to the adjoining class 3 county highway.
- 1.5 A Design and Access Statement was submitted with the application.
- 1.6 The application is submitted to committee as it involves siting touring units on land measuring in excess of 0.5 hectares.

**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 (Wales) Act 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 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026 adopted 31 July 2017 (LDP):-**

PS 1: The Welsh Language and Culture  
 ISA1: Infrastructure Provision  
 TRA 4: Managing transport impacts  
 PS5: Sustainable development  
 PS6: Alleviating and adapting to the effects of climate change

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PCYFF2: Development Criteria  
 PCYFF4: Design and Landscaping  
 PS14: The Visitor Economy  
 TWR 5: Touring caravan, camping and temporary alternative camping accommodation  
 PS 19: Conserving and, where relevant, enhancing the natural environment  
 AMG3: Protecting and improving features and qualities that are unique to the character of the local landscape  
 AMG 5: Local biodiversity conservation  
 AMG 6: Protection Sites of Local or Regional Significance

#### 2.4 **National Policies:**

Future Wales: The National Plan 2040  
 Planning Policy Wales - Edition 11 (2021).  
 Technical Advice Note - 13 Tourism.  
 Technical Advice Note - 18 Transport.

### 3. **Relevant Planning History:**

Application Number C20/0915/40/LL - Construction of agricultural building - Approved on 11/12/2020

Application Number C21/0113/40/DA - Application for a non-material amendment to the development approved by planning permission C20/0915/40/LL to move the location of the proposed agricultural building, change the external materials and move the location of the door - Refused on 25/02/2021

Application number - C21/0114/40/DT - Extension and adaptations including raising the roof and extending the garden. Approved on 24/05/2021.

Application Number - C21/0234/40/LL - Construction of agricultural building - Approved on 24/05/2021

Application number - C21/0664/40/AC - Application to remove condition 6 of planning application C21/0114/40/DT involving a permission for a permanent caravan in the back garden of the dwelling house. Refused on 28.09.2021

### 4. **Consultations:**

Community/Town Council: Object. The property is located on a narrow junction, concerns have been noted regarding access and highways. Concerns about visual amenities.

Transportation Unit: I refer to the above application, and confirm that the Transportation Unit has no objection to the proposal. The field entrance is within 50 metres to the junction with the A497 and is therefore convenient for traffic. The design of the existing junction is not of the best quality, with visibility to the west (in the direction of Nefyn) partly limited by the Gefail y Bont property and partly by a thick hedge, however, the temporary road diversion means that traffic control measures are in

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place, that improves movements through this junction. In addition to the above, it is proposed to erect a new bridge near Pont Bodfal, and to divert the A497 further from Gefail y Bont by standardising the junction's design and improving the visibility splays either side. As a result of this proposal, and the need to keep temporary traffic measures in place until the new bridge scheme is completed, there is no objection to the proposal. It is obvious that the applicant has undertaken recent work to widen the entrance site, and placing slate waste as a surface. If this application is approved I recommend that the entrance should be formalised by providing bull-nosed kerbs on the road verge and to have a surface along the entrance up to the access gate in a material such as tarmac or concrete rather than loose material that is likely to sink and wash away.

Natural Resources Wales  
(NRW)

We have reviewed the planning application submitted to us, and from the information provided, we are not of the opinion that the proposed development impacts any matters listed on our Consultation Topics, *Advice Service on Development Plans: Consultation Topics* (September 2018).

We note that there is no information regarding protected species (bats, otters) in the application and therefore we take it that your Authority has screened the application and has concluded that there is no reasonable likelihood of protected species being present on the site.

Under the Environmental Licences Regulations 2016, the private foul drainage system associated with this development will require an Environmental Permit from Natural Resources Wales, unless an exemption applies.

The work of importing inert waste to the site to be stored or used in building, maintenance or improvements, for example core soils, must be registered with Natural Resources Wales under the Environmental Permitting (England and Wales) Regulations 2016 and comply with the conditions of the relevant permit.

The applicant must also reduce any discolouration to the water course from the construction work. Silty water should be treated, either through the use of settlement lagoons or tanks, or discharged over a grassed area.

Further observations regarding reducing environmental pollution.

Welsh Water:

Usual observations regarding using a suitable drainage system, and the developer should contact Welsh Water regarding the water supply.

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Draw attention to the location of the mains water that crosses the site.

- Biodiversity Unit: The site of the proposed development is located within the Gefail y Bont Wildlife Site. As a result, the applicant will need to provide a Preliminary Ecological Assessment.
- Trees Unit The site is surrounded by trees and the plan indicates that the caravan pitches are situated within what would count as a root protection zone (RPZ). It is also unclear whether it is proposed to have some sort of hard standings where the caravan pitches will be, therefore I ask for an explanation regarding this and a plan showing the tree RPZ and an assessment of their condition in accordance with standard BS5837/2012. Also, as the land is part of a wildlife site with very mature trees, an ecological assessment is required.
- Gwynedd Archaeological Planning Service There is potential for unknown archaeological remains in this area, especially in relation to earthworks and features noted via LiDAR and aerial photography.  
Due to the limited scale of the work and the limited foundations proposed, there is no recommendation for mitigation in this case - however, it is important for the developer to be aware of the potential should there be a need to undertake more comprehensive work in the future.
- Caravans Officer: Usual licensing observations
- Language and Scrutiny Unit The Language Unit has no observations on this application that would affect the determination, as the applicant has answered the Policy requirement in terms of giving consideration to the Welsh language. However, we believe that there are additional opportunities to show consideration of the language and to use the Welsh language when developing the site and establishing the business and we wish the applicant to consider the following:  
Any holiday business offers opportunities to promote the Welsh language and to raise its profile as a living language within the community. It should also be borne in mind that there has been a recent increase in 'staycations' and this means that many of the visitors to the site may be local or hail from other parts of Wales. We therefore believe that the applicant should consider how the Welsh language can be used more extensively, and specifically when advertising the business (and the area), on social media and of course when offering services. They should also consider if there are other opportunities to use the Welsh language and to provide bilingual information on the site itself - e.g. will there be information boards or signs around the site?



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- That the site is close to the main highway network and adequate access can be provided. The site is served by an existing access to a parallel class 3 county highway, which is within 50 metres to an adjacent class 1 county junction to the south-west. Visibility to the south-west is fairly clear up to the county junction, however, it is likely that some of the existing hedge along the south-eastern boundary would need to be cut back to improve visibility along the county highway. This would be likely to create a more prominent site in the landscape and contrary to policy aims.
- The development's occupancy is restricted to holiday use only. The application is to establish a touring caravan site and this may be controlled by imposing a condition to restrict occupancy to the holiday season on any planning permission.
- That the site is used for touring purposes only and that any units are removed from the site during periods when not in use - the application is to establish a touring caravan site and a holiday season condition will be imposed on any planning permission. From the application details, it is understood that it is not proposed to keep the caravans on the site and an appropriate condition would be imposed on any permission to enforce that situation.

5.2 As a result of the above assessment, it is not believed that the proposal is acceptable based on its location, setting, scale and its impact on visual amenities in the local area; to this end, therefore, it is believed that the proposal is not acceptable, and does not comply with all the requirements of Policy TWR5 of the LDP.

### **Visual amenities**

5.3 The site is located in a fairly flat field adjacent to a class 3 county highway. It is proposed to site the touring caravans along the south-eastern and north-eastern boundaries with a toilet building near the access; the building measures 11 metres long and 3.75 metres wide and will be finished in a grey colour. The lie of the land is likely to create a site that would be prominent in the landscape despite the existence of existing vegetation along the boundaries. It is realised that the site has not been recognised or designated as a landscape of any special interest, however, it is felt that creating this caravan site would be likely to have a significant negative impact on the appearance and character of this rural area.

5.4 We realise that it is proposed to plant additional plants on the '*cloddiau*' to thicken and strengthen the existing boundaries, however, this would not create a permanent situation and it is felt that it would not be sufficient to satisfy the aims of the Council's policy to control the impact of the proposal on the countryside. It is considered that the proposal would cause detrimental harm to the character and the rural sense of the local landscape. Therefore, the proposal is not acceptable based on the requirements of Policies PCYFF3, TWR5 and PS19 regarding its impact on the local natural environment.

### **General and residential amenities**

5.5 The application was advertised at the site and nearby residents were notified. No response was received. The site is located in the countryside and is approximately 400 metres from the home of the nearest neighbour to the east and it is unlikely that the site would be visible from this house and it is not considered that activities on site would have a substantial additional detrimental impact on

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the amenities of the houses in the vicinity. It is therefore felt that the proposed use will not generate more significant noise than the current activities and use in the area. It is not considered that the proposal would have a significantly harmful impact on neighbouring residents and therefore the proposal is not considered to be contrary to Policy PCYFF 2 of the LDP.

### **Transport and access matters**

5.6 The proposal involves establishing a new touring caravan site in the countryside. The site is served by an existing access and it should be noted that the applicant has already undertaken improvements to the entrance. Observations were received from the Transportation Unit stating that the entrance to a field is within 50 metres to the junction with the A497 and is therefore convenient for transport. The design of the existing access is not of the best quality, with visibility to the west (in the direction of Nefyn) partly limited by the Gefail y Bont property and partly by a thick hedge, however, the temporary road diversion means that traffic control measures are in place, that improve movements through this junction. In addition to the above, planning permission was recently given to erect a new bridge near Pont Bodfal, that would divert the A497 county highway further from Gefail y Bont by standardising the junction's design and improving the visibility splays either side. As a result of this work, and the need to keep temporary traffic measures in place until the new bridge scheme is completed, there is no objection to the proposed caravan site and it is considered that the proposal conforms to policy TRA4.

5.7 Noting the observations of the Transportation Unit, it should also be noted that the existing visibility of the access to the east is sub-standard and although it would be possible to improve this by cutting the hedge, it is likely that this would open the site out to the detriment of the area's character. It is therefore felt that it is not possible to satisfy the Transportation requirements without creating a more prominent development in the landscape, contrary to policies TWR5 and PCYFF3.

### **Biodiversity:**

5.8 Observations were received from the Biodiversity Unit stating that the proposed site is within the Gefail y Bont Wildlife Site and therefore the applicant would need to provide a Preliminary Ecological Assessment to give full consideration to the impact of the proposal on the site's biodiversity. The application was submitted to the Council without an ecological assessment and the applicant was not asked to prepare and submit such a statement as it would not change the views of the Planning Service that the proposal is unacceptable in planning terms. Please note also, during the site inspection that ground levelling work was taking place at the property within the wildlife site and it appeared at the time that this did not impede on the proposal area, it appeared that the side effect of the work impacted on the application site.

Policy AMG 6 states that proposals that are likely to cause significant harm to wildlife sites will be refused, unless it can be proved that there is an overriding social, environmental and/or economic need for the development, and that there is no other suitable site that would avoid a detrimental impact on sites of nature conservation value. No information has been received with the application to satisfy the aims of the policy. It is considered that the proposal is contrary to policies PS19 and AMG 6 of the LDP.

5.9 Observations were received from the Trees Unit stating that the site is surrounded by trees and the plan indicates that it is proposed to install the caravan pitches within what would be considered as

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a Root Protection Zone. It is also unclear whether it is proposed to have some sort of hard standings where the caravan pitches will be, therefore an explanation regarding this is requested and a plan showing the tree RPZ and an assessment of their condition in accordance with standard BS5837/2012. The applicant was not asked to prepare and submit such a statement as it would not change the views of the Planning Service that the proposal is unacceptable and contrary to policies PS19 and AMG 6 of the LDP.

### **Agricultural land**

- 5.10 The Policy Unit states that an extensive section of the land has been recognised as grade 2 land in the Agricultural Land Classification (ALC). Paragraph 3.58 of Planning Policy Wales (Edition 11, February 2021) states:

*"Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification (ALC)16 is the best and most versatile, and should be conserved as a finite resource for the future."*

- 5.11 Paragraph 3.59 of PPW adds:

*"When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 and 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade."*

- 5.12 The need to protect the best agricultural land is highlighted in strategic policy PS 6: Alleviating the effects of climate change, states that proposals will only be permitted where it is demonstrated with appropriate evidence that they have fully taken account of and responded to a series of points that include:

*"Safeguarding the best and most versatile agricultural land, promoting allotments, support opportunities for local food production and farming in order to reduce the area's contribution to food miles (point 6)"*

- 5.13 It is also noted that the proposal would involve developing the site as a touring caravan site. It is realised that the applicant has stated that it is not proposed to construct an access track for the units, however, it would not be unreasonable to consider that such a development would take place in the future. If approved, the use of the site as a caravan site is likely to be permanent and would therefore lead to the loss of some agricultural land for alternative use. However, although the proposal does not meet with the requirements of the above Policies, it is felt that the loss of 0.75 ha of agricultural land as in this case, is not significant enough to refuse the application.

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## **6. Conclusions:**

- 6.1 Having considered the above and all the relevant planning matters including local and national policies and guidance, as well as the observations received, it is believed that the proposal would not be acceptable on the grounds of the matters noted in the report.

## **7. Recommendation: To refuse**

1. The proposal, due to its location, setting and appearance in the landscape, would stand out as a prominent and intrusive feature in the countryside and would have a detrimental impact on the landscape and on the visual amenities of the rural area. The proposal is therefore contrary to policies PS19, PCYFF1, PCYFF2, PCYFF3 and TWR5 in the Anglesey and Gwynedd Joint Local Development Plan, Supplementary Planning Guidance: Holiday Accommodation, Gwynedd Council.
2. The proposal will entail establishing a touring caravan site within the Gefail y Bont Wildlife Site where policy AMG 6 states that proposals that are likely to cause significant harm to wildlife sites will be refused, unless it can be proved that there is an overriding social, environmental and/or economic need for the development, and that there is no other suitable site that would avoid a detrimental impact on sites of nature conservation value. No information was received with the application to satisfy the aims of the policy. It is considered that the proposal is contrary to policies PS19 and AMG 6 of the Joint Anglesey and Gwynedd Local Development Plan.