

PLANNING COMMITTEE	DATE: 10/01/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

Number: 8

Application Number: C21/0988/39/LL

Date Registered: 12/10/2021

Application Type: Full

Community: Llanengan

Ward: Llanengan

Proposal: To extend the holiday season from 8 to 10.5 months for holiday purposes

Location: Tŷ Newydd Caravan Park, Sarn Bach, Pwllheli, Gwynedd, LL53 7LE

Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS

PLANNING COMMITTEE	DATE: 10/01/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

1. Description:

- 1.1. This is an application to extend the period the units can be used on the existing static caravan site from 8 months (between 1 March until 31 October to 10.5 months (between 1 March to 15 January of the following year). The proposal would increase the occupancy period to 3.5 months in the year, however, there is no intention to add to the existing number of static caravans, namely 32. There will be no alterations or additions to the existing facilities on the site.
- 1.2. As part of the application, a Design and Access Statement was submitted and the documents explains the background of the application and notes that there has been a significant increase in the demand for holidays over Christmas and New Year during the last few years and the development would contribute to the tourist industry throughout the year. It also notes that this is a permanent site which is long-established and the units are of a high quality that are suitable for use during winter months.
- 1.3. A Language Impact Assessment was also submitted to accompany the application.
- 1.4. The site is located in the countryside and lies within an Area of Outstanding Natural Beauty (AONB). The site is also within a Landscape of Outstanding Historic Interest. The site is served by a third class county road and farm track which also acts as a public footpath. The adjacent fields have been designated within the Porth Ceiriad, Porth Neigwl and St Tudwal's Islands Site of Special Scientific Interest and Mynydd Cilan, Trwyn yr Wylfa and St.Tudwal's Islands Special Protection Area.
- 1.5. This application has been brought before the Committee in accordance with the delegation scheme as the surface area of the site is greater than 0.5ha.

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**
 - PS 1 - The Welsh Language and Culture
 - TRA 4 – Managing transport impacts
 - PCYFF 2 – Development criteria
 - PS 14 - The Visitors' Economy
 - TWR 4 – Holiday Occupancy

PLANNING COMMITTEE	DATE: 10/01/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

AMG 1 - Areas of Outstanding Natural Beauty Management Plans

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities (July 2019)

Supplementary Planning Guidance: Tourist Facilities and Accommodation (March, 2021)

2.4 National Policies:

Planning Policy Wales, Edition 11

Technical Advice Note 6: Planning for sustainable rural communities

The Welsh Government Circular 016/2014: Use of Planning Conditions to Manage Developments

3. Relevant Planning History:

C17/0968/39/LL: Re-organisation of existing static caravan site to site 3 additional caravans and re-locate 2 caravans, relocate a children's play area, improve the existing car park and service area along with landscaping - Refused 22 February, 2017

C16/1272/39/LL - Extend an existing static caravan site to relocate four units and site an additional four units, thus increasing the number from 32 to 36 - Refused 2 December 2016.

C12/1567/39/YA Agricultural shed: Approved 18 January 2013

C10D/0392/39/LL Relocate an agricultural entrance and close the existing entrance: 7 December 2012

C06D/0212/39/LL Site four static caravans on the existing site and create a new play area: Approved 26 June 2006

C05D/0231/39/LL Extend the caravan site with seven new caravans and create a play area: Refused 14 June 2005

9700463AGR19 Extension to an agricultural shed: Approved 18 November 1997

2/19/675B Extension and adaptations to the farm house: Approved 1 May 1992

2/19/675A Erect a single-storey house (agricultural condition) Approved 2 January 1991

2/19/675 Erect a single-storey house (agricultural condition): Approved 4 April 1990

3/4/580D Site eight additional caravans: Approved 4 July 1968

3/4/580C Permanent approval for 20 caravans: Approved 8 May 1968

3/4/580 New toilets for the caravan site: Approved 22 March 1966

6487D Increase the number of caravans from three to fifteen: Approved 18 July 1963

6487B Site for three caravans: Approved 2 March 1961

PLANNING COMMITTEE	DATE: 10/01/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

6487A Site for three caravans: Approved 22 December 1959

4. Consultations:

Community/Town Council: Support

Transportation Unit: No observations to offer

Welsh Water: Not received

AONB Unit: In terms of visual matters only there will be no additional impact on the AONB.

Licensing Unit: No observations to offer as long as the development complies with the statutory requirements - Guidance for the applicant

Public Consultation: A notice was posted on the site and nearby residents were notified. An observation of support was received to the application.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy TWR 4 supports proposals to extend the holiday season of existing static caravan and chalet sites provided it can be demonstrated that the accommodation is being used exclusively for holiday purposes and does not become the occupant's main or sole place of residence. It must also be ensured that the accommodation is suitable for occupation during the winter, that the extended season would not increase the consequences of an extreme flooding event and the extended season will not have a detrimental impact on the local environment.
- 5.2 The existing permission for the Tŷ Newydd caravan site permits the static units to be occupied between 1 March and 31 October in any given year, therefore the site is closed for four months of the year. From the information submitted with the application, the owners are prepared to accept restrictions for measures to be in place to ensure that the static caravans are only used for holiday purposes and are not used as a permanent residence.
- 5.3 By imposing a suitable condition on the permission to ensure the above, it is believed that the proposal could be acceptable in terms of this aspect of the policy.
- 5.4 Over the years, the quality of static caravans has improved and the applicant in this case confirms that the units on the site are of a modern high quality standard and are entirely suitable for use

PLANNING COMMITTEE	DATE: 10/01/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

during winter months. It is therefore considered that the proposal is acceptable in terms of criterion 1 of Policy TWR 4

- 5.5 Criterion 2 of Policy TWR 4 requires that the extended season does not increase the consequences of extreme flooding. There is no record that the site is vulnerable to flooding and therefore the application complies with this criterion.
- 5.6 In the relation to criterion 3, it is not considered that extending the occupancy period would have a detrimental impact on the local environment. The static caravans are already on the land and it is not considered that occupying them for a longer period would have a greater impact on the local environment than the current situation.
- 5.7 Historically, conditions were imposed on such sites to ensure holiday use and in the past the standard of the units was not suitable enough for their use in winter. By now, the nature of holidaying has become more varied in terms of location, season and duration. By now, many more people go on holiday several times a year, more often for shorter breaks and not necessarily during the summer.
- 5.8 The Supplementary Planning Guidance: Tourist Facilities and Accommodation (2021) also referred to using holiday occupancy conditions that allows the use of holiday units throughout the year for extended periods but with relevant conditions, which ensured that such units were not used for permanent residential use.
- 5.9 Policy TWR 4 does not restrict the period that static caravans / chalets can be occupied. Therefore, static caravans / chalets can be occupied for holiday purposes for extended periods during the winter and appeal decisions and court cases support this principle. Such sites are subject to a condition to ensure that the static caravans can only be used for holiday purposes and that a register is kept of the names of all occupiers of the caravans, the duration of their stay and the address of their main residence.
- 5.10 In light of the above and by imposing appropriate conditions on the permission, it is considered that the proposal is acceptable in terms of Policy TWR 4 of the LDP and policy PS 14, as it involves promoting a local tourism industry that thrives throughout the year.

Language Matters

- 5.11 Excluding the developments that meet the thresholds for submitting a Welsh Language Impact Statement / Assessment noted in Policy PS1, guidance is provided in terms of the type of relevant applications where it is needed to give consideration to the Welsh language in Appendix 5 of the SPG. The guidance notes that every retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement / Assessment should show how consideration has been given to the language.
- 5.12 To accompany the application, the applicant submitted a Welsh Language Statement and it noted the following:
- That the applicant, business managers and all the staff are Welsh speakers
 - The business encourages visitors to participate in the farm's activities and introduce them to the local language and culture
 - The business has a bilingual policy in relation to marketing and signage
 - An increase in the number of Winter visitors will assist with supporting local businesses and facilities throughout the year.

PLANNING COMMITTEE	DATE: 10/01/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

- 5.13 In light of the above, it is considered that the applicant has considered the impact of the proposal on the Welsh language and the local community when preparing the application and what has been submitted is in line with the requirements of the Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities together with Policy PS1 of the LDP.

Visual amenities

- 5.14 This proposal will not exacerbate the current situation regarding the impact of the static caravans on the environment as they are already located on the site throughout the year and it is not intended to increase their number. Since there will be no change to the visual amenities of the AONB it is considered that the proposal is acceptable based on the requirements of Policy AMG 1 of the LDP.

General and residential amenities

- 5.15 It is deemed that extending the occupancy period of the static caravans will not have a significant impact on the amenities of the local neighbourhood. It is recognised that there are some residential dwellings in the site's vicinity but it is likely that any increase in activity will be limited to the site itself and it is not believed that there will be any significant change to the current situation in terms of the impact on properties beyond the site. It is therefore believed that the proposal is acceptable in terms of the requirements of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.16 The application does not involve any increase in the number of static caravans, only an extension to the occupancy period. It is not considered that the additional occupancy of the static caravans over the winter months will lead to a significant intensification in the use of the roads network serving the site. It is therefore considered that the proposal complies with Policy TRA 4 of the LDP.

6. Conclusions:

- 6.1 Based on the above, and having considered all the relevant matters, it is believed that amending the occupancy period as sought is acceptable under the Local Planning Authority's policies if appropriate conditions are set to set the new holiday period and to ensure the use of static caravans for holiday use only and that a comprehensive register is kept of all unit users.

7. Recommendation:

- 7.1 To approve subject to conditions

1. Restrict the use of the site to the period between 1 March in one year to 15 January the following year
2. Holiday use only and a register must be maintained of all users.
3. All internal and external signs to be in Welsh only or bilingual with a priority given to the Welsh language.

Note - Licensing Officer