

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 2

Application Number: C24/0900/39/LL

Date Registered: 28/10/2024

Application Type: Full

Community: Llanengan

Ward: Abersoch with Llanengan

Proposal: Full application for improvements to the site to include minor amendments to the location and design of the previously approved service building along with extending existing tracks and other environmental improvements

Location: Fferm Fronhyfryd, Bwlchtocyn, Pwllheli, Gwynedd, LL53 7EU

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 Full application involving a proposal to undertake improvements to a touring caravan and camping site, including amending the location and design of the previously approved service building along with extending existing access roads within the site and undertaking environmental improvements. There will be no increase in the number of touring caravans on site from the 24 that were previously approved. The caravans would continue to be sited around the site boundary near the existing hedgerows that surround the site.
- 1.2 As part of the improvements, it is intended to construct a new service building that would measure approximately 22.8m x 7.5m and 4m to the ridge. The finish of the building's external walls would include larch timber boards and the roof would be of grey coloured metal profile sheeting. Internally, it would include separate washing facilities and toilets for men and women, disabled washing resources/toilet, family room, equipment room, office and laundry room. The location of the building would partly be in the previously approved location but further into the site and away from the site's existing boundary. The logic behind the relocation is that the main sewer pipe crosses the site and the building in the previous location would be erected directly over the pipeline. As a result of the pipe, one pitch would also be relocated while the layout of other pitches would also be amended slightly and access roads within the site would be extended and/or amended. It is intended to plant additional trees and hedges within the site while some habitats will keep growing naturally.
- 1.3 The site is in open countryside in a location between Sarn Bach and Bwlchtocyn. It also stands within the Llŷn AONB and the Llŷn and Enlli Landscape of Outstanding Historic Interest. The site is located directly adjacent to an unclassified road that also operates as a public footpath. Towards the north and west of the site is Abersoch golf course with the coast beyond. Dispersed dwellings are seen to the south of the site that are within relatively isolated sites. There are many established trees and hedges along the site's boundaries. Near the northern boundary of the site is the Cors Llyferin Site of Special Scientific Interest (SSSI) and the most eastern/north eastern part of the site abuts and is partly within part of the Machroes Mosaic (West) Prospective Wildlife Site while a small part of the site near the north eastern boundary is within a flood zone.
- 1.4 The following information was submitted to support the application:
- Lighting plan assessment
 - Design and Access Statement
 - Preliminary Ecological Assessment (which includes biodiversity improvements which is equivalent to a Green Infrastructure Statement)
 - Environmental Construction Management Plan
- 1.5 The application has been amended from its original submission after receiving observations from the Licensing service that referred to the proximity of some pitches to hedges and resulting fire hazards.
- 1.6 The application is submitted to the Planning Committee as the size of the proposed development in its entirety is greater than what can be considered under the delegated procedure.

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 in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

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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 7 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 2011-26, adopted 31 July 2017**

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 1: The Welsh Language and Culture

AMG 1: Areas of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

AMG 6: Protection of Sites of Local or Regional Significance

PS 19: Conserving and where appropriate enhancing the natural environment

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 14: The Visitor Economy

TWR 1: Visitor Attractions and Facilities

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

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

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - 2024)

Technical Advice Note 12: Design

Technical Advice Note: Planning and Nature Conservation

Technical Advice Note 13: Tourism

3. **Relevant Planning History:**

3.1 Application C17/0448/39/LL - New service building, various engineering works together with increasing the number of touring caravan pitches from 18 to 24 - Approved 07/07/17

3.2 Application C05D/0148/39/TC – Certificate of lawful use for tents in accordance with planning permission 3/4/857 and the relevant licence that permits up to 70 tents on the land and as a touring caravan site in accordance with certificate of lawful use 2/19/W.767 and as grazing land - Fron Hyfryd - Sarn Bach - Withdrawn.

3.3 Application C03D/0234/39/LL - Application to exchange 70 tent pitches for 20 touring caravan and 40 tent pitches - Fron Hyfryd, Sarn Bach - Withdrawn.

3.4 Application 2/19/W.767 – Certificate of lawful use to locate 18 touring caravans during the period 1 April to 31 October and to store two touring caravans between 1 November and 1 April - O.S. field Numbers 291, 292, 293 Fron Hyfryd, Bwlchtocyn - Approved 07/11/95.

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3.5 Application 3/4/857 - Camping in tents on O.S. field Numbers 292 and 293 at Fron Hyfryd, Bwlchtocyn - Approved 28/09/65.

4. Consultations:

Community/Town Council: Support

Transportation Unit: I refer to the above application and wish to state that I do not intend to submit a recommendation as it is assumed that the proposed development will not have a detrimental impact on any road, or proposed road.

Natural Resources Wales:

We have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome if the documents noted below are included in the approved plans and documents condition on the decision notice.

Document 1: YGC, October 2024. Fron Hyfryd Caravan Park Preliminary Ecological Appraisal. Reference CPF12728.

Document 2: YGC, November 2024. Construction Environment Management Plan (CEMP). Reference CPF12728–Fron Hyfryd CEMP.

Please note, without these documents, we would object to this planning application.

Protected Sites: Site of Special Scientific Interest (SSSI) The application site is near the Cors Llyferin SSSI. We have considered the documents listed above that were submitted to support this application. Based on the information submitted, we are of the view that the proposed development is unlikely to harm the characteristics of the Cors Llyferin SSSI, on condition that the reports listed above have been included in the 'approved list of plans/documents' condition in the decision notice should permission be granted for the project. In our view, amendments to the plan as currently proposed can have an impact and they may be subject to a further consultation with us.

Special Area of Conservation (SAC): The application is located within 450m of the Pen Llŷn and Sarnau SAC. From the information provided, we consider that the proposal is unlikely to have a material impact on the SAC. Our advice may change if modifications are made to the proposed development before the application is decided. If there are any changes to the proposed development that may affect consideration of potential environmental impacts, please consult us again before you decide on the application.

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As the competent authority under the Habitat and Species Protection Regulations 2017 (as amended), it is a matter for your Authority to undertake a Likely Significant Impacts test for the proposed development. Should you conclude that the proposal is likely to have a significant impact on the SAC/SPA/Ramsar site, either in isolation or in conjunction with other plans or projects, a proper assessment of the project's implications for that site must be carried out taking into account its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify.

Protected Species: We note that the bat survey report submitted to support the above application (YGC, October 2024) has stated that there are bats present on the application site. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document, 'Natural Resources Wales Approach to Bats and Planning' (2015). Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. However, as 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 work of maintaining the population of the species in question and its protected status in its natural environment. However, we advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting areas on this site, and therefore all the avoidance and mitigation measures described in the bat report must be implemented. The report must be included in the 'approved list of plans/documents' in the decision notice if permission is granted for the project. Contact us again if any further information shows that this is no longer a lower risk case. Natural Resources Wales would refer the Planning Authority to the letter from the Chief Planning Officer dated 1 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Landscape: The development is located within the Llŷn National Landscape / Area of Outstanding Natural Beauty (AONB). We note that there is no information regarding landscape assessments with the application and therefore, we are assuming that your Authority has screened the application and concluded that any impacts on landscape are unlikely and the proposal is in line with Planning Policy Wales.

Welsh Water:

Standard advice regarding drainage matters and location of the pipe that crosses the site.

Licensing Unit:

The location of the proposed caravan indicates that it would be located close to a hedge. This siting is in breach of a licensing condition and creates a fire spreading risk. Licensing conditions recommend a width of 3 metres from any boundary / hedge.

Re-consultation

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Standard advice regarding site licence related matters.

Biodiversity Unit: This development is directly next to Cors Llyferin SSSI. I recommend that there is a buffer between the chalets/caravans and the SSSI of at least 10 meters (see aerial image below and green line); however as the existing caravans are already located nearer (one less than 3meters) to the SSSI it would probably be unreasonable to request that these are moved further from the SSSI. The applicant has submitted an Ecological Report by YGC and I confirm that this has been undertaken to a good standard. I recommend that there is a planning condition that the developer will control and seek to eradicate non-native invasive plants such as Himalayan balsam. The proposed plans show that the existing grassland at the site will be retained, however, to ensure this I would like the following condition: The grassland shall not be change by adding fertilizer, ploughing or seeding. I welcome the plans including biodiversity features and native tree planting. I have no objection.

Rights of Way Unit: Not received

AONB Unit: Not received at the time of writing this report but likely to receive them later and, therefore, it will be possible to include them in the late observations form.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired, and one letter / item of correspondence was received objecting on the following grounds:

- It appears that the proposed work on the camping site is likely to increase the number of seasonal pitches for tourists in the area. My concern is that these caravans will not be moved from the caravan site over the winter months, as has been happening with several other caravan sites in Sarn Bach and Cilan in recent years, and particularly this year.

5. Assessment of the material planning considerations:

The principle of the development

5.1 Policy TWR 1: Visitor attractions and facilities, of the LDP states that proposals to develop new visitor attractions or facilities, or to improve and extend the standard of existing facilities, will be supported as long as they are within the development boundary.

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Where there are no suitable opportunities available inside the development boundary, only proposals that include the following will be approved:

1. Re-using an existing building(s) or a previously used site that form part of an existing tourist facility complex, or
2. Re-using an existing building(s) or a previously used site with a close connection to other existing buildings that form part of an existing tourist facility complex, or
3. Developing an activity restricted to a specific location due to its appropriate use or its proximity to the attraction which it relates.

All proposals are required to comply with all the following criteria:

- i. The scale, type and character of the proposed development is suitable for its urban/rural setting;
- ii. The proposed development is of a high quality in terms of design, layout and appearance;
- iii. The proposed development supports and extends the range of facilities in the Plan area;
- iv. The proposal is supported by evidence to show that there will be local employment opportunities.

Where appropriate, the development can be accessed through a variety of modes of transport, particularly sustainable modes of transport such as walking, cycling and public transport.

- 5.2 It can be seen from the relevant planning history that there is permission to site 24 touring caravans on the site with permission also to site 70 tents. This current application does not change the situation in terms of the right to use the site for tents or the number of caravans as previously approved. Therefore, the proposal would keep the number of touring caravans to 24 and 70 tents. Amongst the proposed amendments, it is proposed to construct a service building in a new location compared to what was approved as well as steps to promote biodiversity and improve landscaping within the site. This change, as well as other changes as proposed, is sub-standard to the development of the site and contributes towards a high-quality appearance for such a site.
- 5.3 The exterior walls of the proposed building would be finished with timber boards with the roof in a grey colour. It is considered that this new building would improve the appearance of the site and would also be a means of improving facilities for site visitors. It is considered that the design of the proposed service building is acceptable and in keeping with the area. It is also considered that the proposed materials are acceptable. Creating access roads within the site will also be a means to improve the quality of the site for users. It is intended to cover the tracks with slate waste. Therefore, considering the nature and scale of the current proposal and what was previously approved, it is believed that the proposal is acceptable based on the requirements of policy TWR 1.
- 5.4 Although on one hand, policy TWR 5 does not seem entirely relevant as it mainly refers to new sites but it also refers to extensions and the need to ensure that developments are unobtrusive within the local landscape. As has been noted, existing natural vegetation surrounds the site and considering the scale and form of the proposed changes, it is not believed that it would be an obtrusive development within the site and surrounding area. Criterion 4 of the policy refers to the need for ancillary facilities to be proportionate to the scale of the development and that the need for them has been proven. It can be seen in this case that the site as it stands has no formal facility and, therefore, as the site's use has been established, it would be reasonable that there are associated resources available to serve it. It is believed that the building is reasonably sized and suitable in its location, size and finish and that it thereby complies with the requirements of criterion 4 of policy TWR 5.

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- 5.5 In accordance with criterion 2 of policy TWR 5, there will be no excess of hard standings. Also, it is possible to manage the use of the site by imposing conditions to comply with criteria 6 and 7. Therefore, it is believed that the principle of the proposal is completely acceptable in terms of the relevant requirements of policy TWR 5.

Visual amenities

- 5.6 The proposed changes would be relatively small in the context of the site and the previous permission granted. The design and size of the service building is reasonable and in keeping with the use of such a site, it is believed that all the changes would be acceptable based on the relevant requirements of policy PCYFF 3. It is not considered that the site is too prominent or intrusive in the local landscape as the boundaries of the fields have been surrounded by mature and established hedges and trees that act as a natural screen. In addition, the intention to undertake additional landscaping is noted by planting new trees and hedges on the land and, although details of the type of plants have not been included, it is believed that it would be reasonable to impose a standard condition to agree on these details before implementing the permission. It is considered that the visual impact of the site is restricted quite close to what can be seen from the roads and paths directly near the site to the west and south and this is through the trees and existing hedges. Although the site or parts of the site can be visible from those places, it is not considered that the proposal would be likely to create an obtrusive and prominent feature in the landscape within the AONB designation. It is believed that the form of the site and natural landscaping would incorporate the changes without affecting the AONB and, therefore, it is acceptable in terms of policy AMG 1.
- 5.7 Similarly, the site lies within the Llŷn and Enlli Landscape of Outstanding Historic Interest. In terms of location and size of the proposal, it is considered that the impact of the proposal would be local and would not have a wider impact on the historic landscape. Therefore, it is not considered that the proposal is contrary to Policy AT1.

General and residential amenities

- 5.8 The site is located outside any current development boundary and is, therefore, in the countryside with dispersed residential dwellings in the vicinity of the site. It is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood in terms of matters relating to privacy / over-looking. The site would have seasonal use between 1 March and 31 October and, therefore, as a result use of the site would be on a seasonal basis as caravans are not permitted to be sited on the land throughout the year. This would mean no change to local residents' amenities outside the occupancy season. Therefore, it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and the proposal is therefore deemed acceptable in terms of the relevant requirements of policies PCYFF 2 and PCYFF 3.

Language Matters

- 5.9 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is further reiterated in para. 3.28 of Planning Policy Wales (Edition 11, 2021), and Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.10 It is noted that there are some specific types of development where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The

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thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. In terms of the type of developments in question, the following is noted: The proposal does not reach the thresholds for submitting a Welsh Language Statement or a Report on a Welsh Language Impact Assessment. However, Appendix 5 of the SPG notes that every housing, 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.

- 5.11 As this development, in terms of what is proposed, would not reach the threshold of requiring a formal language assessment, no Welsh language statement is needed with the application. It is not considered that the proposed development is likely to have a detrimental impact on the Language as a result of the proposal and by imposing a condition to ensure that a Welsh name is used and that bilingual signs are installed, it is considered that it complies with the requirements of policy PS1 in relation to that.

Transport and access matters

- 5.12 There would be no changes to the two current entrances to the site. The land is level and it is not believed that any obvious obstruction exists in terms of ensuring convenient and accessible access to a range of users of this type of site. An open siting within the site indicates that it would be possible to move around fairly unobstructed and it can be seen that resources are provided in the new building for disabled users with access to it at a level and accessible level and in that regard, there would be a clear improvement given that this resource is provided. The road that leads to the site is an unclassified country road and is relatively narrow. Despite this, it is not considered that the changes, as proposed, would change the situation in terms of access to an additional degree from what was previously approved and that it would not have a detrimental impact on road safety. The Transportation Unit had no objection to the proposal and, therefore, it is considered that it is acceptable in terms of the relevant requirements of policies TRA 2 and TRA 4.

Biodiversity matters

- 5.13 The site borders with the Cors Llyferin SSSI and part of the site forms a section of a Prospective Wildlife Site. The Biodiversity Unit's observations on the application were received noting that they had no objection to the proposal. NRW notes that they have concerns regarding the application as submitted but they would be satisfied that these concerns could be overcome if the documents submitted with the application are included in the approved plans and documents condition on the decision notice, namely:

Document 1: YGC, October 2024. Fron Hyfryd Caravan Park Preliminary Ecological Appraisal. Reference CPF12728.

Document 2: YGC, November 2024. Construction Environment Management Plan (CEMP). Reference CPF12728–Fron Hyfryd CEMP.

In doing so, NRW are "of the opinion that the proposed development is unlikely to harm the characteristics of the Cors Llyferin SSSI, on condition that the reports listed above have been included in the 'approved list of plans/documents' condition in the decision notice should permission be granted for the project".

- 5.14 It can be seen from the plans submitted that biodiversity enhancements are to be carried out across the site including planting trees and hedges, allowing some areas of natural habitat to grow

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naturally and installing bird, bat and insect boxes on the new building as well as scattered along the boundaries of the site. Therefore, it is considered that it would be reasonable to include conditions to ensure that the development of the site is undertaken in accordance with the measures and recommendations as noted in these documents (with the ecological document including information associated with what is usually part of a Green Infrastructure Statement) and, as a result, it is believed that the proposal would be acceptable in terms of the relevant requirements of policies AMG 5 and PS 19 as well as chapter 6 of Planning Policy Wales which relates to the green infrastructure and the stepwise approach.

- 5.15 As the site is located within approximately 450m to the nearest part of the Pen Llŷn a'r Sarnau Special Area of Conservation (SAC) to the north-east, Natural Resources Wales has confirmed that the Local Planning Authority (LPA) is the Competent Authority for the purposes of the Conservation of Habitats and Species Regulations 2017. As such, no plan or project should be agreed to unless there is assurance that it will not adversely affect the integrity of the SAC. The LPA is required to undertake a test of likely significant effects (TLSE) for the SAC, which is a requirement under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. The proposal is to carry out amendments to an existing camping and caravan site and, to this end, it is not considered that the proposal would cause a direct increase as a result of these amendments on matters such as water run-off from the site towards the SAC. It is considered that the proposal would offer relatively small improvements to the current situation and that the outcomes of the proposed developments would be unlikely to have a detrimental impact on the SAC in this case.

Response to the public consultation

- 5.16 It is acknowledged that concern was highlighted during the consultation period of the application which stated that caravans will not be removed from the site during the winter months and that there would be an increase in the number of seasonal caravans in the local area. It can be seen from the planning history that the use of this site has already been established and, therefore, it would not be an entirely 'new' site per se, and numbers can be controlled by imposing a condition. As it is intended to include a condition limiting the period of caravan use and storage on site, it is not expected that caravans are kept here outside of the periods as noted. Should the site operate by breaching these conditions, then an enforcement process can deal with the matter to ensure compliance with the requirements of these conditions.

6. Conclusions:

- 6.1 Due to the scale of the application, the planning history and material considerations such as location and its existing natural features, it is not considered that the site is obtrusive in the landscape and it is not considered that it is likely to have a significantly harmful impact on the visual amenities of the AONB and the area in general. It is not considered that it would have any effect on road safety or have a detrimental impact on the amenities of the local neighbourhood. Having considered all material planning matters including local and national policies and guidance, together with all observations received including an objection, it is believed that the proposal is acceptable and in line with the relevant requirements of the LDP's policies as noted above.

7. Recommendation:

- 7.1 To approve – conditions

1. Time

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2. Compliance with plans
3. Maintain the development in accordance with an ecological report
4. Maintain the development in accordance with a Construction Environmental Management Plan
5. Maintain the development in accordance with a lighting plan
6. Restrict the number of caravans
7. Restrict the period of site use
8. Remove all caravans from the site outside the period of site use
9. Restrict caravan/boat/vehicle storage outside the formal pitches
10. Restrict the use of the caravans to holiday use only
11. Bilingual signage
12. Welsh name
13. Materials
14. Landscaping plan
15. Drainage matters