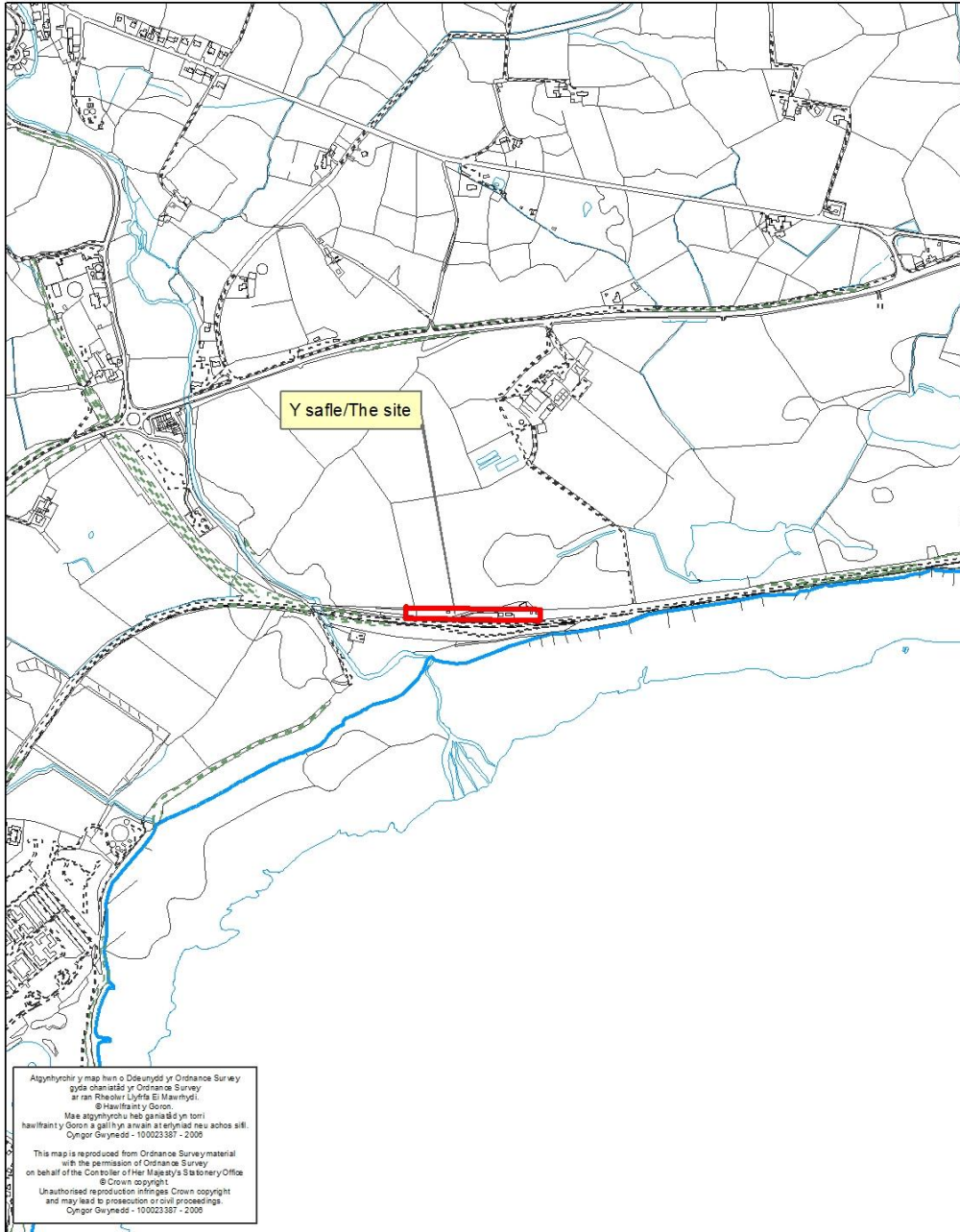


Number: 6



Rhif y Cais / Application Number : C16/0407/41/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



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REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C16/0407/41/LL
Date Registered: 13/05/2016
Application Type: Full - Planning
Community: Llanystumdwy
Ward: Llanystumdwy

Proposal: APPLICATION TO CREATE NEW TOURING CARAVAN SITE FOR 17 UNITS, TO RELOCATE 2 EXISTING STATIC UNITS AND ERECT A TOILET BLOCK.

Location: SŴN Y DON, AFONWEN, CHWILOG, PWLLHELI, GWYNEDD, LL53 6TA

Summary of the Recommendation: TO REFUSE

1. Description:

- 1.1 This is a full application to create a touring caravan site for 17 touring caravans and erect a single storey building to include toilets/washing facilities, the intention to move two static caravans from their existing locations to a new location is also noted.
- 1.2 The site is located on open land on the outskirts of Afonwen and is relatively close to the beach and the railway with access towards the site down a narrow road off the A497 highway.
- 1.3 The proposal involves the creation of 17 plots for the units placed in a row opposite each other and the erection of a new building to include toilets and showers. This building would measure 11.1m x 3.6m, with rendered walls and a natural slate roof. It is intended to erect a soil *clawdd* with a hedge of indigenous plants along the northern boundary of the site in order to protect it while two existing static caravans near the house are moved to a new location further away from the property.
- 1.4 A Language and Community Statement was received with the application.

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 Unitary Development Plan.
- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but must also take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act, and in making 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. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed decision.

2.3 Gwynedd Unitary Development Plan 2009:

POLICY A2 – PROTECT THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES - Safeguard the social, linguistic or cultural cohesion

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of communities against significant harm due to the size, scale or location of proposals.

POLICY B23 – AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals must conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY B27 – LANDSCAPING PLANS - Ensuring that permitted proposals incorporate soft/hard landscaping of high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY CH22 – CYCLING NETWORK, FOOTPATHS AND RIGHTS OF WAY - All parts of the cycling network, footpaths and rights of way will be protected by encouraging proposals to incorporate them satisfactorily within the development and by refusing proposals which will prohibit plans to extend the cycling network, footpaths or rights of way. Should this not be possible, appropriate provision will have to be made to divert the route or to provide a new and acceptable route.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY D16 – PROVISION OF NEW STATIC HOLIDAY CARAVAN AND HOLIDAY CHALET SITES - Proposals for the development of new sites for static holiday caravan (single or twin caravan) units or holiday chalets will be refused.

POLICY D19 – NEW SITES FOR TOURING CARAVANS, CAMPING AND TOURING UNITS – Proposals for new touring caravan, camping or touring unit sites will be approved provided they comply with specific criteria relating to the design, layout, appearance and location of the development, the highways network and adequate access, use for touring purposes only, the cumulative impact of existing touring caravan, camping and touring unit sites, and the capacity of the immediate locality to accommodate such developments.

Supplementary Planning Guidance: Holiday Accommodation

Supplementary Planning Guidance: Planning and the Welsh Language

2.4 National Policies:

Planning Policy Wales (Edition 8, 2016)

- Chapter 7 - Sustaining the Economy
- Chapter 11 - Tourism, Sport and Recreation

Technical Advice Note 12: Design (2016)

Technical Advice Note 13: Tourism (1997)

Technical Advice Note 18: Transport (2007)

3. Relevant Planning History:

3.1 It appears that no relevant planning history relates to this site.

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4. Consultations:

Community/Town Council: Object on access grounds

Transportation Unit: It is recommended to refuse the application as the single track road that leads to the site is unsuitable for the type of transport that will come from a development of this scale. It is assumed that the local roads network as far as the roundabout on the A497, and the first 50 metres that lead towards the beach are suitable, but chances to passing opportunities afterwards, especially for two vehicles towing a caravan, are very scarce. It is possible to reconsider should the applicant offer to provide passing places in various locations along the road.

Rights of Way Unit: The road is narrow down towards the site, there is concern that this type of development would create more difficulties and has the potential to create a health and safety issue for pedestrians coming and going from the beach. It is also noted that this road is part of the main Wales Coastal Path.

Natural Resources Wales: Standard advice regarding drainage and waste matters.

Welsh Water: Standard advice.

Biodiversity Unit: Observation regarding the site's location near protected sites and the need to put biodiversity protection and improvement measures in place.

Caravans Officer: Concern about the narrowness of the access road, reference to health and safety matters and the need for a relevant licence.

Public Consultation: A notice was posted on the site and nearby residents were notified. The consultation period has come to an end and no correspondence was received.

5. Assessment of the material planning considerations:

5.1 The principle of the development

5.1.1 Policy D19 states that proposals to develop new touring caravan, camping or touring unit sites will be permitted provided that they comply with all of the criteria within the policy. It is therefore believed that the proposal is acceptable in principle. The criteria of this policy are mainly related to the site being unobtrusive and not causing significant harm to the visual quality of the landscape, that the site is in close proximity to the highways network and that adequate access can be provided without causing significant harm to the character and features of the landscape, that the site is for touring purposes only, and the cumulative effect of touring caravan sites. These aspects will be discussed in the remainder of the assessment of this application.

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5.2 Visual amenities

- 5.2.1 Although the site is in a relatively open location and is close to the coast, it is not within any formal landscape designation. It is also be seen that existing trees are dispersed nearby and are close to the access road leading to the site.
- 5.2.2 There is an intention to erect a soil *clawdd* on part of the site's northern boundary which would be planted with a hedge of indigenous trees/shrubs. This would be beneficial to protect the visual amenities of the site and the nearby area and therefore, in terms of this element, it is not believed that the proposal is completely unacceptable based on visual amenities and therefore, it is not considered that it is contrary to the requirements of policy B23 or part 1 of Policy D19. Should the application be acceptable in terms of all of the other policy requirements, it is considered that it would be appropriate to ensure a proper landscaping plan (as well as the hedge which is part of the application) in order to maintain and improve the area's amenities and this would be in accordance with Policy B27 of the UDP.

5.3 Transport and access matters

- 5.3.1 A narrow unclassified and sub-standard road leads from the nearby highway. This road then splits where access can be obtained to the nearby beach or through a private road towards the application site.
- 5.3.2 The Transportation Unit notes that the first 50m of the road from the roundabout on the A497 are suitable, but it narrows thereafter meaning that passing opportunities for vehicles towing caravans are scarce. It is therefore believed that the proposal in this location and for the numbers noted is unsuitable, and that it would not comply with the requirements of policy CH33, specifically the second criterion that states "*that the existing roads network is of sufficient standard to be able to deal with the traffic flow that is likely to derive from the new development*".
- 5.3.3 Concern about the deficiencies of the access road are reiterated by the Council's Caravans Officer in their observations on the application.
- 5.3.4 In addition, the Council's Rights of Way Unit notes that the access road forms part of the Wales Coastal Path and includes a public footpath. They are concerned that there would be collisions between pedestrians and vehicles due to the narrowness of the road.
- 5.3.5 The second criterion of Policy D19 requests that any site is in close proximity to the highways network and that adequate access can be provided without causing significant harm to the character and features of the landscape.
- 5.3.6 It is proposed to use an existing access and road for the development and as has already been noted, it is considered that most of the road is sub-standard for the proposed use and that no further adaptations have been proposed for this road as part of the application. Although this unclassified road starts off with room for two cars to travel along it, it narrows gradually. The Council's Supplementary Planning Guidance: Holiday Accommodation elaborates on this and notes in paragraph 34 that it is important that new sites are located as near as possible to the main highways network i.e. class A and B, especially those sites with proposed exits onto unclassified country roads. Unclassified country roads are usually single track lanes and are considered unsuitable for heavy traffic, and any proposal that is not located in close proximity to the main highways network, in the opinion of the Local Planning Authority, will not be supported.

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5.3.7 Therefore, based on the above, it is considered that the road leading to the site is sub-standard and it is considered that the proposal is therefore contrary to criterion 2 of Policy D19 and the requirements of policy CH33.

5.4 Any other considerations

5.4.1 The element that involves moving the two existing static caravans to a new location is not entirely clear in terms of the current use of the units, the proposed use or the location either (i.e. if they are or would be within the curtilage or not). There is concern regarding this element of the application and also should other aspects of the application had been acceptable in terms of policy then officers would have contacted the agent again to obtain a better understanding of the situation regarding the static units and the intention to move them as well as the proposed use (and whether or not it is in accordance with Policy D16 and the relevant SPG or not). However, as there is a fundamental objection to the main part of the application, no contact was made to confirm this situation but should another application be submitted in future, the applicant will need to explain and justify the proposal regarding the two existing static caravans in order to be able to assess it appropriately. Also, clear justification would be required regarding the current and proposed use and a confirmation whether or not the amended location was within the curtilage of the existing property.

5.5 Linguistic and Community Matters

5.5.1 A Language and Community Assessment was received as part of the application and the Joint Planning Policy Unit was contacted for their observations on its contents. They state the following in their response:

- The site is located within the Llanystumdwy ward. According to the 2011 Census, 77% 3+ individuals were able to speak Welsh. Caution is required to ensure that developments contribute towards keeping the percentage over 70%.
- Occupancy in touring caravans is of a temporary nature. The caravans will only be used for holiday purposes. As the caravan site will be open during a period of the year, it is possible that there will be visitors in the area throughout that period. It should be borne in mind of course that the land use planning system cannot differentiate against individuals on the basis of their linguistic ability. Who stays on the caravan site should not be controlled on linguistic grounds. The actual effect will depend on visitor turnover on the site and how much use they make of local facilities and services and what is the attitude of the businesses/facility and service providers towards the Welsh language. The potential for visitors from non-Welsh speaking backgrounds to move to live to the area on a permanent basis after being on holiday there should also be considered.
- The land use planning system can contribute to maintain and protect cultural heritage and the Welsh language by promoting developments that create local employment. The proposed development will directly contribute towards maintaining or strengthening the local economy by employing locally and indirectly by adding towards expenditure in other local businesses.
- In order to maximise potential positive effects, it is suggested that positive mitigation measures are considered in order to protect and promote the Welsh language during the planning permission implementation phase. These can include, selecting a Welsh name for the site, bilingual signs on site and providing information about the history

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and culture of the area. It is suggested that the site manager contacts the Local Language Initiative (Hunaniaith) to hold discussions regarding measures which could add value to the business, e.g. use of the Welsh language when advertising the site. The manager could also contact the Language Commissioner's Office and Business Wales that can provide practical advice for businesses that want to operate bilingually.

5.5.2 Therefore, it can be seen that the Joint Planning Policy Unit believes that the Statement is acceptable. It is therefore believed that the proposal meets the requirements of policy A2 of the UDP as well as the relevant SPG.

6. Conclusions:

6.1 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as the observations received, it is not believed that the proposal is acceptable based on the matters noted in the report, namely that the proposed development if approved would cause additional traffic to use a sub-standard road which leads to the site and cause significant harm to the safety of the road and pedestrians using the footpath.

7. Recommendation:

7.1 To refuse – reasons

If approved, the proposed development would cause additional traffic to use a single track and sub-standard road which leads to the site and cause significant harm to the safety of the road and pedestrians using the footpath. The proposal is therefore contrary to the requirements of policies CH33 and D19 of the Gwynedd Unitary Development Plan (2009) and the Supplementary Planning Guidance: Holiday Accommodation, Gwynedd Council (July 2011).