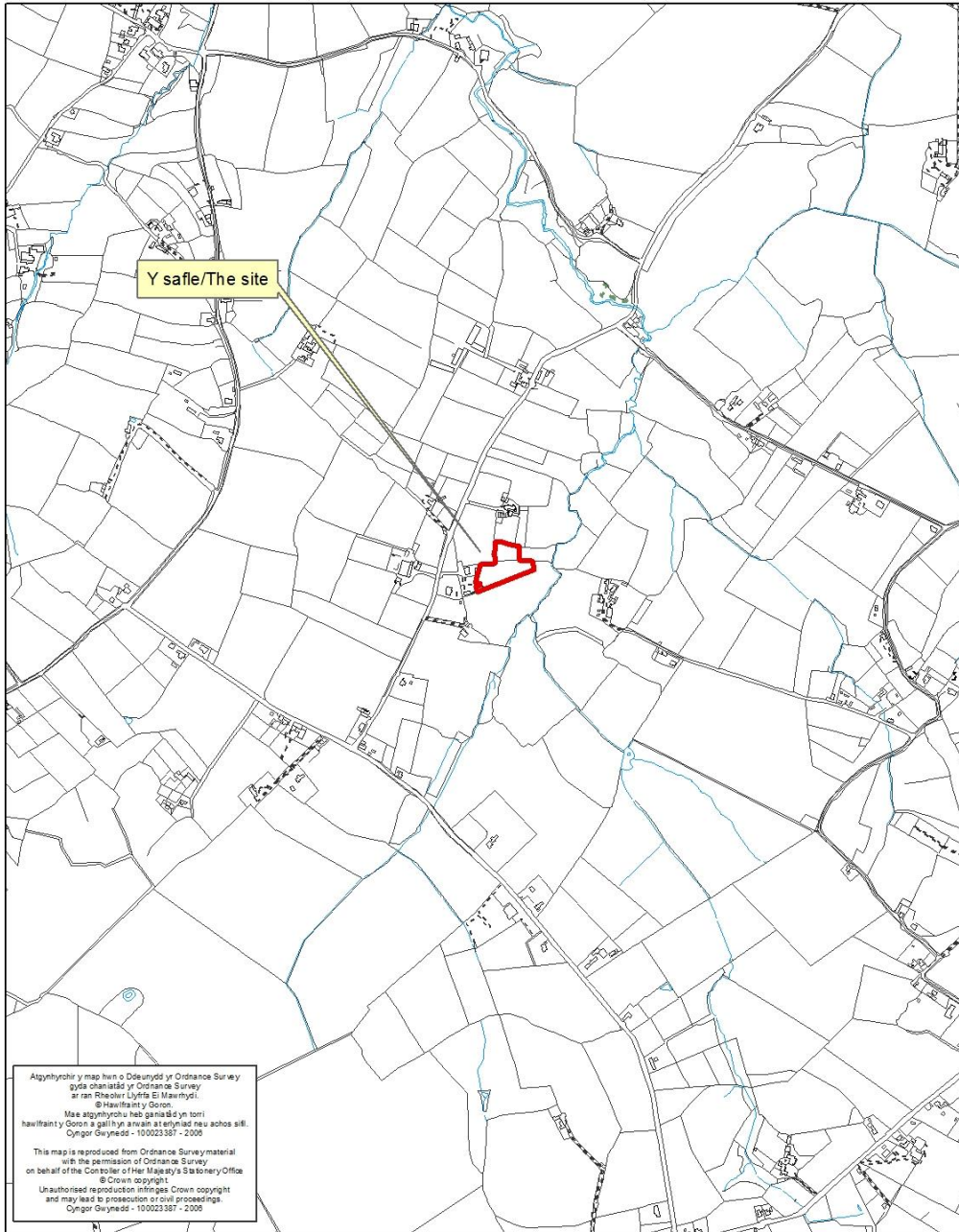


Number: 1



Rhif y Cais / Application Number : C16/0310/46/LL

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



PLANNING COMMITTEE	DATE: 13/06/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C16/0310/46/LL
Date Registered: 19/04/2016
Application Type:: Full - Planning
Community:: Tudweiliog
Ward: Tudweiliog

Proposal: EXTENSION TO TOURING CARAVAN SITE TO INCLUDE EXTENSION OF LAND AND INCREASE NUMBERS FROM 8 TO 22 TOURING UNITS TOGETHER WITH CONSTRUCTION OF NEW AMENITY BUILDING

Location: PENCLAWDD, LLANGWNNADL, PWLLHELI, LL538NW

Summary of the Recommendation:

TO REFUSE

1. Description:

1.1 The application was deferred at the Planning Committee on 13 June 2016 in order to undertake a site inspection. This site visit was undertaken on 26 September 2016. This is an application to undertake improvements to an existing touring caravan site together with extending the site to the fields located to the west and north west of the existing site. The improvements include:

- Increasing the number of touring units from 8 to 22
- Re-siting of playing field and creating a new play area
- Demolishing the existing toilet block and constructing a new building to include toilets and showers
- Creating waste / recycling and drying areas
- Landscaping work.

1.2 Since the application was deferred, discussions have been held in relation to seeking an alternative access for the caravan site. As part of these discussions, a site meeting was held with the applicant, the Local Member and the Transportation Unit. The applicant stated his intention to use the Tai Cryddion entrance, namely the property to the north of the site, in order to gain access to the site. It is likely that a suitable access in terms of road safety could be gained from this area; however, the proposal meant that the caravans would go around the Tai Cryddion property and there were concerns about amenities and health and safety issues as a result of this. Also, this land and entrance are not in the applicant's ownership. However, no amended plans have been received for the proposal and, therefore, the application in its current form remains as it was when the application was deferred at the Committee on 13 June 2016.

1.3 The site is located in the countryside and is within a Landscape Conservation Area and a Landscape of Outstanding Historic Interest. The site lies behind the Penclawdd and Sŵn y Wylan properties located near a class 2 county road (the B4417) between Tudweiliog and Penygroeslon. Access to the site can be gained via a single track vehicular access.

1.4 A Community and Linguistic Statement and a Design and Access Statement were submitted as part of the application.

1.5 The application is submitted to the Committee as it involves a development of five or more caravans.

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

POLICY B10 – PROTECT AND ENHANCE LANDSCAPE CONSERVATION AREAS - Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant harm to recognised features.

POLICY B12 – PROTECTING HISTORICAL LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historical interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

POLICY B22 – BUILDING DESIGN - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

POLICY B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that the building materials are of a high standard and in keeping with the character and appearance of the local area.

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

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 CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new development, extension of existing development or change of use will be refused

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unless off-street parking is provided in accordance with the Council's current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park.

POLICY D20 - SITES FOR TOURING CARAVANS, CAMPING AND TOURING UNITS, EXTENSIONS, ADDITIONAL PITCHES, RELOCATION AND EXCHANGE - Proposals for increasing the number of pitches, extensions to sites, relocation or exchange of sites will be approved if the proposal includes a plan to ensure environmental and visual improvements, and meets other criteria regarding the impact of the development on the local area.

Supplementary Planning Guidance, Gwynedd Council: Holiday Accommodation (July 2011)

Supplementary Planning Guidance, Gwynedd Council: Planning and the Welsh Language (November 2009)

The Gwynedd and Anglesey Joint Local Development Plan which is currently being prepared is subject to an ongoing Public Examination. At present, it is not a relevant planning consideration for making decisions on planning applications.

2.4 National Policies:

Planning Policy Wales (Edition 8, January 2016)

Technical Advice Note 12 – Design

Technical Advice Note 13 – Tourism

Technical Advice Note 18 – Transport

Technical Advice Note 20 – Planning and the Welsh Language

3. Relevant Planning History:

C12/0438/46/LL – Creation of touring caravan site - 8 caravans - Approved 5 July 2012.

Condition 6 of this planning permission requested that the improvements to the vehicular access were completed in line with the plan submitted with the application within a month of the date of this planning permission. Condition 9 of the permission also requested compliance with all conditions in relation to accessing the county road prior to the commencement of use. While dealing with this application, it understood that the owner of the land on which the improvements to the entrance were intended was willing to allow the applicant to make the improvements. However, following the granting of permission it became clear that the nearby landowner was not willing to permit the applicant to make these improvements to the entrance. Enforcement steps were taken including the issuing of a Breach of Condition Notice. However, following further discussion with the Transportation Unit, which agreed that the entrance could be approved in its current form for the eight caravans, it was decided that the case did not justify any further action at the time. When investigating the matters relating to the entrance the Enforcement Unit confirmed that the work of constructing the *clawdd* and the landscaping associated with the application had been completed.

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4. Consultations:

Community/Town Council: Support provided that the amenity block is constructed before the caravans go on the land.

Transportation Unit: I recommend refusal. The application is a significant increase in numbers and it is assumed that trebling the number of visitors to the site without improving the entrance would have a detrimental impact on the local roads network. In addition, I do not believe that it is possible to create an entrance of the size expected for such a development as the applicant has failed to provide a standard entrance for the original development as a result of a lack of land ownership.

Public Protection Unit: Not received.

Natural Resources Wales: Submit observations in terms of the requirements for the applicant relating to the septic tank should the application be approved.

Welsh Water: Not received.

Caravans Officer: Licence conditions relevant to this development involve the width between units for fire, Health and Safety and Public Health requirements, number of facilities and disposing of sewage waste etc. The development must comply with the requirements of the Acts and Model Standards as noted:

- Caravan Site and Control of Development Act 1960.
- Model Standards 1983.
- The Health and Safety at Work etc. Act 1974

The applicant will need to get in touch to discuss an application for a site licence.

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Public Consultation: A notice was placed near the site entrance and nearby residents were notified. The advertising period ended and correspondence was received objecting on the following grounds:

- Contrary to Policy D19 of the GUDP.
- Work associated with the previous permission such as a *clawdd* and the entrance are not complete.
- Dangerous entrance.
- Impact on visual amenities.
- Impact on privacy and the amenities of nearby residents.
- Concern regarding how sewerage will be disposed of.

As well as the objections noted above, objections were received which were not valid planning objections which included:

- Matters involving theft, damage and vandalism.

5. Assessment of the relevant planning considerations:

The principle of the development and visual amenities

- 5.1 Policy D20 of the GUDP approves proposals to increase the number of pitches on existing touring caravan sites by means of an extension provided the proposal forms part of a plan that will secure environmental and visual improvements in terms of the location, layout, design and appearance of the site, and its position in the surrounding landscape. Furthermore, it is a requirement that the proposed development will not exceed the reasonable capacity of the immediate locality to accommodate such a development, taking into account the cumulative impact of existing touring caravan sites.
- 5.2 The proposal in question involves expanding the size of the existing touring caravan site together with adding 14 touring units to the site. Amongst the improvements proposed, there is an intention to construct a new amenity building, landscaping work and to re-site and improve the play area facilities.
- 5.3 An increase of 14 units would be a significant increase to the number of caravans. However, it is not considered that the site is prominent or obtrusive in the landscape as the fields are surrounded by hedges and trees along their boundaries which screen and conceal the site from viewpoints on the B4417 county road. In addition, the site is concealed behind the Penclawdd and Sŵn y Wylan properties. The field to the east of the existing site in which it is intended to expand the site is on an incline which means that it is lower than the existing site, and there are hedges on its boundaries. The field to the north east of the existing site which would form part of the extended site is surrounded by a large amount of trees and hedges. Although the site or parts of the site could be visible from higher areas further away, it is not considered that the proposal to extend the site in terms of its area and its numbers would be likely to create an obtrusive and prominent feature in the landscape within the Landscape Conservation Area. It is also intended to reinforce the existing landscaping on the site's boundaries which would be of assistance in respect of assimilating the site to the landscape. Strengthening the existing landscape is welcomed and would be considered in line with Policy B27 of the GUDP.

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- 5.4 As part of the improvements, it is requested that the existing mobile toilet block is demolished and that a new larger block is constructed in the same location. The new toilet / shower block would have a flat roof and the external walls would be finished with render. In terms of its location, design and size, it is considered that the proposed amenity block is reasonable, and that the location is also acceptable. It would be possible to impose a condition to agree on the colour of the render proposed for the external walls. Also, as part of the improvements, it is intended to re-site the existing play area and to add additional equipment. This would add to and improve the facilities and the services for visitors. The existing site operates between 1 March and 31 October in any year and the same period would be relevant for the new units.
- 5.5 From assessing the proposal against the requirements of policy D20, it is believed that the extension and the additional plots in terms of their location, setting, design and appearance are likely to integrate and blend in with the site and its landscape. The site is neither prominent nor intrusive in the landscape, and it is not considered that there would be a harmful impact in terms of the area's visual amenities or on the Landscape Conservation Area. The proposed landscaping and amendments would be environmental improvements which would improve the appearance and facilities of the site in its entirety. It is also considered that this is a site which is near and convenient in terms of the roads network as it is located off the B4417. Although it is near the roads network, matters involving the entrance create difficulties in terms of gaining suitable access to the B4417, and this is discussed further in the transport and access matters section of the report. There are no other touring sites nearby which are of the same visual context as this site, therefore there is no concern about an accumulative impact in this case. Therefore, it is considered that an extension of the site, an increase in numbers, the landscaping and the new proposed facilities comply with the requirements of policies B10, B22, B25, B27 and D20 of the GUDP.
- 5.6 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. Policy B12 states that consideration will be given to the information about the Historical Landscapes if the impact of proposals is assessed as being on such a large scale that their impact would be greater than merely a local impact. In terms of its location and size, it is considered that the impact of the proposal will be local, and would not have a broader impact on the historical landscape. Therefore, it is not considered that the proposal is contrary to Policy B12 of the GUDP.

Transport and access matters

- 5.7 The site can be accessed from the class 2 county road, namely the B4417. The Transportation Unit recommends refusing the application, stating that the proposal is a significant increase in numbers and it is assumed that trebling the number of visitors to the site without improving the entrance would have a detrimental impact on the local roads network. The observations also state that it is not considered possible to provide an entrance of the expected size for a development of this type, as the applicant has failed to provide a standard entrance for the original development as a result of a lack of land ownership.
- 5.8 When application C12/0438/46/LL was approved, the plans indicated an intention to make improvements to the entrance, including demolishing a corner of the *clawdd* in the direction of Tudweiliog, shaping and the clearing of vegetation on the boundary in order to provide adequate visibility splays in that direction. This was in light of the fact that neither the entrance nor the visibility splays were adequate to meet the requirements of highways standards. Although the entrance was in the applicant's ownership, the land on either side of the entrance was not. However, when dealing with application C12/0438/46/LL the impression that the owner of the neighbouring

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land was willing for the applicant to make the improvements to the entrance was conveyed. Conditions were imposed on planning permission C12/0438/46/LL, namely that the improvements to the entrance needed to be completed within a month of the date of the permission, and also that it was necessary to comply with all conditions regarding access to the county road prior to the commencement of the permitted use. After granting the permission and in light of the Enforcement Unit's investigations, it became clear that it was not possible to complete the improvements to the entrance as the land owner of the land on either side of the entrance was not willing to permit the applicant to undertake the work on land outside his ownership. The Enforcement Unit, in consultation with the Transportation Unit, decided it would be possible to accept the entrance as it was for the level of use associated with a touring caravan site of eight caravans. Therefore, it was decided at the time that the case did not justify any further action.

- 5.9 The current application involves increasing the numbers of touring caravans on the site from 8 to 22, and this more or less trebles the numbers on the site. This would incur a significant increase in the use of the entrance. The situation involving the entrance is comparable to the situation when the previous application was submitted in 2012, with the applicant owning the entrance but that the land on either side of the entrance was out of his control. As seen above, the Transportation Unit objects to the application, stating that trebling the number of visitors to the site without making improvements to the entrance would have a detrimental impact on the local roads network. The land on either side of the entrance is outside the applicant's control and therefore it is not considered reasonable to impose conditions to make improvements to the entrance. Also, it is clear from the previous permission that the owner of the nearby land is not willing to grant the applicant permission to make improvements to the entrance. Although the Enforcement Unit had decided not to take the matters involving the entrance further with application C12/0438/46/LL, that does not mean that there is scope to exacerbate the road safety situation now by permitting a significantly larger number of touring caravans to use the sub-standard entrance. Therefore, it is not considered possible to create an adequate or safe vehicular access to serve the proposal, and the proposal is therefore contrary to Policy CH33 of the GUDP.

General and residential amenities

- 5.10 Several dwellings are in the site's vicinity. When preparing the report, one letter of objection to the application had been received from the Pen y Bryn property, which is exactly opposite the caravan site across a small valley. Amongst the matters voiced by them are matters involving a loss of privacy and amenities. While it is acknowledged that the site is most prominent and visible from the Pen y Bryn property, due to the nature of the slope facing them, it must be noted that the caravan site following its expansion would be at least 120 metres away from the objectors property across the valley. Given the distance between both sites and the fact that landscaping measures are intended to be implemented to reinforce the existing vegetation, it would be difficult to give the argument over a loss of amenities much weight. Therefore, it is considered that it would be difficult to justify refusing the application on the grounds of a loss of privacy as there is a more than reasonable distance between both sites.
- 5.11 It is also not considered that the proposal would be an overdevelopment of the site, or considered that the development would add to traffic and noise associated with traffic in a way which would cause significant harm to local amenities. Having weighed up the arguments based on amenities, it is not considered possible to argue the case of significant harm to local amenities, noise or the impact of nuisance which would be

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adequate to justify refusing it on these grounds. Therefore, it is not considered that the proposal would cause significant harm to the amenities of the local community, and that it is acceptable in respect of Policy B23 of the GUDP.

Linguistic Matters

- 5.12 Policy A2 of the GUDP states that proposals that would cause significant harm to the social, linguistic or cultural cohesion of communities, due to their size, scale or location, will be refused. As the proposal involves a tourism development which will create ten or more holiday units there is a requirement for a Language and Community Statement to be prepared in order to comply with the Supplementary Planning Guidance: Planning and the Welsh Language. A Language and Community Statement was received as part of the application and the Joint Planning Policy Unit was consulted. The response of the Joint Planning Policy Unit to the Language and Community Statement had not been received at the time of preparing this report. Its response is awaited prior to the date of the Committee so that its conclusions can be reported under late observations. If the Joint Planning Policy Unit's response is positive, it is considered that the proposal would be in line with the requirements of Policy A2 of the GUDP.

6. Conclusions:

- 6.1 Although some aspects of the proposal are acceptable as a means of upgrading the site, the Council is not satisfied that the proposal in its entirety, especially the significant increase in the use of a sub-standard entrance, is acceptable. As the land on either side of the entrance is not under the applicant's ownership, it is not possible to impose conditions to make improvements to that entrance, and it can be seen from the site's history that an effort to do so failed with the previous application C12/0438/46/LL. Therefore, it is considered that there is no choice but to recommend refusing the application on the grounds of road safety, in light of the increasing use of a sub-standard entrance which cannot be made adequate to meet the requirements of highways and Policy CH33 of the GUDP.

7. Recommendation:

- 7.1 To refuse:

The proposed development would create a significant increase in traffic using a sub-standard entrance, causing significant harm to road safety. Therefore, the proposal is contrary to Policy CH33 of the Gwynedd Unitary Development Plan (2009).