

PLANNING COMMITTEE	DATE: 19/12/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Number: 5

Application Number: C16/1239/41/LL

Date Registered: 14/10/2016

Application Type: Full - Planning

Community: Llanystumdwy

Ward: Llanystumdwy

Proposal: AMENDMENT TO AN APPLICATION REFUSED UNDER C16/0407/41/LL TO CREATE A NEW 17 UNIT TOURING CARAVAN SITE, ERECTION OF TOILET BLOCK AND INSTALLATION OF SEPTIC TANK AND PROVISION OF PASSING PLACES.

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

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is an amended previously refused full application to create a touring caravan site for 17 touring caravans and erecting a single-storey building to include toilets/washing facilities, the original proposal to move two static caravans from their existing locations to a new location is also noted. The amendments when comparing this application with the previously refused application means that 3 passing places will be provided within the road verges leading to the site. They will measure a minimum of 6m with a splay.
- 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 and then along a private road crossing Afonwen over a striking bridge.
- 1.3 The proposal involves the creation of 17 plots for the touring caravan 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 with waste flowing into a septic tank to be installed in a nearby field. It is proposed to erect a soil *clawdd* with a hedge of indigenous plants along the northern boundary of the site. In addition, the application originally referred to the proposal of moving two existing static caravans near the house to a new location further away from the property on nearby open land.
- 1.4 A Language and Community Statement was received with the application.
- 1.5 The application has been amended from what was originally submitted by completely removing the element to relocate two existing static caravans from their current location to their new location.

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 also to 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; in making the recommendation the Council has sought to ensure that present needs 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 recommendation.
- 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.

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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.

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.

In addition to Unitary Plan policies, full consideration is given to the Authority’s adopted Supplementary Planning Guidance (SPG), which are material and relevant considerations. The following are relevant in this case:

- Holiday Accommodation
- Planning and the Welsh Language

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 determining planning applications.

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)

Technical Advice Note 20: Planning and the Welsh Language

Technical Advice Note 23: Economic Development

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3. Relevant Planning History:

3.1 Application C16/0407/41/LL - application to create a new 17 unit touring caravan site, relocate 2 existing static units and erect a toilet block - refused 04.08.16

4. Consultations:

- Community/Town Council: Object as it is anticipated that there would be problems with access to the site.
- Transportation Unit: No objection as it is assumed that the passing places would be sufficient; there will be a need to reach agreement on the work through the relevant requirements of the Highways Act before any part of the development is commenced.
- Natural Resources Wales: Standard advice regarding drainage and waste matters.
- Welsh Water: Standard advice
- Caravans Officer: The proposal will require a site licence; it is not known how the proposal will affect the existing electricity pole located on a part of the site.
- Biodiversity Unit: No concerns
- Rights of Way Unit: No observations
- Public Consultation: A notice was posted on the site. The advertising period has ended and no letter / correspondence has been received. A second full consultation was held following the amendment to the application; no observation was received as a result of this second consultation.

5. Assessment of the material planning considerations:

The principle of the development

5.1 Policy D19 of the UDP 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.

Visual, general and residential amenities

5.2 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 seen that existing trees are dispersed nearby and are close to the access road leading to the site.

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5.3 It is proposed 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.

5.4 There are no residential houses close to the site itself (except for a house in the same ownership) and it is surrounded by open agricultural land to the north, a railway line is located to the south followed by an open beach. It is not deemed that this would lead to significant harm in terms of the impact on the residential amenities of nearby residents and therefore the proposal is not considered to be unacceptable in terms of the requirements of policy B23.

5.5 As is common in similar cases, it is considered appropriate to ensure an appropriate landscaping plan (as well as the hedge that forms 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.

Transport and access matters

5.6 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.

5.7 The Transportation Unit objected to the previous application due to concerns about the standard and the narrowness of the access road leading off the nearby highway. The application now shows a proposal to provide dispersed passing places along the road; and on these grounds, the Transportation Unit does not object to the application anymore, subject to an agreement between the Unit and the applicant to undertake the work prior to the commencement of any other development associated with the proposal.

5.8 The Council's Rights of Way Unit was also concerned at the time of the previous application about potential conflict between pedestrians and vehicles due to the narrowness of the road. This Unit now also accepts that the passing places are acceptable and thus that the requirements of Policy CH22 are being satisfied.

5.9 The second criteria of Policy D19 requests that any site be located close to the highways network and that sufficient access to be provided without causing significant harm to the character and features of the landscape. It is intended to use the existing access for the development as already noted. Although this unclassified road starts off with room for two cars to travel along it, it narrows gradually. Within these spaces, the proposal now shows that passing places will be provided and that they will, according to the Transportation Unit, be sufficient to serve the proposed development as well as the current road users.

5.10 Therefore, based on the above, it is considered that the proposal is acceptable and thus complies with criterion 2 of Policy D19 and the requirements of policy CH33.

5.11 It is acknowledged that an objection has been received from the local Community Council based on access concerns; however, as explained above, neither the

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Transportation Unit nor the Rights Of Way Unit now object to the application on these grounds.

Linguistic and Community Matters

5.12 A Language and Community Assessment was received as part of the application and the Joint Planning Policy Unit was contacted for its observations on its contents. No response had been received at the time of writing this report, but it is believed reasonable to refer to the observations submitted with the previous application as the proposal, in essence, continues to be the same and that the Statement is the same as what was previously submitted.

- The site is located within the Llanystumdwy ward. According to the 2011 Census, 77% of individuals aged 3+ 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 will make of facilities and local 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 and culture of the area. It is suggested that the site manager contacts the Local Language Initiative (Hunaniaith) to have a discussion 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.

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 as well as the relevant SPG.

Any other considerations

5.13 Observations were received from the Archaeology Service expressing concern about the ability of a historic bridge to cope with traffic to the site. No observations were

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received regarding this matter from the Transportation Unit; therefore, it is not believed that there is real concern in this case.

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 now believed that the proposal is acceptable based on the matters noted in the report and that it would, consequently, comply with the requirements of the relevant policies as noted.

7. Recommendation:

7.1 To approve – conditions

1. Time
2. Compliance with plans
3. Materials
4. Landscaping
5. Highways
6. Control the use of the site as a touring site / layout / season / no storing.