PLANNING COMMITTEE	DATE 04/10/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 1

Application Number: **C19/1215/40/EIA**

Date Registered: **10/01/2020**

Application Type: **Environmental Impact Assessment**

Community: **Llannor**

Ward: **Abererch**

Proposal: **Proposed masterplan comprising the demolition of 56 apartments, creation of new bases for the siting of static caravans, new team accommodation, new beach café including terrace and play area, new coastal defences, minor realignment of All Wales Coast Path as well as associated landscaping, drainage, access and infrastructure works.**

Location: **Hafan Y Môr, Pwllheli, LL53 6HX**

Summary of the Recommendation: **APPROVE WITH CONDITIONS**

1. Description:

1.1 The application was deferred on 4 October at the request of the Planning Committee in order to conduct a site visit. This application seeks full permission for the demolition of 56 apartments, creation of new bases for the siting of static caravans, new team accommodation, new beach café including terrace and play area, new coastal defences, realignment of Wales Coast Path as well as associated landscaping, drainage, access and infrastructure works at the existing Hafan Y Mor holiday Park.

1.2 The application site is located off the A497 which is the main highway network that runs between Pwllheli and Criccieth. A public bus stop is located at the entrance to the site and a railway line runs through the site. The Penychain station is located adjacent to the site allowing visitors to utilise the service. The Wales Coastal Path runs alongside the coast along the southern perimeter of the site.

1.3 The development has been split into parcels and comprises the following:

I. Parcel B – Siting of 27 static caravans.
II. Parcel E – Siting of 3 static caravans and the erection of two, two storey buildings for the provision of staff accommodation.
III. Parcel F – Demolition of 4 apartment blocks (56 apartments / 272 guest spaces) and the siting of 26 static caravans.
IV. Parcel G – Siting of 80 static caravans.
V. Parcel H – Redevelopment of the former sewerage treatment plant site and erection of a single storey café with terrace to the front and car
VI. Parcel I – Siting of 18 static caravans.
VII. Parcel J – Coastal defence works that includes works to 320m of coastline. The proposal entails landward realignment of the coastline to create sand and gravel beaches in between four fish tail shaped rock-armour breakwaters. Approximately 120m of the works will replace the existing linear rock coastal defences. The Wales Coastal Path is also to be realigned.

The proposal also includes landscaping, and the installation of pedestrian & vehicular infrastructure, sustainable drainage infrastructure and engineering.

1.4 The application is supported by the following documents & assessments:

- Design and Access Statement
- Planning statement
- Landscape & visual impact assessment
- Drainage, flood consequence assessment and water conservation statement.
- Economic statement
- Foul drainage strategy
- Welsh language statement
- Transport assessment
- Arboricultural Impact Assessment
- Archaeological Assessment
- Carbon & Sustainability Statement
- Coastal Defences Habitat Compensation Plan

1.5 This application, due to the size of the site, is defined as major development. In accordance with the requirements of the Town and Country Planning Order (General Development Procedure) (Wales), a pre-application consultation report was received as part of the application. The report shows that the developer has informed the public and statutory consultees of the proposal prior to submitting a formal planning application. The report concluded that the responses received were taken into consideration. Amendments were made to design and layout aspects and additional

technical information was provided to support the ES (Environmental Statement), CEMP (Construction and Environment Management Plan) and FCA (Flood Consequence Assessment)

1.6 The proposed development does not fall within the description and criteria set out in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. A scoping report was submitted to the LPA and it was confirmed that the Proposed Development requires a statutory Environmental Impact Assessment (EIA), along with other assessment requirements, including a Habitats Regulations Assessment (HRA), a Water Framework Directive (WFD) Compliance Assessment and a Flood Consequences Assessment (FCA). The authority responded to the Screening and Scoping Opinions and clarified the scope of the assessment work required.

1.7 The application was supported by an Environmental Statement (ES) and it has covered the following topics:

- Physical and coastal processes;
- Water and sediment quality;
- Marine ecology and nature conservation;
- Terrestrial ecology and nature conservation; and
- Coast protection and flood defence.

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 decisions should be in accordance with the Development Plan, unless material considerations dictate otherwise. Planning considerations include National Policy and the Local Development Plan. Although the Anglesey and Gwynedd Joint Local Development Plan (JLDP) now pre-dates the most recent version of Planning Policy Wales (PPW), it is considered that the policies relevant to this application within the JLDP remain consistent with PPW.

2.2 The Well-being of Future Generations Act (Wales) 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 set out below, 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 2011-2026, adopted 31 July 2017

PS 1: Welsh language and culture
ISA 1: Infrastructure provision
PS 4: Sustainable transport, development and accessibility
TRA 2: Parking standards
TRA 4: Managing transport impacts
PS 5: Sustainable development
PS 6: Alleviating and adapting to the effects of climate change
PCYFF 1: Development Boundaries
PCYFF 2: Development criteria
PCYFF 3: Design and place shaping
PCYFF 4: Design and landscaping
PCYFF 6: Water conservation
ARNA 1: Coastal Change Management Area
PS 13: Providing opportunity for a flourishing economy
PS 14: The Visitor Economy

TWR 1: Visitor Attractions and Facilities
TWR 2: Holiday Accommodation
TWR 3: Static caravan and chalet sites and permanent alternative camping accommodation
TWR 4: Holiday Occupancy
MAN 1: Proposed Town Centre Developments.
MAN 6: Retailing in the Countryside.
PS 19: Conserving and or enhancing the natural environment
AMG 3: Protecting and enhancing features and qualities that are distinctive to the local landscape character.
AMG 4: Coastal Protection
AMG 5: Local Biodiversity Conservation
AMG 6: Protecting Sites of Regional or Local Significance

Supplementary Planning Guidance (SPG):
SPG: Maintaining and Creating Distinctive and Sustainable Communities
SPG: Change of use of community facilities and services, employment sites and retail units
SPG: Tourism Accommodation and Facilities

2.4 National Policies

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 4: Retail and commercial development
Technical Advice Note 5: Planning and Nature Conservation
Technical Advice Note 12: Design
Technical Advice Note 13: Tourism
Technical Advice Note 14: Coastal planning
Technical Advice Note 15 : Development and flood risk
Technical Advice Note 18: Transport
Technical Advice Note 20: Planning and the Welsh language
Technical Advice Note 23: Economic development

3 Relevant Planning History:

3.1 The planning history of the site is extensive and over the last few years the site has been given permission for improvements to amenity and activity areas, the vast majority of which has been implemented.

3.2 In terms of visitor accommodation, the following is relevant:

C10D/0141/40/LL - Improvements to holiday park to include demolition of 450 chalets, create bases for 209 static caravans and 75 lodges, create site for up to 75 touring caravans and facilities block, 9 hole golf course, permissive coastal footpath and landscaping works.

C20/0851/40/LL – Creation of concrete bases for the siting of static caravans and associated decking as well as associated earthworks, landscaping, drainage, access and infrastructure works.

The numbers on site are currently regulated by the following condition:
"No more than 1313 static caravans and lodges (including 75 touring caravans) shall be sited at Hafan Y Mor at any time."

4. Consultations:

Community / Town Council:	**First Comments:** • Not clear which way the coastal path will go. • Unit numbers are unclear. • Will it be possible for the public to go to the café and beach? **Second Comments:** Refuse on the following grounds: • Its not clear exactly how many extra caravans are proposed. How will this effect other existing sites in the area. • Concern regarding the re-routing of the coastal path as it may open the door to other similar applications. No development should impact the public's right to access. • The development will increase the impact tourism has on the area. It is estimated that the café will create 45 new jobs. Its already hard to get staff in this industry, where will they come from? • Where does this leave the Council's plan with sustainable tourism?
Transportation:	I refer to the above application and wish to state that I do not intend to make a recommendation as it is assumed that the proposed development would not have an effect adverse on any road, or proposed road.
Economy and Community	Note that the company's proposal was to change the provision, invest to improve quality and modernise the offer in order to be more sustainable and carbon neutral. The company is planning ahead for the next 10 years, with the application seeking to develop the space and improve the provision with proposed substantial private investment of over £13 million in the site. This is in accordance with the implementation of their new vision "**New Parks of the Future – 2030" -** with a more open, less intense layout of a higher quality, surrounded by more sustainable and carbon neutral environmental landscaping. The proposed plan includes: • the demolition of 56 apartments and the creation of new plots for the siting of static caravans, and changing the provision from a more traditional chalet type to 5-star lodge accommodation of a higher quality • new team accommodation, • new single-storey beach café, including a terrace and play area near the Wales Coast Path • new coastal defences, slight realignment of the All Wales Coast Path as well as associated landscaping, drainage works, access and infrastructure works. This investment follows past investments of over £23m in the site's facilities. In 2018/2019, the spending of Hafan y Môr visitors equated £28.9 million for the local economy. Around 6,000 visit the site every week during the main season. The figures quoted by the company in terms of the benefits presented as a result of the modelling work and considering the size of the development are reasonable.

	Gwynedd Sustainable Visitor Economy Principles The plan is in accordance with the draft Gwynedd Sustainable Visitor Economy Principles, as follows: • The plan introduces changes to provide a more sustainable and carbon neutral offer. • New coastal defences. • The company make a substantial contribution to the local economy and is an important employer in Dwyfor. • During the 10-month construction period, over 200 FTE jobs will be available, thus contributing an economic benefit of over £30 million GVA during the development period. • Upon the completion of the construction phase, a further GVA of £2.4 million is estimated to the local economy. • It will also generate additional spending of around £2.7 million by visitors, thus supporting 50 FTE jobs in the local economy. • In addition to further spending on maintenance of around £179,000 per annum. • Subject to planning approval, 45 new jobs will be created, bringing the total employment to 545. In order to maintain and serve the new provisions, this level of staff will be needed in order to operate effectively. • In terms of employment, the company has been offering contracts with hours split over the year for staff so that their jobs become full-time jobs, all year around. • The company works with over 40 local companies and suppliers. From builders, electrical goods suppliers and food and drink companies. They collaborate with Coleg Llandrillo/Menai and the Council's Gwaith Gwynedd Service on skills issues and meeting employment needs from the local workforce. • The company was assisted to arrange an open day and employment fair on the site, along with career drop-in sessions in Pwllheli, Caernarfon, Bangor and Porthmadog.
Welsh Water:	No objection & standard developer advice.
CADW:	No objections to the impact of the proposed development on the scheduled monuments or registered historic park and garden listed in our assessment of the application below.
Lead Local Flood Authority:	**Flood Risk** The majority of the site lies within zone A (Development advice maps accompanying TAN15: Development and Flood Risk) which is usually considered to be at little or no risk of flooding. However, areas of the site is shown to be at risk of flood risk in the latest floodmap for surface water. As such, we consider that flooding is a material consideration in accordance with section 11.1 of TAN15. A Flood Consequence Assessment (FCA) has been presented with the application and we concur with the findings in terms of current and future flood risk from local sources, and also the wider measures proposed to minimise flood risk from all sources within the site.

	Land drainage INFORMATIVE: The EIA confirms that both open and culverted watercourse flow through the development site. We have no record of flooding associated with these watercourses. The developer is advised to identify the exact route of all culverted watercourses and ensure that no permanent structures are placed directly above the culvert route. The developer is also advised to avoid placing / erecting any structures within 3m of the watercourses as this may hinder future maintenance. In addition, any works which could affect the flow of the watercourse, including any structures within the channel or the provision of a culvert, may require Ordinary Watercourse Consent – please contact please contact FCRMU@gwynedd.llyw.cymru for further advice. The ultimate responsibility for future maintenance of the watercourses, including the banks, rests in perpetuity with the riparian owner. **Policy ARNA 1** The proposal is located within a Coastal Change Management Area (CChMA), as defined in Section 6.2 of the Anglesey and Gwynedd Joint Local Development Plan (2017), as the short and medium-term policy for the coastline at PU 12.25, 'Penychain East', is No Active Intervention. The Coastal Change Management Area Policy stipulates that: *"Proposals for new or replacement coastal defence schemes will only be permitted where it can be demonstrated that the works are consistent with the management approach for the frontage presented in the Shoreline Management Plan, and there will be no material adverse impact on the environment."* We do not believe that the proposed coastal defence represents a deviation from the SMP policy statement for this section of the coastline, which contains a caveat that suitable private developments should not be precluded. We are also satisfied that any changes to existing sediment volume or patterns as a result of the coastal defence works are expected to be negligible, and as a result the overall aims of the SMP for the wider management area would not be compromised. However we would ask that sections 6 (Physical and Coastal Processes) and 10 (Coast Protection and Flood Defence) of the EIA are re-visited should NRW, on receipt of the Marine Licence application, request that the coastal modelling work is amended or updated.
Network Rail:	General developer advice.
Biodiversity Unit:	An extensive planning proposal with 8 development parcels (B, C, E, F, G, H, I, J) for more static caravans, excavating land along the coast, installing breakwaters, importing sand to create a beach, and café. This memorandum follows the one I sent on the 5th of March 2020 which provided comments concerning the impact to the European Marine Site, Pen Llŷn a'r Sarnau SAC, as an undertaking of a Habitats Regulations Assessment and Appropriate Assessment, which concluded that this proposal would have an adverse impact on the SAC. This memorandum concerns all other ecological features that this development proposal has the potential to affect. The applicant has provided documents regarding ecological features and an Environmental Impact Assessment, and I can confirm that the reports are of a high quality and provide relevant information. Summary of comments:

Biodiversity Unit (Trees):	• Grassland - The loss of the grassland habitat is not sufficiently compensated for. The area lost is 3.4ha, and most of this land and the grassland habitat was mitigation for loss habitat due to the previous planning permission and the compensation land is 0.75ha. In addition to this the compensation land is currently a disused and over grown car park, and the habitat that has established already has biodiversity value. Further mitigation or compensation is required. • Reptiles – Hafan y Môr has an important reptile population, with 4 species lizard, grass-snake, adder and slow-worm. A reptile mitigation site has been created for the previous development impacts, and as a receptor site for reptiles that have been removed from sites within Hafan y Mor where construction has taken place. The carrying capacity of the reptile mitigation site (receptor site) is unknown and further monitoring is necessary. Further monitoring of reptiles and management of the reptile mitigation site is required. • Soft sea cliff – This development will result in the permanent loss of 200 meters of soft sea cliff. • Numerous conditions planning would be required to ensure the protection and enhancement of biodiversity and I would like to be consulted further if the planning department is likely to permit this development. • Derogation licenses from NRW will be required for works that will disturb or destroy the roosting/resting places of bats and otters. Recommendations I object to the proposed coastal works and beach creation because it will cause a permanent loss of soft cliff habitat (section 7 habitat), and the proposal cannot mitigate this loss. In addition, the grassland habitat loss is not sufficiently mitigated for. Therefore, I recommend that the proposal be altered to allow for the retention of the existing soft sea cliff and further mitigation for grassland loss is provided. Alongside these concerns, please see memo dated March 2020 concerning the Habitats Regulations Assessment. **Additional comments:** Satisfied with the mitigation in the Grassland mitigation Strategy Looking at the tree report and the landscaping plan a large number of trees have been identified for felling to enable the development. The loss of these trees will have a clear visual impact, but an outline planting scheme is included in the landscaping plan. A little more clarity is requested about the amount of "wooded land" that will be lost compared to how much new wooded land will be planted in place to evaluate the mitigation measures. I would also like to know more about what species will be planted. I ask that these are native tree species and suitable for the site, and also come from provenance area 303. **Additional comments:** The tree report is completed to a good standard and identifies many ways to reduce the impact of the development on the wooded area that is a part of the development. There is a need to impose a condition on the working method that is outlined in the tree report, including getting the Project Arboriculturist to supervise the work, having an ecologist on the site when the tree work is undertaken, and that the guidance in the Arboricultural Impact Assessment and

	the tree preservation measures are followed in order to reduce and/or mitigate the impact of the work on the trees. These details can be found in section 4 of the trees report. I ask that the trees being planted are indigenous species and that they are suitable for the site, and also come from the 303 provenance area.
Gwynedd Archaeological Planning service:	**First response:** It is recommended that, should planning permission be granted, a staged programme of archaeological work should be implemented to mitigate the impact on any as yet unidentified archaeological remains. **Second response:** Thank you for the updated information. I am happy for the condition to be revised to refer specifically to Areas G and J. The exact methodology to be applied within those parcels will be set out and agreed in the WSI; for the purposes of the planning process, the condition should be taken to apply to the whole of both parcels.
Fire & Rescue Service:	The Fire Authority does not have any observations in regard to access for appliances and water supplies. The Fire Authority will have an opportunity to comment on the proposed fire safety measures within the premises during the Building Regulations Consultation Process.
Environmental Health & Public Protection:	Licencing: The applicant will be required to apply to amend the site license should this application be successful. Health and Safety and Food Team: It is advised the applicant contacts the team if the application is successful.
Natural Resources Wales:	We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted. We also recommend that the documents listed below are included within the condition identifying approved plans and documents on the decision notice. Otherwise, we would object to the planning application. Condition 1 (Protected Sites and Species): Construction Environmental Management Plan (CEMP). Condition 2 (Protected Sites): Long term monitoring plan. Documents for inclusion within the condition identifying approved plans and documents on the decision notice: • Environmental Statement, Habitats Regulations Appraisal and Water Framework Directive Compliance Assessment (ABPMer, November 2019, Reference R3282). • Flood Consequence Assessment, Hafan y Mor (Weetwood, December 2019) • Coastal Defences Habitat Compensation Plan (ABPMer, V4, 30 September 2020) Please note, without the inclusion of these conditions and documents we would object to this planning application. Further details are provided below. Our detailed comments are provided below. We note that this consultation is related to a number of documents that have been revised. However, we understand that no revisions have been made to Parcel J (coastal defence) and that the documents relating to Parcel J have not been revised. Our comments in

	relation to the marine works are therefore unchanged but are repeated below for convenience. **Habitats Regulations Assessment** ***Pen Llŷn a'r Sarnau Special Area of Conservation (SAC) - General*** 1.1. We have concerns that the proposal would be likely to have adverse effects on the Pen Llŷn a'r Sarnau SAC. The proposed development (Parcel J, coastal defence) is located within the SAC. 1.2. The HRA to be undertaken by your Authority should consider the impact pathways on the SAC. Should you also conclude that the proposed development is likely to have a significant effect on the European site, we would look forward to being consulted on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. 1.3. The comments provided below with regard to compensatory measures, proposed by the applicant to fulfil the requirements of Regulation 68 of the Conservation of Habitats and Species Regulations 2017, are without prejudice to any further advice we provide when consulted on your HRA. ***Pen Llŷn a'r Sarnau SAC – mitigation*** 1.4. In view of the potential direct and indirect impacts on the SAC features as a result of the works proposed in Parcel J, we advise that a CEMP should approved by the LPA (in consultation with NRW) as a condition of any planning permission. The CEMP should demonstrate how the works will avoid and minimise effects on SAC features (e.g. adhering to pollution prevention guidance, minimising the footprint of the works within the SAC, biosecurity measures etc). We advise that the following condition should be attached to any planning permission: **Condition 1:** No development shall commence until a CEMP has been submitted to and approved in writing by the LPA. The CEMP should include: • Construction methods: details of materials to be brought and used in the scheme (e.g. sediment, sand, rock) as well as other details (e.g. amount, mineralogy, colour, angularity); details of quantities of marine sediment generated and how sediment will be managed, details of vehicular movement within Parcel J. • General site management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain. • Biodiversity Management: details of invasive species management; species and habitats protection, avoidance and mitigation measures (including for otters); details of marine enhancement measures within the coastal defence. • Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. • Details of the siting and type of external lighting to be specified, in order to avoid impacting on bats and otters. The CEMP shall be implemented as approved during the construction phase of the development. Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction. 1.5. Section 2.7 of the ES states "*However, plant movement along the upper shore will be required on occasion both within and outside the construction footprint*". The applicant should note, any vehicular use of the "upper shore" for construction should be covered by the CEMP to reduce potential impacts.

	1.6. We note that a large amount of sediment will be excavated to set-back the defences. As stated in the ES, any marine sediments should be kept within the active marine zone. We advise that the CEMP should provide information on the expected quantity of sediments that would have made it into the marine environment through erosion, what the composition is, and where they will be placed. 1.7. We note the clarification in the application on the source of the sediments (sand, shingle and rock) to be used within the scheme. We consider that information on the grading curves as well as other details (e.g. amount, mineralogy, colour, angularity) will need to be specified in the CEMP. For example, it will need to be ensured that any gravel that is imported is rounded and not angular and of the appropriate size fraction. 1.8. NRW note the existing beach will be excavated to a certain depth before placement of new material. We advise that the CEMP will need to set out how the excavated material (and the sediment make-up, clay etc.) will be managed at the foreshore as well as at the backshore (currently terrestrial) area. It should be ensured that no piles of sediment are left within the inter-tidal area that could be washed away at high tide and smother ecological interests elsewhere. We would also advise against burial of existing demolition material as this may hinder adaptation in future which may lead to it being introduced back into the marine environment. The above information will need to be set out in the CEMP. 1.9. The Marine Ecology Survey report (Appendix E of the ES) considers the options for the sea defence structures to be 'ecologically friendly' (i.e. with rugose surfaces and crevices preferential for marine species), however its conclusion is unclear. We advise that detailed marine enhancement measures should be set out in the CEMP. If it would be helpful, NRW can direct the applicant to further information on industries that can create rockpools in the defences. 1.10. Section 2 of the Marine Ecology Survey (Appendix E of the ES) states "*The survey results are also expected to provide a foundation of any post-implementation monitoring work that may be needed in the future".* We have previously requested clarification on what annual monitoring, mitigation and adaptation is expected and proposed over the lifetime of the scheme. We also note that the coastal squeeze assessment uses monitoring and adaptive management as a way of ensuring an adaptable way forward. We would expect details of a post-implementation monitoring proposal, as well as its implementation, to be approved by the LPA (in consultation with NRW) as a condition of any planning permission. **Condition 2:** Prior to the operation of the development, a long term monitoring plan for protected sites (habitats) shall be submitted to, and approved in writing by, the LPA. The long term monitoring plan should include: • Details of the methods for monitoring (and triggers for any action to be undertaken) • Timescales for the long term monitoring • Timescales for submission of monitoring reports to the LPA The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales. Justification: A long term monitoring plan for the protected sites should be submitted prior to operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on protected sites ***Pen Llŷn a'r Sarnau SAC – compensation*** 1.11. As explained below, we advise that the proposed development is likely to have an adverse effect on the integrity of the Pen Llŷn a'r Sarnau SAC.

	1.12. The proposed coastal defences will result in the direct loss of 1542m2 of the *Mudflats and sandflats not covered by seawater at low tide* SAC feature. This is as a result of direct loss of habitat from the construction of coastal defences. The proposal will also result in the loss of *Large shallow inlets and bays* SAC habitat however the impact pathway to this feature is through the loss of *Mudflat and sandflat* which is a subfeature of the *Large shallow inlets and bays* feature. 1.13. The conservation objectives for the *Mudflats and sandflats* feature require an overall stability or increase in the amount of the feature, taking into account the areas of long term stability and localised losses and additions arising from environmental processes. Due to the direct loss of the feature under the footprint of the works, we advise that these objectives will not be met. 1.14. We therefore advise that, for planning permission to be granted, that Regulation 64 of the Conservation of Habitats and Species Regulations 2017 must be satisfied. If your authority is satisfied that there are no alternative solutions and that the project must be carried out for imperative reasons of overriding public interest, then compensatory measures would need to be secured in order to meet Regulation 68 of the Regulations. 1.15. In relation to compensatory measures, the applicant has submitted the Coastal Defences Habitat Compensation Plan (ABPMer, V4, 30 September 2020). Section 3 of the report details measures to compensate for the loss of sandflat habitat by removing rubble and debris from the upper shore sandflat areas in front of the proposed and existing defences. Figure 2 shows that the compensation measures will deliver 2,472m2 of sandflat habitat. Section 3.3 of the report also details monitoring of the compensation measures. 1.16. In view of the above, we advise that the compensation measures are appropriate. We advise that the Coastal Defences Habitat Compensation Plan must be included within the condition identifying approved plans and documents. Provided this advice is followed, we would advise that appropriate compensation will be secured and that the overall integrity and coherence of the SAC network would be maintained. 1.17. Please note, we can provide further advice once consulted on your HRA. The above advice is without prejudice to any further advice we provide when consulted on your HRA. ***Pen Llŷn a'r Sarnau SAC - marine mammals features*** 1.18. Any construction works with the potential to cause underwater noise will be undertaken above mean high water in dry working conditions. There will be no piling construction works. We therefore agree with the assessment that there will be no impacts on marine mammal features of the Pen Llŷn a'r Sarnau SAC (or other Welsh SACs with marine mammal features). Site of Special Scientific Interest (SSSI) 2.1. The proposal is located partly within the Glanllynnau a Glannau Pen-ychain i Gricieth SSSI. NRW consider the proposals have the potential to impact upon the SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded Flood Risk 3.1. We note the Flood Consequence Assessment (FCA) (Weetwood, Hafan y Mor, Pwllheli, December 2019) that was submitted as part of the application. We also note the FCA Addendum that has now been submitted, which deals primarily with surface water/drainage matters. The recent submission indicates that revisions have been made to the layout of a number of parcels, particularly G and H. Our previous advice, reiterated below, accepted the finished floor levels as described in the original FCA (December 2019). The applicant has since confirmed (email from

	Arwel Evans, 27/7/2021) that the layout revisions have not affected the conclusions or the mitigation measures set out in the original FCA. Based on this information, we are therefore satisfied with the proposals in terms of flood risk, and reiterate our advice below for convenience. ***Tidal Risk*** 3.2. Section 5.1 of the FCA states that "*all new caravan bases are set at a minimum level of 5.49 m AOD to ensure they will remain dry during the 1:200 +CC (2120) annual probability event*". This addresses our previous advice to the applicant that the height of the caravan bases should be set at a minimum of 5.49m AOD. Section 5.1 also states "*given that the static caravans typically have a standard void of 600 mm above the bases, this will also ensure that all the caravans will remain dry in up to the 1:1,000 +CC (2120) annual probability event*". 3.3. We are satisfied that the proposed finished floor levels of the beach café (Parcel H) and staff accommodation (Parcel E) are to be set at 5.90m AOD, as stated in section 5.1 of the FCA. 3.4. We also note that the proposed car parks will be set at a minimum level of 5.49m AOD to ensure they will remain dry during the 0.5% + climate change annual probability event. This addresses previous advice we issued to the applicant. 3.5. We note that the applicant has submitted the Addendum on Wave Overtopping assessment (Coastal Defences Technical Review, ABPMer, December 2019). We have also received additional clarification with regard to risks of wave overtopping (e-mail dated 14/02/2020, Colin Scott, ABPmer). We can confirm that the flood risk from wave overtopping has been adequately considered by the applicant. We note and accept that the hinterland (land based development) is elevated above the coastal boundary (extreme) sea level for the year 2120 for the 0.5% event. The 10m wide contingency strip and the inclusion of a 1m high wall will reduce any spray overtopping. It is also noted that the scheme is to be designed to be adaptable for any future improvements. The applicant should note that it will be responsible for the maintenance of the scheme. 3.6. We advise that the FCA (Weetwood, Hafan y Mor, Pwllheli, December 2019) must be included within the condition identifying approved plans and documents on the decision notice. Based on the above, we are satisfied that the flood risk can be managed in line with the requirements of TAN15. *Fluvial and Surface Water Risk* 3.7. We advise that you liaise with the Lead Local Flood Authority regarding surface water flood risk. ***Coastal Defence*** 3.8. We are satisfied with the proposals for the coastal defence in terms of flood risk. We note the ES has considered there will be insignificant impact on the outfall of the Afon Wen to the east and on the railway to the north of the proposals and that discussions have taken place with Network Rail. 3.9. The LPA will need to assess whether the policies will be in line with the Shoreline Management Plan and Policy ARNA 1: Coastal Change Management Area. **Water Framework Directive** 4.1. We have considered the WFD Compliance Assessment (Appendix L of the ES). We agree with the conclusions of the assessment that the proposal will not result in the deterioration of any WFD waterbodies. **Foul drainage** 5.1. We note that section 3.5 of the Drainage Strategy Report (Bratherton Park Design Consultants, 7/10/2019) states that there is one more year left to do on

	removing surface water from the foul drainage. We welcome the continuation of this work in light of the additional foul drainage loading that this development will generate. 5.2. The Drainage Strategy Report indicates that the newly built sewage treatment plant will be able to cope with the additional volume of sewage generated, without causing deterioration in the effluent quality. We note that the applicant has a new permit to discharge. The applicant will need to ensure that it complies with this permit and to ensure that it covers what is discharged in terms volume etc. If a variation to the permit is required then the applicant is advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity 5.3. We recommend that fat traps are installed on the foul drainage from the café. **Protected Species** ***Bats*** 6.1. We note that the ES submitted in support of the above application (Environmental Statement, Habitats Regulations Appraisal and Water Framework Directive Compliance Assessment (ABPMer, November 2019, Reference R3282)) has identified that bats are present at 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 and resting places are protected under the Conservation of Habitats and Species Regulations 2017. As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. However, we advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site and, therefore, we advise that all avoidance and mitigation measures described in the ES must be undertaken. We also recommend that the new buildings proposed as part of the development incorporate bat friendly measures (e.g. bat access points and crevices). 6.3. The ES must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted. 6.4. The proposal has the potential to impact on bat flight lines through the introduction of lighting. We advise that details of the siting and type of external lighting to be used should be specified in the CEMP (see condition 1 above). 6.5. NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities will need to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site. ***Otters*** 6.6. The ES concludes that otters use part of Hafan y Môr (particularly watercourse WC1) for foraging, resting and commuting, but that there is no evidence of breeding within the site. Otters are protected under the Conservation of Habitats and Species Regulations 2017 and are also a feature of the Pen Llŷn a'r Sarnau SAC. 6.7. In order to avoid disturbance to otters, we advise that Reasonable Avoidance Measures should be set out in the CEMP (see condition 1 above). This should include measures that maintain the otter's use of watercourse WC1 during the construction and operational phase. 6.8. We also note, and welcome, the information provided in the ecological addendum (Peter Tattersfield Consultant Ecologists, undated). We recommend that the measures in the report with respect to otters are implemented.

	Water voles 6.9. We note that no evidence of water voles were found in any of the watercourses on site, and that the absence of water voles may be partly a result of the presence of mink. We would recommend that watercourses are managed to provide suitable water vole habitat wherever possible so that water voles may recolonise the site in future. **Other Matters** Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.
Public Consultations:	A notice was placed in the press, notices were placed in several locations close to the site and nearby residents were informed. The advertising period has expired and the following comments were received: • More vehicles means more air pollution and road noise. • Would be nice to see the park encouraging people to use buses / train service. • Its good for the prosperity of the area seeing more visitors. • Hopeful that parcel G will be suitably screened. • Hopes the development won't interrupt the natural flow of material caused by wave action and tides. • Concern regarding noise and vibration during construction works. • It is good that some areas have been set aside for wildlife but to ensure these are managed. • Will security fencing and security lighting be installed? • Will consideration be given to coast e.g. will there be bins and bins for dog waste? • Will there be public access to the café? • The road to the beach can be dangerous with cars speeding. Has consideration been given to speed bumps on it? Its understood that its not part of the park but the development will attract more people to the beach. Matters were also raised that are not material in consideration of the application: • The provision of annual park passes for neighbours.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The application site is an established holiday park and lies within open countryside. It is not located within any of the development boundaries identified within the Anglesey and Gwynedd Joint Local Development Plan (JLDP). Given the open countryside location policy PCYFF 1 is relevant which requires justification for developments unless they are permitted by a specific policy within the plan. Given that the scheme involves numerous elements, each will be assessed separately.

Erection of a café

5.2 The proposal seeks to erect a new single storey café on the eastern boundary of the site on the location of the former waste treatment plant. The works also include the provision of car parking, landscaping and planting works.

5.3 Policy MAN1 states that proposals for new retail, commercial and leisure development will be directed towards town centres. The policy states that retail and commercial proposals outside the defined town centres will need to be supported by evidence of need for additional provision and satisfy the sequential approach set out in national planning policy and accord with other policies in the Plan. Although policy MAN6 refers to shops, the considerations and impacts are similar. The policy states that proposals for small scale shops outside development boundaries will be granted provided a number of criteria are met. The planning support statement submitted has considered these policies and has justified the location of the development.

5.4 Policy TWR 1 is supportive of proposals that will improve and extend the standard of existing facilities. The policy priorities developments within development boundaries but where there are no suitable opportunities within development boundaries, proposals may be granted that conform with the criteria within the policy and involve the following:

1. The re-use of an existing building(s) or a suitable previously used site; or
2. The re-use of an existing building(s) or a site closely related to other existing buildings that forms part of an existing tourist facility; or
3. An activity restricted to a specific location due to its appropriate use of a historical or natural resource or its proximity to the attraction which it relates.

5.5 Given that the site is on land that formed part of the former sewage treatment plant, it is considered previously developed land. The use is also appropriate in consideration with the use of the wider site as a holiday park. Although there are larger buildings towards the centre of the holiday park, the structures seen along the coastline are mainly single storey chalets and caravans. The scheme originally consisted of a two-storey café building but following discussions with officers this was reduced to single storey. Given the reduction is scale, the type and character of the building is now considered appropriate for its coastal setting. The design is considered to be high quality in terms of design, layout and appearance and will extend the range of facilities in the plan area. The proposal has been supported by an Economic Statement which demonstrates that the scheme will secure local employment opportunities. The site can be accessed by public transport, cycling and walking. The site is located directly adjacent to the Coastal footpath and the planning support statement has confirmed that the Café will be available to walkers on the Coastal Path. Given the above, it is considered that the proposal conforms with the requirements of policy MAN 1, MAN 6 and TWR 1 and that the principle of erecting at café is acceptable in this location.

Coastal Defence works

5.6 The proposal comprises works to a 320m stretch of the coastline including landward realignment of the shoreline, the installation four ‘fish-tail’ shaped rock-armour breakwaters and the creation of intervening areas of sand/gravel beach. Around a third of the length of these proposed breakwaters and recharge areas will replace existing linear rock revetment that is present along this part of the foreshore (as constructed in the 1990s). The remainder will be to the east of the existing rock revetment where it is apparent that tidal erosion is currently impacting the coastline. Although this scheme seeks to re-direct the Wales Coastal Path in response to the development plans, parts of the works (relocation of a bridge) has already been carried out by the footpaths unit due to erosion and safety concerns.

5.7 Policy AMG 4 refers to Coastal Protection and requires proposals to demonstrate that there is an over riding economic and social benefit from the development. Proposals should also ensure there is no unacceptable harm to water quality, public access, the built environment, landscape or seascape character and biodiversity impacts. The policy gives priority to locations with a close

visual connection to current buildings or existing structures. It also requires that no suitable alternative locations on the coast have been developed and that the proposal is compliant with other policies including ARNA 1.

5.8 The application has been supported by significant evidence within the ES and the Economic Statement to justify the works in this location. The coastal works are located in close proximity to the existing built form and will secure the long-term future of the holiday park. It is considered that the principle of coastal works in this location conform with policy AMG 4 but the environmental impacts will be discussed further in the report.

5.9 Policy ARNA 1 is relevant to this aspect of the scheme and states that Proposals for new or replacement coastal defence schemes will only be permitted where it can be demonstrated that the works are consistent with the management approach for the frontage presented in the Shoreline Management Plan, and there will be no material adverse impact on the environment.

5.10 The Shoreline Management Plan (SMP) for this section of coastline is 'No Active Intervention' over the next 100yrs for this section of the coastline. However, the policy for this section states that this might not preclude local private management of defences. Given this is it considered that the principle of replacing and extending existing defences is acceptable in principle. The scheme, does however have to comply with numerous other policies which considers the impact on the environment and this will be discussed further in the report.

Alterations to holiday accommodation provision and extending the site.

5.11 The planning history of the site is particularly relevant to this aspect of the application. Application C10D/0141/40/LL consented a masterplan scheme that included the demolition of 450 chalets, the creation of bases for 209 static caravans, 75 lodges and the creation of a touring caravan site for up to 75 touring caravans. This consent saw an overall decrease in holiday accommodation provision on the site. The relevant pre-commencement conditions were discharged and the consent has been partially implemented. Parts of the consent that have not been implemented is relevant to this application.

5.12 The scheme currently under consideration seeks to alter the consent previously given by retaining 184 existing apartments that were previously given permission to be demolished. The figures noted below provide an overview of the current situation and following the implementation of the proposal:

- Number of current permanent holiday units: 240
- Number to be demolished as a part of the application: 56 (16 visitor units and 40 staff units)
- Number to be retained on the site: 184
- Erection of 76 new staff units (within 2 buildings)

5.13 Policy TWR 2 deals with holiday accommodation and Strategic Policy 14 deals with the visitor economy. PS 14 specifically supports managing and enhancing the provision of high quality un-serviced tourism accommodation in the form of self-catering cottages and apartments, camping, alternative luxury camping, static or touring caravan or chalet parks. The Planning Statement acknowledges that since permission C10D/0141/40/LL was granted the apartments have remained a popular form of accommodation and they have been refurbished and provide high quality holiday accommodation. Policy TWR 2 and PS 14 both seek to provide a range of holiday accommodation and from that point of view, the retention of the apartments would not create any conflict with regards to policy and would ensure a wider range of accommodation on the site.

5.14 Policy TWR 3 deals with applications for static caravan and chalet sites. The site is not located within an Area of Outstanding Natural Beauty or a Special Landscape Area and therefore the policy does support minor extensions to the site area and a minor increase in the number of units

on site providing the criteria within the policy can be met. The scheme meets the requirements in that it is part of a wider scheme to improve the range and quality of accommodation on the site. Cumulatively the scheme offers significant improvements to the design, layout and appearance of the site and its setting in the landscape. The site is located within a Coastal Change management area but the scheme will improve the safety of occupiers on the site, protect the park long term and also safeguard the Wales Coastal Path.

5.15 Policy TWR 3 specifically requires that any increase in the number of static holiday caravan or holiday chalet units is minor and is commensurate with the scale of any improvements to the site. The proposal as submitted seeks to extend the site along the eastern boundary (parcel G) and also increase static caravan numbers by 85. Paragraph 6.3.74 of policy TWR 3 recognises that minor in terms of site area is not defined but in terms of numbers as a general rule an approximate 10% increase in the number of units at the time of the original application, is considered minor.

5.16 The retention of the apartments does however mean that the site is unable to locate all of the consented static caravans that formed part of consent C10D/0141/40/LL in the manner first envisaged. However, the consent was conditioned with phasing conditions that related to both phasing and layout and also a single overarching condition that restricted unit numbers. As a consequence, the actual siting of all the statics was left to further discussion by means of discharge of condition applications. This means there is flexibility within the consent that remains extant today.

5.17 The Hafan Y Mor site is fairly unique in the plan area in terms of its size and also visitor accommodation provision. As highlighted above, the planning history is extensive and extends back to the 1950's. Recent alterations have seen a major investment in the upgrade of facilities and alterations to accommodation provision. The starting point for this was permitted through consent C10D/0141/40/LL that was a masterplan scheme for the whole site. It is therefore considered reasonable in terms of policy TWR 3 that consent C10D/0141/40/LL is the original application in this instance. The policy recognises that each application should be considered on its merit due to the considerable variety in the size nature and location of pitches.

5.18 The figures below provide an overview of the current situation and following the implementation of the proposal:

- Number of additional pitches: 154Number of pitches already with planning consent: 1238
- Number on the site today: 1108
- Additional number on top of the extant planning permission: 85

5.19 Consent C10D/0141/40/LL permitted the siting of a total of 1,238 static caravans. This application seeks to site an additional 85 static units which is below the 10% stated in the policy. However, the overriding policy consideration is to ensure that the increase in numbers does not unacceptably harm the appearance of the site.

5.20 In considering visual impacts, The Isle of Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity and Capacity Study is also a material consideration that provides guidance. The study found that within this area there may be some capacity for sensitively sited and well designed very small to small scale developments, which should relate well to the existing built environment/urban landcover. The study defines small as 11-25 units (typically below 2 hectares in area). It also acknowledges that in all cases development should avoid the undeveloped coastal edge and its immediate setting and should be clearly separated so that their effects remain local and there is no collective/cumulative defining influence on the landscape.

5.21 In terms of extending the site area, parcel G benefits from extant consent given in consent C10D/0141/40/LL. The consent given was approximately half of the undeveloped field as seen. The extended area measures approximately 1.4 hectares but the existing holiday site as a whole

(minus the golf course) covers in excess of 80 hectares. In addition, the extended area will not accommodate all of the additional 85 caravans which are to be dispersed within the existing boundaries of the site. Having taken into consideration the size of the existing site and the area to be extended, the area is considered to be minor and in accordance with the requirements of policy TWR 3.

5.22 In addition to the Isle of Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity and Capacity Study, paragraph 6.3.74 of policy TWR 3 also states that in all cases development should avoid the undeveloped coastal edge and its immediate setting. The application as originally submitted included the siting of static caravans in close proximity to the coastal edge in parcel G. This conflict was raised with the agent and as a consequence the scheme was amended and the caravans have now been sited much further back and in line with the area consented under permission C10D/0141/40/LL. The area between the coastline and the static units is now proposed to be set aside as an area to provide biodiversity compensation and planted as a wildflower grassland. The area is to be fenced off to protect it and to clearly differentiate the coastal edge and holiday park. A clawdd (stone, earth bund) and native shrub planting is also proposed in front of the caravans to screen the units and reduce more localised visual impacts from the coastal path. With the existing landscaping surrounding the site and the proposed landscaping the visual impacts are considered to be local in nature (mainly along a brief section of the coastal path) and given that other visual impact will be mitigated by distance, it is not considered that the impact will have a defining impact on the landscape.

Erection of new staff accommodation.

5.23 As part of the improvements to the site, the scheme also includes the demolition of three buildings that currently provide 40, 2 bed self-contained apartments utilised by staff and the erection of two new buildings that will provide 76, two bed units. Officers sought additional information and clarification from the applicant with regards to the current situation and how the units are managed. It was stated that the site historically provided accommodation for over 1000 staff in the Butlin's era of the site but this has consistently been reduced by the new operators Haven.

5.24 The scheme will also allow the reduction in density of the use of units in Seaview which in peak season are, according to the applicant, overcrowded. The units are large enough to accommodate 3 beds but have currently 4 beds per unit. From the information received the net increase in bed spaces will be 24.

5.25 The site is located in open countryside and there is no specific policy in the development plan that deals with accommodation of this type. Policy PCYFF 1 is therefore relevant which states that developments should be resisted unless the countryside location is essential. It is, however a material planning consideration that the site currently provides on-site staff accommodation and the area to be developed for the new accommodation is classed as previously developed land.

5.26 The existing staff units formed part of masterplan consent C10D/0141/40/LL and are controlled in the same way as the holiday accommodation with a condition that restricts the occupation to seasonal use only and the staff have a permanent residence elsewhere. By controlling the units in such a way it ensures that they are not commensurate to the provision of new housing in open countryside, which would contravene local and national planning policies. It is also a material consideration that the site could offer their other holiday accommodation units to staff without breaching any planning conditions providing the use was seasonal. Having considered this, the net increase of 24 staff bed spaces in not considered unreasonable and with the imposition of conditions to ensure that the units do not provide permanent residential accommodation, it is not considered that the application significantly departs from planning policy and does not merit refusal on this basis.

Design and visual amenity

5.27 Policy PCYFF3 states that proposals will only be permitted provided they conform to a number of criteria, including that the proposal complements and enhances the character of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment; that it respects the context of the site and its place within the local landscape; that it utilises materials appropriate to its surroundings and incorporates soft landscaping; it enhances a safe and integrated transport and communications network; that it limits surface water run-off and flood risk and preventing pollution; that it achieves inclusive design allowing access by all and it helps to create healthy and active environments, and considers the health and well-being of future users.

5.28 The site is located within open countryside but is it not located within any statutory designated landscapes or locally designated landscapes. Parts of the site is visible form extended views from Criccieth Castle and the Snowdonia National Park. The application has been supported by a Landscape and Visual Impact Assessment (LVIA) to aid in the assessment of the application. The assessment has considered two types of impact, direct effects on the landscape resources; and indirect effects on public perceptions of landscape, in terms of change to landscape character or as a result of visual impacts. In response to the amended scheme, an addendum to the LVIA was also submitted to consider the alterations.

5.29 The proposal involves the development of different parcels of land within the site, each of which will be discussed individually:

a. **Parcel E** is located centrally within the site to the south of the railway line. Within this parcel it is proposed to locate the two new team accommodation buildings and three static caravans. The team accommodation buildings are two storey and are to be clad with a mix of weatherboard panels and render. The design is modern and in keeping with other buildings seen on the site. Give that parcel E is located centrally within the site, it is unlikely to have visual impacts on the wider landscape.

b. **Parcel B** is located to the south west of the site and is separated from the coast by a fishing lake and more natural landscaping. Its proposed to locate 27 caravans in this area. Given the topography, the vegetation surrounding the lake and also the vegetation on islands within the lake, the caravans will not be visible in the surrounding landscape.

c. **Parcel F** is located to the south of the site and it is proposed to site 26 static caravans in this location. It is likely that 4 units will be immediately visible from the coastal path however, it is acknowledged that this area does benefit from consent to locate statics under permission C10D/0141/40/LL. With additional landscaping to soften the impact, it is not considered that the impact upon walkers on the coastal path will be significant or harmful. Any extended visual impacts upon the landscape would mitigated by distance.

d. **Parcel H** is also located to the south of the site adjacent to the coastline. This area was the site of the former waste treatment plant and has been cleared but has been left un-developed. In this location it is proposed to build a new café. As discussed above the plans initially submitted were for a two-storey building. Officers raised concerns regarding this given the open views from the coastline and coastal path and the fact that the surrounding built form (caravans) is low and other than the established landscaping to the east, there are no landscape features that would have readily assimilated a building of two storeys into the landscape in an acceptable way. The proposal now under consideration is for a modern looking single-story flat roof building. The external appearance facing south and west will mainly be glazed with sections of natural stone cladding. The elevations facing north and east are to be finished in natural timber weather board. To the front a terraced area for outside dining is proposed. To the rear of the café a small parking area is proposed and to the west a biodiversity compensation area. Both policy PCYFF 3 and TWR 1 require developments to be of high quality and be

appropriate for their location. The building will be visible from out at sea and to walkers along the coastal path. The most sensitive visual receptors lie to the east and include the Snowdonia National Park and Criccieth Castel, however the building will be screened from extended views to the east by exiting dense landscaping. It is acknowledged that the café will be a new feature and as a consequence there will be visual and landscape change in the immediate area however, given the setting within an existing holiday park, it is not considered that the building will be an unexpected or alien feature to users of the coastal path or from out at sea. It is considered that any extended views from across Cardigan Bay will be adequately mitigated by distance.

e. **Parcel J** entails works to a 320m stretch of coastline to the south of the site. The proposal includes landward retreat of the mean high-water spring alignment and the installation of four fishtail shaped rock armour breakwaters and the creation of intervening areas of sand and gravel beaches. As with parcel D, the LVIA acknowledges that the greatest visual impact will be during the construction phase. However, upon completion of the works it is not considered that the works will appear incongruous or harmful to its setting.

f. **Parcel G** entails the siting of 80 static caravans. Approximately 50% of this parcel benefits from extant consent under permission C10D/0141/40/LL. As discussed above, the proposal has been amended in response to officers' concerns regarding the visual impact of the caravans and proximity to the coastline. The caravans are now to be set back away from the immediate coastline and the proposed site levels have been reduced to ensure that the landscaping will sufficiently mitigate the impacts. This area is visually open to the coast line. The east of the site benefits from a dense landscaping belt which will prevent extended views of the caravans from sensitive visual receptors. Additional landscaping is also proposed to extend the landscaping belt further south. Although walkers on the coastal path will see the caravans in this location, by setting them further back in the site it will ensure that the views of the national park and Criccieth castle will remain uninterrupted. The landscaping and wildflower meadow should mitigate some of the impact and give a pleasant feel and quality to this area. Having taken into consideration the assessment within the LVIA and the extant consent that remains, on balance it is considered that the visual impacts will not be significantly greater or harmful than the extant consent.

g. **Parcel I** is located to the rear of the proposed site for the café. It is proposed to locate 18 static caravans in this location. Most of this area also benefits from extant consent under permission C10D/0141/40/LL. If permission is granted it is proposed to develop this area in phase two at the same time as the café which will ensure the landscaping is carried out and the presence of the café will screen the majority of the caravans. Given the location of this parcel, to the rear of the proposed cafe it is not considered that it will be visually apparent in the wider landscape or harmful to its surroundings.

5.30 Having considered each aspect of the development, it is considered that the conclusions of the LVIA is reasonable and the impacts have been adequately considered. It is also considered that the cumulative visual impacts of the scheme as a whole is acceptable. As with many developments the most adverse impacts will be during the construction phase and this is acknowledged in the LVIA. However, the application has been submitted by a phasing plan which will ensure that the impacts are controlled and each phase should be completed prior to commencing the next phase. The most significant impact will be during the first phase when the coastal works are to be carried out and the plans have shown a temporary alternative route for the coastal path during this phase. Whilst the impact will be adverse, the impact will only be short term and the coastal path will be able to follow an amended route along the coastline upon completion of the coastal works. On balance, this is considered acceptable.

5.31 It is considered that the proposal in terms of its form and finish is acceptable and offers a quality development in terms of visual amenities by displaying a design and features that deliver and create a development that would be suitable and appropriate to the site and within the wider area. Consequently, it is considered that the proposal is acceptable based on the relevant requirements of Policy PCYFF 3, AMG 3 and AMG 4.

5.32 The details submitted have included detailed proposals for both soft and hard landscaping within the site including the planting of new native trees and biodiversity compensation areas to encourage biodiversity. The landscaping is similar to what is seen on other more recently upgraded parts of the site which demonstrate the high quality of the works. With the imposition of a condition to ensure the landscaping is carried out alongside the development phasing, it is considered that the requirements of policy PCYFF 4 will be satisfied.

Linguistic Impacts

5.33 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 reiterated further in para 3.28 of Planning Policy Wales (Edition 11, 2019), along with Technical Advice Note 20 and policy PS 1 of the JLDP. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique 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.

5.34 In accordance with the requirements of policy PS 1 and the SPG the application has been supported by a Welsh Language Statement and also an addition addendum to the statement in response to the amended plans. Positive comments were received from the Welsh Language Unit and no evidence of harm or significant risk to the Welsh Language was identified. The comments did however state that the assessment should further consider staffing and the information submitted should be updated.

5.35 In response to the observations of the Language Units, the agent has confirmed that the park has employed 460 people during the 2021 summer season. 88 of these are permanent posts, with the remainder being seasonal posts. Confirmation was received that over 50% of the staff lived locally (within 5 miles) and also that around 50% spoke Welsh.

5.36 The comments did also acknowledge positive aspects of the statement which include the marketing methods for new jobs that includes efforts to employ locally and the use of Welsh advertisements. The mitigation and enhancement measures were also welcomed which include:

- Names of new development areas to consider local linguistic heritage.
- Provision of key signage within the park in English and Welsh.
- The use of Iaith Gwaith badges/logo in certain areas of the Park (reception, café, bar) to encourage visitors to use the language with staff where they can.
- Use of welsh language on signage within the new café development.

5.37 The above mitigation and enhancement measures are specifically required by criterion 4 and 5 of policy PS 1 and can be secured by planning condition. From visiting the site it is evident that the site implements the above on existing parts of the site. Based on the information submitted to date, it is considered that the application has met the requirements of policy PS1 and the SPG and with the imposition of conditions, the proposal is acceptable with regards to linguistic impacts.

Highway Impacts

5.38 The application was supported by a Transport statement which has considered the existing situation, the proposed development, the likely traffic impacts. The proposal does not include any alterations to the existing access which is served off a roundabout on the A497 which is the main

highway that runs between Criccieth and Pwllheli. The access to the site has a public bus stop that serves the site and visitors can also travel by train. A train station is located adjacent to the site. The Wales Coastal Path also runs though the parts of the site which again links Pwllheli and Criccieth. Given that the site is served well by various means of travel, meaning that visitors do not have to rely on the use of motor vehicles, it is considered that the site is sustainably located and conforms with the requirements of policy PS 4 and TRA 4.

5.39 Should visitors choose to travel by car, adequate parking provision is to be provided by each static caravan and communal parking areas are available for the holiday apartments. Limited parking is also to be created to the rear of the café. It is therefore considered that the scheme meets the requirements of policy TRA 2. Comments were received from the transportation unit confirming they have no objection to the proposal as it is not expected to have an adverse impact on the local highway network. As a result, the proposal is considered acceptable in terms of policy PS 4, TRA 4 and TRA 2.

Archaeological Matters

5.40 In accordance with the requirements of policy PS 20 and AT 4 the application has been supported by a desk based archaeological assessment. Following consultation with the Gwynedd Archaeological Planning Service (GAPS) comments were received stating that the development has limited potential for archaeological impact.

5.41 Previous development-led work within the holiday park and surrounding area has established a potential for remains of prehistoric, medieval and post-medieval date in this area. Within the holiday park, fieldwork has demonstrated that even in areas of open space, landscaping work has disturbed and truncated archaeological deposits, so that the likelihood of remains surviving under existing development is considered to be low. This impact is believed to have occurred during establishment of the holiday park, or construction of its predecessor, the HMS Glendower naval training base.

5.42 That said some areas have been disturbed less and have a higher potential that archaeological remains may remain undisturbed. The comments received from GAPS conclude that the impacts of the development can be acceptably managed with the imposition of a condition requiring further archaeological investigation prior to the commencement of developments works. Further discussion agreed that the investigation works would be confined to parcels G and J. Therefore, with conditions, it is considered that the proposal is acceptable and in accordance with the relevant requirements of policy PS 20 and AT4.

Residential and General Amenity

5.43 As previously discussed the application site is located in open countryside and is a well-established holiday park. There are scattered residential properties surrounding the site. It is not anticipated that the impacts upon residential dwellings to the south and west will be any greater given that that the proposed works are primarily within the existing site and to the east. To the east the development includes the coastal defence works, construction of the café and the developing of parcel G. The closest residential property is Tyddyn Berth which is located approximately 300m from parcel G and just over 500m from the coastal defence works. The Afon Wen Terrace houses are also located to the north east and Swn Y Don (residential dwelling and caravan site) is located to the east. As outlined above concerns were raised from surrounding residents but they didn’t object to the scheme as whole.

5.44 The greatest impact is likely to be during the construction period of the coastal defence works, however the works will be carried out over a relatively short period of time and the construction hours can be controlled by condition to ensure that amenities of surrounding properties are protected at the most noise sensitive times. As discussed above, the construction phase will also

affect the amenity and enjoyment of users of the coastal path. That said, once the scheme is completed it should have a positive amenity impact on users of the coastal path as Haven have confirmed that although the café will not be open to non-residents, it will be available to users of the coastal path.

5.45 Once the construction phase has been completed it is not considered that the development will give rise to an unacceptable impact upon residential or general amenity and the proposal is considered to be acceptable on the grounds of relevant criteria in policies PCYFF 2 and PCYFF 3.

Carbon Management

5.46 Policy PCYFF 5 requires proposals to demonstrate how the energy hierarchy has been applied and how the contribution from renewable or low carbon energy to satisfy the proposals need for energy and waste has been maximised. The application was supported by a Carbon and Sustainability Statement which has considered sustainable design and carbon management, climate change, water management, waste resource management and minerals, green travel, accessibility, access and health and wellbeing. Having considered the information submitted in support of the application, it is considered that the requirements of policy PCYFF 5 has been met.

Land Drainage and Flooding

5.47 There are a number of relevant policies relevant to this aspect of the report. Policy PS 5 seeks to manage flood risk and maximise the use of SUDS. Policy PS 5 seeks to alleviate the effects of climate change and only permits schemes that implement sustainable water management, locating developments away from flood risk areas and reduce the risk of flooding. Policy ARNA 1 is also relevant and requires LPA's to demonstrate that they have considered shoreline management plans into consideration. As discussed above the principle of the development is acceptable and in accordance with policy ARNA 1. The policy does require that proposals will only be permitted if a TAN 15 compliant flood risk assessment demonstrates that a development will not cause any increase in risk to life nor any significant risk to property and the development complies with TAN 15.

5.48 The application has been supported by a Flood Consequence Assessment and foul Drainage Strategy Report and the Environmental Statement has also considered Coastal Protection and Flood Defence. The works are to improve existing sea defences and to protect the Hafan y Môr Holiday Park from coastal erosion. The ES concludes that the project will provide coastal erosion risk betterment for the future.

5.49 Detailed comments were received from NRW that concluded that the impacts of the development are acceptable with the imposition of conditions to ensure site levels and that the development is carried out in accordance with the FCA. NRW comments also confirmed that they consider the Water Framework Directive Assessments is acceptable and will not result in any deterioration of any WFD waterbodies.

5.50 The Lead Local Flood Authority confirmed that the majority of the site lies within zone A which is usually considered to be at little or no risk of flooding. However, their comments acknowledged that areas of the site are shown to be at risk of surface water flooding in the latest flood maps. The comments confirmed that the FCA was acceptable and that they concurred with the findings in terms of current and future flood risk from local sources, and also the wider measures proposed to minimise flood risk from all sources within the site.

5.51 Policy PCYFF 6 requires proposals to incorporate water conservation measures where practicable, including Sustainable Urban Drainage Systems (SUDS) and proposals over 1,000m2 should be supported by a water conservation statement. The application has considered this within the FCA which contains a Water Conservation Assessment, Carbon and Sustainability

Statement and the Indicative Surface Water and Drainage Strategy. The documents confirm it is intended to implement grey water recycling, rainwater harvesting and the integration of water saving devices. Surface water will be discharged into existing waterbodies including lakes, watercourses and the sea.

5.52 The applicant is aware that separate consent will be required to conform with the sustainable drainage systems regulations and has designed the scheme in light of this. It is therefore considered that the proposed scheme is acceptable and in accordance with policy PCYFF 6, PS 5 and PS 6.

5.53 Having given consideration to the ES and FCA and other relevant information submitted it has been sufficiently demonstrated that the development will not cause any increase in risk to life nor any significant risk to property. It is also considered that the works will contribute to reducing the potential for major flood incidents in the area in the future. It is also considered that the application has demonstrated compliance with TAN 15 or policies PCYFF 6, PS 5 or ARNA 1 of the JLDP.

Biodiversity and Ecological Impacts

5.54 There are numerous policies relevant to this aspect of the application. Policy PS 19 seeks to conserve and (or) enhance the natural environment and policy AMG 5 protects local biodiversity conservation. Policy AMG 6 protects sites of regional or local significance and policy PCYFF 4 deals with design and landscaping. Policy AMG 4 seeks to maintain, enhance and protect the coast.

5.55 The ES has considered physical and coastal processes, water and sediment quality, marine ecology and nature conservation, terrestrial ecology and nature conservation; and coastal protection and flood defence. The initial comments received from the Council's Biodiversity Unit objected to and raised concerns with the scope of mitigation for the development upon Otters, lowland meadow grassland, the impacts upon soft maritime cliff, impacts upon the coastal habitat corridor and loss of *cloddiau* (stone & earth bunds).

5.56 Following extensive consultation and discussions, the proposal was amended to respond to the terrestrial ecological issues raised. An addendum to the ES was submitted that assessed the amended scheme and also offered additional mitigation measures. Table 1 within the addendum summarises the changes in the proposals and notes the impact of the alterations. NRW confirmed that the recommendations regarding otters within the ecological addendum is acceptable and reasonable avoidance measures should be set out in a Construction Environmental Management Plan (CEMP) that can be secured by condition.

5.57 The Biodiversity unit confirmed that the revised mitigation proposals for lowland meadow grassland, which also includes the coastal corridor was acceptable. The additional provision of *cloddiau* is welcomed and will mitigate and also provide biodiversity enhancements. The comments regarding reptiles is noted and continued monitoring can be secured by condition to ensure this is continued.

5.58 The Biodiversity Unit objected to the loss of soft maritime cliffs noting that's its loss could not be mitigated. The ecological addendum highlights that the conclusions of the ES found the impact to be Neutral. The ES acknowledged that the proposals would result in the loss of about 200 linear metres of Soft Maritime Cliff habitat. In mitigation, a management plan would be implemented for about 650 linear metres of existing soft maritime cliff elsewhere at Hafan y Môr. Also, 'bee banks' would be created within the former car park, and, where possible, 'bee hotels' would be constructed within other development parcels. Although the Biodiversity Units comments are noted, the findings within the ES are considered reasonable and it details the extent of cliff management that can be achieved and acknowledges this can be secured by planning condition. It

is also noted that NRW did not object to this aspect of the proposal. Given that the impact was assessed as being neutral, it is not considered that this aspect of the application is unacceptable in terms of planning policy.

5.59 The application was supported by Arboricultural Impact Assessment and the assessment was revised and updated in response to the amended scheme and the Biodiversity Units initial comments. Although no further comments has been received from the Biodiversity Unit with regards to the impact of the development on trees at the time of writing the report, the scope of the mitigation planting and species to be planted is a matter that can be agreed via planning condition or prior to the discharge of consent, should permission be granted.

5.60 The marine environment that runs along the site forms part of the Pen Llyn a'r Sarnau Special Area of Conservation (SAC) and the Glanllynnau a Glannau Pen-ychain i Gricieth Site of Special Scientific Interest (SSSI). The coastal defence proposal entails development within these designations.

5.61 In accordance with the Habitats and Species Regulations 2017 the Council has undertaken a Habitats Regulations Assessment and Appropriate Assessment. Under the provisions of the regulations, there is a statutory duty for a Local Planning Authority to consult NRW when undertaking an appropriate assessment for a new plan or project and are required to have regard to any representations made by NRW. The LPA consulted NRW with copy of the HRA and Appropriate Assessment. The response received concluded that an adverse effect on the site integrity of the Pen Llyn a'r Sarnau SAC cannot be ruled out due to the direct loss of the mudflats and sandflats feature. However, NRW did not consider that the proposal would have an adverse effect on the reef feature due to the distance of the proposal to the reef feature. In addition, they did not consider that the proposal would have an adverse effect on the otter feature as long as their advice in relation to securing mitigation (through a CEMP) as a condition of any planning permission is followed. NRW's comments are noted and accepted.

5.62 Article 6(4) of the Habitats Directive provides a derogation that allows a plan or project to be approved in limited circumstances, even though it would or may have an adverse effect on the integrity of a European site. Under Article 6(4) a plan or project can only proceed provided three sequential tests are met:

- There must be no feasible alternative solutions to the plan or project which are less damaging to the affected European site(s);
- There must be "imperative reasons of overriding public interest" (IROPI) for the plan or project to proceed; &
- All necessary compensatory measures must be secured to ensure that the overall coherence of the network of European sites is protected.

5.63 Information provided by the applicant in the ES and in the Habitat Compensation Plan outlines that there are no feasible alternative solutions and there were imperative reasons of overriding public interest for the project. Based on the evidence submitted, the Authority is satisfied that these tests have been met.

5.64 The applicant has submitted a Coastal Defence Habitat Compensation Plan and section 3 of the report details measures to compensate for the loss of sandflat habitat by removing rubble and debris from the upper shore sandflat areas in front of the proposed and existing defences which will deliver 2,472m2 of sandflat habitat. NRW confirmed that they consider the compensation measures to be appropriate and that the overall integrity and coherence of the SAC network would be maintained and can be secured through planning condition should permission be granted.

5.65 In circumstances such as this, regulation 49(5) of the Habitats Regulations requires the authority to notify the Welsh Government. Planning permission shall not then be granted for a period of 21

days unless the Welsh Government notifies the authority otherwise. This notification procedure will enable the Welsh Government to decide whether to call in the application for its own determination and will enable it to ascertain whether or not compensatory measures have been secured as required by regulation 53.

5.66 The development also requires a marine licence and the applicants applied to NRW in December 2019 for a licence. A Statement of Case was produced by NRW that was sent to Welsh Government on 4 November 2020 and approval to grant a licence under Article 6(4) of the Habitats Directive was provided by Welsh Government on 19 November 2020 and the licence was issued by NRW on the 22 December 2020. The LPA further consulted the Welsh Government and were advised that there is no requirement for the notification process to be duplicated through the planning process and as such the HRA considerations and process have already been met.

5.67 The proposal is located partly within the Glanllynnau a Glannau Pen-ychain i Gricieth SSSI and it is acknowledged that the proposals have the potential to impact upon the SSSI. NRW has however advised that providing the impact pathways for the SAC are adequately addressed by the suggested conditions, the features of the SSSI will also be adequately safeguarded.

5.68 With the imposition of conditions it is considered that the proposal accords with policies PCYFF 4, PS 19, AMG 4, AMG 5 and AMG 6.

The Economy

5.69 Strategic policies 13 and 14 recognise the importance of providing opportunities for a flourishing economy and the importance of the visitor economy. Technical Advice Note 23, Economic Development recognises the importance of the planning system recognising the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations. It further states that Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.

5.70 The application was supported by an Economic Statement that was also considered as an addendum to the ES. The statement concludes that the proposal will create private sector investment, create temporary benefits during the construction phase, create additional permanent and temporary local jobs on the site and increase visitor expenditure in the area. The observations of the Economy and Community Department were received, acknowledging the economic benefits and confirming that the proposal is in accordance with the draft Gwynedd Sustainable Visitor Economy Principles.

5.71 From the information submitted it is acknowledged that there are economic and environmental benefits to be derived from the proposal. The coastal defences are likely to significantly aid in the long-term longevity of the site and allow it to continue to make make a positive contribution to the economy of the area in accordance with Strategic Policies 13 and 14 of the JLDP.

Response to the public consultation

5.72 The main concerns raised by third parties in response to consultation the application consists mainly of the potential impacts on residential amenity, noise & vibration, biodiversity, and landscape. The Local Planning Authority has considered these comments as material considerations in preparing a recommendation for this application. Furthermore, the material considerations relevant to this proposal have been assessed having regarding to the relevant planning policies and guidance and it is not considered that there is justification to refuse this application.

6. Conclusions

6.1 The proposal entails a number of development elements that required consideration under numerous planning policies and other environmental legislation. The principle of the main aspects of the development which include coastal defence works, siting of additional static caravans, provision of additional staff accommodation and construction of a café was considered acceptable having considered all the relevant planning matters, including the local and national policies and guidance.

6.2 The ES has assessed the impact on the environment and it was concluded that with the imposition of planning conditions the development impacts can be satisfactorily mitigated and environmental features protected. The proposal has also been assessed under the Habitats and Species Regulations 2017 and is considered acceptable.

6.3 The visual and landscape impacts were considered acceptable with the imposition of phasing conditions and a condition to ensure the proposed landscaping is carried out. With conditions, it was concluded that the amenities of surrounding residential properties can be satisfactorily safeguarded.

6.4 The site is considered to be sustainably located, offering alternative methods of transport that place less reliance upon use of the motor vehicles. The highway network is considered suitable to serve the proposal. The coastal sea defences will help safeguard the coastal path and public safety.

6.5 The proposed development will extend and improve the quality of the park and will help to maintain Hafan y Môr Holiday Park as a holiday destination and improve public access to recreational activities. Economic benefits have been acknowledged and no harm to the Welsh Language was identified.

6.6 The proposal has demonstrated that the development will not cause any increase in risk to life nor any significant risk to property. It is also considered that the works will contribute to reducing the potential for major flood incidents in the area in the future.

6.7 Any archaeological remains can be acceptably managed and recorded with the imposition of a condition requiring further archaeological investigation prior to the commencement of developments works.

6.8 Having considered the above and all the relevant planning matters, including the local and national policies and guidance, observations received during the public consultation period with statutory consultees as well as local residents and the planning history, it is believed that this proposal is acceptable and is in accordance with the requirements of the relevant policies as noted in the above assessment.

7. Recommendation

7.1 To delegate powers to the Assistant Head of the Environment Department to approve the application, subject to conditions:

1. Timescales
2. In accordance with approved plans, documents & ES.
3. Materials.
4. Drainage
5. Construction times.
6. Landscaping and completion of mitigation proposals.

7. Tree protection.
8. Archaeological investigation for parcels G & J.
9. Welsh Language mitigation measures – advertising of site, development names, internal signage.
10. Continued reptile monitoring.
11. Diversion of the coastal path to be carried out in accordance with the route shown for the duration of coastal defence works and reinstated following completion of works.
12. Installation of fat/grease traps on the foul drainage at the café.
13. Submission of a CEMP
14. Submission of long-term management plans for protected sites (habitats)
15. Holiday use only on the site, maintain a register, accommodation not to be used as permanent residential accommodation.
16. Phasing conditions.
17. Number of units (75 touring caravans, 1,323 static caravans)

Informative : SUDS, NRW developer advice.