

PLANNING COMMITTEE	DATE: 29/07/2024
ASSISTANT HEAD OF DEPARTMENT REPORT	

Number: 4

Application Number: C24/0331/41/LL

Date Registered: 29/04/2024

Application Type: Full

Community: Llanystumdwy

Ward: Llanystumdwy

Proposal: Application for nine additional caravans in the caravan field

Location: Tŷ'n Lôn, Afonwen, Pwllheli, Gwynedd, LL53 6TX

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1 Description:

- 1.1 The application is to install nine additional caravans on the current touring caravan site. It is intended to install four touring caravan pitches near the western boundary of the site and five touring caravan pitches would be located centrally on the site. There is current permission to install 19 touring caravans on the site and the proposal would increase this to 28 touring caravans. One parking space would be provided for each caravan on the site and it is intended to create a gravel track within the site.
- 1.2 This is a rural site situated parallel to the A497 class 1 highway, between the Afon Wen roundabout and Pandy junction that leads to Chwilog. There are mature trees along the existing field boundaries. There are scattered houses and farms in the vicinity. The field in question has been identified as a Local Wildlife Site.
- 1.3 The application is submitted to the Planning Committee as the application site is greater than 0.5 hectare. The Local Member has also made a request to call in the application to a Committee.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan. Although the Anglesey and Gwynedd Joint Local Development Plan (LDP) pre-dates the latest version of Planning Policy Wales (PPW), it is considered that the policies that are relevant to this application in the Joint LDP remain consistent with PPW.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven 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 drawing up the recommendation below, the Council has sought to ensure that the needs of the present day are met without endangering the ability of future generations to also meet their needs.
- 2.3 **The Anglesey and Gwynedd Joint Local Development Plan 2011-2026 adopted on 31 July 2017**

PS 1: The Welsh Language and Culture

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 5: Sustainable Development

PCYFF 1: Development boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 14: The Visitor Economy

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

PS 19: Conserve and where appropriate enhance the natural environment

AMG 6: Protecting Sites of Regional or Local Significance

Supplementary Planning Guidance: Tourist Facilities and Accommodation (March 2021)

Supplementary Planning Guidance (SPG): Maintaining and Creating Distinctive and Sustainable Communities

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2.4 National Policies:

Future Wales: The National Plan 2040
 Planning Policy Wales (Edition 12 - February 2024)
 Technical Advice Note: 12 Design: June (2016)
 Technical Advice Note: 18 Transport: March (2007)

3 Relevant Planning History:

C21/1038/41/LL - Establishing a touring caravan site (19 units) with a toilet block and associated works - Refused 2 March 2023. The proposal was granted on Appeal on 21 November 2023.

4. Consultations:

Community/Town Council: Object as it creates over-tourism in the area. We have concerns that there is no definition of 'over-concentration' in the planning rules. We are also concerned that the current planning application does not comply, which is that a 'clawdd' is hiding them.

Transportation: Not received.

Welsh Water: We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

SEWERAGE

Since the proposal intends utilising an alternative to mains drainage, we would advise that the applicant seek advice from Natural Resources Wales and or the Local Authority Building Control Department / Approved Building Inspector as both are responsible to regulate alternative methods of drainage. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Advisory Note

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dŵr Cymru Welsh Water. Under the Water Industry Act 1991 Dŵr Cymru Welsh Water has rights of access to its apparatus at all times.

WATER SUPPLY

We anticipate this development will require the installation of a new single water connection to serve the new premise. Capacity is available in the water supply system to accommodate the development. The applicant will need to apply to Dŵr Cymru Welsh Water for a connection to the potable water supply system under Section 45 of the Water

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Industry Act 1991. The applicant's attention is drawn to our new water connection application guidance notes available on our website.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Water and
Environment Unit
YGC:

The unit has no observations to offer on this application in terms of land drainage, local flooding risk or coastal erosion.

Biodiversity Unit:

Not received.

Caravan Licensing
Enforcement Unit:

This memo gives an update following a Licensing Inspection for the Tŷ'n Lôn site on 04-06-24.

The development will be subject to the Legislation stated below relating to Health and Safety, Fire Safety and Public Health provision as follows:

1. The Health and Safety at Work etc. Act 1974
2. The Caravan Sites and Control of Development Act 1960
3. Model Standards 1989 - Static Caravan - Warden Occupancy

The development must fully comply with licence conditions.

www.gwynedd.llyw.cymru/trwyddedcarafanau

A static caravan has been located near the shed that is possibly used for the site warden's occupancy. A site licence would be required for this activity but a planning permission is required before the applicant can make an application for a warden caravan licence.

4. Model Standards 1983 - Touring Caravans / Tents

The development must fully comply with licence conditions.

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5. Emergency Vehicles - Model Standards 1983

The main entrance in and out of the site has not been created in accordance with the 1:500 1801/03 site plan dated 09-12-2002. Kerbs have been created to restrict access in this area.

The main gate to the site where the Tŷ'n Lôn site signs are displayed was locked with a padlock during the 04-06-24 site visit and does not comply with the licence conditions if an emergency occurred on the site where emergency / doctor vehicles etc. needed access in such an emergency. Emergency vehicles need appropriate access, within 90 metres of any unit on the site on every occasion in accordance with the licence conditions.

6. Toilet, cleaning, showers, washroom facilities for the disabled

Disabled facilities have not been provided in accordance with the 1:50 1801/04 plan dated 09-12-2002. Access to the toilet blocks at the back of the building is contrary to the plan which leads to the slope path to the toilets where the disabled facilities should have been created. The entrance to the facilities should be created at the front of the building facing the main road. It is a requirement to provide the following, including a disabled facilities room:

	Women	Men	
Toilet	2	2	
Washing	2	2	
Shower	2	2	
Disabled Provision	Toilet	Wash Basin	Shower

7. An application for a Site Licence following a permitted planning application. We wish for this information to be reported on the planning permission should the application be permitted: 'Following any planning application permitted in relation to a caravan or camping site under the 1960 and 1936 Acts, the applicant would be required to make an application for a site licence and present a 1:500 scale detailed plan of the site to the Licensing Service. To discuss further, you can contact the Licensing Enforcement Officer, Pollution Control and Licensing Service, Cyngor Gwynedd on 01766 771000 or trwyddedu@gwynedd.llyw.cymru

Fire and Rescue Service:

The Fire Authority has no observations regarding the access for fire vehicles and a water supply.

Public Protection Unit:

Not received.

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Public Consultation: A notice was posted on the site and neighbouring residents/nearby properties were informed. An objection was received on the grounds of:

- The plan does not show the location of the nine additional caravans.
- Impact on neighbouring property as the caravans are seen through the hedges of nearby property.
- Trees falling from Bryn Tirion Forest.
- Matters relating to the lack of compliance with the planning permission on matters such as the location of the caravans, badgers' licence, children's play area, access to the site, planting that had not been done, static caravans on the land.
- Concern that there is only electric connection near each pitch and that water and sewerage have not been connected.

5. Assessment of the material planning considerations:

The Principle of the Development

- 5.1 As this is a site for touring caravans, the application must be considered under Policy TWR 5 of the Anglesey and Gwynedd Joint Local Development Plan (LDP) that sets out a series of criteria to approve such developments. Policy TWR 5 declares that proposals for touring caravan sites, camping sites or alternative temporary camping accommodation, extensions to current sites or additional plots are permitted if they can comply with the criteria included in the Policy.
- 5.2 Criterion 1 in policy TWR 5 states that any touring caravan developments should be of a high quality in terms of design, layout and appearance, and well screened by existing landscape features and / or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape.
- 5.3 The proposal involves increasing the number of touring caravans on the current site. The site is located on a level field with mature trees along the boundaries and is therefore hidden from public places. The site is not within the Area of Outstanding Natural Beauty (AONB) or a Special Landscape Area and it is not believed that increasing the number of units would cause significant harm to the quality of the landscape. The proposal has been designed to meet the licensing requirements in terms of space between units and no concerns were raised about the density of the units in relation to the size of the site. It is therefore not considered that the proposal would be an over-development of the site and it is considered that there is sufficient space to locate nine additional units on the current touring caravan site.
- 5.4 The second criteria of Policy TWR 5 requires the avoidance of excessive areas of hard standing. The application shows an intention to create a gravel track to facilitate vehicular movements within the site. It is considered that a gravel track can easily assimilate into the landscape. It is not considered that the proposal creates an over-concentration of hard standings and that what is offered is suitable and acceptable in terms of the relevant criteria.
- 5.5 The third criterion requires assurance that the site would only accommodate touring units - this can be controlled with a suitable planning condition.

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- 5.6. The fourth criterion requires assurance that any ancillary facilities should be located in an existing building, or should this not be possible, that any new facility is commensurate to the scale of the development. A toilets / shower blocks was permitted as part of the C21/1038/41/LL application and an additional building would not be required as part of the current application. The proposal therefore satisfies criterion 4 of TWR 5 as well as policy PCYFF 3 of the LDP.
- 5.7 Under the fifth criterion, the policy requires the site to be located close to the main roads network and that adequate access can be provided without significantly harming landscape characteristics and features - highway matters are discussed below.
- 5.8 The sixth criterion requires assurance that occupancy is restricted to holiday use only - this can be secured with a suitable planning condition.
- 5.9 The seventh, and the last of the criteria, requires assurance that the site is used for touring purposes only and that the units are removed from the site during periods when not in use - again, this is a matter of imposing a suitable planning condition.
- 5.10 Overall therefore, it is believed that the proposal meets the requirements of the criteria set by Policy TWR 5 and the policy requirements of PCYFF 3 in the LDP.
- 5.11 On application C21/1038/41/LL, concerns were raised by Members about the cumulative impact in terms of the site's proximity to other static caravan sites such as Hafan y Môr and Ocean Heights, and the Afon Wen touring site opposite and Sŵn y Môr behind. Although there are several static and touring sites in the vicinity, the area in question was not considered to be an example of a location that is under extreme pressure in terms of such tourism developments. Unlike Policy TWR 3, which concerns touring caravan and chalet sites and permanent alternative camping accommodation, the cumulative impact in the criteria of policy TWR 5 is not a consideration as touring use is temporary with less impact than static structures. However, the criteria themselves responded to the cumulative impact in the sense that sites in obtrusive places that are not close to the main roads network should not be permitted. Even during the winter months, it is considered that the site is well screened by the existing landscape features. In paragraph 6.3.81 of the policy it states that caravans should not be permitted in open countryside or in Areas of Outstanding Natural Beauty. The site is located away from an open coastal location and there is no landscape designation in the vicinity. The Afon Wen Farm touring site opposite is comparatively well hidden, and although it may share the same visual context from the county highway, due to the nature of the vegetation it is not considered that the development would appear excessive or harmful to the landscape at this site. The matter of cumulative impact was also considered and disregarded by the Inspector as part of the appeal on the C21/1038/41/LL application. It is considered that due attention is given to the cumulative impact of developing a touring caravan site on the land on the application and associated appeal of C21/1038/41/LL. By now, the touring caravan site has been established on the land and it must be remembered that this is an application to install an additional nine touring caravans on a current caravan site and not to create a new caravan site.

General and residential amenities

- 5.12 The property of Tŷ'n Lôn stands alone parallel to the county highway. The nearest property is over the A497 road and a field's width of approximately 135 metres to the south-west, namely Fferm Afon Wen. Hen Efail is more than two fields away, approximately 270 metres to the north east, and Sŵn y Môr property over two fields away, approximately 250 metres to the north west. Based on the distance and the hidden nature of the field, it is not considered that the proposal would have a substantial detrimental impact or cause disruption to any nearby residents. It is considered that the proposal is acceptable in terms of Policy PCYFF 2 of the LDP that deals with protecting the amenities of nearby land users.

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Transport and access matters

- 5.13 The site has direct access to a class 1 road, the A497 with an area of wide pavement between the road and the entrance to the property. The road is straight at this location and visibility is clear in both directions for a distance. There will be no need to make any changes to the access to serve the proposal. No response to the application was received from the Transportation Unit. There are plenty of parking spaces available within the site. It is therefore considered that the proposal is acceptable in terms of Policies TRA 2 and TRA 4 of the LDP. The proposal also satisfies the requirements of criterion 5 of policy TWR 5 as it is close to the main highway network and adequate access can be provided without significantly harming landscape characteristics and features.

Sustainability

- 5.14 Policy PS 5 (Sustainable Developments) supports developments which are consistent with sustainable development principles, and where appropriate, developments should:

"Reduce the need to travel by private transport and encourage the opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport, in accordance with Strategic Policy 4" (Bullet point 12, Policy PS 5)".

This is supported by bullet point 4 of Policy PS 14 (The Visitor Economy).

- 5.15 It is considered that the policies of the LDP are consistent with local and national planning policies in terms of how they deal with sustainable development principles.
- 5.16 Although it is accepted that users of the touring units would use private vehicles to reach the site (due to the need to tow a caravan) there are various alternative transport options available once they reach the site, including cycling, public transport and on foot.
- 5.17 It is noted that the bus stop is located close to Afon Wen roundabout and not far from the site's main access on the A497. In addition, there is a pavement all the way along the road from the site's access to Criccieth or paths to Pwllheli where several facilities and attractions are available. The pavement also links to several of the area's public footpaths, such as y Lôn Goed. In the context of all the relevant material planning considerations, it is considered that the location of the development is a sustainable site and is acceptable in relation to the requirements of policies PS4, PS5 and PS14 of the LDP, and complies with the advice included in TAN 18 and PPW.

Biodiversity matters

- 5.18 The field in question together with the land to the north and west of the site has been identified as a Local Wildlife Site. The field was acknowledged as improved grassland with low conservation value on the C21/1038/41/LL application but the boundary hedges surrounding the site are important. By now, the field acts as a touring caravan site. It is considered, like the previous application, that it would be important to keep the boundary hedges surrounding the site and a similar condition could be set to what is on the C21/01038/41/LL application to protect these hedges on any planning permission. A very short Green Infrastructure Statement was received which offered biodiversity improvements to include bird and bat boxes on the toilets / shower building. It is considered that proposing a bird and bat box is acceptable, but it is considered that there is an opportunity here to include more biodiversity improvements such as additional planting to reiterate the boundaries and / or plant within the site. It is therefore considered that it would be appropriate to include a condition to agree on biodiversity improvements. It is considered that, from imposing appropriate conditions, the proposal is acceptable in terms of the requirements of policy AMG 5 of the LDP and Planning Policy Wales.

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The Welsh Language

- 5.19 In accordance with the Planning (Wales) Act 2015, it is a duty when determining 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.
- 5.20 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. The proposal does not reach the thresholds to submit a Welsh Language Statement or a Report on a Welsh Language Impact Assessment; however, the guidance included within Appendix 5 notes that every retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement/Assessment should show how consideration has been given to the language.
- 5.21 A document was submitted to support the application explaining how the Welsh language was considered when formulating this plan, noting the following points:
- Retain the Welsh name Tŷ'n Lôn and bilingual signage
 - The use for short-term holiday use and in general for a period of approximately six months during the summer period.
 - The proposal would contribute directly and indirectly to the rural economy through visitor spending in facilities such as local pubs, restaurants and other organisations.
 - The development would include an initial investment of £60,000 to £70,000 with local suppliers and contractors being used.
 - Employ one part-time staff member.
 - The site is central to local centres.
- 5.22 In considering the above, it is believed that sufficient information has been submitted to satisfy the requirements of policy PS 1 and the SPG in terms of demonstrating that the Welsh language has received appropriate consideration in creating this proposal.

Any other matters

- 5.23 It is seen from the observations of the Caravan Licensing Enforcement Unit and correspondence received by a third party that there were concerns whether the caravan site implemented in accordance with the C21/1038/41/LL planning permission. The Enforcement Service is aware of these matters and are looking into the matters raised. Although it is a shame that there is a possibility that the site does not implement in accordance with the planning permission, this alone is not a reason to refuse the current application.

6. Conclusions:

- 6.1 Having considered the assessment above and all the relevant planning matters including the local and national policies and guidance, as well as the observations received, it is believed that the proposal is acceptable based on the matters noted in the report and that it would not have a substantial impact on the landscape, amenities of the neighbourhood or road safety.

7. Recommendation:

- 7.1 To approve the application subject to the following conditions:

1. Time
2. In accordance with the plans
3. Restrict the number of touring units on the entire site to 28 touring caravans only.
4. Holiday use only and maintain a register.
5. Holiday season - 1 March to 31 October
6. No storing of touring caravans on the site.

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7. Retain the trees and hedges along the site's boundaries.
8. Submission and agreement of biodiversity improvements for the site.
9. Any hard standings are limited to caravan pitches and the track as shown on plan 1965/03 only.

Notes:

Caravans licence required

Draw attention to Dŵr Cymru comments